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STATE OF MICHIGAN

COURT OF APPEALS

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In re GRUDZINSKAS/OLIVER, Minors.

Nos. 377782; 377783
Montcalm Circuit Court
Family Division
LC No. 2019-000902-NA

Before: KOROBKIN, P.J., and RIORDAN and MARIANI, JJ.

PER CURIAM.

In these consolidated appeals,[1] respondents appeal by right the trial court's order terminating their parental rights to their minor children, NPG,[2] NSG, KBG, and ATO, pursuant to MCL 712A.19b(3)(c)(*i*) (conditions that led to adjudication continue to exist), (c)(*ii*) (failure to rectify other conditions), (g) (failure to provide proper care and custody), and (j) (reasonable likelihood of harm if returned to parent).[3] We affirm.

[1] We consolidated these appeals "to advance the efficient administration of the appellate process." *In re Grudzinskas/Oliver Minors*, unpublished order of the Court of Appeals, entered October 21, 2025 (Docket Nos. 377782; 377783).

[2] NPG turned 18 years old during the pendency of this appeal. Although NPG is now 18 years old and there are no longer any parental rights to restore, the trial court's termination of respondent-mother's parental rights to NPG "may have collateral legal consequences for" respondent-mother should she have another child in the future. See *In re Smith*, 324 Mich App 28, 31, 41-43; 919 NW2d 427 (2018).

[3] At the time of these proceedings were initiated, respondents were married, cohabitating, and raising all four children together, but respondent-father is the legal father of only KBG and ATO. The father of NPG and NSG was not a respondent in the proceedings below and is not involved in this appeal.

I. BACKGROUND

Respondents have a history with Children's Protective Services (CPS), but the trial court did not become involved with this family until August 2023, when the Department of Health and Human Services (DHHS) filed a petition requesting that the court take jurisdiction over the children and remove them from respondents' care. DHHS alleged that respondent-father had recently been arrested and charged with felonious assault with a dangerous weapon and fourth-degree child abuse after he chased then-13-year-old NSG—who was fleeing on foot from a threatened "whooping" by respondent-father—through a field with his truck, and then tackled NSG to the ground, carried him to the truck, and drove him back home.[4] According to multiple eyewitnesses interviewed by the police and CPS investigators, respondent-mother was in the truck when the incident occurred, did nothing to stop (and had actively supported) respondent-father's actions, and had assisted in restraining NSG in the truck so that he could not get out. DHHS also alleged inadequate housing for the children, noting that NSG's room only contained a foam pad on the floor. DHHS further alleged inadequate supervision of the children because respondents allowed the boyfriend of then-15-year-old NPG to reside in their home and were "condoning their sexual relationship[.]" Following a preliminary hearing, the trial court authorized the petition, removed the children from respondents' care and placed them in DHHS's care,[5] and granted respondents supervised parenting time.

The trial court conducted a pretrial hearing about a month later, and respondents both pleaded no contest to the allegations in the petition and to the court's exercise of jurisdiction. The trial court accepted respondent's pleas, assumed jurisdiction over the children, continued respondent's supervised parenting time, and ordered DHHS to engage in reasonable efforts toward reunification. At initial disposition, the court ordered respondents to comply with a case service plan (CSP) provided by DHHS, which required them to participate in and benefit from offered services to address concerns regarding their mental health, domestic relations, parenting skills, housing, and employment.

Throughout the proceedings, respondents were generally compliant with their CSP, participating in psychological evaluations, individual counseling, couples counseling, parenting education courses, and supportive parenting-time visitations with the children. They struggled,

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[4] Respondent-father ultimately pleaded guilty to misdemeanor domestic violence against a family member in exchange for dismissal of these charges and for dismissal of the domestic-violence charge upon successful completion of one year of a diversion probation program.

