

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ASHLEY LANDIS and
JENNIFER LANDIS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
February 15, 2005

v

CHRISTINA LOFQUIST,

Respondent-Appellant,

No. 257554
Kent Circuit Court
Family Division
LC No. 01-054700-NA

and

MICHAEL LANDIS,

Respondent.

Before: Fort Hood, P.J., and Griffin and Donofrio, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child Ashley under MCL 712A.19b(3)(c)(i), (g) and (l).¹ We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that statutory grounds for termination had been established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW23 161 (1989). The conditions that led to adjudication were that the minor child and her sister had been sexually abused by respondent-appellant's stepson, respondent-appellant did not report the sexual abuse and allowed the stepson to live in the home, respondent-appellant allowed the minor child to have contact with the stepson, even after a no-contact order was entered, and there was other domestic violence in the home. Respondent-appellant did not take responsibility for the minor child coming into care, instead blaming the system and the agency

¹ The trial court's order did not terminate respondent-appellant's parental rights to Jennifer.

for not understanding her problems, and even blaming the minor child for wanting contact with her stepbrother. She also did not consistently admit to the domestic violence between herself and her husband, which was also inflicted on the minor child at least once, and did not consistently address her own emotional and mental health issues, going to therapy only a few times. The trial court had ample reason to conclude that the patterns that respondent-appellant exhibited over the three-year period the minor child was in the court's temporary custody would continue.

With respect to MCL 712A.19b(3)(1), respondent-appellant's parental rights to her two youngest children were terminated during the three-year period this case was before the court. Although respondent-appellant argues that the application of this statute violated her constitutional rights, we need not reach this issue because only one statutory ground need be proven by clear and convincing evidence to support termination of parental rights. *In re Powers, Minors*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Furthermore, the trial court appropriately found that the minor child needed consistency, stability, and permanency and that respondent-appellant was unwilling or unable to provide these to her child. Therefore, the trial court did not clearly err in determining that termination of respondent-appellant's parental rights was not contrary to the best interests of the minor child.

Affirmed.

/s/ Karen Fort Hood
/s/ Richard Allen Griffin
/s/ Pat M. Donofrio