

IN RE DAMIEN P. et al.

Submitted on Briefs October 23, 2003

Decided December 12, 2003

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER,
CALKINS, and LEVY, JJ.

MEMORANDUM OF DECISION

The father of Damien P., Michael P., Stephanie W., Christopher W., and Krista W. appeals from a judgment entered in the District Court (Springvale, *Foster, J.*) terminating his parental rights as to all five of his children, pursuant to 22 M.R.S.A. § 4055 (1992 & Supp. 2003). Contrary to the father's contentions, the record supports the court's finding, by clear and convincing evidence, of parental unfitness on at least one ground, *see In re Alana S.*, 2002 ME 126, ¶ 20, 802 A.2d 976, 981; 22 M.R.S.A. § 4055(1)(B)(2)(b); and that termination of the father's parental rights is in the children's best interest, *see In re Frederick P.*, 2001 ME 138, ¶ 19, 779 A.2d 957, 961-62; 22 M.R.S.A. § 4055(1)(B)(2)(a). Further, the court did not act beyond the bounds of its discretion when it denied the father a continuance to pursue his motion for independent evaluation of his

children, *Christensen-Towne v. Dorey*, 2002 ME 121, ¶¶ 8-9, 802 A.2d 1010, 1012-13, a motion he had not pressed, after the court determined that granting the motion would cause undue delay in a proceeding that had already suffered much delay; *State v. Greenwald*, 454 A.2d 827, 829 (Me. 1982). The trial procedure did not violate the father's due process rights. See *In re William S.*, 2000 ME 34, ¶ 8, 745 A.2d 991, 995. Finally, because the Department of Human Services must provide only those reunification services "appropriate to the child and family," 22 M.R.S.A. § 4041(1-A)(A)(1)(c)(iv) (Supp. 2003), the court did not act beyond its discretion in limiting the number of reunification services that it required the Department to provide to the father, *In re Ashley S.*, 2000 ME 212, ¶ 11, 762 A.2d 941, 945.

The entry is:

Judgment affirmed.

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