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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A25-0478**

In re the Matter of:

David Terrance Kellogg, petitioner,
Respondent,

vs.

Alyssa Leigh Freund,
Appellant.

**Filed December 22, 2025
Affirmed
Cochran, Judge**

Hennepin County District Court
File No. 27-FA-23-5770

David Terrance Kellogg, Excelsior, Minnesota (pro se respondent)

Anna Wiles, Central Minnesota Legal Services, Minneapolis, Minnesota (for appellant)

Considered and decided by Ede, Presiding Judge; Smith, Tracy M., Judge; and
Cochran, Judge.

NONPRECEDENTIAL OPINION

COCHRAN, Judge

Appellant mother challenges a district court order granting sole legal and sole physical custody of two minor children to respondent father. Mother argues that the district court erred in its analysis of the statutory best-interests factors as part of the custody determination: (1) by finding that she committed domestic abuse against father; (2) by

finding that she committed domestic abuse against the children; and (3) by making other findings related to the children's best interests that are not supported by the record. Because the record supports the district court's factual findings and analysis of the statutory best-interests factors, we affirm the district court's custody decision.

FACTS

This case concerns a dispute between the parties regarding custody of and parenting time for their two minor children: child 1, born in 2018; and child 2, born in 2021. Mother and father were in a romantic relationship until September 2023, but never married. In October 2023, father and mother filed cross-petitions for custody and parenting time with each seeking sole legal and sole physical custody. The district court held a two-day evidentiary hearing in June and July 2024 to consider the parties' competing requests for custody and parenting time. The district court heard testimony from father, mother, the guardian ad litem (GAL), and a child-protection worker. A brief summary of the witness testimony follows.

Father testified that mother was abusive toward him and the children and detailed instances of alleged abuse. He also put into evidence pictures and audio recordings to support his testimony. Mother denied that she abused father or the children. Both father and mother testified as to their preferences regarding the children's education. Father indicated that child 1 went to school near father's home during the previous school year and that he intended to enroll both children in a school near his home the following year. Mother testified that she believed it was in the best interests of the children to attend a school near her home. When the district court asked the GAL for input on schooling, the

GAL testified that she preferred an outcome that gave the children “the most stability” where the children could be in “the same school district” with their friends for an extended period of time. The GAL recommended that the parents share both legal and physical custody of the children. Specifically, the GAL recommended that the children live with father during the week once the school year started, with parenting time every other weekend for mother.

In July 2024, following the last day of trial, the district court filed a temporary order awarding father sole legal custody. The district court filed the order on its own motion, based on its determination that two issues “require[d] immediate attention: (i) school choice for [child 1] and (ii) therapy for [child 1].” The district court’s order specifically provided that father was allowed to make educational and medical decisions for the children until further order of the court.

In October 2024, the district court awarded father sole legal custody and sole physical custody. In reaching this decision, the district court analyzed the 12 statutory best-interests factors and found that the factors favored awarding father permanent custody. Among other findings, the district court found that “there has been domestic abuse in this relationship” and that mother committed acts of domestic abuse against father in the presence of the children. The district court also found that mother’s domestic abuse was “likely to impact [the children’s] emotional well-being and development.” The district court noted that, because it found domestic abuse had occurred between the parents, there was a rebuttable presumption that neither joint legal custody nor joint physical custody was in the best interests of the children. Additionally, the district court determined that the

evidence presented at trial did not rebut the presumption in favor of sole legal and sole physical custody. The district court also concluded that it was in the best interests of the children to award father permanent sole legal custody and permanent sole physical custody. And the district court established a parenting-time schedule for mother, along with holiday and vacation schedules. Mother thereafter moved for amended findings and a new trial, which the district court denied.

Mother appeals.

