

IN RE KYLE L.

Submitted on Briefs December 12, 2008  
Decided December 18, 2008

Panel: SAUFLEY, C.J., and CLIFFORD, ALEXANDER, LEVY, MEAD, and  
GORMAN, JJ.

MEMORANDUM OF DECISION

The father of Kyle L. appeals from a judgment entered in the District Court (Ellsworth, *Staples, J.*) finding that Kyle was in jeopardy pursuant to 22 M.R.S. § 4035 (2007). Contrary to the father's contentions, the court did not err in concluding that the Department of Health and Human Services had made reasonable efforts to prevent removal, pursuant to 22 M.R.S. § 4036-B(3) (2007), and to reunify and rehabilitate the family, pursuant to 22 M.R.S. § 4036-B(4) (2007). The Department's efforts appropriately focused on Kyle and his father. In addition, there was sufficient evidence in the record to establish, as more likely than not, that Kyle was in circumstances of jeopardy to his health and welfare. *See In re Dakota P.*, 2005 ME 2, ¶ 14, 863 A.2d 280, 285.

The entry is:

Judgment affirmed.

---

**Attorney for the father:**

Ferdinand A. Slater, Esq.  
PO Box 5289  
Ellsworth, Maine 04605

**Attorney for the mother:**

Charles H. Helfrich, Esq.  
49 Church Street  
Ellsworth, Maine 04605-1915

**Attorneys for the Maine Department of  
Health and Human Services:**

G. Steven Rowe, Attorney General  
Nora Sosnoff, Asst. Atty. Gen.  
Office of the Attorney General  
6 State House Station  
Augusta, Maine 04333-0006

**Guardian ad litem:**

Matthew Foster, Esq.  
PO Box 919  
Ellsworth, Maine 04605