



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

FOR IMMEDIATE RELEASE
August 1, 2025

Michigan Supreme Court Rules in Favor of Child Trafficked by Parent; State is not Obligated to Attempt Reunification

LANSING, MI — In a major victory for child protection, the Michigan Supreme Court has ruled that the state is not required to attempt reunification with a parent who trafficked her child. This landmark decision, *In re Barber/Espinoza*, affirms Congress’s intent in the Adoption and Safe Families Act (ASFA), which intentionally allows states to forgo reunification when children suffer extreme physical or sexual abuse.

The [Center for the Rights of Abused Children](#) filed an amicus brief in the case, urging the Court to overturn a dangerous appellate ruling that had reinstated the mother’s parental rights even after she facilitated her 9-year-old daughter’s rape. The trial court had terminated her parental rights without requiring reunification services, but the Court of Appeals reversed. Today’s Supreme Court decision reinstates the trial court’s ruling.

Darcy Olsen, Founder & CEO of the Center for the Rights of Abused Children, said this decision is overdue. “This is the kind of ruling we need more of. No child – no person – should be raped or sold like property. A woman who traffics her own child doesn’t need parenting classes—she needs prison.”

The Court held that the mother’s conduct constituted both “abuse” and “aggravated circumstances” under Michigan law, making reunification efforts unnecessary. “[W]e conclude that respondent abused one of her two minor children, CB, via sexual exploitation that included criminal sexual conduct involving penetration, even though respondent herself did not directly commit criminal sexual conduct involving penetration,” the Court wrote. “Therefore, [the state] was not required to make reasonable efforts to reunify the family.”

Despite clear state and federal law, as well as federal guidance, many states still default to reunifying children with parents who have trafficked or brutally abused them. The Center for the Rights of Abused Children stands ready to challenge those failures in the highest courts when necessary.

“No child should ever be raped or tortured. Children have rights, just like adults do, and when those rights are violated, the courts must uphold them. That’s what the Michigan Supreme Court did, and they got it right,” Darcy Olsen.

[Read the Court's opinion](#)
[Read the Center's amicus brief](#)

###

About the Center for the Rights of Abused Children: The Center for the Rights of Abused Children believes every child deserves a safe and loving home. Join our mission today, thecenterforchildren.org.

Contact: For questions or media inquiries, please contact Tom Jose at Tom@thecenterforchildren.org