

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
April 23, 2013

In the Matter of SIMPSON/LEWIS, Minors.

No. 311031
Macomb Circuit Court
Family Division
LC No. 2010-000220-NA

Before: OWENS, P.J., and WHITBECK and FORT HOOD, JJ.

MEMORANDUM.

Respondent appeals as of right from the order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) (conditions of adjudication continue to exist), (g) (failure to provide proper care and custody), and (j) (children will be harmed if returned to parent). The parental rights of the children's mother were also terminated, but she has not appealed. 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 *In re Trejo*, 462 Mich 341, 356; 612 NW2d 407 (2000).

The conditions that led to the adjudication included the mother's long history of neglect of the children, substance abuse, lack of stable housing (including living in her van), and extensive criminal history. She left the children with others for lengthy periods of time. She did not comply with offered services. Respondent had an extensive criminal history, no stable housing or income, and was unwilling and unable to care for the children. He failed to protect the children and was generally uninvolved in their lives. At the time of the termination hearing, respondent still had no suitable home and no legal income, and he failed to follow through with various court-ordered services meant to assist him with parenting skills. Services were offered over a lengthy period of time, yet respondent still had not rectified the conditions that brought his children into care and had failed to demonstrate adequate parenting skills. The initial petition had alleged, with regard to respondent, an extensive criminal history and at the time of the termination hearing, he still had numerous outstanding warrants.

Respondent argues that he was prejudiced in his attempts to complete his treatment plan because of the number of workers he had to deal with. However, a DHS worker testified that she went over the treatment plan with respondent and he never expressed confusion or a lack of understanding of the requirements.

Finally, the trial court did not clearly err in concluding that termination was in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich at 356. The children all had special needs and exhibited behavioral and emotional problems. The evidence established that the children needed stability and permanency to further their best interests, which respondent was unable to provide.

Affirmed.

/s/ Donald S. Owens
/s/ William C. Whitbeck
/s/ Karen M. Fort Hood