

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of JUSTIN D. KORBL, a/k/a JUSTIN  
D. JOHNSON, ROBBIE MICHAEL KORBL, a/k/a  
ROBBIE MICHAEL JOHNSON, and TORREY  
ROBERT JOHNSON, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

BARBARA KORBL,

Respondent-Appellant,

and

GORDON JOHNS,

Respondent.

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In the Matter of JUSTIN D. KORBL, a/k/a JUSTIN  
D. JOHNSON, ROBBIE MICHAEL KORBL, a/k/a  
ROBBIE MICHAEL JOHNSON, and TORREY  
ROBERT JOHNSON, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

GORDON JOHNS,

UNPUBLISHED

April 11, 2000

No. 217147

Wexford Circuit Court

Family Division

LC No. 96-001673-NA

No. 217211

Wexford Circuit Court

Family Division

Respondent-Appellant,

and

BARBARA KORBL,

Respondent.

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Before: Zahra, P.J., and White and Hoekstra, JJ.

HOEKSTRA, J. (*concurring in part, dissenting in part*).

I join with the majority in docket number 217147, but respectfully dissent from its decision in docket number 217211. Unlike the majority, I believe that clear and convincing evidence was introduced at trial to support the termination of respondent father's parental rights to Justin and Robbie Korbl pursuant to MCL 712A.19b(3)(c)(i); MSA 27.3178(598.19b)(3)(c)(i) and MCL 712A.19b(3)(g); MSA 27.3178(598.19b)(3)(g).

Among the reasons upon which the trial court focused in deciding whether the evidence supported termination was the inability of respondent father to parent these children independent of the dominating and damaging influence of respondent mother. In essence, the trial court concluded that he could not, or at least that he could not within a reasonable time, and therefore termination was required. I believe that the record of respondent father's behavior on this controlling point clearly supports the decision to terminate. Both before and after the children became wards of the court, respondent father demonstrated an inability to think and act independently of respondent mother. With regard to whether the conditions that led to adjudication continue to exist under subsection (3)(c)(i) and whether respondent father can provide proper care and custody under subsection (3)(g), this deference to respondent mother mandates termination of respondent father's parental rights.

/s/ Joel P. Hoekstra