

## MEMORANDUM DECISION

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## IN THE COURT OF APPEALS OF INDIANA

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William Scott Carson,  
*Appellant*

v.

Dana Leigh Carson,  
*Appellee.*

April 14, 2023

Court of Appeals Case No.  
22A-DC-674

Appeal from the Monroe Circuit  
Court

The Honorable Kara E. Krothe,  
Judge

Trial Court Cause No.  
53C08-1908-DC-355

**Memorandum Decision by Judge Pyle**

**Judges Bradford and Kenworthy concur.**

**Pyle, Judge.**

## Statement of the Case

[1] In this dissolution action, William Carson (“Father”) argues that the trial court abused its discretion when it: (1) ordered him to pay Dana Carson (“Mother”) caregiver spousal maintenance; and (2) ordered him to pay Mother’s attorney fees. Concluding that the trial court did not abuse its discretion, we affirm the trial court’s judgment.

[2] We affirm.

## Issues

1. Whether the trial court abused its discretion when it ordered Father to pay Mother caregiver spousal maintenance.
2. Whether the trial court abused its discretion when it ordered Father to pay Mother’s attorney fees.

## Facts

[3] Mother and Father were married in 2005 in Georgia. At that time, Mother had two children from a previous marriage, three-year-old Trevor and one-year-old Taylor. Mother, who does not have a college degree, was a facility services coordinator at a Georgia medical center, where she earned \$45,000 per year. Father, who had previously been a union electrician in Indiana, worked for Layton Construction (“Layton Construction”), which is in the business of building hospitals throughout the country.

- [4] The parties' daughter, T.C., was born in June 2006. At the time of her birth, T.C. was diagnosed with retinal dystrophy. As a result of this condition, T.C. is legally blind and is extremely sensitive to light. She wears sunglasses and frequently suffers from headaches.
- [5] When T.C. was six weeks old, Layton Construction transferred Father to a job site in Kentucky. The family moved to Bloomington, Indiana, where they purchased a home near Father's mother's home. Father commuted to and from Kentucky every day.
- [6] Because Father's job required him to relocate every fourteen to twenty-four months, Father was eventually transferred to a different state. However, Mother and the children remained in Bloomington, and Father initially returned home for visits as often as possible. Mother was not employed outside the home because she took care of the three young children and the family's home. Father did not put Mother's name on any of his bank accounts. Mother never knew how much money was in those accounts, and she did not have access to them. Father paid all of the bills.
- [7] When T.C. was eight years old, she was diagnosed with Crohn's disease, which causes her to experience chronic stomach pain, nausea, and anemia. Crohn's disease prevents the body from absorbing vitamins and nutrients, and it causes oral ulcers as well as alternating severe constipation and diarrhea. T.C.'s doctor eventually prescribed Humira for the treatment of T.C.'s Crohn's disease. Humira is administered by an injection every two weeks. Due to her visual

impairment, T.C. is unable to administer her own injection because she is unable to determine whether the medicine is at the appropriate level in the syringe and whether it is the appropriate color. Mother administers each injection, which suppresses T.C.'s immune system and leaves her fatigued after the injection.

[8] Over the course of the following years, Father's visits to Indiana became less frequent, and in July 2019, Mother and Father separated. At the time, Father was working and living in Virginia. In August 2019, Mother filed a dissolution petition and a motion for an ex parte temporary restraining order. In this motion, Mother alleged that Father had: (1) told Mother that the marital assets were in his name and that it was none of Mother's business what he did with them; (2) disposed of a recent \$20,000 bonus; and (3) withdrawn \$15,000 from a retirement account. According to the motion, Mother believed that there was an immediate danger that the marital property was being sold or hidden. Mother asked the trial court to enjoin the parties from transferring, concealing, selling, or otherwise disposing of the joint property without the consent of the parties or the trial court's permission. The trial court granted Mother's motion.

