

JON A. PROVOST

v.

MEAGAN McGEE

Submitted on Briefs October 14, 2009

Decided October 27, 2009

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

#### MEMORANDUM OF DECISION

Jon A. Provost appeals from a judgment entered in the District Court (Portland, *Beaudoin, J.*) granting the parties shared parental rights and responsibilities and shared residency of their daughter, and awarding McGee decision-making authority over the child's daycare and schooling. Contrary to Provost's contentions, the court did not err in its allocation of parental rights because it considered the best interests of the child, pursuant to 19-A M.R.S. § 1653(3) (2008), and there is sufficient evidence in the record to support its findings. In reaching its decision, the record demonstrates that the court examined the statutorily mandated factors, including: (1) the parties' ability to cooperate with one another; (2) the child's need for stability and continuity; (3) the nature of the child's relationship with each parent; and (4) other significant relationships involving the child. We review the court's findings with substantial deference, *see In re Michaela C.*, 2002 ME 159, ¶ 27, 809 A.2d 1245, 1253. The court's findings are supported in the record, and Provost has not demonstrated that the District Court committed clear error or abused its discretion in its award of parental rights. Further, the court properly limited the time allowed for the hearing to that anticipated in its pretrial order. *See Dolliver v. Dolliver*, 2001 ME 144, ¶¶ 10-12, 782 A.2d 316, 317-18.

The entry is:

Judgment affirmed.

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**Attorneys for Jon A. Provost:**

Jed J. French, Esq.  
Maryellen Sullivan, Esq.  
209 Main Street  
Freeport, Maine 04032

**Meagan McGee did not file a brief.**

Portland District Court docket number FM-2007-309  
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