

IN RE CHILD OF ASHLEY M.

Submitted on Briefs July 18, 2023
Decided July 25, 2023

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

MEMORANDUM OF DECISION

Ashley M. and the father appeal from a judgment of the District Court (Ellsworth, *Harrigan, J.*) terminating their parental rights to their child. Contrary to the parents' contentions, the record contains sufficient competent evidence to support the trial court's findings that they are unwilling or unable to protect the child from jeopardy within a reasonable time to meet the child's needs, they are unwilling or unable to take responsibility for the child in time to meet her needs, and they have failed to make a good faith effort to rehabilitate and reunify with the child. *See* 22 M.R.S. § 4055(1)(B)(2)(b)(i)-(ii), (iv) (2023); *see also In re Children of Jason C.*, 2020 ME 86, ¶¶ 7-9, 236 A.3d 438; *In re Child of Amber D.*, 2020 ME 30, ¶¶ 6-7, 226 A.3d 1157. Furthermore, the trial court did not abuse its discretion in determining that termination of the parents' parental rights was in the child's best interest. *See* 22 M.R.S. § 4055(1)(B)(2)(a). Finally, the trial court's failure to regularly hold judicial review hearings, *see* 22 M.R.S. § 4038(1) (2023), did not amount to a procedural due process violation requiring vacatur. *See In re Children of Bethmarie R.*, 2018 ME 96, ¶ 22, 189 A.3d 252; *cf. In re Cameron W.*, 2010 ME 101, ¶ 4 n.1, 5 A.3d 668.

The entry is:

Judgment affirmed.

William B. Blaisdell, IV, Esq., Blaisdell & Blaisdell, Ellsworth, for appellant
Father

Jason A. MacLean, Esq., Bridgton, for appellant Mother

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

Ellsworth District Court docket number PC-2020-46
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