

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

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In the Matter of CASSIDEE RITZ, Minor.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

v

CHERI RITZ,  
  
Respondent-Appellant.

UNPUBLISHED  
June 23, 2005

No. 259375  
St. Clair Circuit Court  
Family Division  
LC No. 03-000660-NA

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In the Matter of CASSIDEE RITZ, Minor.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

v

JAMES RITZ,  
  
Respondent-Appellant.

No. 259456  
St. Clair Circuit Court  
Family Division  
LC No. 03-000660-NA

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Before: Cooper, P.J., and Fort Hood and R. S. Gribbs\*, JJ.

PER CURIAM.

In these consolidated appeals, respondents appeal as of right from the trial court order terminating their parental rights to the minor child under MCL 712A.19b(3)(c)(i), (c)(ii), (g), and (j). We affirm. These appeals are being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that statutory grounds for termination had been established by clear and convincing evidence. MCR 3.977(J); *In re Sours*, 459 Mich 624,

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\* Former Court of Appeals judge, sitting on the Court of Appeals by assignment.

633; 593 NW2d 520 (1999); *In re Gazella*, 264 Mich App 668, 672; 692 NW2d 708 (2005). The minor child was taken from respondents shortly after her birth because her meconium tested positive for cocaine and marijuana. Respondent-mother admitted that she used drugs while pregnant and obtained only limited prenatal care. She also acknowledged that she and respondent-father were living in a shelter, had no home for the child, and had no income. More than 182 days later, the only condition that was improved was that respondents were living in a one-bedroom apartment. However, they had not satisfied the requirement in the parent/agency agreement and in a separate court order that they acquire items necessary for the minor to live in the home, such as a crib, dresser, and bottles. Thus, the home was not suitable for an infant. Respondent-mother did not cooperate with the FIA and parent mentor program, did not show up for scheduled meetings, and did not comply with the drug screen requirements or attend substance abuse counseling. Similarly, respondent-father did not comply with the drug screen requirement and tested positive for marijuana in two out of the three drug screens he did take. He refused to attend any drug abuse counseling, missed appointments with the workers, and demonstrated no verifiable income. Neither parent had any verifiable income.

During this case, it was discovered that there was serious and on-going domestic violence in the home. The workers tried to get respondent-mother to leave the home and go to a shelter, but she refused to go. Respondent-mother told the workers she did not want respondent-father removed from the home. She was referred for individual counseling, but she refused to go. There was no evidence that respondent-mother did anything to abate the problems. For his part, respondent-father was not only physically and mental abusive towards respondent-mother, he made threats directed at one of the caseworkers and was generally argumentative and uncooperative.

Respondent-mother complied with only one requirement of the parent/agency agreement: she completed parenting classes. However, it was observed that she had difficulty with rudimentary childcare activities, including changing the baby's diaper. During one visit with respondent-mother, the minor child cried the entire visit. We find this is evidence that respondent-mother did not benefit from the parenting classes.

Accordingly, we find that the trial court did not clearly err in finding that statutory grounds for termination of respondents' parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Sours, supra*; *In re Gazella, supra*. Furthermore, the evidence failed to show that termination of respondents' parental rights was not in the best interests of the young minor child. MCL 712A.19b(5).

Affirmed.

/s/ Jessica R. Cooper  
/s/ Karen M. Fort Hood  
/s/ Roman S. Gribbs