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# STATE OF MICHIGAN

# COURT OF APPEALS

UNPUBLISHED
October 12, 2026
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*In re* Z. ALTORK, Minor.

No. 378267
Washtenaw Circuit Court
Family Division
LC No. 24-000027-NA

Before: BORRELLO, P.J., and BAZZI and LIEVENSE, JJ.

PER CURIAM.

Respondent appeals by right the trial court order terminating his parental rights to the minor child, ZA, under MCL 712A.19b(3)(b)(*i*) (parent's act caused child or sibling of the child physical injury or physical or sexual abuse); (h) (parent imprisoned for such a period the child would be deprived of a normal home for more than two years); (j) (reasonable likelihood of harm if returned to parent); (k)(*iii*) (parent's abuse of child or sibling of the child included battering, torture, or other severe physical abuse); and (k)(*v*) (parent's abuse of child or a sibling of the child included life-threatening injury). We affirm.

## I. FACTUAL AND PROCEDURAL BACKGROUND

This case arose after Children's Protective Services (CPS) received two complaints in April 2024 alleging that ZA witnessed respondent "stab" nonrespondent-mother and LK, who is respondent's then-stepdaughter and ZA's half-sibling. That same day, CPS Investigator Lindsey Wagner learned that mother and LK "were in critical condition" and underwent emergency surgery after they were taken to the hospital.

On April 16, 2024, Wagner conducted a forensic interview with LK in which she provided the details of the attack. According to LK, while at home, "she was packing her snacks in her book bag when" respondent "moved quickly around a corner and came towards her with a butcher knife . . . . " Respondent "then began stabbing her in an upward downward motion striking her face and chest first." Mother "began screaming for him to stop, moved between his legs and threw her body over" LK, trying to protect her. Respondent "then began stabbing" nonrespondent-mother "several times, only stopping when the knife became lodged in" nonrespondent-mother's side. LK tried to help her mother to her feet but "slipped on all the blood causing her to fall and

hit her head on the counter." Afterwards, respondent left the house. LK stated that "she instructed her sister, [ZA], who witnessed the entire incident to run and lock the door while she contacted 911 and applied pressure to her mother's wounds."

Mother's injuries included "multiple lacerations to her chest, lung, diaphragm and spine," in addition to "multiple stab wounds to her left chest, abdomen, and the left side of her breastbone, where the weapon was found to still be embedded." LK sustained "stab wounds" to her chin, chest, "breastbone near her heart," arm, abdominal activity, hand, "as well as multiple other lacerations." In addition, medical professionals reported "that the stab wounds were very deep and some of the wounds appeared to be defensive wounds."

For these acts, respondent was arrested and charged with two counts of assault with intent to murder (AWIM), MCL 750.83; and two counts of assault with a dangerous weapon (felonious assault), MCL 750.82.

On April 18, 2024, two days after the attack, petitioner, the Department of Health and Human Services, petitioned the trial court to take jurisdiction over LK and ZA under MCL 712A.2(b)(1) and (2). Petitioner requested that the court order the children to remain in the care and custody of mother. For ZA only, presumably because LK was respondent's stepchild, petitioner sought termination of respondent's parental rights at the initial disposition.

Over the next year, the trial court ordered that parenting time be suspended, and it repeatedly adjourned proceedings at respondent's request in light of his pending criminal case. In August 2024, ZA underwent a trauma assessment, and the court received a report detailing the results of the assessment that indicated ZA met the criteria for post-traumatic stress disorder for children aged six years and younger. The criminal case was adjudicated in April 2025 when a jury found respondent guilty on all charges.

At a combined proceeding in November 2025, the trial court held a bench trial for adjudication, a hearing regarding statutory grounds for termination, and a hearing to determine if termination was in ZA's best interests. The court took judicial notice under MRE 201 of the criminal file underlying respondent's convictions. Petitioner offered, and the trial court admitted without objection, three exhibits related to respondent's criminal case: (1) the felony complaint, (2) an order of disposition, and (3) the judgment of sentence showing that he had been sentenced to 285 months to 40 years in prison on the AWIM charges and 24 months to four years in prison on the felonious assault charges. No further evidence was admitted at this juncture.