DECISION

The district court has broad discretion in child-custody and parenting-time matters. *Matson v. Matson*, 638 N.W.2d 462, 465 (Minn. App. 2002). An appellate court’s review “is limited to whether the [district] court abused its discretion by making findings unsupported by the evidence or by improperly applying the law.” *Pikula v. Pikula*, 374 N.W.2d 705, 710 (Minn. 1985). We review a district court’s findings of fact for clear error, “giving deference to the district court’s opportunity to evaluate witness credibility[.]” *Thornton v. Bosquez*, 933 N.W.2d 781, 790 (Minn. 2019) (quotation omitted). Clear error exists if a factual finding is “manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole.” *Kampf v. Kampf*, 732 N.W.2d 630, 633 (Minn. App. 2007) (quotation omitted), *rev. denied* (Minn. Aug. 21, 2007).

When a district court is deciding a custody dispute, the child’s best interests is the court’s “paramount commitment.” *Olson v. Olson*, 534 N.W.2d 547, 549 (Minn. 1995); *see also Pikula*, 374 N.W.2d at 711 (“The guiding principle in all custody cases is the best interest[s] of the child.”). In considering the child’s best interests, a district court must

“consider and evaluate all relevant factors,” including the factors set forth in statute. Minn. Stat. § 518.17, subd. 1(a)(1)-(12) (2024). The district court must provide “detailed findings” on each of the relevant best-interests factors and explain how each “led to its conclusions and to the determination of custody and parenting time.” *Id.*, subd. 1(b)(1) (2024). In undertaking a best-interests analysis, “[t]he court may not use one factor to the exclusion of all others, and the court shall consider that the factors may be interrelated.” *Id.* On review of a district court’s best-interests analysis, “we give considerable deference to the district court’s findings.” *In re Welfare of Child of J.K.T.*, 814 N.W.2d 76, 92 (Minn. App. 2012). And in matters of credibility, a reviewing court defers to the district court’s credibility determinations. *Goldman v. Greenwood*, 748 N.W.2d 279, 284 (Minn. 2008).

One of the statutory best-interests factors that the district court considers is “whether domestic abuse, as defined in section 518B.01, has occurred in the parents’ or either parent’s household or relationship; the nature and context of the domestic abuse; and the implications of the domestic abuse for parenting and for the child’s safety, well-being, and developmental needs[.]” Minn. Stat. § 518.17, subd. 1(a)(4). “Domestic abuse” includes the following conduct committed against a family or household member, by a family or household member: (1) “physical harm, bodily injury, or assault”; (2) “the infliction of fear of imminent physical harm, bodily injury, or assault”; or (3) “terroristic threats, . . . criminal sexual conduct, . . . sexual extortion, . . . or interference with an emergency call.” Minn. Stat. § 518B.01, subd. 2(a)(1)-(3) (2024).

Generally, the law recognizes a rebuttable presumption that, upon the request of either parent, “joint legal custody is in the best interests of the child.” Minn. Stat. § 518.17, subd. 1(b)(9) (2024). But the district court

shall use a rebuttable presumption that joint legal custody or joint physical custody is not in the best interests of the child if domestic abuse, as defined in section 518B.01, has occurred between the parents. In determining whether the presumption is rebutted, the court shall consider the nature and context of the domestic abuse and the implications of the domestic abuse for parenting and for the child’s safety, well-being, and developmental needs.

Id. (emphasis added).

Mother raises three arguments on appeal regarding the district court’s analysis of the best-interests factors, seeking reversal of the application of the presumption and the custody decision. First, she contends that the district court erred by determining that mother committed domestic abuse against father. Second, mother claims that the district court erred by concluding that she committed domestic abuse against the children. Third, mother argues that the district court made findings on other best-interests factors that are not supported by the record. We address each argument and conclude that none require reversal.

I. The district court did not err by determining that mother committed acts of domestic abuse against father.

Mother challenges the district court’s determination that she committed domestic abuse against father, arguing that the district court failed to consider an earlier case involving an order for protection (OFP) in which the district court decided the issue in

mother's favor. Alternatively, she argues the evidence in the record in this case does not support a finding that mother abused father.

