

Order

Michigan Supreme Court
Lansing, Michigan

July 26, 2016

153786

Robert P. Young, Jr.,
Chief Justice

Stephen J. Markman
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen,
Justices

In re HICKS/BROWN, Minors.

SC: 153786
COA: 328870
Wayne CC Family Division:
12-506605-NA

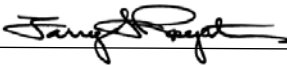
On order of the Court, the application for leave to appeal the April 26, 2016 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.305(H)(1). The parties shall file supplemental briefs within 35 days of the date of this order addressing: (1) whether the respondent-mother made a timely request for accommodation of her disability in the service plan prepared by the Department of Health and Human Services; (2) whether the Department of Health and Human Services made “reasonable efforts to reunify the child and family,” as required by MCL 712A.19a(2), given the respondent-mother’s disability; and (3) whether the failure to provide a service plan that accommodates a respondent’s disability may be grounds for reversal of a termination of parental rights on appeal, under either the Americans with Disabilities Act or under the Probate Code, MCL 712A.19a(2), where there is no determination that the trial court erred in finding grounds for termination under MCL 712A.19b(3) or that termination was in the best interests of the children under MCL 712A.19b(5). The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 26, 2016


Clerk