

In re: M.M.

Case No. 2009-0318

ENTRY

This cause is pending before the Court on the certification of a conflict involving termination of parental rights/adoption by the Court of Appeals for Montgomery County. On review of the order certifying a conflict,

It is determined that a conflict exists. The parties are to brief the issue stated at page 2 of the court of appeals' Decision and Entry filed February 2, 2009, as follows:

“Must a court specifically determine whether granting permanent custody is the *only* way a child's need for a legally secure placement can be achieved in order to satisfy its duty under R.C. 2151.414(D)(4)?”

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2009-0090, *In re: M.M.*

It is further ordered by the Court that the briefing in Case Nos. 2009-0318 and 2009-0090 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

It is further ordered that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Montgomery County.

(Montgomery County Court of Appeals; Nos. 22872 and 22873)

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THOMAS J. MOYER  
Chief Justice