

IN RE KEYANA K.

Submitted on Briefs February 23, 2017  
Decided March 2, 2017

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

MEMORANDUM OF DECISION

The mother of Keyana K. appeals from a judgment of the District Court (Bangor, *Campbell, J.*) terminating her parental rights to the child.<sup>1</sup> The evidence in the record indicated that the mother: (1) has a chronic substance abuse problem that she has yet to address or receive treatment for; (2) has been convicted for trafficking in crack cocaine and heroin; (3) tested positive for drugs while out on a pretrial bail contract; and (4) has not seen the child since December 2015.

Contrary to the mother's 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 best interest of the child. *See* 22 M.R.S. § 4055(1)(B)(2) (2016); *In re G.T.*, 2016 ME 2, ¶ 10, 130 A.3d 389. The court did not abuse its discretion by determining that termination of the mother's parental rights is in the best interest of the child. *See In re J.V.*, 2015 ME 163, ¶ 13, 129 A.3d 958.<sup>2</sup>

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<sup>1</sup> The child's father was also subject to the petition for termination of parental rights. He did not appear in court for the hearing, but was represented by counsel. In a separate order, the court granted the termination of the father's parental rights with respect to the child. The order on appeal in this case only addresses the termination of the mother's rights to the child.

<sup>2</sup> The issue of who should adopt Keyana must be decided in a title 18-A adoption case, *see* 18-A M.R.S. § 9-103(b) (2016), not through the trial court's determination that adoption is the permanency plan for this child, *see* 22 M.R.S. § 4038-B(4)(A) (2016).

The entry is:

Judgment affirmed.

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Randy G. Day, Esq., Garland, for appellant mother

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

Bangor District Court docket number PC-2015-84  
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