

IN RE GEORGIANNA K.

Submitted on Briefs March 3, 2009
Decided March 17, 2009

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

MEMORANDUM OF DECISION

The mother of Georgianna K. appeals from a judgment entered in the District Court (Bangor, *Worth J.*) terminating her parental rights to Georgianna pursuant to 22 M.R.S. § 4055(1)(B)(2) (2008). Contrary to the mother's contentions, the record supports the court's determination, to the clear and convincing evidence standard, that termination of the mother's parental rights was in the best interest of the child, and that the mother: (1) was unwilling or unable to protect Georgianna from jeopardy and these circumstances were unlikely to change within a time reasonably calculated to meet the child's needs; (2) has been unwilling and unable to take responsibility for the child within a time frame reasonably calculated to meet Georgianna's needs; and (3) has failed to make a good faith effort to rehabilitate and reunify with the child pursuant to 22 M.R.S. § 4041(1-A)(B) (2008). *See In re Marcus S.*, 2007 ME 24, ¶ 6, 916 A.2d 225, 277 ("Evidence is sufficient to affirm an order terminating parental rights when a review of the entire record demonstrates that the trial court rationally could have found clear and convincing evidence . . . to support the necessary factual findings as to the bases for termination."). Despite a variety of services offered to the mother by the Department of Health and Human Services as part of a thorough rehabilitation and reunification plan, the mother remained unable and unwilling to care for the child. *See In re Doris G.*, 2006 ME 142, ¶ 16, 912 A.2d 572, 577 (stating that the issue before a court when deciding whether to terminate parental rights should be the parent's ability and willingness to care for the child, not the Department's responsibility for providing support services).

The entry is:

Judgment affirmed.

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