

IN RE ALEX M.

Submitted on Briefs February 28, 2008
Decided March 4, 2008

Panel: CLIFFORD, ALEXANDER, LEVY, SILVER, and MEAD, JJ.

MEMORANDUM OF DECISION

The father of Alex M. appeals from a judgment of the District Court (South Paris, *Lawrence J.*) terminating his parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2007). Contrary to the father's contentions, the trial court could have rationally found, by clear and convincing evidence, that the father (1) was either unwilling or unable to take responsibility for Alex within a time that is reasonably calculated to meet the child's needs, and (2) has failed to make a good faith effort to rehabilitate and reunify with Alex. *See In re Marcus S.* 2007 ME 24, ¶ 6, 916 A.2d 225, 227. The court also did not abuse its discretion in determining that terminating the father's parental rights was in the child's best interest, *see In re Thomas H.*, 2005 ME 123, ¶ 16, 889 A.2d 297, 301, and did not err in allowing the

guardian ad litem to participate in the hearing telephonically, *see* M.R. Civ. P. 43(a).

The entry is:

Judgment affirmed.

Attorney for the father:

Sonia J. Buck, Esq.
Linnell, Choate & Webber, LLP
83 Pleasant Street
PO Box 190
Auburn, Maine 04212-0190

**Attorney for the Department of
Health and Human Services:**

G. Steven Rowe, Atty. Gen.
Janice Stuver, Asst. Atty. Gen.
Office of Attorney General
6 State House Station
Augusta, Maine 04333-0006