

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of DANIELLE ALEXANDRA  
WELCH and BRANDON DAVID WELCH,  
Minors.

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

Petitioner-Appellee,

V

GREGORY DAVIS,

Respondent-Appellant,

and

DOUGLAS SLIZ and JOHN DOE,

Respondents.

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In the Matter of DANIELLE ALEXANDRA  
WELCH and BRANDON DAVID WELCH,  
Minors.

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

Petitioner-Appellee,

V

ALICE WELCH,

Respondent-Appellant,

and

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UNPUBLISHED  
November 1, 2005

No. 262211  
Macomb Circuit Court  
Family Division  
LC No. 03-055466-NA

No. 262212  
Macomb Circuit Court  
Family Division  
LC No. 03-055466-NA

DOUGLAS SLIZ, JOHN DOE, and GREGORY  
DAVIS,

Respondents.

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Before: Talbot, P.J., and White and Wilder, JJ.

PER CURIAM.

In these consolidated appeals, respondents Gregory Davis and Alice Welch appeal as of right from the order terminating their parental rights to the minor children<sup>1</sup> pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that the grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 358; 445 NW2d 161 (1989). The children were removed from respondents' care after they were left with their adult half-sister, without any legal or financial provisions, following respondents' eviction from their home. At the time of the eviction, the home had no gas or electricity and the family dynamics were affected by domestic violence and substance abuse. Respondents were offered a treatment plan that included the requirements that respondents obtain suitable housing, acquire a legal source of income, participate in substance abuse and domestic violence counseling, attend AA, and provide random drug screens. Respondents were offered services; however, they failed to timely participate in them and, therefore, had not benefited from the services at the time of termination. Indeed, within a few months of the termination hearing, respondent-mother arrived at her scheduled parenting time intoxicated. Respondents were then involved in an alcohol-related domestic dispute where reports were made to the police that Davis punched Welch. Clearly, the conditions that led to adjudication continued to exist at the time of termination. Moreover, respondents' failure to substantially comply with the treatment plan was evidence of their failure to provide proper care and custody of their children. *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003); *In re Trejo*, 462 Mich 341, 360-363; 612 NW2d 407 (2000). Their failure to participate meaningfully in services provided evidence that they would not be able to provide proper care and custody within a reasonable time. Therefore, we conclude that the trial court did not err when it terminated respondents' parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), and (j).

Further, the evidence did not show that termination of respondents' 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). These children deserved permanency and respondents simply were not making progress toward reunification. Thus, the trial court did not err in terminating respondents' parental rights to their children.

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<sup>1</sup> Gregory Davis is the biological father of Brandon Welch.

Affirmed.

/s/ Michael J. Talbot

/s/ Helene N. White

/s/ Kurtis T. Wilder