

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JORDAN XAVIER REINBOLD
and DAVID ZANDER REINBOLD, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DAVID DANIEL REINBOLD and ANGELA
MAE JARVIS,

Respondents-Appellants.

UNPUBLISHED

November 24, 2009

No. 292137

Isabella Circuit Court

Family Division

LC No. 2008-000050-NA

Before: Meter, P.J., and Murphy, C.J., and Zahra, J.

PER CURIUM.

Respondents appeal as of right from an order terminating their parental rights pursuant to the minor children pursuant to MCL 712A.19b(3)(c)(i) (the conditions that led to the adjudication continue to exist) and (g) (failure to provide proper care and custody). We affirm.

Respondents argue that the trial court erred in finding that the statutory grounds for termination were established by clear and convincing evidence. We review the trial court's findings of fact under the clearly erroneous standard. MCR 3.977(J). A finding of fact is clearly erroneous when the reviewing court has a definite and firm conviction that a mistake has been made. *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Deference is accorded to the trial court's assessment of the credibility of the witnesses who appeared before it. *In re Newman*, 189 Mich App 61, 65; 472 NW2d 38 (1991).

Respondents argue that termination of their parental rights was inappropriate because the evidence demonstrated that they improved in many areas, particularly housekeeping and managing their finances. However, the housekeeping and spending issues were not principal issues in the case. The overriding issue for respondents was their inability to understand and apply basic concepts of child development. Respondents did not appreciate the need to monitor their children's activities, and they continually allowed the children to be placed in unsafe situations. They also lacked the ability to pick up on the children's cues, or to react appropriately to prevent harm to the children. Even when the children were in a confined setting, respondents did not supervise them to prevent them from getting into trouble or from being placed in unsafe situations. Several witnesses testified that respondents were not capable of

parenting the children on their own, without outside assistance. The trial court did not clearly err in giving greater weight to the evidence of respondents continued parental shortcomings than to the minimal progress they had made in the areas of housekeeping and budgeting.

The trial court also did not clearly err in finding that respondents lacked the cognitive abilities necessary to be able to effectively parent the children. Although respondents assert that the caseworkers were not qualified to offer an opinion regarding their cognitive limitations, the caseworkers' assessments were based on their observations of respondents' interactions with the children. Respondents failed to demonstrate either that they possessed the necessary innate knowledge about childcare to ensure the children's safety, or that they were able to retain what they were taught, even with constant redirection. The caseworkers' assessments were also supported by respondents' psychological evaluations, which further indicated that respondents' cognitive abilities were lacking in the areas of childcare and development.

Accordingly, the trial court did not clearly err in finding that both statutory grounds for termination were established by clear and convincing evidence.

Respondents also argue that the trial court erred in finding that termination of their parental rights was in the children's best interests. We disagree. Once a statutory ground for termination is established by clear and convincing evidence, the court shall order termination of parental rights if "termination of parental rights is in the child's best interests." MCL 712A.19b(5). The trial court's best interests decision is reviewed for clear error. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Contrary to what respondents argue, the trial court acknowledged that respondents were bonded to their children. However, the trial court found that, despite that bond, the children required a home environment where they would be consistently cared for and safely parented. Because respondents were not able to provide such an environment without outside assistance, the trial court did not clearly err in finding that termination of respondents' parental rights was in the children's best interests.

Moreover, the trial court was not required to make extensive findings of fact in support of its decision. Rather, MCR 3.977(H)(1) only requires "[b]rief, definite, and pertinent findings and conclusions on contested matters." The trial court's remarks satisfied this requirement.

Affirmed.

/s/ Patrick M. Meter
/s/ William B. Murphy
/s/ Brian K. Zahra