

STATE OF MICHIGAN  
COURT OF APPEALS

---

In the Matter of BRITTANY ANGELL, Minor.

---

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

AMANDA COOK,

Respondent-Appellant,

and

CHUCK PALLAS,

Respondent.

---

UNPUBLISHED

July 25, 2006

No. 267009

Kent Circuit Court

Family Division

LC No. 03-054739-NA

Before: Neff, P.J., and Bandstra and Zahra, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order entered terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 355; 612 NW2d 407 (2000); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). The conditions that led to adjudication were respondent-appellant's failure to care for her child, her unstable residence and employment, and her emotional instability. At the time of the termination hearing, respondent-appellant was still not able to care for her daughter. Respondent-appellant failed to obtain stable housing, lived with her boyfriend and friends, and never had her own housing. Respondent-appellant also failed to complete parenting classes or attend outpatient substance abuse counseling. Although respondent-appellant eventually completed the psychological evaluation a couple months before the termination hearing, she stopped attending her individual counseling sessions. Respondent-appellant's failure to comply with her treatment plan is evidence of her failure to provide proper care and custody. *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003). Respondent-appellant had two years in which to obtain housing and employment, to work on her parenting skills, and to address her substance abuse problems. Given respondent-appellant's failure to complete such components of the treatment plan during that time, there was no

reasonable expectation that respondent-appellant would be able to provide such care within a reasonable time considering the child's age or that the conditions of adjudication would be rectified within a reasonable time. Thus, the trial court did not clearly err in terminating respondent-appellant's parental rights under MCL 712A.19b93)(c)(i) and (g).

Respondent-appellant also contends that it was contrary to the child's best interests to terminate her parental rights. There was testimony that respondent-appellant was a good mother, was bonded with the child, and had turned her life around. However, at the termination hearing, respondent-appellant admitted that she had not seen her daughter for almost two years. We agree with the trial court that the minor child needed stability, which respondent-appellant was not able to provide. Therefore, we find that the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5).

Affirmed.

/s/ Janet T. Neff  
/s/ Richard A. Bandstra  
/s/ Brian K. Zahra