

IN RE IVY S.

Submitted on Briefs November 29, 2005
Decided December 2, 2005

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

MEMORANDUM OF DECISION

The parents of Ivy S. appeal from a judgment entered in the District Court (Lewiston, *Beliveau, J.*) terminating their parental rights pursuant to 22 M.R.S.A. § 4055 (2004). Contrary to the father's contentions, sufficient evidence exists in the record to support the court's finding by clear and convincing evidence that the statutory grounds for termination of his parental rights were proved to be highly probable. *In re Charles G.*, 2001 ME 3, ¶¶ 5, 6, 763 A.2d 1163, 1165-66. In addition, the trial court's conclusions as to the father's fitness to parent were not undermined by the Department's failure to establish a family services plan early in the case. *See In re Thomas D.*, 2004 ME 104, ¶ 28, 854 A.2d 195, 204.

Finally, there is sufficient evidence in the record to support the court's finding by clear and convincing evidence that termination of both the father's and the mother's parental rights is in the best interests of the child. *See In re Frederick P.*, 2001 ME 138, ¶ 19, 779 A.2d 957, 961-62.

The entry is:

Judgment affirmed.

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