

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of GEORGE W. IRWIN, COREY R.
HULL, RONALD LEE WELDON and RHONDA
WELDON, Minors

DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

TERESA E. IRWIN,

Respondent-Appellant,

and

NATHANIEL WELDON and JIM MCCLOUD,

Respondents.

Before: Cavanagh, P.J., and Doctoroff and D.A. Teeple*, JJ.

PER CURIAM.

Teresa E. Irwin (“respondent”) appeals as of right from the probate court’s order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i) [continuing conditions], MCL 712A.19b(3)(g); MSA 27.3178 (598.19b)(3)(g) [parent could not provide proper care] and MCL 712A.19b(3)(j); MSA 27.3178(598.19b)(3)(j) [child harmed if returned]. We affirm.

Respondent’s children became temporary wards of the court when police found the two youngest children alone in a home that had no running water, electricity or stove. The home had an unpleasant odor, was infested with roaches and had a dirty mattress on the floor. Respondent had

* Circuit judge, sitting on the Court of Appeals by assignment.

indicated that she had gone to the store, and had been drinking and forgot about the children. Respondent was ordered to follow a treatment program which consisted of visitation, remaining drug free and in substance abuse treatment, completion of parenting classes, maintenance of suitable housing and maintenance of legal employment. Although she did visit the children, she had difficulty controlling them and failed to administer adequate discipline. She enrolled in six substance abuse programs, but failed to complete them. Approximately 81% of her 42 weekly drug screens were positive, primarily for cocaine, but also for amphetamines, marijuana and alcohol. In addition, respondent failed to establish suitable housing and was staying in a shelter at the time of trial. She claimed to be working, but offered no verification of her employment.

As indicated by the above evidence, the probate court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent-appellant failed to show that termination of her parental rights was clearly not in the child's best interest. *In re Hall-Smith*, ___ Mich App ___; ___ NW2d ___ (Docket No 195833, issued 3/25/97), slip op p 3. Thus, the probate court did not err in terminating respondent's parental rights to the child. MCL 712A.19b(5); MSA 27.3178(598.19b)(5).

Affirmed.

/s/ Mark J. Cavanagh
/s/ Martin M. Doctoroff
/s/ Donald A. Teeple