

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MARGARET PARROTT, BRUCE
PARROTT and PAMELA PARROTT, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BRUCE PARROTT and DOROTHY HICKS,

Respondents-Appellants.

UNPUBLISHED
May 25, 2001

No. 229740
Roscommon Circuit Court
Family Division
LC No. 99-720944-NA

Before: Holbrook, Jr., P.J., and Hood and Griffin, JJ.

MEMORANDUM.

Respondents appeal as of right from the family court order terminating their 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.

Once a trial court determines that one or more grounds for termination has been established by clear and convincing evidence, the trial court must terminate parental rights unless “there exists clear evidence, on the whole record, that termination is not in the child’s best interests.” *In re Trejo Minors*, 462 Mich 341, 354; 612 NW2d 407 (2000).

Respondent argues that the family court erred 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 disagree. We review the family court’s findings under the clearly erroneous standard. *Id.* at 358. “A finding is clearly erroneous where the reviewing court is left with a firm and definite conviction that a mistake has been made.” *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993).

After carefully reviewing the record, we conclude that the trial court did not clearly err in finding that the statutory grounds for termination had been established by clear and convincing evidence. The record establishes that all three children have suffered physical injury or sexual abuse. Additionally, the evidence shows that despite respondents’ efforts, they have not acquired the understanding and ability to care for these special needs children. Testimony by the

caseworker, the psychologist who evaluated the family, and respondents' own therapist, established that respondents lacked the capability to fully grasp and adequately address their children's special needs. Given the circumstances of this case, we agree with the family court that there is no reasonable likelihood that either the conditions that led to adjudication will be rectified or that respondents will be able to provide proper care and custody for the minor children within a reasonable time considering the children's ages. MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g).

Further, under the circumstances of this case, this demonstrated lack of understanding and ability to care for their children's needs supports the family court's findings that there is a reasonable likelihood that if the children are returned to respondents' home the children "will suffer injury or abuse in the foreseeable future" and that they "will be harmed." MCL 712A.19b(3)(b)(ii) and (j); MSA 27.3178(598.19b)(3)(b)(ii) and (j).

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Harold Hood

/s/ Richard Allen Griffin