



ERICSA 63RD ANNUAL TRAINING CONFERENCE & EXPOSITION

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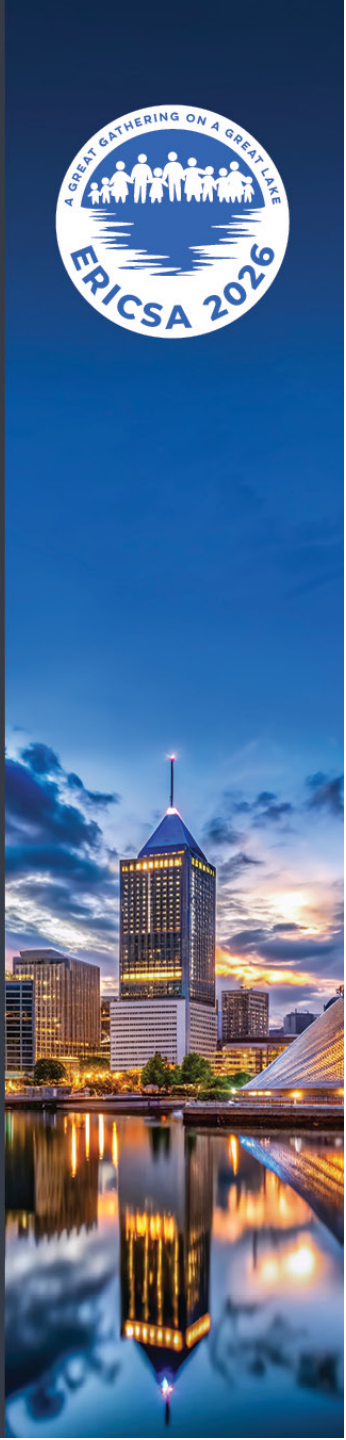


2026 Case Law Update

Ethan C. McKinney, JD

Vice President, Business Development and Corporate Strategy

Protech Solutions





In this session, we will discuss recent appellate decisions from around the country related to the Uniform Interstate Family Support Act (UIFSA) and the Full Faith and Credit for Child Support Act (FFCCSOA). We will focus on cases where one tribunal is enforcing or modifying another tribunal's order. We will also review any case that has broad application across the IV-D program and review new or pending legislation to highlight national trends. Written materials will provide a comprehensive review of related decisions issued within the past year.



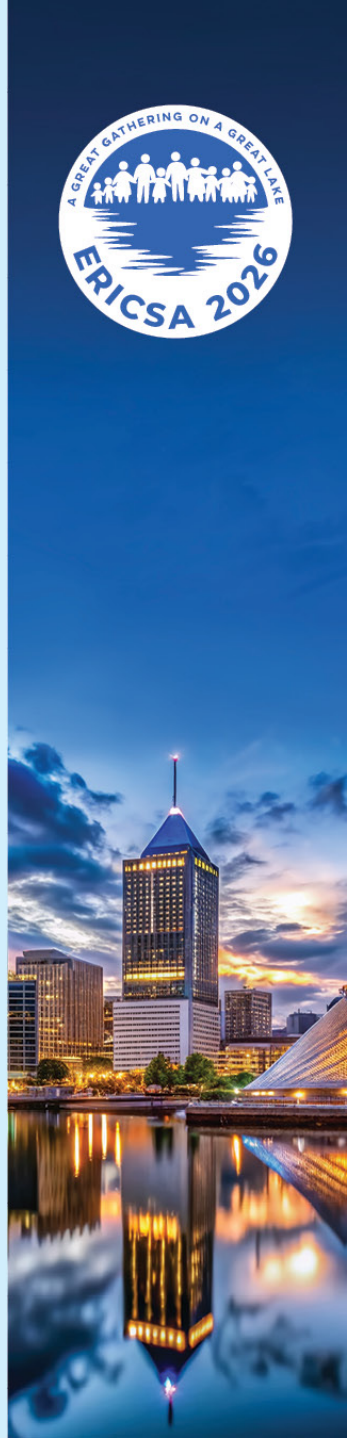
Dickerson v. Toney, 253 N.E.3d 1159 (Ind. App. 2025)

- **The Participants**

- **Appellant-Respondent:** Joseph C. Dickerson, Jr. ("Father").
- **Appellee-Petitioner:** Genya Toney ("Mother").
- **Appellee-Intervenor:** The State of Indiana (Title IV-D enforcement).

- **The Factual Narrative**

- **2014 Support Order:** An Indiana court established paternity and ordered Father to pay **\$150/week** (\$139 current + \$11 arrears) via income withholding.
- **The "Side Deal":** Parents made a private agreement for Father to pay Mother directly based on his financial ability rather than the court-ordered amount.
- **Administrative Confusion:** Based on Mother's request to stop services, the Pennsylvania support agency sent "transmittals" to Indiana to "terminate" the case. Indiana's enforcement office (MCPO) closed its file.
- **The "Wake-Up Call":** In 2022, after Mother opened a new enforcement action, Father was notified he owed roughly **\$56,000 in arrears** because the original 2014 order was never technically terminated by a judge.
- **Father's Defense:** Father argued that the agency communications and his private agreement with Mother should have legally ended his court-ordered obligation.



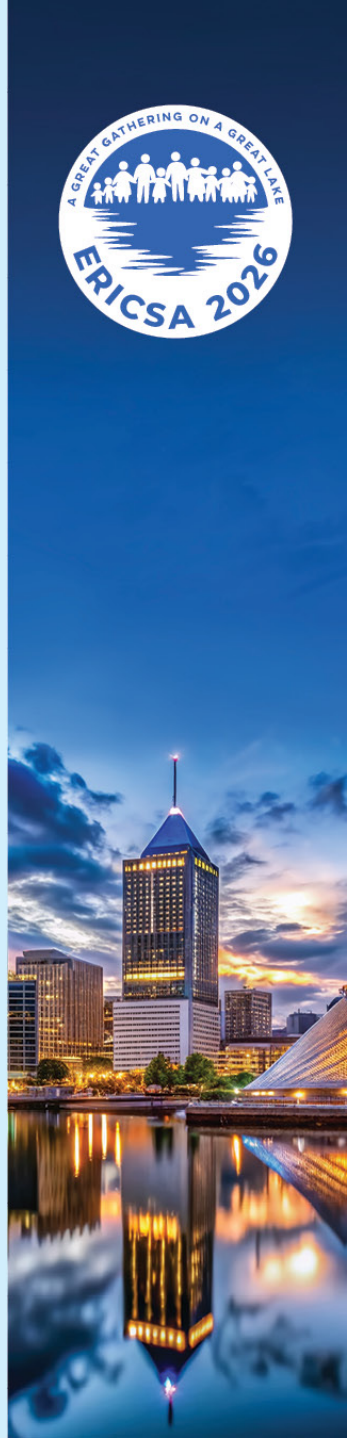
Dickerson v. Toney, 253 N.E.3d 1159 (Ind. App. 2025)

- **Primary Area of Law**

- **Family Law & UIFSA:** Governed by the [Uniform Interstate Family Support Act \(UIFSA\)](#) and Indiana statutes regarding the modification of child support.

