

SUPREME JUDICIAL COURT OF MAINE

Catlett v. Catlett, 2009 ME 49

970 A.2d 287 (Me. 2009) · No. Aro-08-334 · Decided May 12, 2009

SUMMARY

The Maine Supreme Judicial Court affirmed a divorce judgment addressing the classification and division of marital property, economic misconduct, spousal support, and adoption of a proposed judgment. The court held that the Chapman Farm was the wife's nonmarital property because the husband conveyed his interest to her during the parties' separation, found no economic misconduct, upheld the property division and \$3,500 monthly spousal support award, and concluded that the trial court properly exercised independent judgment when adopting portions of the wife's proposed judgment.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Mead, J.; Clifford, J.; Alexander, J.; Levy, J.; Silver, J.; Gorman, J.
JURISDICTION	Maine
DECIDED	May 12, 2009
DOCKET	Aro-08-334
DISPOSITION	affirmed
PROCEDURAL POSTURE	David Catlett appealed from a divorce judgment entered by the Maine District Court, challenging the characterization of real property, the finding concerning economic misconduct, the division of marital property, the general spousal support award, and the court's adoption of Carla Catlett's proposed judgment.
STANDARD OF REVIEW	Characterization of property as marital or nonmarital and findings of economic misconduct are reviewed for clear error. Division of marital property is reviewed for abuse of discretion. Spousal support awards are reviewed with deference and are committed to the sound discretion of the trial court. The propriety of adopting proposed findings and a proposed judgment turns on whether the judgment reflects independent judicial thought.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Judicial Court of Maine.

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the trial court clearly erred in finding that the Chapman Farm was Carla's nonmarital property.
2. Whether the trial court clearly erred in finding that Carla did not engage in economic misconduct.
3. Whether the trial court abused its discretion in dividing the marital property.
4. Whether the trial court abused its discretion or otherwise erred in awarding Carla \$3,500 per month in general spousal support.
5. Whether the trial court erred by adopting Carla's proposed divorce judgment.

HOLDINGS

1. The trial court did not clearly err in finding that the Chapman Farm was Carla's nonmarital property because David's conveyance of his interest to Carla during the parties' separation constituted property acquired by gift.
2. The trial court did not clearly err in finding that Carla did not engage in economic misconduct.
3. The trial court did not abuse its discretion in dividing the marital property because it considered the statutory factors and reached an essentially just division.
4. The trial court did not abuse its discretion in awarding Carla \$3,500 per month in general spousal support.
5. The trial court did not err by adopting Carla's proposed divorce judgment because the judgment reflected the court's independent judicial thought rather than merely adopting a party's submission.

KEY QUOTATIONS

“The record here contains sufficient evidence to support the court's finding that the Chapman Farm is Carla's nonmarital property because the transfer from David to Carla resulted in the Chapman Farm being property Carla “acquired by gift” subsequent to the marriage.” (¶ 27)

“The division need not be even, but must be “just” considering the parties' circumstances.” (¶ 34)

“The key question is whether the court findings reflect the application of judgment by the court, and not simply one of the parties.” (¶ 38)

FACTUAL BACKGROUND

Carla and David Catlett were married in 1976 and had two grown children. Carla primarily served as homemaker and caretaker while David pursued a military and business career; during the marriage they acquired several Maine properties, including the Chapman Farm, which Carla's parents conveyed to both spouses in 1997. In December 2005, while the parties were living apart, David conveyed his interest in the Chapman Farm to Carla by quitclaim deed and expressed in an email that he wanted his name removed from all Maine property. The trial court treated the Chapman Farm as Carla's nonmarital property, divided the remaining marital property, found no economic misconduct, and awarded Carla \$3,500 per month in general spousal support.

PROCEDURAL HISTORY

Carla Catlett filed for divorce on November 14, 2006. After an interim support hearing and a final hearing in April 2008, the District Court entered a divorce judgment on May 2, 2008, later issuing additional findings on June 1, 2008. David timely appealed, and the Supreme Judicial Court of Maine affirmed.

DISPOSITION

affirmed

CASES CITED

- Coppola v. Coppola, 2007 ME 147, ¶ 14, 938 A.2d 786, 791
- Peters v. Peters, 1997 ME 134, ¶ 25, 697 A.2d 1254, 1261
- Quin v. Quinn, 641 A.2d 180, 181 (Me. 1994)
- Brown v. Habrle, 2008 ME 17, ¶ 13, 940 A.2d 1091, 1095
- Carter v. Carter, 2006 ME 68, ¶¶ 19-20, 900 A.2d 200, 204-05
- Hess v. Hess, 2007 ME 82, ¶ 22, 927 A.2d 391, 396
- In re Marpheen C., 2002 ME 170, ¶ 7, 812 A.2d 972, 974