

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of T.B.P., Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

JOI ARIKA COLEMAN,

Respondent-Appellant.

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UNPUBLISHED

August 20, 2009

No. 289913

Wayne Circuit Court

Family Division

LC No. 07-466451-NA

Before: Cavanagh, P.J., and Markey and Davis, JJ.

MEMORANDUM.

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

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. See MCR 3.977(J); *In re Trejo*, 462 Mich 341, 350, 356-357; 612 NW2d 407 (2000). The circumstances that led to the adjudication were not limited to the incident in which respondent left her child unattended on a porch doorstep. They also included respondent's lack of independent housing and lack of stable employment. Petitioner complied with its duty to devise a treatment plan that was designed to address these issues and to allow respondent to work toward reunification. See *In re Terry*, 240 Mich App 14, 25-26; 610 NW2d 563 (2000). However, respondent failed to consistently participate in services and she did not benefit from the services that she received. Her failure to comply with services was evidence of her continuing inability to provide proper care and custody. See *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003). Respondent has not identified what additional services could have been provided that were not. Given respondent's lack of progress during the 18 months the child was in care, it was not reasonably likely that respondent would be able to rectify the conditions that led to the adjudication so as to be in a position to provide proper care and custody within a reasonable time.

Further, considering the child's age and length of time she had been in foster care, together with respondent's lack of progress and the child's need for permanence and stability, termination of respondent's parental rights was in the child's best interests. See MCL 712A.19b(5). Thus, the trial court did not err in terminating respondent's parental rights to the child.

Affirmed.

/s/ Mark J. Cavanagh

/s/ Jane E. Markey

/s/ Alton T. Davis