

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of D.L.D., G.L.D., and P.M.A.,  
Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

SHEILA DOUGLAS,

Respondent-Appellant,

and

JOHN LEBRARY ALLEN,

Respondent.

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UNPUBLISHED

July 9, 2002

No. 233388

Wayne Circuit Court

Family Division

LC No. 83-236113

Before: Hood, P.J., and Saad and E.M. Thomas,\* JJ.

PER CURIAM.

Respondent appeals as of right the trial court's order terminating her parental rights to her children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).<sup>1</sup> We affirm.

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL

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<sup>1</sup> The trial court's order also terminated the parental rights of respondent John Lebrary Allen and non-participating respondent Lindsey Govan, the fathers of the children. Allen and Govan have not appealed the order.

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\* Circuit judge, sitting on the Court of Appeals by assignment.

712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.*, 356-357.

We hold the trial court did not clearly err in finding that petitioner established one or more statutory grounds for termination of respondent's parental rights. Petitioner provided respondent with various services; however, respondent made very little progress in addressing her difficulties with housing, employment, etc. Respondent's circumstances at the time of the termination hearing had not improved to any significant degree since the children were taken into custody. The trial court did not clearly err in finding that termination of respondent's parental rights was warranted on the grounds the conditions that led to adjudication continued to exist and it was not reasonably likely the conditions would be rectified within a reasonable time considering the children's ages, MCL 712A.19b(3)(c)(i), that respondent failed to provide proper care or custody and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and there was a reasonable likelihood the children would be harmed if returned to respondent's care, MCL 712A.19b(3)(j). The evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCR 5.974(I); *Trejo*, *supra*.

Respondent's rights to due process and equal protection were not violated by the non-appearance of the children at the termination hearing or by the taking of a witness's testimony by speakerphone at that hearing. Respondent has made no showing that any testimony the children might have offered would have resulted in a different outcome. Furthermore, the sixth amendment right to confrontation does not apply in child protective proceedings. *In re Brock*, 442 Mich 101, 108; 499 NW2d 752 (1993). Respondent was allowed to and did cross-examine the witness.

Affirmed.

/s/ Harold Hood  
/s/ Henry William Saad  
/s/ Edward M. Thomas