

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DAVID DAWSON, COREY
HAMILTON, and COURTNEY HAMILTON,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TERRI HAMILTON,

Respondent-Appellant,

and

DAVID DAWSON, SR.,

Respondent.

UNPUBLISHED

June 6, 2000

No. 222452

Muskegon Circuit Court

Family Division

LC No. 97-024721-NA

Before: Bandstra, C.J., and Jansen and Whitbeck, JJ.

PER CURIAM.

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

The family court did not clearly err in finding that the statutory grounds under §§ 19b(3)(c)(i) and (g)¹ for termination of parental rights were established by clear and convincing evidence. MCL 712A.19b(3); MSA 27.3178(598.19b)(3); MCR 5.974(F)(3), (I). Further, 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); MCR 5.974(F)(3); *In re Hall-Smith*, 222 Mich App 470, 473; 564 NW2d 156 (1997). In this case, the petition was filed in August 1997 because

respondent-appellant was reported as being suicidal, was a crack cocaine addict, and was homeless. By the time of the permanent wardship trial in July 1999, there was very little evidence that respondent-appellant had made any progress. She had been involved in a number of drug treatment programs, but had not achieved any real sobriety after those programs, she was not employed, and her housing was with the Rescue Mission, thus, she still had not obtained housing for herself and her children. The foster care worker recommended termination of respondent-appellant's parental right because of her lack of progress and the behavioral problems of the children. Considering this evidence, we agree with the family court that there was no reasonable likelihood that the children would receive proper care and custody in the near future.

Accordingly, the family court did not clearly err in terminating respondent-appellant's parental rights to the three children. *In re JS & SM*, 231 Mich App 92, 98; 585 NW2d 326 (1998).

Affirmed.

/s/ Richard A. Bandstra

/s/ Kathleen Jansen

/s/ William C. Whitbeck

¹ Although there was no evidence that the children would have been harmed had they been returned to respondent-appellant's care, as required under § 19b(3)(j), termination was still warranted since only one statutory basis need be established by clear and convincing evidence to justify termination of parental rights. MCL 712A.19b(3); MSA 27.3178(598.19b)(3); *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999).