[9] In September 2019, Mother served Father with interrogatories and requests for production of documents. At some point, Mother obtained a retail sales job, but she was only able to work for two or three days before T.C. became ill and had to be taken to a doctor's appointment. Mother was unable to maintain the job and did not obtain another one. In October 2019, Father's girlfriend, Liane

Taylor (“Liane”), and her three children moved in with Father in Virginia. Liane also worked for Layton Construction.

[10] Four months later, in January 2020, Mother filed a petition for provisional orders wherein she alleged that Father had accessed the garage at the marital residence and had removed license plates from the vehicles that she and her son, Trevor, drove. Mother further alleged that Father had disconnected the home telephone and had discontinued the service on Mother’s cell phone, which had delayed the arrival of T.C.’s Crohn’s medication. In addition, Mother alleged that Father had told her that he was not renewing the registration for the 2014 Ford F-150 truck (“the 2014 F-150”) that Mother drove and that he was cancelling the insurance on it. Mother further alleged that Father had threatened to withhold payments for any further household expenses. Mother explained that she was not working and was unable to do so because of T.C.’s disability. Mother asked the trial court to order Father to pay child support, maintenance, and certain other expenses during the pendency of the proceedings. Mother also asked the trial court to order Father to contribute to the attorney fees that she had incurred in bringing the motion. The trial court scheduled a provisional hearing for March 17, 2020.

[11] In January 2020, Mother also filed a motion to compel Father to respond to the September 2019 interrogatories and requests for production. The trial court granted Mother’s motion and ordered Father to respond to the interrogatories and requests for production no later than January 31, 2020. Father partially complied with the trial court’s order on January 30, 2020.

[12] In March 2020, the trial court rescheduled the provisional hearing to June 16, 2020. Also, in March 2020, Mother filed a verified emergency request for a temporary restraining order wherein she alleged that Father had returned to the marital residence and removed property from the garage. Mother asked the trial court to enjoin Father from entering the property without the parties' agreement. The trial court granted Mother's request.

[13] In early June 2020, Mother filed a motion to compel discovery responses, rule to show cause, and a request for sanctions and attorney fees. In this motion, Mother alleged that Father's discovery responses were substantially incomplete because he had either provided partial responses or no responses at all. Mother was specifically seeking, among other things, two years of statements for all of Father's retirement and bank accounts. Mother further alleged that she had incurred attorney fees in attempting to obtain Father's discovery responses. She asked the trial court to order Father to provide complete discovery responses or, in the alternative, to order Father to execute releases of information to allow Mother to obtain the information from non-parties. Mother also requested an award of attorney fees. One week later, Father filed supplemental discovery responses.

[14] The trial court held the provisional hearing on June 16, 2020 and issued a provisional order in August 2020. In that order, the trial court found that after Father had removed license plates from the vehicles and had cancelled Mother's telephone services, Mother had been left without a vehicle to drive and had not had a phone. The trial court further found that, during the

pendency of the proceedings, Father had not paid Mother a consistent amount of money so that she could pay household expenses and budget accordingly. Rather, according to the trial court's order, Father had paid Mother an amount that he deemed appropriate, which could vary weekly at Father's whim. The trial court further found that since Mother had filed the dissolution petition, Father had spent more than \$50,000 for a new car, new furniture, and a new boat. The trial court also found that Mother was attending online school at Ivy Tech while caring for T.C. and was, therefore, unable to afford household expenses. In addition, the trial court found that, despite previous court orders compelling Father to provide complete discovery responses, Father had failed to do so.

- [15] Based on these findings, the trial court ordered Father, during the pendency of the proceedings, to pay: (1) \$305 per week for child support; (2) the monthly mortgage payment on the marital residence; (3) all utilities, including water, gas, electricity, and internet, at the marital residence; (4) all of T.C.'s uninsured medical expenses, including co-pays; and (5) \$1,000 per month for spousal support. The trial court also ordered Father to execute releases of information to allow Mother to obtain Father's financial information from non--parties. In addition, the trial court found Father in contempt for failing to provide court-ordered discovery requests. As a sanction, the trial court ordered Father to pay Mother's attorney \$1,000 for attorney fees. The trial court took Mother's other requests for attorney fees under advisement pending the final hearing.

