

IN RE JACOB M. et al.

Submitted on Briefs January 19, 2017

Decided January 31, 2017

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, GORMAN, JABAR, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

The mother of Jacob M. and Isaac M. appeals from a judgment of the District Court (Biddeford, *Foster, J.*) finding that she placed the children in circumstances of jeopardy to their health or welfare. *See* 22 M.R.S. §§ 4035, 4002(6) (2016).

Contrary to the mother’s contentions, the court did not clearly err in making its findings. *See In re Destiny T.*, 2009 ME 26, ¶ 14, 965 A.2d 872. Nor did the court err in applying the preponderance of the evidence standard for its findings, as we have established that this is the proper standard for “nonpermanent interim order[s], such as . . . jeopardy order[s].” *Guardianship of Chamberlain*, 2015 ME 76, ¶ 26, 118 A.3d 229; *see In re Christmas C.*, 1998 ME 258 ¶¶ 12-13, 721 A.2d 629.

The entry is:

Judgment affirmed.

---

Lisa D. Chmelecki, Esq., Rioux, Donahue, Chmelecki & Peltier, LLC, Portland,  
for appellant mother

Janet T. Mills, Attorney General, and Meghan Szylvian, Asst. Atty. Gen., Office of  
the Attorney General, Augusta, for appellee Department of Health and Human  
Services

Biddeford District Court docket number PC-2016-07  
FOR CLERK REFERENCE ONLY