

JOAKIM O. WAHLSTROM

v.

PENELOPE R. WAHLSTROM

Argued November 10, 2016
Decided December 15, 2016

Panel: ALEXANDER, MEAD, JABAR, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

Joakim Wahlstrom appeals from the District Court's (Portland, *R. French, J.*) judgment adopting and incorporating the referee's amended report, after a hearing on Penelope Wahlstrom's motions for contempt and post-judgment relief, and Joakim's motion to enforce a parental rights and responsibilities order. Joakim argues that the referee abused his discretion by awarding spousal support in favor of Penelope, failing to award him child support, and requiring him to pay, in accordance with the original divorce judgment, a portion of the proceeds of his 401(k) to Penelope in a lump sum.

Contrary to Joakim's contentions, the referee acted within his discretion and properly analyzed the relevant factors set forth in 19-A M.R.S. 951-A(5) (2015) in fashioning the spousal support award. *See Carter v. Carter*, 2006 ME 68, ¶ 20, 900 A.2d 200. Further, we discern no abuse of discretion in the referee's determination that the pertinent circumstances did not warrant imposing a child support obligation upon Penelope. *See* 19-A M.R.S.A. § 2009; *Wood v. Wood*, 407 A.2d 282, 284-85 (Me. 1979). Finally, the referee did not abuse his discretion by requiring Joakim to comply with the terms of the divorce decree and pay Penelope the portion of the 401(k) proceeds to which

she is entitled under the divorce judgment, because the referee had the explicit authority to enforce prior orders.¹

The entry is:

Judgment affirmed.

Gene R. Libby, Esq., and Paige B. Streeter, Esq. (orally), Libby O'Brien Kingsley & Champion, LLC, Kennebunk, for appellant Joakim O. Wahlstrom

Ronald P. Lebel, Esq. (orally), and Amy Dieterich, Esq., Skelton Taintor & Abbott, Auburn, for appellee Penelope R. Wahlstrom

Portland District Court docket number FM-2014-73
FOR CLERK REFERENCE ONLY

¹ Here, pursuant to an order of reference, the referee was imbued with the authority “[t]o enter reports enforcing any prior order or report, exercising any and all authority possessed by a Judge of the District Court.”