

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DESMON DEMOND LEWIS,
DESTINY BREANNA BEAUGARD, and
COREY BEAUGARD, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JESSE LENA BEAUGARD,

Respondent-Appellant,

and

BILLY LATRIELLE BEAUGARD,

Respondent.

UNPUBLISHED
September 22, 2009

No. 290320
Kent Circuit Court
Family Division
LC No. 07-055300-NA

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

MEMORANDUM.

Respondent Jesse Lena Beaugard (“respondent”) appeals as of right from an order terminating her parental rights to the minor children under 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. MCR 3.977(J); *In re Miller*, 433 Mich 331, 344-345; 445 NW2d 161 (1989); *In re Conley*, 216 Mich App 41, 42; 549 NW2d 353 (1996). The conditions that led to the adjudication were respondent’s failure to pay her utility bills despite adequate income, substance abuse, and her failure to appropriately address her bipolar disorder. Respondent continued to use marijuana throughout the pendency of this case, even while in treatment. Further, she was provided with budgeting services, but refused to cooperate and never made progress in paying off her utility bill. Indeed, from the beginning of petitioner’s involvement, respondent was generally uncooperative and had a tendency to yell and scream at DHS workers. Respondent temporarily complied with her medication regimen, but there was evidence that she was no longer taking her medications as of November 2008. Respondent also refused to acknowledge or deal with the children’s claims of sexual abuse, or her history of

domestic violence, and she was inappropriate and insensitive during visits, particularly with the youngest child. The trial court did not clearly err in finding that the conditions that led to the adjudication continued to exist and were not reasonably likely to be rectified within a reasonable time, or in finding that respondent failed to provide proper care for the children and that there was no reasonable expectation that she would be able to do so within a reasonable time, considering the ages of the children.

Further, considering the progress the children had made outside of respondent's custody, and their need for nurturing and permanence, which respondent was unable to provide, 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/ Jane M. Beckering