

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of CEON MONTEL HOUSTON and
ADRIAN JAY LEWIS, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JANET JALINA HOUSTON,

Respondent-Appellant.

UNPUBLISHED
February 26, 2009

No. 287758
Genesee Circuit Court
Family Division
LC No. 97-108949-NA

Before: Donofrio, P.J., and K. F. Kelly and Beckering, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) (the conditions that led to the adjudication continue to exist), and (j) (the child is likely to be harmed if returned to the parent's home).¹ Because the trial court did not clearly err in concluding that the allegations of abuse were proved by clear and convincing evidence and that termination of parental rights was not against the best interests of the children, we affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(G); *In re Archer*, 277 Mich App 71, 73; 744 NW2d 1 (2007). Respondent struggled for years to be a proper parent for her sons, who had been in and out of foster care their whole lives. A psychological evaluation in January 2007 indicated that respondent still exhibited poor judgment and denied responsibility for the need for court intervention. Long-term therapy was recommended, but respondent failed to attend. Both children had mental health issues for which they were in counseling, yet respondent

¹ Respondent asserts that her parental rights were also terminated under §19b(3)(g). Although the referee cited that subsection as an additional statutory basis for termination, the record discloses that the circuit court judge who reviewed the referee's decision relied only on §§ 19b(3)(c)(i) and (j) as grounds for termination.

repeatedly expressed the belief that they did not require counseling and their behavioral problems were simply a ruse, the purpose of which was to hasten their return home.

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

Affirmed.

/s/ Pat M. Donofrio
/s/ Kirsten Frank Kelly
/s/ Jane M. Beckering