

Order

Michigan Supreme Court
Lansing, Michigan

September 20, 2017

155845

In re R. J. K. TIMON, Minor.

Stephen J. Markman,
Chief Justice

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

SC: 155845
COA: 333788
Wayne CC Family Division:
13-512300-NA

On order of the Court, the application for leave to appeal the May 2, 2017 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the judgment of the Court of Appeals addressing the best interests determination, and REMAND this case to the Wayne Circuit Court for reconsideration of whether terminating respondent's parental rights is in the best interests of the child. MCL 712A.19b(5). The trial court judge failed to articulate whether her generalized concerns regarding the lack of permanency and stability for younger children placed with a guardian are present for *this* child. On remand, the trial court shall make an individualized determination as to whether terminating respondent's parental rights is in the best interests of respondent's youngest child without regard to a generalized policy disfavoring guardianship for children under the age of 14. The trial court shall receive additional evidence from the parties as necessary to make this determination.



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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.

September 20, 2017

Clerk