

IN RE ELIZABETH K.

Submitted on Briefs October 14, 2009
Decided October 27, 2009

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

MEMORANDUM OF DECISION

The mother of Elizabeth K. appeals from a judgment entered in the District Court (Portland, *Beaudoin, J.*) terminating her parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2) (2008). Contrary to the mother's contentions, the court did not misapply the evidentiary standard when determining whether the mother has been unable to take responsibility for the child pursuant to 22 M.R.S. § 4055(1)(B)(2)(b)(ii). *See generally In re John Joseph V.*, 500 A.2d 628, 630 (Me. 1985). Additionally, the court rationally could have found clear and convincing evidence in the record to support its determination that the mother has been unable to take responsibility for the child within a time reasonably calculated to meet the child's needs, *see In re Thomas D.*, 2004 ME 104, ¶ 21, 854 A.2d 195, 201, and that termination of the mother's parental rights is in the child's best interest, *see In re Marcus S.*, 2007 ME 24, ¶¶ 6-8, 916 A.2d 225, 227; *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 . . .").

The entry is:

Judgment affirmed.

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Portland District Court docket number PC-2007-53
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