

SUPREME COURT OF THE STATE OF DELAWARE

McDonald v. Paige

No. 458, 2018 (Del. Apr. 30, 2019) · No. No. 458, 2018 · Decided April 30, 2019

SUMMARY

The Delaware Supreme Court affirmed Family Court orders concerning joint legal custody, shared residential placement, and the mother’s final decision-making authority. The Court held that the Family Court properly applied the child’s best-interest factors, deferred to its factual and credibility determinations, and did not abuse its discretion. It also held that the father could not raise a collateral-estoppel argument for the first time in a motion for reargument.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Collins J. Seitz, Jr.; Vaughn, Justice; Seitz, Justice; Traynor, Justice
JURISDICTION	Delaware
DECIDED	April 30, 2019
DOCKET	No. 458, 2018
DISPOSITION	affirmed
PROCEDURAL POSTURE	Father appealed Family Court custody and reargument orders following an evidentiary hearing.
STANDARD OF REVIEW	The Supreme Court reviews custody appeals as to the facts, the law, and the inferences and deductions drawn by the Family Court from the evidence. Legal rulings are reviewed de novo; factual findings are reviewed for clear error and will be overturned only when justice requires. The judgment is affirmed when its underlying inferences and deductions are supported by the record and result from an orderly and logical deductive process.
PRECEDENTIAL VALUE	published
PARTIES	Michael McDonald v. Karen Paige

TOPICS

- child custody
- family law procedure
- appellate procedure
- standard of review
- preservation of error

PRACTICE AREAS

family law

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether the Family Court abused its discretion or applied an incorrect legal standard in awarding the parties joint legal custody and shared residential placement while granting Mother final decision-making authority.
2. Whether the Family Court was biased against Father.
3. Whether the Family Court erred by considering evidence concerning the child's private-school enrollment and the parties' roles in that decision after related evidence had been presented at an earlier child-support hearing.
4. Whether Father could raise a collateral-estoppel argument for the first time in a motion for reargument when he had not objected to the evidence at the custody hearing.

HOLDINGS

1. The Family Court did not abuse its discretion because it reviewed the statutory best-interest factors, made factual findings, applied the correct legal standard, and reasonably determined that Mother should have final decision-making authority in light of the parties' inability to work together.
2. Father's claim that the Family Court was biased against him lacked a factual basis and reflected only his disagreement with the court's conclusion.
3. The Family Court properly denied reargument because Father did not object to the private-school evidence at the custody hearing and could not use reargument to raise an argument that could have been presented before the court's decision.

KEY QUOTATIONS

“The judgment below will be affirmed “when the inferences and deductions upon which [the decision] is based are supported by the record and are the product of an orderly and logical deductive process.”” (at 2)

“Under Delaware law, parties may not use a motion for reargument to raise new arguments that could have been raised before the court’s decision.” (at 3)

FACTUAL BACKGROUND

After an evidentiary hearing at which both parties appeared with counsel, the Family Court awarded joint legal custody and shared residential placement of the parties' daughter. Because the parties were unable to work together, the court gave Mother final authority to make important decisions for the child when the parties could not agree. Father challenged the Family Court's credibility determinations and its consideration of evidence concerning the child's enrollment in private school during the 2016-2017 school year.

PROCEDURAL HISTORY

The Delaware Family Court entered a custody order awarding the parties joint legal custody and shared residential placement of their daughter, while granting Mother final decision-making authority if the parties could not agree on important issues. Father moved for reargument, arguing in part that the court improperly considered evidence concerning the child's private-school enrollment and that collateral estoppel barred new factual determinations. The Family Court denied reargument, and Father appealed both orders.

DISPOSITION

affirmed

CASES CITED

- Devon v. Mundy, 906 A.2d 750, 752-53 (Del. 2006)
- Stuart v. Stuart, 2018 WL 3688589 (Del. Aug. 1, 2018)
- S.F. v. R.F., 2006 WL 2388945, at *2 (Del. Fam. Ct. June 17, 2006)