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STATE OF MICHIGAN

COURT OF APPEALS

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October 12, 2026
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In re NORTHRUP, Minors.

No. 379204
Van Buren Circuit Court
Family Division
LC No. 18-019019-NA

Before: YOUNG, P.J., and REDFORD and FEENEY, JJ.

PER CURIAM.

Respondent, Joshua Louis Northrup, appeals as of right the December 16, 2025 order terminating his parental rights to his four minor children,[1] CN, KN1, KN2, and RN under MCL 712A.19b(3)(c)(*i*) (conditions that led to the adjudication continue to exist), MCL 712A.19b(3)(h) (incarceration of parent), and MCL 712A.19b(3)(j) (reasonable likelihood child will be harmed if returned to parent).[2] We affirm.

I. FACTUAL BACKGROUND AND PROCEDURAL HISTORY

Petitioner, the Department of Health and Human Service (DHHS), first became involved with respondent in 2018 after several allegations of substance abuse, physical abuse, and unsafe home conditions. While respondent participated in Family Reunification Court (FRC), his children were placed with relatives. After respondent successfully completed FRC, the children returned to respondent's care and custody in 2019. The children's mother died of a documented overdose later that year.

From 2019 to 2024, the DHHS conducted six additional investigations but the record before us lacks detailed information about those investigations. In 2023, respondent pleaded guilty to delivering or manufacturing methamphetamine in violation of MCL 333.7401(2)(B)(*i*) and

[1] Respondent has a fifth child who became a legal adult after the petition was brought and who is therefore not subject to these proceedings.

[2] Nonrespondent mother is deceased and is not a party to this appeal.

sentenced to serve three years' felony probation. Respondent's conditions of probation required that he complete drug screens, participate in a substance abuse assessment, and follow other recommendations.

Respondent admitted that, in May 2024, he drove CN and KN1 to a relative placement while he was under the influence of methamphetamine. KN2 and RM remained with respondent.

On June 26, 2024, CN and KN1 reported to DHHS investigators that they had seen respondent using methamphetamine. The two described "in detail" what the drug looked like, how respondent used it, and where respondent stored it. On June 28, 2024, respondent tested positive for methamphetamine and admitted to his probation officer that he used methamphetamine. On June 29, 2024, respondent "admitted to leaving his bowl and 'sh*it' out where the children could have gotten into it sometime in May 2024." He refused a drug screen the same day. Also on June 29, 2024, respondent "admitted to a methamphetamine relapse" that began in May 2024 and admitted to using the drug the same day. Respondent refused another drug screen on July 1, 2024, and also "admitted to having a bed bug infestation for the past 3 years that he cannot get rid of." Petitioner sought emergency removal of KN2 and RN, and the trial court authorized the emergency petition. Because respondent had already placed CN and KN1 with their older brother, the emergency removal order only concerned KN2 and RN, who were placed with respondent's cousin, CS. CS later reported that KN2 and RN were being violent toward one another. The boys were separated, and KN2 was placed with his maternal aunt and uncle.

At a dispositional hearing on August 15, 2024, respondent was ordered to participate in a case service plan that included random drug screens and substance abuse counseling. That September, respondent was arrested in Kalamazoo County and charged with possession of methamphetamine. Respondent checked into a rehabilitation facility shortly afterward and, at a 182-day review hearing in December 2024, reported that he had completed the program, which he testified "helped me tremendously." On February 24, 2025, respondent pleaded guilty to a violation of his felony probation and sentenced to three to twenty years' in prison. Over the next eight months, respondent enrolled in a number of prison programs, attending weekly narcotics anonymous meetings and courses related to social work and substance abuse counseling through Mott College.

In October 2025, the Van Buren Prosecuting Attorney's Office petitioned to terminate respondent's parental rights pursuant to MCL 712A.19b(3)(c)(*i*), (h) and (j). Thereafter, the trial court conducted a termination hearing. The court heard testimony from caseworkers and from respondent. DHHS foster-care worker Kylee Harris testified, along with DHHS caseworker supervisor Carrie Summerhill. Summerhill noted that CN and KN1 had been "very vocal since the day of the removal that they did not want to see their dad." Summerhill acknowledged that relapse was "part of" substance-abuse recovery but said that what a person does after a relapse "is what counts." In respondent's case, Summerhill said that "he chose not to follow through with his relapse prevention plan."

