# CAPTION: Carter v. Carter

**03-22-24**

APPEAL NO.: C-230322

TRIAL NO.: DR-2000986

KEY WORDS: Divorce – Marital Debt – Marital Property – R.C. 3105.171 – Spousal Support

SUMMARY:

Husband did not need to object at the close of evidence to preserve an evidentiary objection made during the trial before a magistrate for review by the trial court.

The trial court did not err when it allocated a substantial portion of marital debt to wife as a sanction under R.C. 3105.171(E)(5) for failure to comply with the court’s discovery orders.

The trial court did not err in determining that a vehicle was not marital property when the uncontroverted evidence showed that, although the vehicle was titled in husband’s name, husband’s adult daughter had made all payments for the vehicle, the vehicle was intended for her exclusive use and benefit, and husband did not deposit the proceeds from an insurance payment after the vehicle was totaled in an accident.

The trial court abused its discretion when it entered an award of spousal support where the court did not explain its basis for deciding the amount and the duration of support.

The trial court did not abuse its discretion by refusing to require husband to reimburse wife for life insurance premiums paid by wife during the pendency of the divorce where wife did not request relief from the court from continuing to make payments and it would be inequitable to require husband to bear the cost of the policy without notice.

The trial court erred when it set a deadline for wife to turn over to husband proof of payments for the couple’s child’s school expenses to the day after the court mailed the decree of divorce to the parties.

JUDGMENT: Affirmed in part, reversed in part, and cause remanded

JUDGES: Opinion by Crouse, J.; Bergeron, P.J., and Winkler, J., concur.