- **The Court's Holding**

- **Agency vs. Tribunal:** The court held that under **UIFSA**, only a "tribunal" (a court) can modify or terminate a support order. Administrative "transmittals" between state agencies are not legal orders and cannot override a judicial judgment.
- **Invalidity of Private Agreements:** In Indiana, the right to support belongs to the **child**, not the parents. Therefore, parents cannot "contract away" support or modify a court order through a private, informal agreement without judicial approval.
- **No Retroactive Elimination:** Courts generally cannot retroactively reduce or eliminate support obligations that have already accrued; judicial action is required *before* the payments stop.
- **Final Result:** The court **affirmed** the trial court's decision. The 2014 order remained valid until the child's 19th birthday, though Father was granted credit for the direct payments he could prove he made to Mother.
 - The court emphasized that **Trial Rules are procedural, not substantive**. They provide a mechanism to bring a claim, but they do not grant a judge the power to ignore the **UIFSA** requirement that only a court—not an agency or a private agreement—can terminate a support obligation.



Thomas v. Child Support Enf., 1:25-cv-02438 (NSR) (S.D. N.Y. Dec 08, 2025)

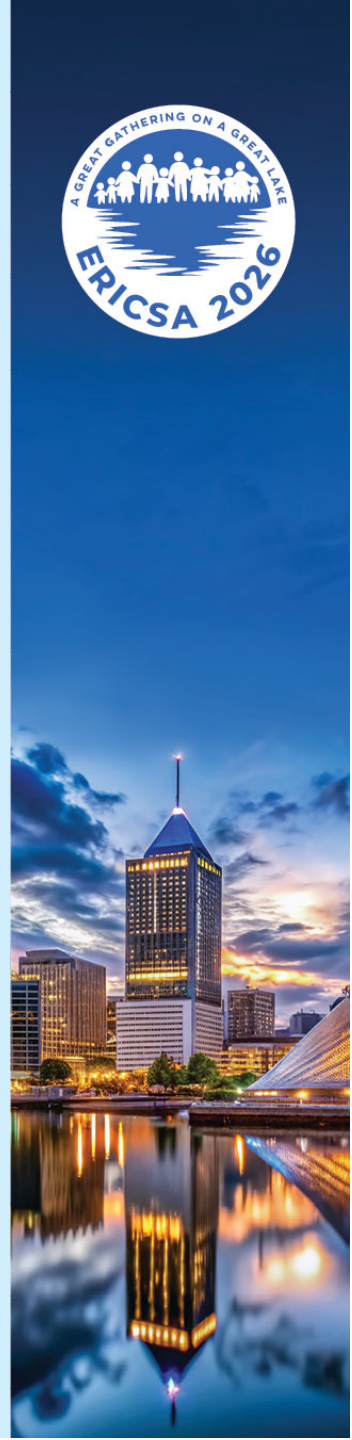


- **The Participants**

- **Plaintiff:** Michael A. Thomas (proceeding *pro se*).
- **Defendants:** Westchester County Office of Child Support Services (Title IV-D), Westchester County Department of Social Services, and individual agency officials.

- **The Factual Narrative**

- **Enforcement Actions:** Plaintiff is subject to two child support cases—one interstate ([UIFSA](#)) and one in-state (New York Title IV-D).
- **The Dispute:** Plaintiff alleges that the government is enforcing support orders and garnishing wages without possessing the mandatory "authenticated" or "certified" documentation required by law.
- **The "Missing" Documents:** Plaintiff claims defendants lack certified support orders, sworn statements of arrears, and proof of adjudicated paternity.
- **Procedural Action:** Plaintiff filed a **Motion to Compel Production** under Federal Rule of Civil Procedure 37(a), demanding the immediate release of these records to challenge the legitimacy of the enforcement.



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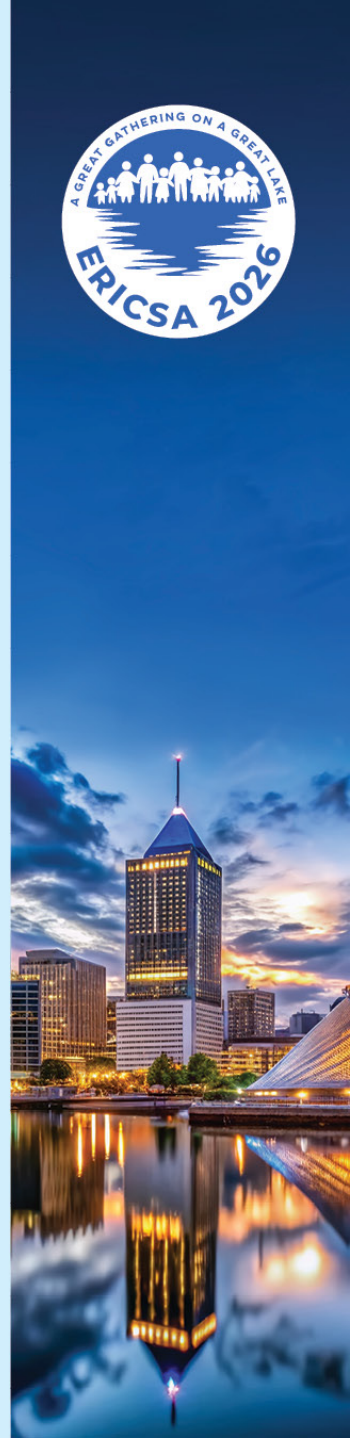


- **Primary Areas of Law**

- **Civil Procedure:** Specifically [Federal Rule of Civil Procedure 37\(a\)](#) governing discovery disputes.
- **Family Law & Due Process:** [UIFSA](#) compliance and [42 U.S.C. § 1983](#) (Civil Rights) regarding Due Process and Fourth Amendment claims.

- **The Court's Holding**

- **Motion Denied:** The court denied the Plaintiff's motion to compel production on three procedural grounds:
 - **Premature:** The case had not yet progressed to the formal "discovery phase." Under federal rules, parties generally cannot compel production until discovery is officially opened.
 - **Duplicative:** The Plaintiff had already requested these documents in other pending motions (an emergency motion and a TRO request) that the court was still reviewing.
 - **Alternative Access:** The court noted that as a party to the underlying Family Court cases, the Plaintiff could retrieve these documents directly from the Family Court himself.
- **Warning to Litigant:** The court issued a formal warning against "successive or duplicative filings," emphasizing that defendants must be given adequate time to respond to motions before new ones are filed.



