

IN RE B.B. et al.

Submitted on Briefs July 30, 2014

Decided August 12, 2014

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

MEMORANDUM OF DECISION

The mother of B.B. and A.B. appeals from a judgment entered in the District Court (Rumford, *Carlson, J.*) terminating her parental rights to the children. The mother contends that the court erred or abused its discretion in determining that the termination of her parental rights, rather than the appointment of a permanency guardian pursuant to 22 M.R.S. § 4038-C (2013), is in the children's best interests. *See In re Thomas H.*, 2005 ME 123, ¶ 16, 889 A.2d 297 ("We review the court's factual findings related to the child's best interest for clear error, but its ultimate conclusion regarding the child's best interest for abuse of discretion."). Based on the court's findings of fact regarding the best interests of the children, which are supported by competent evidence in the record, the court acted within its discretion in determining that a permanency guardianship would fail to provide the stability and certainty that the children need. *See In re C.P.*, 2013 ME 57, ¶ 18, 67 A.3d 558 ("[L]ong-term foster care is inherently impermanent and therefore disfavored as a permanency plan for children."); *In re David W.*, 2010 ME 119, ¶¶ 6-10, 8 A.3d 673 (recognizing that Maine statute and jurisprudence reflect the fundamental principle of permanency for children). We find no merit in the mother's remaining contentions and do not address them separately.

The entry is:

Judgment affirmed.

On the briefs:

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appellant Mother

Janet T. Mills, Attorney General, and Ariel Gannon, Asst. Atty. Gen., Office
of the Attorney General, Augusta, for appellee Department of Health and
Human Services

Rumford District Court docket numbers PC-2010-10 & PC-2012-06
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