

IN RE D.P. et al.

Submitted on Briefs July 18, 2013

Decided July 23, 2013

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

#### MEMORANDUM OF DECISION

The mother of D.P. and D.P. appeals from a judgment entered in the District Court (Lincoln, *Stitham, J.*) terminating her parental rights to her two children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2012). Contrary to the mother's contentions, the court did not err in concluding that terminating the mother's parental rights was in the best interests of the children. *See In re Michaela C.*, 2002 ME 159, ¶¶ 24-31, 809 A.2d 1245 (granting "substantial deference" to the trial court on the issue of the best interests of the child and affirming termination of mother's rights despite strong emotional bond with biological family).

Further, despite the mother's argument that the Department did not provide adequate rehabilitation and reunification services pursuant to 22 M.R.S. § 4041(1-A)(A)(1), (3)-(4) (2012), "[w]e have long held that although the Department's obligations pursuant to section 4041 are mandatory, the Department's failure to satisfy those obligations does not preclude a termination of parental rights." *In re Doris G.*, 2006 ME 142, ¶ 16, 912 A.2d 572. Finally, the record supports the court's findings by clear and convincing evidence of at least one ground of parental unfitness. *See In re Robert S.*, 2009 ME 18, ¶ 15, 966 A.2d 894.

The entry is:

Judgment affirmed.

**On the briefs:**

Cathy Rogers Lufkin, Esq., Law Offices of Tanous, Snow & Lufkin, LLC, Millinocket, for appellant mother

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Department of Health and Human Services

Lincoln District Court docket number PC-2011-1  
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