[5] The children were initially placed together in a nonrelative foster home but were almost immediately separated into different placements due to their violence toward one another. All the children had at least three different placements throughout the proceedings. During the proceedings, both NPG and NSG were placed in qualified residential treatment facilities, and although NPG was eventually released and placed in a licensed foster home, NSG remained in the treatment facility for the remainder of the proceedings. At the time of the termination hearing, NPG and ATO were placed in different licensed foster homes, NSG was in the treatment facility awaiting placement in a suitable foster home, and KBG was in the care of a relative (respondent-mother's cousin).

however, to demonstrate meaningful progress toward rectifying their barriers to reunification—namely, the significant issues with their mental health, domestic relations, and parenting skills. Throughout the proceedings, respondents' caseworker, the children's guardian ad litem (GAL), and service providers recognized respondents' participation in offered services but continued to express concern that respondents had not progressed to a point where the children could safely be returned to their care.

In April 2025, DHHS filed a supplemental petition requesting termination of respondents' parental rights. Following a two-day termination hearing, the trial court found that clear and convincing evidence established grounds for termination of respondents' parental rights and that a preponderance of the evidence established that termination was in the children's best interests.[6] The trial court thereafter issued an order terminating respondents' parental rights as previously described. These appeals followed.

II. SUSPENSION OF RESPONDENTS' PARENTING TIME

On appeal, respondents first argue that the trial court abused its discretion and denied them due process by suspending their parenting time during the proceedings. According to respondents, the court suspended their parenting time on an ex parte basis but failed to sufficiently justify the suspension or provide them with due opportunity to oppose it.

A. ADDITIONAL BACKGROUND

Before turning to respondents' challenges, additional background regarding the suspension of their parenting time is in order. On March 26, 2025, the children's GAL filed an emergency motion requesting that respondents' parenting time be suspended because parenting time, even if supervised, would be harmful to the children's health and mental well-being. The GAL alleged that there were "concerns that the children continue to experience trauma during supervised [parenting time], based on the parents' lack of benefit and improvement despite services being put into place." According to the GAL, during the past three parenting times, respondents continually argued and had inappropriate conversations in front of the children, which caused all of the children to emotionally withdraw from respondents and caused NPG, KBG, and ATO "to hid[e] under tables in the conference room to get away and attempt to self-regulate[.]" The GAL also alleged that respondents had been unwilling to cooperate with DHHS on important matters regarding the children's health and well-being, noting that respondents had refused to provide the children's updated consent and release forms for over three months until the caseworker physically handed a copy of the forms to them during a parenting time. This, according to the GAL, raised serious concern that respondents would not sign the necessary consent forms for a needed surgery to remove a mass from NSG's jaw. The same day that the GAL filed the emergency motion, the

[6] The termination hearing initially began on June 25, 2025, and was set to conclude on July 9, 2025. As discussed *infra*, however, the trial court adjourned the termination hearing on its second day due to a potential conflict of interest. The termination hearing then began anew on October 1, 2025, concluding the following day.

trial court, based on the motion's allegations, issued an ex parte order suspending parenting time pending a contested hearing on the matter.

On April 15, 2025, the parties appeared for the motion hearing. When it became apparent, however, that the hearing would require more time than available that day given the number of witnesses all involved parties planned to call, the court, pursuant to the parties' agreement, adjourned the hearing to May 12, 2025. Two days later, on April 17, 2025, DHHS submitted a supplemental petition requesting termination of respondents' parental rights based on respondents' persistent lack of progress and the length of time that had passed since the children's removal from their care. On April 28, 2025, following a preliminary inquiry, the trial court authorized the filing of the supplemental petition and ordered DHHS to cease reasonable efforts and proceed with termination. The parties reconvened on May 12, 2025, as scheduled, but the court concluded that it no longer needed to address the merits of the GAL's motion to suspend parenting time because, at that point, respondents' parenting time was suspended in connection with the filing of the supplemental petition for termination. The court subsequently issued a written order reflecting this ruling.

B. STANDARDS OF REVIEW

We review a trial court's decision to modify or suspend parenting time for an abuse of discretion. *In re Laster*, 303 Mich App 485, 490-491; 845 NW2d 540 (2013), superseded by statute on other grounds as recognized by *In re Ott*, 344 Mich App 723, 738-741; 2 NW3d 120 (2022). A trial court abuses its discretion when it selects an outcome that falls outside the range of reasonable and principled outcomes or when it makes an error of law. *In re Piland*, 336 Mich App 713, 720; 972 NW2d 269 (2021). We review a trial court's factual findings underlying the legal issues for clear error. *In re Miller*, 347 Mich App 420, 425; 15 NW3d 287 (2023). "A finding of fact is clearly erroneous if the reviewing court has a definite and firm conviction that a mistake has been committed, giving due regard to the trial court's special opportunity to observe the witnesses." *Id*. (quotation marks and citation omitted). "We review de novo the interpretation and application of statutes and court rules." *Ott*, 344 Mich App at 735.

