

IN RE CHILDREN OF TAYLOR P.

Submitted on Briefs October 19, 2022

Decided October 27, 2022

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

MEMORANDUM OF DECISION

Taylor P. and the father appeal from a judgment of the District Court (South Paris, *Ham-Thompson, J.*) terminating their parental rights to their children.¹ Contrary to the mother's contentions, the record contains sufficient competent evidence to support the trial court's finding that she is unwilling or unable to protect the older child from jeopardy within a reasonable time to meet the child's needs. *See* 22 M.R.S. § 4055(1)(B)(2)(b)(i) (2022). Contrary to both parents' contentions, the trial court's findings of parental unfitness as to the younger child based on the parents' unwillingness or inability to protect the child from jeopardy and to take responsibility for him within a time reasonably calculated to meet his needs is also supported by sufficient record evidence. *See id.* § 4055(1)(B)(2)(b)(i)-(ii); *In re Child of Charlene F.*, 2019 ME 173, ¶ 2, 221 A.3d 950 (viewing the facts, and the weight to be given them, through the trial court's lens). The record demonstrates that the trial court properly factored the Department's initial failure to fulfill its statutory obligation to rehabilitate and reunify the family into its findings of parental unfitness. *See* 22 M.R.S. § 4041(1-A)(A) (2022); *In re Doris G.*, 2006 ME 142, ¶¶ 16-17, 912 A.2d 572. Finally, the trial court did not abuse its discretion in determining that termination of the parents' parental rights was in the

¹ The mother is a parent of both children at issue, and the father is a parent of the younger child only.

children's best interests. *See In re Children of Jason C.*, 2020 ME 86, ¶¶ 7-9, 236 A.3d 438; *In re Child of Amber D.*, 2020 ME 30, ¶¶ 6-7, 226 A.3d 1157.

The entry is:

Judgment affirmed.

L. Clinton Boothby, Esq., Boothby, Silver & Ricker, LLC, Turner, for appellant father

Henry W. Griffin, Esq., Auburn, 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

South Paris District Court docket numbers PC-2019-07 and PC-2019-08
FOR CLERK REFERENCE ONLY