Respondent testified. He denied telling the DHHS that he wanted his parental rights terminated but agreed that he said "horrific things" to the children out of anger. Respondent admitted that he began using drugs again in July or April 2023 and further admitted that the children were angry after dealing "with probably two years of up and down, getting clean, getting

sober, then slipping, getting clean, getting sober . . . ." Although respondent admitted that he smoked marijuana in front of the children, he denied that the children observed him smoke or partake in methamphetamine. Respondent admitted that he left methamphetamine and related paraphernalia in areas accessible to the children, which was why the children knew his method of ingestion and what the drug looked like. Respondent confirmed that his earliest release date was in February 2028 and that he participated in several substance-abuse classes and programs while incarcerated. In addition, respondent was on a waiting list to enroll in college courses. Respondent explained that he had been "sober over 14 months." Respondent said that he was "sick" about the trauma that he caused the children and did not blame the children for not wanting to hear his apologies. When asked if there was still a bond between he and the children, respondent replied that he "hope[d] so" and further explained that he played a part in inflicting "generational trauma" on the children.

The trial court found that clear and convincing evidence supported terminating respondent's parental rights pursuant to MCL 712A.19b(3)(c)(*i*), (h), and (j). The court also found that termination was in the children's best interests.

Respondent now appeals.

II. STANDARDS OF REVIEW

The trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence in order to terminate parental rights. *In re VanDalen*, 293 Mich App 120, 139; 809 NW2d 412 (2011). This Court reviews a trial court's finding of a statutory basis for termination for clear error. *In re Atchley*, 341 Mich App 332, 345-346; 990 NW2d 685 (2022). A finding is clearly erroneous if, although there is evidence to support it, this Court is left with a definite and firm conviction that a mistake has been made. *In re HRC*, 286 Mich App 444, 459; 781 NW2d 105 (2009). "Only one statutory ground need be established by clear and convincing evidence to terminate a respondent's parental rights, even if the court erroneously found sufficient evidence under other statutory grounds." *In re Ellis*, 294 Mich App 30, 32; 817 NW2d 111 (2011).

"The trial court must order the parent's rights terminated if the Department has established a statutory ground for termination by clear and convincing evidence and it finds from a preponderance of the evidence on the whole record that termination is in the child[]'s best interests." *In re White*, 303 Mich App 701, 713; 846 NW2d 61 (2014). See MCL 712A.19b(5). A trial court's finding that termination is in a child's best interests is reviewed for clear error. *In re Olive/Metts*, 297 Mich App 35, 40; 823 NW2d 144 (2012); see also MCR 3.977(K).

III. ANALYSIS

A. STATUTORY GROUNDS

Respondent argues that the trial court clearly erred by finding statutory grounds to terminate his parental rights under MCL 712A.19b(3)(c)(*i*), (h), and (j). We disagree. And because only one statutory ground is sufficient to terminate a respondent's parental rights, *In re Ellis*, 294 Mich App at 32, we address only subdivision (j) below.

Termination of parental rights is proper under MCL 712A.19b(3)(j) if "[t]here 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." A parent's failure to comply with his service plan is evidence that the child will be harmed if returned to the parent's home. *In re White*, 303 Mich App at 711.

The record before us establishes a reasonable likelihood, based on respondent's conduct, that his children will be harmed if they are returned to his custody and care. Although respondent denies having used methamphetamine in front of his children, both CN and KN1 reported seeing respondent use methamphetamine and were able to describe "in detail" how their father used it, stored it, and what it looked like. At one point, respondent father even drove with CN and KN1 in the car while intoxicated to leave them in their eldest brother's care. As for respondent's two younger children, they remained in his care while he continued to use methamphetamine daily.

Respondent first began using methamphetamine in 2018, at which time he, in his own words, "binged until something happened" four months later. Respondent then got clean but relapsed "right before Thanksgiving of '22." In April 2023, respondent pleaded guilty to delivering or manufacturing methamphetamine in violation of MCL 333.7401(2)(B)(*i*) and was sentenced to serve three years' felony probation. By May 2024, respondent was using "daily" until his children were removed from his care that July. Respondent was ordered to comply with a service plan that included random drug screens and substance abuse counseling. However, from July to September—at which time respondent was again charged with delivering or manufacturing methamphetamine in violation of MCL 333.7401(2)(B)(*i*)—respondent consistently either failed to appear for his random drug screens or tested positive for methamphetamine.

