

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of BOBBIE JEAN WILLIAMS and  
BOBY JO WILLIAMS, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

MICHAEL WILLIAMS and LINDA WILLIAMS,

Respondents-Appellants.

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UNPUBLISHED

April 5, 2005

No. 258366

Newaygo Circuit Court

Family Division

LC No. 03-005930-NA

Before: Kelly, P.J., and Sawyer and Wilder, JJ.

MEMORANDUM.

Respondents appeal as of right from the trial court order terminating their parental rights to the twin minor children under MCL 712A.19b(3)(c)(i) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214 (E).

The infant twins in this matter were born prematurely at thirty-two weeks gestation without prenatal care. The evidence indicated that they have significant medical problems and will require specialized medical care. Petitioner sought and obtained temporary custody of the children based on the lack of prenatal care as well as respondents' history of homelessness and chronic neglect, including medical neglect, of their five other children who were already under court jurisdiction in another county. Respondents' parental rights to their five other children were terminated in an order entered approximately two months before the termination order now appealed.

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). The evidence showed that the parents' inability to attend to the medical and other needs of their children continued to exist at the time of termination, and there was no reasonable likelihood that this problem would be rectified in the reasonable future. Respondents' repeated medical neglect of their other children is probative of how they are likely to treat the infant twins, who are medically fragile with continuing special needs. *In re AH*, 245 Mich App 77, 84; 627 NW2d 33 (2001); *In re Laflure*, 48 Mich App 377, 392; 210 NW2d 482 (1973). Respondents' refusal during the instant proceedings to take parenting classes specially directed toward the care of premature or special needs children indicates that their propensity for

medical neglect has not been rectified. We further note that, while visitation with the children was limited because of their health, respondents failed to respond when the foster care worker did make efforts to arrange visitation, arrived two hours late for the one visitation that took place, and never contacted the worker to ask about the welfare of the children. Respondents' inability or lack of desire to make necessary changes was further demonstrated by evidence that they failed to benefit from parenting classes and counseling during the Muskegon County proceedings and failed to make changes necessary for the return of their five other children, resulting in the termination of their parental rights to those children.

Finally, the trial court did not err by concluding that termination was not clearly contrary to the best interests of the infant twins, who were approximately ten months old at the time of termination. MCL 712A.19b(5). The children have never been in the custody of respondents and are in need of permanency at this time.

Affirmed.

/s/ Kirsten Frank Kelly

/s/ David H. Sawyer

/s/ Kurtis T. Wilder