

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of T.A.W., D.K.W., T.C.L.B., T.S.B.,
and T.S.B., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ERNESTINE ROSE WILSON,

Respondent-Appellant,

and

SHANTEE BROWN,

Respondent.

In the Matter of T.A.W., D.K.W., T.C.L.B., T.S.B.,
and T.S.B., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHANTEE BROWN,

Respondent-Appellant,

and

ERNESTINE ROSE WILSON,

Respondent.

UNPUBLISHED
December 11, 2003

No. 245072
Wayne Circuit Court
Family Division
LC No. 96-336623

No. 245075
Wayne Circuit Court
Family Division
LC No. 96-336623

Before: Cavanagh, P.J., and Jansen and O'Connell, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the trial court order terminating their parental rights to the minor children under MCL 712A.19b(3)(b)(ii), (c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondents had not demonstrated an ability to provide the children with proper care in a suitable home during the six-year course of these proceedings.

The children came into care because respondent mother was a minor court ward and unable to provide proper care for the children. Respondent mother complied with services and the children were returned to her various times during the past six years. However, each time the children were returned and respondent mother was given an opportunity to demonstrate her fitness as a parent, she absconded with them and abandoned the supervisory support services that rendered her a safe custodial parent. The evidence showed that each time the family was located, the children were not properly fed, clothed, housed, or nurtured. They suffered physical abuse by an uncle, with whom respondents lived. Respondents did not prevent him from hurting the children. The trial court properly concluded that the statutory grounds for termination had been established by clear and convincing evidence.

Further, the evidence failed to show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). While the children were bonded to respondents and each other, some of the children expressed a strong aversion to seeing respondents again or being reunited with them. The detriment of breaking the family bond was outweighed by the deprivation of the most basic necessities the children would suffer if returned to respondents. Three of the children had very serious special needs and required a highly skilled level of parenting, which respondents did not have the capacity to provide. Therefore, the trial court did not err in terminating respondents' parental rights to the minor children.

Affirmed.

/s/ Mark J. Cavanagh
/s/ Kathleen Jansen
/s/ Peter D. O'Connell