

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of Clarence Worlie Thompson, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LASHAWN COURTWRIGHT,

Respondent-Appellant.

UNPUBLISHED

April 25, 2000

No. 219769

Wayne Circuit Court

Family Division

LC No. 95-328558

Before: Gribbs, P.J., and Hoekstra and Markey, JJ.

PER CURIAM.

Respondent appeals as of right from the family court order terminating her parental rights¹ to the minor child under MCL 712A.19b(3)(g) (the parent, without regard to intent, fails to provide proper care or custody and there is no reasonable expectation of change within a reasonable time considering the child's age), (i) (parental rights to siblings have been terminated and prior attempts to rehabilitate have been unsuccessful) and (j) (reasonable likelihood that the child will be harmed if returned to the home of the parent); MSA 27.3178(598.19b) (g), (i) and (j). We affirm.

The family court did not clearly err in finding that statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The minor child tested positive at birth for cocaine.² Respondent had been involved with the Family Independence Agency (the agency) for approximately five years; she knew the social worker's location and telephone number. Respondent did not contact the social worker until nearly two months after the child was born and did not return to see the social worker when told to do so. Respondent has a history of drug use and previously lost her parental rights to her other children. Although respondent acknowledged receiving a copy of the Parent/Agency Agreement, she failed to sign the agreement or comply with its terms. Respondent's argument that there was no evidence of continued drug use is specious in light of respondent's continued failure to comply with the requirement that she be screened for drugs. Even by

the time of the termination hearing, respondent had not entered a drug treatment program, returned to the agency to arrange for a drug screen, moved into suitable housing, or gotten a job.³

Further, respondent failed to show that termination of her parental rights was not in the best interest of the child. MCL 712A.19b(5); MSA 27.3178(598.10b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Respondent only saw the child once, two days after he was born. Despite her familiarity with the agency, respondent did not contact the social worker until the child was two months old and did not respond to letters from the agency. Even after being told that she would be permitted to visit the child after only one week of compliance with agency requirements, including a drug screen, respondent failed to comply. The family court did not err in terminating her parental rights.

Affirmed.

/s/ Roman S. Gribbs

/s/ Joel P. Hoekstra

/s/ Jane E. Markey

¹ The parental rights of Clarence Worlie Thompson, the minor child's father, were also terminated but are not at issue in this appeal

² Respondent asserts that she tested negative for cocaine at the same time.

³ Respondent informed the referee that she was planning to get a job, that she intended to enter a drug treatment program the following week, and that she was preparing to move into a house but had not yet "checked it out" or made a deposit.