

STATE OF MICHIGAN
COURT OF APPEALS

In re SHANE MICHAEL LADD, SHEYENNE
MARIE LADD, HEATHER SHANTAL LADD and
CORY JAMES LADD, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TINA LADD,

Respondent-Appellant,

and

TROY E. ROBERTS,

Respondent.

UNPUBLISHED
November 4, 1997

No. 197892
Genesee Juvenile Court
LC No. 94-010064-NA

Before: Holbrook, Jr., P.J., and Michael J. Kelly and Gribbs, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the juvenile court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (ii), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (ii), (g) and (j). We affirm.

There was clear and convincing evidence presented at the termination hearing to warrant termination of respondent-appellant's parental rights. The juvenile court's findings were not clearly erroneous. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); MCR 5.974(I). Respondent-appellant's personal problems required extensive therapy before she could be a fit parent, and her therapist estimated it would take two to five years before she would be in a position to care for her children. It therefore was not error for the court to terminate her rights when, after the children had

been in temporary care for over a year and a half, she had made little progress in addressing her personal problems.

Furthermore, respondent-appellant did not offer a suitable relative to care for the children while she sought treatment. It was not error for the juvenile court to terminate respondent-appellant's rights when placement with her sister was not in the children's best interests. *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991).

Respondent-appellant also argues that she was not provided with appropriate services due to her disability of post-traumatic stress syndrome, contrary to the Americans With Disabilities Act, 42 USC 12101 *et seq.* We find no merit to this argument. Assuming that the ADA applies to termination proceedings, respondent failed to present evidence in the juvenile court that, due to a cognizable disability, she required other or different services than provided by petitioner. Accordingly, there is no evidence in the record to support respondent-appellant's claim that she was unable to benefit from the services offered. Furthermore, we find that petitioner provided more than adequate services to respondent-appellant to address her parenting deficiencies.

Affirmed.

/s/ Donald E. Holbrook, Jr.

/s/ Michael J. Kelly

/s/ Roman S. Gibbs