

CONSERVATORSHIP OF D.

Submitted on Briefs October 20, 2021

Decided October 28, 2021

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

MEMORANDUM OF DECISION

D. appeals from a judgment entered in the York County Probate Court (*Houde, J.*), after a testimonial hearing, appointing the Department of Health and Human Services as D.'s conservator. Contrary to D.'s contentions, the record contains sufficient competent evidence to support the court's findings, by clear and convincing evidence, that D. is "unable to manage [her] property or financial affairs because . . . [o]f a limitation in [her] ability to receive and evaluate information or make or communicate decisions"; that appointment of a conservator is necessary either to avoid harm to D. or to obtain money needed for her support, care, health, or welfare; and that D.'s "identified needs cannot be met by less restrictive alternatives." 18-C M.R.S. § 5-401(2) (2021); *see Guardianship of McIntosh*, 2015 ME 95, ¶ 16, 120 A.3d 654; *see also In re Cyr*, 2005 ME 61, ¶ 16, 873 A.2d 355. Furthermore, the court did not abuse its discretion in determining the scope of the conservatorship. *See* 18-C M.R.S. § 5-401(3); *Guardianship of McIntosh*, 2015 ME 95, ¶ 20, 120 A.3d 654; *Estate of Bragdon*, 2005 ME 85, ¶ 13, 875 A.2d 697.

The entry is:

Judgment affirmed.

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York County Probate Court docket number 2019-0774  
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