

IN RE CHILD OF ASHLEY S.

Submitted on Briefs April 21, 2021

Decided May 4, 2021

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

MEMORANDUM OF DECISION

Ashley S. appeals from a judgment entered by the District Court (Machias, *Roberts, J.*) terminating her parental rights to her child. Contrary to her argument, we conclude that the “time reasonably calculated to meet the child’s needs” in 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii) (2021) is not impermissibly vague either facially or as applied in her case. *See State v. Weddle*, 2020 ME 12, ¶ 12, 224 A.3d 1035; *see also Guardianship of Chamberlain*, 2015 ME 76, ¶ 8, 118 A.3d 229. Further, the court did not err or abuse its discretion in determining that, despite the mother’s progress, she remains unable to protect the child from jeopardy or take responsibility for the child within a time reasonably calculated to meet the child’s needs, and that the termination of the mother’s parental rights is in the child’s best interest.<sup>1</sup> *See* 22 M.R.S. § 4055(1)(B)(2)(a), (b)(i), (ii); *In re Child of Kimberlee C.*, 2018 ME 134, ¶ 5, 194 A.3d 925.

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<sup>1</sup> We also discern no error or abuse of discretion in the court’s exclusion of testimony, *Adoption of Isabelle T.*, 2017 ME 220, ¶ 41, 175 A.3d 639, nor in its consideration of the Department’s initial failings because it was not bound by its previous order and it could consider the full history of events in making its decision, *see In re Children of Melissa F.*, 2018 ME 110, ¶ 8, 191 A.3d 348; *In re Scott S.*, 2001 ME 114, ¶ 13, 775 A.2d 1144.

The entry is:

Judgment affirmed.

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mother

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of the Attorney General, Augusta, for appellee Department of Health and Human  
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Machias District Court docket number PC-2017-15  
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