

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DACAREA MILLER and MICHAEL
HOTRUM, JR., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BRENDA CAFARELLI,

Respondent-Appellant,

and

MICHAEL HOTRUM, SR.,

Respondent.

UNPUBLISHED

January 28, 2000

No. 217239

Kalamazoo Circuit Court

Family Division

LC No. 96-000060 NA

Before: Markey, P.J., and Murphy and R.B. Burns*, JJ.

MEMORANDUM.

Respondent-appellant appeals by right from the family court order terminating her parental rights to the minor children under MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g), following a finding that she failed to comply strictly with the requirements of an *Adrianson*¹ agreement. We affirm.

The trial court, having found that the allegations in the petition for termination were established by clear and convincing evidence, and having accepted respondent-appellant's plea of no contest to the petition in exchange for the chance to perform under an *Adrianson* agreement, did not abuse its discretion in entering the order of termination upon finding that respondent-appellant failed to comply strictly with the requirements of the agreement. *In re Adrianson*, 105 Mich App 300, 316, 319, 322; 306 NW2d 487 (1981). The court had previously and carefully admonished respondent-appellant that

* Former Court of Appeals judge, sitting on the Court of Appeals by assignment.

even the slightest failure to comply with all of the conditions of the *Adrianson* agreement would likely result in the termination of her parental rights, and respondent-appellant expressed her understanding of this on the record.

Finally, respondent-appellant failed to show that termination of her parental rights was “clearly not” in the children’s best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the trial court did not err in terminating respondent-appellant’s parental rights to the children.

We affirm.

/s/ Jane E. Markey

/s/ William B. Murphy

/s/ Robert B. Burns

¹ *In re Adrianson*, 105 Mich App 300, 316, 319, 322; 306 NW2d 487 (1981). Respondent-appellant pleaded no contest to the allegations in the termination petition in exchange for entering into a conditions-of-compliance agreement approved of in *Adrianson*. The trial court accepted the plea, concluded that the statutory grounds for termination had been met by clear and convincing evidence, and held in abeyance its ruling on termination pending a continuation hearing to ascertain whether she had strictly complied with the agreement.