

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of RANDI LOFQUIST and LEENA  
LOFQUIST, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CHRISTINA LOFQUIST,

Respondent-Appellant,

and

RANDALL LOFQUIST,

Respondent-Not Participating.

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UNPUBLISHED

April 22, 2004

No. 252137

Kent Circuit Court

Family Division

LC No. 01-054700-NA

Before: Cavanagh, P.J., and Murphy and Smolenski, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principal conditions that led to adjudication were domestic violence in the marriage of respondent-appellant and Randall Lofquist, and respondent-appellant's having allowed the children to have contact with the perpetrator of sexual abuse against two older siblings of the minor children. The evidence clearly indicated that respondent-appellant remained unable to adequately protect the children. Respondent-appellant never took responsibility for the children coming into care, instead blaming the "system," and even blaming one of the older children for the renewed contact with the perpetrator of sexual abuse. Respondent-appellant's continuing failure or inability to protect the children is also reflected in her relationship with their father, Randall Lofquist. The evidence clearly indicated that respondent-appellant has not resolved issues of domestic violence, which brought the children into care. Contrary to her own admissions and other evidence, and despite completing a six-week program for domestic violence, respondent-appellant denies that domestic violence is an issue in her marriage. Respondent-appellant has exhibited a persistent pattern of failure to

address underlying problems. The evidence indicates that she made minimal progress in therapy, and has taken antidepressant medication only in an intermittent and inconsistent fashion. The record reflects little sustained progress over a period of more than two years from the disposition in a previous wardship, and six months from the disposition in the current wardship. Given this history, the trial court had ample reason to conclude that the pattern would continue and that the conditions of adjudication would not be rectified in the reasonable future.

The trial court also did not clearly err by terminating respondent-appellant's parental rights on the ground that she failed to provide proper care and custody for the minor children and would not be able to do so in the reasonable future. MCL 712A.19b(3)(g). Respondent-appellant clearly failed to provide proper care and custody for the children when she failed to report sexual abuse against their older siblings, allowed the perpetrator to continue to live in the home, and later allowed the children to have renewed contact with the perpetrator. As already noted, respondent-appellant made minimal progress in therapy, has taken antidepressant medication inconsistently, and denies that domestic violence is an issue in her relationship with Randall Lofquist, despite having identified domestic violence as a problem in the marriage previously. The evidence clearly supports the trial court's conclusion that respondent-appellant would not be able to provide proper care and custody for the minor children in the reasonable future, and we are left with no impression that the trial court made a mistake in so finding.

Finally, the trial court did not clearly err by finding that termination of respondent-appellant's parental rights was not clearly contrary to the best interests of the minor children. MCL 712A.19b(5). The evidence clearly indicated that respondent-appellant has not resolved the various issues that impede her ability to protect the children. Moreover, the evidence indicated that Randi and Leena have shown marked improvement in their behavior in the past six months. Given this record, we are not left with the impression that the trial court made a mistake by finding that the best interests of the children were served by the termination of respondent-appellant's parental rights.

Affirmed.

/s/ Mark J. Cavanagh  
/s/ William B. Murphy  
/s/ Michael R. Smolenski