

IN RE CHILDREN OF RYAN F.

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

Ryan F. appeals from a judgment entered in the District Court (Wiscasset, *Rushlau, J.*) terminating her parental rights to her three older children pursuant to 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i)-(ii) (2023). Contrary to the mother's contentions, there is sufficient evidence in the record to support the court's finding of unfitness by clear and convincing evidence, regardless of the adequacy of the reunification efforts provided by the Department of Health and Human Services. *See In re I.S.*, 2015 ME 100, ¶ 11, 121 A.3d 105 (observing that it is the province of the fact finder to determine the weight and credibility of evidence); *In re Doris G.*, 2006 ME 142, ¶ 16, 912 A.2d 572 (noting that the Department's failure to satisfy reunification obligations does not preclude termination of parental rights); *In re Hannah S.*, 2016 ME 32, ¶¶ 11-13, 133 A.3d 590.

Additionally, the court did not abuse its discretion in determining that termination of the mother's parental rights is in the children's best interests. *See In re Kenneth S.*, 2017 ME 45, ¶¶ 6-8, 157 A.3d 244 (stating that the trial court properly considered the factors relevant to the best interest determination in a termination proceeding and "leaving to another day" the consideration of factors relevant to the issue of who should adopt the child).

Finally, on this record, we are also not persuaded that the mother's due process rights were violated by the Department's rehabilitation and reunification efforts. See *In re Child of Lacy H.*, 2019 ME 110, ¶ 9, 212 A.3d 320; *In re Child of James R.*, 2018 ME 50, ¶¶ 20-23, 182 A.3d 1252 ("To the extent that the extent of reunification services implicates a parent's due process rights, the [mother] has demonstrated no error here.").

The entry is:

Judgment affirmed.

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