

IN RE CHILDREN OF KRISTA O.

Submitted on Briefs September 29, 2020

Decided October 6, 2020

Panel: MEAD, GORMAN, JABAR, HUMPHREY, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

The parents of nine children appeal from a judgment of the District Court (Rumford, *Carlson, J.*) terminating their parental rights to the children. Contrary to the parents' contentions, the court did not commit error, much less obvious error, in violation of due process, by admitting and considering evidence of events that occurred before entry of the jeopardy order.<sup>1</sup> *See In re C.P.*, 2016 ME 18, ¶ 17, 132 A.3d 174; *In re Nathaniel B.*, 1998 ME 99, ¶ 6, 710 A.2d 921. Nor did the court err or abuse its discretion in finding, after considering voluminous testimonial and documentary evidence, that the Department had established both parental unfitness as to each child and that termination of the parents' parental rights was in each child's best interest. *See In re Jazmine L.*, 2004 ME 125, ¶ 16, 861 A.2d 1277; 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i), (ii) (2020).

The entry is:

Judgment affirmed.

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<sup>1</sup> The mother did not follow the required process to assert counsel's ineffectiveness for failing to object to the evidence. *See In re Children of Matthew G.*, 2019 ME 106, ¶ 6, 211 A.3d 226. Moreover, given our conclusion that the court did not violate due process in considering the evidence, the mother could not have prevailed in her claim even if it had been presented properly.

Julian Richter, Esq., Richter Law, LLC, Gardiner, for appellant mother

Victoria Silver, Esq., Boothby Silver, LLC, Turner, for appellant father

Aaron M. Frey, Attorney General, and Meghan Szylvian, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Rumford District Court docket number PC-2017-17  
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