

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KEYSHAWN PERKINS,
JUSTENA SCOTT, and SHAKENA SCOTT,
Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

THERESA SCOTT,

Respondent-Appellant,

and

ROBERT COMER and JUSTIN BANKS,

Respondents.

UNPUBLISHED
December 16, 2003

No. 247777
Kent Circuit Court
Family Division
LC No. 01-065100-NA

Before: Fitzgerald, P.J., and Neff and White, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err in finding the statutory grounds for termination of parental rights established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). The principal conditions leading to adjudication were respondent-appellant's substance abuse, incarceration for domestic violence, impaired parenting, emotional and financial instability, and inability to meet the children's basic needs for food and shelter. While respondent-appellant did make some progress late in the case in achieving her treatment goals, she had two positive cocaine screens and at one point left the state for three months with no forwarding address. She failed to follow through with substance abuse treatment. The trial court found that respondent-appellant had not adequately dealt with her substance abuse and had not attained sufficient independence, responsibility, and stability. Based on the record, we find no clear error in the trial court's determinations regarding subsections (3)(c)(i) and (g).

Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly contrary to the best interests of the children. Although respondent-appellant loved her children, there was evidence that a strong emotional bond was lacking. Additionally, as to the older children, the evidence showed that respondent-appellant's lack of progress and concern over their placement was negatively affecting the children's well-being. The children need a permanent, stable home, which respondent-appellant cannot provide. We find no clear error in the trial court's best interests determination.

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ Janet T. Neff

/s/ Helene N. White