

IN RE DANIEL P. et al.

Submitted on Briefs February 27, 2006  
Decided March 15, 2006

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

MEMORANDUM OF DECISION

The mother of Daniel and Isaac P. appeals from a judgment entered in the District Court (Waterville, *Vafiades, C.J.*) terminating her parental rights to Daniel and Isaac pursuant to 22 M.R.S. § 4055(1)(B)(2) (2005). Contrary to the mother's contentions, the court rationally could have found clear and convincing evidence in the record to support its determinations that the mother was: (1) 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; and (2) unable to take responsibility for the children within a time reasonably calculated to meet the children's needs. *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 satisfied its statutory obligations, and its failure to provide her with random drug testing does not preclude the termination of her parental rights. *See In re Thomas D.*, 2004 ME 104, ¶ 28, 854 A.2d at 204.

The entry is:

Judgment affirmed.

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