

AIMEE L. O'BRIEN

v.

GNANENDRA A. JEYARAJAN

Submitted on Briefs December 21, 2021

Decided December 30, 2021

Panel: STANFILL, C.J., and MEAD, GORMAN, JABAR, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

Gnanendra A. Jeyarajan appeals from a post-divorce judgment entered by the District Court (Biddeford, *Sutton, J.*) adopting the decision of a family law magistrate (*Adamson, M.*) over Jeyarajan's objections. *See* M.R. Civ. P. 118(a)(2). The family law magistrate granted a motion to enforce a child support order filed by the Department of Health and Human Services on behalf of Aimee L. O'Brien, *see* 19-A M.R.S. § 2103 (2021), and ordered Jeyarajan to reimburse O'Brien for orthodontic treatment expenses for the parties' minor child.

Jeyarajan contends that the court erred or abused its discretion by interpreting the parties' divorce judgment to require that he pay for the child's orthodontic treatment when he did not consent to the treatment. It is clear from the express terms of the divorce judgment and amended child support order that Jeyarajan is obligated to pay his share of the child's treatment expenses. *See McBride v. Worth*, 2018 ME 54, ¶ 10, 184 A.3d 14; *Curtis v. Medeiros*, 2016 ME 180, ¶ 8, 152 A.3d 605. Contrary to Jeyarajan's contentions, the court's factual findings that the child's orthodontic treatment was a "second phase" of an earlier treatment to which Jeyarajan consented and was "medically necessary" are fully supported by competent evidence in the record. *See*

Dunwoody v. Dunwoody, 2017 ME 21, ¶ 7, 155 A.3d 422; *Theberge v. Theberge*, 2010 ME 132, ¶ 17, 9 A.3d 809; *Holbrook v. Holbrook*, 2009 ME 80, ¶ 8, 976 A.2d 990. The father's right and responsibility to share decision-making regarding the child's medical treatment does not grant him license to unilaterally absolve himself of his responsibility to contribute to his child's medical expenses by announcing, midway through the treatment and after O'Brien was allocated decision-making authority to select the child's medical treatment providers, that he did not agree to a modest deviation in the planned course of treatment.¹ See *Austin v. Austin*, 2002 ME 152, ¶¶ 1-18, 806 A.2d 642.

The entry is:

Judgment affirmed.

Jeremy W. Dean, Esq., Portland, for appellant Gnanendra A. Jeyarajan

Matthew W. Howell, Esq., York, for appellee Aimee L. O'Brien

York District Court docket number FM-2013-61
FOR CLERK REFERENCE ONLY

¹ Jeyarajan contends that the court abused its discretion by failing to require O'Brien to pay the first \$250 of the child's 2017 medical expenses. Because Jeyarajan failed to adequately develop his argument, we decline to address it further. See *Melhorn v. Derby*, 2006 ME 110, ¶ 11, 905 A.2d 290.