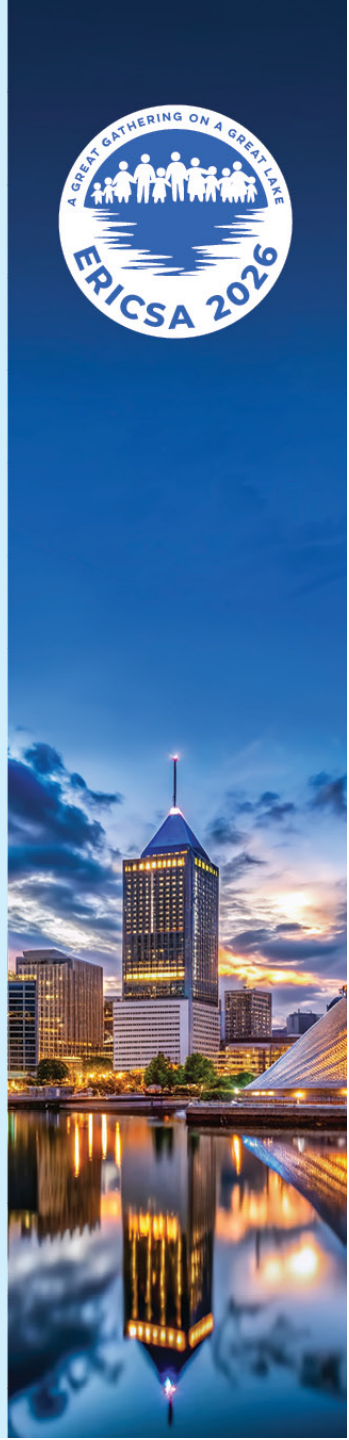
Hufft v. Tr. for Child Support Payments for the Missouri, 25-cv-00057-JFH-SH (N.D. Okla. Sep 29, 2025)

• The Participants

- **Plaintiff:** Richard A. Hufft (an Oklahoma resident proceeding *pro se*).
- **Defendant 1:** Shara A. Martin (Assistant Prosecutor, Lawrence County, Missouri).
- **Defendant 2:** The Trustee for Child Support Payments (The Family Support Division of the Missouri Department of Social Services).

• The Factual Narrative

- **The Dispute:** Hufft alleged an "ongoing pattern of false arrests and extortion" by Missouri officials over unpaid child support debts between 2022 and 2024.
- **The Arrest:** Hufft was arrested by Oklahoma police and held in an Oklahoma jail for **extradition to Missouri** regarding these support issues.
- **The Claims:** The Plaintiff alleged that Missouri officials:
 - Threatened him with imprisonment unless he paid **\$5,000**.
 - Revoked his driver's license (which he characterized as "holding it for ransom").
 - Violated his **civil rights (Section 1983)** and the **Consumer Credit Protection Act** by garnishing his wages without a proper hearing.
- **The Venue:** Despite the underlying issues being Missouri-based, Hufft filed his lawsuit in the **Northern District of Oklahoma**.



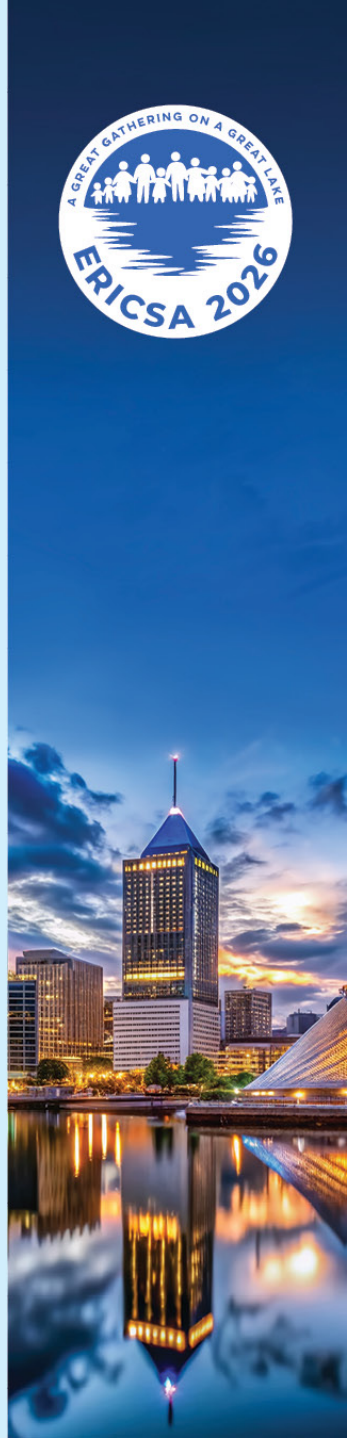
Hufft v. Tr. for Child Support Payments for the Missouri, 25-cv-00057-JFH-SH (N.D. Okla. Sep 29, 2025)

- **Primary Areas of Law**

- **Civil Procedure:** Personal Jurisdiction and the "Minimum Contacts" doctrine.
- **Constitutional Law:** Eleventh Amendment (Sovereign Immunity) and the [42 U.S.C. § 1983](#) "Person" requirement.
- **Consumer Law:** [15 U.S.C. § 1673](#) (Consumer Credit Protection Act).

- **The Court's Holding**

- **Lack of Personal Jurisdiction:** The court dismissed claims against the Missouri prosecutor. Because her actions occurred entirely in Missouri under Missouri law, she lacked "**minimum contacts**" with Oklahoma. Being arrested in Oklahoma for extradition does not give Oklahoma courts power over a Missouri official.
 - **Sovereign Immunity:** The "Trustee" (Missouri state agency) is an arm of the state and is immune from suits for money damages under the **Eleventh Amendment**.
 - **No Private Right of Action:** The court held that the **Consumer Credit Protection Act** does not allow individuals to sue privately; it is enforced by the Secretary of Labor.
 - **Section 1983 Limitations:** A state agency is not a "**person**" that can be sued for constitutional violations under Section 1983.
- **Final Result:** The Magistrate Judge recommended **dismissing the entire case**, noting that the Plaintiff could not "contract away" child support or sue for "extortion" in a civil court.



