

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

In the Matter of SAMANTHA JO COLLINS and  
TONY VANDEE, JR., Minors.

---

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

BOBBI JO COLLINS,

Respondent-Appellant,

and

TONY VANDEE,

Respondent.

---

UNPUBLISHED

January 10, 2006

No. 263175

Calhoun Circuit Court

Family Division

LC No. 03-001973-NA

Before: O'Connell, P.J., and Smolenski and Talbot, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children 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). The conditions leading to adjudication were respondent-appellant's incarceration, substance abuse, lack of housing, poor parenting skills, and domestic violence. Respondent-appellant was not jailed again throughout the pendency of the case and her parenting skills were greatly improved. However, after twenty months, the issues of substance abuse, housing, and domestic violence remained.

Regarding substance abuse, respondent-appellant performed some drug screens as required but did not complete all drug screens and had some positive screens and many diluted screens. She did not complete a substance abuse treatment program and continued to use substances. From January 28, 2005, to April 1, 2005, respondent-appellant did not perform any drug screens, did not participate in any substance abuse treatment, and did not attend counseling. Regarding domestic violence issues, respondent-appellant made some progress by divorcing respondent father, who was abusing her, but she moved in again with him after the divorce and,

as recently as February 25, 2005, there was evidence of continued abuse. Regarding housing, respondent-appellant did not have stable housing throughout the case and did not ever have employment or other financial means to support herself and the children. While respondent-appellant attempted to make some last minute effort to show progress in this case, the conditions of adjudication continued to exist at the time of trial. Further, the foster care worker's assessment that respondent-appellant had periods of good compliance and then periods of no compliance was supported by respondent-appellant's record and showed that respondent-appellant would not be able to rectify the conditions and provide proper care and custody for the children within a reasonable time when she was not able to do so within twenty months.

Furthermore, the trial court did not clearly err in its best interests determination. MCR 712A.19b(5). Considering respondent-appellant's history of chronic substance abuse and inability to provide appropriate housing, as well as the evidence showing no real bond between her and the children, the evidence did not show that the children's best interests precluded termination of respondent-appellant's parental rights.

Affirmed.

/s/ Peter D. O'Connell  
/s/ Michael R. Smolenski  
/s/ Michael J. Talbot