

IN RE CHILD OF KIMBERLY S.

Submitted on Briefs April 19, 2023  
Decided April 27, 2023

Panel: STANFILL, C.J., and MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Kimberly S. and Eric L. appeal from a judgment of the District Court (Lewiston, *Malia, J.*) terminating their parental rights to their child. *See* 22 M.R.S. § 4055(1)(A), (B)(2) (2023). Contrary to the parents' contentions, the court did not err in finding, by clear and convincing evidence, that the parents were (1) unable or unwilling to protect the child from jeopardy and these circumstances were unlikely to change within a time reasonably calculated to meet the needs of the child and (2) unable or unwilling to take responsibility for the child within a time which is reasonably calculated to meet the needs of the child. *See id.* § 4055(1)(B)(2)(b)(i), (ii); *In re Child of Katherine C.*, 2019 ME 146, ¶ 2, 217 A.3d 68; *In re Child of Walter C.*, 2019 ME 121, ¶¶ 6-7, 213 A.3d 113; *In re Children of Anthony M.*, 2018 ME 146, ¶ 11, 195 A.3d 1229; *In re Child of Amber L.*, 2018 ME 91, ¶ 5, 188 A.3d 876. Nor did the court err or abuse its discretion in finding that terminating the parents' parental rights was in the best interest of the child. *See* 22 M.R.S. § 4055(1)(B)(2)(a); *In re Thomas H.*, 2005 ME 123, ¶¶ 22-34, 889 A.2d 297.

The entry is:

Judgment affirmed.

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Jason A. MacLean, Esq., Bridgton, for appellant Kimberly S.

James P. Howaniec, Esq., Lewiston, for appellant Eric L.

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

Lewiston District Court docket number PC-2019-116  
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