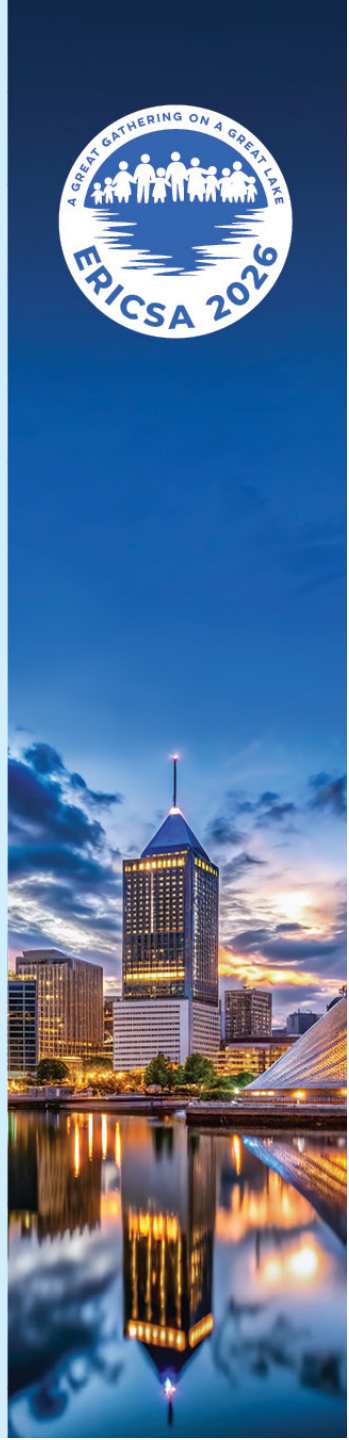
Wallace-Bey v. N.Y. State Div. of Child Support Enf, 25-CV-5462 (RER) (JAM) (E.D. N.Y. Oct 16, 2025)

• The Participants

- **Plaintiff:** Robert Wallace-Bey (proceeding *pro se*).
- **Defendant:** New York State Division of Child Support Enforcement (a state agency).
- **Third Party Mentioned:** Temple of Seven, Inc. (an entity Plaintiff claimed to represent).

• The Factual Narrative

- **The Seizure:** On July 18, 2025, the Defendant seized **\$13,292.47** from a federal tax refund.
- **The Ownership Claim:** Plaintiff alleged the refund was lawfully assigned to **Temple of Seven, Inc.** and constituted "ecclesiastical trust property."
- **The Legal Theory:** Plaintiff argued the seizure was an unlawful conversion and violated his **First Amendment** right to the free exercise of religion.
- **The Request:** Plaintiff filed a [42 U.S.C. § 1983](#) action seeking actual, compensatory, and punitive damages, as well as a preliminary injunction to stop further seizures.



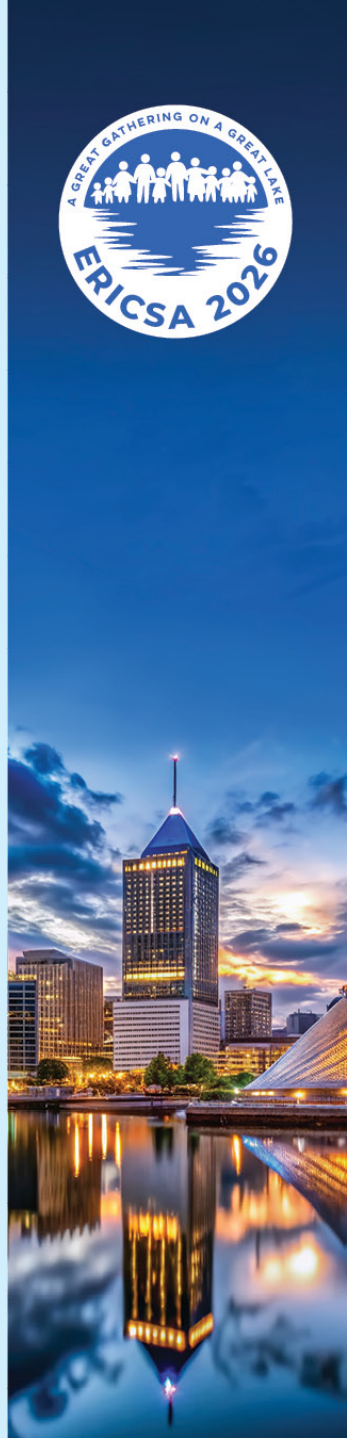
Wallace-Bey v. N.Y. State Div. of Child Support Enf, 25-CV-5462 (RER) (JAM) (E.D. N.Y. Oct 16, 2025)

- **Primary Areas of Law**

- **Constitutional Law:** [Eleventh Amendment](#) (Sovereign Immunity).
- **Civil Procedure:** [28 U.S.C. § 1654](#) (Right to appear *pro se*) and [28 U.S.C. § 1915](#) (In Forma Pauperis review).

- **The Court's Holding**

- **No Representative Standing:** The court dismissed claims made on behalf of **Temple of Seven, Inc.** because a non-attorney cannot represent a corporation or trust in federal court.
- **Eleventh Amendment Bar:** The claims against the state agency were dismissed because the **Eleventh Amendment** grants state agencies immunity from lawsuits for money damages in federal court.
- **Injunction Denied:** The request for a preliminary injunction was denied because Plaintiff could not show a likelihood of success on the merits given the immunity and standing issues.
- **Domestic Relations Exception:** The court noted in a footnote that it would likely have to abstain anyway under the **Domestic Relations Abstention Doctrine**, as the matter involved the enforcement of child support obligations.



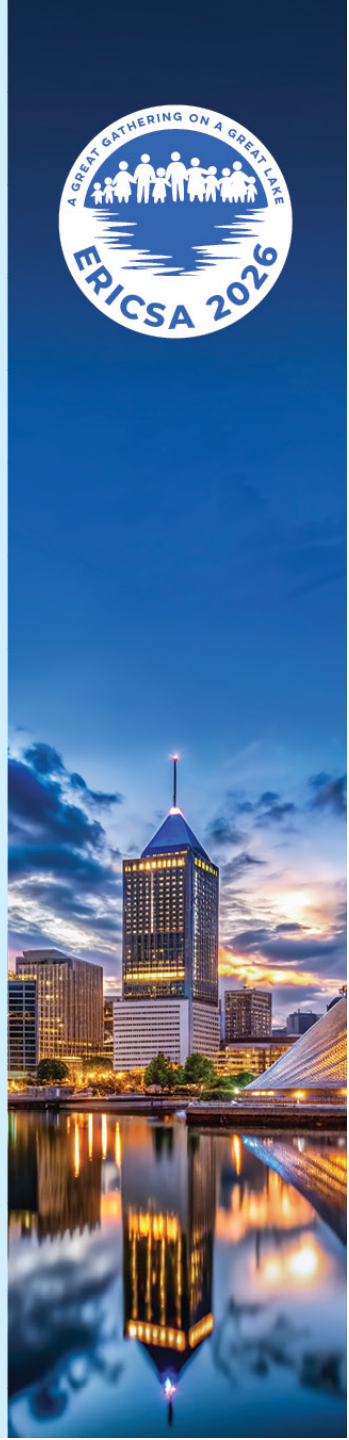
Kiya v. Jackson, A24-1534 (Minn. App. May 27, 2025)

- **The Participants**

- **Appellant:** Randy Jackson, Jr. (“Father”)
- **Respondent-Petitioner:** Masami Kiya (“Mother”)
- **Foreign Tribunal:** Japanese family court that entered the child-support judgment

