

IN RE ZACHARY M.

Submitted On Briefs February 28, 2008

Decided April 24, 2008

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

MEMORANDUM OF DECISION

The mother of Zachary M. appeals from a judgment entered in the District Court (Belfast, *Worth, J.*) terminating her parental rights to Zachary pursuant to 22 M.R.S. § 4055(1)(B)(2) (2007). The mother argues that the court erred in terminating her parental rights because it failed to weigh the child's attachment to the mother and failed to consider the mother's progress in various programs. Although the mother presented evidence that she was continuing to make improvements in her parenting and that she and the child enjoyed their limited time together, the record supports a finding by clear and convincing evidence that, due to the mother's cognitive limitations and the special needs of the child, the mother was unable to take responsibility for the child within a time reasonably calculated to meet the child's needs and that termination was in the child's best interest. *See In re Marcus S.*, 2007 ME 24, ¶¶ 6, 11, 916 A.2d 225, 227, 228.

The entry is:

Judgment affirmed.

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