

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of DANIELLE LEEA MARION,  
Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

LATOYA RE'NEE MARION,

Respondent-Appellant.

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UNPUBLISHED  
November 13, 2008

No. 285144  
Wayne Circuit Court  
Family Division  
LC No. 06-457731-NA

Before: Beckering, P.J., and Borrello and Davis, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), 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. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991).

The minor child came into care when respondent was a 16-year-old ward of the court. The issues that led to adjudication included respondent's struggle with caring for the minor child while living in a mother and baby program and her hospital admission for depression. Respondent was placed with the minor child in a foster care home and ordered to comply with services, including participating in mental health treatment, completing parenting classes, obtaining her high school diploma or the equivalent, obtaining and maintaining a stable home and a legal source of income, and taking proper care of the minor child. Six months after the minor child was taken into temporary care, respondent left the minor child in the foster care home and went to stay with her aunt. The trial court terminated respondent's visitation with the minor child and requested petitioner to file a petition to terminate respondent's parental rights. The trial court made clear to respondent that she needed to act like an adult to be considered for permanent placement for the minor child, and this meant that she needed to comply with the terms of her parent agency agreement.

Respondent had over a year to show the trial court that she had complied with the terms of the parent agency agreement and that she would be an appropriate placement for the minor

child. However, at the time of the termination trial, respondent had completed parenting classes but had not otherwise complied with the terms of the agreement. She had only recently begun therapy that was to be on a monthly basis and she had only recently started classes to obtain her G.E.D. She was living in a shelter and did not have a legal source of income. In addition, respondent was no longer taking the medication prescribed to her for depression. It had been 14 months since the termination petition had been filed and 20 months since the petition for temporary custody of the minor child had been filed, and respondent had made minimal, if any, progress to alleviate the issues that caused the minor child to come into care. The trial court attempted to impress on respondent the importance of complying with the terms of her parent agency agreement to show that she could care for the minor child. It was not until just before the termination trial that respondent even began to engage in services.

With regard to respondent's argument that the trial court erred because it should have provided a structured plan of care to address respondent's young age when the minor child was removed from her care, this Court finds no error. Generally, petitioner must make reasonable efforts to reunite a respondent and her child through a treatment plan and referrals. *In re Fried*, 266 Mich App 535, 542; 702 NW2d 192 (2005); MCL 712A.18f. If reasonable efforts are not made, petitioner can be prevented from establishing statutory grounds to terminate a respondent's parental rights. See *In re Newman*, 189 Mich App 61, 67-68, 70: 472 NW2d 38 (1991). However, there was overwhelming evidence of petitioner's efforts to offer services to respondent. During the period that the minor child was in the temporary care of the court, petitioner provided numerous referrals for services that were either underutilized or ignored. In addition, the trial court made it clear on the record that respondent needed to be fully compliant with the treatment plan in order to have the minor child returned to her care, and respondent was given more than enough time in which to comply.

The trial court also did not clearly err in its determination regarding the child's best interests. MCL 712A.19b(5); *Trejo, supra* at 353, 356-357. The minor child is entitled to a stable, permanent, and safe environment, which she knows is home, and people that she can rely on to take care of her. Allowing respondent additional time to work on her issues would cause harm to the minor child. The court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Jane M. Beckering  
/s/ Stephen L. Borrello  
/s/ Alton T. Davis