

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

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UNPUBLISHED  
April 28, 2011

In the Matter of C. A. GREEN, Minor.

No. 301094  
Branch Circuit Court  
Family Division  
LC No. 07-003718-NA

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Before: SHAPIRO, P.J., and FITZGERALD and BORRELLO, JJ.

MEMORANDUM.

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

Respondent does not challenge the lower court's findings of statutory grounds to terminate her parental rights. Rather, respondent argues that termination was not in her child's best interests. The lower court must find that termination is in the child's best interests before it terminates a respondent's parental rights. MCL 712A.19b(5).

Respondent argues that termination was not in her child's best interests because of their bond, her compliance with services and efforts to bring the child home, and the lack of evidence of abuse. Although we agree with the trial court that this was a close case, we find no error in the trial court's determination that termination was in the child's best interests.

Although the child did have a bond with respondent, respondent had an extensive history of inappropriate relationships that threatened her and her children's safety and prevented her from paying rent and utilities. Respondent continued to reconcile with the child's father despite his substance abuse, violence, and inability to provide proper care when left alone with the child. Her in-home service provider testified that she allowed her relationship with the child's father to cloud her judgment regarding the child. After her relationship with the child's father finally ended with her assaulting him, she began a relationship with another man who had a history of crime and violence and became pregnant again. Although she claimed she ended the relationship when she learned his full history, she admitted she had known about his past domestic violence before then. She also admitted that her relationship with her oldest child's father ended under stressful circumstances.

According to the foster care workers, respondent repeatedly allowed other inappropriate people to be around and sometimes care for the child, in violation of the court's orders, indicating respondent's continued poor judgment in decision-making related to care for the child.

It is difficult to know whether respondent used poor judgment in moving in with her mother and stepfather because there is no way to know, based on the record before us, whether respondent was actually sexually abused by her stepfather or simply made up the story as a young teenager. Assuming that it was simply a lie respondent told because she was not happy with her stepfather and “wanted out,” it is indicative of her continued behavior to do whatever is expedient for her own benefit without consideration of future consequences.

Her actions were also consistent with her psychological evaluation which found poor overall progress, a negative attitude toward authority, and a history of antisocial acting out. The report explained that people with her profile tended to be erratic, unpredictable, and impulsive, had a poor self-concept, viewed the world as threatening, accepted little responsibility for their behavior, and became obsessed with problems. She had previously had her rights to two other children terminated as well.

Although respondent’s therapist testified that she made marked changes, the lower court granted that testimony little credibility. We must give great deference to this determination because the lower court was in a better position to judge witness credibility. See *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

It is true that, based on the record, the lower court could have given respondent yet another opportunity to demonstrate change. Nevertheless, there was nothing erroneous about the trial court’s determination that, in light of the lack of change of behaviors exhibited by respondent, additional time was not going to solve the problem and the child required permanency. See *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991). The lower court did not clearly err when it found that termination of respondent’s parental rights was in the child’s best interests.

Affirmed.

/s/ Douglas B. Shapiro  
/s/ E. Thomas Fitzgerald  
/s/ Stephen L. Borrello