

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
October 15, 2026
11:41 AM

In re Z. CAMPBELL, Minor.

No. 379780
Bay County Circuit Court
Family Division
LC No. 24-013843-NA

Before: BORRELLO, P.J., and BAZZI and LIEVENSE, JJ.

PER CURIAM.

Respondent appeals by right the trial court’s order that terminated her parental rights to her minor child because the trial court found that it would be in the child’s best interest. For the reasons set forth in this opinion, we affirm.

I. BACKGROUND

The Department of Health and Human Services (DHHS) filed the petition that led to this appeal after receiving allegations that respondent’s child was born positive for amphetamines, methamphetamine, cocaine, benzoylecgonine, and tetrahydrocannabinol (THC).¹ Respondent entered a plea of admission to the allegations in the petition.

After a substantial period of time passed, the probate court held termination proceedings commencing on January 21, 2026. During the termination hearing, respondent stated that she previously was not ready to be sober but was now prepared and, upon release from jail,² planned to attend rehabilitation treatment. Respondent also stated that she had last seen the child in April of 2025 but had no doubt that her grandmother was taking good care of her daughter. At the

¹ “Tetrahydrocannabinol, or THC, is the physiologically active component of marijuana. See Stedman’s Medical Dictionary (26th ed), p 1791.” *People v Koon*, 494 Mich 1, 3 n 3; 832 NW2d 724 (2013).

² This was respondent’s second incarceration during the proceedings below.

conclusion of her testimony, respondent pleaded with the trial court to give her more time to go to rehabilitation and live a sober lifestyle.

Ultimately, the trial court terminated respondent's parental rights to the child on February 9, 2026. The trial court identified respondent's barriers to reunification as "substance abuse disorder, emotional stability, parenting skills, intellectual capacity, communication, domestic relations, transportation and criminality." It also noted that "[d]uring the pendency of this case, [respondent] was ordered to submit to random drug screens. [Respondent] missed . . . 53 drug screens and when [respondent] did submit . . . to screens, [respondent] tested positive for methamphetamines, cocaine and THC." Next, the trial court summarized respondent's lack of progress throughout the case, highlighting each barrier to reunification. Additionally, the court addressed the reasonable efforts that petitioner made toward reunification.

Ultimately, the trial court found statutory grounds for termination under MCL 712A.19b(3)(a)(ii), (c)(i), and (j). It found that termination was proper under MCL 712A.19b(3)(a)(ii) because respondent "last saw her child on April 28, 2025 and since that date she had not sought out the care and custody of her child." The trial court noted that respondent deserted her child for over 91 days, requiring the court to suspend parenting time because of abandonment. Under MCL 712A.19b(3)(c)(i), the trial court first stated that over 182 days had elapsed since the issuance of the initial disposition order. The court found clear and convincing evidence that the conditions that led to the adjudication continued to exist with no reasonable likelihood of the rectification of those conditions within a reasonable time. Additionally, the probate court found that respondent's issues with "sobriety, housing, emotional stability, parenting, and general life stability were never rectified." Under MCL 712A.19b(3)(j), the court found that there was a reasonable likelihood that the child would be harmed if she were returned to respondent. The trial court noted that respondent's failure to participate in petitioner's case service plan was evidence that the child would be harmed if returned to respondent.

The trial court then determined that the termination of respondent's parental rights to the child was in the child's best interest.

When considering these best interest factors, . . . [respondent had] not participated in or shown benefit from [petitioner's] . . . services to be able to provide for [her] daughter . . . with a responsible, stable, sober lifestyle that the child needs from a caregiver due to [her] lack of engagement in services.

[Respondent] would need additional time and services to begin to demonstrate that [she is] motivated to make [her] changes needed to care for [her] daughter. This additional time further delays [her] daughter's need for permanency without a strong likelihood that [respondent] would even care for the child in a reasonable, foreseeable future.

