

MONIQUE (BOIS) MICHAUD

v.

ALAIN R. BOIS

Submitted on Briefs January 31, 2013

Decided February 5, 2013

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

#### MEMORANDUM OF DECISION

Monique (Bois) Michaud appeals from the divorce judgment entered by the District Court (Presque Isle, *O'Mara, J.*) dividing marital assets and assigning parental rights and responsibilities. Contrary to Michaud's contentions, the court did not abuse its discretion in dividing the marital property or in awarding split primary physical residence of the couple's two children. *Akers v. Akers*, 2012 ME 75, ¶ 2, 44 A.3d 311 (reviewing child custody issues for abuse of discretion); *Nadeau v. Nadeau*, 2008 ME 147, ¶ 42, 957 A.2d 108 (reviewing the division of marital property for abuse of discretion). Additionally, the court did not abuse its discretion by refusing to find that Alain Bois violated the interim order regarding child support. *Ames v. Ames*, 2003 ME 60, ¶ 22, 822 A.2d 1201 (reviewing denials of motions for civil contempt for abuse of discretion and placing the burden of persuasion on the moving party). The findings in the court's divorce judgment are "sufficient to inform the parties of the reasoning underlying its conclusions." *Dargie v. Dargie*, 2001 ME 127, ¶ 2, 778 A.2d 353 (quotation marks omitted). Finally, the court did not abuse its discretion by finding irreconcilable marital differences, but not adultery, as grounds for divorce. *See Delano v. Delano*, 501 A.2d 1287, 1289 (Me. 1985) (noting that marital fault may not be considered by the court in dividing property).

The entry is:

Judgment affirmed.

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**On the briefs:**

Theodore M. Smith, Esq., Smith Law Office, LLC, Van Buren, for appellant  
Monique (Bois) Michaud

James M. Dunleavy, Esq., Currier & Trask, P.A., Presque Isle, for appellee  
Alain Bois