

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of LA'PARIS MONAY ALLEN,
BERNARD ANTWAUNE ALLEN, JR., and
JAQUAN LAMAR BEARDEN, Minors.

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

UNPUBLISHED
January 10, 2006

Petitioner-Appellee,

v

DOROTHY BEARDEN,

No. 263460
Oakland Circuit Court
Family Division
LC No. 03-687665-NA

Respondent-Appellant,

and

CHARLES MANN,

Respondent.

Before: Owens, P.J., and Saad and Fort Hood, JJ.

MEMORANDUM.

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

Ample evidence existed on the record to support the trial court's decision. At the time of termination, respondent-appellant had yet to address her substance abuse that apparently was at the root of her periodic abandonment of the children, and there was no indication that she would be able to do so within a reasonable time given the ages of the children. The trial court, therefore, did not err in finding that the statutory ground for termination had been established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1997). For the same reason, the trial court did not err in determining that termination was not contrary to the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

We also reject respondent-appellant's contention that the agency failed to make reasonable efforts to reunify her with her children. Respondent-appellant was referred for substance abuse treatment, parenting classes, and counseling, but declined to participate in those services. Respondent-appellant also failed to participate in drug screening and thereby eliminated the possibility of visitation with the children. The trial court, therefore, did not err in finding that the agency had made reasonable efforts toward reunification.

Affirmed.

/s/ Donald S. Owens
/s/ Henry William Saad
/s/ Karen M. Fort Hood