

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

---

In the Matter of CHARITY D. HODGES, Minor.

---

MICHELLE HODGES,

Petitioner-Appellee,

v

MARY JANE HODGES,

Respondent-Appellant,

and

JIMMIE PETTIS,

Respondent.

---

UNPUBLISHED

May 2, 2000

No. 211745

Wayne Circuit Court

Family Division

LC No. 97-362202

Before: Cavanagh, P.J., and Sawyer and Zahra, JJ.

PER CURIAM.

Respondent Mary Jane Hodges appeals as of right from an order terminating her parental rights to the minor child under MCL 712A.19b(3)(f); MSA 27.3178(598.19b)(3)(f). We reverse and remand for further proceedings.

We conclude that clear legal error, mandating reversal, occurred because the court failed to comply with MCR 5.915(B)(1). *In re Keifer*, 159 Mich App 288, 293-294; 406 NW2d 217 (1987). Respondent was not represented by counsel at the termination proceedings and there is no indication in the record that she ever waived her right to counsel. Indeed, there is no indication that respondent was ever advised of her right to counsel in accordance with the above court rule. Accordingly we conclude that respondent was deprived of her right to counsel. Therefore, the order terminating respondent's parental rights is reversed and the case is remanded so that a new hearing may be conducted, at which

respondent shall be afforded the opportunity to be represented by court-appointed counsel. *In re Keifer, supra.*

In light of our disposition of the foregoing issue, we need not consider the remaining issues on appeal.

Reversed and remanded. We do not retain jurisdiction.

/s/ Mark J. Cavanagh

/s/ David H. Sawyer

/s/ Brian K. Zahra