

STATE OF MICHIGAN  
COURT OF APPEALS

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*In re* A M BESHIREs, Minor.

UNPUBLISHED  
September 15, 2015

No. 326155; 326156  
Berrien Circuit Court  
Family Division  
LC No. 2014-000124-NA

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Before: BOONSTRA, P.J., and MURPHY and MARKEY, JJ.

PER CURIAM.

Respondent mother and respondent father appeal by right the January 28, 2015 order terminating their parental rights to the minor child under MCL 712A.19b(3)(g) (failure to provide proper care and custody), (j) (child will be harmed if returned to parent), and (l) (rights to another child previously terminated). We affirm.

Respondents only challenge whether termination of their parental rights was in the best interests of the child. The trial court must find by a preponderance of the evidence that termination is in a child's best interest. *In re Moss*, 301 Mich App 76, 90; 836 NW2d 182 (2013). We review the trial court's findings of fact for clear error. *In re HRC*, 286 Mich App 444, 459; 781 NW2d 105 (2009). Factors to be considered regarding a child's best interests include "the child's bond to the parent, the parent's parenting ability, the child's need for permanency, stability, and finality, and the advantages of a foster home over the parent's home." *In re Olive/Metts*, 297 Mich App 35, 41-42; 823 NW2d 144 (2012). The court also had to consider the likelihood that the child could be returned to his parents' home within the foreseeable future. *In re Frey*, 297 Mich App 242, 248-249; 824 NW2d 569 (2012).

In this case, the trial court did not err because the preponderance of the evidence supported its finding that termination of respondents' parental rights was in the best interests of the child. Although this proceeding only lasted a few months, respondents had their parental rights terminated to another child in August 2014. Before the earlier termination hearing, respondents received services for more than a year and "failed to derive any lasting benefit" from those services. See *Olive/Metts*, 297 Mich App at 43. The child's foster care caseworker testified that respondents had not made any significant change in their lives since their rights were terminated to the other minor child. Further, the evidence established that respondents did not have the emotional stability, housing, or financial ability to care for the child. Finally, the child was removed from respondents' care shortly after he was born. He was approximately two months old at the time of the termination hearing, so neither respondent developed a relationship

with him that weighed against termination. See *In re Jones*, 286 Mich App 126, 129-130; 777 NW2d 728 (2009). The child was doing well developmentally in foster care, and he was healthy. He was with a family who was willing to adopt, see *In re White*, 303 Mich App 701, 714; 846 NW2d 61 (2014), and there was no indication that respondents would be able to properly care for him in the foreseeable future, *Frey*, 297 Mich App at 248-249. The child deserved the permanency and stability that the foster care home offered him; therefore, the trial court did not clearly err by finding termination of respondents' parental rights to be in the child's best interests. MCR 3.977(K); *In re HRC*, 286 Mich App at 459.

We affirm.

/s/ Mark T. Boonstra  
/s/ William B. Murphy  
/s/ Jane E. Markey