

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOANNE MADELINE HUNTER,
DEANT'E RAMON HUNTER, DELASHA
SHA'QWA HUNTER, and CHAUNTIA DENISE
GIBBS, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

RAYMOND HUNTER,

Respondent-Appellant,

and

SHIRLEY HUNTER,

Respondent.

UNPUBLISHED

December 8, 1998

No. 210205

St. Joseph Juvenile Court

LC No. 96-000048

Before: Sawyer, P.J., and Wahls and Hoekstra, JJ.

MEMORANDUM.

Respondent-appellant appeals by delayed leave granted from a juvenile court order terminating his parental rights to his son, Deant'e Ramon Hunter, and his daughters, Joanne Madeline Hunter and Delasha Sha'qwa Hunter. We affirm.

The juvenile court did not err when it denied respondent-appellant's request for a jury at the termination hearing. The adjudicative phase of a child protection proceeding determines whether the juvenile court may exercise jurisdiction over the child. *In re Brock*, 442 Mich 101, 108; 499 NW2d 752 (1993). Although a respondent may demand a jury determination of the facts in the adjudication phase, see MCR 5.911(A) and (C)(2), the dispositional phase of a child protection proceeding is the

sole province of the juvenile court judge and no jury is allowed at the dispositional hearings. MCR 5.974(A)(3); *In re Brock*, *supra*. Here, adjudication occurred on September 24, 1996, and jurisdiction was assumed over the minor children based on the plea of admission of respondent mother. After jurisdiction was assumed, each of the hearings that followed, including the termination hearing, were hearings of a dispositional nature. *In re Miller*, 178 Mich App 684, 686; 445 NW2d 168 (1989); *In the Matter of Rebecca Oakes*, 53 Mich App 629, 632-633; 220 NW2d 188 (1974). Accordingly, the trial court correctly determined that respondent-appellant was not entitled to a jury at the December 19, 1997, termination hearing.

Additionally, regardless of whether the juvenile court properly terminated respondent-appellant's parental rights under MCL 712A.19b(3)(b)(i); MSA 28.3178(598.19b)(3)(b)(i), termination was also ordered under subsection (3)(j). Because only one statutory ground for termination is required in order to terminate parental rights, *In re Hall-Smith*, 222 Mich App 470, 472; 564 NW2d 156 (1997); *In re Conley*, 216 Mich App 41, 42; 549 NW2d 353 (1996), and because respondent-appellant does not challenge the juvenile court's findings with regard to subsection (3)(j), appellate relief is not warranted. *Roberts & Son Contracting, Inc v North Oakland Development Corp*, 163 Mich App 109, 113; 413 NW2d 744 (1987). In any event, we are satisfied that the juvenile court did not clearly err in determining that the statutory ground for termination under subsection (3)(j) was established by clear and convincing evidence. *In re Hamlet (After Remand)*, 225 Mich App 505, 515; 571 NW2d 750 (1997).

Affirmed.

/s/ David H. Sawyer

/s/ Myron H. Wahls

/s/ Joel P. Hoekstra