

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of MATTHEW J. ANDERSON,  
BRYAN W. ANDERSON, and DAVID M.  
ANDERSON, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARK ANDERSON and LISA ANDERSON,

Respondents-Appellants.

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UNPUBLISHED

July 22, 2003

No. 244519

Montgomery Circuit Court

Family Division

LC No. 99-001929-NA

Before: Neff, P.J., and Fort Hood and Borrello, JJ.

MEMORANDUM.

Respondents appeal as of right from the trial court's order terminating their parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(i), (b)(ii), (k)(ii), (m), and (n)(i). We affirm.

Respondents allege that the trial court clearly erred in finding that the statutory grounds for termination were established by clear and convincing evidence. We disagree. We review the trial court's findings of fact for clear error, *In re Trejo*, 462 Mich 341, 351; 612 NW2d 407 (2000), and defer to the trial court's assessment of the credibility of the witnesses. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence clearly and convincingly established that respondents created a highly sexual environment in their home, that they sexually abused the children, and that they failed to prevent the children from being sexually abusive toward one another. The trial court rejected respondents' testimony denying the abuse, holding that it was incredible. Additionally, the evidence established that respondent-father sexually abused the older daughter, was convicted of second-degree criminal sexual conduct, and had his parental rights to the daughter terminated prior to the termination of rights involving these children. The trial court did not clearly err in finding that each of the statutory grounds for termination was established by clear and convincing evidence.

Further, the evidence did not establish that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.b(5); *Trejo, supra*. The evidence demonstrated that the children were psychologically harmed by the abuse and pressured to lie about the abuse to authorities. Although traumatized by the abuse, the children were progressing

in care after removal from respondents' home. The trial court did not err in terminating respondents' parental rights to the children.

Affirmed.

/s/ Janet T. Neff  
/s/ Karen M. Fort Hood  
/s/ Stephen L. Borrello