

IN RE CHELSEA C.

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

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

MEMORANDUM OF DECISION

The father of Chelsea C. appeals from a judgment of the District Court (Portland, *Beaudoin, J.*) terminating his parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2007). Contrary to the father's contentions, the record supports the court's findings by clear and convincing evidence that the father (1) is unwilling or unable to protect the child from jeopardy and this is unlikely to change within a time reasonably calculated to meet the child's needs, and (2) is unable to take responsibility for the child within a time reasonably calculated to meet her needs. *See In re Kayla S.*, 2001 ME 79, ¶ 10, 772 A.2d 858, 862 (holding that a propensity to lie is critical to assessing parent's intent to work with the Department). Also, there is competent evidence in the record upon which the court could rationally find that termination of the father's parental rights is in the child's

best interest. *See In re Thomas H.*, 2005 ME 123, ¶¶ 22, 23-26, 889 A.2d 297, 303-306 (favoring permanency and stability over continued uncertainty).

The entry is:

Judgment affirmed.

Attorney for the father:

Vanessa Bartlett, Esq.
PO Box 886
Brunswick, Maine 04011

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

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