

ADULT GUARDIANSHIP OF P.

Submitted on Briefs February 26, 2020

Decided March 5, 2020

Panel: MEAD, GORMAN, JABAR, HUMPHREY, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

Michael and Peter Zani appeal, for the second time, from a judgment of the Lincoln County Probate Court (*Avantaggio, J.*) appointing Karin Beaster as guardian of their elderly mother, P. *See In re Guardianship of Patricia S.*, 2019 ME 23, 202 A.3d 532. The Zanis challenge the court's determination that Beaster's appointment is in the ward's best interest. *See* 18-A M.R.S. § 5-311(b) (2018).¹ Contrary to the Zanis' contentions, the court did not apply the incorrect evidentiary standard to reach that determination. *See Guardianship of Patricia S.*, 2019 ME 23, ¶ 22, 202 A.3d 532; *Guardianship of Hughes*, 1998 ME 186, ¶ 15, 715 A.2d 919. We are also unpersuaded by the Zanis' arguments that the evidence was insufficient, as a matter of law or fact, to support the court's conclusion that appointing Beaster is in the ward's best interest. *See Guardianship of Patricia S.*, 2019 ME 23, ¶¶ 3-4, 22, 202 A.3d 532.

The entry is:

Judgment affirmed.

¹ Title 18-A, Article 5 has since been repealed and replaced. *See* P.L. 2017, ch. 402, §§ A-1 to -2 (effective Sept. 1, 2019); *see also* P.L. 2019, ch. 417, § B-14. The recodification and amendments do not affect this appeal.

Laura P. Shaw, Esq., Camden Law LLP, Camden, for appellants Michael Zani and Peter Zani

Philip S. Cohen, Esq., Law Offices of Cohen & Cohen, P.C., Waldoboro, for appellee P.

Lincoln County Probate Court docket number 2017-0223
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