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DISTRICT I

August 4, 2020

To:

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S.W.

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

2020AP963-NM

In re the termination of parental rights to J.G., a person under the
age of 18: State of Wisconsin v. S.W. (L.C. # 2019TP156)

Before Brash, P.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).**

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(e) (2017-18). All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

S.W. appeals from an order terminating her parental rights to her son J.G. Appellant's counsel Gregory Bates has filed a no-merit report pursuant to WIS. STAT. RULES 809.107(5m) and 809.32. S.W. was served with a copy of the report and advised of her right to file a response, and she has chosen not to do so. Based on our review of the no-merit report, and an independent review of the circuit court record, this court concludes that no issue of arguable merit could be raised on appeal and summarily affirms the order.

The no-merit report first addresses whether the circuit court complied with statutory time limits. There is no arguable merit to this issue because the circuit court complied with or properly tolled all relevant time limits.

S.W. entered a plea of no contest to the ground of continuing child in need of protection and services (CHIPS). The no-merit report addresses whether S.W.'s no-contest plea was consistent with requirements of WIS. STAT. § 48.422(7) and *Oneida Cty v. Therese S.*, 2008 WI App 159, ¶5, ¶¶10-11, ¶16, 314 Wis. 2d 493, 762 N.W. 2d 122. There is no arguable merit to this issue, as the court's plea colloquy satisfied those requirements.

The circuit court conducted a prove-up at which it heard testimony from S.W.'s case manager. The no-merit report addresses whether the evidence at the prove-up was sufficient to establish the continuing CHIPS ground for termination of parental rights. Without attempting to recite the elements or the evidence here in detail, this court concludes there is no arguable merit to this issue. The witness's testimony was not inherently incredible and was sufficient to satisfy the elements.

The no-merit report addresses whether the circuit court erroneously exercised its discretion in concluding that termination was in the best interests of the child. The court focused

on the appropriate factors under WIS. STAT. § 48.426(3), did not consider inappropriate factors, and reached a reasonable decision. Accordingly, there is no arguable merit to this issue.

A 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 Bates is relieved of further representation of S.W. 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