

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of A.E.R.B., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

DEBRA McDANIEL and EZRA BENJAMIN,

Respondents-Appellants.

UNPUBLISHED

May 20, 2003

No. 244793

Ingham Circuit Court

Family Division

LC No. 00-231042-NA

Before: Whitbeck, C.J., and White and Donofrio, JJ.

MEMORANDUM.

Respondents appeal by delayed leave granted from the trial court order terminating their parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This case is being heard without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). One of the principal conditions that led to the adjudication was respondents' entrusting the child to the care of a fifty-year-old man who respondents knew had been charged with criminal sexual conduct against minors. Respondents permitted this individual to take the child on trips and stay in hotels with her, even after the minor indicated that she did not want to go. The evidence established that respondents continue to lack judgment sufficient to protect the child from harm and abuse. In their psychological evaluations, each expressed their view that the concerns about the man were without merit. The evidence placed before the trial court also established that respondents continued to have contact with the man even though the case service plans and dispositional order prohibited them from doing so.

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*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although there was evidence that respondents loved the child and wanted to be better parents, other evidence and testimony indicated that respondents' judgment

and parenting skills had not changed even with Family Independence Agency intervention.

Affirmed.

/s/ William C. Whitbeck

/s/ Helene N. White

/s/ Pat M. Donofrio