STATE OF WISCONSIN	CIRCUIT COURT CHILDREN'S DIVISION	MILWAUKEE COUNTY
IN THE INTEREST OF A Person/Persons under the Age of Eighteen	**Court Case No.:** **NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY JUDGMENT**	*For Official Use*

The Petitioner, by Assistant District Attorney _____ hereby moves the Court for partial summary judgment pursuant to Wis. Stat. § 802.08. The Petition for Termination of Parental Rights alleges that grounds exist to terminate the parental rights of [the parent's name] pursuant to Wis. Stat. § 48.415(4). No genuine issue of material fact exists as to the elements that petitioner must prove to establish grounds pursuant to Wis. Stat. § 48.415(4), and petitioner is entitled to judgment as matter of law. On _____, the Honorable _____ entered a CHIPS _____ order regarding the above-named child(ren), pursuant to Wis. Stat. § _____, that suspended [the parent's] visits with the child(ren). The CHIPS order contained written warnings as required by Wis. Stat. § 48.356(2). The CHIPS order has remained in effect for over one year and has not been modified to permit visitation between [the parent] and the above-named child(ren). Further basis for this motion is contained in the accompanying affidavit of [the Assistant District Attorney]. The Petitioner respectfully requests that the Court schedule a hearing on this motion as soon as it may be heard.

STATE OF WISCONSIN | **CIRCUIT COURT CHILDREN'S DIVISION** | **MILWAUKEE COUNTY**

IN THE INTEREST OF: **Court Case No.:**

A Person(s) Under the Age of Eighteen

AFFIDAVIT IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT

COUNTY OF MILWAUKEE)
) SS.
STATE OF WISCONSIN)

_____, being first duly sworn under oath, deposes and states as follows:

1. Your affiant is a Milwaukee County District Assistant District Attorney and makes this affidavit in support of Petitioner's Motion for Partial Summary Judgment.
2. Attached as Exhibit A is a certified copy of the CHIPS _____ order regarding the above-named children entered by the Honorable on .
3. The certified court order attached hereto as Exhibit A establishes the factual basis for the ground of continuing denial of visitation, pursuant to Wis. Stat. § 48.415(4). No genuine issue of material fact exists as to the authenticity or applicability of the certified court order. Petitioner is entitled to judgment as a matter of law that grounds exist to terminate [the parent's] parental rights.

Dated at Wauwatosa, Wisconsin this day of July, 2022.

_____

Assistant District Attorney
State Bar #:

Subscribed and sworn before me in Wauwatosa, Wisconsin, on July ,2022.

_____
Notary Public

My commission expires _____

STATE OF WISCONSIN	CIRCUIT COURT CHILDREN'S DIVISION	MILWAUKEE COUNTY
IN THE INTEREST OF	**Court Case No.:**	
A Person/Persons under the Age of Eighteen	**NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY JUDGMENT**	*For Official Use*

The Petitioner, by Assistant District Attorney _____, hereby moves the Court for partial summary judgment pursuant to Wis. Stat. § 802.08. The Petition for Termination of Parental Rights alleges that grounds exist to terminate the parental rights of [the parent] pursuant to Wis. Stat. § 48.415(10). No genuine issue of material fact exists as to the elements that petitioner must prove to establish grounds pursuant to Wis. Stat. § 48.415(10), and Petitioner is entitled to judgment as matter of law.

Within the three year period prior to the finding that the above-named child was in need of protection or services pursuant to Wis. Stat. § 48.13( ), [the parent's] parental rights to another child were involuntarily terminated. Further basis for this motion is contained in the accompanying affidavit of ADA. The Petitioner respectfully requests that the Court schedule a hearing on this motion as soon as it may be heard.

CIRCUIT COURT

STATE OF WISCONSIN **CHILDREN'S DIVISION** **MILWAUKEE COUNTY**

IN THE INTEREST OF: **Court Case No.:**

A Person(s) Under the Age of Eighteen

AFFIDAVIT OF ADA IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT

COUNTY OF MILWAUKEE)
) SS.
STATE OF WISCONSIN)

_____, being first duly sworn under oath, deposes and states as follows:

1. Your affiant is a Milwaukee County Assistant District Attorney and makes this affidavit in support of Petitioner's Motion for Partial Summary Judgment.
2. Attached as Exhibit A is a certified copy of the CHIPS dispositional order regarding the above-named child that was signed on . [The child] was found to be a child in need of protection or services pursuant to Wis. Stat. § 48.13( ).
3. Attached as Exhibit B is a certified copy of the order terminating the parental rights of [the parent] to (d.o.b.) and entered by the Honorable , Milwaukee County Circuit Court Judge, on .
4. The certified court orders attached hereto as Exhibits A and B establish the factual basis for the ground of prior involuntary termination of parental rights, pursuant to Wis. Stat. § 48.415(10). No genuine issue of material fact exists as to the authenticity or of these certified court orders. Petitioner is entitled to judgment as a matter of law that grounds exist to terminate [the parent's] parental rights to [the child].

Dated at Wauwatosa, Wisconsin this day of July 2022.

_____
Assistant District Attorney
State Bar #

Subscribed and sworn before me in Wauwatosa, Wisconsin, on July , 2022.

_____
Notary Public

My commission expires _____