STATE OF MICHIGAN

COURT OF APPEALS

UNPUBLISHED
July 16, 2013

In the Matter of T. D. PERKINS, Minor.

No. 314704
Ingham Circuit Court
Family Division
LC No. 12-001164-NA

Before: SAWYER, P.J., and METER and DONOFRIO, JJ.

MEMORANDUM.

Respondent appeals as of right from an order terminating her parental rights to her infant son pursuant to MCL 712A.19b(3)(g) (failure to provide proper care and custody and no reasonable expectation of doing so within a reasonable time), (3)(j) (reasonable likelihood of harm), and (3)(*l*) (previous termination of rights to other children). We affirm.

We review a trial court's decision that a ground for termination has been proven by clear and convincing evidence for clear error. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). "A finding is clearly erroneous [if] although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been made." *In re Rood*, 483 Mich 73, 91; 763 NW2d 587 (2009) (alteration in original). Respondent argues that the trial court erred in finding clear and convincing evidence to terminate her rights pursuant to MCL 712A.19b(3)(g) and (j). However, because one statutory ground need be established, *In re Olive/Metts*, 297 Mich App 35, 41; 823 NW2d 144 (2012), and respondent's parental rights to two other children had previously been terminated, MCL 712A.19b(3)(*l*), we need not address whether grounds were also established under §§ 19b(3)(g) and (j).

Respondent also argues that the trial court erred in finding that termination of parental rights was in the child's best interests. A parent's treatment of one child is probative of how they will treat another child, *In the Matter of LaFlure*, 48 Mich App 377, 392; 210 NW2d 482 (1973), including prior treatment of a child that has not manifested in a finding of neglect, *In re Dittrick*, 80 Mich App 219, 222; 263 NW2d 37 (1977). When respondent was taken into police custody in November 2005, she did not take steps to ensure that two of her children were properly cared for. When the children were found days later, her infant had died and her four-year-old was unconscious. Petitioner provided services to respondent before terminating her rights to the surviving child. Then, while homeless, petitioner gave birth to a still born child and then another

child. Petitioner again provided services to respondent after the live birth but the efforts were unsuccessful and her rights to that child were also ultimately terminated.

A psychologist who evaluated respondent acknowledged that, unlike in times past, respondent was not homeless and had items for this new infant. Moreover, respondent laudably had taken the initiative during and after this pregnancy to get services and counseling. However, the psychologist noted that respondent was unable to identify how she had otherwise changed and concluded that "the risk to a child of being placed with [respondent] based on her life choices is too high." The court believed that "one of the best predictors of the future is to look at the past" and concluded that, even though respondent was trying, she lacked "the ability to provide that proper safety, permanence, stability, love, emotional and physical support to [the child in issue], that he deserves and absolutely needs for his well-being." On this record, we cannot say that this determination was clearly erroneous.

Affirmed.

/s/ David H. Sawyer
/s/ Patrick M. Meter
/s/ Pat M. Donofrio