

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
October 16, 2012

In the Matter of K. A. WEBER, Minor.

No. 309587
Oakland Circuit Court
Family Division
LC No. 11-782943-NA

Before: O'CONNELL, P.J., and DONOFRIO and BECKERING, JJ.

MEMORANDUM.

Respondent appeals as of right the circuit court's order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) (conditions that led to the adjudication continue to exist) and (g) (failure to provide proper care or custody). Because the statutory bases for termination were proven by clear and convincing evidence and termination was in the child's best interests, we affirm.

The trial court did not clearly err by finding that §§ 19b(3)(c)(i) and (g) were established by clear and convincing evidence. See MCR 3.977(H)(3)(a) and (K); *In re Trejo*, 462 Mich 341, 355-357; 612 NW2d 407 (2000). The conditions that led to the adjudication included respondent's failure to provide proper care and custody, and his lack of housing and a source of income. Respondent was referred for a psychological evaluation, following which various services for reunification were recommended. The initial dispositional order was entered on June 15, 2011, and the supplemental petition to terminate respondent's parental rights was filed 196 days later, on December 28, 2011. During a large portion of that period, respondent's whereabouts were unknown. He absconded from parole, failed to communicate with the caseworker, did not attend any court hearings, never established stable housing or a source of income, and never visited his child. Beginning in January 2012, respondent attended four visits, during which it was clear that the child did not know respondent or have any bond with him. Respondent then disappeared again and did not attend the termination hearing. Given respondent's lack of commitment to the reunification process during the pendency of the case, the trial court did not clearly err by finding that the conditions that led to the adjudication continued to exist and were unlikely to be rectified, and that there was no reasonable expectation that respondent would be able to provide proper care and custody within a reasonable time given the child's age.

Further, considering that respondent failed to make a meaningful effort toward reunification and demonstrated no commitment to the reunification process or to the child, and

that the child showed no recognition of respondent or bond with him during their few visits, the trial court did not clearly err by concluding that termination of respondent's parental rights was in the child's best interests. See MCL 712A.19b(5); *In re Rood*, 483 Mich 73, 102 n 43; 763 NW2d 587 (2009). Thus, the trial court did not err by terminating respondent's parental rights to the child.

Affirmed.

/s/ Peter D. O'Connell

/s/ Pat M. Donofrio

/s/ Jane M. Beckering