

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DYLAN QUICK, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CASSIDY COVEN,

Respondent-Appellant.

UNPUBLISHED

March 26, 2009

No. 288014

Clinton Circuit Court

Family Division

LC No. 07-019601-NA

Before: Wilder, P.J., and Meter and Servitto, JJ.

MEMORANDUM.

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

This Court reviews decisions terminating parental rights for clear error. MCR 3.977(J). Clear error has been defined as a decision that strikes this Court as more than just maybe or probably wrong. *In re Trejo*, 462 Mich 341, 357; 612 NW2d 407 (2000). The trial court did not clearly err in finding that clear and convincing evidence supported termination under the statutory provisions.

The record supports termination of respondent's parental rights under subsection (3)(c)(i), given that respondent was in no better position to assume custody of the child at the time of termination than she had been at the time of adjudication, almost 17 months earlier, and there was no indication that the conditions would be alleviated within a reasonable time. At the time of adjudication, respondent was using illegal substances, was unemployed, had unstable housing, and was leaving the child with relatives for indefinite periods and with no way of contacting her. At the time of termination, she had only just obtained housing after living in a number of questionable arrangements. She appeared complacent about her parents raising the child and rarely even visited the child because she would not comply with the prerequisite of drug screening. Though respondent apparently had obtained employment, there was a question about whether her employment had been terminated at one point for illegal activity. Also, while respondent had submitted several negative drug screens in January and February 2008, she missed several drug screens after that and stopped participating in counseling. Because respondent had failed to address her addiction, had repeatedly failed to comply with drug

screenings, and had been arrested twice at the time of the termination, there is no reasonable likelihood that the conditions leading to adjudication would be rectified with a reasonable time.

Although the court need only find that one of the provisions set forth in MCL 712A.19b(3) has been established by clear and convincing evidence in order to terminate parental rights, the record also supports termination of respondent's parental rights under subsections (3)(g) and (j). Again, respondent would drop the child off at a relative's house for indefinite and unspecified periods of time, sometimes without additional clothing, and without providing a method for the relative to contact her. She could not maintain suitable housing, nor did she adequately address her substance abuse issues. The record contains no evidence that would allow a finding that respondent would be able to provide proper care for the child within a reasonable time and strongly indicates that the child would not be safe in her care.

We further find no clear error in the trial court's determination regarding the child's best interests. MCL 712A.19b(5); *In re Trejo, supra*, at 354.

Affirmed.

/s/ Kurtis T. Wilder
/s/ Patrick M. Meter
/s/ Deborah A. Servitto