

IN RE LEE N. et al.

Submitted on Briefs June 27, 2012
Decided July 10, 2012

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

MEMORANDUM OF DECISION

The parents of Lee N., Kiana N., and Kayla N. appeal from judgments entered in the District Court (Augusta, *Mullen, D.C.J.*) terminating their parental rights to their children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2011). Contrary to the assertions of both parents, the record supports the court's application of the rebuttable presumption that they were unwilling or unable to protect their children from jeopardy and that the circumstances were unlikely to change within a time that was reasonably calculated to meet the children's needs, pursuant to 22 M.R.S. § 4055(1-A)(E) (2011). The record also supports the court's finding that the mother did not make a good faith effort to rehabilitate and reunify with her children. *See* 22 M.R.S. §§ 4041(1-A)(B)(1), (8); *In re Kayla S.*, 2001 ME 79, ¶ 13, 772 A.2d 858.

Further, the record supports the court's findings, by clear and convincing evidence, of at least one of the two grounds of parental unfitness that it identified against each of the parents, as well as the court's finding that termination of each parent's parental rights is in the children's best interest. *See In re Robert S.*, 2009 ME 18, ¶ 15, 966 A.2d 894; *In re Thomas D.*, 2004 ME 104, ¶ 21, 854 A.2d 195.

The entry is:

Judgment affirmed.

On the briefs:

Scott F. Hess, Esq., Augusta, for appellant mother

Harold Hainke, Esq., Whitefield, for appellant father

William J. Schneider, Attorney General, and Martha Hallisey-Swift, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee
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