

SUPREME JUDICIAL COURT OF MAINE

In re Matthew R.

196 A.3d 448 (Me. 2018) · Decided November 8, 2018

SUMMARY

The Maine Supreme Judicial Court affirmed a judgment terminating Matthew R.'s parental rights to his son. The court held that clear and convincing evidence supported findings that he was unable or unwilling to protect the child from jeopardy arising from the mother's substance abuse, that the circumstances were unlikely to change within a time reasonably calculated to meet the child's needs, and that termination was in the child's best interest.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Per Curiam; Alexander; Gorman; Humphrey; Jabar; Mead; Saufley
JURISDICTION	Maine
DECIDED	November 8, 2018
DISPOSITION	affirmed
PROCEDURAL POSTURE	The father appealed from a District Court judgment terminating his parental rights to his son.
STANDARD OF REVIEW	The Supreme Judicial Court reviewed the findings supporting termination for clear and convincing evidentiary support and reviewed the best-interests determination for abuse of discretion.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Matthew R. 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
- parental rights
- termination of parental rights
- appellate procedure

QUESTIONS PRESENTED

1. Whether the evidence supported the finding that the father was unwilling or unable to protect the child from jeopardy and that the circumstances were unlikely to change within a time reasonably calculated to meet the child's needs.
2. Whether termination of the father's parental rights was in the child's best interest.
3. Whether the District Court erred or abused its discretion in terminating the father's parental rights despite his participation in services and relationship with the mother.

HOLDINGS

1. The District Court did not err in finding that the father remained unable to understand the child's needs and protect him from the jeopardy presented by the mother's substance abuse and related conduct within a time reasonably calculated to meet the child's needs.
2. The District Court did not err or abuse its discretion in determining that termination of the father's parental rights was in the child's best interest.

KEY QUOTATIONS

“The findings of the court were, however, properly focused on the needs of the child as required by statute.”
(196 A.3d at 452)

“Nor did the court err or abuse its discretion in determining that the termination of the father's parental rights was in the child's best interest.” (196 A.3d at 452)

FACTUAL BACKGROUND

The child lived in an unsanitary home exposed to the mother's drug abuse, unsafe visitors, and a loaded syringe within the child's reach. The father maintained a dependent relationship with the mother and failed to make independent judgments to protect the child from risks associated with her substance abuse, despite services and a reunification plan. The child improved substantially after placement in Department custody and receipt of medical, educational, and special services.

PROCEDURAL HISTORY

The Department of Health and Human Services filed a child protection petition after the child was exposed to unsafe conditions associated with the mother's substance abuse and the father's failure to protect the child. The District Court entered an agreed-upon jeopardy order, placed the child in the Department's custody, and later terminated the father's parental rights after a three-day hearing. The Supreme Judicial Court of Maine affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Children of Melissa F., 2018 ME 110, ¶ 11, 191 A.3d 348
- In re Thomas D., 2004 ME 104, ¶ 21, 854 A.2d 195

- In re Thomas H., 2005 ME 123, ¶¶ 16-17, 889 A.2d 297

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