Concerning jurisdiction, the trial court found, by a preponderance of evidence, that ZA was subject to a substantial risk of harm to her mental well-being as a result of respondent "attempting to murder" her sister and her mother, and that respondent's home was an unfit place for a child to reside in. The trial court then found grounds for termination under MCL 712A.19b(3)(b)(*i*), (h), (j), (k)(*iii*), and (k)(*v*), focusing again on respondent's AWIM convictions, convictions of felonious assault, and the likelihood of harm posed to ZA.

During the best-interest determination, CPS worker Elizabeth Bury testified that ZA was involved in "trauma-based therapy" following the attack. Bury testified that ZA had not asked or spoken about respondent. Bury stated that she believed ZA had permanency and stability with

nonrespondent-mother. Following argument, the trial court held that termination of respondent's parental rights was in ZA's best interests. Accordingly, the trial court entered an order terminating respondent's parental rights to ZA.

Respondent now appeals.

## II. JURISDICTION

We first address respondent's second argument, that there was insufficient evidence to support the trial court's findings as to the "statutory grounds" such that a "jurisdictional defect" existed that renders the subsequent termination order void. In his brief, however, respondent fails to articulate what type of jurisdiction the trial court lacked. He cites several cases related to subject-matter jurisdiction, he might contest whether the court had personal jurisdiction over him, or he may take issue with whether sufficient evidence supported the statutory grounds for adjudication, MCL 712A.2(b), or the statutory grounds for termination, MCL 712A.19b(3). But he offers no factual basis or legal authority to support any jurisdictional challenge. Respondent's failure to provide any supporting authority for or further develop this argument renders it abandoned, and we decline to address it further. See *In re Toler*, 193 Mich App 474, 477; 484 NW2d 672 (1992) ("A party may not merely announce his position and leave it to us to discover and rationalize the basis for his claim.").

## III. STATUTORY GROUNDS FOR TERMINATION

Respondent next challenges on due process grounds the trial court's finding that statutory grounds for termination were met. Specifically, he argues that the court clearly erred by finding statutory grounds existed to terminate his parental rights to ZA by clear and convincing evidence without hearing testimony or cross-examination. We disagree.

"In order to terminate parental rights, the trial court must find by clear and convincing evidence that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met." *In re Jackisch/Stamm-Jackisch*, 340 Mich App 326, 333; 985 NW2d 912 (2022) (quotation marks and citation omitted). We review the trial court's determination for clear error, and a "finding of fact is clearly erroneous if the reviewing court has a definite and firm conviction that a mistake has been committed, giving due regard to the trial court's special opportunity to observe the witnesses." *Id*. (quotation marks and citation omitted). "If we conclude that termination is supported by at least one statutory ground, additional grounds for the trial court's decision need not be considered." *Id*. at 333-334 (citations omitted).

Here, petitioner requested termination of respondent's parental rights as to ZA at the initial disposition hearing, and the trial court found grounds for termination pursuant to MCL 712A.19b(3)(b)(*i*), (h), (j), (k)(*iii*), and (k)(*v*). MCR 3.977(E) outlines how a trial court must proceed when termination is requested at the initial disposition hearing. In relevant part, the rule provides:

> The court shall order termination of the parental rights of a respondent at the initial dispositional hearing held pursuant to MCR 3.973, and shall order that additional efforts for reunification of the child with the respondent shall not be made, if

* * *

> (3) at the initial disposition hearing, the court finds on the basis of clear and convincing legally admissible evidence that has been introduced at the trial or plea proceedings, or that is introduced at the dispositional hearing, that one or more facts alleged in the petition:
>
> (a) are true, and
>
> (b) establish grounds for termination of parental rights under MCL 712A.16b(3)(a), (b), (d), (e), (f), (g), (h), (i), (j), (k), (l), or (m);

The record properly established a statutory ground for termination under at least MCL 712.19b(3)(j). Under this statute, the trial court may terminate a respondent's parental rights to a child when the court finds, by clear and convincing evidence,

> There is a reasonable likelihood, based on the conduct or capacity of the child's parent, that the child will be harmed if the child is returned to the home of the parent. [MCL 712A.19b(3)(j); *In re White*, 303 Mich App 701, 710; 846 NW2d 61 (2014).]

