

IN RE TRISTIN W. et al.

Submitted on Briefs November 17, 2010

Decided December 7, 2010

Panel: SAUFLEY, C.J., and ALEXANDER, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

The father of Tristin W. and Mahayla W. appeals from the judgment of the District Court (Belfast, *Worth, J.*) terminating his parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2009). He contends that, because the Department of Health and Human Services would not pay for a neuropsychological evaluation for the children, the court could not have found, by clear and convincing evidence, that he had not made a good faith effort to reunify with the children. Contrary to the father's allegations, the record fully supports the court's findings that the father minimized the children's problems, did not support necessary treatment for the children, and that he therefore was both unable and unwilling to protect the children from jeopardy and unable and unwilling to take responsibility for the children and that such circumstances were unlikely to change within a time reasonably calculated to meet the children's needs. The court's finding that termination of parental rights is in the best interest of the children is also fully supported by the record. *See In re Thomas I.*, 2005 ME 123, ¶ 16, 889 A.2d 297, 301-02; *In re Annie A.*, 2001 ME 105, ¶ 20, 774 A.2d 378, 384.

The entry is:

Judgment affirmed.

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Belfast District Court docket number PC-2007-18
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