C. ANALYSIS

A respondent-parent is entitled to parenting time with his or her child even after removal of the child from his or her care unless the trial court suspends parenting time. See *id*. at 737-743; see also MCL 712A.13a(13); MCL 712A.18(1)(p). Absent the filing of a petition requesting termination of parental rights, MCL 712A.19b(4); MCR 3.965(C)(7)(a); MCR 3.977(D), a court may only suspend parenting time if it determines that "parenting time, even if supervised, may be harmful to the juvenile's life, physical health, or mental well-being," MCL 712A.13a(13); see also *Ott*, 344 Mich App at 741, citing MCL 712A.18(1)(p). If the court makes such a determination, it "may suspend parenting time until the risk of harm no longer exists." MCL 712A.13a(13); MCL 712A.18(1)(p). A trial court has "broad authority" in effectuating orders after it assumes jurisdiction over a child, and although the court's orders "must be 'appropriate for the welfare of the juvenile and society in view of the facts proven and ascertained,' MCL 712A.18(1), the orders are afforded considerable deference on appellate review[.]" *In re Sanders*, 495 Mich 394, 406; 852 NW2d 524 (2014).

We see no reversible error or due-process violation in the trial court's suspension of respondents' parenting time in this case. As noted, the trial court initially granted the GAL's motion to suspend parenting time on an ex parte basis, pending a contested hearing on the matter. The court could—and the record makes clear it did—grant that ex parte relief based on the allegations as set forth in the motion, and respondents have shown no procedural deficiency in the court doing so. See MCR 3.207(A) and (B)(1). Substantively, respondents dispute the accuracy of the motion's alleged concerns regarding the recent parenting-time sessions and NSG's ability to obtain needed medical care. Respondents, however, have not shown reversible error in the court's conclusion that those allegations, when taken on their face, were sufficient to establish that "parenting time, even if supervised, may be harmful to the [children's] life, physical health, or mental well-being[.]" MCL 712A.13a(13); see also MCL 712A.18(1)(p).

Furthermore, that ex parte ruling only served as the basis for the suspension for its first few weeks, up until the trial court authorized the filing of DHHS's supplemental petition for termination. At that point, the petition itself, rather than the GAL's motion, provided the legal basis for the suspension of respondents' parenting time—thereby obviating any need for further proceedings on the GAL's motion or further adjudication of whether that motion was adequately supported under its governing legal standards. See MCL 712A.19b(4); MCR 3.965(C)(7)(a); MCR 3.977(D). The court made as much clear to the parties both on the record and in its written order. Respondents take issue with the fact that they never received an opportunity to contest the GAL's motion on its merits, but as discussed, the parties agreed to adjourn the contested hearing on that motion and, by the time the rescheduled date for the hearing had arrived, the motion's request for suspension had been effectively superseded by the supplemental petition's legally distinct and independently sufficient basis for that relief. While respondents object to this outcome, they have not shown any reversible error in it.[7]

Respondent-father insinuates that the supplemental petition was improperly filed "to stop the parents from making a record or allow DHHS to get out of having to prove why even supervised parenting time was harmful." Nothing in the record substantiates this accusation of impropriety

[7] Respondent-father also takes issue with the fact that the GAL responsible for filing the motion at issue—who was appointed to that role in January 2025, a few months prior to filing the motion—had previously represented respondent-father at a July 2024 review hearing. According to respondent-father, this amounted to "a very clear . . . conflict of interest" and "[i]t [wa]s absolutely abhorrent that not one person noticed this conflict and [that the GAL] was allowed to move forward in several actions against" him, including the motion to suspend his parenting time. Respondent-father fails to meaningfully brief this claim, nor do we see any basis for appellate relief as to it. The potential conflict was brought to the trial court's attention at the conclusion of the first day of the termination hearing in June 2025. The court then addressed this issue on the record at the start of the second day of the termination hearing in July 2025. The court recognized that there was "a potential for" a conflict of interest. Then, stating that it was "erring on the absolute side of caution," the court adjourned the termination hearing so that it could appoint a new GAL and ultimately ordered the parties to completely restart the termination hearing to ensure that respondents received a fair hearing. On this record, we fail to see any reversible error in how this matter was handled by the trial court.

