

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JASMINE LINTON, DILLON
LINTON, FANTAZIA LINTON, and SIERRA
SIMPSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CARRIE SUE LINTON,

Respondent-Appellant,

and

MICHAEL LINTON, DOUGLAS FREEMAN,
AMON MARTIN, JR., and DANIEL SIMPSON,
JR.,

Respondents.

UNPUBLISHED

July 22, 2003

No. 244577

Genesee Circuit Court

Family Division

LC No. 00-112780

Before: Zahra, P.J., and Talbot and Owens, JJ.

MEMORANDUM.

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

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(D);¹ *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989); *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991). The

¹ Effective May 1, 2003, the court rules governing proceedings regarding juveniles were amended and moved to the new MCR subchapter 3.900. The provisions on termination of parental rights are now found in MCR 3.977. In this opinion, we refer to the rules in effect at the time of the order terminating parental rights. See *In re JK*, 468 Mich 202, 209 n 17; 661 NW2d 216 (2003).

evidence demonstrated that respondent-appellant had difficulty complying with the parent/agency agreements. She completed parenting classes belatedly and did not attend individual counseling as required. Although respondent-appellant participated in the family reunification program, she failed to benefit from it. She continued to direct her frequent anger at her children and imposed inappropriate discipline. She failed to attend one child's important school and medical appointments. She told several service providers that caring for her five children overwhelmed her. Respondent-appellant also failed to maintain adequate housing, a condition that led to adjudication.

Respondent-appellant's late efforts to control her anger with medication and to comply with the treatment plan were inadequate to demonstrate that she had been rehabilitated. Respondent-appellant continued to miss scheduled therapy sessions, and her therapist estimated it would take at least one to two years of counseling for respondent-appellant to develop adequate parenting skills. In sum, the evidence indicated that respondent-appellant was unable to provide the stability and parenting skills required for her children and would not be able to do so in the near future. Therefore the trial court did not clearly err in finding that §§ 19b(3)(c)(i), (g) and (j) were established by clear and convincing evidence.

Affirmed.

/s/ Brian K. Zahra
/s/ Michael J. Talbot
/s/ Donald S. Owens