

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JENNIFER WOOD and CIARA
WOOD, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CHRISTINE FRANCE,

Respondent-Appellant.

UNPUBLISHED

January 29, 2008

No. 278863

Grand Traverse Circuit Court

Family Division

LC No. 05-001543-NA

Before: Davis, P.J., and Murphy and White, JJ.

MEMORANDUM.

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

Respondent argues that the trial court erred in finding that the statutory grounds for termination were established by clear and convincing evidence. We disagree.

We review the trial court's findings of fact under the clearly erroneous standard. *In re JK*, 468 Mich 202, 209-210; 661 NW2d 216 (2003); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). A trial court's findings are clearly erroneous if, although there is evidence to support them, the reviewing court is left with the definite and firm conviction that a mistake has been made. *In re JK, supra* at 209-210. Although respondent contends that several of the trial court's factual findings were not supported by clear and convincing evidence, respondent fails to specify which findings were unsupported. "A party may not announce a position on appeal and leave it to this Court to unravel or elaborate his claims." *People v Hicks*, 259 Mich App 518, 532; 675 NW2d 599 (2003).

Although respondent claimed that she had ended her relationship with her abusive boyfriend, she had made similar claims in the past but continued the relationship, had recently planned to marry him, and lied about whether she was still seeing him. Moreover, her conduct showed that she had not benefited from services to address her problematic relationship issues and that she failed to internalize how the situation had affected her children. We disagree with respondent's argument that it was inappropriate to terminate her parental rights on the basis that she failed to totally sever her relationship with her boyfriend. Although the state does not have

an interest in controlling respondent's personal relationships that have no effect on her children, the state has an interest in protecting respondent's children, *In re JK, supra* at 356, and therefore could impose requirements to ensure that the children are protected. Here, there was ample evidence that respondent's boyfriend was a violent and abusive person who presented a risk of harm to the children's physical and emotional welfare. Petitioner properly could require respondent to end her relationship with her boyfriend as a condition of reunification.

In light of a demonstrated and consistent record of a chaotic and transitory home environment for the minors while in their mother's care to their persistent emotional detriment, the respondent's lack of candor about whether or not she had in fact disassociated with the boyfriend, and the respondent's late and likely, even at this date, incomplete understanding of the psychological and emotional damage occasioned her daughters as a result, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence.

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the children's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356. Emotional and situational stability is of paramount importance to these children. The respondent's opportunity to demonstrate that she is capable of providing that stability expired without progress that would instill confidence that it would continue into the future. The trial court did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Alton T. Davis
/s/ William B. Murphy
/s/ Helene N. White