

MAINE SUPREME JUDICIAL COURT

Reporter of Decisions  
Decision No. Mem 11-24  
Docket No. Was-10-342

SCOTT R. MOORES

v.

CRYSTAL L. MOORES

Submitted on Briefs January 27, 2011

Decided February 24, 2011

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

## MEMORANDUM OF DECISION

Scott R. Moores appeals from a divorce judgment entered in the District Court (Machias, *Romei, J.*) on his complaint against Crystal L. Moores. Contrary to Scott's contentions, there is competent evidence in the record to support the court's findings, *see Efstathiou v. Aspinquid, Inc.*, 2008 ME 145, ¶ 35, 956 A.2d 110, 121, and those findings are sufficient to permit effective appellate review, *see Sewall v. Saritvanich*, 1999 ME 46, ¶ 9, 726 A.2d 224, 226. On this record, the court did not err in awarding Crystal primary residential care of the parties' minor children, *see* 19-A M.R.S. § 1653 (2009);<sup>1</sup> *Grenier v. Grenier*, 2006 ME 99, ¶ 20, 904 A.2d 403, 408 ("We review child custody decisions for a clear abuse of discretion or error of law."), and its failure to make findings pursuant to 19-A M.R.S. § 1653(2)(D)(1), (3) is harmless error. Furthermore, we discern no abuse of discretion in the court's division of the marital debt, *see Brown v. Habrle*, 2008 ME 17, ¶ 13, 940 A.2d 1091, 1095, or in its award of attorney fees to Crystal, *see* 19-A M.R.S. § 105 (2010); *Wandishin v. Wandishin*, 2009 ME 73, ¶ 16, 976 A.2d 949, 954. Finally, we note that because the court declined to address the issue, the

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<sup>1</sup> Title 19-A M.R.S. § 1653 has since been amended, though not in any way that affects the present case. P.L. 2009, ch. 290, § 6 (effective Sept. 12, 2009); P.L. 2009, ch. 345, § 1 (effective Sept. 12, 2009); P.L. 2009, ch. 593, §§ 1-5 (effective July 12, 2010).

child income tax exemptions will be allocated in accordance with federal law. *See Levy, Maine Family Law* § 6.7.2 at 6-65 (6th ed. 2009) (“Absent such an order, the right to claim a dependency exemption is determined in accordance with federal law.”).

The entry is:

Judgment affirmed.

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