A. The district court was not barred by res judicata or collateral estoppel from considering whether mother committed acts of domestic abuse.

Mother argues as a threshold matter that the doctrines of res judicata and collateral estoppel barred the district court's consideration of whether mother committed domestic abuse against father because the issue of domestic abuse was raised in a prior OFP proceeding. This argument is unconvincing.

As an initial matter, Mother did not raise this legal argument before the district court and the district court did not address either legal doctrine. Generally, a party may not obtain review of matters not argued to and considered by the district court. *Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988); *see also Beaulieu v. Minn. Dep't of Human Servs.*, 825 N.W.2d 716, 723-24 (Minn. 2013) (recognizing that claims of res judicata and collateral estoppel may be forfeited if not adequately raised in district court); *Leiendecker v. Asian Women United of Minnesota*, 731 N.W.2d 836, 843 (Minn. App. 2007) (declining to consider whether res judicata applied and explaining that, "because the application of res judicata is discretionary and the district court did not address the issue, there is nothing for this court to review"), *rev. denied* (Minn. Aug. 7, 2007). We therefore conclude mother has forfeited this argument.

Even assuming mother's arguments were properly before us, mother would not prevail. We begin with an overview of these legal doctrines and the applicable standards of review. Res judicata prevents claims that arise out of the same circumstances from being

relitigated, even if a subsequent claim involves a new legal theory. *Hauschildt v. Beckingham*, 686 N.W.2d 829, 837 (Minn. 2004). “We review de novo whether the doctrine of res judicata can apply to a given set of facts.” *Erickson v. Comm’r of Dep’t of Human Servs.*, 494 N.W.2d 58, 61 (Minn. App. 1992). If res judicata applies, we review the district court’s decision of whether to apply the doctrine for an abuse of discretion. *Dixon v. Depositors Ins. Co.*, 619 N.W.2d 752, 756 (Minn. App. 2000) (reviewing a district court’s decision to apply res judicata for abuse of discretion). Collateral estoppel is “based on the same principle” as res judicata, but it is a narrower doctrine. *Hauschildt*, 686 N.W.2d at 837. The doctrine of collateral estoppel prevents the relitigation of an issue that was litigated in a previous action. *State Farm Mut. Auto. Ins. Co. v. Lennartson*, 872 N.W.2d 524, 534 (Minn. 2015). “Whether collateral estoppel is available is a mixed question of law and fact subject to de novo review.” *In re Trusts Created by Hormel*, 504 N.W.2d 505, 509 (Minn. App. 1993), *rev. denied* (Minn. Oct. 19, 1993). “Once it is determined that collateral estoppel is available, the decision to apply the doctrine is left to the [district] court’s discretion.” *Id.* With these standards of review in mind, we consider whether the doctrines of res judicata and collateral estoppel are available to mother based on the facts before the district court.

In December 2023, father filed an OFP petition on behalf of himself and the children based on allegations of physical abuse by mother. The district court dismissed father’s OFP petition following an evidentiary hearing. On appeal, mother argues that the district court in this family-law proceeding erred when it determined that she had committed domestic abuse against father because the issue of domestic abuse was previously litigated

in the OFP matter and the district court concluded in that proceeding that domestic abuse did not occur. Mother claims that both parties had an opportunity to be heard in the OFP litigation, and that the district court reached a final judgment in that case on the issue of domestic abuse, which bars reconsideration of the issue now. In response, father argues that OFP proceedings and custody proceedings involve different legal standards. Additionally, he notes that additional evidence was presented at the custody trial, which was not available at the time of the OFP hearing. Father's argument has merit.

