

MICHIGAN COURT OF APPEALS

In re K. T. McGee, Minor

No. 375171 (Mich. Ct. App. Feb. 17, 2026) (unpublished) · No. 375171 · Decided February 17, 2026

SUMMARY

The Michigan Court of Appeals affirmed the termination of a respondent mother's parental rights to her minor child under MCL 712A.19b(3)(c)(i), (c)(ii), and (j). The court rejected the respondent's procedural due-process challenge, concluding that she received adequate notice and service of the rescheduled termination hearing. The court also upheld the statutory-grounds and best-interests determinations based on the respondent's continued substance abuse, limited participation in services and parenting time, and the child's bond with his foster parents.

CASE DETAILS

COURT	Michigan Court of Appeals
WRITING FOR THE COURT	Michelle M. Rick, P.J.; Christopher P. Yates, J.; Philip P. Mariani, J.
JURISDICTION	Michigan Court of Appeals
DECIDED	February 17, 2026
DOCKET	375171
DISPOSITION	affirmed
PROCEDURAL POSTURE	Respondent appealed by right from an order of the Wayne Circuit Court Family Division terminating her parental rights to the minor child.
STANDARD OF REVIEW	Procedural due-process compliance in child-protective proceedings is reviewed de novo. Findings that a statutory ground for termination has been established by clear and convincing evidence and that termination is in the child's best interests are reviewed for clear error.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Respondent mother v. Department of Health and Human Services, K. T. McGee, Minor

TOPICS

- termination of parental rights
- parental rights
- family law procedure
- procedural due process
- appellate procedure

PRACTICE AREAS

family law

termination of parental rights

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether respondent received constitutionally adequate notice and service of process of the termination hearing.
2. Whether the trial court clearly erred by finding statutory grounds for termination under MCL 712A.19b(3)(c)(i) and (c)(ii).
3. Whether the trial court clearly erred by finding that termination of respondent's parental rights was in KM's best interests.

HOLDINGS

1. Respondent received adequate notice and service of the January 29, 2025 termination hearing, and her procedural due-process rights were not violated.
2. Appellate relief was unavailable because respondent did not challenge the trial court's finding under MCL 712A.19b(3)(j), and only one statutory ground is required to terminate parental rights.
3. The trial court did not clearly err in finding that termination was in KM's best interests and made the findings of fact and conclusions of law required by statute and court rule.

KEY QUOTATIONS

“It is thus readily apparent that respondent was provided written notice of the new date of the termination hearing within the time frames required by statute and court rule.” (3)

“It is thus clear from the record that the court made findings of fact and conclusions of law regarding its best-interests determination as it was required to do.” (7)

FACTUAL BACKGROUND

DHHS alleged that respondent had unstable housing, abused substances, inadequately treated mental-health issues, and improperly supervised KM, including driving while intoxicated with the six-month-old child in the vehicle. Respondent had previously lost parental rights to two other children based on similar conditions. During the 28-month proceedings, respondent continued to abuse alcohol, minimally participated in services, failed to obtain suitable housing, frequently missed parenting time, and appeared intoxicated for some visits. KM had lived with the same foster parents since approximately nine months of age, was closely bonded with them, and they wished to adopt him.

PROCEDURAL HISTORY

The Department of Health and Human Services petitioned for jurisdiction and removal after alleging respondent's unstable housing, substance abuse, untreated mental-health issues, and inadequate supervision. Respondent pleaded to the petition and agreed to comply with a case service plan. After respondent made insufficient progress, DHHS filed a supplemental petition seeking termination. Following a January 2025

termination hearing at which respondent was absent, the trial court found statutory grounds for termination and determined that termination was in the child's best interests. The Michigan Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Lovitt, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 367124); slip op at 3
- In re Sanders, 495 Mich 394, 403-404; 852 NW2d 524 (2014)
- In re Ferranti, 504 Mich 1, 14; 934 NW2d 610 (2019)
- In re Simpson, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 368248); slip op at 3
- In re Moss, 301 Mich App 76, 90; 836 NW2d 182 (2013)
- In re Pederson, 331 Mich App 445, 472; 951 NW2d 704 (2020)
- In re White, 303 Mich App 701, 711; 846 NW2d 61 (2014)
- In re Ellis, 294 Mich App 30, 32; 817 NW2d 111 (2011)
- In re JS & SM, 231 Mich App 92, 98-99, 585 NW2d 326 (1998)
- In re Trejo Minors, 462 Mich 341, 353 n 10; 612 NW2d 407 (2000)
- In re Mota, 334 Mich App 300, 321; 964 NW2d 881 (2020)
- In re MJC, 349 Mich App 42, 62; 27 NW3d 122 (2023)
- In re CJM, ___ Mich App ___, ___; ___ NW3d ___ (2024) (Docket No. 367565); slip op at 4
- In re Warshefski, 331 Mich App 83, 87; 951 NW2d 90 (2020)