

MELANIE K. MARKS

v.

CHRISTOPHER L. MARKS

Submitted on Briefs July 18, 2023
Decided July 25, 2023

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

MEMORANDUM OF DECISION

Melanie K. Marks appeals from the District Court's (York, *D. Driscoll, J.*) order granting her motion for contempt but declining to impose any sanctions against Christopher L. Marks for failing to comply with the provisions of the divorce judgment, as amended, requiring notification and regular exchange of financial information. Contrary to Melanie's contentions, Maine Rule of Civil Procedure 66(d)(2)(F) does not require a court to impose a sanction after making a finding of contempt. *Cf. Richards v. Thompson*, 2004 ME 25, ¶ 14, 842 A.2d 1289. Instead, the court has discretion over whether to impose sanctions. *See* M.R. Civ. P. 66(d)(3); *see also Black v. Black*, 2017 ME 124, ¶ 9, 164 A.3d 966; *Murphy v. Bartlett*, 2014 ME 13, ¶ 16, 86 A.3d 610; *Hogan v. Veno*, 2006 ME 132, ¶ 18, 909 A.2d 638. The court found that both Melanie and Christopher failed to comply with the divorce judgment for years, and that the requirement for the exchange of information was no longer in effect. We conclude the court did not abuse its discretion by declining to impose sanctions against Christopher. *See Beckerman v. Pooler*, 2015 ME 80, ¶ 7, 119 A.3d 74; *Hogan*, 2006 ME 132, ¶ 18, 909 A.2d 638.

The entry is:

Judgment affirmed.

Patrick S. Bedard, Esq., Bedard & Bobrow, P.C., Eliot, for appellant Melanie K. Marks

Albert Hansen, Esq., Hansen Law Offices, PLLC, Kennebunk, for appellee Christopher L. Marks

York District Court docket number FM-2012-59
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