

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KATELYN BON, MATTHEW
SPOELHOF, MICHAEL ARCHER, and JESSICA
ARCHER, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JOANN MARIE ARCHER,

Respondent-Appellant.

UNPUBLISHED

August 19, 2008

No. 283467

Ottawa Circuit Court

Family Division

LC No. 07-056942-NA

Before: Schuette, P.J., Zahra and Owens, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court's order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(ii) and (j). 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(E); *In re Archer*, 277 Mich App 71, 73; 744 NW2d 1 (2007). Respondent permitted her husband, Brian Archer, to sexually abuse her oldest daughter for years and sometimes actively fostered the abuse. Once criminal proceedings began and it became known that Archer had a prior conviction for sexually molesting his own daughter from a prior relationship, respondent still supported him throughout the criminal proceedings, posted his bond to obtain his release from jail, and instructed her daughter to tell Archer's criminal attorney that the allegations were false and to testify in Archer's defense. It was not until Archer was sentenced to life in prison that respondent acknowledged that she had "made a mistake," yet at the same time claimed that her failure to stop the abuse was Archer's fault because he had "brainwashed" her.

Further, the evidence did not clearly show that termination of respondent's parental rights was not in the children's best interests. *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000); MCL 712A.19b(5). Thus, the trial court did not err in terminating respondent's parental rights to the children. *In re Trejo*, *supra* at 356-357.

Affirmed.

/s/ Bill Schuette
/s/ Brian K. Zahra
/s/ Donald S. Owens