

IN RE CHILD OF CHARLES M.

Submitted on Briefs April 23, 2025
Decided May 1, 2025

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

MEMORANDUM OF DECISION

The father appeals from the District Court's (Augusta, *Bristol, J.*) order terminating his parental rights. Contrary to the father's contention, the court did not err in finding parental unfitness.¹ See 22 M.R.S. § 4055(1)(B)(2)(b)(i)-(ii) (2025). The record shows that the father has not engaged in the services necessary to alleviate jeopardy, has not engaged with the child's providers, and has not demonstrated an understanding of the child's complex needs and how he may meet those needs. Furthermore, the father lacks the required safe and stable housing for reunification.

The trial court also did not abuse its discretion in determining that termination, as opposed to a permanency guardianship, was in the best interest of the child, who, at the time of termination had been in the Department's custody for over two and a half years. The child has been in the grandparent's care for her entire life, "and the creation of a permanency guardianship would leave the shadow of future legal proceedings at a time when the child needs a

¹ The father's argument that the Department did not comply with its 22 M.R.S. § 4041 (2025) obligations is unpersuasive, especially given the time allowed for reunification in this case. See *In re Child of Amelia C.*, 2020 ME 28, ¶ 8, 227 A.3d 156 ("The Department's compliance with its rehabilitation and reunification duties as outlined in section 4041 does not constitute a discrete element requiring proof in termination proceedings, nor does the failure of the Department to comply with section 4041 preclude findings of parental unfitness." (quotation marks omitted)).

stable, permanent home.” *In re Child of Domenick B.*, 2018 ME 158, ¶ 10, 197 A.3d 1076.

The entry is:

Judgment affirmed.

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

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

Augusta District Court docket number PC-2021-66
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