

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of KEVIN ALMARAZ, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CHRISTINA ALMARAZ,

Respondent-Appellant,

and

VINCENTE ALMARAZ,

Respondent.

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UNPUBLISHED

July 14, 2009

No. 289543

Berrien Circuit Court

Family Division

LC No. 2008-000086-NA

Before: Owens, P.J., and Servitto, and Gleicher, JJ.

MEMORANDUM.

Respondent Christina Almaraz appeals as of right from a circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(j) and (l). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing, legally admissible evidence. MCR 3.977(E); *In re Utrera*, 281 Mich App 1, 16-17; 761 NW2d 253 (2008). Respondent's parental rights to three of the child's siblings were involuntarily terminated approximately eight months before the child was born. In the interim, respondent did nothing to improve her parenting abilities. She also failed to obtain appropriate prenatal care for the child and failed to take advantage of parenting classes offered during the pendency of this action.

Proof of the prior terminations is the only prerequisite to termination under § 19b(3)(l), such that evidence that respondent's circumstances were not likely to improve through participation in additional services was not required. Because only one ground need be proved to terminate a respondent's parental rights, we need not address respondent's challenges to the other grounds for termination. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999).

In addition, reunification services are not required where, as here, the parent's rights to other children have been involuntarily terminated. MCL 712A.19a(2)(c). Furthermore, evidence of long-term future neglect was not required as held in *Fritts v Krugh*, 354 Mich 97, 114; 92 NW2d 604 (1958), overruled on other grounds by *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993). That case predates the enactment of § 19b(3), which now governs the criteria for termination.

Finally, the trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5)<sup>1</sup>; *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The record shows that respondent failed to utilize whatever skills she had acquired while participating in services in North Carolina and while four of her older children were in that state's care. Respondent also made a half-hearted effort to participate in services in the instant case. She did not take advantage of parenting classes; classes she clearly needed. Because of the child's need for permanency and stability, the trial court did not err in concluding that termination of respondent's parental rights was in the child's best interests.

Affirmed.

/s/ Donald S. Owens  
/s/ Deborah A. Servitto  
/s/ Elizabeth L. Gleicher

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<sup>1</sup> Respondent incorrectly asserts that the trial court failed to apply the amended version of § 19b(5), which requires an affirmative finding that termination of parental rights is in the child's best interests before termination may be ordered. The trial court expressly stated:

If I determine that one of the statutory basis [sic] has been met then I'm required to go into, as they just amended the statute here recently, and I'm required to go into whether it's in the child's best interest or not to terminate. And if the statutory basis has been met [and] it's also in the child's best interest to terminate, then the court is required to enter a termination order.