

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MARSHALL KVAS and
SHENICE KVAS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JENNIFER L. KVAS,

Respondent-Appellant,

and

ANTHONY MOORE and EDWARD WRIGHTS,

Respondents.

UNPUBLISHED

October 23, 2003

No. 245284

Kent Circuit Court

Family Division

LC No. 93-015303-NA

Before: Bandstra, P.J., and Hoekstra and Borrello, 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) and (g). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(G);¹ *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). There was substantial evidence that respondent-appellant failed to take responsibility for her children being in foster care, that she failed to acknowledge her own mental illness, and that she failed to make any progress in counseling. Furthermore, the evidence viewed as a whole did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Although respondent-appellant and the children loved each other and respondent-appellant regularly attended all scheduled visits and brought the children gifts, she often engaged in inappropriate topics of conversation with the children, rather than topics of interest to the children, and refused to acknowledge that she had been neglectful.

¹ Formerly MCR 5.974(I).

Furthermore, the evidence showed that the children were making significant progress, particularly in their academic work, while in foster care. Therefore, the trial court did not clearly err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ Richard A. Bandstra

/s/ Joel P. Hoekstra

/s/ Stephen L. Borrello