

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BRYAN GREGORY, MATTHEW
WILSON, ERIC WILSON, MELANIE WILSON,
and CHRISTOPHER WILSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHELE GREGORY,

Respondent-Appellant,

and

DARRIN WILSON,

Respondent.

In the Matter of MATTHEW WILSON, ERIC
WILSON, MELANIE WILSON, and
CHRISTOPHER WILSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DARRIN WILSON,

Respondent-Appellant,

and

UNPUBLISHED
September 7, 2004

No. 253829
St. Clair Circuit Court
Family Division
LC No. 02-000436

No. 253926
St. Clair Circuit Court
Family Division
LC No. 02-000436

MICHELE GREGORY,

Respondent.

Before: Cavanagh, P.J., and Jansen and Saad, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal the trial court order that terminated their parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (c)(ii), (g), and (j), and we affirm.

RESPONDENT GREGORY

The conditions that led to adjudication concerning respondent Michele Gregory included her mental health problems, her verbal and physical abuse of her children, and her lack of suitable employment and housing. Respondent was hospitalized during the case and treated for acute psychosis with paranoid delusions. She made limited progress on her treatment, but continued to have little or no insight into her problems. At the time of trial she was living in adult foster care. Her serious mental health issues and lack of suitable housing would not be adequately remedied in a reasonable time and she would not be able to provide proper care and custody of the children in a reasonable time for these same reasons. Moreover, respondent did not cooperate with various agencies that tried to help her improve her parenting skills.

Respondent argues that petitioner essentially doomed her to failure by merely referring her to counseling instead of having her involuntarily committed. However, respondent does not show how she might have benefited had petitioner involuntarily committed her. Furthermore, respondent eventually was involuntarily committed by another agency, and she appears to have made little or no progress with respect to her mental health problems, or her lack of suitable employment and housing, as a result of that commitment. Thus, the trial court did not err in finding that MCL 712A.19b(3)(c)(i) and (g) were established by clear and convincing evidence. MCR 3.977(G); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

RESPONDENT WILSON

Respondent Darrin Wilson had serious substance abuse problems and was arrested multiple times for drunk driving. He provided only half of the requested alcohol screens and initially failed to obtain substance abuse counseling. Later, while he was receiving counseling, he was convicted of drunk driving. The evidence showed that respondent made progress on his substance abuse problems, but that they would not be rectified in a reasonable time. He also failed to obtain suitable housing or employment during the proceedings. Therefore, respondent's employment and housing problems, along with the continued need to work on substance abuse problems, showed a failure to provide proper care and custody, and clearly these problems would not be resolved in a reasonable time. The trial court did not err in finding that MCL 712A.19b(3)(c)(ii) and (g) were established by clear and convincing evidence. *Id.*

We find that the remaining statutory grounds were not established by clear and convincing evidence. However, this is harmless error because other grounds existed to support the termination of respondent's parental rights. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

CONCLUSION

The evidence did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondents' parental rights to the children.

Affirmed.

/s/ Mark J. Cavanagh
/s/ Kathleen Jansen
/s/ Henry William Saad