

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TIFFANY WILLIAMS, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DEBORAH WILLIAMS,

Respondent-Appellant,

and

JAMES MEACHUM,

Respondent.

UNPUBLISHED

April 24, 2008

No. 281802

Berrien Circuit Court

Family Division

LC No. 2007-000037-NA

Before: Bandstra, P.J., and Fitzgerald and Markey, JJ.

MEMORANDUM.

Respondent¹ appeals as of right from the order that terminated her parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (g), and (j). We affirm.

The trial court did not clearly err in determining that the statutory grounds had been established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Petitioner's caseworkers were unable to contact respondent for most of this seven-month-long case because, except during her three incarcerations, her whereabouts were unknown. In addition, respondent never contacted a foster care caseworker and did not attend the last three hearings held in this case. Based on this evidence, the trial court did not clearly err when it found respondent had deserted the child and not sought custody of the child for 91 or more days. MCL 712A.19b(3)(a)(ii). Although respondent had completed numerous services provided in the past through Child Protective Services and the probation system, it appears she had not benefited. If anything, her situation had worsened since she did not even participate in services in this latest proceeding. Many obstacles to reunification

¹ All references to respondent in this opinion refer to respondent-appellant, Deborah Williams.

continued to exist, and there was sufficient evidence for this court to find respondent had failed to provide proper care or custody for the child. Furthermore, her nonparticipation in services made it very unlikely that she could make the improvements necessary for reunification to occur. Respondent argues for additional time to prove herself; however, since she had made no effort in the proceeding thus far, there was little hope that additional time would produce a different result. Respondent also suggests that DHS failed to make reasonable efforts towards reunification, but she fails to specify what more DHS could have done, especially since respondent did not make herself available for services. Therefore, the trial court did not clearly err in finding that MCL 712A.19b(3)(g) had been established. Lastly, given the evidence that respondent's substance abuse continued throughout this proceeding and her lack of parenting skills, the trial court did not clearly err when it found a reasonable likelihood that the child would be harmed if returned to respondent's home. MCL 712A.19b(3)(j).

Finally, the trial court did not clearly err in its determination regarding the child's best interests. MCL 712A.19b(5); *Trejo, supra* at 353. The evidence clearly established the child's relationship with respondent was extremely poor and more than just typical mother/daughter angst. The child was very scared that respondent would find and remove her from her foster home, and she was vehemently opposed to visiting with respondent, let alone reuniting with her.

Affirmed.

/s/ Richard A. Bandstra
/s/ E. Thomas Fitzgerald
/s/ Jane E. Markey