

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of GESILE MAJJONGG WATKINS  
II, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

GESILE MAJJONGG WATKINS,

Respondent-Appellant,

and

TIMOTHY L. TERRY,

Respondent.

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In the Matter of GESILE MAJJONGG WATKINS  
II, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TIMOTHY L. TERRY,

Respondent-Appellant,

and

GESILE MAJJONGG WATKINS,

Respondent.

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UNPUBLISHED

August 9, 2005

No. 259777

Wayne Circuit Court

Family Division

LC No. 97-358636

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Before: White, P.J., and Jansen and Wilder, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the order terminating their parental rights to the minor child. Respondent-mother's rights were terminated on the basis of MCL 712A.19b(3)(c)(i), (g), and (i), while respondent-father's rights were terminated upon the basis of MCL 712A.19b(3)(b)(ii), (c)(i), (g), and (i). We affirm.

Respondent-mother's first claim on appeal concerns the trial court's ruling that hearsay statements made by the six-year-old sibling of the minor child regarding incidents of physical and sexual abuse were trustworthy and could be admitted as substantive evidence pursuant to MCR 3.972(C)(2). A review of the circumstances surrounding the statements leads this Court to conclude that there were adequate indicia of trustworthiness of such statements. The statements were consistent, substantiated by physical evidence of faint scars left from a recent whipping, and corroborated by other sources including statements by respondent-mother and the child's behavior, which exhibited many examples of inappropriate sexual acting out.

Next, both respondents argue that there was insufficient evidence upon which the court could base its termination order. Specifically, respondents argue that their successful completion of parenting classes, therapy, and drug screens established their qualifications to parent the child. However, respondents' completion of such services was overshadowed by respondent-mother's violent and profane anger problems, respondent-father's continued minimization of respondent-mother's actions, respondents' decision to bring back into their home a child to whom their parental rights had previously been terminated (thus, exposing this child to physical abuse by respondent-mother and sexual abuse by two juveniles), and respondent-father's decision to violate petitioner's instructions by bringing the minor child to his home during his unsupervised visitations (thus, giving respondent-mother access to the minor child and placing the child at risk of harm). The trial court did not clearly err in finding that termination was warranted under the cited statutory grounds. See MCR 3.977 (J); *In re Sours Minors*, 459 Michigan 624, 633; 593 NW2d 520 (1999). Lastly, a review of the whole record shows that the trial court did not clearly err in finding that termination of respondents' parental rights was not contrary to the minor child's best interests. See *In re Trejo Minors*, 462 Mich 341, 350; 612 NW2d 407 (2000).

Affirmed.

/s/ Helene N. White  
/s/ Kathleen Jansen  
/s/ Kurtis T. Wilder