

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
June 23, 2011

In the Matter of G. S. WISE, Minor.

No. 301744
Kalamazoo Circuit Court
Family Division
LC No. 2008-000226-NA

Before: TALBOT, P.J., and GLEICHER and M. J. KELLY, JJ.

MEMORANDUM.

B. Wise challenges the order terminating her parental rights to the minor child premised on findings that the conditions that led to the adjudication continued to exist¹, the failure to rectify other conditions that brought the child under the court's jurisdiction² and the reasonable likelihood of harm to the child if returned to the parent's home.³ We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence.⁴ One of the conditions that led to the adjudication was Wise's inability to provide safe, suitable and sanitary housing during the two-year period that the child remained in care. Although Wise apparently had no further problems regarding a lack of sanitation in her residence, she never showed that she was capable of independently maintaining safe and suitable housing. She did not obtain her own apartment until after the supplemental petition was filed and even then remained financially dependent on her boyfriend. After the child entered foster care, he was discovered to have developmental delays and an attachment disorder due to a lack of nurturing care in Wise's home. Although Wise was provided with services to develop her parenting skills and she initially showed some improvement in that arena, she was unable to demonstrate a sustained benefit or the emotional maturity necessity to meet the child's needs. Considering that Wise had almost two years in which to demonstrate her ability to provide safe and suitable housing, to develop and improve her parenting skills and to demonstrate a commitment to her child, she failed to show any

¹ MCL 712A.19b(3)(c)(i).

² MCL 712A.19b(3)(c)(ii).

³ MCL 712A.19b(3)(j).

⁴ *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000); MCR 3.977(H) and (K).

significant or lasting improvement in her ability to parent and provide for her child. As a result, the trial court's determination that it was unlikely that these conditions would be rectified within a reasonable time considering the child's age did not constitute clear error.

Further, considering the extreme neglect that led to the child's developmental delays and because it was demonstrated that the child was at high risk for emotional and behavioral difficulties if Wise could not meet his needs on a consistent and sustained basis, which the record showed she was incapable of doing, the trial court did not clearly err in finding that the child was reasonably likely to suffer emotional harm if returned to her care. We, therefore, find no error in the trial court's decision to terminate Wise's parental rights.

Affirmed.

/s/ Michael J. Talbot
/s/ Elizabeth L. Gleicher
/s/ Michael J. Kelly