

IN RE CHILDREN OF WHITNEY H.

Submitted on Briefs September 21, 2022

Decided September 29, 2022

Panel: MEAD, JABAR, HORTON, CONNORS, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

Whitney H. appeals from a judgment of the District Court (Augusta, *Montgomery, J.*) terminating her parental rights to her children. Contrary to her contention, the court did not err when it denied the mother's motion to continue or to let her participate in the termination hearing from a remote location. The mother had sufficient notice of the hearing and failed to timely notify the court that she intended to participate remotely. *See Barrow v. Al Jaber*, 2014 ME 152, ¶ 2, 107 A.3d 616. Moreover, the mother's presence at the termination hearing was not mandatory, her attorney was present and participated in the termination hearing, and there exist procedural mechanisms designed to safeguard the mother's rights after the close of the termination hearing. *See In re A.M.*, 2012 ME 118, ¶ 27, 55 A.3d 463.

Further, we discern no error in the court's termination of the mother's parental rights because there is sufficient evidence in the record to support the court's parental unfitness and best interest findings, and the court did not abuse its discretion in concluding that termination of the mother's parental rights was in the children's best interests. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i), (ii), (iv) (2022); *In re Children of Benjamin W.*, 2019 ME 147, ¶ 14, 216 A.3d 901.

The entry is:

Judgment affirmed.

Ashley T. Perry, Esq., Sanders, Hanstein & Carey, P.A., Farmington, for appellant
Mother

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

Augusta District Court docket number PC-2020-25
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