- **The Factual Narrative**

- **How the Parties Ended Up in Japan:** Father moved to Japan in 2017 to play professional baseball for the Hiroshima Toyo Carp. While there, he began a relationship with Mother, and their son was born in Japan in 2018.
- **The Japan Litigation:** After the relationship deteriorated, the parties began multiple legal proceedings in Japan concerning their son. In December 2019, Mother filed a child-support action there, and about two years later the Japanese family court entered a child-support judgment against Father.
- **Father Leaves Japan / Mother Gets a Judgment:** By the time the Japanese support judgment was entered, Father had already left Japan and continued his baseball career with MLB clubs in the United States and Canada.
- **Why Minnesota Became the Forum:** In February 2024, Father signed a one-year contract with the Minnesota Twins, then signed a six-month lease for a Minneapolis apartment at the end of March 2024. On April 4, 2024, Mother registered the Japanese child-support judgment in Hennepin County under MUIFSA.
- **The Jurisdiction Fight:** Father challenged the registration, arguing both that Minnesota lacked personal jurisdiction over him and that Japan did not qualify as a “foreign country” under MUIFSA because Japan allegedly lacked laws or procedures “substantially similar” to Minnesota’s.
- **The Japan-Specific Argument:** Father focused heavily on the fact that Japan does not use some familiar U.S. child-support enforcement tools, including income withholding, and argued that this meant Japan’s system was not sufficiently similar for registration purposes.



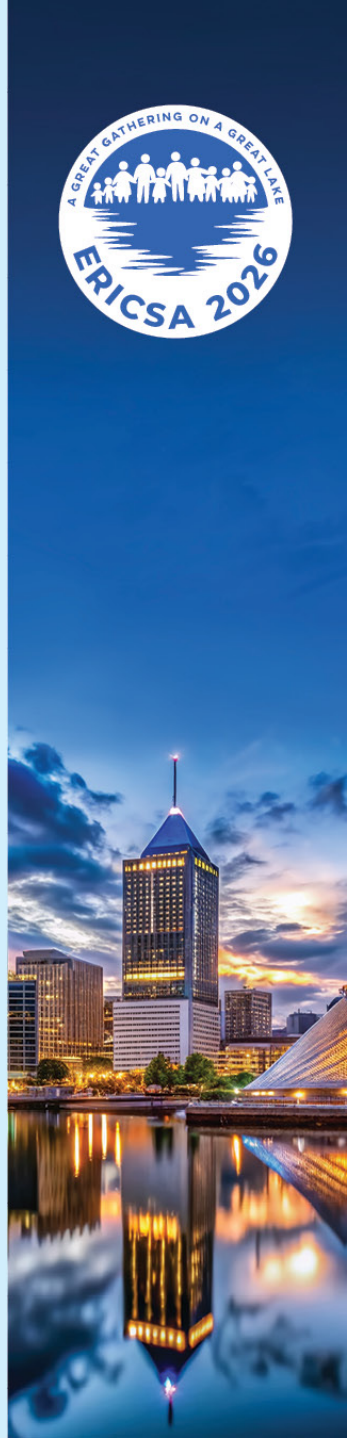
Kiya v. Jackson, A24-1534 (Minn. App. May 27, 2025)

- **Primary Area of Law**

- **International Child Support / MUIFSA:** The key question was whether Japan qualified as a “foreign country” under Minn. Stat. § 518C.101(e)(3), meaning a country that has enacted laws or procedures for issuance and enforcement of support orders that are “substantially similar” to those in MUIFSA.

- **The Court’s Holding**

- **Japan Qualified Under the “Substantially Similar” Provision:** The court held that Japan’s laws and procedures were sufficiently similar to MUIFSA for recognition/enforcement purposes, even though Japan is not being treated here under the other foreign-country pathways.
 - **Similarity Meant Reciprocity + Recognition/Enforcement, Not Identical Remedies:** The court said the right comparison is not whether Japan’s substantive child-support law mirrors Minnesota’s, but whether Japan has comparable procedures for recognition and enforcement of support orders.
 - **Article 118 Mattered:** The court relied on Article 118 of Japan’s Code of Civil Procedure, which allows recognition of foreign judgments if specified requirements are met, including recognized jurisdiction, adequate service or appearance, consistency with Japanese public policy, and reciprocity. That was enough to show Japan had the necessary reciprocity framework.
 - **Not Identical Does Not Mean Not Similar:** The court accepted that Japan apparently does not use income withholding as an enforcement tool, but held that this difference did not defeat registration. The systems did not need to be identical, only substantially similar, and the record supported the finding that Japan does provide some enforcement tools for child-support obligations.
 - **Personal Jurisdiction Also Existed in Minnesota:** Separate from the Japan issue, the court held Minnesota had personal jurisdiction because Father was domiciled in Minnesota when Mother commenced the registration action, given his Twins contract and Minneapolis lease and the court’s view that he intended to remain in the state indefinitely unless released.
- **Final Result:** The registration of the Japanese child-support judgment in Minnesota was affirmed.



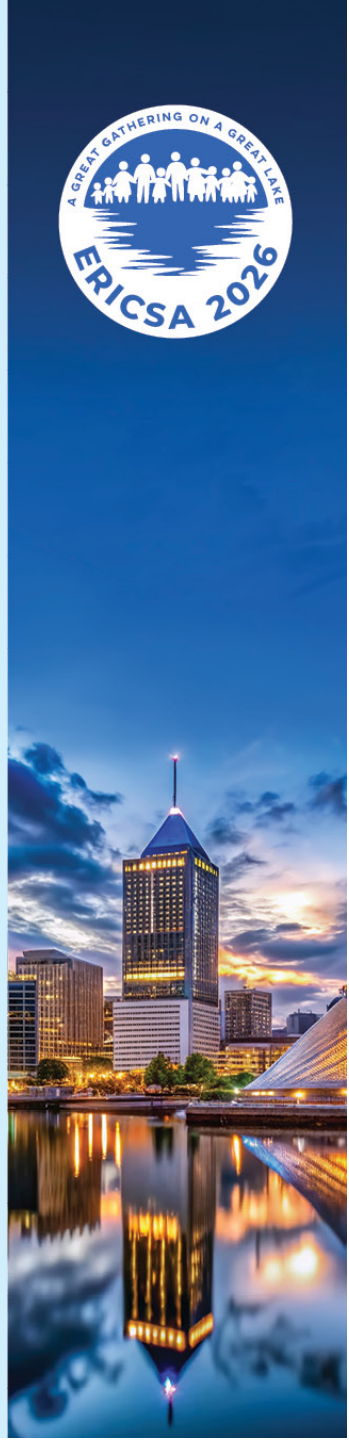
Jasmine E. v. Timothy J. (In re Jade J.), 2025 IL App (1st) 241803, 1-24-1803 (Ill. App. Dec 30, 2025)

- **The Participants**

- **Petitioner-Appellant:** Jasmine E. ("Mother").
- **Respondent-Appellee:** Timothy J. ("Father"), a former professional athlete.
- **The Child:** Jade J. (born in Illinois, but relocated shortly after birth).