“[T]he availability and application of res judicata and collateral estoppel in family matters is limited, but the underlying principle that an adjudication on the merits of an issue is conclusive, and should not be relitigated, clearly applies.” *Maschoff v. Leiding*, 696 N.W.2d 834, 838 (Minn. App. 2005) (quotation omitted). The limited applicability of res judicata and collateral estoppel in family-law cases arises from the evolving nature of circumstances inherent in family-law matters and the need to base decisions about custody and parenting time—among other matters—on the best interests of the children. *See Loo v. Loo*, 520 N.W.2d 740, 743-44 (Minn. 1994); *see also* Minn. Stat. §§ 518.17, subd. 1 (2024) (custody); 518.175, subds. 1, 3, 5, 8 (2024) (parenting time). For example, in *Loo*, the supreme court analyzed whether the district court could consider a party's second request for modification of a spousal-maintenance award. 520 N.W.2d at 743-44. The supreme court recognized that the legislature vested district courts with continuing jurisdiction in family-law matters “by allowing modifications in custody, visitation, and maintenance and support unless an enforceable waiver of the statutory right to seek modification of maintenance exists.” *Id.* at 743. In the absence of an enforceable waiver,

“parties may *always* move for such modifications based on changed circumstances[.]” *Id.* (emphasis added); *see generally*, *Perry v. Perry*, 749 N.W.2d 399, 403-04 (Minn. App. 2008) (noting that, pending an appeal of a child-support order, if the relevant circumstances have changed, the district court retains authority to address a motion to modify the support order that is the subject of the appeal, or to defer proceedings on the motion pending resolution of the appeal). Additionally, res judicata and collateral estoppel will not be applied when doing so would “work an injustice on the party against whom [the doctrine] is urged.” *Mach v. Wells Concrete Prod. Co.*, 866 N.W.2d 921, 926-27 (Minn. 2015) (quotation omitted).

Here, the parties’ custody proceeding included new facts and different legal issues than were presented in the OFP case. In deciding the question of custody, the district court was tasked with considering what custody arrangement would be in the best interests of the children. Each parent filed a petition for custody and parenting time. In analyzing the children’s best interests, the district court heard testimony from father, mother, a child-protection worker, and the GAL. New evidence was submitted in the custody case that was not submitted in the OFP file. Notably, the GAL filed her report in March 2024, which was after the district court dismissed father’s OFP petition. In this report, the GAL discussed her conversation with mother, in which mother admitted that child 1 had witnessed parental conflict. The report also included narratives from the parents arising from the GAL’s interviews with father and mother. And it included summaries of the GAL’s conversations and observations with the children. The GAL report also contained details about child 1’s school and the parents’ counseling records and psychological

assessments. Because the GAL report was completed after the OFP hearing, the GAL report provided new information that was not available to the district court at the time of the OFP hearing.

Moreover, OFP proceedings are governed by different legal standards than child-custody matters. In an OFP proceeding, the district court considers whether domestic abuse occurred against a family or household member, by a family or household member. *See* Minn. Stat. § 518B.01 (2024). By contrast, the standard for child custody considers the best interests of the child. *See* Minn. Stat. § 518.17, subd. 1. While domestic abuse is one of the best-interests factors, it is not the sole consideration. *See id.* And equitable doctrines will not bar a subsequent claim if new facts or issues arise prior to the second dispute that “furnish[] a new basis” for the parties’ claims. *Federated Mut. Ins. Co. v. Litchfield Precision Components, Inc.*, 456 N.W.2d 434, 439 (Minn. 1990) (quotation omitted); *see also Hauschildt*, 686 N.W.2d at 840 (noting that a central question is whether the two disputes arise from the same “group of operative facts” (quotation omitted)).

Therefore, because new evidence was presented in the custody matter and a different legal standard applies than in an OFP proceeding, the doctrines of res judicata and collateral estoppel did not prohibit the district court from considering whether domestic abuse occurred for purposes of determining custody.

B. The district court did not clearly err in finding that mother committed domestic abuse against father.

In addition to raising the legal argument discussed above, mother also challenges the district court’s factual finding that she committed acts of domestic abuse against father.

