

IN RE MAKAILA G.

Submitted on Briefs July 18, 2006
Decided September 11, 2006

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

MEMORANDUM OF DECISION

The mother and father of Makaila G. each appeal from a judgment of the Knox County Probate Court (*Emery, J.*) terminating their parental rights pursuant to 22 M.R.S. § 4055 (2005). Contrary to the parents' contention, the trial court did not err in concluding by clear and convincing evidence that the parents have been unable to take responsibility for the child within a time reasonably calculated to meet her needs, *id.* § 4055(1)(B)(2)(b)(ii), and that the termination of their parental rights is in the child's best interests, *id.* § 4055(1)(B)(2)(a). In addition, the father's contention that the parental termination procedures in the Probate Court violate the constitutional guarantee of due process of law was not presented to the

trial court for decision and was not, therefore, preserved for our appellate review.

See Berg v. Bragdon, 1997 ME 129, ¶ 9, 695 A.2d 1212, 1214.

The entry is:

Judgment affirmed.

Attorneys for appellants:

Adrienne L. Fernstrom, Esq.
Fernstrom Law Offices, LLC
P.O. Box 141
Rockland, ME 04841-0141

William F. Pagnano, Esq.
431 Main Street
Rockland, ME 04841

Attorneys for appellees:

Joanne Kroll, Esq.
P.O. Box 1515
Rockland, ME 04841

Guardian *ad Litem*:

Daniel C. Purdy, Esq.
P.O. Box 131
Waldoboro, ME 04572