Court of Appeals, State of Michigan

ORDER

IN RE L A LEDEE MINOR

Docket No. 371631

LC No. 2017-001407-NA

Michael J. Riordan
Presiding Judge

Christopher M. Murray

Allie Greenleaf Maldonado
Judges

Respondent-appellant, petitioner-appellee, and the Guardian Ad Litem are each invited to file a supplemental brief within 21 days after issuance of this order addressing whether the term "proceeding," as used in 25 USC 1912(a) of the Indian Child Welfare Act (ICWA), 25 USC 1901 *et seq*., and MCL 712B.9(1) of the Michigan Indian Family Preservation Act (MIFPA), MCL 712B.1 *et seq*., is limited to proceedings in the trial court, or whether the term encompasses both proceedings in the trial court and on direct appeal, such that the respective notice provisions of the ICWA and MIFPA would be triggered upon this Court, but not the trial court, receiving possible knowledge of a child's federally-recognized Indian tribe. Compare *In re TM*, 245 Mich App 181, 188; 628 NW2d 570 (2001) (explaining that "notice is mandatory, regardless of how late in the proceedings a child's possible Indian heritage is uncovered") (cleaned up) with *In re Isaiah W*, 1 Cal 5th 1, 11-13; 373 P3d 444; 203 Cal Rptr 3d 633 (2016) (explaining that the burden of ICWA notice is placed upon the "juvenile court").

Presiding Judge

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

January 22, 2026
Date

Chief Clerk