

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JENNILA ASHLEY SANDERS,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
April 24, 1998

v

No. 203892
Wayne Juvenile Court
LC No. 95-325800

PAMELA DENISE SANDERS,

Respondent-Appellant,

and

JOHN ROBINSON,

Respondent.

Before: Hoekstra, P.J., and Jansen and Gage, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the juvenile court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(c)(i), (g), and (j). We affirm.

The juvenile court did not clearly err in finding that the statutory grounds for terminating respondent-appellant's parental rights were established by clear and convincing evidence. MCR 5.974(i); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993). The child in question in the present case was taken into temporary custody of the court after she and her two-year-old brother ingested methadone at home. The two-year-old died as a result.

The court found that respondent-appellant's compliance with part of the parent-agency agreement was not sufficient to rectify the conditions that led to adjudication. For example, she did not visit with the child consistently on a weekly basis, and there was a six-week break in visitation for which respondent-appellant had no explanation. Respondent-appellant failed to find suitable housing until almost eighteen months after finding fit housing for her children was identified as a major objective of the parent-agency agreement. Another major objective was remaining alcohol and drug-free for at least six months. During the pertinent time period, both respondent-appellant and her newborn child tested positive for cocaine. Although respondent-appellant met some of the objectives and made some attempts to cooperate, "the statutory standard upon which the court based the decision to terminate respondent's parent rights requires the court to evaluate the acts and abilities of the parent '*without regard to intent.*' MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g)." *In re Hamlet (After Remand)*, 225 Mich App 505, 515-516; 571 NW2d 750 (1997).

Moreover, respondent-appellant did not show that terminating her parental rights was clearly not in the best interests of the child. Thus, the juvenile court's decision to terminate those rights was not clearly erroneous. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997).

Affirmed.

/s/ Joel P. Hoekstra

/s/ Kathleen Jansen

/s/ Hilda R. Gage