

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CANDACE ALIVIA SHILTON,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ROSE ANN PIOTROWSKI,

Respondent-Appellant.

UNPUBLISHED
November 25, 2008

No. 286129
Kent Circuit Court
Family Division
LC No. 07-052753-NA

Before: Murphy, P.J., and Sawyer and Smolenski, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

Respondent does not contest the trial court's finding that the statutory grounds for termination were established by clear and convincing evidence. See MCR 3.977(G)(3). She contends only that the trial court erred in its decision regarding the child's best interests. We disagree.

The evidence showed that respondent had "rudimentary" ideas about parenting that would "require extensive training and monitoring." Rather than participate in services, she removed herself to Scottsdale, Arizona, had minimal contact with the agency, and represented, through counsel, that she did not oppose the termination proceedings. Further, she had no contact with the child after leaving the state five or six months before the supplemental petition was filed. The evidence did not clearly show that termination of respondent's parental rights was not in the child's best interests. *In re Trejo Minors*, 462 Mich 341, 354; 612 NW2d 407 (2000); MCL 712A.19b(5).¹ Thus, the trial court did not clearly err terminating respondent's parental rights to the child. *In re Trejo, supra* at 356.

¹ Pursuant to an amendment of MCL 712A.19b(5) by the Legislature in 2008 PA 199, a trial
(continued...)

Affirmed.

/s/ William B. Murphy
/s/ David H. Sawyer
/s/ Michael R. Smolenski

(...continued)

court must now find, in addition to a statutory ground for termination, “that termination of parental rights is in the child’s best interests.” This amendment was made effective July 11, 2008, which is after the date of termination in the case at bar.