

IN RE JEROME W.

Submitted on Briefs September 27, 2011

Decided October 4, 2011

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

MEMORANDUM OF DECISION

The mother of Jerome W. appeals from a judgment of the District Court (Portland, *Beaudoin, J.*) terminating her parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2010). Contrary to her contention, on this record the deficiencies the court found with the reunification efforts made by the Department of Health and Human Services did not preclude a finding of parental unfitness by clear and convincing evidence, particularly where the mother's escape from a pre-release program created a major obstacle to reunification. *See In re Doris G.*, 2006 ME 142, ¶¶ 16-17, 912 A.2d 572. Furthermore, the evidence was sufficient for the court to rationally find by clear and convincing evidence that the mother was unable to protect the child from jeopardy within a time reasonably calculated to meet his needs, and was unable to take responsibility for him within that time. 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii) (2010); *see In re Higer N.*, 2010 ME 77, ¶ 29, 2 A.3d 265.

The entry is:

Judgment affirmed.

On the briefs:

Henry I. Shanoski, Esq., Portland, for appellant mother

William J. Schneider, Attorney General, Eliza Donoghue, Stud. Atty., Nora Sosnoff, Asst. Atty. Gen., Augusta, for appellee Department of Health and Human Services

Portland District Court docket number PC-2010-20
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