

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SANTANNA VASQUEZ, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DEBORAH VASQUEZ,

Respondent-Appellant,

and

ROBERT VASQUEZ, SR.,

Respondent.

UNPUBLISHED

October 3, 2006

No. 268757

Calhoun Circuit Court

Family Division

LC No. 05-000032-NA

Before: Borrello, P.J., and Jansen and Cooper, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order terminating her parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument. MCR 7.214(E).

Respondent-appellant does not specifically address the individual statutory grounds for termination relied on by the trial court, but instead argues that the court erred in terminating her parental rights because her visits with the child were appropriate and interactive, she completed a psychological evaluation, and she was living with her mother in a house that was appropriate for the child. We disagree.

To terminate parental rights, a trial court must find that at least one of the statutory grounds contained in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re Jackson*, 199 Mich App 22, 25; 501 NW2d 182 (1993). Once this has occurred, the trial court must terminate parental rights unless it finds that termination is clearly not in the best interests of the child. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000). We review the trial court's findings under the clearly erroneous standard. MCR 3.977(J); *In re Trejo, supra* at 356-357.

Although respondent-appellant visited her child and participated in a psychological evaluation, evidence revealed that the conditions that led to adjudication continued to exist. Respondent-appellant was referred to Sandy Burdick to work on her parenting skills, emotional stability, and housing situation. However, according to Burdick, respondent-appellant was able to make no progress in these areas. The psychological evaluation recommended that respondent-appellant be prescribed medication to help stabilize her mood, clarify her thinking, improve her perceptual abilities, and decrease her level of anxiety. When asked if such medication was helpful to respondent-appellant, Burdick stated that she did not know because she was not sure if respondent-appellant consistently took the medication. The psychological evaluation also stated that the prognosis for respondent-appellant to develop appropriate skills and stability in the next year was very poor. Burdick opined that respondent-appellant was not capable of providing appropriate care for her child in the near future. Burdick also expressed concern about the child's safety in respondent-appellant's home. When asked if Burdick had concerns about the child being injured, being abused, or being neglected, she stated, "I would have concerns about her being safe in that home." Burdick also testified that she was concerned about "issues of . . . neglect." Based on this evidence, the trial court did not clearly err in finding that the statutory grounds for termination had been established.

For the same reasons, the record supports the trial court's finding that termination was not clearly contrary to the child's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 354. We cannot conclude that the trial court clearly erred in terminating respondent-appellant's parental rights to the minor child.

Affirmed.

/s/ Stephen L. Borrello
/s/ Kathleen Jansen
/s/ Jessica R. Cooper