

Court of Appeals, State of Michigan

ORDER

In re Piland Minors

Docket No. 340754

LC No. 17-000591-NA

Amy Ronayne Krause, acting under MCR 2.003(D)(3), orders:

The motion for immediate consideration is GRANTED.

The motion for disqualification is DENIED. My husband's employment as legal counsel with the Department of Health and Human Services (Department) does not constitute being an officer, director, or trustee of the Department. Thus, I am not disqualified from participating in this case by MCR 2.003(C)(1)(g)(i). Further, at a time far preceding the initiation of this case in this Court, a conflict wall was put in place in my husband's office to screen him from any involvement with child protective cases in which the Department is a party. Accordingly, while it is my standing practice to disqualify myself from other cases in which the Department is a party, I do not disqualify myself from child protective cases in which the Department is a party because my husband has no involvement with such cases. I am also confident that my husband's employment has no role in the view I take of issues raised in child protective cases in which the Department is a party. Under these circumstances, I conclude that there is no basis to disqualify myself from child protective cases in which the Department is a party because I am not biased or prejudiced for or against the Department in such cases and there is no basis for an objective and reasonable perception that I have a serious risk of actual bias in such cases or that I am failing to adhere to the appearance of impropriety standard set forth in Canon 2 of the Michigan Code of Judicial Conduct by participating in such cases. See MCR 2.003(C)(1)(a)-(b).

If the moving parties request it in writing addressed to the Clerk's Office, the motion shall be referred to the Chief Judge for decision de novo. MCR 2.003(D)(3)(a).



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

FEB 13 2018

Date


Chief Clerk