

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of WFF, Minor.

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JOHN RUSH AND JOAN RUSH,

Petitioners-Appellees,

v

KATHERINE WARD,

Respondent-Appellant.

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UNPUBLISHED

December 28, 2001

No. 231471

Oakland Circuit Court

Family Division

LC No. 00-637667-NA

Before: Saad, P.J., and Sawyer and O'Connell, JJ.

MEMORANDUM.

Respondent-appellant ("respondent") appeals as of right from the family court's order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(g). We affirm.

Respondent initially argues that the family court did not have subject-matter jurisdiction in this case because respondent placed the child in the suitable care and custody of her relatives, and therefore the order terminating her parental rights must be reversed. We review de novo questions of subject-matter jurisdiction. *Jackson Community College v Dep't of Treasury*, 241 Mich App 673, 678; 621 NW2d 707 (2000). In support of her argument, respondent primarily relies on the Supreme Court's equally divided decision in *In re Taurus F*, 415 Mich 512; 330 NW2d 33 (1982). As an initial matter, we note that this decision was the product of an equally divided Supreme Court and therefore of "diminished precedential value." *In re Martin*, 237 Mich App 253, 258 n 2; 602 NW2d 630 (1999). In any event, after a careful review of the record we are satisfied that the family court properly assumed subject-matter jurisdiction over this case. MCL 712A.2(b)(1); *In re Ernst*, 130 Mich App 657, 663-664; 344 NW2d 39 (1983).

This Court reviews for clear error both the family court's decision that statutory grounds for terminating parental rights were proven by clear and convincing evidence and its decision regarding the child's best interests. *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The family court did not clearly err in finding that statutory grounds for termination pursuant to MCL 712A.19b(3)(g) were established by clear and convincing evidence. Further, considered in its entirety, the evidence did not show that termination was clearly not in the

child's best interests. Thus, we find no clear error in the family court's decision to terminate respondent's parental rights.

Affirmed.

/s/ Henry William Saad

/s/ David H. Sawyer

/s/ Peter D. O'Connell