

STATE OF MICHIGAN  
COURT OF APPEALS

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*In re* PIETROWSKI, Minors.

Nos. 379319; 379320  
Roscommon Circuit Court  
Family Division  
LC No. 23-726596-NA

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Before: WALLACE, P.J., and CAMERON and KOROBKIN, JJ.

PER CURIAM.

In Docket No. 379319 of these consolidated appeals,<sup>1</sup> respondent-mother appeals by right the trial court’s order terminating her parental rights to her children, PP, EP, IP, and AP, under MCL 712A.19b(3)(c)(i) (conditions that led to adjudication continue to exist) and (g) (failure to provide care and custody). In Docket No. 379320, respondent-father appeals by right the trial court’s order terminating his parental rights to EP, IP, and AP under the same statutory provisions. We affirm.

I. FACTUAL AND PROCEDURAL BACKGROUND

Respondents had a history of Children’s Protective Services (CPS) investigations as a result of their ongoing struggles with homelessness, financial instability, and neglect of their children’s medical, dental, supervisory, and behavioral needs. Respondent-father failed to maintain steady employment, while respondent-mother struggled to follow through with securing disability income. Despite extensive efforts by CPS and petitioner, the Michigan Department of Health and Human Services (DHHS), to assist respondents with their ongoing housing and financial issues, respondents failed to make any meaningful progress. DHHS therefore petitioned

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<sup>1</sup> *In re Pietrowski Minors*, unpublished order of the Court of Appeals, entered February 17, 2026 (Docket Nos. 379319 and 379320).

to remove the children from respondents' care. The petition also noted concerns regarding respondents' mental health, substance abuse, domestic violence, and poor parenting skills.

The trial court authorized the petition, removed the children from respondents' care and placed them with a foster family. Although respondents obtained housing almost immediately after the children were removed, the trial court later assumed jurisdiction over the children after respondents pleaded to the allegations in the petition regarding their homelessness and financial instability.

By the time of the termination hearing, respondents were thousands of dollars behind on their rent. They had avoided eviction only because their landlord at the time, who had since listed the house for sale, was a family friend. Respondents also failed to achieve a stable income, and, despite operating at a deficit, chose to spend their limited resources on drugs and acquiring pets. The trial court found that respondents had failed to sufficiently address their housing and financial problems and found that termination was in the children's best interests. Accordingly, the trial court terminated their parental rights as noted. These appeals followed.

## II. STANDARDS OF REVIEW

We review the trial court's factual findings and ultimate determinations of statutory grounds and whether termination is in the child's best interests for clear error. *In re White*, 303 Mich App 701, 709, 713; 846 NW2d 61 (2014). "The trial court's factual findings are clearly erroneous if the evidence supports them, but we are definitely and firmly convinced that it made a mistake." *Id.* at 709-710. "A reviewing court must defer to the special ability of the trial court to judge the credibility of witnesses." *In re LaFrance*, 306 Mich App 713, 723; 858 NW2d 143 (2014).

## III. STATUTORY GROUNDS

Respondents argue that the trial court erred by finding statutory grounds to terminate their parental rights. We disagree.

"To terminate parental rights, the trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been proved by clear and convincing evidence." *In re Ellis*, 294 Mich App 30, 32; 817 NW2d 111 (2011). In this case, the trial court found statutory grounds for termination of both respondents' parental rights under MCL 712A.19b(3)(c)(i) and (g). MCL 712A.19b(3)(c)(i) provides:

(3) The court may terminate a parent's parental rights to a child if the court finds, by clear and convincing evidence, 1 or more of the following:

\* \* \*

(c) The parent was a respondent in a proceeding brought under this chapter, 182 or more days have elapsed since the issuance of an initial dispositional order, and the court, by clear and convincing evidence, finds either of the following:

(i) The conditions that led to the adjudication continue to exist and there is no reasonable likelihood that the conditions will be rectified within a reasonable time considering the child's age.

“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 Jackish/Stamm-Jackish*, 340 Mich App 326, 334; 985 NW2d 912 (2022).

