

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOSHUA PREGITZER and
JESSE PREGITZER, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TONYA PREGITZER BRAXMAIER,

Respondent-Appellant,

and

LARRY ABBOTT and ROBIN CLEVINGER,

Respondents.

UNPUBLISHED
February 24, 2004

No. 249824
Jackson Circuit Court
Family Division
LC No. 01-001054-NA

Before: Sawyer, P.J., and Saad and Bandstra, JJ.

MEMORANDUM.

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

The trial court did not clearly err in finding that clear and convincing evidence established the statutory grounds for termination. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); MCR 3.977(J). It was substantiated that one son had previously been physically abused and that both children were exposed to domestic violence by her continued relationship with an abusive boyfriend. She herself admitted to being unable to properly care for her children, although she blamed either her children's difficult behavior or her mental illness for her parenting problems. When respondent left the children in the care of others (sometimes for periods almost two years long), she failed to provide adequate information as to her whereabouts. Some of her choices of caregivers were poor, and there were incidents of neglect and severe abuse of the children at the hands of some caregivers. Based on the testimony of various therapists, respondent needed additional therapy before she could be considered to provide proper care. Given the fact that the two children were already teenagers, there was little time before they reached adulthood, and such time could not be spent in the hope that respondent's therapy would eventually succeed.

Further, the trial court did not clearly err in finding that termination of respondent's parental rights was not contrary to the children's best interests. Although their ages made adoption of the boys unlikely, the stability gained from being away from respondent's negative influences allowed them to improve coping skills, which they would soon need as adults. Although it was likely both sons would resume a relationship with respondent upon reaching adulthood, any skills gained prior to that time would be in their best interests.

Affirmed.

/s/ David H. Sawyer
/s/ Henry William Saad
/s/ Richard A. Bandstra