

IN RE ALEYA H. et al.

Submitted on Briefs December 1, 2011

Decided December 20, 2011

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

MEMORANDUM OF DECISION

The mother of Aleya H. and Lyla W. appeals from the judgment of the District Court (Portland, *Goranites, J.*) terminating her parental rights to her two children pursuant to 22 M.R.S. § 4055 (2010). Contrary to the mother's contentions, there is sufficient evidence in the record to support the court's findings, by clear and convincing evidence, that: (1) she is unwilling or unable to protect the children from jeopardy and these circumstances are unlikely to change within a time reasonably calculated to meet the children's needs, *see* 22 M.R.S. § 4055(1)(B)(2)(b)(i); and (2) she is unwilling or unable to take responsibility for the children within a time reasonably calculated to meet the children's needs, *see* 22 M.R.S. § 4055(1)(B)(2)(b)(ii). *See also In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d 225. In addition, the court conducted a proper permanency inquiry and did not err in terminating the mother's parental rights and in establishing a permanency plan for the children's adoption, rather than permanency guardianship, consistent with the best interests of both children. *See In re David W.*, 2010 ME 119, ¶¶ 7-10, 8 A.3d 673.

The entry is:

Judgment affirmed.

On the briefs:

James S. Hewes, Esq. Portland, for appellant mother

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

Portland District Court docket number PC-2009-84
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