

DONNA HANSEN

v.

BRIAN HANSEN

Submitted on Briefs May 17, 2007
Decided June 5, 2007

Panel: SAUFLEY, C.J., and CLIFFORD, CALKINS, LEVY, SILVER, and
MEAD, JJ.

MEMORANDUM OF DECISION

Donna Hansen appeals from a judgment entered in the District Court (Portland, *Horton, J.*) awarding primary residence of her son to Brian Hansen. Contrary to Hansen's contentions, the court did not abuse its discretion (1) in admitting the guardian ad litem's recommendations because, even though the guardian did not use a qualified interpreter during every meeting, a qualified interpreter was provided for Hansen during all crucial stages of the proceedings, *see In re Kafia M.*, 1999 ME 195, ¶ 23, 742 A.2d 919, 927; and (2) in applying the "best interests of the child" standard in determining primary residence of the child, *see MacCormick v. MacCormick*, 513 A.2d 266, 268 (Me. 1986). The court's

consideration of the child's best interests was not subject to a clear and convincing standard because it was not premised on a willful misuse of the protection from abuse process, *see Hinkley v. Hinkley*, 2000 ME 64, ¶ 10, 749 A.2d 752, 754, and the court properly considered Hansen's relocation to Massachusetts, *see Rowland v. Kingman*, 629 A.2d 613, 616 (Me. 1993).

The entry is:

Judgment affirmed.

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