

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KEVIN ANDREW WILSON
TRAYER, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ROGER TRAYER,

Respondent-Appellant.

UNPUBLISHED
February 16, 2001

No. 228355
Ingham Circuit Court
Family Division
LC No. 00-037993-NA

Before: Holbrook, Jr., P.J., and McDonald and Saad, JJ.

MEMORANDUM.

Respondent father appeals as of right from the family court's order terminating his parental rights to his minor child, Kevin, under MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i) (more than 182 days have elapsed, conditions leading to the adjudication continue to exist, and no reasonable likelihood exists that they will be rectified within a reasonable time), MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g) (without regard to intent, parent fails to provide care and custody and there exists no reasonable likelihood of change within reasonable amount of time), and MCL 712A.19b(3)(j); MSA 27.3178(598.19b)(3)(j) (reasonable likelihood, based on the conduct or capacity of the parent, that the child will be harmed if he is returned to the parent's home). We affirm.

In making a termination decision, the family 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. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999). Second, if a statutory ground has been established, the family court must terminate parental rights unless there exists clear evidence on the whole record that it is not in the child's best interests to terminate parental rights. *In re Trejo Minors*, 462 Mich 341, 354; 603 NW2d 787 (2000).

We have carefully reviewed the record on appeal, the opinion of the family court, and the parties' briefs. The record demonstrates that the conditions leading to adjudication continue to exist and have little likelihood of improving within a reasonable time. We are not persuaded that the family 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 find no abuse of discretion by the trial court in terminating respondent's parental rights.

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Gary R. McDonald

/s/ Henry William Saad