

IN RE BRIE-ANNA B. et al.

Submitted on Briefs October 24, 2005  
Decided November 22, 2005

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

MEMORANDUM OF DECISION

The mother of Brie-Anna B. and Brock B. appeals from the order of the Kennebec County Probate Court (*Mitchell, J.*) terminating her parental rights as part of an adoption proceeding pursuant to 18-A M.R.S.A. § 9-204 (1998 & Supp. 2004). Contrary to the mother's contentions, (1) the court could find parental unfitness proven by clear and convincing evidence, based on the mother's inability to take responsibility for the children within a time reasonably calculated to meet their needs, 22 M.R.S.A. § 4055(1)(B)(2)(b)(ii) (2004); (2) an open adoption, as an alternative to termination of parental rights, was not constitutionally required or statutorily authorized, *see In re Justin S.*, 595 A.2d 1058, 1060-61 (Me. 1991); (3) the court did not shift to the mother the burden of proof on the parental fitness

issue; and (4) the evidence in the record supports the court's decision, *see In re Kayla M.*, 2001 ME 166, ¶ 6, 785 A.2d 330, 332.

The entry is:

Judgment affirmed.

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