

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

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In the Matter of DAVID LEE ROBINSON,  
BARBARA A. ROBINSON, KEVIN K.  
ROBINSON, II, JESSICA MARIE BAKER and  
JUSTIN LEE EDWARDS, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SUZANNE MARIE ROBINSON,

Respondent-Appellant,

and

CARL BAKER,

Respondent.

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UNPUBLISHED

February 16, 1999

No. 206493

Genesee Juvenile Court

LC No. 96-105560 NA

Before: Markman, P.J., and Bandstra and J.F. Kowalski\*, JJ.

MEMORANDUM.

Respondent Suzanne Marie Robinson appeals as of right the juvenile court order terminating her parental rights to her five minor children under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

Respondent is the mother of five children, born between 1981 and 1990. The Family Independence Agency ("FIA") began working with the family in 1987, and there were two substantiated neglect allegations between 1987 and 1992. In March 1996, the FIA received another

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\*Circuit judge, sitting on the Court of Appeals by assignment.

complaint of unfit conditions in respondent's home, including broken windows, animal and human waste in the home, bare mattresses, broken water heater and oven, and a toilet leaking through the living room ceiling. The home was later condemned. At the FIA's request, the family moved, but the new home was in a similar condition and sixteen people lived in the three-bedroom home. There were also allegations, among many others, that the children did not attend school regularly and had poor hygiene. The children reported that they were physically abused by a man living in their new house and that respondent was aware of this. Although respondent had heard allegations that her husband was sexually abusing neighborhood children, and she knew that he slept with the children instead of her, she did not investigate further. Her husband was later charged with five counts of criminal sexual conduct relating to one daughter. Respondent and her husband also made the children go out and beg for food and work to bring money back home. When respondent failed to respond to the FIA's concerns, the FIA filed a petition for temporary custody of the children in May 1996.

According to the FIA agreement, respondent was required to visit her children, complete parenting class, submit to a psychological evaluation, maintain a clean and stable home and participate in individual therapy and other agency services. Plaintiff completed parenting classes, participated in therapy and visited the children. However, her therapists agreed that she did not seem to gain anything from the lessons, she refused to address the sexual abuse with counselors, and continued to be very passive, leading them to believe that she would continue in her prior routine if reunited with the children. Respondent has no job and failed to take advantage of the agency programs to help her find an apartment, and continues to live with her mother where there is no room for the children. At the time of the hearing, respondent was dating a man whom the children reported being inappropriate with one of the daughters. The juvenile court terminated respondents parental rights because the conditions that led to the adjudication continue to exist and there is no reasonable expectation that the conditions will be rectified within a reasonable time, MCL 712.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i), and because respondent failed to provide proper care or custody for the children and there is no reasonable expectation that she will be able to provide proper care and custody within a reasonable time, MCL 712.19b(3)(g); MSA 27.3178(598.19b)(3)(g).

Based on the facts of this case, 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; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent does not argue, nor does the record indicate, that termination of her parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997). Thus, the juvenile court did not err in terminating respondent's parental rights to the children herein. *Id.*

Affirmed.

/s/ Stephen J. Markman  
/s/ Richard A. Bandstra  
/s/ John F. Kowalski