

STATE OF MICHIGAN  
COURT OF APPEALS

---

In the Matter of DONNEVON MATTHEW  
TAYLOR, Minor.

---

DEPARTMENT OF HUMAN SERVICES, f/k/a  
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED  
October 25, 2005

Petitioner-Appellee,

v

BRETT MATTHEW TAYLOR,

Respondent-Appellant.

---

No. 261462  
Isabella Circuit Court  
Family Division  
LC No. 00-002283-NA

Before: Gage, P.J., and Hoekstra and Murray, JJ.

MEMORANDUM.

Respondent appeals as of right from the order terminating his parental rights pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

Respondent essentially argues that he was not offered reasonable accommodations under the Americans With Disabilities Act (ADA). This Court has stated that any claim that the Family Independence Agency is violating the ADA must be raised in a timely manner so that any reasonable accommodations can be made. *In re Terry*, 240 Mich App 14, 26; 610 NW2d 563 (2000). The parent should claim a violation either when the service plan is adopted or soon afterward. *Id.* However, respondent failed to timely raise this argument. Further, the record indicates that respondent was provided with numerous services with regard to his mental health issues in an effort to be reunited with his child. Respondent had a psychological evaluation and multiple psychiatric evaluations. Respondent was also referred to individual counseling. However, respondent failed to attend the appointments with the mental health professionals and failed to take medication that was prescribed. Despite petitioner's efforts to accommodate respondent's mental illness, respondent was unable to demonstrate that he could parent his child. Therefore, the trial court did not clearly err in terminating respondent's parental rights. MCL 712A.19b(5).

Affirmed.

/s/ Hilda R. Gage

/s/ Joel P. Hoekstra

/s/ Christopher M. Murray