

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of T.L., D.L., M.L., A.O. and J.S.,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KATHLEEN OSTIC,

Respondent-Appellant,

and

TERRY STREETER,

Respondent.

UNPUBLISHED
December 17, 2002

No. 241164
St. Clair Circuit Court
Family Division
LC No. 99-000908-NA

Before: Owen, P.J., and Murphy and Cavanagh, JJ.

MEMORANDUM.

Respondent Ostic appeals as of right from a circuit 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 at least one statutory ground for termination had been proved by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although respondent made some effort to comply with the treatment plan, the evidence at the termination hearing clearly showed that she was unable to provide proper care and custody for her children yet denied responsibility for the court's intervention and thus failed to benefit from counseling services, which she viewed unnecessary. A psychological evaluator determined that respondent's prognosis for improvement was poor due to her steadfast denial of any parenting problems and lack of insight, and thus the children were at risk for continued neglect. Given that, plus the absence of any evidence to show that termination was clearly not in the children's best interest, MCL 712A.19b(5), the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra*.

Affirmed.

/s/ Donald S. Owens
/s/ William B. Murphy
/s/ Mark J. Cavanagh