

STATE OF MICHIGAN  
COURT OF APPEALS

---

In the Matter of RILEY MCKENZIE BEEKMAN  
and AYDEN JACOB BEEKMAN, Minors.

---

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANGEL MARIE BEEKMAN, a/k/a ANGEL  
MARIE PHIPPS,

Respondent-Appellant,

and

ROBERT ARTHUR BEEKMAN,

Respondent.

---

Before: Owens, P.J., and Servitto and Gleicher, JJ.

PER CURIAM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g) [irrespective of intent, the parent fails to provide proper care and custody and no reasonable likelihood exists that she might do so within a reasonable time given the children's ages]. We affirm, and decide this appeal without oral argument pursuant to MCR 7.214(E).

Respondent is the mother of RMB and AJB.<sup>1</sup> In April 2007, Children's Protective Services (CPS) received a referral regarding respondent's home. A CPS worker visited the residence in May 2007, and found it filthy and in disarray. The worker described that "numerous cigarette butts" littered the floor, dirty dishes containing old food were stacked in the kitchen,

---

<sup>1</sup> The circuit court also terminated the parental rights of the children's father, who is not a party to this appeal.

and the single bedroom contained dog feces. Respondent and her husband agreed to clean the home, and arranged for the worker to make a return inspection. The worker tried unsuccessfully to gain entry into the home on four subsequent occasions, but succeeded on the fifth with the assistance of the police. She found the kitchen slightly cleaner, but the home had a recently broken window. The other inappropriate environmental conditions remained substantially unchanged. Further investigation by the worker revealed that the police had been dispatched to respondent's home on nine occasions between July 2006 and March 2007, primarily in response to domestic violence complaints. The worker also determined that a protective services case pending in another county involved respondent and her two oldest children.

In May 2007, petitioner filed a petition seeking temporary custody of RMB. A circuit court referee authorized the petition and placed the child in foster care. In August 2007, the circuit court conducted an adjudication trial. The CPS worker testified concerning her investigation of respondent's home and respondent's domestic violence history. Respondent claimed that she had moved out of the home before the worker's first visit, and was present on that day only because the child's father "wanted to see his daughter." Respondent admitted that she had not visited her oldest children in "at least a good six months," and advised the court that she and RMB's father currently resided in a camper trailer. The circuit court exercised jurisdiction over RMB and maintained his temporary placement in foster care.

At an October 2007 dispositional hearing, a foster care worker testified that respondent had attended only 55% of her scheduled parenting times, and had failed to complete court-ordered parenting classes or individual counseling sessions. Respondent's compliance improved somewhat by the time of a hearing held in January 2008, but she continued to lack stable housing and employment. A foster care worker reported that respondent was pregnant and soon would have another child.

Respondent bore AJB in late January 2008, and within days of his birth petitioner placed him in foster care. On April 1, 2008, petitioner filed a petition seeking jurisdiction over AJB and termination of respondent's parental rights to both RMB and AJB pursuant to MCL 712A.19b(3)(g) and (j). At a hearing in May 2008, respondent admitted to the allegations in the April 2008 petition as a basis for circuit court jurisdiction over AJB, and the parties agreed that the court would adjourn the permanent custody hearing with respect to both children for at least 90 days to permit respondent another opportunity to participate in services. Respondent also agreed to terminate her relationship with Donald Beach, whose parental rights to his own children a court had terminated because of sexual abuse.

In October 2008, the circuit court conducted a termination hearing. Respondent admitted to the allegations in the April 2008 petition and that they supported termination of her parental rights pursuant to subsection (g). Through counsel, respondent further stipulated to the admission of a timeline summary prepared by a DHS worker, several police reports, and two updated service plans. The circuit court expressed that these exhibits "form[ed] a substantial and accurate basis for the Court to accept the plea[.]" Immediately after the court made this finding, the prosecuting attorney requested that the court use the exhibits "also to make a finding ... that it's in the children's best interest" to terminate respondent's parental rights. The circuit court asked respondent's counsel for comment, and he replied that he had none. The circuit court then found that termination served the children's best interests.

Respondent now challenges the circuit court's best interest finding. Specifically, respondent contends that her substantial compliance with the parent-agency agreement placed on the record in May 2008 rendered her subsequent plea of admission involuntary and unknowing. Respondent suggests that because she did not knowingly and voluntarily plead to the allegations in the permanent custody petition, the plea did not constitute a valid basis for the circuit court's finding that termination of her parental rights served the children's best interests.

When taking a plea to the allegations in a petition, the circuit court must adhere to the requirements in MCR 3.971(B) and (C). According to MCR 3.971(C)(1), the court cannot "accept a plea of admission or of no contest" without taking steps to satisfy itself "that the plea is knowingly, understandingly, and voluntarily made." The court also must find that "one or more of the statutory grounds alleged in the petition are true." MCR 3.971(C)(2).

Our review of the record reveals that the circuit court carefully questioned respondent regarding her understanding of the allegations, and properly advised respondent about the consequences of her plea. Respondent actively participated in the plea-taking process, and answered affirmatively when asked whether she admitted the allegations in the petition, which warranted termination under MCL 712A.19b(3)(g). Respondent additionally admitted that she had reviewed the exhibits and found them "substantially correct." Respondent denied that anyone had threatened, coerced, or forced her plea, and declined an opportunity to further discuss the proceedings with her attorney.

The record thus establishes that respondent's plea qualified as knowing, understanding and voluntary. Given that the circuit court fully complied with the requirements of MCR 3.971(B) and (C), we find no error in the court's conclusion on the basis of the plea that termination served the children's best interests. MCL 712A.19b(5). Moreover, the exhibits submitted to the court amply proved that respondent continued to reside in an unsafe environment, had not benefited from parenting classes, and failed to disassociate herself from dangerous and inappropriate men. No evidence supported that respondent and the children shared any bond. In summary, we detect no clear error in the circuit court's determination that termination would serve the children's best interests. *In re Fried*, 266 Mich App 535, 541; 702 NW2d 192 (2005).

Affirmed.

/s/ Donald S. Owens  
/s/ Deborah A. Servitto  
/s/ Elizabeth L. Gleicher