or bad faith against DHHS. Respondent-father points out that DHHS filed the supplemental petition even though the trial court had previously ordered it not to do so. This is factually correct, inasmuch as the court, in a February 2025 order, found that DHHS "should not initiate proceedings to terminate the parental rights of the children" at that time. But we do not see how this demonstrates any impropriety in the petition's subsequent filing and, with it, the suspension of respondents' parenting time. At the time of its February 2025 order, the court was statutorily required—due to how long the children had been in foster care—to order DHHS to seek termination of respondents' parental rights unless the court made certain findings. See MCL 712A.19a(8). The court's order served to alleviate this requirement to initiate termination proceedings at that time; it did not, however, purport to preclude DHHS from seeking termination in the future should circumstances prove to warrant it. When DHHS submitted its supplemental petition in April 2025, the court, in accordance with our court rules, conducted a preliminary inquiry to determine whether the petition should be authorized and filed. See MCR 3.903(A)(23); MCR 3.961(C)(3). Based on that preliminary inquiry, the court determined that it should. See MCR 3.962(B)(3) (providing that a court may "[a]uthorize the filing of the petition if it contains the information required by MCR 3.961(B), and there is probable cause to believe that one or more of the allegations is true"); see also *id*. (providing that "probable cause may be established with such information and in such a manner as the court deems sufficient"). Respondents have offered nothing to show that the court erred in reaching this conclusion or that it was foreclosed from authorizing the supplemental petition to be filed simply by dint of its prior order.

In sum, we give "considerable deference" to the trial court's dispositional orders, *Sanders*, 495 Mich at 406, and we see no reversible error in the trial court's decision to suspension of respondents' parenting time, see *Piland*, 336 Mich App at 720.

III. REASONABLE EFFORTS

Respondents next argue that DHHS did not make reasonable efforts toward reunification. "[W]e review for clear error the trial court's factual finding that [DHHS] made reasonable efforts to reunify [a] respondent[] with the child." *In re Atchley*, 341 Mich App 332, 338; 990 NW2d 685 (2022).

In general, when a child is removed from a parent's custody, DHHS must make reasonable efforts toward reunification except under certain, limited circumstances. *In re Walters*, ___ Mich App ___, ___; ___ NW3d ___ (2025) (Docket No. 369318); slip op at 3-4; see also MCL 712A.19a(2). Reasonable efforts include "creat[ing] a service plan outlining the steps that both [DHHS] and the parent will take to rectify the issues that led to court involvement and to achieve reunification." *In re Matamoros*, ___ Mich App ___, ___; ___ NW3d ___ (2025) (Docket No. 371544); slip op at 4 (quotation marks and citation omitted). DHHS and the trial court must then continually review, update, and revise a parent's CSP as needed throughout the proceedings to ensure that a parent has "a meaningful opportunity to comply with" it. *In re Mason*, 486 Mich 142, 156, 169; 782 NW2d 747 (2010). And alongside DHHS's "responsibility to expend reasonable efforts to provide services to secure reunification, there exists a commensurate responsibility on the part of respondents to participate in the services that are offered." *Atchley*, 341 Mich App at 339 (quotation marks and citation omitted). "This means a respondent-parent must both participate in services and demonstrate that they sufficiently benefited from the services provided." *Id*. (quotation marks and citation omitted).

