

IN RE CHILD OF IRENE R.

Submitted on Briefs January 25, 2023
Decided February 7, 2023

Panel: MEAD, JABAR, HORTON, CONNORS, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

Irene R. appeals from a judgment of the District Court (Bangor, *Lucy, J.*) terminating her parental rights to her child. *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii) (2022). The mother challenges the sufficiency of the evidence, and we conclude that the court did not err in its findings of unfitness, nor did it abuse its discretion in determining that termination of the mother's parental rights is in the child's best interest.¹ *See In re Children of Anthony M.*, 2018 ME 146, ¶¶ 8, 11, 14-15, 195 A.3d 1229; *In re Child of Amanda H.*, 2019 ME 39, ¶ 5, 204 A.3d 869.

The entry is:

Judgment affirmed.

¹ At the Department's request, the trial court took judicial notice of the contents of the guardian ad litem reports. Guardian ad litem reports, however, "are not properly the subject of judicial notice unless the reports were previously admitted by the *same judge* in an earlier proceeding," *In re Children of Anthony L.*, 2019 ME 62, ¶ 4 n.1, 207 A.3d 624; *see In re Caleb M.*, 2017 ME 66, ¶ 23, 159 A.3d 345; neither of which occurred here. *See also* 22 M.R.S. § 4005(1)(D) (2022) ("The court may admit the written report into evidence."). But because the record contains sufficient other evidence on which the court could base its parental unfitness and best interest determinations, this error is harmless. *See In re Child of Walter C.*, 2019 ME 121, ¶ 4 n.3, 213 A.3d 113.

Jason A. MacLean, Esq., Bridgton, for appellant Irene R.

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

Bangor District Court docket number PC-2019-112
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