

Court of Appeals, State of Michigan

ORDER

Cindy Kay Maier v Daniel Clayton Maier

Docket No. 322109

LC No. 11-023267-DM

Amy Ronayne Krause
Presiding Judge

Kirsten Frank Kelly

Cynthia Diane Stephens
Judges

The Court orders that the parties are to submit supplementary briefs on the effect of *Kubicki v Sharpe*, ___ Mich App ___; ___ NW2d ___ (2014) (Docket No. 317614), on these proceedings. Specifically:

- 1.) Does *Kubicki* require that judges interview every child in every contested custody case to ascertain:
 - a) if the child has a preference.
 - b) if so, that such preference is reasonable.
- 2.) If a trial judge does not interview a child but otherwise ascertains and considers the preference of the child based upon the record, is reversal required?
- 3.) What is the analytical context for review of a failure to interview the preference of a minor?

The supplemental briefs shall be filed within 21 days of the Clerk's certification of this order.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

DEC 05 2014

Date

Chief Clerk