"The harm contemplated under MCL 712A.19b(3)(j) includes emotional harm as well as physical harm." *In re Sanborn*, 337 Mich App 252, 279; 976 NW2d 44 (2021) (citation omitted).

Here, admissible evidence showed that respondent attacked ZA's mother and half-sibling LK while ZA was present. Both mother and LK suffered multiple stab wounds that required extended medical care. Respondent's convictions, and the details of the underlying violent conduct, were previously introduced through LK's forensic interview testimony included with the petition, the three documents admitted by the trial court at the hearing, and the court taking judicial notice of respondent's criminal file. The report outlining the results of ZA's trauma assessment stated that ZA exhibited numerous negative psychological effects following the stabbings that impacted "many areas of her functioning." For example, ZA had frequent nightmares and became scared whenever she had to go to another level of mother's house alone. The trial court noted that ZA could not be returned to respondent regardless because he was sentenced to "a minimum of 23.75 years." But it stated further that, "if for some reason it was a possibility," respondent's convictions of AWIM related to mother and LK established clear and convincing evidence that ZA would be harmed if returned to his care under MCL 712A.19b(3)(j).

"Brief, definite, and pertinent findings and conclusions on contested matters are sufficient." MCR 3.977(I)(1). The evidence available to the court, which included the trauma assessment report, indicated that ZA experienced extreme emotional harm after witnessing respondent attack mother and LK that manifested through negative psychological effects. As stated previously, the harm referenced in MCL 712A.19b(3)(j) encompasses emotional harm as well as physical harm. *In re Sanborn*, 337 Mich App at 279. A child experiencing extreme emotional harm resulting from a parent's criminal behavior against a child's sibling causes "lifelong and profound effects" that continuously places the affected child at further risk if returned to the parent's care. *In re Hudson*, 294 Mich App 261, 268; 817 NW2d 115 (2011).

In support of his due process argument, respondent claims he was denied an opportunity to present evidence or witnesses. But at the combined hearing, the court asked respondent's counsel if he had "any witnesses as to the jurisdiction and termination," and he responded that he only had one for best interests. Thus, for the above reasons, the trial court did not clearly err or violate respondents due process rights in finding statutory ground to terminate respondent's parental rights as stated in MCL 712A.19b(3)(j). Because we find that at least one statutory ground for termination was established through clear and convincing evidence, we need not address the other grounds relied upon by the court. *In re Jackisch/Stamm-Jackisch*, 340 Mich App at 333-334.

## IV. BEST INTERESTS

Respondent further contends that the trial court clearly erred by finding that it was in ZA's best interests to terminate his parental rights. We disagree.

"Once a statutory ground for termination has been proven, the trial court must find that termination is in the child's best interests before it can terminate parental rights." *In re Olive/Metts Minors*, 297 Mich App 35, 40; 823 NW2d 144 (2012). A trial court's finding that termination is in a child's best interests is reviewed for clear error. *Id*. "A finding of fact is clearly erroneous if the reviewing court has a definite and firm conviction that a mistake has been committed, giving due regard to the trial court's special opportunity to observe the witnesses." *In re Kellogg*, 331 Mich App 249, 253; 952 NW2d 544 (2020) (quotation marks and citation omitted).

