

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of M L ROHM, Minor.

UNPUBLISHED
October 15, 2013

No. 315822
Kalamazoo Circuit Court
Family Division
LC No. 2012-000165-NA

Before: MURRAY, P.J., and DONOFRIO and BORRELLO, JJ.

PER CURIAM.

Respondent father appeals as of right the trial court order terminating his parental rights to his minor child. We affirm.

Respondent first argues that the trial court erred in finding statutory grounds for the termination of his parental rights under MCL 712A.19b(3)(f) and (j). A trial court's factual findings and a finding that a ground for termination has been established are reviewed under the clearly erroneous standard. MCR 3.977(K); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). To terminate parental rights, a trial court must find the existence of a statutory ground for termination in MCL 712A.19b(3) has been demonstrated by clear and convincing evidence. *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991).

Respondent's parental rights were, however, terminated under MCL 712A.19b(3)(f), (g), (j), and (n). Because only one statutory ground for termination must be established, *Trejo Minors*, 462 Mich at 360, respondent's arguments in regard to statutory grounds are moot. "An issue is moot where circumstances render it impossible for the reviewing court to grant any relief." *In re Wayne Co Election Comm*, 150 Mich App 427, 432; 388 NW2d 707 (1986). We cannot afford any relief to respondent where he fails to challenge the trial court's finding that grounds for termination of his parental rights also existed under MCL 712A.19b(3)(g) and (n). See *In re SD*, 236 Mich App 240, 247-248; 599 NW2d 772 (1999) (termination is supported by the grounds not challenged on appeal, so even if termination was improper under other provisions, termination must be upheld). Regardless, we have reviewed the merits of the trial court's challenged findings and conclude that the trial court did not clearly err in finding statutory grounds for termination under MCL 712A.19b(3)(f). MCR 3.977(K); *Trejo Minors*, 462 Mich at 356-357.

Respondent also argues that termination of his parental rights was not in the minor child's best interests. A trial court's finding that termination is in a child's best interests is generally

reviewed under the clearly erroneous standard. MCR 3.977(K); *Trejo Minors*, 462 Mich at 356-357.

In this case, the trial court found two grounds for its best-interests determination. First, the trial court found that respondent spent a small amount of time with the minor child during her life and that the child had “very little, if any, bond” with respondent. The trial court properly considered that bond because a trial court may consider a parent’s bond with a child in determining the child’s best interests. *In re BZ*, 264 Mich App 286, 301; 690 NW2d 505 (2004). And, there was ample evidence supporting that finding. Second, the trial court compared the benefits of the minor child’s potential home with respondent father to the benefits of the minor child’s home with her guardian. The trial court correctly noted that respondent father had not properly taken care of himself in the past, that he lacked “daily living skills,”¹ and that he had a criminal background. In contrast, the trial court noted that the guardian and her husband were employed, did not have a criminal background, and provided for the minor child. The trial court properly found that the minor child’s favorable environment with her guardian weighed in favor of termination. See *In re Foster*, 285 Mich App 630, 635; 776 NW2d 415 (2009) (holding that it is appropriate to consider the advantages of a foster home in determining whether termination is in a child’s best interests). Respondent fails to establish that the trial court clearly erred in finding that termination of his parental rights was in the minor child’s best interests. MCR 3.977(K); *Trejo Minors*, 462 Mich at 356-357.

Affirmed.

/s/ Christopher M. Murray

/s/ Pat M. Donofrio

/s/ Stephen L. Borrello

¹ For example, respondent father acknowledged that he had never learned how to pay his own bills and had held only one short-term job during the minor child’s life.