

IN RE HALEN G. et al.

Submitted on Briefs July 29, 2009

Decided August 27, 2009

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, MEAD, and GORMAN, JJ.

#### MEMORANDUM OF DECISION

The mother and father of Halen G. and Jazmine G. appeal the judgment of the District Court (Ellsworth, *Staples, J.*) terminating their parental rights. Contrary to the parents' contentions, there is clear and convincing evidence to support all of the court's findings, including: (1) the finding, pursuant to 22 M.R.S. § 4055(1)(B)(2)(b)(i) (2008), that the parents are unwilling or unable to protect the children from jeopardy and these circumstances are unlikely to change within a time reasonably calculated to meet the children's needs; (2) the finding, pursuant to 22 M.R.S. § 4055(1)(B)(2)(b)(ii) (2008), that the parents are unwilling or unable to take responsibility for the children within a time reasonably calculated to meet the children's needs; and (3) the finding, pursuant to 22 M.R.S. § 4055(1)(B)(2)(a) (2008), that termination of parental rights is in the best interest of the children. *See In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d 225, 227; *In re Kaleb C.*, 2002 ME 65, ¶ 7, 795 A.2d 71, 74. To the extent that the Americans with Disabilities Act, 42 U.S.C.S. § 12132 (2003), may apply to aspects of the actions of the Department of Health and Human Services, the parents failed to demonstrate that the Department failed to provide them with sufficient services to accommodate their disabilities. *See In re Angel B.*, 659 A.2d 277, 279 (Me. 1995).

The entry is:

Judgment affirmed.

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