[Respondent], when she is incarcerated, does express that she's now ready to start her sobriety journey and unfortunately what she's shown is through her stints of incarceration when she's not incarcerated that she doesn't follow through with . . . that sobriety journey. [The child] needs permanency and stability that can be offered by her relative caregiver. [The child] has been in care for a very long

time. . . . [I]t's been over 400 and probably over 500 days now. . . . I don't have the exact amount of days as of today. [The child] was removed from the care of her parents as a newborn infant and has spent her entire life out of their care. [The child] is placed in the relative caregiver's home that is able to provide for her with the stable, sober lifestyle that she needs and is willing to provide her with permanency.

Termination of [respondent's] parental rights are in this child's best interest. The court also has to look at since the child is placed with a relative, that guardianship is not the preferred avenue in which to go. [The child's] relative is not interested in guardianship and thus not an appropriate option for this court to even consider. There was testimony given by . . . the child's caregiver and it was indicated that she wishes to adopt [the child] to provide her with that stability and that permanency that she needs. [The child] is thriving in her placement. The relative placement is willing to adopt her. This child needs stability and permanency. The relative placement has provided consistent housing, medical treatment, and financial support. This placement provides stability and consistency that will provide that sense of finality for -- for this child.

The court finds that it is in the best interest of [the child] to terminate the parental rights of [respondent].

After it determined that termination was in the child's best interests, the trial court terminated respondent's parental rights. Respondent now appeals limited solely to the question of whether termination was contrary to the best interests of the minor child.

II. BEST INTERESTS

On appeal, respondent does not dispute the statutory grounds for the termination of her parental rights; instead, she argues that ending her parental rights is not in the child's best interests. We review a trial court's determination of a child's best interests under a clear error standard. *In re Olive/Metts Minors*, 297 Mich App 35, 40; 823 NW2d 144 (2012). A trial court's decision is considered clearly erroneous if, although evidence exists to support it, the reviewing court is left with a definite and firm conviction that a mistake has been made. *Id.* at 41 (quotation marks and citation omitted, alteration in original). Petitioner must prove by a preponderance of the evidence that termination of parental rights serves the best interests of the child. *In re Moss*, 301 Mich App 76, 90; 836 NW2d 182 (2013). To determine the child's best interests, the court must weigh several factors, including the child's relationship with the parent's capability to provide care, the child's need for stability, and the benefits of a foster environment versus the parental home. *Olive/Metts*, 297 Mich App at 41-42. The trial court may also evaluate the parent's compliance with the service plan, visitation history, the child's welfare while in care, and the potential for adoption. *In re White*, 303 Mich App 701, 714; 846 NW2d 61 (2014). Moreover, the length of time the child has been in foster care or with relatives and the likelihood of a safe return to the parents' home are pertinent factors to consider. *In re Mota*, 334 Mich App 300, 321; 964 NW2d 881 (2020) (quotation marks, citation, and alteration omitted). Notably, a child's placement with relatives weighs against termination, yet the court may still terminate parental rights if it determines doing so is in the child's best interests. *Olive/Metts*, 297 Mich App at 43.

Respondent contends that the trial court's findings regarding her child's best interests were clearly erroneous, suggesting she should have been granted additional time to prove her sobriety. However, at this crucial stage, the court's focus must be on the child, not the parent. *Mota*, 334 Mich App at 321. After thoroughly reviewing the evidence and testimony, the trial court found by a preponderance of the evidence that the termination of the respondent's parental rights was indeed in the child's best interests. In making its ruling, the trial court cited respondent's disengagement from required services, her inability to bond with her child, her persistent struggles with substance abuse, and the child's urgent need for permanence and stability. The trial court also held that respondent was unlikely to successfully address her substance abuse issues within a reasonable timeframe, especially considering the child's young age and the time spent in the relative placement's care. Though the child was placed with a relative, the court determined that the respondent's lack of progress towards reunification and her ongoing substance abuse warranted the decision to terminate her parental rights. The record illustrates that respondent refused to participate in necessary psychological evaluations, neglected to complete a substance abuse assessment, continued to test positive for drugs, failed to secure housing or employment, engaged in criminal activity, and missed over 91 days of parenting time. Considering the child's urgent need for stability alongside respondent's substantial substance abuse problems and her neglect of the child, the trial court did not err in concluding that termination of parental rights served the child's best interests.

Affirmed.

/s/ Stephen L. Borrello

/s/ Mariam S. Bazzi

/s/ Andrew J. Lievense