

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of K.M.L. and M.L., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

AMANDA LAKE,

Respondent-Appellant,

and

CHRISTOPHER LAKE,

Respondent.

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UNPUBLISHED

May 20, 2003

No. 245416

Clare Circuit Court

Family Division

LC No. 99-000166-NA

Before: Whitbeck, C.J., and White and Donofrio, 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 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although there was evidence that respondent-appellant made some progress in addressing the issues that brought her children into care, petitioner presented clear and convincing evidence that her progress was inconsistent. The evidence demonstrated that, by the time of trial, respondent-appellant had not adequately resolved her substance abuse problem and had not adequately improved her parenting skills. Furthermore, because respondent-appellant failed to consistently attend substance abuse and individual counseling throughout most of 2002, there was no reasonable expectation that she would be able to properly parent her children within a reasonable time.

Furthermore, the evidence 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 there was evidence that respondent-appellant made good progress at certain times and that there was a strong bond between

respondent-appellant and the children, the record clearly demonstrated that respondent-appellant was unable to maintain consistent progress for any substantial length of time. By the time of trial, the children had been in and out of foster care for three years of their young lives. We find no error in the trial court's best interests determination.

Therefore, the trial court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ William C. Whitbeck  
/s/ Helene N. White  
/s/ Pat M. Donofrio