

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

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In the Matter of TAI-LA BRADLEY, Minor.

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DEPARTMENT OF HUMAN SERVICES, f/k/a  
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED  
December 19, 2006

Petitioner-Appellee,

v

DANIELLE BRADLEY,

Respondent-Appellant.

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No. 265401  
Wayne Circuit Court  
Family Division  
LC No. 00-392077-NA

Before: Murphy, P.J., and Smolenski and Kelly, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court order terminating her parental rights to Tai-La and dismissing the permanent custody petition in the case following her release of her parental rights to the child. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The court took Tai-La into its temporary custody shortly after her birth based on respondent's admission to allegations that she was diagnosed with bipolar disorder but was not taking her medication, an older child had been taken from her care because of her inability to care for the child, and she was not prepared to care for Tai-La following her birth. Respondent failed to substantially comply with her parent-agency agreement, and, in January 2005, petitioner filed a permanent custody petition.

In March 2005, respondent participated in a Clinic for Child Study evaluation, which concluded that respondent was not capable of caring for Tai-La independently and would need, at a minimum, an additional year to demonstrate that she could function independently. At trial, respondent's counsel agreed to admit the evaluation as substantive evidence but requested that Tai-La be placed with respondent's family to be reintegrated into her biological family. Counsel agreed that the case could then proceed to the best interests proceeding.

A month later, counsel informed the court that respondent wished to voluntarily release her parental rights to Tai-La. The court questioned respondent on the record to confirm that she had not been promised anything in exchange for releasing her parental rights and that she understood that her release would result in the permanent loss of her parental rights to the child.

After the court and respondent's counsel were satisfied with respondent's responses, the court asked respondent to sign several documents indicating that she was releasing her parental rights and had been informed of her rights. The court then terminated respondent's parental rights.

On appeal, respondent contends that the court violated her due process rights when it failed to comply with its obligations under MCL 710.29(6). Under § 29(6), a respondent may not execute a release "until after the investigation the court considers proper and until after the [court] has fully explained to the parent . . . the legal rights of the parent . . . and the fact that the parent . . . voluntarily relinquishes permanently his or her rights to the child." The lower court record reveals that the court thoroughly explained to respondent the consequences of her release of parental rights. Respondent's responses indicate that she voluntarily and freely agreed to the release. Respondent has failed to indicate what further investigation the court should have assumed or what such investigation would have uncovered. A mere change of mind is not sufficient to reverse a voluntary relinquishment of parental rights. See *In re Curran*, 196 Mich App 380, 385; 493 NW2d 454 (1992). Because respondent has not presented, nor does the record disclose, any evidence that respondent's decision to voluntarily release her parental rights to the minor child was not freely, voluntarily, and knowingly made, the trial court did not abuse its discretion in accepting respondent's voluntary release of her parental rights. See *In re Blankenship*, 165 Mich App 706, 714; 418 NW2d 919 (1988).

Respondent also argues that the court violated its obligation under MCR 3.977(H) to articulate, in connection with its order terminating parental rights, its findings of fact and its conclusions of law, including the statutory basis for termination. However, the court does not have such an obligation where respondent voluntarily relinquished her parental rights. See *In re Toler*, 193 Mich App 474, 477; 484 NW2d 672 (1992).

Respondent also argues that the trial court failed to acquire jurisdiction in the instant case. First, she contends that the trial court never properly notified her guardian of the proceedings. However, the record is unclear regarding whether respondent did, in fact, have a guardian. Because respondent has failed to create a sufficient record for this Court's review, this issue cannot be further explored. See *Petraszewsky v Keeth (On Remand)*, 201 Mich App 535, 540; 506 NW2d 890 (1993). Secondly, respondent contends that there was insufficient evidence of parental neglect to justify the court's jurisdiction over Tai-La. However, respondent's admissions that an older child had been taken out of her care because of concerns regarding her ability to care for the child were sufficient for the court to establish its jurisdiction over Tai-La. See *In re Gazella*, 264 Mich App 668, 680; 692 NW2d 708 (2005). Therefore, the record does not support respondent's argument that the trial court lacked subject-matter jurisdiction. Finally, based on the lower court record and the voluntary relinquishment of parental rights, reversal is unwarranted relative to respondent's argument that reasonable efforts were not made by the state to improve her situation and to reunify respondent with the child.

Affirmed.

/s/ William B. Murphy  
/s/ Michael R. Smolenski  
/s/ Kirsten Frank Kelly