

GUARDIANSHIP BY JOSEPH N. et al.

Submitted on Briefs April 19, 2022
Decided April 28, 2022

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

MEMORANDUM OF DECISION

The mother of a minor child appeals from a judgment of the Hancock County Probate Court (*Blaisdell, J.*) appointing the child's maternal grandmother and step-grandfather as the child's guardians after a contested hearing.¹ The mother did not file a motion for further findings. *See* M.R. Prob. P. 52; M.R. Civ. P. 52(b); *Guardianship of Grenier*, 2018 ME 66, ¶¶ 7, 13-14, 185 A.3d 728; *Guardianship of Ard*, 2017 ME 12, ¶ 15 & n.2, 154 A.3d 609; *McLeod v. Macul*, 2016 ME 76, ¶ 9, 139 A.3d 920.

Contrary to the mother's contentions, sufficient evidence in the record supports the court's findings that the mother is unwilling or unable to exercise her parental rights and that appointment of the grandparents as the child's guardians is in the child's best interest, and the court did not abuse its discretion in determining that the guardianship is in the child's best interest. *See* 18-C M.R.S. § 5-204(2)(C) (2020);² 18-C M.R.S. § 5-102(4) (2022); 19-A M.R.S. § 1653(3) (2022); *Guardianship of Hailey M.*, 2016 ME 80, ¶¶ 15-16,

¹ The child's father consented to the guardianship, *see* 18-C M.R.S. § 5-204(2)(A) (2022), and is not a party to this appeal.

² Title 18-C M.R.S. § 5-204(2)(C) has been amended since the court entered the judgment, but not in any way that is relevant to the issues in this appeal. *See* P.L. 2021, ch. 340, § 1 (effective Oct. 18, 2021) (codified at 18-C M.R.S. § 5-204(2)(C) (2022)).

19-21, 140 A.3d 478; *Guardianship of Johnson*, 2014 ME 104, ¶¶ 19-21, 98 A.3d 1023; *Guardianship of Jewel M.*, 2010 ME 80, ¶¶ 4, 9, 2 A.3d 301.

The entry is:

Judgment affirmed.

Scott Duley, Esq., Craig J. Rancourt, P.A., Biddeford, for appellant mother

Maxwell G. Coolidge, Esq., Ellsworth, for appellees maternal grandmother and step-grandfather

Hancock County Probate Court docket number 2020-406
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