

IN RE ETHAN C. et al.

Submitted on Briefs June 22, 2016

Decided July 21, 2016

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

MEMORANDUM OF DECISION

The mother of Ethan C. and Isabella M. appeals from a judgment of the District Court (Houlton, *O'Mara, J.*) terminating her parental rights to the children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2015). We agree with the mother that the court erred by incorporating into the termination judgment the findings it made in an earlier order given that in that earlier order, the court considered information in a guardian ad litem's report submitted in an entirely separate proceeding. *See* M.R. Evid. 201; *In re Scott S.*, 2001 ME 114, ¶¶ 12-14, 775 A.2d 1144. We conclude that the error was harmless, however, given the existence of sufficient evidence and findings from the hearing in the present matter to support the termination of the mother's parental rights. *See In re Scott S.*, 2001 ME 114, ¶ 29, 775 A.2d 1144.

Contrary to the mother's additional contention, there is sufficient evidence in the record to support the court's findings, by clear and convincing evidence, of at least one ground of parental unfitness and that termination is in the children's best interests, and we discern no abuse of discretion in the court's conclusion that termination is in the children's best interests. *See* 22 M.R.S. § 4055(1)(B)(2); *In re M.S.*, 2014 ME 54, ¶¶ 14-15, 90 A.3d 443.

The entry is:

Judgment affirmed.

On the briefs:

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for appellant mother

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Houlton District Court docket numbers PC-2014-4, 5
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