

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BROOKE MADISON
COLOMBO, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANDREW MIGNOT,

Respondent-Appellant.

UNPUBLISHED

August 21, 2008

No. 281613

Macomb Circuit Court

Family Division

LC No. 2006-000210-NA

In the Matter of ANDRIANA MACKENZIE
MIGNOT, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

ANDREW MIGNOT,

Respondent-Appellant.

No. 281614

LC No. 2006-000211-NA

In the Matter of BREANA MAI MIGNOT, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

No. 281615

LC No. 2006-000212-NA

ANDREW MIGNOT,

Respondent-Appellant.

In the Matter of ARIEL MEGAN MIGNOT, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

No. 281616

LC No. 2007-000243-NA

ANDREW MIGNOT,

Respondent-Appellant.

Before: Murray, P.J., and Whitbeck and Talbot, JJ.

PER CURIAM.

Respondent father appeals from an order that terminated his parental rights pursuant to consent to termination. We affirm.

Petitioner sought the involuntary termination of respondent father's parental rights pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). Petitioner contended that respondent father had substance abuse and domestic violence issues that remained unresolved because of his failure to comply with the parent-agency agreement. On the day of trial, respondent father consented to termination. At issue on appeal is whether respondent father's consent was knowing and voluntary.

A parent's decision to consent to the termination of his parental rights does not transfer the proceeding from the juvenile code to the adoption code and a trial court is not required to follow the requirements set forth in MCL 710.29. *In re Toler*, 193 Mich App 474, 477; 484 NW2d 672 (1992). However, a parent's decision to consent to termination should be knowing and voluntarily made. See *In re Burns*, 236 Mich App 291, 292; 599 NW2d 783 (1999); *In re Curran*, 196 Mich App 380, 385; 493 NW2d 454 (1992); *In re King*, 186 Mich App 458, 467; 465 NW2d 1 (1990).

The record establishes that respondent father's decision to voluntarily terminate his parental rights was knowingly and voluntarily made. Although the trial court gave a "speech" to the parents about decision-making and how decisions would impact their children,¹ respondent father indicated unequivocally on the record that he was not forced or coerced into releasing his rights, and fully understood the decision he was making. There is no suggestion that the trial court failed to comply with MCL 710.29, and we conclude that the trial court did not err in accepting the voluntary relinquishing of respondent's parental rights.

Affirmed.

/s/ Christopher M. Murray

/s/ William C. Whitbeck

/s/ Michael J. Talbot

¹ Respondent's assertion that the trial court placed undue pressure on him by "recommending" that he voluntarily relinquish his rights is to no avail. Although the trial court did indicate its approval of the resolution previously proposed to the parents, it repeatedly emphasized that it was a decision the parents themselves, in consultation with their attorneys, had to make. Respondent was given additional time to consult with his attorney before he made his decision, and the trial court indicated that should anyone not waive, it was ready to proceed to trial.