

IN RE CHILD OF JASMINE M.

Submitted on Briefs December 18, 2020

Decided December 29, 2020

Panel: MEAD, GORMAN, JABAR, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

Jasmine M. appeals from a judgment entered by the District Court (Rockland, *Mathews, J.*) finding that she had placed her child in circumstances of jeopardy to his health or welfare. *See* 22 M.R.S. §§ 4002(6), 4035(2) (2020). Contrary to the mother's contentions, the record evidence was sufficient for the court to make that finding by a preponderance of the evidence. *See* 22 M.R.S. § 4035(2); *In re Child of Ryan F.*, 2020 ME 21, ¶¶ 30-32, 224 A.3d 1051. Although by the time of the hearing the mother had taken steps to alleviate the risk of jeopardy, as is reflected by the court's order to immediately return the child to the mother's custody, the court's finding of jeopardy four months after the Department filed its petition was not clearly erroneous given the mother's testimony continuing to defend her decision to allow a person whom the Department had deemed inappropriate to care for the child.

The entry is:

Judgment affirmed.

Amy McNally, Esq., Woodman Edmands Danylik Austin Smith & Jacques, P.A.,
Biddeford, for appellant mother

Aaron M. Frey, Attorney General, and Meghan Szylvian, Asst. Atty. Gen., Office
of the Attorney General, Augusta, for appellee Department of Health and Human
Services

Rockland District Court docket number PC-2020-11
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