

DAVID FOWLER

v.

TYLENE BERGERON

Submitted on Briefs January 19, 2017
Decided March 2, 2017

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, GORMAN, JABAR, HJELM, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

David Fowler appeals from judgments of the District Court (Skowhegan, *Benson, J.*) modifying the decree in his 2014 divorce from Tylene Bergeron and finding him in contempt for violating the terms of the original decree. Despite Fowler's factual assertions to the contrary, the court's findings were supported by evidence in the record and were not clearly erroneous.¹ *See Little v. Wallace*, 2016 ME 93, ¶ 12, 142 A.3d 585; *Guardianship of Hailey M.*, 2016 ME 80, ¶ 15, 140 A.3d 478; *Gordon v. Cheskin*, 2013 ME 113, ¶ 12, 82 A.3d 1221. Further, the court did not abuse its discretion in allowing Bergeron's family violence advocate to remain in the courtroom as a support to her when the advocate was not anticipated to be a witness and was not disruptive to the proceeding. *See* 19-A M.R.S. § 1656 (2016) (providing that at the request of either party, the

¹ We note that, to avoid harm to the child or the parent-child relationship, when a parent is in a position to question that parent's child as a witness, the trial court has the authority to control the examination or exclude the child's testimony. *See* M.R. Evid. 403, 611(a); *Robertson v. Gerakaris*, 2015 ME 83, ¶ 12, 119 A.3d 739; *Nadeau v. Nadeau*, 2008 ME 147, ¶ 29, 957 A.2d 108; *see also State v. Pinkham*, 411 A.2d 1021, 1023 (Me. 1980).

public shall be excluded from parental rights and responsibilities proceedings “unless the other party . . . objects”).

The entry is:

Judgments affirmed.

David Fowler, appellant pro se

Tylene Bergeron, appellee pro se

Skowhegan District Court docket number FM-2014-30
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