

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF NEWAYGO  
FAMILY DIVISION

ORDER AFTER POST-TERMINATION REVIEW

IN THE MATTER OF ALYSSA KEAST (DOB: 12/22/2000) and  
AMBER KEAST (DOB: 8/18/2002

Date of hearing: February 7, 2007. Judge: Terrence R. Thomas P 21388

The last permanency planning hearing was May 3, 2006. The parental rights of the parents were terminated that day. Notice of the review hearing was served as provided by law.

The court has considered the permanency plan and other evidence presented. The findings are based upon this hearing and the following reports:

1. Permanent Ward Service Plan - Department of Human Services 12/28/06.

2. Permanent Ward Service Plan - Department of Human Services 10/05/2006.

3. Adoption Progress Report - Bethany Christian Services 10/6/06.

4. Permanent Ward Service Plan - Department of Human Services 7/12/06.

5. Children's Foster Care Updated Service Plan - Department of Human Services 5/4/06.

6. Adoption Progress Report - Bethany Christian Services 2/6/07

7. Testimony a matter of record.

The court has also taken judicial notice of the pending adoption files of Alyssa Ann Keast - Newaygo County Family Court File No. 06-505-AF and Amber Marie Keast - Newaygo County Family Court File No 06-506-AF and the testimony and seven (7) exhibits filed in those cases during a hearing, continued without date, held by virtue of MCL 710.45. Those exhibits include:

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1. Psychological Evaluation - Timothy Atwood - 10/19/06.
2. Report of Substance Abuse Assessment - Timothy Atwood  
7/25/06.
3. Michigan Department of Human Services - consent to  
Adoption Decision - 1/17/06.
4. Written Notice of Agency's Decision - Bethany Christian  
Services - 10/27/06.
5. Adoptive Family Assessment - Bethany Christian Services -  
10-26-06.
6. Non Identifying Information - Bethany Christian Services -  
10/15/06.
7. Case Conference Report - Bethany Christian Services -  
11/17/06.

#### THE COURT FINDS:

A review hearing was conducted. The lawyer-guardian ad litem has complied with the requirements of MCL 712.17d. Reasonable efforts have not been made to finalize the court-approved permanency plan of adoption for Alyssa and Amber Keast. Progress towards the children's adoption was not made in a timely manner. The permanency planning goal is appropriate.

This case concerns the lives of two little girls: Alyssa, now seven years old, And her sister Amber, now four years old. This court took jurisdiction over them two years ago. They were placed several times, the last over year ago, 12/16/05, in foster care.

According to the reports, Alyssa is healthy and attending first grade at Grant Primary Center. Of concern is her reading and her shyness. Alyssa is under the card of Dr. Alt at Community Mental Health and takes small doses of Prozac for anxiety and Post Traumatic Stress. She is closely bonded with Her foster mother.

Also according to reports, Amber is a loving child closely bonded to her foster mother. Unfortunately, she is not as healthy. She is asthmatic, uses an inhaler twice a day and takes Singular. She is diagnosed ADHD for which she is taking Risperdal. She continues to receive infant mental health services.

The girls are placed with a single mother who by the October, 2006, report was not interested in adoption and believed the children need a two parent family. She is willing to work with any prospective adoptive family to ensure the girls adjustment/transition is successful. The court is informed she is reconsidering her decision not to adopt these children.

The maternal grandparents of the children have expressed an interest in caring for and adopting these children since their placement almost two years ago. When the Department of Human Services denied consent, they filed a petition to adopt and are currently challenging that decision.

Although the parental rights to the children were terminated and the children committed to the Department of Human Services for permanency planning, supervision, care, and placement under MCL 400.203, by order dated May 10, 2006, as of the date of this review hearing virtually nothing has been done towards the adoption goal other than disapprove the grandparents and request the adoptive mother to reconsider.

The court recognizes the responsibilities placed upon it by virtue of MCL 712A.19c, and determines that adoption is an appropriate goal for these children. Further, given their ages and the length of time they have been in foster care reasonable efforts have not been made to place them for adoption in a timely manner. The court also determines MCL 712A. 19c supersedes case law to the contrary for the reason that it is the Legislatures response to case such as this.

Given these circumstances IT IS ORDERED:

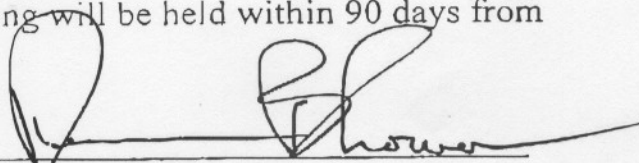
1. The children's commitment to the Department of Human Services for permanency planning, supervision, care, and placement under MCL 400.203 is terminated.
2. The court continues its jurisdiction over the children.
3. Subject to that continuing jurisdiction the court does place the children with their maternal grandparents, Timothy and Barbara Atwood by virtue of ~~their petitions to adopt.~~
4. Recognizing that placement for the purposes of adoption can continue for



up to 18 months before the adoption can be finalized and in deference to the Department of Human Services concerns, the court does request the Department to care for and supervise this placement as a matter of courtesy.

The next post termination review hearing will be held within 90 days from the date of this order.

Dated: March 5, 2007.



Terrence R. Thomas  
Family Court Judge