

IN RE CHASE H.

Submitted on Briefs April 29, 2010
Decided May 4, 2010

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

MEMORANDUM OF DECISION

The mother of Chase H. appeals from a judgment entered in the District Court (Portland, *Powers, J.*) terminating her parental rights pursuant to 22 M.R.S. § 4055(1)(B)(2), (1-A)(C) (2009). Contrary to the mother's contentions, sufficient evidence exists in the record on which the court could rationally find, by clear and convincing evidence, at least one ground of parental unfitness and that termination of parental rights is in the child's best interests. *See In re Thomas D.*, 2004 ME 104, ¶¶ 21, 38, 854 A.2d 195, 201, 207; *In re Michaela C.*, 2002 ME 159, ¶ 27, 809 A.2d 1245, 1253.

Additionally, the court did not abuse its discretion in denying her motion to remove and replace the guardian ad litem, *see Kelley v. Snow*, 2009 ME 128, ¶¶ 11-12, 984 A.2d 1281, 1284-85; *Cyr v. Cyr*, 432 A.2d 793, 798 (Me. 1981), and the court did not find that the guardian's schedule of visits with Chase, *see* 22 M.R.S. § 4005(1)(B) (2009), affected the result in this case, *see In re Kaleb C.*, 2002 ME 65, ¶ 4 n.2, 795 A.2d 71, 73-74. Finally, the court did not abuse its discretion or violate the mother's due process rights when it declined to hear testimony from Chase and his older brother at the termination hearing because the court fairly balanced the State's interest in protecting the children with the mother's interest in maintaining custody. *See In re Destiny T.*, 2009 ME 26, ¶ 12, 965 A.2d 872, 875; *In re Priscilla S.*, 1997 ME 16, ¶¶ 2, 3, 689 A.2d 593, 594-95.

The entry is:

Judgment affirmed.

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