

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MACKENZIE CHARTIER and
COOPER ATKINS, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

TARA CHARTIER,

Respondent-Appellant.

UNPUBLISHED

May 12, 2009

No. 288252

Dickinson Circuit Court

Family Division

LC No. 07-000521-NA

Before: Sawyer, P.J., and Murray and Stephens, JJ.

MEMORANDUM.

Respondent Tara Chartier appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19(3)(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. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). The conditions that led to adjudication were respondent's homelessness, mental illness, substance abuse, inappropriate behavior with the children, and failure to cooperate with services. Respondent improved somewhat in the last few months before the final hearing, most notably in completing parenting classes and attending and interacting appropriately with her children at visitations. However, she failed to cooperate with agencies and persons offering services, including the parent aides, juvenile court officers and DHS housing assistance workers. Her non-cooperation with DHS resulted in the termination of certain benefits and the failure to obtain adequate housing for her children. She continued to have outbursts and miss appointments. Clear and convincing evidence showed that respondent failed to provide proper care and custody and would be unable to do so within a reasonable time, and the children would be at risk of harm in her care. MCL 712A.19b(3)(g), (j).

We also find no clear error in the court's determination that termination of respondent's parental rights was in the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357. Despite evidence of a bond between mother and children, respondent's continued failure to deal with the conditions that brought the children into care caused the children uncertainty and confusion regarding their future. They need a safe, stable home, which respondent cannot provide. We find no reversible error.

Affirmed.

/s/ David H. Sawyer

/s/ Christopher M. Murray

/s/ Cynthia Diane Stephens