

IN RE ZAKAIRA S.

Submitted on Briefs February 24, 2011
Decided March 3, 2011

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

The mother of Zakaira S. appeals from a judgment of the District Court (Skowhegan, *MacMichael, J.*), terminating her parental rights pursuant to 22 M.R.S. § 4055 (2010). The mother contends that the Department of Health and Human Services failed to fulfill its duty, pursuant to 22 M.R.S. § 4041(1-A) (2010), to establish and file a rehabilitation and reunification plan mandating her participation in individual counseling and parenting education services. Because of the Department's alleged failure, the mother contends that the court erred in premising its findings of parental unfitness upon her inability or unwillingness to participate in those services.

The court did not clearly err in finding, based upon clear and convincing evidence, that, pursuant to 22 M.R.S. § 4055, (1) the mother was “unwilling or unable to protect the child from jeopardy”; (2) the mother was “unwilling or unable to take responsibility for the child within a time that is reasonably calculated to meet the child’s needs”; (3) the mother failed “to make a good faith effort to rehabilitate and reunify with the child”; and (4) “[t]ermination of parental rights is in the best interest of the child.” *See In re Thomas B.*, 1998 ME 236, ¶ 2, 719 A.2d 529, 530. Because there is ample evidence in the record to support each of the court’s findings of unfitness and the child’s best interests, and because those findings are sufficient to support the court’s ultimate findings, we affirm the court’s order. *See In re Robert S.*, 2009 ME 18, ¶ 15, 966 A.2d 894, 898.

The entry is:

Judgment affirmed.

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