

SUPREME JUDICIAL COURT OF MAINE

Haskell v. Haskell

160 A.3d 1176 (Me. 2017) · Decided May 9, 2017

SUMMARY

The Maine Supreme Judicial Court affirmed a divorce judgment and the denial of Dusty Haskell’s motions for a new trial and relief from judgment. The court held that Dusty’s failure to update his mailing address, monitor proceedings, attend hearings, and file a financial statement did not establish excusable neglect, misconduct, or a due-process violation. The court also upheld the award of \$6,000 per month in spousal support as supported by the evidence and within the trial court’s discretion.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Saufley, C.J.; Alexander; Gorman; Hjelm; Humphrey; Jabar; Mead; Saufley
JURISDICTION	Maine
DECIDED	May 9, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	Dusty Haskell appealed from a divorce judgment and from the denial of his motions for a new trial under Maine Rule of Civil Procedure 59 and relief from judgment under Rule 60(b).
STANDARD OF REVIEW	Denial of a Rule 60(b) motion is reviewed for abuse of discretion. Decisions regarding spousal support are also reviewed for abuse of discretion, including review of factual findings for clear error, the court's understanding of applicable law, and whether its weighing of the facts was within the bounds of reasonableness.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Dusty Haskell v. Pamela Haskell

TOPICS

- spousal support
- divorce
- motion for new trial
- motion for reconsideration
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the District Court abused its discretion by denying Dusty's motion for relief from the divorce judgment under Maine Rule of Civil Procedure 60(b) based on lack of notice, mistake, surprise, fraud, misrepresentation, misconduct, or excusable neglect.
2. Whether the spousal-support award was improper because the evidence admitted at the final divorce hearing did not sufficiently establish Dusty's ability to pay.

HOLDINGS

1. The District Court did not abuse its discretion in denying relief from the divorce judgment because Dusty failed to establish fraud, misrepresentation, misconduct, mistake, surprise, excusable neglect, or another reason justifying relief.
2. The District Court did not abuse its discretion in awarding Pamela \$6,000 per month in spousal support because the judgment was supported by competent evidence, referenced the applicable statutory factors, and produced an award within the bounds of reasonableness.

KEY QUOTATIONS

““Notice and the opportunity to be heard”—the “two essential elements of due process of law”— were provided here, though Dusty elected not to heed the notices supplied to him” (160 A.3d at 1179)

FACTUAL BACKGROUND

Dusty Haskell was served with the divorce complaint and summons, which instructed him to keep the court informed of any address change. He provided the marital home as his mailing address, did not update it, failed to file a required financial statement, and did not attend either the interim-support hearing or the final divorce hearing despite court notices and access to mail at the marital home. The court entered a judgment dividing property and awarding Pamela \$6,000 per month in spousal support based on evidence concerning her circumstances and Dusty's multiple profitable businesses.

PROCEDURAL HISTORY

Pamela Haskell filed for divorce after thirty-nine years of marriage. The District Court held interim-support and final divorce hearings in Dusty's absence, entered a divorce judgment awarding Pamela property and lifetime spousal support of \$6,000 per month, and later denied Dusty's Rule 59 and Rule 60(b) motions. The Supreme Judicial Court of Maine affirmed.

DISPOSITION

affirmed

CASES CITED

- Ringuette v. Ringuette, 594 A.2d 1076, 1078 (Me. 1991)
- Wooldridge v. Wooldridge, 2008 ME 11, ¶ 7, 940 A.2d 1082
- McLeod v. Macul, 2016 ME 76, ¶ 6, 139 A.3d 920
- Foley v. Adam, 638 A.2d 718, 719 (Me. 1994)
- Ezell v. Lawless, 2008 ME 139, ¶ 22, 955 A.2d 202
- Portland Pipe Line Corp. v. Environmental Improvement Commission, 307 A.2d 1, 15 (Me. 1973)
- Bank of America, N.A. v. Camire, 2017 ME 20, ¶ 8, 155 A.3d 416
- Dube v. Dube, 2016 ME 15, ¶ 10, 131 A.3d 381
- Guardianship of Hailey M., 2016 ME 80, ¶ 15, 140 A.3d 478

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