- [16] Following the provisional hearing, Mother sent non-party requests for production of documents to Edward Jones, Old National Bank, Wells Fargo, and the International Brotherhood of Electrical Workers (“IBEW”). As a result of these requests, Mother received information about multiple accounts that Father had failed to disclose. The value of these accounts was over \$400,000.
- [17] In November 2020, Mother filed a verified motion to show cause alleging, among other things, that Father had not paid her attorney the court-ordered \$1,000 as set forth in the provisional order. In addition, Mother alleged that Father had not paid for T.C.’s November or December 2020 Humira injections. According to Mother, the pharmacy had made an exception and sent T.C.’s November Humira injection to Mother even though the pharmacy had not received payment. However, according to Mother, if Father did not pay the pharmacy by December 10, 2020, T.C. would not timely receive her December 2020 Humira injection. Mother asked the trial court to issue an income withholding order to garnish Father’s payment of T.C.’s uninsured medical expenses and to award her attorney fees.
- [18] Later that month, the trial court issued an order explaining that Father had informed it that T.C.’s Humira payments were current and that he would continue to pay them as they came due. Father had also acknowledged that he had not paid the \$1,000 to Mother’s attorney. The trial court denied Mother’s request for an income withholding order and reduced Father’s \$1,000 attorney fee debt to a judgment in favor of Mother’s attorney. In addition, the trial court took Mother’s request for additional attorney fees under advisement.



[19] The trial court held a three-day dissolution hearing in January and July 2021. At the hearing, the trial court heard the evidence as set forth above. In addition, the evidence revealed that Father's gross income in 2020 was \$244,904, which was \$4,709.70 per week. Father also received a \$33,000 bonus in 2020. At the time of the July 2021 dissolution hearing, Father's gross income for twenty-eight weeks in 2021 was \$119,864.97. He had not yet received his 2021 bonus. The evidence further revealed that Layton Construction provides Father with approximately \$36,000 of annual subsistence support, which includes, reimbursement for housing, a cell phone, a company car, and a retirement account that includes matching funds. Father also had several retirement accounts, which had been revealed by Mother's non-party discovery requests.

[20] The evidence at the hearing further revealed that aside from Mother's two to three-day attempt at working in a retail store in the fall of 2019, Mother had not worked in fifteen years. While Father had traveled for his job, Mother had stayed home and had taken care of the children and the family's home. Mother did not have a college degree, and she had no job skills. Mother also had no assets or retirement accounts in her name. At the time of the final dissolution hearing, Mother was a full-time online student at Ivy Tech. She was studying to obtain certification as a Microsoft Office specialist and an associate degree so that she could obtain a job.

[21] Also, at the hearing, Crystal Bratton ("Bratton"), T.C.'s special education teacher at Bloomington High School North, testified that T.C. was attending

high school virtually. Bratton further testified that during remote learning, T.C. often required assistance from Mother that the special education teachers would typically provide. For example, T.C. often needed her work read aloud to her. In addition, T.C. needed assistance in advocating for herself and contacting teachers when she required academic support. Bratton was in daily contact with Mother regarding T.C.'s academic needs and health issues. Bratton further testified that T.C. typically missed at least one day per week of online school because of her health issues. Bratton also testified that because T.C. had missed so much school, T.C. struggled with higher level thinking skills. Bratton expressed her concern that T.C. would fall further behind in school if Mother was unable to support her at home.

