

STATE OF MICHIGAN  
COURT OF APPEALS

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UNPUBLISHED  
October 11, 2012

In the Matter of T. LONG, Minor.

No. 309701  
Wayne Circuit Court  
Family Division  
LC No. 05-437929-NA

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Before: MURRAY, P.J., and CAVANAGH and STEPHENS, JJ.

PER CURIAM.

Respondent appeals as of right the trial court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(b)(ii), MCL 712A.19b(3)(g), MCL 712A.19b(3)(i), MCL 712A.19b(3)(j), and MCL 712A.19b(3)(l). We affirm.

Respondent first argues that a statutory ground for termination was not established by clear and convincing evidence. We disagree.

At least one statutory ground under MCL 712A.19b(3) must be established by clear and convincing evidence before parental rights are terminated. *In re Mason*, 486 Mich 142, 152; 782 NW2d 747 (2010). We review for clear error a trial court's finding that a ground for termination has been proven by clear and convincing evidence. *Id.*

Here, at minimum, MCL 712A.19b(3)(l) was established by clear and convincing evidence because undisputed evidence established that respondent's parental rights to two other minor children were previously terminated as a result of similar proceedings. Once at least one statutory ground for termination is established the trial court must order termination of parental rights unless termination is not in the child's best interests. *In re Jenks*, 281 Mich App 514, 516; 760 NW2d 297 (2008). Accordingly, we need not consider whether the other statutory grounds for termination were established by clear and convincing evidence; however, we note that, after review of the record, we conclude that at least MCL 712A.19b(3)(b)(ii), MCL 712A.19b(3)(g), and MCL 712A.19b(3)(j) were also established by clear and convincing evidence.

Respondent next argues that the trial court failed to provide her with fair procedures during the termination proceeding, i.e., a parent-agency agreement, a treatment plan, and dispositional hearings. We disagree. Because respondent's parental rights to the child's siblings were involuntarily terminated, the DHS was not required to provide respondent with services or attempt reunification. See MCL 712A.19a(2)(c); *In re Smith*, 291 Mich App 621, 623; 805 NW2d 234 (2011). Further, the DHS was not required to provide reunification services because

termination of respondent's parental rights was the agency's goal. See *In re HRC*, 286 Mich App 444, 463; 781 NW2d 105 (2009). Accordingly, this claim is without merit.

Respondent also argues that termination was not in the best interests of the minor child. After review of the trial court's determination for clear error, we disagree. See *In re Jones*, 286 Mich App 126, 129; 777 NW2d 728 (2009).

When determining the best interests of a child in a termination case, a trial court may consider the respondent's history, psychological evaluation, parenting techniques during parenting time, family bonding, participation in the treatment program, the foster environment and possibility for adoption, the parents' continued involvement in situations involving domestic violence, as well as other factors. *Id.* at 131; *In re BZ*, 264 Mich App 286, 301; 690 NW2d 505 (2004); *In re AH*, 245 Mich App 77, 89; 627 NW2d 33 (2001).

In this case, respondent has consistently failed to protect and properly parent her children. For example, respondent admitted to hearing the screams of her other daughter, who was seventeen-months-old at the time and being raped by respondent's ex-husband and respondent did nothing. Then, despite this child's near-death state, respondent failed to take the child to the hospital immediately. With regard to the minor child at issue in this case, respondent allowed her husband to physically discipline the two-year-old by hitting him with a belt and long after the child's allegedly "bad" behavior. Thus, the record evidence demonstrates that respondent has consistently allowed people to abuse her children, even while she was present and could prevent such abuse. Further, as illustrated above, respondent consistently chooses to be with and subject her children to abusive men. She admitted that a former boyfriend was physically abusive; her ex-husband was "controlling" and violently raped her child; and her current husband hit a two-year-old child with a belt. In light of the evidence, the trial court's conclusion that termination was in the best interests of the child was not clearly erroneous. See *In re Jones*, 286 Mich App at 129.

Affirmed.

/s/ Christopher M. Murray  
/s/ Mark J. Cavanagh  
/s/ Cynthia Diane Stephens