- **The Factual Narrative**

- **Initial Order (2012):** Although none of the parties lived in Illinois, an Illinois court established a support order (\$3,500/month + \$1,000 to a trust) because the child was born there.
- **Modification Request (2015):** Father filed to reduce support after his athletic career ended due to injury. At this time, Father lived in Texas and Mother/Child lived in Georgia.
- **The 2015 Hearing:** An attorney (Christopher Clark) appeared in court for Mother. He requested a continuance and leave to file an appearance but did **not** object to the court's jurisdiction.
- **The "Silent" Years:** Between 2017 and 2023, Mother accepted a reduced support amount of **\$265/month** without challenge.
- **The Dispute (2023):** Once the support obligation ended (child turned 18/19), Mother moved to vacate all orders from the previous 8 years, claiming the Illinois court lost jurisdiction the moment everyone moved out of state.



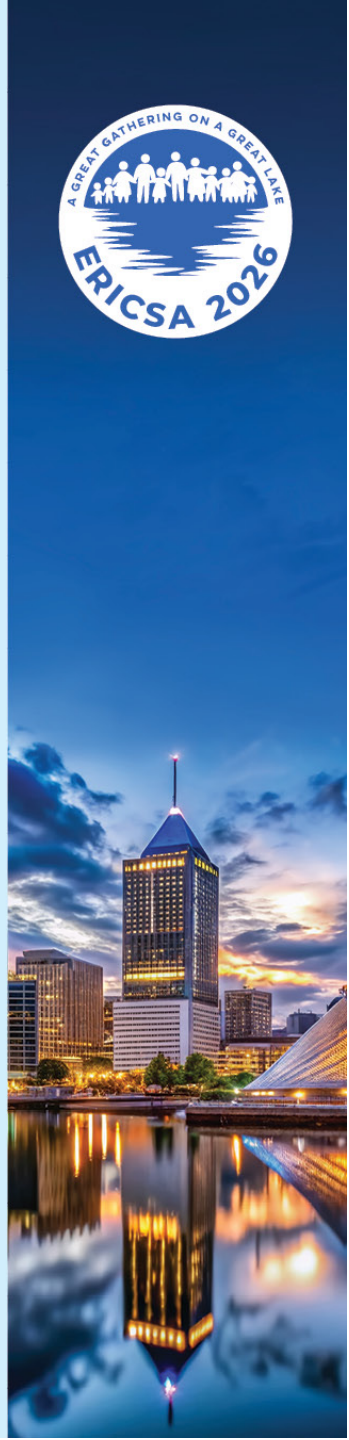
Jasmine E. v. Timothy J. (In re Jade J.), 2025 IL App (1st) 241803, 1-24-1803 (Ill. App. Dec 30, 2025)

- **Primary Area of Law**

- **UIFSA (Uniform Interstate Family Support Act):** Specifically [750 ILCS 22/205](#), which governs "Continuing, Exclusive Jurisdiction" (CEJ).

- **The Court's Holding**

- **Consent via Conduct:** The court held that while Illinois normally loses jurisdiction when all parties leave the state, jurisdiction is maintained if parties **consent** in a record or in open court.
 - **Attorney Appearance = Consent:** The court ruled that Mother's attorney appearing at the 2015 hearing, seeking a continuance, and failing to object to substantive orders constituted "consent" under [UIFSA Section 205\(a\)\(2\)](#).
 - **Waiver of Objections:** By participating in the 2015 proceedings through counsel and later conceding jurisdiction during summary judgment arguments, Mother forfeited her right to challenge personal jurisdiction.
 - **Equity and Practicality:** The court noted it would be unfair to allow a party to accept payments for six years and then claim the orders were void only after the payments stopped.
- **Final Result:** The Appellate Court **affirmed** the trial court's decision; the modification orders remain valid.



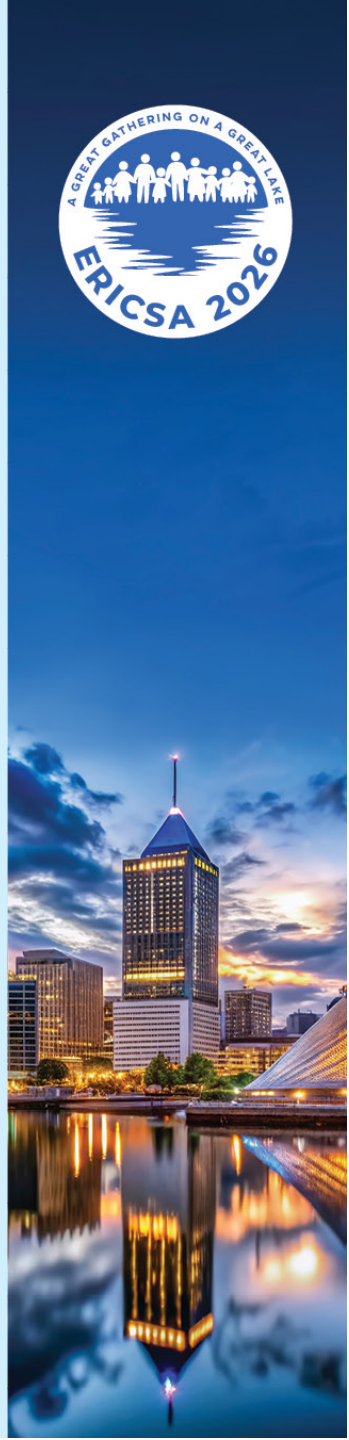
Jasmine E. v. Timothy J. (In re Jade J.), 2025 IL App (1st) 241803, 1-24-1803 (Ill. App. Dec 30, 2025)

- **The Dissent**

- **No "Consent" by Conduct:** Justice Howse argued that for "consent" to exist under [UIFSA Section 205\(a\)\(2\)](#), it must be "in a record or in open court." He contended that an attorney merely appearing to ask for a continuance does not meet this high bar.
- **Procedural Misstep:** The dissent pointed out that under **735 ILCS 5/2-301**, a party does not waive a jurisdictional objection just by having an attorney show up. He believed the Mother properly challenged jurisdiction in her first formal pleading (the **Section 2-1401** motion), and that her earlier "silence" should not have been weaponized against her.
- **The Problem with "Retroactive" Jurisdiction:** Howse argued that the majority created a dangerous precedent by allowing a 2024 "concession" in a summary judgment hearing to retroactively validate a 2017 order that he believed was void from the start.
- **Protection of the Statute:** He emphasized that [UIFSA](#) was specifically designed to *prevent* states from keeping cases when everyone has moved away. By finding "consent" in such thin evidence, he argued the majority was undermining the very purpose of the law.