[22] Mother testified that she had been unable to work because she needed to help T.C. with remote learning. She testified that her monthly expenses were \$5,000, and she asked the trial court to award her \$4,000 per month in spousal maintenance. Mother also testified that Father's misconduct had increased her attorney fees. She pointed out that she had had to file a motion for a provisional hearing as well as motions for temporary restraining orders and to compel Father's compliance with her requests for production of documents. She also testified that Father had not been forthcoming with financial information and had not disclosed several bank and retirement accounts. According to Mother, she had only discovered information about these accounts through non-party discovery requests. She submitted an affidavit from her attorney and requested that the trial court order Father to pay her attorney

fees in the amount of \$58,700. In addition, Mother testified that Father had filed 2019 taxes jointly without her knowledge and signature. He had also claimed Mother's daughter, Taylor, and T.C. as dependents.

[23] Father also testified at the hearing. Father believed that Mother was capable of working and that she was using T.C. "as a tool here in this divorce to, to get, to where she d[id]n't have to work." (Tr. Vol. 3 at 24). Father further believed that care for T.C. simply involved "pouring ten milligrams of fluid in a drink and mixing a, a little thing of MiraLAX in chocolate milk[]" and that T.C. should be able to give herself her Humira injection because it was "really no different than an epi pen." (Tr. Vol. 3 at 86, 14). Father acknowledged that he had jointly filed 2019 taxes without telling Mother but twice denied receiving a 2020 stimulus check. However, when Mother's counsel confronted Father with a copy of a \$2,571.05 stimulus check made out to Father, Father admitted that he had received it and had failed to tell Mother or share the check with her. Father also testified that Layton Construction had recently transferred him to North Carolina and that he, Liane, and her children would be moving there together. Father further testified that he had been supporting Liane and her three children and that he and Liane planned to be married.

[24] In December 2021, the trial court issued a detailed twenty-four-page dissolution order. In this order, the trial court equally distributed the marital property between Mother and Father. The trial court specifically awarded Mother: (1) the marital home, which was valued at \$337,500 and had a \$148,179 mortgage; (2) personal property in the marital home valued at \$16,000; (3) the 2014 Ford

F-150, which was valued at \$15,000; (4) \$4,726.79 from a Wells Fargo checking account; (5) \$35,246 from Father's Fidelity 401(k); (6) \$43,575 from Father's IBEW retirement account; (7) \$58,277.25 from Father's Edward Jones retirement account; (8) \$130,127.83 from another of Father's IBEW accounts; and (9) a \$5,974.75 equalization payment. The trial court also ordered Father to pay Mother \$2,571.05 for the 2020 stimulus check.

[25] The dissolution order further provides, in relevant part, as follows:

9. A spouse is entitled to caregiver maintenance if “(A) a spouse lacks sufficient property, including marital property apportioned to the spouse, to provide for the spouse’s needs; and (B) the spouse is the custodian of a child whose physical or mental incapacity requires the custodian to forgo employment.” “The court may find that maintenance is necessary for the spouse in an amount and for a period of time that the court considers appropriate.” Ind. Code § 31-15-7-2.
10. [T.C.] has significant challenges due to her retinal dystrophy and her Crohn’s. Mother cares for her, and this substantially limits Mother’s ability to work. The majority of the parties’ assets are investment and retirement accounts that are not sufficient and that Mother will not be able to immediately use to provide for her needs. An award of caregiver maintenance from [Father] is therefore appropriate.

(App. Vol. 2 at 37). The trial court specifically ordered Father to pay Mother caregiver spousal maintenance in the amount of \$2,500 per month until T.C. graduated from high school or turned nineteen (19), whichever occurred first.

