

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CHRISTALET NIKEYA
GRIFFIN and CHRISTOPHER NATHANIEL
GRIFFIN, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
January 10, 2006

Petitioner-Appellee,

v

MARY NICOLE HARRIS,

Respondent-Appellant,

and

CHRISTOPHER GRIFFIN,

Respondent.

No. 263668
Wayne Circuit Court
Family Division
LC No. 03-415843-NA

Before: O'Connell, P.J., and Smolenski and Talbot, JJ.

MEMORANDUM.

Respondent-appellant 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 at least one of the statutory grounds was established by clear and convincing evidence. MCR 3.977(J). Only one statutory ground need be established for termination. MCL 712A.19b(3); *In re Trejo*, 462 Mich 341, 351; 612 NW2d 407 (2000).

The conditions leading to adjudication that were not rectified were respondent-appellant's homelessness, lack of employment, inability to make appropriate decisions regarding the children's welfare, and admitted marijuana use. Although respondent-appellant testified at trial that she had moved into an apartment the week before, the apartment was not large enough to accommodate the children, and she still did not have employment or a way to pay for housing. Respondent-appellant also took the children to unauthorized locations during relative-supervised

visits, and relatives complained that she failed to properly care for the children. She had not resolved her issues regarding marijuana use. In the over two years the case was pending, respondent-appellant never got a substance abuse assessment, failed to regularly perform drug screens, and did not complete any formal substance abuse treatment program. She admitted that she used marijuana two or three times per month and that she had used the day before the final trial date. Although respondent-appellant and the minor children argue on appeal that her lack of progress, particularly in securing suitable housing, was somehow the foster care worker's fault, respondent mother had two different foster care workers and over two years to make progress. She failed to follow through on the referrals made by the foster care workers.

Furthermore, the evidence did not show that the children's best interests precluded termination of respondent-appellant's parental rights. MCL 712A.19b(5); *Trejo, supra* at 344. While the children enjoyed visits with their mother, they had been out of her custody for over two years of their young lives. When they lived with respondent-appellant, their living conditions were poor and they moved around often. It seems likely that, if returned to respondent-appellant, they would continue to have poor living conditions and move often. The children needed permanence and stability, and respondent-appellant could not provide this for the children. Therefore, the trial court did not clearly err in its best interests determination.

Affirmed.

/s/ Peter D. O'Connell
/s/ Michael R. Smolenski
/s/ Michael J. Talbot