

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DOMINIQUE LEGGETT,
ELIZABETH GREEN, VANESSA WASHINGTON,
DONNELL CLAY, REBECCA CLAY and CARRIE
CLAY, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SONYA LEGGETT,

Respondent-Appellant,

and

TYRONE CLAY,

Respondent.

UNPUBLISHED

June 23, 2000

No. 217684

Oakland Circuit Court

Family Division

LC No. 86-044823-NA

Before: Hoekstra, P.J., and Holbrook, Jr., and Zahra, JJ.

PER CURIAM.

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

Respondent-mother argues that the family court erred in terminating her parental rights because the statutory grounds were not established, and because she presented clear and convincing evidence that termination was not in the best interests of the minor children. We disagree. We review the family court's termination decision "in its entirety for clear error." *In re Boursaw*, 239 Mich App 161, 169; 607 NW2d 408 (2000).

Respondent-mother's argument that the evidence presented was insufficient to support the court's finding that termination was warranted under MCL 712A.19b(3)(b)(ii), (c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(b)(ii), (c)(i), (g), and (j), is predicated on her assertion that the family court relied only on the testimony of the children's foster care caseworker. The record, however, does not support this assertion. We also reject respondent-mother's claim that the trial court erred because the foster care worker lacked credibility. Credibility issues are for the trial court, who has the unique opportunity to assess the witnesses' credibility when they testify. MCR 2.613(C).

Further, respondent-mother fails to cite any authority in support of her argument that, under the circumstances, the FIA provided inadequate assistance to prevent removal and to reunite the family. *In re Futch*, 144 Mich App 163, 166; 375 NW2d 375 (1984). In any event, the record clearly shows that respondent-mother was provided with adequate assistance, which she chose not to avail herself of.

Additionally, the record establishes that respondent-mother had been involved in abusive personal relationships that had adversely affected the welfare of the children. There is also evidence that respondent-mother is incapable of putting the needs of her children before those of her abusive romantic partners. The evidence further shows that she failed to act appropriately during visitations, failed to comply with required drug screens, failed to complete parenting classes, and failed to provide a legitimate plan to care for her children. Accordingly, we conclude that the family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

We also reject respondent-mother's argument that the family court erred in finding that termination was not contrary to the best interests of the children. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Boursaw*, *supra* at 180. Acknowledging the importance of the child-parent relationship, we nonetheless believe that the record supports the conclusion that the best interests of the children are served by termination of respondent-mother's parental rights. *In re Boursaw*, *supra* at 180.

Finally, we decline to address respondent-appellant's claim that the trial judge was biased because respondent-mother failed to move for disqualification of the trial judge pursuant to MCR 2.003(C)(1). See *In re Jackson*, 199 Mich App 22, 29; 501 NW2d 182 (1993); *Kroll v Crest Plastics, Inc*, 142 Mich App 284, 291; 369 NW2d 487 (1985).

Affirmed.

/s/ Joel P. Hoekstra
/s/ Donald E. Holbrook, Jr.
/s/ Brian K. Zahra