

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

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In the Matter of TIFFANY LOTT, CODY LOTT,  
and CYNTHIA LOTT, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

CHRISTOPHER LOTT and CHRISTINA LOTT,

Respondents-Appellants.

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UNPUBLISHED

August 9, 2007

No. 275653

Berrien Circuit Court

Family Division

LC No. 05-000100-NA

Before: Smolenski, P.J., and Fitzgerald and Kelly, JJ.

MEMORANDUM.

Respondents appeal as of right from the order of the circuit court family division terminating their parental rights to the minor children under 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); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondents dispute none of the trial court's factual findings concerning their problems with substance abuse, domestic violence, and stable housing or employment. Nor do they contest the court's conclusion that those facts indicate a continuing state of parental unfitness. Instead, respondents simply plead for more time, arguing that the termination decision was premature, and that an additional six to 12 months of services might have resulted in reunification. However, respondents failed to make adequate progress toward reunification over a period of approximately 13 months, and they cite no authority for the proposition that this is not enough time to form conclusions concerning a parent's progress, or lack thereof, with the reforms necessary for reunification.

Failure to fulfill the requirements imposed as conditions for reunification is an indication of continued neglect. See *In re Trejo Minors*, 462 Mich 341, 346 n 3; 612 NW2d 407 (2000); *In re Ovalle*, 140 Mich App 79, 83; 363 NW2d 731 (1985). "[T]he Legislature did not intend that children be left indefinitely in foster care, but rather that parental rights be terminated if the

conditions leading to the proceedings could not be rectified within a reasonable time.” *In re Dahms*, 187 Mich App 644, 647; 468 NW2d 315 (1991).

For these reasons, we reject respondents’ argument that they were entitled to more time to achieve the necessary progress, and conclude that the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. Further, the evidence did not establish that termination was clearly not in the children's best interests. MCL 712A.19b(5); *Trejo, supra* at 344.

Affirmed.

/s/ Michael R. Smolenski

/s/ E. Thomas Fitzgerald

/s/ Kirsten Frank Kelly