

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of COURTNEY LYNN BARCZI
and KATIE LYNN BARCZI, Minors,

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KRISTIE BARCZI,

Respondent-Appellant,

and

RICHARD BARCZI,

Respondent.

In the Matter of COURTNEY LYNN BARCZI
and KATIE LYNN BARCZI, Minors,

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

RICHARD ALAN BARCZI,

Respondent-Appellant,

and

KRISTIE BARCZI,

Respondent.

UNPUBLISHED
May 24, 2005

No. 255070
Macomb Circuit Court
Family Division
LC No. 02-053017

No. 257861
Macomb Circuit Court
Family Division
LC No. 02-053017

Before: Bandstra, P.J., and Fitzgerald and Meter, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the trial court orders terminating their parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). This appeal is being decided without oral argument pursuant to MCR 7.214(E). 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 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal conditions that led to adjudication were respondents' substance abuse and domestic violence problems. The evidence established that respondent-mother had failed to complete treatment programs to which she was referred, was still abusing drugs, and was involved in a relationship that involved domestic violence. Similarly, respondent-father had failed to complete domestic violence counseling and undergo a psychiatric examination and had waited until just a few weeks before trial, while high on heroin, to enroll in any type of treatment program.

Further, the evidence did not show that termination of respondents' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although the testimony indicated the children loved respondents, there was no indication the children's separation from respondents was causing the children any emotional difficulties. Moreover, after being in care for two years, the children needed permanence and there was no indication either respondent would be in a position to provide adequate care within a reasonable amount of time.

We affirm.

/s/ Richard A. Bandstra
/s/ E. Thomas Fitzgerald
/s/ Patrick M. Meter