

IN RE SEAN O. et al.

Submitted on Briefs February 26, 2009

Decided March 5, 2009

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

MEMORANDUM OF DECISION

The mother of Sean O., Aiden O., and Hayley O. appeals from a judgment entered in the District Court (Rockland, *Field, J.*) terminating her parental rights to all three children pursuant to 22 M.R.S. § 4055(1)(B)(2) (2008). Contrary to the mother's contentions: (1) although the court did not include one of the hearing dates in its opinion, the court's findings reflect that it did consider the testimony and evidence presented on that day, *compare In re Heather G.*, 2002 ME 151, ¶¶ 8, 10, 805 A.2d 249, 251; (2) there is substantial evidence in the record to support, to the clear and convincing standard, the finding that the mother is unwilling or unable to protect her children from jeopardy and that these circumstances are unlikely to change within a time period reasonably calculated to meet the children's needs, 22 M.R.S. § 4055(1)(B)(2)(b)(i); and (3) the court did not commit clear error in its factual findings or abuse its discretion in concluding that termination is in the children's best interest. *See In re Thomas H.*, 2005 ME 123, ¶ 16, 889 A.2d 297, 301. In making this finding, the court properly considered, as a part of the best interest analysis, that all three children are in pre-adoptive homes, *see id.* ¶ 30, 889 A.2d at 307-08, and properly concluded that the State appropriately ceased reunification services, *see In re Doris G.*, 2006 ME 142, ¶¶ 15-17, 912 A.2d 572, 577-78.

The entry is:

Judgment affirmed.

Attorney for the mother:

Colleen F. Newcomb, Esq.
Newcomb & Reynolds, P.A.
166 Main Street
PO Box 1115
Rockland, Maine 04841-1115

**Attorneys for the Maine Department of
Health and Human Services:**

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

Guardian ad litem:

Lisa J. Lattes, Esq.
PO Box 1003
Camden, Maine 04843-1003