

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JACOB A. WILLIAMS, Minor.

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

UNPUBLISHED
November 3, 2005

Petitioner-Appellee,

v

ESTHER WILLIAMS,

Respondent-Appellant,

and

DARRYL KEITH WILLIAMS,

Respondent.

No. 262815
Isabella Circuit Court
Family Division
LC No. 04-000041-NA

Before: Murphy, P.J., and Sawyer and Meter, JJ.

MEMORANDUM.

Respondent Esther Williams appeals from an order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), and (g). We affirm.

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). At the time of the original disposition, respondent and the child were staying at a shelter. It was suspected that the child had been sexually abused. Shelter workers observed the child's inappropriate sexual behavior and also observed respondent being abusive toward the child. On appeal, respondent claims that she did all that was asked of her, including, maintaining employment and housing, seeking therapy, attending parenting classes, and taking medication for her psychological disorder, and argues that petitioner did not make reasonable efforts to reunite her with the child. We disagree. The child's therapist testified that the services provided respondent may have been inappropriate because of the fact that the child had an issue with attachment. The therapist believed that the mother and the child needed a specific type of therapy in which someone would stay with them and model parenting behavior twenty-four hours a day, seven days a week. However, the therapist acknowledged that the idea of having someone with respondent that often was unrealistic. The consensus at trial was that respondent

could not keep the child safe. She failed to see that allowing her child and her nephew to have contact, in spite of allegations that the nephew molested the child, was harmful. Additionally, respondent failed to attend to her own psychological issues arising out of past abuse. The witnesses agreed that respondent was not in a position to care for the child, who had demonstrated the need for special attention, without first addressing her own problems. Respondent was oftentimes uncooperative and oppositional during parenting classes because of her firm belief that she played no role in the child being taken from her.

The trial court also did not clearly err in its best interests determination. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The witnesses agreed that respondent loved her child. However, the child's sexualized and aggressive behavior showed that he needed special attention. His therapist testified that the child needed intensive therapy and needed a primary care giver that was consistently available to him. Respondent was not in a position to provide such stability.

Affirmed.

/s/ William B. Murphy
/s/ David H. Sawyer
/s/ Patrick M. Meter