

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
October 18, 2011

In the Matter of A. T. MRYNCZA, Minor.

No. 302866
Macomb Circuit Court
Family Division
2009-000010-NA

Before: MURPHY, C.J., and TALBOT and MURRAY, JJ.

MEMORANDUM.

Respondent appeals as of right the order terminating her parental rights to her minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

A petitioner must establish at least one statutory ground for termination of parental rights by clear and convincing evidence. MCL 712A.19b(3); *In re JK*, 468 Mich 202, 210; 661 NW2d 216 (2003). This Court reviews for clear error the trial court's determination that a statutory ground for termination was established, giving deference to the trial court's special opportunity to judge witness credibility. MCR 3.977(K); MCR 2.613(C); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

The trial court did not clearly err when it found that the statutory grounds for termination were proven. The conditions leading to adjudication in the present case were substance abuse, domestic violence, and lack of stable housing and income. Throughout the proceedings, respondent was involved in domestic violence with multiple men, brought these men in contact with her child at visits, became intoxicated at least occasionally, and moved from one unsafe living arrangement to another. She did not recognize that the living situation she proposed for her child's return was unsafe, and she appeared dishonest in her testimony about the contact that occurred at visits. It was not merely limited income that prevented respondent from providing a safe home. Although respondent participated in many services and made progress in some areas, she did not sufficiently change her behavior and attitudes to provide a safe and nurturing home for the child. See *In re Gazella*, 264 Mich App 668, 676-677; 692 NW2d 708 (2005).

The trial court also did not clearly err when it found that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5); *In re JK*, 468 Mich at 209. The foster care worker and foster mother testified that the child and respondent shared a bond and the child was happy to see her during visitation. The foster mother was able to teach respondent how to redirect her son's misbehavior. However, the foster mother also testified that the child especially required parental structure and involvement because he suffered from the

effects of fetal alcohol exposure and had attention deficit hyperactivity disorder. Respondent could not provide a safe home within a reasonable time, and the child required permanency. See *In re McIntyre*, 192 Mich App 47, 52-53; 480 NW2d 293 (1991).

Affirmed.

/s/ William B. Murphy

/s/ Michael J. Talbot

/s/ Christopher M. Murray