

MAINE SUPREME JUDICIAL COURT

William B. Daniel v. Jennifer M. McCoy

290 A.3d 103 (Me. 2023) · No. Yor-22-221 · Decided March 2, 2023

SUMMARY

The Maine Supreme Judicial Court vacated a divorce judgment that adopted a family law magistrate’s order after one party failed to appear. The court held that objections asserting insufficient factfinding must be made under Maine Rule of Civil Procedure 118(a), and that the record lacked sufficient findings and competent evidence to support the allocations of parental rights and marital property.

CASE DETAILS

COURT	Maine Supreme Judicial Court
WRITING FOR THE COURT	Catherine R. Connors, J.; Valerie Stanfill, C.J.; Andrew M. Mead, J.; Joseph M. Jabar, J.; Rick E. Lawrence, J.
JURISDICTION	Maine Supreme Judicial Court
DECIDED	March 2, 2023
DOCKET	Yor-22-221
DISPOSITION	vacated
PROCEDURAL POSTURE	McCoy appealed from a District Court judgment adopting, over her objection, a Family Law Magistrate's final divorce order concerning dissolution of marriage, parental rights and responsibilities, child support, and property distribution.
STANDARD OF REVIEW	The court reviews factual findings for clear error and discretionary decisions for an abuse of discretion. A reviewing court may not make additional factual findings without conducting further proceedings or taking evidence.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Jennifer M. McCoy v. William B. Daniel

TOPICS

- family law procedure
- child custody
- equitable distribution
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. What procedural mechanism must a party use to challenge a magistrate's judgment for insufficient factual findings?
2. May a District Court reviewing a magistrate's judgment make additional factual findings without conducting a further hearing or taking evidence?
3. Whether the judgment adequately supported the award of sole parental rights and responsibilities and supervised visitation under the best-interest standard.
4. Whether the magistrate's distribution of marital property and debt was supported by sufficient findings and competent evidence.

HOLDINGS

1. A party asserting that a magistrate's judgment lacks sufficient factfinding must raise that claim in a specific objection under M.R. Civ. P. 118(a), rather than first raising it in a Rule 52(b) motion after the District Court has reviewed the objection.
2. A reviewing District Court may not make its own additional factual findings without conducting a further hearing or taking evidence; factfinding must be performed by the judicial officer who presided over the underlying hearing, unless the reviewing court reopens the record and conducts the necessary proceedings.
3. A judgment allocating parental rights and responsibilities must reflect consideration of the child's best interests and the statutory best-interest factors, even when a parent fails to appear. The judgment here was insufficient because it contained no findings showing how the evidence supported awarding Daniel sole parental rights and responsibilities and limiting McCoy to supervised visitation at Daniel's discretion.
4. A marital-property distribution must be just and supported by findings sufficient to inform the parties of the court's reasoning and permit effective appellate review. The magistrate abused its discretion by distributing the parties' property and debt without sufficient findings concerning the property values, contributions, economic circumstances, and basis for the awards, and by relying on a debt-payment finding unsupported by competent evidence.

KEY QUOTATIONS

“What the reviewing court cannot do is make its own additional findings without further hearing.” (¶ 15)

“We must therefore vacate the judgment and remand the matter to the trial court for further proceedings on this issue.” (¶ 19)

“Thus, the magistrate’s distribution of the parties’ property and debt was an abuse of discretion and erroneous because there are insufficient findings in the judgment to support the awards and the record lacks competent evidence to support a finding that was made.” (¶ 24)

FACTUAL BACKGROUND

Daniel and McCoy married in 2016 and had one child. They jointly owned two parcels of real estate and had other marital property and a debt-consolidation loan. After McCoy failed to appear at a scheduled status conference, the magistrate held a fifteen-minute hearing with Daniel as the only witness and no exhibits admitted, then entered a divorce judgment awarding Daniel sole parental rights and responsibilities and distributing the parties' property largely in accordance with Daniel's requests.

PROCEDURAL HISTORY

Daniel filed for divorce in July 2021. After McCoy failed to appear at a scheduled status conference, the magistrate held a brief hearing at which Daniel was the only witness and entered a judgment granting the divorce, awarding Daniel sole parental rights and responsibilities, and distributing the parties' property. McCoy filed an objection under M.R. Civ. P. 118(a), but the District Court adopted the magistrate's judgment. The court later granted McCoy's Rule 52(b) motion in part and made additional findings without taking further evidence, while denying her motions under Rules 60(b)(6), 55(c), and 59. McCoy timely appealed.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The judgment was vacated and the matter remanded to the District Court for further proceedings consistent with the opinion, including proceedings necessary to make adequate findings concerning parental rights and responsibilities and the distribution of property and debt.

CASES CITED

- Low v. Low, 2021 ME 30, ¶ 2, 251 A.3d 735
- Kline v. Burdin, 2017 ME 194, ¶ 13, 170 A.3d 282
- Pratt v. Sidney, 2009 ME 28, ¶¶ 7, 12, 967 A.2d 685
- Wong v. Hawk, 2012 ME 125, ¶ 14, 55 A.3d 425
- Ezell v. Lawless, 2008 ME 139, ¶¶ 5-6, 35, 955 A.2d 202
- Nadeau v. Nadeau, 2008 ME 147, ¶ 35, 957 A.2d 108
- Whitmore v. Whitmore, 2023 ME 3, ¶ 9, --- A.3d ---
- Viola v. Viola, 2015 ME 6, ¶ 9, 109 A.3d 634
- Hutt v. Hanson, 2016 ME 128, ¶ 12, 147 A.3d 352