Respondents contend that DHHS's efforts toward reunification were deficient in numerous respects. First, respondents argue that DHHS failed to provide family counseling even though that service was readily available and DHHS had determined, several months prior to termination, that such counseling was necessary. The record, however, indicates that DHHS made reasonable efforts in this regard. Testimony established that DHHS, upon identifying family therapy as a potentially appropriate service, promptly reached out to possible providers; that the availability of family therapy was contingent on the children's therapists determining that it would be appropriate; and that DHHS regularly communicated with the therapists on the matter. Respondents participated in a few family-therapy sessions with NPG while she was placed at a residential treatment facility, but the sessions ended because the treatment facility abruptly closed and could no longer offer the service. The caseworker, KBG's therapist, and respondent-father all testified that KBG was never ready for family therapy, even by the time of the termination hearing. And the caseworker also testified that, although NSG had become ready for family therapy in the few months before the termination hearing, DHHS, despite searching exhaustively, had been unable to find any providers willing to work with both respondents and the residential treatment facility that NSG was placed in. Respondents emphasize that their own counselors were able and willing to provide family therapy, but the record indicates otherwise. One of respondent-father's individual counselors and respondents' couples counselor indicated that they could provide family therapy, but the circumstances necessary for them to do so remained unsatisfied at the time of the termination hearing. The couples counselor testified that he expressly told DHHS that one or more of the children's counselors would be better-suited than he to conduct the family therapy sessions, as they were more attuned to the children's needs.

Respondent-father also argues that DHHS's efforts were deficient because DHHS failed to ask for "any updates" from his counselors so as to keep track of his participation and progress in counseling. But testimony and documentary evidence show that respondents' caseworker regularly contacted respondent-father's individual counselors and respondents' other counselors to determine whether he was regularly participating in and demonstrating progress from those services. Respondent-father's argument seemingly hinges on the testimony of his individual counselor that the caseworker had not reached out to her for any updates regarding respondents for the months leading up to the termination hearing. The caseworker, for her part, did not deny this. The record makes clear, however, that the caseworker stopped seeking updates from service providers only *after* the trial court authorized the filing of the supplemental petition and correspondingly ordered that DHHS stop making reasonable efforts toward reunification and instead proceed with termination. And even after the supplemental petition was filed, respondents' caseworker made clear on the record that she was still available to respondents to assist them in finding voluntary services or receive updates from them while termination was pending. Neither respondent, however, ever reached out to their caseworker after the supplemental petition was filed, nor did they ask their counselors to provide any additional updates to her.

Respondent-mother additionally asserts that DHHS did not provide reasonable efforts because it did not adequately notify respondents of the deficiencies in their progress and provide "a reasonable amount of time to implement change" before filing the supplemental petition. At the time that DHHS filed its supplemental petition, however, it had been more than 20 months since the children's removal and approximately 18 months since initial disposition. The record reflects that the individuals who supervised respondents' parenting times throughout the proceedings always spoke to respondents about their progress after each parenting time. And

respondents were also apprised of the serious and ongoing concerns alleged in the GAL's motion that resulted in the ex parte suspension of their parenting time. We do not see any basis in the record to conclude that respondents were not reasonably apprised of their deficiencies or afforded a reasonable amount of time to correct them. See *id*.

In sum, we see no reversible error in the trial court's conclusion that DHHS made reasonable efforts toward reunification. See *id*. at 338-339.

IV. TERMINATION OF RESPONDENTS' PARENTAL RIGHTS

Respondents next argue that the trial court reversibly erred by finding that a statutory ground for termination of their parental rights existed. Respondents also challenge the trial court's finding that termination was in the children's best interests.

A. STANDARDS OF REVIEW

"If the court finds that there are grounds for termination of parental rights and that termination of parental rights is in the child's best interests, the court shall order termination of parental rights and order that additional efforts for reunification of the child with the parent not be made." MCL 712A.19b(5). "We review for clear error both the trial court's decision that a statutory ground for termination has been established and the court's decision regarding the child's best interests." *In re Simpson*, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 368248); slip op at 3. Statutory grounds for termination must be found by clear and convincing evidence, and termination must be found to be in the child's best interests by a preponderance of the evidence. *Id*. at __; slip op at 3. We give deference "to the special ability of the trial court to judge the credibility of witnesses." *In re Pederson*, 331 Mich App 445, 472; 951 NW2d 704 (2020) (quotation marks and citation omitted).

B. STATUTORY GROUNDS FOR TERMINATION

According to respondents, the trial court reversibly erred by finding that clear and convincing evidence supported termination of their parental rights under at least one of the cited statutory provisions. We disagree.

