

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of S.A.L., JR., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VIRGINIA HOOPER,

Respondent-Appellant,

and

SCOTT ALLEN LEWINSKI, SR.,

Respondent.

In the Matter of S.A.L., JR., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SCOTT LEWINSKI,

Respondent-Appellant,

and

VIRGINIA HOOPER,

Respondent.

UNPUBLISHED
December 20, 2002

No. 239485
Macomb Circuit Court
Family Division
LC No. 00-050113-NA

No. 239931
Macomb Circuit Court
Family Division
LC No. 00-050113-NA

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

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the family court order terminating their parental rights to their minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. These appeals are 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 were established by clear and convincing evidence. See MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence demonstrated that respondents did not resolve their substance abuse or housing problems in the fifteen months their child was in foster care.

Respondent-mother further argues that she had a constitutional right to custody of her child. Because this issue was not preserved for appellate review, we review it for clear error affecting respondent-mother's substantial rights. See *People v Carines*, 460 Mich 750, 763; 597 NW2d 130 (1999). While a parent's right to custody of his or her children is an element of the liberty guarantee of the Fifth and Fourteenth Amendments to the United States Constitution, that liberty interest is lost once parental rights are terminated upon proper proof and appropriate procedures. *In the Matter of LaFlure*, 48 Mich App 377, 385; 210 NW2d 482 (1973). Here, respondent-mother's parental rights were terminated pursuant to the procedures set forth in MCL 712A.19b. Thus, no clear error affecting her substantial rights occurred.

Finally, the trial court did not clearly err in finding that petitioner made reasonable efforts to reunite the family. The record indicates that petitioner offered many services to the mother in an effort to reunite the family, but that respondent-mother failed to take advantage of many of those services.

Affirmed.

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