- **The "New Law" Concern**

- Justice Howse warned that the majority was effectively "resurrecting" the old, abandoned rules of "general vs. special appearances," which Illinois had spent years trying to move away from to make the courts more accessible and fair.



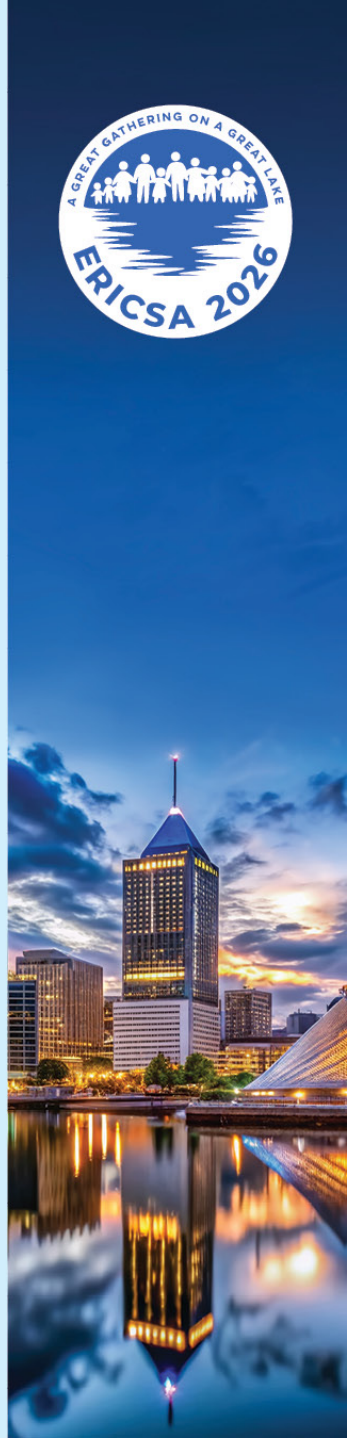
Sarfo v. Addae, 1029-2024 (Md. App. Nov 10, 2025)

- **The Participants**

- **Appellant:** George Appiah Sarfo ("Father"), a Maryland resident.
- **Appellee:** Diana Addae ("Mother"), who moved to Ottawa, Canada with the child.
- **The Court:** Appellate Court of Maryland (reviewing a decision from the Montgomery County Circuit Court).

- **The Factual Narrative**

- **Relocation:** The unmarried parents lived in Maryland until 2022, when Mother and the child moved to Canada.
- **Broken Agreement:** Father initially paid **\$1,000/month** by informal agreement but unilaterally cut it to **\$200 bi-weekly** in 2023, prompting Mother to file for court-ordered support.
- **Procedural Pivot:** Mother initially filed for both custody and support but dismissed the custody claim. The case proceeded solely on the issue of child support in Maryland.
- **Trial Court Ruling:** The circuit court calculated Father's monthly income at **\$20,358** (from three separate sources) and ordered him to pay **\$3,068/month** in support plus **\$16,231.21** in attorney's fees.
- **The Appeal:** Father challenged the court's jurisdiction (since the child was in Canada) and the accuracy of his income calculation, claiming he had other children to support and that some of his jobs were ending.



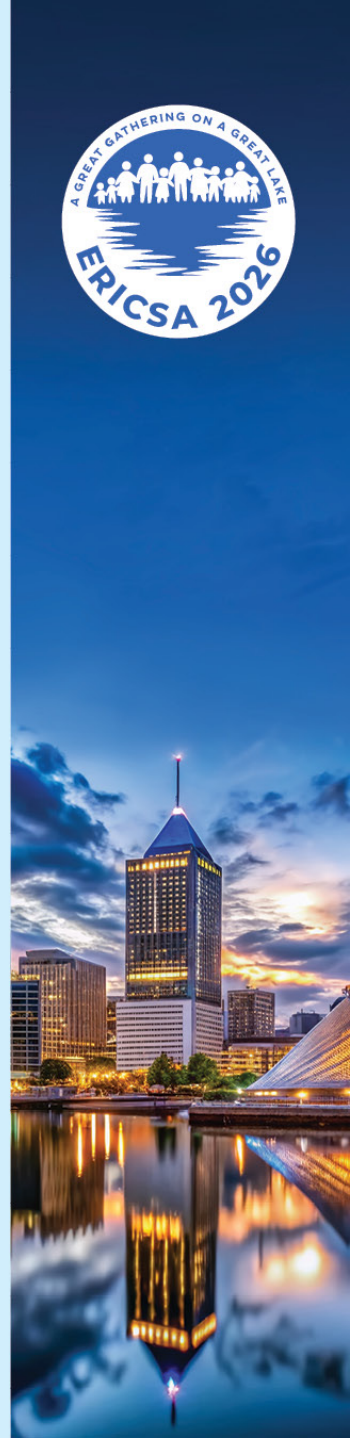
Sarfo v. Addae, 1029-2024 (Md. App. Nov 10, 2025)

- **Primary Areas of Law**

- **UIFSA & UCCJEA:** The interaction between the [Uniform Interstate Family Support Act](#) (support) and the [Uniform Child Custody Jurisdiction and Enforcement Act](#) (custody).
- **Maryland Family Law § 12-202:** Use of child support guidelines and income determination.

- **The Court's Holding**

- **Jurisdiction Affirmed:** The court held that while custody jurisdiction (UCCJEA) usually lies in the child's "home state" (Canada), child support jurisdiction (UIFSA) was proper in Maryland because Father is a Maryland resident and Mother consented to the venue by filing there.
- **Credibility of Income:** The court affirmed the income calculation of **\$20,358/month**. It held that trial judges are not required to believe a parent's unproven testimony about job losses or "other" child support obligations if they lack supporting documentation.
- **Property Ownership:** The court ruled that even if a trial judge incorrectly identifies a parent as the owner of an international property (e.g., a resort in Ghana), it is "harmless error" if that property wasn't used to increase the support calculation.
- **Attorney's Fees:** The award of **\$16,231.21** was affirmed. In Maryland, child support cases are an exception to the "American Rule"; the court has statutory authority to shift fees based on the parties' financial status.
- **Final Result:** The judgment was **Affirmed**, and the case was remanded only to consider if Father should pay *additional* fees for Mother's legal costs during the appeal.



