

IN RE CHILDREN OF JULIANNA G.

Argued June 6, 2022
Decided June 28, 2022

Panel: STANFILL, C.J., and MEAD, JABAR, HORTON, CONNORS, and
LAWRENCE, JJ.

MEMORANDUM OF DECISION

Julianna G. appeals from a judgment of the District Court (Bangor, *Campbell, J.*) terminating her parental rights as to two of her four children.¹ Contrary to the mother's contention, and despite the progress she has made, we determine that the record contains sufficient evidence supporting the trial court's finding of parental unfitness based primarily on her inability to recognize unsafe people or relationships.² See 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii) (2022); *In re Child of Kimberlee C.*, 2018 ME 134, ¶ 5, 194 A.3d 925 ("Deference is paid to the District Court's superior perspective for evaluating the weight and credibility of evidence." (alteration and quotation marks

¹ On April 26, 2021, the trial court terminated the mother's parental rights as to these two children. In the same order, the court denied the termination petition as to the mother's other two children because custody had not been removed from the mother at the time of the termination hearing as required by 22 M.R.S. § 4055(1)(A) (2022). Instead, in response to the mother's contested judicial review motion, the court modified the existing jeopardy orders for those children, finding additional jeopardy based on the mother's inability to recognize unsafe people or unsafe situations, and granted custody to the Department. We affirmed the jeopardy order, *In re Children of Julianna G.*, Mem-21-119 (Nov. 30, 2021), and we scheduled oral argument on the appeal from the order terminating parental rights.

² The mother did not challenge the trial court's determination that termination of her parental rights was in the children's best interest. See 22 M.R.S. § 4055(1)(B)(2)(a) (2022); see also *In re Scott S.*, 2001 ME 114, ¶ 21, 775 A.2d 1144.

omitted)); *see also Friends of Lincoln Lakes v. Bd. Of Env't Prot.*, 2010 ME 18, ¶ 13, 989 A.2d 1128 (“We must affirm findings of fact if they are supported by substantial evidence in the record, even if the record contains inconsistent evidence or evidence contrary to the result reached by the agency.”³).

The entry is:

Judgment affirmed.

Erik T. Crocker, Esq. (orally), Farrell, Rosenblatt & Russell, Bangor, for appellant mother

Aaron M. Frey, Attorney General, Julia Teitel, Asst. Atty. Gen., and Hunter Umphrey, Asst. Atty. Gen. (orally), Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Bangor District Court docket numbers PC-2018-134 and -135
FOR CLERK REFERENCE ONLY

³ “The substantial evidence standard of review is equated to the clear error standard used in review of fact-findings by a trial court.” Alexander, *Maine Appellate Practice* § 458(c) at 407 (5th ed. 2018); *Town of Eddington v. Emera Maine*, 2017 ME 225, ¶ 14, 174 A.3d 321.