

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
January 24, 2013

In the Matter of MAPES-MORAN/NELSON,
Minors.

No. 311002
Livingston Circuit Court
Family Division
LC No. 2011-013688-NA

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

PER CURIAM.

Respondent mother appeals as of right the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

At the outset, although not contested by respondent, we note that the trial court did not clearly err in finding that three statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(K); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The conditions that led to the adjudication in this case continued to exist at the time of termination and respondent mother was a minimum of eight months away from being able to reestablish a job and a home after serving jail time. Because of the circumstances, respondent failed to provide proper care or custody for the minor children and there was no reasonable expectation that she would be able to provide that care within a reasonable time because of the children's young ages. Also, because of respondent's history of drug abuse, there was evidence that the children would have been harmed if they were returned to respondent mother's home at the time of the termination hearing. We find that the trial court did not clearly err in finding statutory grounds for termination under MCL 712A.19b(3)(c)(i), (g), and (j). *In re Trejo Minors*, 462 Mich at 356-357.

After a trial court has established a statutory ground for termination by clear and convincing evidence, the trial court should order termination of parental rights if termination is in the best interests of the children. MCL 712A.19b(5); *In re Beck*, 488 Mich 6, 11; 793 NW2d 562 (2010). Respondent mother argues that because she voluntarily entered treatment for her drug addiction several weeks before the termination hearing and she ended her relationship with the father of one of her children, the facts showed that she was moving in the direction of sobriety and becoming a good parent. She also argues that because the children were placed with her parents, the children would not have been harmed by allowing her the extra time she needed to get clean and sober.

However, the trial court recognized that the children had been placed with respondent's parents after she lost custody on February 1, 2011, and found that her children needed stability and permanency. A trial court may consider the length of temporary custody and a child's need for permanence in determining best interests, even where a child is in the custody of relatives. *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991). Moreover, the trial court found that there was no bond between respondent and one of her children, that respondent had a history of drug abuse, and that she had failed to complete a psychological evaluation. The trial court properly considered these factors. *In re Jones*, 286 Mich App 126, 131; 777 NW2d 728 (2009); *In re BZ*, 264 Mich App 286, 301; 690 NW2d 505 (2004). We find that the trial court's determination that the termination of respondent mother's parental rights was in the minor children's best interests was not clearly erroneous. *Trejo Minors*, 462 Mich at 356-357.

Affirmed.

/s/ David H. Sawyer
/s/ Jane E. Markey
/s/ Michael J. Kelly