

IN RE CHILD OF BRIAN H.

Submitted on Briefs May 23, 2023  
Decided May 30, 2023

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

MEMORANDUM OF DECISION

Brian H. and Ashley A. appeal from a judgment of the District Court (Caribou, *Linthicum, J.*) terminating their parental rights as to their respective children.<sup>1</sup> See 22 M.R.S. § 4055(1)(A), (B)(2) (2023).

Contrary to the mother's contentions, the court did not err in finding, by clear and convincing evidence, that the mother was unwilling or unable to alleviate jeopardy within a time reasonably calculated to meet her children's needs, was unwilling or unable to take responsibility for her children within a time reasonably calculated to meet her children's needs, and failed to make a good faith effort to rehabilitate and reunify with her children. See *id.* § 4055(1)(B)(2)(b)(i), (ii), (iv); *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.

Contrary to the father's contentions, the court did not err in finding, by clear and convincing evidence, that the father was unwilling or unable to alleviate jeopardy within a time reasonably calculated to meet his child's needs,

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<sup>1</sup> The mother is the biological mother of both children. The father is the biological father of only the younger child. The parental rights of the older child's father were also terminated as part of these same proceedings, but the older child's father does not join in this appeal.

was unwilling or unable to take responsibility for his child within a time reasonably calculated to meet his child's needs, and failed to make a good faith effort to rehabilitate and reunify with his child. See 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii), (iv); *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 Christopher S.*, 2019 ME 31, ¶ 9, 203 A.3d 808.

We also discern no error or abuse of discretion in the court's determination that terminating the parents' parental rights was in the best interests of the children. 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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Seth Berner, Esq., Portland, for appellant Brian H.

Brittany Sawyer, Esq., Holmes Legal Group, LLC, Wells, for appellant Ashley A.

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