

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ELIZABETH GROVER, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOSHUA GROVER and DANITA GROVER,

Respondents-Appellants.

UNPUBLISHED

April 5, 2005

No. 258537

Missaukee Circuit Court

Family Division

LC No. 04-005872-NA

Before: Kelly, P.J., and Sawyer and Wilder, JJ.

MEMORANDUM.

Respondents appeal as of right from an order terminating their parental rights to their daughter pursuant to MCL 712A.19b(3)(b)(ii), (g), (i) and (j).¹ We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214 (E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondents had a long and tragic protective services and criminal history. Prior to giving birth to Elizabeth, Danita had one child die at the hands of an abusive boyfriend, one who was severely beaten by that boyfriend, and three other children to whom her parental rights had been terminated because of her history of failing to protect her children. Joshua had a history of domestic violence and child abuse that included several incidences of assaulting adults and a guilty plea to fourth-degree child abuse. The plea was related to his spanking of a girlfriend's daughter on the buttocks so hard that a protective services worker commented that the bruising was the worst she had ever seen. Although respondents were offered services when the rights to two of their children were previously terminated in Arizona and Oklahoma, they did not substantially comply with the treatment plan. Furthermore, psychological experts testified that respondents had never adequately addressed their extensive problems. Indeed, the experts opined that, even with services provided, it was unlikely that there would be any improvement as the personality traits were longstanding and ingrained. Moreover,

¹ Joshua's parental rights were terminated solely upon MCL 712A.19b(3)(j).

respondents would require intensive treatment and support until Elizabeth, then an infant, was a teenager. Under these circumstances, we cannot say that the trial court committed clear error.

Further the evidence did not show that termination of respondents' parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Kirsten Frank Kelly
/s/ David H. Sawyer
/s/ Kurtis T. Wilder