Court of Appeals, State of Michigan

ORDER

IN RE THOMPSON MINORS

Docket No. 380445

LC No. 23-000183-NA

Allie Greenleaf Maldonado
Presiding Judge

Christopher M. Trebilcock

Mariam S. Bazzi
Judges

The motion to waive fees is GRANTED for this case only.

The motion for immediate consideration is GRANTED.

Pursuant to MCR 7.205(E)(2), the trial court's April 17, 2026 order is REVERSED IN PART, and the matter REMANDED for further proceedings consistent with this order. Consistent with MCR 3.972(B)(2) and this Court's decision in *In re Decrosta*, unpublished per curiam opinion of the Court of Appeals, issued October 12, 2017 (Docket No. 337558), respondents each waived reading of the petition at the upcoming adjudication trial. The trial court agreed to waive reading of the petition but nonetheless held that the jury would be provided the petition during deliberations as part of the jury instructions. There is no authority allowing the petition to be provided to the jury in such a manner. To do so would circumvent MCR 3.972(B)(2) and the Rules of Evidence. The jury also does not need to read the entire petition to make its decisions in this case. The jury's task will be to hear evidence admitted at trial and then, with the benefit of the trial court's instructions regarding the statutory bases for jurisdiction at issue, other appropriate instructions, and the parties' arguments, determine whether at least one statutory ground to exercise jurisdiction has been established. *In re Sanders*, 495 Mich 394, 405; 852 NW2d 524 (2014). The jury may do so without having the entire petition before it. Accordingly, the petition shall not be provided to the jury as part of the jury instructions. That portion of the trial court's order is reversed. In all other respects, the application for leave to appeal is DENIED for failure to persuade the Court of the need for immediate appellate review.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

Presiding Judge

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

May 7, 2026
Date

Chief Clerk

Trebilcock, J., would deny leave to appeal for failure to persuade the Court of the need for immediate appellate review.