[26] In addition, the dissolution order provides, in relevant part, as follows:

25. [Mother] has requested that [Father] contribute to payment of the attorney's fees she has incurred in this action. At trial, [Mother]'s counsel submitted an affidavit requesting recovery of \$58,700 for the fees incurred. Exhibit 31.
26. In determining whether to award attorney fees in a family law matter, the trial court must consider the parties' resources, their economic condition, their ability to engage in gainful employment, and other factors that bear on an award's reasonableness. *Bean v. Bean*, 902 N.E.2d 256 (Ind. Ct. App. 2009). The trial court need not cite the reasons for its determination of attorney fees in [a] family law matter. *Id.* When one party [is] in a superior position to pay fees over the other party, an award of attorney fees is proper. *In Re Paternity of McGuire-Byers*, 892 N.E.2d 187 (Ind. Ct. App. 2008).
27. As noted above, [Father]'s economic conditions are considerably better than [Mother]'s. [Father] earned all of the income during the marriage. [Father] has a longer history of employment because [Mother] stayed home with the children. [Father] has a vested pension that will pay him over \$2,000.00/month upon his retirement. [Father] retained all of the parties' accounts upon the separation[.] [Mother] has no assets to speak of.
28. In addition, [Father]'s conduct throughout the proceedings also caused [Mother] to incur significant additional fees. Although the Court compelled [Father] to answer discovery multiple times, [Father] failed to disclose over \$400,000 worth of assets, relative to his pension and supplemental pension account, among other things. [Mother] had to file an Emergency Petition to prevent [Father] from coming to the marital residence

unannounced. [Father] was held in contempt at the provisional hearing for failing to provide discovery requests, cancelling cable services and home telephone services to the marital residence, removing Trevor from the auto insurance policy, and removing the license plates or tags from various vehicles. Although [Father] was ordered to provide [Mother] access to the marital accounts, provide proof of car insurance for [Mother], and pay Trevor's car insurance in the Provisional Order, [Father] only did so after [Mother] filed a second Motion for Rule to Show Cause. [Father] filed 2019 taxes jointly with [Mother] without her knowledge or consent and then was untruthful about receiving a stimulus check. [Father] was ordered to pay [Mother]'s attorney fees in the amount of just \$1,000 on or before September 11, 2020, as a sanction for his contempt. [Father] failed to pay [Mother]'s attorney fees until December 23, 2020, despite clearly having the ability to do so.

29. Given the disparity in the parties' economic conditions and [Father's] conduct in this case, the Court concludes that it is appropriate that [Father] contribute to [Mother]'s attorney fees in the amount of \$58,700.

(App. Vol. 2 at 39-40). The trial court further ordered Father to pay Mother's attorney fees within sixty days. If Father failed to pay the attorney fees within sixty days, the trial court ordered that Mother would be awarded an additional \$58,700 from Father's IBEW Supplemental Pension.

[27] In January 2022, Father filed a motion to correct error. In February 2022, the trial court issued an order on motion to correct error. Relevant to this appeal, the trial court found that it had erred by awarding Mother attorney fees from an account that did not contain sufficient funds to pay that amount. The trial

court ordered that the final dissolution decree be corrected to provide that if Father failed to pay the attorney fees within sixty days, Mother would be awarded an additional \$58,700 from Father's Edward Jones retirement account. The trial court also corrected the amount of child support that Father owed and ordered that the child support worksheet attached to the December 2021 dissolution order be replaced by a child support worksheet that the trial court completed in February 2022 and attached to the motion to correct error order. The trial court denied that any other part of the December 2021 dissolution order should be corrected and found that this order was supported by the evidence.

[28] Father now appeals.

## Decision

[29] At the outset, we note that there is a well-established preference in Indiana for granting latitude and deference to the trial court in family law matters. *Steele-Giri v. Steele*, 51 N.E.3d 119, 124 (Ind. 2016). "Appellate courts are in a poor position to look at a cold transcript of the record, and conclude that the trial judge, who saw the witnesses, observed their demeanor, and scrutinized their testimony as it came from the witness stand, did not properly understand the significance of the evidence." *Id.* (cleaned up). "On appeal it is not enough that the evidence might support some other conclusion, but it must positively require the conclusion contended for by appellant before there is a basis for reversal." *Id.* (cleaned up). "Appellate judges are not to reweigh the evidence

nor reassess witness credibility, and the evidence should be viewed most favorably to the judgment.” *Id.* (cleaned up).

