

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LUKE GRAMELSPACHER and
CODY KITCHEN, Minors

FAMILY INDEPENDENCE AGENCY, f/k/a
DEPARTMENT OF SOCIAL SERVICES,

UNPUBLISHED
May 5, 1998

Petitioner-Appellee,

v

No. 201633
Kent Juvenile Court
LC No. 95-000400-NA

LAURA GRAMELSPACHER,

Respondent-Appellant,

and

DENNY PETRY and SCOTT KITCHEN,

Respondents.

Before: Holbrook, Jr., P.J. and Gribbs and R.J. Danhof*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i), and (g). We affirm.

The juvenile 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 children's best interests. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564

*Former Court of Appeals Judge, sitting on the Court of Appeals by assignment.

NW2d 156 (1997). Thus, the juvenile court did not err in terminating

respondent-appellant's parental rights to the children. MCL 712A.19b(5); MSA 27.3178(598.19b)(5). Testimony at trial established that experts diagnosed respondent-appellant with various mental health conditions. Two caseworkers testified that these conditions affected respondent-appellant's ability to parent the children. They testified that respondent-appellant was unable to focus on the needs of the children and to perform certain care-giving tasks.

Respondent-appellant's claim that she had been misdiagnosed misapprehends the testimony at trial. While her diagnosis of bi-polar disorder, made in 1996, may be correct, all testimony regarding the predictability of the effectiveness of treatment was guarded. Moreover, testimony showed that a diagnosis of bi-polar mood disorder did not exclude other diagnoses, such as pervasive personality disorder or borderline schizophrenia. Respondent-appellant's argument must fail. The juvenile court did not clearly err in its decision.

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Roman S. Gibbs

/s/ Robert J. Danhof