

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TK, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

WANDA J. KIBLER,

Respondent-Appellant.

UNPUBLISHED

May 25, 2001

No. 231039

Kent Circuit Court

Family Division

LC No. 99-050401-NA

Before: Collins, P.J., and Hoekstra and Gage, JJ.

MEMORANDUM.

Respondent-appellant appeals by right from the lower court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

We conclude from a review of the record that the lower court did not clearly err in finding that the above-referenced subsections were established by clear and convincing evidence. MCR 5.974(I); *In re Trejo Minors*, 462 Mich 341, 356; 612 NW2d 407 (2000). The record shows that although there were no housing, financial or physical abuse concerns and respondent attended the required classes and counseling and regularly engaged in visits with the child, the concerns that led to the court's involvement were not alleviated, despite respondent's participation. The caseworker's testimony indicated that respondent lacks insight and judgment and that despite her attendance in parenting classes and counseling, she was unable to adequately internalize and assimilate the information so that she could provide proper care for the child. Concerns were raised about respondent's ability to follow through with the things she learned through parenting classes and counseling. Testimony indicated that respondent lacks insight into why the child was removed from her care and has difficulty handling her emotions in a socially acceptable manner. A caseworker testified that respondent was smothering toward the child, treated the child as younger than her stated age, and set questionable boundaries with the child and with other people. Further, even after participating in the provided services, plaintiff continued to lack appropriate decision-making skills, social skills, or insight into her behavior, and a caseworker testified that respondent was not able to meet the emotional, social, and academic needs of the

child. Further, a psychologist indicated that respondent has intellectual and emotional impairments and it would be difficult for respondent to understand or grasp the various complexities involved in child rearing. Under these circumstances, we cannot conclude that the court clearly erred in terminating respondent's parental rights to the minor child. *In re Trejo Minors, supra* at 356-357.

Affirmed.

/s/ Jeffrey G. Collins
/s/ Joel P. Hoekstra
/s/ Hilda R. Gage