

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of P.E., A.E., L.E., and A.E., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

PATRICIA HARRIS,

Respondent-Appellant,

and

JAMIE MILLER and TERRELL EMBRY,

Respondents.

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UNPUBLISHED

December 17, 2002

No. 242119

Ingham Circuit Court

Family Division

LC No. 00-043870

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

MEMORANDUM.

Respondent appeals the trial court's order terminating her parental rights to her children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).<sup>1</sup> We affirm.

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours Minors*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.*, 356-357.

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<sup>1</sup> Respondent is the mother of another child, P.H. (DOB 11-16-96), who was the subject of separate proceedings. The trial court's order also terminated the parental rights of respondent Jamie Miller, the putative father of P.E., and of respondent Terrell Embry, the putative father of A.E., L.E., and A.E. Miller and Embry have not appealed the order.

We hold that the trial court did not clearly err in finding that petitioner established by clear and convincing evidence the existence of one or more statutory grounds for the termination of respondent's parental rights. Petitioner afforded respondent various services for nearly two years; however, respondent made virtually no progress in addressing the issues that led to her children being removed from her custody. Respondent failed to secure suitable housing and to maintain employment. Respondent acknowledged that she failed to submit to random drug screens as required. Respondent's circumstances at the time of the permanent custody hearing were essentially unchanged from the time the children were removed from her custody. The failure to comply with a parent-agency agreement is evidence that return of the child to the parent could cause a substantial risk of harm to the child. MCR 5.973(C)(4)(b). The trial court did not clearly err in finding that petitioner made reasonable efforts to rectify the conditions that led to the children being removed from respondent's custody, or in finding that termination of respondent's parental rights was warranted on the grounds that the conditions that led to the adjudication continued to exist and were not likely to be rectified within a reasonable time, MCL 712A.19b(3)(c)(i), that respondent failed to provide proper care and custody for the children and could not be expected to do so within a reasonable time, MCL 712A.19b(3)(g), and that there was a reasonable likelihood that the children would be harmed if returned to respondent's custody, MCL 712A.19b(3)(j). The evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra*.

Affirmed.

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