

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of KAYLEE ANN THORNTON,  
ELIZABETH SARA THORNTON, and DAKOTA  
EDWARD WALLACE, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

KAMIE KAY THORNTON,

Respondent-Appellant,

and

MICHAEL THORNTON,

Respondent.

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UNPUBLISHED  
February 20, 2007

No. 270611  
Midland Circuit Court  
Family Division  
LC No. 06-002667-NA

Before: Meter, P.J., and O'Connell and Davis, JJ.

PER CURIAM.

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

Respondent contends that the trial court erred in finding that clear and convincing evidence supported termination of her parental rights under MCL 712A.19b(3)(j). We disagree. Respondent's live-in boyfriend was a known sex offender. It was undisputed that petitioner informed respondent of this fact and advised her that the children would be removed from her care if she permitted the sex offender to continue to live in her home. Several months later, the sex offender was still or again living in the home, and respondent actively attempted to conceal this fact from petitioner. The sex offender ultimately sexually assaulted one of the children. Clear and convincing evidence therefore existed on the record to support the trial court's finding that there was a reasonable likelihood that the children would be harmed if returned to respondent's home. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). For the same reasons, the record also supports the trial court's finding that termination was not contrary to the best interests of the children. MCL 712A.19b(5); *In re Trejo*, *supra* at 356-357.

We also reject respondent's contention that she did not receive effective assistance of counsel at trial. A review of the record demonstrates that none of the alleged errors by trial counsel prejudiced respondent. That is, there is no reasonable probability that, but for counsel's alleged errors, the result of the proceedings would have been different. See *In re CR*, 250 Mich App 185, 198; 646 NW2d 506 (2002). Similarly, services are not mandated in all situations, and the trial court did not clearly err in determining that the agency was not required to provide services in this case. See, e.g., *In re Terry*, 240 Mich App 14, 26 n 4; 610 NW2d 563 (2000).

Affirmed.

/s/ Patrick M. Meter  
/s/ Peter D. O'Connell  
/s/ Alton T. Davis