

In re CASSANDRA N.

Submitted on Briefs March 29, 2000
Decided April 27, 2000

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, SAUFLEY,
ALEXANDER and CALKINS, JJ.

MEMORANDUM OF DECISION

The mother of Cassandra N. appeals from a decision of the District Court (Farmington, *Mullen, J.*) terminating her parental rights to Cassandra. Contrary to the contentions of the mother, the District Court did not err in relying on the presumption provided for in 22 M.R.S.A. § 4055(1-A)(D) (Supp. 1999) in finding that the mother is unable to protect the child from jeopardy and that those circumstances are unlikely to change within a time that is reasonably calculated to meet the needs of the child, *see* 22 M.R.S.A. § 4055(1)(B)(2)(b)(i) (1992), where Cassandra had been placed in the legal custody of the Department of Human Services, the court had previously terminated her parental rights to another of her children, and the mother could not show evidence that an additional period of services would result in reunification in a time reasonably calculated to meet the needs of the child and the child's need for a permanent home. Moreover, section 4055(1-A)(D) is not unconstitutionally vague, *see Passamaquoddy Water Dist. v. City of Eastport*, 1998 ME 94, ¶ 10, 710 A.2d 897, 900; *see also Shapiro Bros. Shoe Co., Inc. v. Lewiston-Auburn Shoeworkers Protective Ass'n*, 320

A.2d 247, 253 (Me. 1973), and the evidence is sufficient to support the findings of the court related to section 4055(1-A)(D), and to support the court's finding that termination of the mother's parental rights is in the best interest of the child, *see* 22 M.R.S.A. § 4055(1)(B)(2)(a) (1992).

The entry is:

Judgment affirmed.

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