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DISTRICT II/IV

November 26, 2013

To:

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You are hereby notified that the Court has entered the following opinion and order:

2013AP2027-NM	In re the termination of parental rights to Riley J. C., a person under the age of 18: Kenosha County Department of Human Services v. Kendra D. C. (L.C. #2013TP11)
2013AP2028-NM	In re the termination of parental rights to Logan M. C., a person under the age of 18: Kenosha County Department of Human Services v. Kendra D. C. (L.C. #2013TP12)

Before Higginbotham, J.¹

Attorney Michael Zell, appointed counsel for Kendra D.C., has filed a no-merit report pursuant to WIS. STAT. § 809.107(5m). Counsel provided Kendra with a copy of the report, and both counsel and this court advised her of her right to file a response. Kendra has not responded. We conclude that these cases are appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our independent review of the records, we conclude there is no arguable merit to any issue that could be raised on appeal.

Although these cases were commenced as involuntary terminations under WIS. STAT. § 48.415, Kendra eventually consented to voluntary terminations under WIS. STAT. § 48.41. The court appears to have complied with the requirements of § 48.41 for accepting a voluntary consent.

The no-merit report states that Kendra believes her trial counsel pressured her to give up her parental rights. According to the no-merit report, Kendra asserts that trial counsel told her it would be more difficult for the State to terminate parental rights to her then-unborn child if she voluntarily terminated her parental rights in these cases. The no-merit report asserts that trial counsel's advice was sound in light of WIS. STAT. § 48.415(10), which uses prior involuntary termination as one of the elements for an additional termination. Based on the very limited description we have been provided of trial counsel's interaction with Kendra, and in light of

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(e) (2011-12). All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

§ 48.415(10), we have no information that shows there is a potentially meritorious ground for relief here.

After Kendra's consent, the circuit court proceeded to the disposition phase under WIS. STAT. § 48.427. The court heard testimony from a social worker, who also filed a report. The court then considered the appropriate factors under WIS. STAT. § 48.426, and reached a reasonable decision. There is no arguable merit to a claim that the court erroneously exercised its discretion in disposition.

Our review of the record discloses no other potential issues for appeal.

Therefore,

IT IS ORDERED that the order terminating parental rights is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Zell is relieved of further representation of Kendra D.C. in this matter. *See* WIS. STAT. RULE 809.32(3).

Diane M. Fremgen
Clerk of Court of Appeals