

GUARDIANSHIP OF JO-ANN C.

Submitted on Briefs March 1, 2012
Decided March 6, 2012

Panel: ALEXANDER, LEVY, SILVER, MEAD, GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Jo-Ann C. appeals from a judgment of the York County Probate Court (*Bailey, J.*) appointing her sisters as full co-guardians and co-conservators on the petition of Jo-Ann's former limited guardian and conservator, her mother. We discern no clear error in the court's findings (1) by clear and convincing evidence, that Jo-Ann is incapacitated, needs care and supervision, and is unable to manage her property and affairs because of her mental illness, or (2) by a preponderance of the evidence, that Jo-Ann's assets will be wasted or dissipated without assistance. *See* 18-A M.R.S. §§ 5-101(1), 5-304(b), 5-401(2) (2011); *Estate of Bragdon*, 2005 ME 85, ¶ 13, 875 A.2d 697. The court also did not abuse its discretion in appointing her sisters as full co-guardians and co-conservators, notwithstanding Jo-Ann's mother's prior limited guardianship and conservatorship. *See* 18-A M.R.S. §§ 5-311(b)(6), 5-312(a), 5-410(a)(7), 5-424 (2011); *Bragdon*, 2005 ME 85, ¶ 13, 875 A.2d 697.

The entry is:

Judgment affirmed.

On the briefs:

Jeffrey P. Buhrman, Esq., South Portland, for appellant Jo-Ann C.

Eric Cote, Esq., Saco, for appellees sisters of Jo-Ann C.

York County Probate Court docket number 2002-726
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