

Court of Appeals, State of Michigan

ORDER

In re F D Wells, Minor

Docket No. 328505

LC No. 11-008313-NA

Mark T. Boonstra
Presiding Judge

William B. Murphy

Jane M. Beckering
Judges

The Court orders that the motion for immediate consideration is GRANTED.

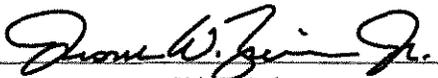
Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court PEREMPTORILY REVERSES the decision of the trial court barring petitioner from seeking termination of parental rights under MCL 712A.19b(3)(l). A review of the adjudication hearing transcript reveals a complete absence of any evidence that petitioner knowingly and voluntarily waived its statutory authority to seek termination under MCL 712A.19b(3)(l), or under any other statutory ground, in a supplemental petition filed after the initial dispositional hearing. This matter is REMANDED to the trial court so that the trial court may determine whether the statutory ground found at MCL 712A.19b(3)(l) was established by clear and convincing evidence, *In re Trejo Minors*, 462 Mich 341; 612 NW2d 407 (2000), and, if so, whether the termination of respondents' parental rights is in the best interest of the minor, MCL 712A.19b(5), in light of the court's finding that respondent parents "have become perhaps or approaching being adequate parents and may certainly be adequate parents within a reasonable amount of time." This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



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

AUG 19 2015

Date


Chief Clerk