STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of MARIE WEBB, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARK BENNETT,

Respondent-Appellant,

and

JACQUELYN ELAINE WEBB,

Respondent.

UNPUBLISHED
July 22, 2003

No. 242636
Wayne Circuit Court
Family Division
LC No. 01-395767

In the Matter of MARIE WEBB, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JACQUELYN ELAINE WEBB,

Respondent-Appellant,

and

No. 242680
Wayne Circuit Court
Family Division
LC No. 01-395767

MARK BENNETT,

Respondent.

Before: Zahra, P.J., and Talbot and Owens, JJ.

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the order terminating their parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). 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 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). Although respondents complied with certain aspects of their treatment plans, the evidence demonstrated that they failed to resolve their substance abuse problems, despite completing substance abuse treatment. Both respondents tested positive for cocaine numerous times since October 2001, and both tested positive for cocaine just two weeks before the termination hearing. In addition, there was evidence that neither respondent completed the individual counseling required by the their treatment plans. Thus, at the time of the termination hearing, they had not successfully addressed the problems that brought their daughter into care.

Furthermore, 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). Although there was evidence of a bond between respondents and the child, there was substantial evidence that respondents were unable to provide proper care for the minor child because of their drug addictions.

Therefore, the trial court did not err in terminating respondents' parental rights to the child.

Affirmed.

/s/ Brian K. Zahra
/s/ Michael J. Talbot
/s/ Donald S. Owens