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DISTRICT III

February 27, 2018

To:

Hon. James C. Babler
Circuit Court Judge
Barron County Justice Center
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Barron, WI 54812-3006

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C. A.

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J. S.

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

2018AP13-NM

Barron County Department of Health and Human Services v. J. S.
(L. C. No. 2017TP3)

Before Hruz, J.¹

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

Counsel for Joan filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2015-16), concluding there is no arguable basis for challenging the order terminating Joan's parental rights

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2) (2015-16). All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.

to Aiden.² Joan was advised of her right to respond to the report and has not responded. Upon this court's independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), no issue of arguable merit appears. Therefore, the order terminating Joan's parental rights is summarily affirmed.³ See WIS. STAT. RULE 809.21.

Aiden, who was born October 14, 2013, was removed from Joan's care for a third time on February 2, 2016, based, in substantial part, on Joan's continued drug use. On March 15, 2016, Aiden was found to be in need of protection or services and was placed outside his parental home. He had been with the same foster parents since June 2016. Joan failed to meet the conditions necessary to have Aiden returned to her care. On January 26, 2017, the Barron County Department of Health and Human Services petitioned for termination of Joan's parental rights, alleging the continuing need for protection or services and a failure to assume parental responsibility. Joan, by appointed counsel, contested the grounds for termination and requested a jury trial. Following a two-day trial, the jury returned verdicts against Joan on both grounds for termination. After a dispositional hearing, the circuit court concluded it was in the child's best interest to terminate Joan's parental rights.

The no-merit report addresses whether the circuit court complied with the statutory time limits, whether there was sufficient evidence to support the jury's verdict as to grounds for

² Pursuant to WIS. STAT. RULE 809.81(8), we use pseudonyms when referring to the mother and child in this confidential matter.

³ The order also terminated the parental rights of the child's father. Termination of the father's parental rights is not the subject of this appeal.

termination, and whether the circuit court properly exercised its discretion when concluding that termination of Joan's parental rights was in the child's best interest. Upon reviewing the record, we agree with counsel's description, analysis, and conclusion that this case presents no arguably meritorious issues for appeal.

Therefore,

IT IS ORDERED that that the order is summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that attorney Megan Sanders-Drazen is relieved of her obligation to further represent Joan in this matter. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals