

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TAYLOR RAY'MONE
POLONSKI, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANDREA POLONSKI,

Respondent-Appellant,

and

FRANK ACKLES,

Respondent.

UNPUBLISHED

April 19, 2002

No. 235042

Macomb Circuit Court

Family Division

LC No. 99-048585-NA

Before: Gage, P.J., and Griffin and Buth*, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from an order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Trejo Minors*, 462 Mich 341, 356; 612 NW2d 407 (2000). If the court determines that the petitioner has proven by clear and convincing evidence one or more of the statutory grounds for termination, the court must terminate parental rights unless there exists clear evidence, on the whole record, that termination is not in the child's best interests. MCL 712A.19b(5); *Trejo, supra* at 351-354.

The trial court did not clearly err in finding that petitioner established the existence of one or more grounds for termination by clear and convincing evidence. The conditions that led to the trial court's assertion of jurisdiction included respondent's drug use, parenting deficits, and domestic violence. Respondent admitted that she used drugs as recently as the month before the

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

termination hearing. She had been out of a rehabilitation program for one day and there was nothing in the record indicating that she would be able to remain drug-free. Her parenting skills were inconsistent and she failed to pursue domestic violence counseling beyond two sessions. MCL 712A.19b(3)(c)(i). In addition, respondent had no housing or income that would allow her to provide for the child. MCL 712A.19b(3)(g) and (j). Termination of respondent's parental rights was therefore proper.

Affirmed.

/s/ Hilda R. Gage
/s/ Richard Allen Griffin
/s/ George S. Buth