

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of AMBER MARIE GRIFFIS,
Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KIMBERLY GRIFFIS,

Respondent-Appellant.

and

CHRISTOPHER PROUD,

Respondent.

UNPUBLISHED

July 14, 2005

No. 261067

Berrien Circuit Court

Family Division

LC No. 2003-000019-NA

Before: Murphy, P.J., and Sawyer and Donofrio, JJ.

MEMORANDUM.

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

On appeal from termination of parental rights proceedings, this Court reviews the trial court's findings under the clearly erroneous standard. MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). A finding of fact is clearly erroneous if the reviewing court is left with a definite and firm conviction that a mistake was made. *In re JK*, 468 Mich 202, 209-210; 661 NW2d 216 (2003).

The trial court did not clearly err in determining that the statutory grounds had been established by clear and convincing evidence. The initial dispositional order was entered on March 7, 2003, and the order terminating respondent-appellant's parental rights was entered on December 3, 2004, a period of approximately twenty-one months. Respondent-appellant received many services during this period. She was counseled by three different counselors. The issues that were addressed with respondent-appellant were parenting skills, sexual abuse education, failure to protect, emotional stability, housing, and employment. The evidence clearly showed that respondent-appellant did not internalize what she had learned in order to protect her child and that her judgment had not improved. She had not yet assumed the proper parenting

role and was still making inappropriate choices. Respondent-appellant admitted that she needed more counseling in order to learn how to protect her child and what signs to look for in sexual offenders, issues which brought this matter into the court's jurisdiction initially. Respondent-appellant had received all the services that could be provided to her but the evidence demonstrated that she had not yet learned how to keep her child safe in her custody.

The trial court also did not clearly err in determining 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); *In re Trejo Minors*, 462 Mich 341, 353, 356-357; 612 NW2d 407 (2000). The court recognized that there was bonding and love between respondent-appellant and the minor child. However, in view of the evidence that respondent-appellant had not benefited from services and was still using poor judgment, the court determined that the minor child would be at risk if returned to respondent-appellant. The court found that the minor child, who was now seven years old, needed stability, permanence, trust and security. We find no evidence on the whole record to conclude that termination of respondent-appellant's parental rights would not be in the child's best interests.

Affirmed.

/s/ William B. Murphy

/s/ David H. Sawyer

/s/ Pat M. Donofrio