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APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."  
Although it is posted on the internet, this opinion is binding only on the  
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-0004-16T3

CATHERINE M. CHAFFEE, f/k/a  
CATHERINE M. CIANCIARA,

Plaintiff-Appellant,

v.

LUKASZ P. CIANCIARA,

Defendant-Respondent.

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Submitted March 8, 2018 – Decided April 13, 2018

Before Judges Haas and Gooden Brown.

On appeal from Superior Court of New Jersey,  
Chancery Division, Family Part, Somerset  
County, Docket No. FM-18-0915-14.

Catherine M. Chaffee, appellant pro se  
(Gregory A. Pasler, on the brief).

Lukasz P. Cianciara, respondent pro se.

PER CURIAM

In this post-judgment matrimonial matter, plaintiff appeals from the Family Part's July 19, 2016 order entered by Judge Anthony F. Picheca, Jr. In this order, the judge, among other things: (1) granted defendant's request for a reduction in his alimony

obligation after defendant lost his job due to a work force reduction; (2) granted defendant's request that the modification be applied retroactively to the date he secured a new, but lesser-paying, job; and (3) granted defendant's motion to permit him to take a credit for the alimony he overpaid prior to the reduction in alimony against the monies he owed plaintiff for appropriating her portion of a marital 401(k) fund. The judge rendered a comprehensive, thirty-page written decision and order summarizing his findings of fact and conclusions of law. Based on our review of the record and the applicable law, we affirm substantially for the reasons expressed by Judge Picheca. We add the following brief comments.

The scope of our review of the Family Part's order is limited. We owe substantial deference to the Family Part's findings of fact because of that court's special expertise in family matters. Cesare v. Cesare, 154 N.J. 394, 411-12 (1998). Thus, "[a] reviewing court should uphold the factual findings undergirding the trial court's decision if they are supported by adequate, substantial and credible evidence on the record." MacKinnon v. MacKinnon, 191 N.J. 240, 253-54 (2007) (quoting N.J. Div. of Youth & Family Servs. v. M.M., 189 N.J. 261, 279 (2007)) (alteration in original).

While we owe no special deference to the judge's legal conclusions, Manalapan Realty v. Manalapan Twp. Comm., 140 N.J. 366, 378 (1995), we "'should not disturb the factual findings and legal conclusions of the trial judge unless . . . convinced that they are so manifestly unsupported by or inconsistent with the competent, relevant and reasonably credible evidence as to offend the interests of justice' or when we determine the court has palpably abused its discretion." Parish v. Parish, 412 N.J. Super. 39, 47 (App. Div. 2010) (quoting Cesare, 154 N.J. at 412). We will only reverse the judge's decision when it is necessary to "'ensure that there is not a denial of justice' because the family court's 'conclusions are [] "clearly mistaken" or "wide of the mark."' " Id. at 48 (quoting N.J. Div. of Youth & Family Servs. v. E.P., 196 N.J. 88, 104 (2008)) (alteration in original).

Applying these principles, defendant's arguments concerning the July 19, 2016 order reveal nothing "so wide of the mark" that we could reasonably conclude that a clear mistake was made by the judge. The record amply supports Judge Picheca's factual findings and, in light of those findings, his legal conclusions are unassailable.

Affirmed.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.



CLERK OF THE APPELLATE DIVISION