

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

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In the Matter of CHRISTOPHER MARTIN and  
KYLE MARTIN, Minors.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARTHA MARTIN,

Respondent-Appellant,

and

PAUL MARTIN

Respondent.

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UNPUBLISHED

March 7, 2006

No. 265089

Berrien Circuit Court

Family Division

LC No. 2004-000097-NA

Before: Borrello, P.J., and Sawyer and Fitzgerald, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from an order terminating her parental rights to her minor children 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 when it found the evidence clear and convincing to terminate respondent-appellant's parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g) and (j). MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). The minor children came into care because of the ongoing poor conditions of respondent-appellant's home, which had been confirmed in two prior protective services referrals, respondent-appellant's lack of cooperation with services provided to her, and the fact that she moved the minor children to four different residences in a two-month period. At the time of the termination trial, respondent-appellant still did not have a consistent source of income or appropriate housing for the minor children. She had not complied with the requirements of her case service plan to complete a substance abuse assessment and only completed half of the required drug screens. In addition, respondent-appellant lived with an individual who had a history of domestic abuse. Although she completed parenting classes, the instructor and the caseworkers felt that she did not benefit and respondent-appellant's actions demonstrated that

she had not benefited. Respondent-appellant did not take any responsibility for the circumstances or her own action that placed the minor children at risk of harm.

In challenging the trial court's best interests determination, respondent-appellant incorrectly states the minor children's ages as 17 and 13 and that the trial court made a finding that the minor children would be better in foster care than with respondent-appellant. At the time of the termination trial, the minor children were aged 13 and 8. Respondent-appellant had been involved with child protective services on three different occasions, all involving poor or inappropriate living conditions. At the time of the termination trial, respondent-appellant was unable to show the trial court that she had suitable income and could properly care for the minor children in an appropriate home and with appropriate parenting skills. Moreover, there was no evidence presented that showed respondent-appellant and the minor children had a strong bond that outweighed the evidence in favor of terminating respondent-appellant's parental rights. The trial court did not clearly err when it found that the minor children needed some stability, that this was a chronic situation, and that the children needed to heal and have the opportunity to start from a clean slate.

Affirmed.

/s/ Stephen L. Borrello  
/s/ David H. Sawyer  
/s/ E. Thomas Fitzgerald