

LAURA O. O'DONNELL

v.

THOMAS M. O'DONNELL

Submitted on Briefs September 10, 2019
Decided September 17, 2019

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

MEMORANDUM OF DECISION

Thomas M. O'Donnell appeals, and Laura O. O'Donnell cross-appeals, from an amended divorce judgment entered by the District Court (Bridgton, *Darvin, J.*).

Contrary to Thomas's contentions, none of the court's determinations relating to parental rights and responsibilities, child contact, or spousal support constituted an abuse of discretion. *See* 19-A M.R.S. § 951-A(2)(A), (5) (2018); 19-A M.R.S. § 1653(3) (2018); *Klein v. Klein*, 2019 ME 85, ¶ 5, 208 A.3d 802; *Durkin v. Durkin*, 2019 ME 32, ¶ 10, 203 A.3d 812; *Papadopoulos v. Phillips*, 2018 ME 74, ¶ 8, 186 A.3d 852; *Nadeau v. Nadeau*, 2008 ME 147, ¶ 35, 957 A.2d 108. Nor did the court abuse its discretion when it ordered an equal division of marital property or when it ordered Thomas to pay a portion of Laura's attorney fees. *See* 19-A M.R.S. § 953(1) (2018); *Viola v. Viola*, 2015 ME 6, ¶¶ 9, 11, 109 A.3d 634; *Carter v. Carter*, 2006 ME 68, ¶ 22, 900 A.2d 200. Finally, the court's findings regarding Thomas's income were supported by competent evidence in the record and did not constitute clear error. *See Carolan v. Bell*, 2007 ME 39, ¶ 12, 916 A.2d 945.

As to Laura's contentions on cross-appeal, first, the evidence did not compel the court to find that Thomas had engaged in economic misconduct. *See Dickens v. Boddy*, 2015 ME 81, ¶ 12, 119 A.3d 722; *Quin v. Quinn*, 641 A.2d 180, 181-82 (Me. 1994). Second, the court did not err by allowing Thomas to choose the source and method of delivering an equalization payment to Laura, particularly where the parties did not present meaningful evidence regarding the potential tax consequences associated with any given payment source or method. *See Wardwell v. Duggins*, 2016 ME 55, ¶ 9, 136 A.3d 703; *Crooker v. Crooker*, 432 A.2d 1293, 1297 (Me. 1981).

The court's management of this high-conflict case, both before and during the trial, was exemplary. The court's findings of fact and its thoughtful and thorough legal analysis were free of error, and we therefore affirm the judgment.

The entry is:

Judgment affirmed.

Theodore H. Irwin, Jr., Esq., and Robert W. Weaver, Esq., Irwin & Morris, Portland, for appellant Thomas M. O'Donnell

Andrea S. Manthorn, Esq., Roach, Hewitt, Ruprecht, Sanchez & Bischoff, Portland, and David Turesky, Esq., Portland, for appellee Laura O. O'Donnell