

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SAVANNAH MARIE HILL, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JANICE MARIE HILL,

Respondent-Appellant,

and

JOEY HILL,

Respondent.

UNPUBLISHED

August 22, 2000

No. 221440

Macomb Circuit Court

Family Division

LC No. 95-040716

Before: Bandstra, C.J., and Gage and Wilder, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating her parental rights to the minor child. We remand for further findings of fact, conclusions of law and identification of the statutory ground(s) for termination.

The family court was required to state on the record or in writing its findings of fact and conclusions of law, and include the statutory basis warranting termination. MCR 5.974(G)(1) and (3). Brief, definite and pertinent findings and conclusions on contested matters are sufficient. MCR 5.974(G)(1). Remand for additional findings and conclusions is unnecessary where it is manifest that the court was aware of the factual issues and resolved them, and it would not facilitate appellate review to require further explication of the path followed in reaching the result. *People v Armstrong*, 175 Mich App 181, 184; 437 NW2d 343 (1989).

Here, notwithstanding the court's extensive discourse at the conclusion of the termination hearing, the court failed to expressly identify a statutory basis for terminating respondent's parental rights and we are unable to discern from the court's statements whether the court was aware of and resolved the factual issues underlying the various statutory bases pursuant to which petitioner sought termination. Further explication of the basis for the court's decision is necessary to facilitate appellate review. *Nicpon v Nicpon*, 9 Mich App 373, 377-378; 157 NW2d 464 (1968) ("Clear and complete findings by the trial judge are essential to enable us properly to exercise and not exceed our powers of review."). Accordingly, we remand this case for further findings of fact and conclusions of law, and specific identification of the statutory basis for the order terminating parental rights.

Remanded for further proceedings consistent with this opinion. Jurisdiction is retained.

/s/ Richard A. Bandstra

/s/ Hilda R. Gage

/s/ Kurtis T. Wilder