

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

**November 10, 2011**

A. John Voelker  
Acting Clerk of Court of Appeals

**NOTICE**

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

**Appeal No. 2010AP2342**

**Cir. Ct. No. 2008FA194**

**STATE OF WISCONSIN**

**IN COURT OF APPEALS  
DISTRICT IV**

---

**IN RE THE MARRIAGE OF:**

**ROBIN RAE EVENSON,**

**PETITIONER-APPELLANT,**

**V.**

**JAMES PHILLIP EVENSON,**

**RESPONDENT-RESPONDENT.**

---

APPEAL from a judgment of the circuit court for La Crosse County:  
RAMONA A. GONZALEZ, Judge. *Affirmed.*

Before Vergeront, Sherman and Blanchard, JJ.

¶1 PER CURIAM. Robin Evenson appeals a judgment of divorce. The issue is maintenance. We affirm.

¶2 The circuit court ordered James Evenson to pay Robin \$300 per month in maintenance. Robin argues that the court erroneously exercised its discretion in several ways.

¶3 Robin's first argument is based on what she regards as the court's conclusion that their stipulation to an equal property division was unduly beneficial to Robin. In particular, she points to the circuit court's conclusion that the fairness objective of maintenance was met by the property division, which the court said "more than compensates" Robin for her contributions to the marriage. Robin argues that the court erred because there is a presumption of equal contribution to the marriage, and thus of equal division of property.

¶4 We do not agree that the circuit court's opinion about the equality of the property division was a significant factor in its maintenance decision. In noting that there was no indication that the parties had other income available to them, the court specifically stated, "I'm not including any of the property divisions that have been awarded to each of the parties in the context of this maintenance award." Later, in its item-by-item review of the statutory factors under WIS. STAT. § 767.56 (2009-10),<sup>1</sup> the court noted that the property division was equal, but it did not otherwise comment on that division or state what impact, if any, that division would have on maintenance.

¶5 Robin next argues that the court failed to adequately consider the factors set out in WIS. STAT. § 767.56. The record does not support that contention. The court commented on each of the required factors. Robin also

---

<sup>1</sup> All references to the Wisconsin Statutes are to the 2009-10 version unless otherwise noted.

disagrees with some of the court's perceptions of the evidence and with the weighing of those factors, particularly regarding her contributions to the marriage and her having stayed at home with the children. However, some of her arguments appear to take circuit court statements out of context or to exaggerate their role in the totality of the decision-making process. Without attempting to respond to each individual point, we are satisfied that the court's decision was sufficiently based on the facts of record and was reasonable.

*By the Court.*—Judgment affirmed.

This opinion will not be published. See WIS. STAT. RULE 809.23(1)(b)5.

