

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of B.L.R., R.R.S., and A.M.L.,  
Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

WILLIAM JAMES LASLO,

Respondent-Appellant,

and

MICHELLE ARLENA COLLINS, DARNELL  
ROSS, and JAMES SUGGS,

Respondents.

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In the Matter of B.L.R., M.A.R., R.R.S. and  
A.M.L., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

MICHELLE ARLENA COLLINS,

Respondent-Appellant,

and

WILLIAM JAMES LASLO, DARNELL ROSS  
and JAMES SUGGS,

UNPUBLISHED  
May 13, 2003

No. 242020  
Wayne Circuit Court  
Family Division  
LC No. 99-381757

No. 242038  
Wayne Circuit Court  
Family Division  
LC No. 99-381757

Respondents.

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In the Matter of B.L.R., M.A.R., R.R.S. and  
A.M.L., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

JAMES SUGGS,

Respondent-Appellant,

and

MICHELLE ARLENA COLLINS, WILLIAM  
LASLO, and DARNELL ROSS,

Respondents.

No. 242259  
Wayne Circuit Court  
Family Division  
LC No. 99-381757

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In the Matter of B.L.R., M.A.R., R.R.S. and  
A.M.L., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

DARNELL ROSS,

Respondent-Appellant,

and

MICHELLE ARLENA COLLINS, WILLIAM  
JAMES LASLO, and JAMES SUGGS,

Respondents.

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No. 242580  
Wayne Circuit Court  
Family Division  
LC No. 99-381757

Before: Wilder, P.J., and Fitzgerald and Zahra, JJ.

PER CURIAM.

In these consolidated appeals, respondents each appeal as of right the trial court's order terminating their parental rights to their respective children. Respondent Collins appeals the termination of her parental rights to the four children pursuant to MCL 712A.19b(3)(c)(i), (g) and (j). Respondent Laslo appeals the termination of his parental rights to A.M.L. pursuant to §§ 19b(3)(c)(i), (g) and (j). Respondent Ross appeals the termination of his parental rights to B.L.R. and M.A.R. pursuant to §§ 19b(3)(a)(ii), (c)(i), (g) and (j). Respondent Suggs, the putative father of R.R.S., appeals the termination of his parental rights to R.R.S., §§ 19b(3)(a)(ii), (c)(i), (g) and (j). We affirm.

Each of the respondents challenge the trial court's determinations concerning the statutory grounds for termination and the best interests of the children. To terminate parental rights, a court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re Sours*, 459 Mich 624, 632-633; 593 NW2d 520 (1999). Once a court determines that a statutory ground for termination has been established, it 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); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). We review the trial court's decision for clear error. *Id.* at 356-357; *In re Sours*, *supra* at 633. The decision "must strike us as more than just maybe or probably wrong . . ." *Id.* (internal quotation marks and citations omitted). Due regard is given to the special ability of the trial court to judge the credibility of the witnesses before it. MCR 2.613(C).

The trial court did not clearly err in terminating respondent Laslo's parental rights to his child. Although Laslo began to comply with his treatment plan shortly before the termination proceedings concluded, the trial court determined that his late efforts were untimely and inadequate to demonstrate that he had been rehabilitated. In light of his failure to obtain domestic violence counseling for two years after his child's removal, his failure to comply with the drug screen requirements before September 2001, and only partial compliance after that, his failure to attend AA meetings, and his failure to consistently visit his child when able, we are not persuaded that the trial court clearly erred in finding that the statutory grounds for termination were established. Additionally, in the absence of clear evidence that termination was not in his child's best interests, the trial court properly terminated Laslo's parental rights to his child. MCL 712A.19b(5); *In re Trejo*, *supra*.

The trial court did not clearly err in terminating respondent Collins' parental rights to her children. Although the court recognized Collins' late efforts to comply with the treatment plan, the court determined that these efforts were insufficient to establish that the conditions that led to adjudication had been resolved and that Collins could now provide proper care and custody for her children. Collins' more recent efforts must be evaluated in the context of her failures during the preceding two years, which included relapses in substance abuse, disappearances, a threatened suicide and threat against an FIA worker, a contemplated release of her parental rights, failure to support or visit her children, and failure to obtain domestic violence counseling after being involved in abusive relationships. Under the circumstances, we are not persuaded

that the trial court clearly erred in finding that the statutory grounds for termination were established. Additionally, in the absence of clear evidence that termination was not in the children's best interests, the court properly terminated Collins' parental rights to her children. MCL 712A.19b(5); *In re Trejo, supra*.

Contrary to respondent Suggs' argument, his incarceration and criminal record support the trial court's termination of his parental rights under §§ 19b(3)(c)(i) and (g). Respondent Suggs essentially argues that he could resolve the conditions and provide proper care and custody within a reasonable time because his earliest release date, approximately March to September 2003, was not that distant in time. However, there was no certainty that he would be released at that time. Moreover, his child had been a temporary court ward since October 1999. Considering that Suggs would be incarcerated until at least March 2003, and would need to demonstrate his capability of being a responsible parent after his release, there was no reasonable likelihood that the conditions that led to adjudication would be rectified, or that Suggs would be able to provide proper care and custody, within a reasonable time. With respect to § 19b(3)(a)(ii), the court determined that Suggs' efforts to locate, support and maintain contact with his child were inadequate. We are not persuaded that the court's finding in this regard is clearly erroneous. Because these statutory grounds were established, we need not address whether § 19b(3)(j) was also established. *In re Huisman*, 230 Mich App 372, 385; 584 NW2d 349 (1998), overruled in part on other grounds, *In re Trejo, supra*, 352-353 n 10. In the absence of clear evidence that termination was not in his child's best interests, the trial court properly terminated Suggs' parental rights to his child. MCL 712A.19b(5); *In re Trejo, supra* at 353.

Similarly, we find no clear error in the trial court's termination of respondent Ross' parental rights to his children. Although his earliest release date was approaching, there was no certainty that he would be released before his maximum outdate in 2016. His children had been temporary court wards since 1999, and were not required to wait in uncertainty while Ross was incarcerated. More significantly, even after his release, Ross would need to demonstrate his capability of being a responsible parent. Under the circumstances, there was no reasonable likelihood that the conditions that led to adjudication would be resolved, or that Ross would be able to provide proper care and custody, within a reasonable time. With respect to § 19b(3)(a)(ii), the court determined that Ross' efforts to locate, support and maintain contact with his children were inadequate. We are not persuaded that the court's finding in this regard is clearly erroneous. Because these statutory grounds were established, we need not address whether § 19b(3)(j) was also established. *In re Huisman, supra*. In the absence of clear evidence that termination was not in the children's best interests, the court properly terminated Ross' parental rights to his children. MCL 712A.19b(5); *In re Trejo, supra* at 353.

Affirmed.

/s/ Kurtis T. Wilder  
/s/ E. Thomas Fitzgerald  
/s/ Brian K. Zahra