It is undisputed that more than 182 days had elapsed between the initial disposition order and the termination of respondents' parental rights. Respondents instead argue that the trial court erred in terminating their parental rights under MCL 712A.19b(3)(c)(i) because it considered factors beyond the reasons for their adjudication. Respondents pleaded to the allegations that they were homeless and unable to maintain their financial obligations. The trial court nevertheless relied, in part, on respondents' domestic violence, substance abuse, and mental health issues when terminating their parental rights. Although these issues were concerns throughout the case, they were not among the “conditions that led to the adjudication” under MCL 712A.19b(3)(c)(i). The trial court, therefore, erred to the extent that it relied on respondents' failure to rectify those conditions as a basis for termination. Nevertheless, we conclude this error is harmless because the trial court did not clearly err by finding that the conditions to which respondents did plead—housing and financial instability—still existed and were unlikely to be rectified in a reasonable time.

The record establishes that respondents were thousands of dollars behind on their rent and had avoided eviction only because of the personal goodwill of their landlord. Moreover, the landlord recently sold the home respondents were renting, leaving respondents' continued occupancy uncertain. Thus, although respondents were no longer homeless at the time of the termination hearing, their housing situation was unstable. Their financial circumstances were also unstable. Respondents had no savings and had not made a full rent payment in over two years. Instead, respondents used what little money they did have to purchase drugs and pets that they could not afford to maintain. Their financial resources were so strained that they could not afford gas for their family vehicle or a \$47 prescription for respondent-father.

Respondent-father was employed at the time of the termination hearing, and respondent-mother was pursuing an appeal of the denial of her disability benefits. But the record showed that respondents had a history of not being able to hold employment for significant periods, and of failing to provide the documentation necessary to secure financial assistance. Considering the totality of the evidence, the trial court did not clearly err by finding statutory grounds for termination existed under MCL 712A.19b(3)(c)(i).<sup>2</sup>

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<sup>2</sup> Because “[o]nly one statutory ground need be established by clear and convincing evidence to terminate a respondent's parental rights,” *In re Ellis*, 294 Mich App at 32, we need not address whether termination was proper under MCL 712A.19b(3)(g).

#### IV. BEST INTERESTS

Respondents also argue that termination was not in their children's best interests. Again, we disagree.

"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[.]" *In re Olive/Metts*, 297 Mich App 35, 42; 823 NW2d 144, quoting MCL 712A.19b(5). "Best interests are determined on the basis of the preponderance of the evidence." *In re LaFrance*, 306 Mich App at 733. "The focus at the best-interest stage has always been on the child, not the parent." *In re Atchley*, 341 Mich App 332, 346; 990 NW2d 685 (2022) (quotation marks and citation omitted). "The trial court should weigh all the evidence available to determine the [child's] best interests." *In re White*, 303 Mich App at 713.

To determine whether termination of parental rights is in a child's best interests, the court should consider a wide variety of factors that may include 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. The trial court may also consider a parent's history of domestic violence, the parent's compliance with his or her case service plan, the parent's visitation history with the child, the children's well-being while in care, and the possibility of adoption. [*Id.* at 713-714 (quotation marks and citations omitted).]

Respondents first argue that the trial court improperly weighed the relative benefits of the children's foster placement. But those advantages are proper considerations at the best-interest stage. *Id.* at 714; *In re Olive/Metts Minors*, 297 Mich App at 41-42. Respondents also argue that the trial court failed to address each child individually. The trial court, however, had to make independent factual findings for each child only to the extent they were differently situated. *In re White*, 303 Mich App at 715-716. Here, the trial court appropriately observed that the children were not differently situated because they were placed together and their foster parents intended to adopt all four of them. Furthermore, the record reflects that the trial court did, in fact, address each child individually. Thus, respondents' arguments lack merit.

Moreover, the evidence overwhelmingly supported the trial court's best-interests determination. The children's foster parents provided the children with love, safety, stability, and discipline that they had never known with respondents. They ensured that the children's behavioral, educational, and medical needs were being met, and were willing to adopt the children. Although the trial court recognized that there was bond between the children and respondents, it also found that the children were equally bonded to the foster parents. Compared to the foster family, respondents could not adequately provide for their children. The children had severe behavioral and health issues while in respondents' care, and respondents' failure to rectify most of their barriers toward reunification demonstrated a high likelihood that the children would suffer further harm if returned. Furthermore, despite receiving parenting education services, respondents struggled to appropriately parent their children during supervised visits. Accordingly, the trial court did not clearly err by finding that termination was in the children's best interests.

Affirmed.

/s/ Randy J. Wallace  
/s/ Thomas C. Cameron  
/s/ Daniel S. Korobkin