

APPENDIX

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MAINE SUPREME JUDICIAL COURT

Reporter of Decisions, Decision No. Mem 23-144

Docket No. Cum-23-206

IN RE CHILD OF KARIANN V.

Submitted on Briefs, November 29, 2023

Decided December 7, 2023

Panel: STANFILL, C.J., and MEAD, JABAR, HORTON,
CONNORS, and LAWRENCE, JJ.

MEMORANDUM OF DECISION

The mother appeals from a judgment of the District Court (Portland, *Nofsinger, J.*) terminating her parental rights to her child pursuant to 22 M.R.S. § 4055(1)(B)(2)(b)(i) (2023).

The mother argues that the court abused its discretion by failing to review the best interest of the child standard. To the contrary, the court properly considered the child's age, the duration and adequacy of the child's current living arrangements, the stability of any proposed living

arrangements for the child, and other statutorily mandated factors. 19-A M.R.S. § 1653(3) (2023); *In re Adoption of Lily T.*, 2010 ME 58, ¶ 37, 997 A.2d 722. Therefore, the court did not err or abuse its discretion in finding at least one ground of parental unfitness and determining that termination of the mother's parental rights was in the child's best interest. 22 M.R.S. § 4055(1)(B)(2)(b)(i) (2023); *In re Child of Louise G.*, 2020 ME 87, ¶ 8, 236 A.3d 445.

The entry is:

Judgment affirmed.

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Allison Muir Kuhns, Esq., Law Office of Allison Muir Kuhns, Portland, for appellant Kariann V.

Aaron M. Frey, Attorney General and Hunter C. Umphrey, Asst. Atty. Gen., Office of the Attorney General, Bangor, for appellee Department of Health and Human Services

Portland District Court docket number PC-2020-44
FOR CLERK REFERENCE ONLY

Title 4, Maine Revised Statutes, Section 57

The following cases only come before the court as a court of law: Cases on appeal from the District Court, the Superior Court or a single Justice of the Supreme Judicial Court or from the probate courts; questions of law arising on reports of cases, including interlocutory orders or rulings of such importance as to require, in the opinion of the justice, review by the Law Court before any further proceedings in the action; agreed statement of facts; cases presenting a question of law; all questions arising in cases in which equitable relief is sought; motions to dissolve injunctions issued after notice and hearing or continued after a hearing; questions arising on habeas corpus, mandamus and certiorari and questions of state law certified by the federal courts. They must be marked "law" on the docket of the county or district where they are pending, and there continued until their determination is certified by the Clerk of the Law Court to the clerk of courts of the county and the

court shall immediately after the decision of the question submitted to it make such order, direction, judgment or decree as is fit and proper for the disposal of the case, and cause a rescript in all civil actions, briefly stating the points therein decided, to be filed therein, which rescript must be certified by the Clerk of the Law Court to the clerk of courts of the county or district where the action is pending and to the Reporter of Decisions. If no further opinion is written out, the reporter shall publish in the next volume of reports thereafter issued the case, together with such rescript, if the reporter deems the same of sufficient importance for publication.

When the issues of law presented in any case before the Law Court can be clearly understood, they must be decided, and a case may not be dismissed by the Law Court for technical errors in pleading alone or for want of proper procedure if the record of the case presents the merits of the controversy between the parties. Whenever, in the opinion of the Law Court, the ends of justice require, it may remand

any case to the court below or to any justice or judge thereof for the correction of any errors in pleading or procedure. In remanding said case, the Law Court may set the time within which said correction must be made and said case reentered in the Law Court.

When it appears to the Supreme Court of the United States, or to any court of appeals or district court of the United States, that there is involved in any proceeding before it one or more questions of law of this State, which may be determinative of the cause, and there are no clear controlling precedents in the decisions of the Supreme Judicial Court, such federal court may certify any such questions of law of this State to the Supreme Judicial Court for instructions concerning such questions of state law, which certificate the Supreme Judicial Court sitting as the Law Court may, by written opinion, answer.