

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
April 18, 2013

In the Matter of S. C. FINCH, Minor.

No. 312544
Wayne Circuit Court
Family Division
LC No. 07-463517-NA

Before: OWENS, P.J., and WHITBECK and FORT HOOD, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) (182 or more days after initial dispositional order, conditions leading to adjudication still exist and are unlikely to be rectified), (g) (failure to provide proper care/custody), (i) (parent's rights to siblings terminated due to neglect/physical/sexual abuse and attempts to rehabilitate parent unsuccessful), (j) (reasonable likelihood of harm if returned to parent's home), and (l) (rights to another child involuntarily terminated). The parental rights of the child's legal father were also terminated, but he is not a party to this appeal. We affirm.

This Court reviews for clear error both the lower court's finding that there was at least one ground for termination of parental rights and its decision regarding the child's best interests. MCR 3.977(K); *In re Rood*, 483 Mich 73, 90-91; 763 NW2d 587 (2009). A finding is clearly erroneous if, although there is evidence to support it, this Court is left with a definite and firm conviction that a mistake was made. *In re Mason*, 486 Mich 142, 152; 782 NW2d 747 (2010).

Respondent argues on appeal that termination of her parental rights was clearly erroneous because she was unfairly penalized for her use of medical marijuana by the trial court. Specifically, respondent argues, the trial court improperly approved a case plan prohibiting respondent from abusing prescription or other drugs, including marijuana, when, for a portion of the time period in question, she had a medical marijuana card legally entitling her to use marijuana.

The court found five separate statutory grounds for termination in this case, including MCL 712A.19b(3)(l). It is undisputed that the parental rights of both respondent and the child's father to two other children were involuntarily terminated in the past, and that this Court has since affirmed that termination. See *In re MJM & LCM*, unpublished opinion per curiam of the Court of Appeals, issued June 7, 2011 (Docket Nos. 299893, 299894). Since at least one ground for termination was properly established by clear and convincing evidence, the termination of

respondent's parental rights was not clearly erroneous in this case. See *In re Olive/Metts*, 297 Mich App 35, 41; 823 NW2d 144 (2012).

Respondent cites no legal basis for her assertion that the alleged error in this case warrants reversal. To the extent respondent is challenging the reasonableness of reunification efforts made before the lower court's termination of her parental rights, we note that reasonable efforts at reunification are not required in cases where the "parent has had rights to the child's siblings involuntarily terminated." MCL 712A.19a(2)(c), *In re Smith*, 291 Mich App 621, 623; 805 NW2d 234 (2011).

Affirmed.

/s/ Donald S. Owens
/s/ William C. Whitbeck
/s/ Karen M. Fort Hood