

IN RE CHILD OF SARAH B.

Submitted on Briefs January 24, 2024
Decided February 1, 2024

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

MEMORANDUM OF DECISION

Sarah B. and the father of her child appeal from a judgment of the District Court (Biddeford, *Moskowitz, J.*) terminating their parental rights to their child. *See* 22 M.R.S. § 4055(1)(B)(2)(a), (b)(i)-(ii), (iv) (2023). Contrary to their contentions, the court did not err in finding three grounds of parental unfitness as to each parent, *id.* § 4055(1)(B)(2)(b)(i)-(ii), (iv), based primarily on the risk to the child arising from the mother's untreated substance use disorder and mental health issues, and the father's incarceration due to conduct toward another of his children and his continued refusal to accept responsibility for that criminal conduct. *See In re Child of Daniel Q.*, 2018 ME 45, ¶ 2, 182 A.3d 735; *In re Doris G.*, 2006 ME 142, ¶ 17, 912 A.2d 572; *In re Child of Kimberly K.*, 2019 ME 145, ¶ 7, 217 A.3d 63. Nor did the court err or abuse its discretion in determining that termination of the parents' parental rights is in the child's best interest. *See* 22 M.R.S. § 4055(1)(B)(2)(a); *see In re Anastasia M.*, 2017 ME 213, ¶ 2, 172 A.3d 922; *In re Children of Jason C.*, 2020 ME 86, ¶ 10, 236 A.3d 438; *In re Children of Meagan C.*, 2019 ME 129, ¶ 20, 214 A.3d 9.

The entry is:

Judgment affirmed.

Henry W. Griffin, Esq., Auburn, for appellant mother

Jeffrey S. Dolley, Esq., Lewiston, for appellant father

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

Biddeford District Court docket number PC-2021-54
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