

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of GLENN EDWARD LESTER and
TRACEY LANETTE-LORETTA LESTER,
Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
October 24, 2006

Petitioner-Appellee,

v

SAMUEL R. HILL,

Respondent-Appellant,

and

TINA LESTER,

Respondent.

No. 268924
Wayne Circuit Court
Family Division
LC No. 03-418889-NA

Before: Cavanagh, P.J., Bandstra and Owens, JJ.

MEMORANDUM.

Respondent appeals as of right from the order terminating his parental rights under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

Respondent's argument that petitioner failed to make reasonable efforts to reunite him with his children, in violation of MCL 712A.19, is unpersuasive. Petitioner did not fail to make reasonable efforts at reunification. Petitioner adopted a service plan and referred respondent to services. Respondent entered into a parent/agency agreement, which required that respondent attend visitations with his children, participate in substance abuse treatment, weekly random drug screens, and parenting classes, and maintain suitable housing and employment. Respondent did complete parenting classes, but he failed to regularly visit his children and failed to submit random drug screens, as ordered by the court.

The condition that led to adjudication was a drug raid on respondent's home. Respondent had approximately two years to address his substance abuse problem, but he failed to do so. Therefore, respondent's failure to rectify the condition that led to adjudication was not caused by

petitioner's failure to make reasonable efforts at reunification, but rather his failure to address this problem. In addition, respondent's substance abuse prevented him from providing proper care for his children and posed a risk of harm to them. Consequently, the trial court did not clearly err in finding that the statutory grounds for termination had been established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000).

Furthermore, given respondent's failure to adequately address his substance abuse or to provide a suitable home for the children, the trial court did not clearly err in determining that termination of his parental rights was not contrary to the children's best interests. MCL 712A.19b(5).

Affirmed.

/s/ Mark J. Cavanagh
/s/ Richard A. Bandstra
/s/ Donald S. Owens