

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of C.E. YOUNG, Minor.

UNPUBLISHED
December 10, 2013

No. 316531
Wayne Circuit Court
Family Division
LC No. 09-488302-NA

Before: K. F. KELLY, P.J., and MURRAY and RIORDAN, JJ.

PER CURIAM.

Respondent-father appeals as of right the trial court order terminating his parental rights to his minor child pursuant to MCL 712A.19b(3)(c)(i) (conditions leading to adjudication continue to exist), (g) (failure to provide proper care or custody), and MCL 712A.19b(3)(j) (reasonable likelihood the child would be harmed if returned to the parent). We affirm.

The child originally came to the attention of Department of Human Services (DHS) because the mother had prior terminations and the child was born addicted to drugs. While the mother's parental rights were terminated at original disposition, the plan was for the child to be placed with respondent. However, respondent made little effort to comply with his parent-agency agreement, missing half of his visits with the child, missing over 50 drug screens, and failing to attend a Clinic for Child Study. This, in spite of the worker's diligent efforts to engage respondent in services and her repeated admonishments that he needed to make an effort and show progress. Respondent appears to argue that he was excused from complying with the plan because the real issue was with the mother and, since drugs were never an issue for respondent, drug testing was not called for. However, to the extent respondent's arguments amount to a collateral attack on the trial court's adjudication, such arguments are impermissible. *In re SLH*, 277 Mich App 662, 669; 747 NW2d 547 (2008).

The trial court did not clearly err in finding that a statutory ground for terminating respondent's parental rights was established by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 356–357; 612 NW2d 407 (2000). In the over 18 months that the DHS worked with respondent, his parenting skills did not improve. He failed to consistently visit the child and was not committed to parenting him, as evidenced by his almost complete failure to comply with the parent-agency agreement. *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003).

Nor did the trial court err in deciding that termination was in the child's best interests. MCL 712A.19(b)(5); *In re Moss*, 301 Mich App 76, 83; 836 NW2d 182 (2013). The court properly considered respondent's inability to parent the child as well as the child's need for

permanency, stability, and finality. *In re Olive/Metts Minors*, 297 Mich App 35, 42; 823 NW2d 144 (2012).

Affirmed.

/s/ Kirsten Frank Kelly
/s/ Christopher M. Murray
/s/ Michael J. Riordan