

JANET L. BOGAN

v.

TIMOTHY J. BOGAN

Submitted on Briefs January 22, 2009

Decided January 29, 2009

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

MEMORANDUM OF DECISION

Timothy J. Bogan appeals from a divorce judgment entered in the District Court (Bangor, *Stitham, J.*) granting him a divorce from Janet L. Bogan. Contrary to Timothy's contention, the court did not err in ordering him to maintain health insurance for his then minor daughter for "as long as he can." When entering an order for divorce, the District Court has jurisdiction to make orders awarding parental rights and responsibilities with respect to the parties' minor children and must order "at least one parent to obtain and maintain health insurance coverage [for the child during the child's minority] . . . if reasonable cost health insurance is available to that parent." 19-A M.R.S. § 1653(8)(C) (2008); *see* 19-A M.R.S. § 1001 (2008); *Adams v. Adams*, 510 A.2d 1074, 1074 (Me. 1986). Furthermore, when a party seeks clarification of a court's order, as Timothy is here, a motion to alter or amend the judgment pursuant to M.R. Civ. P. 59, and not an appeal to this Court, is the preferred procedure.

Additionally, the court did not abuse its discretion in devising its general support award. *See Harmon v. Harmon*, 2009 ME 2, ¶ 7, --- A.2d ---, ---. Although Timothy must retire from the military at age sixty, his employment plans after his military retirement are not clear and the court properly refused to speculate about Timothy's future income in determining the spousal support award, which is in all respects reasonable. *See Ryan v. Ryan*, 1997 ME 136, ¶ 8, 697 A.2d 60, 61-62.

The entry is:

Judgment affirmed.

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