

IN RE CHILD OF ROBERT G.

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

Robert G. and Ashley R. appeal from an order of the District Court (Caribou, *Linthicum, J.*) terminating their parental rights as to their child. 22 M.R.S. § 4006 (2023). Contrary to the mother’s contentions, the court did not err in finding at least one ground of parental unfitness because she failed to participate meaningfully in services. *See* 22 M.R.S. § 4055(1)(B)(2)(b)(i), (ii), (iv) (2023); *In re Child of Radiance K.*, 2019 ME 73, ¶ 34, 208 A.3d 380. Additionally, the court did not err or abuse its discretion in finding termination to be in the best interest of the child because the child has lived almost exclusively with the foster parents and is bonded with them. *See In re K.M.*, 2015 ME 79, ¶ 11, 118 A.3d 812; 22 M.R.S. § 4055(1)(B)(2)(a); 19-A M.R.S. § 1653(3) (2022).<sup>1</sup> Contrary to the father’s contentions, the court did not abuse its discretion in denying his last-minute, unsupported motion to continue because he failed to demonstrate “*substantial reasons* why granting the continuance would serve to further justice.” *See In re Trever I.*, 2009 ME 59, ¶ 28, 973 A.2d 752 (quotation marks omitted). Similarly, because he was able to testify by telephone, had the option to confer privately with counsel during the hearing, and was represented by counsel that cross-examined witnesses,

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<sup>1</sup> Title 19-A M.R.S. § 1653(3) (2022) was amended, effective after the entry of the termination judgment, though not in any way that affects our analysis. *See* P.L. 2021, ch. 647, § B-46 (effective Jan. 1, 2023) (codified at 19-A M.R.S. § 1653(3)(O) (2023)).

the father was not denied either due process or the right to counsel. *See In re Adden B.*, 2016 ME 113, ¶¶ 7-9, 144 A.3d 1158; *In re A.M.*, 2012 ME 118, ¶¶ 20-27, 55 A.3d 463; *Adoption by Jessica M.*, 2020 ME 118, ¶¶ 11-12, 239 A.3d 633.

The entry is:

Judgment affirmed.

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Brittany Sawyer, Esq., Holmes Legal Group, LLC, Wells, for appellant Robert G.

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

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