One statutory ground for termination cited by the trial court in this case was MCL 712A.19b(3)(c)(*i*). A court may terminate parental rights under MCL 712A.19b(3)(c)(*i*) if it finds by clear and convincing evidence that "after 182 days have elapsed, the conditions resulting in adjudication remain present and there is no reasonable likelihood that the conditions will be rectified within a reasonable time considering the child's age." *In re MJC*, 349 Mich App 42, 51; 27 NW3d 122 (2023) (quotation marks and citation omitted). Our Legislature did not intend children to be left in foster care "indefinitely," and so what constitutes a "reasonable time" requires consideration of how long the parent will take to improve the conditions and how long the child can wait for the improvements to occur. *In re Dahms*, 187 Mich App 644, 647-648; 468 NW2d 315 (1991). "Even if conditions improved in the months before the termination hearing, a trial court may look to the totality of the evidence to determine whether a parent accomplished meaningful change in the conditions that led to adjudication." *In re Jackisch/Stamm-Jackisch*, 340 Mich App 326, 334; 985 NW2d 912 (2022).

In this case, there is no question that well more than 182 days elapsed between the issuance of the initial dispositional order in October 2023 and the issuance of the termination order in October 2025. The primary conditions that led to adjudication were concerns regarding respondents' mental health, domestic relations, and parenting skills.[8] Based on the totality of the evidence before the trial court at the time of termination, we see no reversible error in the court's conclusion that these conditions continued to exist and that there was no reasonable likelihood that the conditions would be rectified within a reasonable time considering the children's ages.

The record evidence supported the trial court's finding that respondents had failed to rectify their barriers to reunification. Respondents' caseworker testified that respondents generally participated in the services offered to them—including completing a psychological evaluation, two parenting education courses, a trauma-informed parenting education course, and a supportive visitation course, as well as undergoing individual and couples counseling—but they failed to show meaningful progress and remained unable to safely and adequately care for the children if returned to them. According to the caseworker, at most supervised parenting times it appeared as if respondents were "trying to put on a show," and NPG, NSG, and KBG all reported that they believed respondents would simply revert to their old behaviors once they were returned to respondents' care.

Regarding respondents' mental health, testimony established that respondents both regularly attended individual counseling sessions, but they sometimes withheld critical information and generally failed to be open and honest with their counselors, which delayed their progress. Respondent-mother's major mental-health issues, as identified in her November 2023 psychological evaluation, included anxiety, depression, and posttraumatic stress disorder (PTSD). Those issues, however, remained insufficiently addressed by the time of the termination hearing, in that respondent-mother had not "show[n] real benefit and internalization" of the concepts discussed in counseling.

Respondent-father's major mental-health issues, as identified in his November 2023 psychological evaluation, included persistent depressive disorder (dysthymia), major depressive disorder, anxiety, PTSD, bipolar disorder, and antisocial personality disorder. Testimony established that, although he had made some personal progress on some of these issues by the time of the termination hearing, all the issues persisted and required a significant amount of intensive therapy beyond what he had already done. Additionally, respondent-father testified at the termination hearing that he did not believe that he actually had bipolar and antisocial personality disorder because he "just kn[e]w [his] personality," despite his counselor's testimony that respondent-father was properly diagnosed with those disorders. Respondent-father's counselor also testified that although respondent-father had shown some progress in counseling, he had only completed "the beginning stages of treatment," and it can be much more difficult and time-consuming to successfully treat individuals who do not believe they have the diagnoses they are being treated for.

[8] Housing and employment were also barriers to reunification, but the trial court found that neither of these remained barriers at the time of the termination hearing.

Regarding respondents' domestic relations and parenting skills, the caseworker testified that, despite the several different services provided to address these barriers, respondents continued to argue in front of the children and inadequately co-parent them during parenting times. Respondents completed several sessions with a couples counselor to work on their relationship and learn how to more effectively co-parent with one another, but at the end of those sessions, the counselor reported that respondents would still need many more to show meaningful benefit. Respondents' couples counselor testified that respondents demonstrated some progress during their sessions, but he also acknowledged that this assessment was based entirely on respondents' self-reports of how they interacted with each other and the children during parenting times, and those self-reports were lacking in critical detail.

