

IN RE CHILDREN OF TINA K.

Submitted on Briefs June 21, 2023

Decided July 6, 2023

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

MEMORANDUM OF DECISION

Tina K. appeals from a judgment of the District Court (Ellsworth, *Roberts, J.*) terminating her parental rights to her two children.¹ *See* 22 M.R.S. § 4055(1)(A)(1)(a), (B)(2)(a), (b)(i), (ii) (2023). Contrary to the mother's contention, the court did not err or abuse its discretion in finding that, due to her inconsistency in attending child visitation and other services, her continued reactive behavior with others, and her inability to make progress in reconnecting with the older child through therapy, the mother was unable to protect the children from jeopardy, that those circumstances were unlikely to change within a time reasonably calculated to meet their needs, and that the mother was unable to take responsibility for the children within a time reasonably calculated to meet their needs. *See id.* § 4055(1)(B)(2)(b)(i), (ii);

¹ We note that the court's judgment was entered almost four years after the initial petition was filed and two years and two months after the Department filed its termination petition. The termination hearing was held over the course of five days, scheduled in such a way that the hearing spanned a year in duration. During that time, the court denied one requested continuance, granted two other continuances upon parental motions, and enlarged time for the submission of a closing argument, which contributed to the delay in entry of the court's judgment. Although we understand that there may have been reasons for delay that do not appear on the record before us and that the trial courts have experienced a constant strain on limited resources due to unprecedented pending caseloads, the court and the parties should make every reasonable effort to bring child protection cases to timely resolution.

In re Children of Jason C., 2020 ME 86, ¶ 7, 236 A.3d 438. Nor did the court err or abuse its discretion in determining, three years after the children’s removal from their mother’s care, that the children needed permanency and their best interests were served by termination of the mother’s parental rights. See 22 M.R.S. § 4055(1)(B)(2)(a); *In re Children of Jamie P.*, 2020 ME 85, ¶ 14, 236 A.3d 449. Finally, the court did not commit obvious error in terminating the mother’s parental rights, with a permanency plan of adoption by family members, instead of maintaining the mother’s parental rights and ordering a permanency guardianship. See *In re Mathew H.*, 2017 ME 151, ¶ 8, 167 A.3d 561; *In re Child of Joshua S.*, 2018 ME 132, ¶ 8, 194 A.3d 387; *In re Child of Kimberly K.*, 2019 ME 145, ¶ 14, 217 A.3d 63; 22 M.R.S. § 4038-C (2023).

The entry is:

Judgment affirmed.

Jeffrey C. Toothaker, Esq., Ellsworth, for appellant Tina K.

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