

SHELLY LIBBY

v.

EDWARD LIBBY

Argued June 13, 2006  
Decided June 30, 2006

Panel: SAUFLEY, C.J., and CLIFFORD, DANA, ALEXANDER, CALKINS,  
LEVY, and SILVER, JJ.

#### MEMORANDUM OF DECISION

Edward Libby appeals from a judgment entered in the District Court (Portland, *Bradley, J.*) denying his motion to modify the divorce judgment with respect to parental rights and responsibilities. Contrary to Edward's contention, the statutory language in 19-A M.R.S. §§ 1653(10), 1657 (2005) has not abrogated the requirement that a parent seeking to modify a parental rights order must show that there has been a substantial change in circumstances justifying the modification. *See Jarvis v. Jarvis*, 2003 ME 53, ¶ 29, 832 A.2d 775, 781. The court did not clearly err when it found that there had been no substantial change in

circumstances, and it did not abuse its discretion in denying Edward's motion to modify parental rights and responsibilities. *See Cloutier v. Lear*, 1997 ME 35, ¶ 4, 691 A.2d 660, 662.

The entry is:

Judgment affirmed.

---

**Attorney for plaintiff:**

Susan M. Schultz, Esq. (orally)  
Givertz, Hambley, Scheffee & Lavoie, P.A.  
P.O. Box 4801  
Portland, ME 04112-4801

**Attorney for defendant:**

Dana E. Prescott, Esq. (orally)  
Prescott, Jamieson, Nelson & Murphy, LLC  
P.O. Box 1190  
Saco, ME 04072