

GERALD E. COUGHLAN

v.

ELIZABETH B. COUGHLAN

On Briefs January 9, 2002
Decided January 16, 2002

Panel: SAUFLEY, C.J., and RUDMAN, ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

Gerald E. Coughlan appeals from a judgment entered in the District Court (Biddeford, *Bradford, J.*) granting Elizabeth B. Coughlan's post-judgment motion for increased child support and ordering Gerald to pay towards Elizabeth's attorney fees and costs. Elizabeth cross-appeals from the court's pre-trial discovery rulings.

Gerald asserts that the District Court: (1) lacked jurisdiction to modify the child support order originally issued by the Family Division of the High Court of Justice (London U.K., *Moorhouse, J.*); (2) erred in increasing child support without specifically finding the income of each party, in applying the increase retroactively to the date of the filing of the motion to increase child support, and in requiring Gerald to pay attorney fees; and (3) failed to amend the English Court's order regarding parental rights and responsibilities and the duration of child support.

The child support order was necessarily incorporated into the order of the English Court making the divorce final. Therefore, when that

final order was registered, pursuant to 19-A M.R.S.A. § 1716 (1998),¹ the District Court gained jurisdiction to address child support issues. The court properly addressed child support based on the evidence available to it. It did not err in its discovery rulings, in awarding counsel fees, or in applying child support retroactively to the date of filing the motions to increase child support, where it is evident that Gerald's counsel received service of the motion soon after filing. It did not clearly err in not finding a substantial change of circumstances to justify changing the provisions of the English divorce relating to parental rights and responsibilities or the duration of the child support obligation, where the move to the United States was anticipated in the English divorce decree.

The entry is:

Judgment affirmed.

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1. Section 1716 was repealed by P.L. 1999, ch. 486, § 2, effective January 1, 2000. The Uniform Child Custody Jurisdiction and Enforcement Act enacted by P.L. 1999, ch. 486, § 3, effective January 1, 2000, and codified at 19-A M.R.S.A. §§ 1731-1783 (Supp. 2001), replaces the provisions of 19-A M.R.S.A. §§ 1701-1725 (1998). Section 1765 provides the means to register a child custody determination. 19-A M.R.S.A. § 1765 (Supp. 2001).