

IN RE S.E.

Submitted on Briefs June 26, 2013

Decided July 9, 2013

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

MEMORANDUM OF DECISION

The father of S.E. appeals from a judgment entered in the District Court (Lewiston, *Beliveau, J.*) terminating his parental rights to the child pursuant to 22 M.R.S. § 4055(1)(B)(2) (2012).

Contrary to the father's contentions, there is sufficient, competent evidence in the record to support the court's findings of unfitness by clear and convincing evidence with respect to at least one ground of unfitness, regardless of the adequacy of the Department's reunification efforts or attempts to effect a kinship placement. *See id.*; *In re C.P.*, 2013 ME 57, ¶¶ 9-10, --- A.3d ---; *In re Charles G.*, 2001 ME 3, ¶¶ 5-6, 763 A.2d 1163; *see also In re M.B.*, 2013 ME 46, ¶¶ 42-43, 65 A.3d 1260; *Adoption of L.E.*, 2012 ME 127, ¶ 13 n.2, 56 A.3d 1234. Additionally, the court did not err or abuse its discretion in determining that termination of the father's parental rights is in the child's best interest. *See In re C.P.*, 2013 ME 57, ¶¶ 16-17, --- A.3d ---.

Finally, termination of the father's parental rights on this record instead of pursuing reunification or alternatives to termination did not violate his substantive due process rights or right to equal protection of the law.¹ *See Adoption of Tobias D.*, 2012 ME 45, ¶ 17, 40 A.3d 990 (“[T]he procedures, burdens, and

¹ “[P]rotections afforded by due process and equal protection under the United States and Maine Constitutions are coextensive.” *In re D.P.*, 2013 ME 40, ¶ 10 n.4, 65 A.3d 1216.

standards set out in section 4055 constitute the means by which the fundamental constitutional right to parent is safeguarded.”); *see also Adoption of L.E.*, 2012 ME 127, ¶ 13 n.2, 56 A.3d 1234; *In re Dustin C.*, 2008 ME 89, ¶ 8, 952 A.2d 993; *id.* § 11. Regardless, the father consented to the cessation of reunification efforts.

The entry is:

Judgment affirmed.

On the briefs:

Matthew G. Kanwit, Esq., and Adam D. Chase, Esq., Kanwit & Chase,
Topsham, for appellant father

Janet T. Mills, Attorney General, Hancock Fenton, Stud. Atty., and Nora
Sosnoff, Asst. Atty. Gen., Augusta, for appellee Department of Health and
Human Services