STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of ALEXANDER MONTIZE HARRIS, STEPHAN DARNELL HARRIS-BOWLSON, JONAE MONIQUE LEWIS, and JOHN CLIFTON LEWIS III, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

STEPHANIE TAMARA HARRIS,

Respondent-Appellant,

and

JOHN CLIFTON LEWIS, JR. and ALFRED BOWLSON,

Respondents.

UNPUBLISHED
November 21, 2000

No. 220336
Wayne Circuit Court
Family Division
LC No. 96-346675

In the Matter of JONAE MONIQUE LEWIS, JOHN CLIFTON LEWIS III, and DERRICK JAJUAN LEWIS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOHN CLIFTON LEWIS, JR.,

No. 220480
Wayne Circuit Court
Family Division
LC No. 96-346675

Respondent-Appellant,

and

STEPHANIE TAMARA HARRIS,

Respondent.

Before: Jansen, P.J., and Doctoroff and O'Connell, JJ.

PER CURIAM.

In docket no. 220336, respondent-appellant mother appeals as of right from an order of the family court terminating her parental rights to Alexander Montize Harris, Stephan Darnell Harris-Bowlson, Jonae Monique Lewis, and John Clifton Lewis III pursuant to MCL 712A.19b(3)(c)(*i*), (g), and (j); MSA 27.3178(598.19b)(3)(c)(*i*), (g), and (j). In docket no. 220440, respondent-appellant father[1] appeals as of right from a family court order terminating his parental rights to Jonae Monique Lewis, John Clifton Lewis III, and Derrick Jajuan Lewis 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 both appeals.

Docket No. 220336

Respondent-mother's sole issue is that petitioner failed to produce sufficient evidence from which the family court could properly conclude that the statutory grounds were supported by clear and convincing evidence. The family court must find that at least one statutory ground had been proven by clear and convincing evidence to terminate parental rights. MCL 712A.19b(3); MSA 27.3178(598.19b)(3); MCR 5.974(F)(3). The family court's findings and decision are reviewed under the clearly erroneous standard of review. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Once a ground for termination is established, the family court must issue an order terminating parental rights unless there exists clear evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *Trejo*, *supra*, p 354.

Having carefully reviewed the lower court record, we find that the family court's factual findings are not clearly erroneous because they are amply supported by the testimony of the case workers. Although respondent-mother showed some compliance with the parent/agency reports, she showed little progress from the time the first two children were taken from the home because they were whipped with a belt by both respondents-appellants in October 1996, until the

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[1] Respondent Alfred Bowlson is the father of Alexander Montize Harris and Stephan Darnell Bowlson-Harris. His parental rights to these two children were terminated; however, he does not appeal from that decision. Therefore, use of "respondent-father" in this opinion will refer solely to John Clifton Lewis, Jr.

termination of parental rights order was entered on July 1, 1998. Moreover, there was not clear evidence that termination was clearly not in the children's best interests[2] because they were living with relatives and doing very well in their respective environments.

Accordingly, the family court did not clearly err in terminating respondent-mother's parental rights to four of her children.

Docket No. 220480

Respondent-father similarly argues that a statutory basis for termination of parental rights was not proven by clear and convincing evidence and that termination of parental rights was not in the best interests of the children.

Although respondent-father is correct that there was evidence that there was bonding between himself and the children, the evidence largely supports the family court's conclusion that there was clear and convincing evidence to terminate respondent-father's parental rights to his three children. Respondent-father exhibited violent behavior toward the children, respondent-mother, and the relatives caring for the children. Other than completing a parenting class, respondent-father complied with no other provisions in the parent/agency agreement. He did not adequately address his substance abuse, he did not obtain steady employment, he did not participate regularly in therapy or counseling, he had very little contact with the case workers, he visited the children for about half of the scheduled family visits, and he did not attend all the court hearings. Further, the children were doing very well living with their aunt. Thus, there was not clear evidence that termination of respondent-father's parental rights was clearly not in the best interests of the children.

Accordingly, the family court did not clearly err in terminating respondent-father's parental rights to his three children.

Affirmed.

/s/ Kathleen Jansen
/s/ Martin M. Doctoroff
/s/ Peter D. O'Connell

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[2] We note that the family court actually went beyond the statutory requirement in ruling that termination of respondent-mother's parental rights was in the best interests of the children. See *Trejo, supra*, p 357.