

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DESSTINIEY WILLIAMS,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

V

NICOLE HUIZENGA,

Respondent-Appellant,

and

RICKY WILLIAMS, JR.,

Respondent.

UNPUBLISHED
December 6, 2005

No. 262570
Berrien Circuit Court
Family Division
LC No. 2004-000035-NA

Before: Murphy, P.J., and Sawyer and Meter, JJ.

MEMORANDUM.

Respondent Nicole Huizenga appeals as of right from the trial court's order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (g). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

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 Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The primary conditions of adjudication were respondent's lack of parenting skills and suitable housing and her emotional instability. At the time of the termination trial, respondent lived in an adult foster care home where the staff dispensed medication and provided transportation, cooking, and twenty-four hour supervision. A psychosocial assessment indicated that respondent needed support to complete her daily routine, including taking her medication and completing personal hygiene. Although respondent completed a parenting class, it appeared that she did not substantially benefit from it, because the final assessment was that she was not able to integrate the information into her parenting style based on her performance in class. Further, while she did participate in individual and group therapy, her prognosis was "guarded" and she had recently been at risk of termination from the program because she did not appear to take it seriously. During the one-year pendency of this matter, respondent had been asked to leave the residence of her mother for failure to follow rules, resided in Wisconsin in

unknown circumstances, resided in a shelter, and, finally, for the last six months resided in adult foster care. She has been incarcerated at least once during that time. She has not been employed except for a job from which she was fired after four days. Given respondent's extremely limited progress to date, and in light of her limited capacity and the guarded prognoses of her therapist and parenting instructor, we are not left with the impression that the trial court made a mistake in finding that the statutory grounds were established by clear and convincing evidence.¹

Finally, the trial court did not clearly err in finding that termination of respondent's parental rights was not clearly contrary to the best interests of the child. MCL 712A.19b(5). Given evidence that respondent has demonstrated no ability to live on her own, has a very limited ability to apply parenting skills learned, and has a guarded prognosis with regard to therapy, the trial court did not clearly err by finding that termination of her parental rights was in the child's best interests.

Affirmed.

/s/ William B. Murphy

/s/ David H. Sawyer

/s/ Patrick M. Meter

¹ Respondent's claim that there is a different policy concerning rehabilitation plans for persons with substance abuse problems than for mentally ill persons is not supported by the record, nor was this issue raised in the trial court. Furthermore, respondent has not adequately claimed that she did not receive reasonable services to rectify the conditions that caused the child's removal. See MCL 712A.18f(4). Respondent's unsupported assertion that different services were offered to other classes of parents warrants no relief on appeal.