[30] We further note that Father requested specific findings and conclusions pursuant to Indiana Trial Rule 52. The purpose of Trial Rule 52(A) is to provide the parties and the reviewing court with the theory upon which the trial court decided the case in order that the right of review for error may be effectively preserved. *In re Paternity of S.A.M.*, 85 N.E.3d 879, 885 (Ind. Ct. App. 2017). When a trial court enters findings of fact and conclusions of law pursuant to Trial Rule 52, we apply the following two-tiered standard of review: (1) whether the evidence supports the findings; and (2) whether the findings support the judgment. *Hazelett v. Hazelett*, 119 N.E.3d 153, 157 (Ind. Ct. App. 2019). The trial court’s findings and conclusions will be set aside only if they are clearly erroneous, that is, if the record contains no facts or inferences supporting the judgment. *Id.* A judgment is clearly erroneous when a review of the record leaves us with a firm conviction that a mistake has been made. *Id.* We neither reweigh the evidence nor assess the credibility of the witnesses but consider only the evidence most favorable to the judgment. *Id.* We now turn to the issues in this case.

[31] Father argues that the trial court abused its discretion when it: (1) ordered him to pay Mother caregiver spousal maintenance; and (2) ordered him to pay Mother’s attorney fees. We address each of his contentions in turn.

## **1. Caregiver Spousal Maintenance**



- [32] Father first argues that the trial court abused its discretion when it ordered him to pay Mother caregiver spousal maintenance. We disagree.
- [33] “A trial court’s power to award spousal maintenance is wholly within its discretion.” *Barton v. Barton*, 47 N.E.3d 368, 375 (Ind. Ct. App. 2015), *trans. denied*. We will reverse a trial court’s decision to award spousal maintenance only when this decision is clearly against the logic and effect of the facts and circumstance of the case. *Id.* “The presumption that the court correctly applied the law in making an award of spousal maintenance is one of the strongest presumptions applicable to our consideration of a case on appeal.” *Id.*
- [34] The trial court’s authority to order spousal maintenance is limited to the following three options: (1) incapacity spousal maintenance for a spouse who cannot support himself or herself; (2) rehabilitative spousal maintenance for a spouse who needs additional education or training before seeking a job; and (3) caregiver spousal maintenance for a spouse who must care for an incapacitated child. *Balicki v. Balicki*, 837 N.E.2d 532, 542 (Ind. Ct. App. 2005), *trans. denied*. These three options are set forth in INDIANA CODE § 31-15-7-2. With respect to caregiver spousal maintenance, the statute provides as follows:

(2) If the court finds that:

(A) a spouse lacks sufficient property, including marital property apportioned to the spouse, to provide for the spouse’s needs; and

(B) the spouse is the custodian of a child whose physical or mental incapacity requires the custodian to forgo employment;

the court may find that maintenance is necessary for the spouse in an amount and for a period of time that the court considers appropriate.

I.C. § 31-15-7-2(2). In order to award caregiver spousal maintenance, a trial court must make the statutorily required findings. *Balicki*, 837 N.E.2d at 542.

[35] Here, the trial court found that T.C. was physically disabled, Mother cared for T.C., and that Mother's care for T.C. substantially limited Mother's ability to work. These findings support part (B) of the statute. *See Balicki*, 837 NE.2d at 542 (concluding that the evidence supported the trial court's findings that the parties' child was severely disabled, that Mother cared for him, and that this substantially limited Mother's ability to work and that the findings supported part (B) of the statute).

[36] The trial court also found the marital assets apportioned to Mother were mainly investment and retirement accounts that could not be immediately accessed. In addition, the trial court found that Mother lacked sufficient property, including the marital property apportioned to her, to provide for her needs. These findings support subsection (A) of the statute.

