

SUPREME JUDICIAL COURT OF MAINE

In re Myra B.

168 A.3d 820 (Me. 2017) · Decided August 1, 2017

SUMMARY

The Maine Supreme Judicial Court affirmed a judgment terminating the parents' parental rights to Myra B. and Nicole B. The court held that competent evidence supported findings of parental unfitness and that termination, with a permanency plan of adoption, was in the children's best interests.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Maine
DECIDED	August 1, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	The parents appealed a District Court judgment terminating their parental rights, challenging the sufficiency of the evidence supporting parental unfitness and the court's best-interests determinations.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence supporting parental-unfitness findings and reviewed the trial court's best-interests determination for abuse of discretion, while deferring to the trial court's determinations of witness credibility and the weight of testimony.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Father of Myra B. and Nicole B., Mother of Myra B. and Nicole B. v. Department of Health and Human Services

TOPICS

termination of parental rights parental rights family law procedure appellate procedure standard of review

PRACTICE AREAS

family law termination of parental rights appellate procedure

QUESTIONS PRESENTED

1. Whether competent evidence supported the District Court's findings that the parents were unwilling or unable to protect the children from jeopardy and unable to take responsibility for them within a time reasonably calculated to meet their needs.
2. Whether the District Court's determination that termination of parental rights was in the children's best interests was erroneous or an abuse of discretion.
3. Whether inadequate reunification efforts by the Department rendered the evidence supporting parental unfitness insufficient.
4. Whether the District Court improperly assessed the weight and credibility of the evidence.

HOLDINGS

1. The evidence supported at least one statutory ground of parental unfitness because the parents were unable or unwilling to protect the children from jeopardy and unable to take responsibility for them within a time reasonably calculated to meet their needs.
2. The appellate court will not substitute its judgment for the trial court's determinations concerning the weight and credibility of witness testimony when those determinations are supported by the record.
3. The parents did not demonstrate that the Department's reunification efforts were inadequate or that any alleged inadequacy rendered the evidence supporting parental unfitness insufficient.
4. The District Court did not err or abuse its discretion in determining that termination of parental rights, with a permanency plan of adoption, was in each child's best interest.

KEY QUOTATIONS

“Because the evidence supports the court’s findings and discretionary determinations, we affirm the judgment.” (¶ 1)

“The entry is: Judgment affirmed.” (¶ 4)

FACTUAL BACKGROUND

The children had been exposed to unsafe and unsanitary home conditions, significant parental conflict and domestic violence, and inadequately treated parental mental-health conditions. They exhibited serious behavioral and mental-health problems, including self-injury, aggression, hiding, and psychiatric hospitalization, but improved after placement with their maternal aunt. The parents participated in services but made insufficient progress, remained unable to provide a safe and supportive home, and struggled to prioritize and respond appropriately to the children's individual needs.

PROCEDURAL HISTORY

The Maine District Court in Belfast terminated both parents' parental rights under 22 M.R.S. § 4055. The Supreme Judicial Court of Maine reviewed the judgment and affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Caleb M., 2017 ME 66, ¶ 27, 159 A.3d 345
- In re Cameron B., 2017 ME 18, ¶ 10, 154 A.3d 1199
- In re Doris G., 2006 ME 142, ¶ 16, 912 A.2d 572
- In re I.S., 2015 ME 100, ¶ 11, 121 A.3d 105
- In re Jazmine L., 2004 ME 125, ¶ 16, 861 A.2d 1277
- In re Thomas D., 2004 ME 104, ¶ 39, 854 A.2d 195
- In re Thomas H., 2005 ME 123, ¶¶ 16-17, 889 A.2d 297

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