

STATE OF MICHIGAN  
COURT OF APPEALS

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ROBERT J. SIEKMAN,

Plaintiff-Appellant,

V

BEVERLY A. SIEKMAN,

Defendant-Appellee.

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UNPUBLISHED

October 16, 2003

No. 240422

Wexford Circuit Court

LC No. 00-015817-DM

Before: Meter, P.J., and Saad and Schuette, JJ.

PER CURIAM.

Plaintiff appeals the trial court's order that granted permanent alimony to defendant. We affirm.

Under Michigan law, a trial court has considerable discretion to award alimony "as it considers just and reasonable" in light of the circumstances. MCLA 552.23. In making an equitable decision about alimony, a trial court should consider: past relations and conduct of the parties; length of marriage; parties' ability to work; source and amount of property awarded to the parties; age of the parties; parties' ability to pay alimony; present situation of the parties; needs of the parties; health of the parties; parties' prior standard of living and whether either is responsible for the support of others; and general principles of equity. *Hatcher v Hatcher*, 129 Mich App 753, 760; 343 NW2d 498 (1983). "The main objective of alimony is to balance the incomes and needs of the parties in a way that will not impoverish either party." *Magee v Magee*, 218 Mich App 158, 162; 553 NW2d 363 (1996). We review an order of alimony de novo, and we will not modify the trial court's order unless we are convinced that, sitting in the position of the trial court, we would have reached a different result. *Demman v Demman*, 195 Mich App 109, 110-111; 489 NW2d 161 (1992).

Plaintiff challenges the award of permanent alimony based on the trial court's analysis of the parties' ages, their ability to work, and their present situations and needs. Plaintiff's argument is unpersuasive. Plaintiff does not provide authority that those three factors should weigh more heavily than the other eight. Nor does plaintiff provide any authority that all of the factors, let alone a majority, must point to a particular award. Last, consideration of the facts and holdings of the cases that plaintiff cites undermines his arguments. The trial court properly considered the totality of the parties' circumstances. A review of the trial court's comprehensive and well-reasoned opinion leads us to conclude that the trial court's ruling regarding spousal support is equitable.

Plaintiff also says that temporary alimony is more appropriate because a permanent award does not give defendant an incentive to improve her skills and education. The argument is highly speculative and unsupported by the record. And, significantly, the trial court order allows for flexibility if circumstances change. Plaintiff will be able to petition the court for a modification if defendant improves her income, education, or job skills. *Dresser v Dresser*, 130 Mich App 130, 136; 342 NW2d 545 (1983). Clearly, the trial court did not err in awarding permanent alimony to defendant.

Affirmed.

/s/ Patrick M. Meter  
/s/ Henry William Saad  
/s/ Bill Schuette