

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of KANIYAH RICA SPILLER,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DIAMOND ACUTE PALMER,

Respondent-Appellant,

and

ANTHONY LAMONT MORRIS,

Respondent.

UNPUBLISHED

October 15, 2009

No. 290648

Wayne Circuit Court

Family Division

LC No. 07-471100-NA

Before: Saad, C.J., and O'Connell and Zahra, JJ.

MEMORANDUM.

Respondent Diamond Palmer appeals as of right from the trial court's 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. MCR 3.977(J); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Petitioner made reasonable efforts to reunite respondent with her child, but respondent was not receptive to petitioner's many offers of assistance. Respondent waited almost a year, approximately when the permanent custody petition was filed, before she began to participate in services. Respondent's delay in participating in services and her failure to substantially complete the requirements of her parent-agency agreement were evidence of her failure to provide proper care and custody. *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003). In addition, considering the many issues affecting respondent's parental fitness, as well as her own personal issues, there was no reasonable likelihood that the conditions that led to the adjudication would be rectified or any reasonable expectation that respondent would be in a position to provide proper care and custody within a

reasonable time, and it was reasonably likely that the child would be harmed if returned to respondent's home.

Further, considering that respondent could not reasonably be expected to meet the child's special needs, the trauma that the child experienced after visits with respondent, and the evidence that there was no parental bond between respondent and child, the trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors, supra* at 356-357.

Affirmed.

/s/ Henry William Saad

/s/ Peter D. O'Connell

/s/ Brian K. Zahra