

DA 20-0403

IN THE SUPREME COURT OF THE STATE OF MONTANA

2021 MT 91N

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IN THE MATTER OF THE GUARDIANSHIP OF:

G.R.M.,

A Minor Child,

DIANA R. MERIDETH and KENNETH M. MERIDETH,

Petitioners, Appellees, and Cross Appellants.

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IN THE MATTER OF THE GUARDIANSHIP OF:

G.R.M.,

A Minor Child,

CAROL M. MERIDETH,

Petitioner and Appellant.

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APPEAL FROM: District Court of the Sixth Judicial District,  
In and For the County of Park, Cause No. DG-20-08  
Honorable Brenda R. Gilbert, Presiding Judge

COUNSEL OF RECORD:

For Appellant:

Kevin S. Brown, Erin E. Harris, Paoli & Brown, P.C., Livingston, Montana

For Appellee:

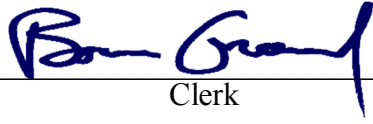
Sherine D. Blackford, Monica E. Payne, Blackford Carls P.C., Bozeman,  
Montana

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Submitted on Briefs: March 24, 2021

Decided: April 13, 2021

Filed:

  
Clerk

Justice Beth Baker delivered the Opinion of the Court.

¶1 Pursuant to Section I, Paragraph 3(c), Montana Supreme Court Internal Operating Rules, we decide this case by memorandum opinion. It shall not be cited and does not serve as precedent. Its case title, cause number, and disposition shall be included in this Court's quarterly list of noncitable cases published in the Pacific Reporter and Montana Reports.

¶2 Carol Merideth appeals the Sixth Judicial District Court's orders awarding temporary guardianship of her two stepchildren to their paternal grandparents, Diana Merideth and Kenneth Merideth. Diana and Kenneth cross-appeal the court's failure to make the guardianship order a permanent one and its award to Carol, in the same order, of a right to visitation with the children at certain established times.

¶3 G.R.M. is the six-year-old daughter of Joshua Merideth and Allison Merideth. G.R.M. has a ten-year-old brother, J.S.M., who is the subject of a companion appeal under this Court's Cause No. DA 20-0402. The children's father died in June 2020, leaving behind a Last Will and Testament that contained a testamentary appointment of his wife Carol for their guardianship. Carol and Diana and Kenneth filed competing petitions for guardianship, which the District Court consolidated. After Allison appeared in the guardianship proceeding and consented to Diana and Kenneth's appointment, the District Court entered Findings of Fact, Conclusions of Law, and an order appointing Diana and Kenneth temporary guardians and conservators and giving Carol specified parenting time with the children on alternating weekends.

¶4 Carol’s appeal, as well as Diana and Kenneth’s cross-appeal, raise the same issues they raise in J.S.M.’s companion appeal, which we have decided today by separate opinion. *Matter of J.S.M.*, 2021 MT 86, \_\_\_ Mont. \_\_\_\_, \_\_\_ P.3d \_\_\_\_. We adopt our analysis in that case and decide this case pursuant to Section I, Paragraph 3(c) of our Internal Operating Rules, which provides for memorandum opinions.

¶5 For the reasons stated in *Matter of J.S.M.*, we conclude that the District Court did not abuse its discretion when it issued an order appointing Diana and Kenneth as G.R.M.’s temporary guardians and maintained their contact with Carol during the pendency of the proceedings. We therefore affirm the Order Appointing Temporary Guardians and Conservators.

/S/ BETH BAKER

We Concur:

/S/ JAMES JEREMIAH SHEA

/S/ DIRK M. SANDEFUR

/S/ LAURIE McKINNON

/S/ INGRID GUSTAFSON