

IN RE BRIAN M.

Submitted on Briefs May 17, 2005
Decided June 9, 2005

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

MEMORANDUM OF DECISION

The mother of Brian M. appeals from a judgment entered in the District Court (Wiscasset, *Westcott, J.*) terminating her parental rights pursuant to 22 M.R.S.A. § 4055(1)(B)(2) (2004). She argues that the Department of Health and Human Services violated the Americans with Disabilities Act, 42 U.S.C.A. §§ 12101-12213 (West 1995 & Supp. 2004), by failing to tailor her reunification services to her mental illnesses. Because the mother raises this issue for the first time on appeal, we review for obvious error. *See Ackerman v. Yates*, 2004 ME 56, ¶ 20, 847 A.2d 418, 424. Contrary to the mother's contentions, the court did not commit obvious error in terminating her parental rights because (1) she repeatedly

agreed that reasonable efforts had been made to rehabilitate and reunify the family, and (2) she did not demonstrate that the Department “failed to offer her certain services or that it offered her services that were not as effective in affording her equal opportunity to rehabilitate and reunify with her child[] on the basis of her disability.” *In re Angel B.*, 659 A.2d 277, 279 (Me. 1995) (emphasis omitted).

The entry is:

Judgment affirmed.

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