

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JAMES MICHAEL SMITH and
TRAVIS LEE SMITH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

GERARD SZYMANSKI,

Respondent-Appellant,

and

MARY KATHRINE SMITH, a/k/a MARY
KATHRYN SMITH, and EDMOND JAMES,

Respondents.

UNPUBLISHED

April 28, 2000

No. 220508

Wayne Circuit Court

Family Division

LC No. 97-353488

Before: Cavanagh, P.J., and Sawyer and Zahra, JJ.

MEMORANDUM.

Respondent father appeals from an order of the probate court terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

In making a termination decision, the trial court must engage in a two-step analysis. First, it must determine if a statutory ground for termination has been established by clear and convincing evidence. Second, if a statutory ground has been established, the trial court must terminate parental rights unless it finds that termination is clearly not in the child's best interests. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

In the case at bar, this Court has carefully reviewed the record on appeal, the opinion of the probate court, and the briefs of the parties. We are not persuaded that the trial court erred in finding that the statutory grounds for termination were met and that it was in the best interests of the child to terminate the parental rights. Accordingly, we are not persuaded that the trial court clearly erred in terminating respondents' parental rights.

Affirmed.

/s/ Mark J. Cavanagh

/s/ David H. Sawyer

/s/ Brian K. Zahra