

KATHLEEN FARRELL

v.

FREDERICK L. FARRELL

Submitted on Briefs November 4, 2008

Decided November 25, 2008

Panel: SAUFLEY, C.J., and CLIFFORD, ALEXANDER, LEVY, SILVER,
MEAD, and GORMAN, JJ.

MEMORANDUM OF DECISION

Kathleen Farrell appeals from a divorce judgment entered by the District Court (Portland, *Beaudoin, J.*). Kathleen argues that (1) the court erred in finding that Frederick L. Farrell did not engage in economic misconduct, and (2) the court abused its discretion when it awarded her \$1 per year in spousal support. A court's finding that a party to a divorce did or did not engage in economic misconduct is reviewed for clear error. *Peters v. Peters*, 1997 ME 134, ¶ 25, 697 A.2d 1254, 1261. There is competent evidence in the record for the court's finding that Frederick's conduct did not amount to economic misconduct.

The record also supports the court's spousal support award. The court has the discretion to weigh the division of marital property in favor of one spouse in order to eliminate that spouse's need for spousal support. *Douchette v. Washburn*, 2001 ME 38, ¶ 25, 766 A.2d 578, 586. It was not an abuse of discretion for the court to award Kathleen a substantial share of marital assets as a substitute for spousal support. *Id.*; see *Potter v. Potter*, 2007 ME 95, ¶ 6, 926 A.2d 1193, 1195.

The entry is:

Judgment affirmed.

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