

GUARDIANSHIP by SHANNON B.

Submitted on Briefs October 30, 2024  
Decided November 7, 2024

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

MEMORANDUM OF DECISION

Shannon and Richard B. appeal from a judgment entered by the Knox County Probate Court (*Emery, J.*) modifying their temporary guardianship of their grandchildren to a limited guardianship and making transitional arrangements for the eventual placement of the children into the father's care. *See* 18-C M.R.S. § 5-211(1) (2024). Although the temporary guardians argue that the court's findings concerning the father's ability to meet his children's needs and the effects of transitioning the children to the father's custody run contrary to the credible evidence, a review of the record supports the court's findings and does not compel the court to find that the father is parentally unfit. *Guardianship of Boyle*, 674 A.2d 912, 913 (Me. 1996) ("A factual determination is clearly erroneous only when there is no competent evidence in the record to support it."); *Handrahan v. Malenko*, 2011 ME 15, ¶ 13, 12 A.3d 79 ("For an appellant who had the burden of proof at trial to prevail on a sufficiency of the evidence challenge on appeal, that party must demonstrate that a contrary finding was compelled by the evidence."); *In re Guardianship of Jewel M. (Jewel II)*, 2010 ME 80, ¶¶ 7, 11, 2 A.3d 301.

Furthermore, on this record the court did not abuse its discretion in determining that transitional arrangements were in the best interests of the children. *See* 18-C M.R.S. § 5-211(1); *In re Guardianship of Stevens*, 2014 ME 25, ¶ 16, 86 A.3d 1197.

The entry is:

Judgment affirmed.

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Aaron Fethke, Esq., Fethke Law Offices, Searsport, for appellants Shannon and Richard B.

Jesse D. Rutters, Esq., Hanscom Collins & Rutter, PA, Rockland, for appellee Elijah F.

Knox County Probate Court docket numbers 2019-0211 and 2019-0212  
FOR CLERK REFERENCE ONLY