BOISE, TUESDAY, JANUARY 21, 2025, AT 1:30 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52192

MEGAN ROSS nka MEGAN MILLER,)
Petitioner-Appellant,)
v.)
CASEY ROSS,)
Respondent-Respondent.)
	_)

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Andrew Robert Woolf, Magistrate.

Parsons Behle & Latimer; John E. Cutler, Idaho Falls, for appellant.

Smith Woolf Anderson & Wilkinson, PLLC; Marty R. Anderson, Idaho Falls, for respondent.

Megan Ross, nka Megan Miller, (Miller) appeals from the judgment modifying child custody. Miller and Casey Ross divorced in 2022. The judgment and decree of divorce granted the parties joint custody of their two minor children. Miller was awarded primary custody of the children subject to Ross's custodial time as agreed upon by Miller and Ross. In 2023, Miller filed a petition to modify the custody schedule, arguing there had been a substantial and material change of circumstances. Ross filed a response and counterclaimed that his visitation should be increased. The matter proceeded to trial. The magistrate court issued its oral findings of fact and conclusions of law, finding that there had been a material change of circumstances, and the court modified the custody to a rotating week on / week off visitation schedule. Miller filed a motion to reconsider, arguing that, as relevant to this appeal, Ross should not have equal physical custody because he worked overnights during his custodial time and Ross did not meet his burden of proof that his custodial time should be increased. The magistrate court denied the motion to reconsider. Miller appeals.

On appeal, Miller argues the magistrate court abused its discretion in modifying the custody schedule. Miller argues that to the extent the magistrate court made any factual findings, those findings and the magistrate court's analysis of those findings did not justify the modification to the custody order. Miller argues the magistrate court overprioritized adopting a simplistic order when the facts supported, at most, a modest change to the custody schedule.