

IN RE CHILDREN OF HEATHER C.

Submitted on Briefs September 21, 2022

Decided September 29, 2022

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

MEMORANDUM OF DECISION

Heather C. appeals from a judgment of the District Court (Fort Kent, *Linthicum, J.*) terminating her parental rights to her children. 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii) (2022). Contrary to the mother's contentions, the Department's failure to comply with its obligations under 22 M.R.S. § 4041 (2020) does not preclude the termination of her parental rights. *See In re Child of Amelia C.*, 2020 ME 28, ¶ 8, 227 A.3d 156. The court did not err or abuse its discretion in determining that the mother is unable to protect her children from jeopardy or take responsibility for them within a time reasonably calculated to meet their needs and the termination of her parental rights is in the children's best interests. *See* 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii).

We review mother's due process claim for obvious error because it was not raised in the trial court. *See In re Child of Lacy H.*, 2019 ME 110, ¶ 9, 212 A.3d 320. The court's appointment process met the constitutional standard for representation afforded to indigent parents. *Danforth v. State Dep't of Health & Welfare*, 303 A.2d 795, 801 (Me. 1973); *In re M.P.*, 2015 ME 138, ¶ 35, 126 A.3d 718.

The entry is:

Judgment affirmed.

Neil J. Prendergast, Esq., Fort Kent, for appellant Mother

Aaron M. Frey, Attorney General, and Hunter C. Umphrey, Asst. Atty. Gen., Office of the Attorney General, Bangor, for appellee Department of Health and Human Services

Fort Kent District Court docket number PC-2020-17
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