

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of J.S., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JENNIFER LYNN WHITE,

Respondent-Appellant,

and

CHARLES NEET,

Respondent.

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UNPUBLISHED

August 16, 2002

No. 238488

Dickinson Circuit Court

Family Division

LC No. 00-000512-NA

Before: White, P.J., and Neff and Jansen, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child following her voluntary release of parental rights. We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not reversibly err in failing to fully advise respondent of her rights prior to accepting her release of parental rights. A full advice of rights is required prior to accepting a release of parental rights under the Adoption Code, MCLA 710.21 *et seq.*, but is not required under the Juvenile Code, MCLA 712A.1 *et seq.* Respondent's release at the conclusion of over one year of involuntary child protective proceedings did not convert her proceeding under the Juvenile Code to a proceeding under the Adoption Code. *In re Toler*, 193 Mich App 474, 477-478; 484 NW2d 672 (1992). Therefore, the trial court was not required to provide respondent with a full advice of rights.

Additionally, the trial court did not err in not stating, either orally or in writing, its findings of fact, conclusions of law and the statutory basis for termination. Generally, such a statement is required upon termination of parental rights. MCLA 712A.19b(1); MCR 5.974(G)(1) and (3). However, when a parent releases her parental rights under the Juvenile

Code, the trial court need not announce a statutory basis for termination. *In re Toler, supra* at 477. The signing of the release and the trial court's signing of the order terminating parental rights were indicated on the record.

Finally, the performance of respondent's counsel did not fall so far below an objective standard of reasonableness, and his representation did not so prejudice respondent, that she was deprived of a fair legal proceeding. *People v Pickens*, 446 Mich 298, 303; 521 NW2d 797 (1994).

Affirmed.

/s/ Helene N. White

/s/ Janet T. Neff

/s/ Kathleen Jansen