

IN RE KRISTEN D. et al.

Submitted on Briefs October 20, 2006
Decided October 31, 2006

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

MEMORANDUM OF DECISION

The mother of Kristen, Harley, Mercedes, and Forrest D. III appeals from a judgment entered in the District Court (Skowhegan, *Mullen, J.*) terminating her parental rights to these four children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2005). Contrary to the mother's contentions, the court could have found by clear and convincing evidence that the mother: (1) was unable to protect the children from jeopardy and these circumstances were unlikely to change within a time reasonably calculated to meet the children's needs; (2) was unable to take responsibility for the children within a time reasonably calculated to meet the children's needs; and (3) failed to make a good faith effort to rehabilitate and reunify with the children. *See In re Thomas D.*, 2004 ME 104, ¶ 21, 854 A.2d 195,

201. The court also rationally could have found clear and convincing evidence in the record to support its determination that termination of the mother's parental rights was in the best interests of the children. *See id.*; *see also In re Michaela C.*, 2002 ME 159, ¶ 27, 809 A.2d 1245, 1253 ("The . . . [c]ourt's judgment on the issue of best interest [of the child] is entitled to substantial deference . . .").

Contrary to the mother's contentions, the Department's discontinuation of or restriction on the mother's visitation with the children does not preclude the termination of her parental rights. *See* 22 M.R.S. § 4041(1-A)(A)(1)(c)(v) (2005) (the Department is to schedule visits "when visits are not detrimental to the child's best interests"); *In re Ryan L.*, 581 A.2d 811, 812 n.2 (Me. 1990).

The entry is:

Judgment affirmed.

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