

SUMMARY STATEMENT

Papin v. Papin Docket No. 45277

The appeal involved a complex divorce between Jerry Papin and Veronika Papin. Jerry appealed from the Bonneville County district court's decision, which affirmed in part the judgment of the magistrate court dividing the marital estate. On appeal, Jerry argued that the district court erred in affirming several of the magistrate court's rulings, including: (1) its holding that the marriage settlement agreement was invalid; (2) its holding that the community was entitled to reimbursement for the funds expended towards the mortgage and property taxes on Jerry's separate property home; (3) its characterization of certain property as either separate or community; (4) its valuation of certain property; (5) its award of spousal maintenance to Veronika; and (6) its award of attorney fees to Veronika. The Supreme Court held that the district court erred in affirming the magistrate court's award of attorney fees to Veronika because the magistrate court was not provided with sufficient information to determine a reasonable award and the magistrate court considered one of the statutory factors under an incorrect standard. Accordingly, the Supreme Court remanded the issue back to the district court with instructions to reverse and remand to the magistrate court. The Supreme Court affirmed the remaining issues.