

IN RE JULIANNA S. et al.

Submitted on Briefs October 27, 2011
Decided November 3, 2011

Panel: SAUFLEY, C.J., and LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

The mother of Julianna S. and Johnathan S., and the father of Johnathan S., appeal from a judgment of the District Court (Fort Kent, *Soucy, J.*) terminating their parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2010). Contrary to the parents' contentions, the record supports the court's findings by clear and convincing evidence of at least one ground of parental unfitness and that termination of parental rights is in the children's best interest. *See In re Thomas D.*, 2004 ME 104, ¶ 21, 854 A.2d 195. Furthermore, the court did not err in considering the substance of a Florida home study report that was admitted in evidence because the author of the report testified at the termination hearing concerning its contents and was subject to cross-examination. *See In re Natasha S.*, 2008 ME 54, ¶ 15, 943 A.2d 602 (construing 22 M.R.S. § 4007(4) to mean that "*in the absence of testimony from the [out-of-state] administrator*, the home study report is admissible solely to show compliance with the ICPC" (emphasis added)).

The entry is:

Judgment affirmed.

On the briefs:

Allan Hanson, Esq., Caribou, for appellant mother

Matthew A. Hunter, Esq., Presque Isle, for appellant father

William J. Schneider, Attorney General, Nora Sosnoff, Asst. Atty. Gen.,
Office of the Attorney General, Augusta, for appellee Maine Department of
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Fort Kent District Court docket number PC-2009-6
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