“[W]hen the issue turns on the district court’s findings of fact, we review the findings for clear error, giving deference to the district court’s opportunity to evaluate witness credibility and reversing only if we are left with the definite and firm conviction that a mistake has been made.” *Thornton*, 933 N.W.2d at 790 (quotations omitted).

In its order granting father permanent sole physical and sole legal custody, the district court found “that [m]other has committed acts of domestic abuse against [f]ather.” It credited father’s testimony regarding “[m]other’s behavior on a few key incidents.” In particular, the district court found that mother “kicked, struck, and injured” father during arguments. The district court further found that “[m]other’s domestic abuse occurred in the presence of the [c]hildren, which is particularly concerning to the [c]ourt because that is likely to impact their emotional wellbeing and development.” (Emphasis omitted.) Based on its findings regarding domestic abuse, the district court concluded that the presence of domestic abuse in the relationship weighed in favor of granting father sole legal custody and sole physical custody of the children.

The record supports the district court’s finding that mother committed acts of domestic abuse against father. Father testified that mother was “occasionally physically abusive” toward him and that mother’s “aggression was increasing” over time. He described an incident where mother slammed father’s head into a truck, knocking him out. Father testified that mother also threw things at father and kicked him in front of the children. In another instance, father testified that mother became angry and intentionally “sprayed chemical cleaner in [father’s] eyes.” Father put into evidence several pictures showing bruises and scratches on father caused by mother, along with audio recordings.

Additionally, the GAL reported that mother acknowledged that child 1 “had witnessed instances such as when [mother] tried to close the car door and it closed on [father].”

This evidence establishes that mother’s conduct satisfies the statutory definition of domestic abuse. *See* Minn. Stat. § 518B.01, subd. 2(a)(1)-(2) (defining “domestic abuse” to include “physical harm, bodily injury, or assault” and “the infliction of fear of imminent physical harm, bodily injury, or assault”). We do not reweigh the evidence or reassess the district court’s credibility determinations. *See Vangsness v. Vangsness*, 607 N.W.2d 468, 477 (Minn. App. 2000) (noting that the law “leaves scant if any room” for us to question the balancing of best-interests considerations by the district court). We discern no basis to reverse the district court’s finding that mother committed acts of domestic abuse against father.

In urging us to reach a different result, mother argues that the district court clearly erred when it relied on exhibits 13 and 14 to support its finding of domestic abuse. Exhibit 13 is an audio recording taken by father that purportedly captures mother screaming and spraying chemical cleaner in father’s face at a time when the couple had only one child. Exhibit 14 is a transcript of this audio recording. Mother contends that the district court erred in relying on these exhibits in support of its finding that “[m]other’s domestic abuse occurred *in the presence of the [c]hildren*”—plural.

Mother’s argument is inconsistent with the district court’s order. The district court did not rely on exhibits 13 and 14 to find that abuse occurred in the presence of the children. Rather, the district court found that there “has been domestic abuse in this relationship and [it] was particularly troubled by [e]xhibits 13 and 14 *and* [f]ather’s testimony about

[m]other’s behavior on a few key incidents.” (Emphasis added.) The district court then found “[m]other’s domestic abuse occurred in the presence of the [c]hildren” and was “likely to impact their emotional well-being and development.” (Emphasis omitted.) Exhibits 13 and 14 comprised only part of the evidence the district court relied on in making this domestic-abuse finding, and the other evidence relied upon by the district court—specifically, father’s testimony—supports the district court’s finding that mother’s domestic abuse occurred in the presence of the children. We therefore discern no clear error.

II. Any error regarding the district court’s determination that mother committed domestic abuse against the children is harmless.

Mother also argues that the district court erred by finding that she committed domestic abuse against the children. In its order, the district court determined that “[m]other committed domestic abuse as defined by [section] 518B.01 *against [f]ather and the [c]hildren.*” (Emphasis added.) And, while the district court made detailed findings about mother’s acts of domestic abuse against father, it did not make any findings of specific acts of domestic abuse by mother against the children. Mother contends that the lack of specific findings requires reversal of the district court’s custody determination. We conclude that any error by the district court in this regard was harmless.

