Order

Michigan Supreme Court
Lansing, Michigan

May 22, 2026

Megan K. Cavanagh,
Chief Justice

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

SC: 169110
COA: 372609
Oakland CC Family Division: 20-881773-NA

In re PAUL/BLANDING-CARTER, Minors.

By order of January 14, 2026, the parties were directed, and the children's lawyer-guardian ad litem was invited, to file supplemental briefs. On order of the Court, the supplemental briefs having been received, the application for leave to appeal the September 17, 2025 judgment of the Court of Appeals is again considered. Pursuant to MCR 7.305(I)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals. The Department of Health and Human Services (DHHS) must make reasonable efforts to reunify the child and family in *all* cases unless "[t]here is a judicial determination that the parent has subjected the child to aggravated circumstances as provided in [MCL 722.638(1) and (2)]." MCL 712A.19a(2)(a). See *In re Barber/Espinoza*, ___ Mich ___, ___ (July 31, 2025) (Docket No. 167745); slip op at 1, 3. In this case, both DHHS and the children's lawyer-guardian ad litem concede that no such judicial determination was made. The parties dispute whether, as maintained by DHHS, reasonable efforts were nonetheless expended in this case. We REMAND this case to the Court of Appeals to consider whether reasonable reunification services were rendered and, if reasonable services were not rendered, to determine the appropriate remedy for the lack of a judicial determination of aggravated circumstances. If necessary to the proper resolution of this case, the Court of Appeals may remand to the trial court for additional fact-finding. The Court of Appeals shall expedite its consideration of this case.

We do not retain jurisdiction.

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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 22, 2026

Clerk