

IN RE J.H.

Submitted on Briefs December 5, 2012

Decided December 20, 2012

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

MEMORANDUM OF DECISION

The father of J.H. appeals from the judgment of the District Court (Skowhegan, *Darvin, J.*) terminating his parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2011). On appeal, the father asserts that there is insufficient evidence in the record to support, to the clear and convincing evidence standard, the court's findings regarding both parental unfitness and the best interest of the child. He further asserts that the petition for termination of parental rights did not allege that he had failed to make a good faith effort to reunify with the child and that therefore he should not have been required to defend that ground for finding parental unfitness.

Review of the record supports the court's findings, to the clear and convincing evidence standard, that the father is unable to protect the child from jeopardy or take responsibility for the child and that those circumstances are unlikely to change in a time reasonably calculated to meet the child's needs, that the father has failed to make a good faith effort to rehabilitate and reunify with the child, and that termination of parental rights is in the child's best interest. *See In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d 225; *In re Thomas H.*, 2005 ME 123, ¶ 16, 889 A.2d 297.

The entry is:

Judgment affirmed.

On the briefs:

Wendy D. Hatch, Esq., Waterville, for appellant father

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