Testimony established that respondents continued to argue and make inappropriate remarks in front of the children up until suspension of their parenting time, and NPG often took on a parental or caretaker role for her siblings at parenting times because of respondents' behaviors that continued throughout the proceedings. Although respondents were generally receptive to feedback following parenting times regarding their communication and parenting skills during the first few months of the case, they eventually stopped accepting feedback and instead were "usually upset and left right away." Furthermore, while respondents briefly progressed to unsupervised parenting time after completing parenting classes and supportive visitations, they quickly regressed back to supervised parenting time after having a heated argument in front of the children that resulted in respondent-father threatening to leave respondent-mother and the children alone in a park in another city with no way of getting back.

The record evidence also supported the trial court's finding that there was no reasonable likelihood that either respondent would rectify these conditions within a reasonable time considering the children's ages. See MCL 712A.19b(3)(c)(*i*). As discussed, neither respondent demonstrated, during the 26-month pendency of this case, any meaningful benefit from their participation in the services offered to address the issues that brought the children into care, even after participating in a significant number of services offered to address those issues. Given respondents' lack of progress over that time, the caseworker could not say how much longer it might take for them to rectify their barriers to reunification, nor did the caseworker believe there were any additional services that could be offered to respondents that would not simply repeat what they had already completed. The caseworker also testified that, despite the extensive services provided to them, respondents' behavior toward each other and toward the children at supervised parenting times had only minimally changed, and their grant of unsupervised parenting time had to be swiftly revoked due to their inappropriate behavior. Additionally, when discussing with their caseworker the possibility of reunification if termination was not granted, respondents reported that "they were not sure if they would be able to handle all four children coming into the home at the same time." In other words, despite participating in services for more than two years, respondents had not progressed to a point where they could safely and appropriately care for their children, and there was no evidence indicating that this was going to meaningfully change anytime soon.

On appeal, respondents emphasize that they participated in and completed the services provided to them by DHHS. But a respondent's "mere participation is not the same as overcoming the barriers in place." *In re Sanborn*, 337 Mich App 252, 274; 976 NW2d 44 (2021). Indeed, participation in and completion of services is not enough if a respondent "fail[s] to demonstrate

sufficient . . . benefit from those services specifically targeted to address the primary basis for the adjudication." *In re Frey*, 297 Mich App 242, 248; 824 NW2d 569 (2012). The totality of the record before the trial court provided clear and convincing evidence that respondents had not "accomplished meaningful change in the conditions that led to adjudication" and that there was no reasonable likelihood that they would rectify these conditions within a reasonable time given the children's ages. See *Jackisch/Stamm-Jackisch*, 340 Mich App at 334; MCL 712A.19b(3)(c)(*i*). Respondents have failed to show that the trial court reversibly erred in reaching this conclusion.[9]

C. BEST-INTERESTS DETERMINATION

Finally, respondents argue that the trial court erred by finding that termination of their parental rights was in the children's best interests. We disagree.

When determining whether termination is in a child's best interests, the court should place its "focus on the child rather than the parent." *In re Mota*, 334 Mich App 300, 321; 964 NW2d 881 (2020). "The trial court should weigh all the evidence available to determine the child's best interests," and it should consider a variety of factors, including "the child's bond to the parent; the parent's parenting ability; the child's need for permanency, stability, and finality; and the advantages of a foster home over the parent's home." *Simpson*, ___ Mich App at ___; slip op at 5 (cleaned up). "Other factors that the court may consider include the parent's history, the parent's psychological evaluation, the age of the child, and a parent's substance-abuse history." *MJC*, 349 Mich App at 62 (citations omitted). The court may also consider the parent's ability to provide the child a safe and permanent home, "the parent's compliance with his or her [CSP], the parent's visitation history with the child, the child's well-being while in care, and the possibility of adoption," *id*. (cleaned up), as well as "how long the child was in foster care or placed with relatives, along with the likelihood that the child could be returned to the parents' home within the foreseeable future, if at all," *In re CJM*, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 367565); slip op at 4 (quotation marks and citation omitted). The court must also expressly consider a child's placement with a relative, which ordinarily weighs against termination. *Id*. at ___; slip op at 4.

