

Order

Michigan Supreme Court
Lansing, Michigan

October 23, 2013

Robert P. Young, Jr.,
Chief Justice

147522

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

In re AJR, Minor.

SC: 147522
COA: 312100
Kent CC Family Division:
12-024817-AY

On order of the Court, the application for leave to appeal the April 18, 2013 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether the Court of Appeals properly interpreted the statutory phrase “the parent having legal custody of the child” in the stepparent adoption statute, MCL 710.51(6), as necessarily referring to “*the*” sole parent with legal custody; (2) whether the phrase “legal custody” in § 51(6) is synonymous with the concept of joint custody in the Child Custody Act, MCL 722.26a(7)(b), whereby “the parents share decision-making authority as to the important decisions affecting the welfare of the child”; and (3) if the Court of Appeals did not err in interpreting the statute, what, if any, remedy is available to the petitioners in this case that is consistent with the general purposes of the Adoption Code, MCL 710.21a.

The State Bar of Michigan Family Law Section and the Michigan Chapter of the American Academy of Matrimonial Lawyers are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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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.

October 23, 2013


Clerk