

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of THOMAS EUGENE BANKS-  
PATERSON, TREMEL JAMAUL PATERSON,  
TANEZ JAMAR PATERSON, TAQUAN  
DEVONTE PATERSON, and TRE'VION  
MYLYKE PATERSON, Minors.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

UNPUBLISHED  
July 22, 2003

v

TAMECKA CLAUDIA PATERSON,  
  
Respondent-Appellant,

No. 242076  
Wayne Circuit Court  
Family Division  
LC No. 93-307523

and

DAMON JERDINE, RONALD ANDERSON,  
JOHN CHEW, and D'ANDRE LANE,

Respondents.

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Before: Zahra, P.J., and Talbot and Owens, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), (i), (j), and (l). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in finding that at least one statutory ground was established by clear and convincing evidence. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal condition that led to the adjudication was respondent-appellant having left three of the minor children home alone in a dirty house with broken glass on the floor. Thus, the primary conditions of adjudication were respondent-appellant's failure to provide a safe and suitable home and her lack of appropriate parenting skills or judgment. The evidence at trial showed that respondent-appellant continued to lack suitable housing, had failed to pursue counseling in a committed way, and was not participating in counseling at that time. The careful

and thorough psychological report introduced into evidence indicated that counseling was a necessary precondition to the return of any of respondent-appellant's children. In light of this evidence, the trial court did not clearly err by finding that the conditions of adjudication continued to exist. The same evidence supports the trial court's conclusion that the children would be harmed if returned to respondent-appellant's care and that she would not be able to provide proper care and custody within a reasonable time considering the ages of the children. Additionally, the evidence clearly established that respondent-appellant's parental rights to other children had been terminated for chronic neglect and that respondent-appellant had not been successfully rehabilitated prior to the termination of her parental rights. Thus the grounds for termination found in MCL 712A.19b(3)(i) and (l) were unquestionably established.

Once a ground for termination is established, the court must order termination of parental rights unless there is clear evidence, on the whole record, that termination is not in the children's best interests. *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). The trial court did not clearly err by concluding that termination was not contrary to the children's best interests. All of the children except the youngest had special needs that were not being addressed when they were taken into care, and all had significant developmental delays. Although the children had a bond with respondent-appellant, their mental stability improved during the period when they did not visit with her, and they were thriving in foster care. The two eldest children were previously placed in care in 1993, and the minor children were in court custody for nearly two years at the time of the termination now under review. Where respondent-appellant still lacked suitable housing and failed to carry through with necessary counseling, the trial court did not clearly err by refusing to further delay permanency for the children. See *In re Trejo, supra* at 364.

Affirmed.

/s/ Brian K. Zahra  
/s/ Michael J. Talbot  
/s/ Donald S. Owens