

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of M.E.W., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KIA WINDHAM,

Respondent-Appellant,

and

KENNETH RAY WILSON,

Respondent.

UNPUBLISHED

December 17, 2002

No. 236099

Wayne Circuit Court

Family Division

LC No. 98-370332

Before: Owens, P.J., and Murphy and Cavanagh, JJ.

MEMORANDUM.

Respondent Kia Windham appeals as of right the order terminating her parental rights to the minor child. We affirm. Respondent Wilson has not appealed.

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341, 350; 617 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.*, 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.*, 356.

The statutory grounds for termination were failure to rectify the conditions that led to the adjudication, failure to provide proper care and custody, prior termination of parental rights to siblings, and likelihood of harm if returned to parent. MCL 712A.19b(3)(c)(i), (g), (i), and (j). Although the evidence supports the termination of respondent's parental rights on all of these grounds, only one statutory basis is necessary. Respondent did not contest that her parental rights to the child's siblings were terminated, and prior attempts to rehabilitate her were

unsuccessful. Where respondent has failed to successfully deal with her substance abuse problem there is no showing that termination is contrary to the best interests of the child.

Affirmed.

/s/ Donald S. Owens
/s/ William B. Murphy
/s/ Mark J. Cavanagh