

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MERCEDES LEE' ANNA
POLLMAN and ISAAH FRAZIER, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CHRISTINE S. POLLMAN,

Respondent-Appellant

and

CARLOS LASHAWN FRAZIER and LANCE
ERIC EDMONDS, SR.,

Respondents.

UNPUBLISHED

June 12, 2007

No. 275303

Calhoun Circuit Court

Family Division

LC No. 05-001453-NA

Before: Fitzgerald, P.J., and Sawyer and O'Connell, JJ.

MEMORANDUM.

Respondent appeals as of right from an order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent's sole argument on appeal is that she received ineffective legal representation, denying her the right to effective assistance of counsel. We disagree. As this Court explained in *In re CR*, 250 Mich App 185, 197-198; 646 NW2d 506 (2002), "the principles of effective assistance of counsel developed in the context of criminal law apply by analogy in child protective proceedings." To prove prejudice from inadequate legal representation, respondent must show "a reasonable probability that, but for counsel's unprofessional errors, the result would have been different." *Id.* at 198, quoting *People v Johnson*, 451 Mich 115, 124; 545 NW2d 637 (1996).

Respondent complains that she was represented by several different attorneys throughout the proceedings below, but there is no indication in the record that she was prejudiced by the multiple representations. Although respondent complains that her attorneys failed to present

witnesses at the various hearings, she fails to indicate who was available to testify on her behalf and what favorable information the uncalled witnesses could have presented. Therefore, there is no basis in this record for concluding that respondent was prejudiced, and respondent has not overcome the presumption that her attorneys' decisions were the product of sound trial strategy, and there is no basis in this record for concluding that respondent was prejudiced. *People v Rockey*, 237 Mich App 74, 76; 601 NW2d 887 (1999).

Affirmed.

/s/ E. Thomas Fitzgerald

/s/ David H. Sawyer

/s/ Peter D. O'Connell