

BRIDGET K. MILLER

v.

DAVID W. NERY

Submitted on Briefs January 23, 2020
Decided January 30, 2020

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

MEMORANDUM OF DECISION

David W. Nery appeals from a judgment of the District Court (Wiscasset, *Raimondi, J.*) modifying his parental rights and responsibilities in connection with his 2014 divorce from Bridget K. Miller. Contrary to Nery's contentions, we discern no error or deprivation of Nery's fundamental right to parent by the court's application of the best interest standard in fashioning the modified award of parental rights and responsibilities, *see* 19-A M.R.S. § 1653(3) (2018); *Klein v. Klein*, 2019 ME 85, ¶ 8 n.2, 208 A.3d 802; *Pearson v. Wendell*, 2015 ME 136, ¶¶ 29-31, 41, 125 A.3d 1149, or by not providing a reunification plan to inform Nery of how he could gain additional contact with his children, *see* 22 M.R.S. § 4041(1-A)(A) (2018); *Schulz v. Doeppe*, 2018 ME 49, ¶ 24 n.6, 182 A.3d 1246; *Hatch v. Anderson*, 2010 ME 94, ¶ 8, 4 A.3d 904. In addition, the court did not abuse its discretion by admitting in evidence the guardian ad litem's report or by relying on the summary in the guardian ad litem's report of various police records relating to Nery. *See* 19-A M.R.S. § 1507(5) (2018); M.R. Evid. 802; M.R.G.A.L. 4(b)(7); *Banks v. Leary*, 2019 ME 89, ¶¶ 9, 11-13, 209 A.3d 109; *In re Chelsea C.*, 2005 ME 105, ¶¶ 14-16, 884 A.2d 97. Finally, the court did not commit obvious error by ordering Nery to pay the balance of the guardian ad litem's fees, *see* 19-A M.R.S. § 105(3) (2018); *Karamanoglu v. Gourlaouen*, 2016

ME 86, ¶ 28, 140 A.3d 1249, or abuse its discretion by awarding Miller her attorney fees and costs, *see* 19-A M.R.S. § 105(1) (2018); *Verite v. Verite*, 2016 ME 164, ¶ 17, 151 A.3d 1.

The entry is:

Judgment affirmed.

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David W. Nery

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appellee Bridget K. Miller

Wiscasset District Court docket number FM-2013-89
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