

IN RE CHILD OF KEON B.

Submitted on Briefs February 21, 2024

Decided March 19, 2024

Panel: MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Keon B. appeals from a judgment of the District Court (Portland, *Powers, A.R.J.*) terminating his parental rights to his child. We discern no error in the court's termination of the father's parental rights. *See* 22 M.R.S. § 4055(1)(B)(2)(a), (b)(i)-(ii) (2023). There is sufficient evidence in the record to support the court's findings regarding parental unfitness, the record evidence also supports the court's findings regarding the child's best interest, and the court did not abuse its discretion in concluding that termination of the father's parental rights was in the child's best interest. *See, e.g., In re Children of Quincy A.*, 2023 ME 49, ¶¶ 9, 12-13, 27, 300 A.3d 832; *In re Child of Rebecca J.*, 2019 ME 119, ¶¶ 3, 5, 7-11, 213 A.3d 108; *In re Child of Scott L.*, 2019 ME 102, ¶¶ 7, 9-11, 210 A.3d 845; *In re A.H.*, 2013 ME 85, ¶¶ 14-18, 77 A.3d 1012.

Further, the Department of Health and Human Services' fulfillment of its statutory duties to rehabilitate and reunify is not an element in parental termination proceedings, nor does the Department's failure to meet those duties preclude a finding of parental unfitness. *See In re Doris G.*, 2006 ME 142, ¶ 17, 912 A.2d 572; *In re Child of Rebecca J.*, 2019 ME 119, ¶ 7, 213 A.3d 108; 22 M.R.S. § 4041 (2023). Here, although the Department did not file a rehabilitation and reunification plan,¹ the court determined that the father was

¹ We note that competent evidence supports the court's finding that the Department made reasonable efforts to rehabilitate and reunify the family.

unfit on grounds other than his failure to engage in good-faith reunification with the child.² See *In re Children of Quincy A.*, 2023 ME 49, ¶ 16, 300 A.3d 832; *In re Child of Rebecca J.*, 2019 ME 119, ¶¶ 7-11, 213 A.3d 108; *In re Children of Jessica D.*, 2019 ME 70, ¶¶ 6-7, 208 A.3d 363; cf. *In re Thomas D.*, 2004 ME 104, ¶¶ 27-29, 32, 34-35, 42, 854 A.2d 195.

The entry is:

Judgment affirmed.

Neil J. Prendergast, Esq., Fort Kent, for appellant father

Aaron Frey, Attorney General, and Hunter C. Umphrey, Asst. Atty. Gen., Office of the Attorney General, Bangor, for appellee Department of Health and Human Services

Portland District Court docket number PC-2021-66
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² Further, the father does not argue that he was unaware of the issues he needed to address to alleviate jeopardy. Cf. *In re Thomas D.*, 2004 ME 104, ¶¶ 22, 27-29, 32, 34-35, 42, 854 A.2d 195.