As discussed above, section 518.17, requires consideration of “whether domestic abuse . . . has occurred in the parents’ . . . household or relationship” as part of the analysis of the children’s best interests. Minn. Stat. § 518.17, subd. 1(a)(4). And the district court “must make detailed findings on each of the [statutory best-interests] factors” based on the

evidence presented and explain how each factor led “to the determination of custody and parenting time.” *Id.*, subd. 1(b)(1).

Assuming without deciding that the district court erred because it did not make detailed factual findings about specific acts of domestic abuse against the children, we conclude any error in this regard is harmless and does not require reversal of the custody decision. *See* Minn. R. Civ. P. 61 (“The court at every stage of the proceeding must disregard any error or defect in the proceeding which does not affect the substantial rights of the parties.”). We reach this conclusion because, even though there are no detailed findings regarding the children, the district court did make detailed findings of domestic abuse by mother against father. These findings satisfy the statutory requirement that the district court make detailed findings about “whether domestic abuse . . . has occurred in the parents’ . . . household or relationship[.]” Minn. Stat. § 518.17, subd. 1(a)(4).

Additionally, the district court determined that it was in the best interests of the children for father to receive sole legal and sole physical custody based on its well-reasoned analysis of all 12 best-interests factors. For example, the district court found that mother’s physical and mental-health issues affected the children’s safety or developmental needs, which weighed in favor of granting father sole legal and sole physical custody. *See id.*, subd. 1(a)(5). The district court expressed “major concerns” about mother’s ability to control her anger around the children, which would affect her ability to co-parent successfully with father. Additionally, the district court found that father was willing and able to provide ongoing care for the children and meet their needs, while mother had not demonstrated she would be able to do so on a consistent basis. *See id.*, subd. 1(a)(7). And

it found that granting sole custody to father would ensure that the children could remain in their current community, where they had already established relationships. *See id.*, subd. 1(a)(9). Taken as a whole, the district court’s consideration of the best-interests factors supports the district court’s determination to grant sole custody to father.

We therefore decline to reverse on the ground that the district court did not make more fulsome findings on whether mother committed domestic abuse against the children. *See Grein v. Grein*, 364 N.W.2d 383, 387 (Minn. 1985) (refusing to remand child-custody case when “on remand, the [district] court would undoubtedly make findings that comport with the statutory language” and reach the same result).

III. The district court’s remaining findings are not clearly erroneous.

Mother asserts that the district court clearly erred in its factual findings on two of the other best-interests factors. We are not persuaded.

The Children’s Schools

In evaluating the best interests of the children, one factor that the district court considers is the effect of the proposed custody arrangement “on the child[ren]’s well-being and development [in light] of changes to home, school, and community.” *See* Minn. Stat. § 518.17, subd. 1(a)(8).

In its order, the district court concluded that this factor weighed in favor of granting father sole legal custody and sole physical custody. The district court found that child 1 “made meaningful connections” at the school he attended near father’s home. The district court further found that “[f]ather presented ample literature and statistics about [father’s] school district to bolster his decision to enroll [child 1] there.” By contrast, the district

court found that mother was planning to move to Elk River and “had nothing more to say about school choice other than that there was a school down the road from her prospective new apartment.” The district court further found that “[m]other had not considered the issue of school, nor thought about that issue to any meaningful degree.” We discern no error in the district court’s findings.