[37] Father, however, argues that the trial court abused its discretion in awarding Mother caregiver spousal maintenance because Mother "received sufficient assets, including liquid assets to support herself and [T.C.] quite comfortably." (Father's Br. 26). Father suggests that Mother "could request a home equity line of credit, a 401(k) loan or disbursement, car title loan, etc." (Father's Br. 25). Father's argument is largely a request that we reweigh the evidence, which

we cannot do. *See Hazelett*, 119 N.E.3d at 157. In sum, the evidence clearly supports the trial court's findings, and those findings support the trial court's award of caregiver maintenance to Mother. We find no abuse of the trial court's discretion.

## **2. Attorney Fees**

[38] Father also argues that the trial court abused its discretion when it ordered him to pay Mother's attorney fees. Again, we disagree.

[39] In dissolution proceedings, the trial court may order a party to pay a reasonable amount of the other party's attorney fees. IND. CODE § 31-15-10-1. The trial court has broad discretion in awarding attorney fees. *Eads v. Eads*, 114 N.E.3d 868, 879 (Ind. Ct. App. 2018). We will reverse the trial court's decision only when it is against the logic and effect of the facts and circumstances before the court. *Barton*, 47 N.E.3d at 377.

[40] In assessing attorney fees, the trial court may consider factors such as the parties' resources, their economic conditions, their relative earning abilities, and other factors bearing on the reasonableness of the award. *Eads*, 114 N.E.3d at 879. In addition, the trial court may consider a party's misconduct that causes the other party to incur additional litigation expenses. *Id.* Consideration of these factors promotes the legislative purpose behind the award of attorney fees, which is to ensure that a party who would not otherwise be able to afford an attorney is able to retain representation. *Id.* When one party is in a superior position to pay the other party's attorney fees, an award is proper. *Id.*

[41] Here, Father argues that “that award of attorney fees in this case was against the logic and effect of the facts and circumstances before the trial court.” (Father’s Br. 33). However, our review of the evidence reveals that the trial court considered the parties’ resources, their economic conditions, and their relative earning abilities. Specifically, the trial court found that Father’s economic conditions were considerably better than Mother’s because he had earned all of the income during the marriage and had a longer history of employment. The trial court also found that Mother had incurred significant additional attorney fees because of Father’s misconduct, including his failure to disclose assets related to his pension accounts that Mother had discovered through non-party discovery requests.

[42] Father being in a superior position to pay Mother’s attorney fees as well as his misconduct that caused Mother to incur additional litigation expenses justified an award of attorney fees to Mother. Father’s argument is simply a request that we reweigh the evidence, which we will not do. *See Hazelett*, 119 N.E.3d at 157. We find no abuse of the trial court’s discretion.<sup>1</sup>

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<sup>1</sup> Father also argues that the trial court abused its discretion in ordering him to pay attorney fees because the trial court did not differentiate between the fees related to the misconduct and the fees related to the dissolution. However, a trial court “need not give reasons for its determination to make an award of attorney fees.” *J.M. v. N.M.*, 844 N.E.2d 590, 604 (Ind. Ct. App. 2006) (cleaned up), *trans. denied*. Further, the trial court heard testimony over three days, reviewed the parties’ court filings, and considered volumes of exhibits. In addition, as set forth above, the trial court made extensive findings regarding Father’s misconduct in this matter as it related to the order for attorney fees. We find no abuse of the trial court’s discretion.

Lastly, Father argues that the trial court abused its discretion when it “require[d] the entire \$58,700 in attorney fees to be paid from [Father]’s Edward Jones IRA in the event that he could not pay within the sixty (60) days allotted” in the dissolution order. (Father’s Br. 32). According to Father, his retirement accounts had “already [been] significantly depleted based upon the Court’s division of marital assets.” (Father’s Br.

[43] Affirmed.

[44] Bradford, J., and Kenworthy, J., concur.

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32). Father has waived appellate review of this issue because he has failed to support it with cogent argument and relevant authority. *See Himes v. Himes*, 57 N.E.3d 820,829 (Ind. Ct. App. 2016) (concluding that a parent's argument was waived for failure to cite authority and provide cogent argument), *trans. denied*.