

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
December 21, 2010

In the Matter of SZCZEPANEK/CLAY/BISCHOFF,
Minors.

No. 297683
Kent Circuit Court
Family Division
LC Nos. 08-051623-NA;
08-051624-NA; 08-051625-NA;
08-051626-NA; 08-051627-NA

Before: MURPHY, C.J., and METER and GLEICHER, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (g). 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 Mason*, 486 Mich 142, 152; 782 NW2d 747 (2010); MCR 3.977(K). Although respondent achieved some progress with her substance abuse, she failed to make progress in achieving stability in her life. Despite receiving services for almost two years, respondent continued to involve herself in unstable relationships, she often became overwhelmed with routine tasks, and she continued to rely on service providers and others for her basic needs. During the pendency of the case, she married another man who she agreed was a bad influence on her and would not be a positive influence on the children. Further, she failed to consistently participate in counseling and, therefore, was unable to make progress in addressing the factors that contributed to her continuing instability. Under the circumstances, the trial court did not clearly err in finding that the conditions that led to the adjudication continued to exist and that respondent was not reasonably likely to rectify those conditions or be in a position to provide proper care and custody within a reasonable time. Accordingly, termination was appropriate under §§ 19b(3)(c)(i) and (g).

Further, considering the negative effects of respondent's instability on the children, the length of time the children had been in foster care, that the children were already ambivalent about returning to respondent's custody, and the evidence that the children's continued progress and development was being frustrated by the uncertainty of their situation, the trial court did not clearly err in finding that termination of respondent's parental rights was in the children's best

interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ William B. Murphy
/s/ Patrick M. Meter
/s/ Elizabeth L. Gleicher