"The purpose of child protective proceedings is the protection of the child." *In re Brock*, 442 Mich 101, 107; 499 NW2d 752 (1993). "[T]he history of Michigan's termination-of-parental-rights statute indicates that the focus at the best-interest stage has always been on the child, not the parent." *In re Moss*, 301 Mich App 76, 87; 836 NW2d 182 (2013). "[W]hether termination of parental rights is in the best interests of the child must be proven by a preponderance of the evidence." *Id*. at 90. The trial court should weigh all the evidence available to determine the child's best interests. *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). A child's safety and well-being, and the risk that a child might face if returned to the parent's care, must also be considered in the court's best-interest determination. See *In re VanDalen*, 293 Mich App 120, 141-142; 809 NNW2d 412 (2011). Trial courts may also consider "the child's bond to the parent, the parent's parenting ability, the child's need for permanency, stability, and finality, and the advantages of a foster home over the parent's home." *In re White*, 303 Mich App at 713.

"Placement with a relative weighs against termination, but that fact is not dispositive given that a trial court may terminate parental rights in lieu of placement with relatives if it finds that termination is in the child's best interests." *In re Atchley*, 341 Mich App 332, 347; 990 NW2d 685 (2022) (quotation marks and citation omitted). An incarcerated parent may provide proper care and custody for his or her child by having the child placed with a relative during the parent's incarceration. *In re Sanders*, 495 Mich 394, 421; 852 NW2d 524 (2014). However, the trial court is permitted to consider the length of a parent's incarceration when determining whether termination of parental rights is in the child's best interests. See *In re Jenks*, 281 Mich App 514, 519; 760 NW2d 297 (2008).

In this case, a preponderance of evidence supported the trial court's finding that it was in ZA's best interests to terminate respondent's parental rights. In considering respondent's

parenting ability, the trial court found that he acted "contradictory to his ability to appropriately parent" by attacking ZA's mother and LK with a knife. The court noted "that [ZA] witnessed the attack and was in the house" and found that she suffered trauma "as a witness to this attack." These findings are representative of the trial court's consideration for ZA's safety and well-being. See *In re VanDalen*, 293 Mich App at 141-142.

The trial court also considered the parent-child bond and found that "whatever bond there was between [ZA] and [respondent] has been shattered; that [ZA] may still have. . . . feelings for him, [but] those feelings can't be separated from her fear of him." The court stressed that ZA was traumatized by witnessing respondent's violent attack and found that he demonstrated "an inability to understand the effect of violence on the children." In support of these findings, Bury testified that ZA was involved in "trauma-based therapy" following the attack. She testified further that ZA had not asked or spoken about respondent and opined that ZA had permanency and stability with mother.

In determining "whether sometime in the future any contact would be safe for [ZA]," the trial court considered "any mitigating factors that would explain [respondent's] behavior." The trial court considered that respondent was incarcerated and that there was no physical risk to ZA. Nonetheless, respondent's lack of history caring for ZA suggested that, even if he were to be released during ZA's childhood, he failed to show that he had the ability to care for ZA. See *In re Jenks*, 281 Mich App at 519.

As respondent argues, ZA's placement with mother weighed against termination, but that fact was not dispositive. See *In re Atchley*, 341 Mich App at 347. Even though respondent could still provide proper care or custody for ZA by placing ZA with a relative during his incarceration, see *In re Sanders*, 495 Mich at 421, the trial court appropriately considered the length of time that respondent would be incarcerated and assigned more weight to that fact. *In re Jenks*, 281 Mich App at 519.

On this record, the trial court did not clearly err by finding that it was in ZA's best interests to terminate respondent's parental rights. To the extent that respondent argues that there were other legal avenues besides termination to protect ZA from him, he failed to develop any arguments as to what other avenues were available or how they would establish clear and convincing evidence of error. Given this failure, we consider these arguments abandoned. *In re Toler*, 193 Mich App at 477; *In re Rippy*, 330 Mich App 350, 362 n 5; 948 NW2d 131 (2019).

Affirmed.

/s/ Stephen L. Borrello
/s/ Mariam S. Bazzi
/s/ Andrew J. Lievense