

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of TIMOTHY ALBERT WELCH,  
PENNY LEE WELCH and BRADLEY LINN  
WELCH, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CAROLINE BEDFORD,

Respondent-Appellant,

and

RON ALBRIGHT and TIMOTHY DEMOND,

Respondents.

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Before: Hood, P.J., and Griffin and O'Connell, JJ.

MEMORANDUM.

Respondent-appellant (“respondent”) appeals as of right the order of the juvenile court terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Lack of compliance with a parent-agency agreement or similar series of court orders is a factor that may be considered in a termination case. See *In re Hall*, 188 Mich App 217, 212-213; 469 NW2d 56 (1991). As of the time of trial, respondent still had not been able to secure employment or housing, she had attended only part of one series of parenting classes, she had not demonstrated an ability to interact effectively with her children (all of whom have recognized “special needs”) and she

had not made any significant improvement in counseling. Accordingly, the juvenile court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997).

Respondent also argues that reversal is required because the hearing on the supplemental petition was held more than forty-two days after the petition was filed, contrary to MCR 5.974(F)(1)(b). However, this issue is not preserved for review because respondent never moved to dismiss the petition on the basis of a violation of the time limit in the court rule. Cf. *People v Yarema*, 208 Mich App 54, 57-58; 527 NW2d 27 (1994). Regardless, because the court rule does not provide a sanction for any violation, reversal is not warranted. See *In re Jackson*, 199 Mich App 22, 28; 501 NW2d 182 (1993); *In re Kirkwood*, 187 Mich App 542, 546; 468 NW2d 280 (1991).

Affirmed.

/s/ Harold Hood  
/s/ Richard Allen Griffin  
/s/ Peter D. O'Connell