

IN RE CHILD OF ANDREA B.

Submitted on Briefs March 18, 2025
Decided April 1, 2025

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

MEMORANDUM OF DECISION

The mother and father appeal from a judgment of the District Court (Biddeford, *Duddy, J.*) terminating their parental rights to their child. The court did not clearly err in finding, as to both parents, at least one statutory ground of parental unfitness, and it did not clearly err or abuse its discretion in determining that termination of each parent's parental rights is in the child's best interest. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii); *In re Children of Jason C.*, 2020 ME 86, ¶ 7, 236 A.3d 438; *In re Children of Destiny H.*, 2024 ME 66, ¶¶ 16-17, 322 A.3d 1183. Moreover, contrary to the mother's contention, the court's management of the presentation of evidence—including the fact that it did not, *sua sponte*, prohibit the Department from asking the mother questions about her role in the child's injuries—did not constitute an abuse of discretion or a due process violation. *See In re Child of Scott A.*, 2019 ME 123, ¶¶ 11-13, 213 A.3d 117; *Capelety v. Estes*, 2023 ME 50, ¶¶ 17-19, 300 A.3d 817; M.R. Evid. 401, 513(a), 611(a). Finally, given that the agreed-upon jeopardy order included the entry of a cease reunification order, the mother has not demonstrated that the Department failed to comply with its reunification obligations under 22 M.R.S. § 4041 (2024), much less in a fashion that would make it error to terminate her parental rights. *See* 22 M.R.S. § 4041(1-A)(A), (B)(3); *In re Child of James R.*, 2018 ME 50, ¶¶ 16, 20-22, 182 A.3d 1252; *In re Child of Jillian T.*, 2020 ME 54, ¶¶ 7-8, 230 A.3d 937; *In re Child of Amelia C.*, 2020 ME 28, ¶ 8, 227 A.3d 156.

The entry is:

Judgment affirmed.

Pamela S. Holmes, Esq., Holmes Legal Group, LLC, Wells, for appellant Father

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

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Biddeford District Court docket number PC-2023-46

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