Court of Appeals, State of Michigan

ORDER

In re GARDNER/GRIHM/HUNTER/JACKSON/ROBINSON, Minors.

Docket No. 375695

LC No. 2024-001426-NA

Allie Greenleaf Maldonado
Presiding Judge

Michael J. Kelly

Christopher M. Trebilcock
Judges

Respondent appeals as of right the trial court's March 12, 2025 order granting petitioner's, the Department of Health and Human Services (DHHS), motion for reconsideration of a referee's recommendation that there was insufficient evidence to take jurisdiction of respondent's children, MAMG, HGG, HLH, FNJ, and JDR. For the brief reasons that follow, we REMAND to the trial court.

Following respondent's appeal, the trial court terminated jurisdiction over respondent's children. (June 26, 2025 Order of Disposition). That raises a question of mootness, see *In re Holbrook*, 511 Mich 1097 (2023), which is a threshold issue that courts may raise sua sponte and must address before considering the substantive issues raised in a case, see, e.g., *People v Richmond*, 486 Mich 29, 34-35; 782 NW2d 187 (2010). On appeal, respondent contends her appeal from the trial court's initial order establishing jurisdiction is not moot because there is a "collateral consequence" to that order. More specifically, she contends, without further explanation or factual proof, that she has been placed on DHHS's Central Registry as a result of the June 26, 2025 adjudication. See generally MCL 722.627j; MCL 722.622(d). But "no definitive proof was offered to this Court showing that respondent is or is not on the Central Registry." *Holbrook*, 511 Mich at 1098. Without definitive proof, there exists a possibility that she is not on the Central Registry. As in the case of *Holbrook*, we must remand to the trial court to make this initial determination. See *id*. at 1097-1101 (discussing the Central Registry and mootness when a trial court terminates jurisdiction over a minor during the pendency of an appeal).

This matter is, therefore, remanded to the trial court for a hearing to determine whether respondent will suffer collateral consequences as a result of the trial court's initial order and whether this case is moot. Following the hearing, the trial court shall issue a written opinion setting forth findings of fact and conclusions of law, which shall be forwarded to the Clerk of this Court within 60 days of the date of this order. See *id*. We retain jurisdiction.

Presiding Judge

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

February 25, 2026
Date

Chief Clerk