

IN RE CHILD OF MELISSA N.

Submitted on Briefs February 22, 2023

Decided March 23, 2023

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

MEMORANDUM OF DECISION

Melissa N. appeals from a judgment of the District Court (Wiscasset, *Rushlau, J.*) terminating her parental rights to her child. Contrary to the mother's arguments, there is sufficient evidence in the record to support the court's findings regarding parental unfitness and the child's best interest and, therefore, the court did not err in finding grounds, by clear and convincing evidence, for the termination of the mother's parental rights. *See, e.g.*, 22 M.R.S. § 4055(1)(B)(2)(a), (b)(i)-(ii), (iv) (2022); *In re Children of Jason C.*, 2020 ME 86, ¶¶ 7-9, 11, 236 A.3d 438; *In re Child of Amelia C.*, 2020 ME 28, ¶¶ 3-6, 227 A.3d 156; *In re K.M.*, 2015 ME 79, ¶ 11, 118 A.3d 812. Nor did the court abuse its discretion in concluding that termination of the mother's parental rights was in the child's best interest. *See, e.g.*, 22 M.R.S. § 4050 (2022); *In re Children of Benjamin W.*, 2019 ME 147, ¶¶ 14-16, 216 A.3d 901; *In re Children of Anthony M.*, 2018 ME 146, ¶¶ 11, 13-15, 195 A.3d 1229.¹

¹ The mother contends that the Department of Health and Human Services failed to provide the required reunification services to her. The Department's fulfillment of its statutory duties to rehabilitate and reunify is not, however, an "element requiring proof" in parental termination proceedings; nor does the Department's failure to meet those duties preclude a finding of parental unfitness. *In re Doris G.*, 2006 ME 142, ¶ 17, 912 A.2d 572; *see In re Child of Heather W.*, 2018 ME 31, ¶ 11, 180 A.3d 661; *see also In re Dakota K.*, 2016 ME 30, ¶¶ 2-6, 133 A.3d 257; *In re Child of Tanya C.*, 2018 ME 153, ¶ 13, 198 A.3d 777 ("Where a court finds multiple bases for unfitness, we will affirm if any one of the alternative bases is supported by clear and convincing evidence." (quotation marks omitted)). We do not reach the mother's remaining argument regarding due process because she

The entry is:

Judgment affirmed.

Dawn M. Corbett, Esq., Law Office of Dawn M. Corbett, PA, Ellsworth, for appellant Melissa N.

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failed to develop it. *See Mehlhorn v. Derby*, 2006 ME 110, ¶¶ 9, 11, 905 A.2d 290; Alexander, *Maine Appellate Practice* § 404 at 316 (5th ed. 2018).