Based on the record before us, we see no reversible error in the trial court's best-interests determination. As discussed, although respondents generally participated in the services offered through their CSP, they did not demonstrate meaningful benefit from them. See *MJC*, 349 Mich App at 62. The caseworker testified that although the children seemingly had a bond with respondents, it was weak, and that bond was "definitely broken" by the time of the termination hearing. Respondents still displayed preferential treatment toward ATO during parenting times, which respondent-father acknowledged and which did not go unnoticed by the other children. The children typically became very dysregulated and acted out after parenting times with respondents due to their inconsistent and inappropriate parenting skills, but the children's mental health and behavior markedly improved after respondents' parenting time was suspended in March 2025.

[9] Given our conclusions regarding this statutory ground for termination, we need not address the trial court's findings under MCL 712A.19b(g) or (j). See *Jackisch/Stamm-Jackisch*, 340 Mich App at 338.

Respondents also repeatedly made false allegations against the children's placements throughout the case to disrupt those placements, which negatively impacted the children's mental health and impeded the children's progress.

All the children were diagnosed with at least one trauma-related disorder and had behavioral issues because of the treatment they experienced while in respondents' care, and by the time of termination, respondents still had not demonstrated that they could sufficiently manage all the children's needs. The caseworker also testified that there was a significant risk of harm to the children's physical and mental well-being if they returned to respondents' care because the children could not safely be placed together, respondents had no meaningful plan for keeping the children safe from one another once in the home, and respondents admitted they could not have all four children placed back into the home simultaneously.

Additionally, KBG consistently expressed throughout the case that she did not want to return to respondents' care because they regularly disciplined her by denying her food and locking her in her room for extensive periods of time, noting in an October 2024 letter to the court that she "felt that she was being spoiled when she was first in her current placement because she got three meals a day and snacks." At the time of termination and in the months leading up to it, NPG and NSG likewise expressed that they did not want to return to respondents' care or have a relationship with them, and NPG, NSG, and KBG all expressed that they were afraid to return to respondents' home because they believed that they would act the same as they did prior to removal. NPG was also concerned that she would have to go back to parenting her younger siblings if returned to respondents' care, as respondents regularly relied on her to do so both prior to removal and during parenting times throughout the proceedings.

Meanwhile, NPG, KBG, and ATO were doing well in their respective placements, which all provided for their needs and expressed interest in adopting them—and both NPG and KBG likewise expressed interest in being adopted by their placements. Although NSG was still residing in the residential facility, he had completed his treatment and was simply waiting for an appropriate pre-adoptive home to become available to him. Throughout the case, NSG "self-sabotaged" any time that he believed that "he was close to getting returned" to respondents' care so that he could stay in the facility, and even though he had completed his treatment program by the time of termination, the caseworker and NSG's service providers believed that there was a significant risk that he would revert to his violent behaviors if returned to respondents' care.

Respondent-mother also argues that the trial court failed to adequately consider the possibility of a guardianship with a relative placement for KBG as an alternative to termination. See *CJM*, ___ Mich App at ___; slip op at 4; *In re Lombard*, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 367714); slip op at 6. The caseworker, however, expressly testified that DHHS had considered guardianship as an alternative to termination but had determined that, despite her relative placement, adoption was in KBG's best interests. The caseworker also testified that KBG repeatedly made clear that she did not want a guardianship because she did not want a continued relationship with respondents. KBG's counselor likewise testified that, despite over a year and a half of counseling, KBG still was not ready or willing to have a relationship with respondents, and it would be harmful to KBG's well-being to force her to have one. Testimony further established that there was very strained relationship between respondents and KBG's relative placement due to respondents' false allegations against the placement, which respondents

had made in an attempt to get KBG removed from the placement's care and which would only make a guardianship more difficult and detrimental to KBG.

In sum, the record reflects that the trial court properly weighed all the evidence available to it at the time that it made its best-interests determination, *Simpson*, ___ Mich App at ___; slip op at 5, and we see no clear error in its findings, *id*. at ___; slip op at 3.

Affirmed.

/s/ Daniel S. Korobkin
/s/ Michael J. Riordan
/s/ Philip P. Mariani