

IN RE GUARDIANSHIP BY CHRISTINE D.

Submitted on Briefs April 19, 2022
Decided April 26, 2022

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

MEMORANDUM OF DECISION

Christine D. appeals from a judgment of the District Court (Lewiston, *Oram, J.*) denying her petition for appointment as guardian of her grandchild. Contrary to her contentions, the court did not commit clear error in its findings of fact, *Guardianship of Grenier*, 2018 ME 66, ¶ 8, 185 A.3d 728; did not commit obvious error in admitting the CASA guardian ad litem’s opinion testimony at the guardianship hearing, which was consolidated with a permanency planning hearing in a child protection matter, because the court did not reference or rely on that opinion in reaching its decision, *see In re Joshua B.*, 2001 ME 115, ¶ 10, 776 A.2d 1240; 22 M.R.S. § 4005(1)(B) (2021); and did not abuse its discretion in determining that, despite the grandmother’s loving bond with the child and success in caring for the child in the past, it was not in the child’s best interest that she be appointed as the child’s guardian given the existing and anticipated circumstances in her home, 18-C M.R.S. § 5-204(2)(B) (2021); *In re Guardianship of Hailey M.*, 2016 ME 80, ¶ 21, 140 A.3d 478.

The entry is:

Judgment affirmed.

Philip Notis, Esq., Portland, for appellant Christine D.

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

Bonnie L. Ball Wahrer, Esq., Pierce Atwood LLP, Portland, for CASA guardian ad litem Jeremy Boyd-Luke

Lewiston District Court docket numbers PC-2018-52 & FM-2020-209
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