Order

Michigan Supreme Court
Lansing, Michigan

May 1, 2026

SC: 169836 & (16)
COA: 379459
Kent CC: 21-003008-DM

Megan K. Cavanagh,
Chief Justice

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas
Noah P. Hood,
Justices

KELLY PARM,
Plaintiff-Appellant,

v

SHANE PARM,
Defendant-Appellee.

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the March 3, 2026 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

BOLDEN, J. (*dissenting*).

I respectfully dissent from the Court's decision to deny leave to appeal. The parties divorced in 2022. Their judgment of divorce required that they share legal custody of their two children while plaintiff was to be the primary physical custodian. After a series of postjudgment motions filed by both parties, the trial court conducted a custody hearing and ultimately, on January 28, 2026, entered an order modifying custody to make defendant the sole legal and primary physical custodian. Plaintiff appealed. Plaintiff also moved both lower courts to stay the judgment pending appeal. Both lower courts denied plaintiff's motions to stay. While plaintiff's appeal is pending before the Court of Appeals, she has asked us to grant a stay pending appeal. Without commenting on the merits of the pending appeal, I would have granted the stay.

The underlying merits of this case are governed by the Child Custody Act, MCL 722.21 *et seq*. The purpose of the Child Custody Act is to "promote the best interests and welfare of children." *Fletcher v Fletcher*, 447 Mich 871, 877 (1994). Throughout the postjudgment proceedings, plaintiff has presented evidence raising concerns about the safety and well-being of both children in defendant's presence. Given the drastic shift in

physical custody at issue coupled with legitimate concerns for the safety and well-being of the children involved, I would find good cause to grant the stay to preserve the children's physical environment until the appeal is final.

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I, Elizabeth Kingston-Miller, 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.

May 1, 2026

Clerk