We acknowledge respondent's significant progress in addressing his substance abuse issues since being charged in September 2024. In October 2024 respondent quit his job and enrolled in a 30-day inpatient substance use and addiction recovery program, which he completed. By all accounts, respondent remained sober until his incarceration in February 2025. While incarcerated, respondent has attended over 20 weekly Narcotics Anonymous meetings and has begun completing coursework relating to social work and substance use counseling through Mott College.

However, this progress alone does not undermine the reasonable likelihood, based on respondent's past conduct, that his children will be harmed if they are returned to his custody and care. Both CN and KN1 have repeatedly expressed that they do not want to have any contact with respondent,[3] who acknowledged saying things to CN that "no parent should say . . . to a child." According to respondent, this dynamic was in part due to his struggles with generational trauma inflicted by his grandfather upon his mother and then upon respondent in turn. The children now have their own struggles. CN has attempted suicide twice, and although CN was, for a time, attending therapy prior to respondent's incarceration, CN stopped going while in respondent's care. Both CN and KN1 continue to struggle with anger issues. Upon being taken into care, KN1 was deemed to need immediate dental work to treat a rotting tooth. KN2 and RN had to be

[3] We note that the same is true of respondent's eldest children, who are legal adults and not subject to these proceedings.

separated because of the anger and violence they inflicted upon one another. RN, for his part, would experience angry outbursts and strike walls after phone calls with respondent. Notably, none of the children's placements recommended reunification.

Although the struggles of respondent's children do not fall entirely upon him, we find that the trial court did not clearly err in finding that the record clearly and convincingly demonstrated that a statutory ground for termination had been met under MCL 712A.19b(3)(j).

B. BEST INTERESTS

The trial court did not clearly err by finding that it was in the children's best interests to terminate respondent's parental rights.

"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). The trial court should weigh all the evidence available to determine the child's best interests, *In re Trejo*, 462 Mich 341, 350; 612 NW2d 407 (2000), and may consider such factors as "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 Olive/Metts*, 297 Mich App at 41-42 (citations omitted). 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 at 141-142. "The trial court may also consider" the parent's compliance with the case service plan and their visitation history with the children. *In re White*, 303 Mich App at 714.

A child's placement with relatives is a factor that the trial court must consider when examining the child's best interests. *In re Gonzales/Martinez*, 310 Mich App 426, 434; 871 NW2d 868 (2015). 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 Olive/Metts*, 297 Mich App at 43. A trial court's failure to explicitly address relative placement renders the factual record inadequate to support a best-interest determination and mandates reversal. *Id*. at 40.

In making its best-interest determination, the trial court centered its analysis and put "focus on" the children, see *In re Moss*, 301 Mich App at 87, and looked at "the life of the case" rather than a mere "snapshot," see *In re Trejo*, 462 Mich at 350. The trial court described respondent's overall compliance with the case service plan as "not too great." See *In re White*, 303 Mich App at 714. Indeed, the trial court found that respondent "was not participating in services while the children were in his care," "did not willingly want to participate in services until closer to the prison time," and had "refused Family Reunification services and refused other services by the Department that were offered" during the summer of 2024. See *id*. In addition, the trial court acknowledged that respondent claimed "that the children never saw him using methamphetamine or other controlled substances other than perhaps marijuana in the home" but stressed that respondent testified and admitted the children "did see the paraphernalia, did see what was going on with that, and were certainly living in a situation in a home that was not appropriate for their

care back when they were removed . . . ." The trial court found that the CN and KN1 expressed that they "want nothing to do with their father" and that KN2 and RN "had a very traumatic upbring with their father."

The trial court expressly considered each child's age, their respective relative placement, and the possibility of adoption. See *In re Gonzales/Martinez*, 310 Mich App at 434; *In re Olive/Metts*, 297 Mich App at 43. The court found that CN and KN1 would be over, or closely approaching, legal age by the time respondent completed his criminal sentence. The trial court found it significant that KN2 and RN could not be placed together because each child had trauma and behavioral issues that required individualized attention. The court emphasized that KN2 and RN were improving in their individual relative placements and were finally addressing their issues. Even though placement with relatives weighs against termination, a preponderance of the evidence supported the trial court determination that termination was in the children's best interests.

On this record, the trial court did not clearly err by finding that it was in the children's best interests to terminate respondent's parental rights. See *In re Olive/Metts*, 297 Mich App at 40.

Affirmed.

/s/ Adrienne N. Young
/s/ James Robert Redford
/s/ Kathleen A. Feeney