

STATE OF MICHIGAN
COURT OF APPEALS

In re TREECE/ALLEN, Minors.

UNPUBLISHED
March 29, 2016

No. 328684
Macomb Circuit Court
Family Division
LC No. 2013-000480-NA

Before: RONAYNE KRAUSE, P.J., and JANSEN and STEPHENS, JJ.

RONAYNE KRAUSE, P.J. (*concurring*).

I concur in the result reached by the majority and, with one exception, I also concur in the majority's reasoning. I respectfully disagree that, under the circumstances of this specific case and on this particular record, the domestic violence perpetrated on respondent was a proper basis for terminating respondent's parental rights. Nevertheless, I agree that termination was proper for the remaining reasons as set forth by the majority. This was a situation in which respondent was a victim of domestic violence and not a perpetrator. There are many reasons that a victim of domestic violence may not leave a violent relationship and this Court has held that a parent's parental rights may not be terminated because he or she is a victim of domestic violence. *In re Plump*, 294 Mich App 270, 273; 817 NW2d 119 (2011). I simply will not be a part of the majority's decision to hold the fact that respondent was a victim of domestic violence against her when it is directly contrary to case law. I have also written a concurrence in a previous opinion that further outlines the significant dynamics of domestic violence that may cause a victim to stay with an abuser. See, *In re Sehy Minor*, unpublished opinion per curiam of the Court of Appeals, issued August 14, 2012 (Docket No. 306370).

/s/ Amy Ronayne Krause