

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
February 10, 2011

In the Matter of M. BLACKMAN, Minor.

No. 299871
Ingham Circuit Court
Family Division
LC No. 10-000915-NA

Before: TALBOT, P.J., and SAWYER and M. J. KELLY, JJ.

MEMORANDUM.

Respondent 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. This appeal has been decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); MCR 3.977(E)(3) and (K). Evidence was presented that respondent had a history of mental illness that prevented her from being able to parent a child. Further, it was undisputed that respondent's parental rights to another child were previously terminated after child protective proceedings were initiated. Respondent's argument that § 19b(3)(l) requires proof of something more than a prior termination, such as a prior termination due to serious and chronic neglect or abuse, see MCL 712A.19b(3)(i), ignores the plain and unambiguous statutory language. This Court cannot "assume that the Legislature inadvertently omitted from one statute the language that it placed in another statute," *Farrington v Total Petroleum, Inc*, 442 Mich 201, 210; 501 NW2d 76 (1993), and "judicially legislate by adding into a statute provisions that the Legislature did not include." *In re Wayne Co Prosecutor*, 232 Mich App 482, 486; 591 NW2d 359 (1998). Also, because it was undisputed that respondent's parental rights to another child were previously involuntarily terminated, reunification services were not required. MCL 712A.19a(2)(c).

Lastly, given respondent's inability to care for a child, the trial court did not clearly err in finding that termination of her parental rights was in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich at 356-357.

Affirmed.

/s/ Michael J. Talbot

/s/ David H. Sawyer

/s/ Michael J. Kelly