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DISTRICT IV

December 11, 2025

To:

Hon. Todd L. Ziegler
Circuit Court Judge
Electronic Notice

Karen Vieth
Juvenile Clerk
Monroe County Courthouse
Electronic Notice

Lisa Aldinger Hamblin
Electronic Notice

Jeremy Newman
Electronic Notice

Molly Elizabeth Kingeter
P.O. Box 40
Sparta, WI 54656-0040

T. M.

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

2025AP1966-NM	In re the termination of parental rights to K.V.M., a person under the age of 18: Monroe County DHS v. T.M. (L.C. # 2024TP13)
2025AP1967-NM	In re the termination of parental rights to A.M., a person under the age of 18: Monroe County DHS v. T.M. (L.C. # 2024TP7)

Before Taylor, 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) (2023-24). All references to the Wisconsin Statutes are to the 2023-24 version.

To the extent that the 30-day time limit in WIS. STAT. RULE 809.107(6)(e) applies, this court extends the deadline on the court's own motion to the date this decision is issued. *See* WIS. STAT. RULE 809.82(2)(a).

Jeremy Newman, appointed counsel for T.M., has filed a no-merit report pursuant to WIS. STAT. RULE 809.32, concluding that there is no arguable basis for challenging the orders terminating T.M.'s parental rights to his children, A.M. and K.M. T.M. was advised of his right to file a response to the report and has not responded. On this court's independent review of the records as mandated by *Anders v. California*, 386 U.S. 738 (1967), this court concludes that there is no issue of arguable merit to pursue. The orders terminating T.M.'s parental rights are summarily affirmed.² See WIS. STAT. RULE 809.21.

A.M. was born on December 30, 2022, and was placed in out-of-home care on January 3, 2023. By dispositional order dated February 6, 2023, A.M. was adjudicated in need of protection of services (CHIPS). On August 6, 2024, the Monroe County Department of Human Services petitioned for termination of both parents' rights to A.M., on grounds of continuing CHIPS. See WIS. STAT. § 48.415(2).

K.M. was born on January 3, 2024, and was placed in out-of-home care the same day. By dispositional order dated June 5, 2024, K.M. was adjudicated CHIPS. On December 6, 2024, the Monroe County Department of Human Services petitioned for termination of both parents' rights to K.M., on grounds of continuing CHIPS. See WIS. STAT. § 48.415(2).

Following a four-day trial, the jury found grounds for termination of parental rights to both children. The circuit court made the statutorily required findings of unfitness as to each child. After a dispositional hearing, the circuit court determined that it was in the children's best interests to terminate the parents' parental rights.

² The orders also terminated the parental rights of the children's mother. Termination of the mother's parental rights is not the subject of this appeal.

The no-merit report addresses whether there would be arguable merit to a challenge to the sufficiency of the evidence to support the jury's findings of grounds for termination based on continuing CHIPS. This court agrees that a challenge to the sufficiency of the evidence would be wholly frivolous.

Grounds for termination must be established by clear and convincing evidence. *See* WIS. STAT. §§ 48.424(2) and 48.31(1). A jury's determination that grounds exist for termination of parental rights will be upheld so long as there is any credible evidence to support that determination. *See State v. Quisanna D.*, 2002 WI App 318, ¶30, 259 Wis. 2d 429, 655 N.W.2d 752. "When reviewing a jury's verdict, we consider the evidence in the light most favorable to the verdict." *Tammy W-G. v. Jacob T.*, 2011 WI 30, ¶39, 333 Wis. 2d 273, 797 N.W.2d 854. The credibility of the witnesses and the weight to give their testimony are matters left to the jury. *State v. Wilson*, 149 Wis. 2d 878, 894, 440 N.W.2d 534 (1989).

To prove grounds based on CHIPS, the County was required to prove that: (1) the children had been placed outside of the home for a cumulative total of six months or longer; (2) the County had made reasonable efforts to provide the services ordered by the circuit court; (3) T.M. failed to meet the conditions established for the safe return of the children to the home; and (4) as to K.M., there was a substantial likelihood that T.M. would not meet the conditions of return as of the date K.M. would have been placed outside the home for 15 of the most recent 22 months. *See* WIS. STAT. § 48.415(2)(a). The no-merit report concludes that the circuit court properly directed the verdict on an undisputed element—namely, that the children had been adjudicated CHIPS and placed outside of T.M.'s home for a cumulative total period of six months or longer—and that the County presented sufficient evidence to satisfy the remaining elements. Having reviewed the record, this court is satisfied that there would be no arguable

merit to an argument that the circuit court erred by directing the verdict on the first element or that the evidence was insufficient to support the jury's findings that the other elements were met.

The no-merit report also addresses whether there would be any arguable merit to a challenge to the circuit court's decision to terminate T.M.'s parental rights at the conclusion of the dispositional phase of the proceedings. "The ultimate decision whether to terminate parental rights is discretionary." *Gerald O. v. Cindy R.*, 203 Wis. 2d 148, 152, 551 N.W.2d 855 (Ct. App. 1996). In rendering its decision, the court considered the statutory factors set forth in WIS. STAT. § 48.426(3), and concluded that termination of T.M.'s parental rights was in the children's best interests. Having reviewed the record, this court agrees with counsel that a challenge to the circuit court's exercise of discretion as to disposition would lack arguable merit.

Because this court's independent review of the record discloses no other potential issues of arguable merit, the orders terminating T.M.'s parental rights are summarily affirmed pursuant to WIS. STAT. RULE 809.21.

Therefore,

IT IS ORDERED that the orders are summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Jeremy Newman is relieved of the obligation to further represent T.M. in this matter. *See* WIS. STAT. RULE 809.32(3).

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

Samuel A. Christensen
Clerk of Court of Appeals