

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of C. A. GILBERT, Minor.

UNPUBLISHED

July 3, 2014

No. 319735

St. Clair Circuit Court

Family Division

LC No. 12-000225-NA

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Before: SAWYER, P.J., and METER and FORT HOOD, JJ.

PER CURIAM.

Respondent-mother appeals by right the circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were each established by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 355-357; 612 NW2d 407 (2000); MCR 3.977(H)(3)(a) and (K). Respondent had a substance abuse problem. After a guardianship failed because respondent would not comply with court orders, the child entered foster care. The initial dispositional order was entered in September 2012. The supplemental petition was filed on October 2, 2013. Respondent initially did well with substance abuse recovery, but was unable to maintain her sobriety. She never completed substance abuse counseling. She was arrested for possession of heroin and drug paraphernalia in March 2013. During a period of unsupervised visitation in May 2013, respondent took the child to an apparent drug house located in a dangerous neighborhood. Respondent ignored the occupants' warning that it was not a suitable place for a child and left the child alone in the car. The incident was traumatic for the child and caused her behaviors to regress. On July 9, 2013, respondent appeared to be under the influence of drugs or alcohol at a supervised visit and refused to provide a drug screen. On July 11 and 15, 2013, respondent tested positive for cocaine and other medications for which she did not present documentation of a prescription. During another visit on July 30, 2013, respondent again appeared to be under the influence of drugs or alcohol and had difficulty staying awake and interacting with the child. She again refused a drug test. On August 1, 2013, respondent declined an opportunity to obtain inpatient substance abuse treatment. This evidence supports the trial court's determination that statutory grounds for termination were established under §§ 19b(3)(c)(i), (g), and (j).

We find no merit to respondent's argument that the trial court erred by failing to provide a factual basis for its determination that termination of her parental rights was in the child's best interests. "If the court finds that there are grounds for termination of parental rights and that

termination of parental rights is in the child's best interests, the court shall order termination of parental rights and order that additional efforts for reunification of the child with the parent not be made." MCL 712A.19b(5). The trial court is required to "state on the record *or* in writing its findings of fact and conclusions of law. Brief, definite, and pertinent findings and conclusions on contested matters are sufficient." MCR 3.977(I)(1) (emphasis added). In this case, the trial court stated its findings regarding the child's best interests on the record at the conclusion of the termination hearing. The court stated:

The last finding that I need to make is . . . whether or not the termination would be in [the child's] best interest.

I think that I probably telegraphed my feelings on that, but I'm going to say we have spent the last almost two years attempting to address this situation. We have provided a great deal of resources. The issues that [the child] faced when she came into guardianship have diminished. I can't say that they are completely gone. And that continued to be an issue, but as we move towards more stability in providing closure for [the child] and a stable setting that she can work on being in school and . . . working on addressing the emotional issues that she faces she moves certainly in the right direction.

I am concerned that permitting this to continue for an indefinite time period or even for a defined time period delays that healing for [the child]. And I think that it is not fair to do to somebody that is eight years old, to continue to prolong this and to make this difficult for her.

I certainly believe that it would be in [the child's] best interest for me to terminate [respondent's] rights today. I think that permits closure. It makes sure that [the child] needs will be paramount and the adults that are currently in her life will continue to make sure that she moves towards healing so that she can grow to be a productive member of our society.

The trial court's findings were sufficient to comply with MCR 3.977(I)(1).

Further, the child entered care with extreme emotional problems and low self-esteem, primarily due to the lack of stability with respondent. She made progress while under the court's supervision, but her indefinite situation inhibited further progress. The trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests to provide the child with the stability that she required in order to continue her healing process. *In re Trejo*, 462 Mich at 356-357; MCR 3.977(K).

Affirmed.

/s/ David H. Sawyer  
/s/ Patrick M. Meter  
/s/ Karen M. Fort Hood