At trial, father testified that child 1 went to school near father’s home during the previous school year and was enrolled in a Ready, Start, Kindergarten program. Father testified that child 1 made friends at school and wanted to join sports teams and other extracurricular activities. In response to a question from his attorney, father stated that he was concerned about child 1 moving schools because child 1 “likes routines” and “ha[d] made friendships.” As to child 2, father testified that he tentatively enrolled child 2 into a preschool program next door to child 1’s school. Father testified that child 2 could later attend an elementary school with her preschool classmates, allowing her to make friends. Father indicated that he researched the schools in between Elk River and Minnetonka, near where father lived, by accessing a Minnesota Department of Education website and reviewing test scores, graduation levels, and college-placement rates of various schools.

The GAL also offered her opinion about the effect of a change of custody on the children’s education. The GAL stated in her report that father’s home should be the primary household during the school year and that child 1 should attend a school near father’s home. The GAL recommended a custody arrangement that would give the children “the most stability,” where they could be in “the same school district” with their friends. The GAL stated that, “wherever [child 1] is able to go . . . from kindergarten to

12th grade ideally would be the most beneficial to him.” The GAL confirmed that “continued changes throughout [child 1’s] K-12 school journey” would not be beneficial for him. The district court’s findings related to the children’s education are supported by the record.

Mother argues that the district court did not consider the evidence she presented regarding schools, including her testimony about the schools near her home in Elk River. The district court’s order shows otherwise. The order discusses mother’s testimony and notes that she provided limited testimony about schools in Elk River. It is not our role on appeal to reweigh conflicting evidence or assess witness credibility. *See Vangsness*, 607 N.W.2d at 472. Even if the evidence in the record could support mother’s choice of schools, we would not reverse on that basis. “When the record reasonably supports the findings at issue on appeal, it is immaterial that the record might also provide a reasonable basis for inferences and findings to the contrary.” *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 223 (Minn. 2021) (quotation omitted); *see also Bayer v. Bayer*, 979 N.W.2d 507, 513 (Minn. App. 2022) (applying *Kenney* in a family-law appeal). Similarly, “[e]ven if the record might support findings different from those made by the court, this does not show that the court’s findings are defective.” *In re Welfare of Child of J.L.L.*, 801 N.W.2d 405, 414 (Minn. App. 2011), *rev. denied* (Minn. Jul. 28, 2011). Mother has not demonstrated that the district court made clearly erroneous factual findings regarding the children’s schooling or abused its discretion when it determined that this factor weighed in favor of granting custody to father.

Mother's Mental Health

Under another best-interests factor, the district court considers how current circumstances, including a parent's mental-health issues, "affect[] the child's safety or developmental needs." Minn. Stat. § 518.17, subd. 1(a)(5). The district court found that "[m]other has 'Borderline Split Personality Disorder' (as set forth by [m]other in [e]xhibit 17), problems with impulse control, struggles with substance abuse, trouble controlling her anger, . . . and a recent DWI." Mother argues that this finding is flawed because she has not been formally diagnosed with "Borderline Split Personality Disorder."

A careful reading of the district court's order shows that the district court did not find that mother had a formal diagnosis of "Borderline Split Personality Disorder." Rather, the district court was quoting from an exhibit in which mother used this term to describe her own mental state. The district court relied on exhibit 17, which is an exchange of text messages between mother and a friend. In one message, mother stated that she had a current diagnosis for "BSP or Bo[rder]line/split personality." The district court did not clearly err by quoting the terminology that mother used to refer to her own mental-health condition. Moreover, the district court did not rely solely on this particular condition in evaluating mother's mental health. The district court found that mother also struggled with impulse control, substance abuse, and anger management, among other issues. Mother does not challenge any of these findings. On this record, we discern no abuse of discretion in the district court's determination that mother's mental health affected the children's safety or developmental needs.

In sum, the district court made thorough findings of fact, which are supported by the record, in arriving at its custody determination. The district court's order reflects that it carefully considered the statutory factors in determining that the children's best interests are served by granting sole legal custody and sole physical custody to father. *See* Minn. Stat. § 518.17, subd. 1(b)(1). We therefore conclude that the district court did not abuse its discretion in awarding custody to father.

Affirmed.