

IN RE J.K. et al.

Submitted on Briefs January 28, 2014

Decided February 6, 2014

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

MEMORANDUM OF DECISION

The father of J.K. and T.K. appeals from a jeopardy order issued against him in the District Court (Rockland, *Worth, J.*) pursuant to 22 M.R.S. §§ 4035, 4036 (2013). “We review a court’s jeopardy finding for clear error, upholding it if any evidence in the record can rationally be understood to establish as more likely than not that the child was in circumstances of jeopardy to his health and welfare.” *In re Destiny T.*, 2009 ME 26, ¶ 14, 965 A.2d 872. The evidence in this case can be rationally understood to establish as more likely than not that the children were in circumstances of jeopardy in the absence of a child protection order. *See In re B.C.*, 2012 ME 140, ¶ 11, 58 A.3d 1118. Thus, the court’s jeopardy finding is not clearly erroneous. We do not consider the father’s challenge to the court’s conditional order that the Department of Health and Human Services be relieved of its obligation to provide reunification services because such orders are interlocutory and are not subject to appellate review.¹ *Id.* ¶ 12.

The entry is:

Judgment affirmed.

¹ We note that no assessment of the father’s home in Texas was made pursuant to the Interstate Compact for the Placement of Children, 22 M.R.S. § 4255 (2013). Such an assessment may be helpful in this case. Depending on the results of any such assessment, the District Court may revisit its decision to cease reunification.

On the briefs:

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appellant father

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Gen., Office of Attorney General, Augusta, for appellee Maine
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Rockland District Court docket number PC-2012-29

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