

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

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*In re* FLOYD, Minor.

UNPUBLISHED  
December 3, 2020

No. 353051  
Genesee Circuit Court  
Family Division  
LC No. 12-129129-NA

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Before: JANSEN, P.J., and FORT HOOD and RONAYNE KRAUSE, JJ.

RONAYNE KRAUSE, J. (*concurring*)

I fully join the majority’s recitation of the facts and analysis of petitioner’s reasonable efforts. I respectfully concur with the majority’s resolution of the statutory grounds and best interests analysis on slightly narrower grounds. Ordinarily, I would be concerned in this case that respondent was inappropriately and illegally punished for being a victim of domestic violence. See *In re Plump*, 294 Mich App 270, 273; 817 NW2d 119 (2011). However, critically, respondent was under a court order that could not possibly have been more clear forbidding her to have contact with DF as a core condition of retaining custody of the child. Moreover, respondent in fact agreed that it would not be appropriate for DF to be around the child. The fact that respondent repeatedly returned to DF with the child, in flagrant violation of the court’s order, *and repeatedly lied about it*, completely destroys any possible confidence that the apparent progress she otherwise made was the slightest bit real. Respondent, of her own free volition, established that the conditions that led to adjudication continued to exist and precluded any faith that those conditions could be rectified within a reasonable time. MCL 712A.19b(3)(c)(i). She simultaneously made it clear that the child’s well-being was not a true priority to her. On that basis, I concur that a statutory ground for termination was established and that termination was in the child’s best interests.

/s/ Amy Ronayne Krause