

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of COURTANY RAMSEY and  
ANTHONY J. KNUDSEN, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JOY RAMSEY,

Respondent-Appellant,

and

JOHN RAMSEY,

Respondent.

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UNPUBLISHED

March 26, 2009

No. 289453

Newaygo Circuit Court

Family Division

LC No. 08-007275-NA

Before: Wilder, P.J., and Meter and Servitto, JJ.

MEMORANDUM.

Respondent Joy Ramsey appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(ii) and (g). We affirm.

This Court reviews decisions terminating parental rights for clear error. MCR 3.977(J). Clear error has been defined as a decision that strikes this Court as more than just maybe or probably wrong. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Termination is appropriate under MCL 712A.19(3)(b)(ii) if a child or sibling of the child has suffered physical injury or physical or sexual abuse and “the parent who had the opportunity to prevent the physical injury or physical or sexual abuse failed to do so and the court finds that there is a reasonable likelihood that the child will suffer injury or abuse in the foreseeable future if placed in the parent's home.” Here, Courtany was removed from respondent’s care in 2006 because she was sexually abused by respondent’s boyfriend and respondent failed to protect her. Respondent received and participated in numerous services and was ultimately reunited with her daughter with the instruction that the boyfriend was to have no contact with Courtany. However, after Courtany’s return, respondent promptly returned to her boyfriend. Courtany was briefly

removed from and returned to respondent's care a second time due to the situation with the boyfriend.

Respondent did end the relationship with her abusive boyfriend for a period of time and moved to Ohio with the children, but then began seeing him once again, giving up her job and home to reunite with him in Michigan. She and the children were living in a motel with the boyfriend, upon whom respondent was financially dependent, when the court took jurisdiction over the children in February 2008.

Respondent was offered another opportunity to participate in services but did not attend counseling and, although she obtained employment, she did not have sufficient funds to obtain housing for herself and the children. Despite having finished several months of intensive services in another county, it does not appear that respondent benefited from the services. Despite Courtany's graphic accounts to her counselor about the sexual abuse perpetrated upon her by respondent's boyfriend, respondent indicated that she did not believe that her boyfriend had molested her daughter, and was convinced that her daughter loved her abuser and wanted to live with him.

Given respondent's repeated denials of abuse in the face of strong evidence suggesting otherwise and evidence suggesting that respondent may have been present during some of the abuse, respondent failed and will likely continue to fail to protect Courtany from the boyfriend's sexual abuse. Respondent's failure to obtain housing suitable for the children also demonstrates that respondent has failed to provide proper care for the children. Termination was warranted under MCL 712A.19b(3)(b)(ii) and (g).

Because of the above, and because there is no evidence indicating that termination would not be in the children's best interests (MCL 712A.19b(5); *In re Trejo, supra* at 356-357), the trial court did not err in terminating respondent's parental rights.

Affirmed.

/s/ Kurtis T. Wilder  
/s/ Patrick M. Meter  
/s/ Deborah A. Servitto