

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of K.L., E.L. and L.L., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BARBARA WITCHER,

Respondent-Appellant.

UNPUBLISHED

October 25, 2002

No. 238943

St. Clair Circuit Court

Family Division

LC No. 94-000091-NA

Before: Hoekstra, P.J., and Wilder and Zahra, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Although respondent made efforts to comply with the treatment plan, the evidence at the termination hearing clearly established that respondent was not able to provide proper care and supervision of her children despite receiving eighteen months of counseling and therapy designed to equip her to properly parent her children. Further, the trial court did not clearly err in its determination that the evidence, on the whole record, did not clearly show that termination was clearly not in the children's best interest. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights to the children. *Trejo, supra* at 356-357.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Kurtis T. Wilder

/s/ Brian K. Zahra