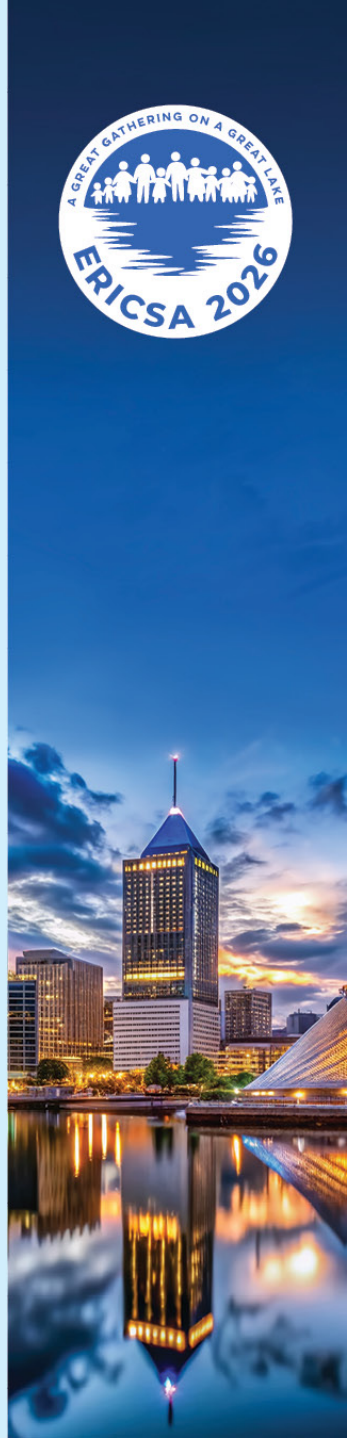
Ramanujam v. Kannan, 105 Mass. App. Ct. 739

- **The Participants**

- **Plaintiff-Appellant:** Devan Aranga Ramanujam ("Husband"), a Massachusetts resident.
- **Defendant-Appellee:** Anusha Aiyaloo Kannan ("Wife"), residing in New York with the children.
- **The Court:** Appeals Court of Massachusetts (Essex Division).

- **The Factual Narrative**

- **The Split:** The couple married in 2002 and lived in MA until 2017, when the Wife and children moved to New York.
- **The Filings:** Husband filed for divorce in MA in **March 2018**. In 2019, the Wife initiated child support proceedings in New York.
- **Jurisdictional Tug-of-War:** * The Wife moved to have MA decline jurisdiction over child issues in favor of New York.
- The MA court declined jurisdiction over *custody* but **retained** jurisdiction over *child support*.
- **The New York Dismissal:** Husband successfully moved to dismiss the Wife's New York case by arguing that New York lacked personal jurisdiction over him and that "Massachusetts certainly has jurisdiction."
- **The Trial Result:** The MA court eventually ordered Husband to pay weekly support, arrears, and a percentage of future bonuses and business receipts.
- **The Appeal:** After losing at trial, Husband reversed his stance, arguing MA lacked "subject matter jurisdiction" under [UIFSA](#) because of the simultaneous New York proceedings.



Ramanujam v. Kannan, 105 Mass. App. Ct. 739

- **Primary Area of Law**

- **Family Law & UIFSA:** Governed by the [Uniform Interstate Family Support Act \(UIFSA\)](#), specifically [G. L. c. 209D, § 2-204](#), which regulates "simultaneous proceedings" in different states.

- **The Court's Holding**

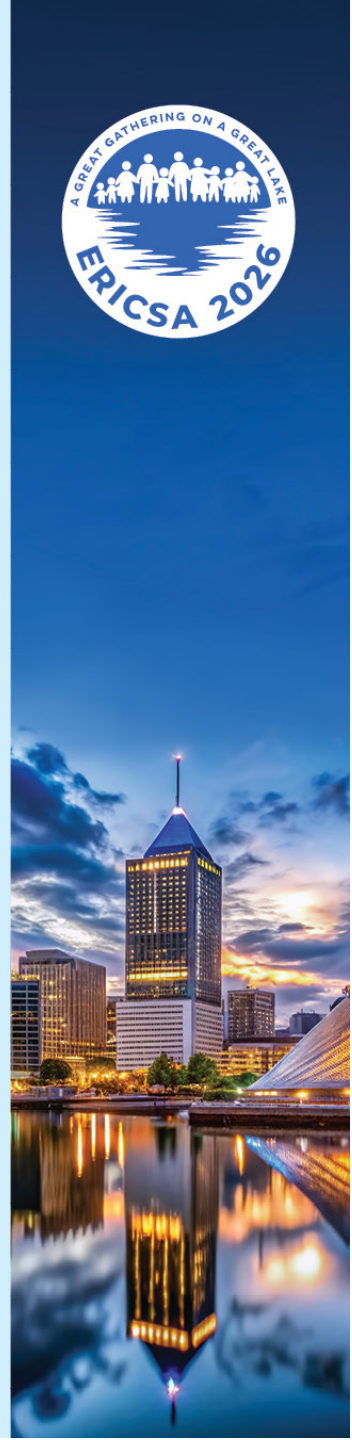
- **"First-in-Time" Priority:** The court held that Massachusetts properly exercised jurisdiction because the Husband's 2018 divorce complaint was the first filing to invoke the court's power to award child support.
 - **Failure to Challenge:** Under [UIFSA § 2-204\(b\)](#), a first-filed state only loses jurisdiction if the contesting party timely challenges jurisdiction in that state before their responsive pleading deadline. The Wife did not challenge MA jurisdiction in her initial response.
 - **Judicial Estoppel:** The court noted "manifest unfairness" in the Husband's argument. He could not argue that MA had jurisdiction to get a New York case dismissed, then argue MA *lacked* jurisdiction once he was ordered to pay.
 - **Support Terms (Remand):**
 - The court **affirmed** the order for 23% of future bonuses as "additional child support."
 - The court **vacated** the order regarding 23% of business venture receipts, remanding it because the trial judge failed to clarify if that payment was child support, alimony, or property division.
- **Final Result:** The jurisdictional challenge was rejected; the divorce judgment was affirmed in part and vacated only as to the vague business-income provision.



Ramanujam v. Kannan, 105 Mass. App. Ct. 739



- **Subject Matter Jurisdiction (The "Genre" of the Case)**
 - The court defined [subject matter jurisdiction](#) as the court's fundamental power to hear a specific **category** of case.
 - **The Rule:** Has the Legislature empowered the court to hear cases of this "genre"?
 - **Application:** The Massachusetts Probate and Family Court is explicitly empowered by statute ([G. L. c. 208, § 28](#)) to handle divorces and child support. Therefore, the court *had* the power to hear the case from day one.
- **The "Exercise" of Jurisdiction (UIFSA § 2-204)**
 - The Husband argued that because [UIFSA § 2-204](#) uses the word "jurisdiction," the court lost its fundamental power the moment a case was filed in New York. The court disagreed, distinguishing between *having* power and *choosing to use* it:
 - **Regulating the Exercise:** The court noted that [Section 2-204](#) regulates the **exercise** of jurisdiction to prevent "simultaneous proceedings." It is a procedural rule of priority, not a limit on the court's basic authority.
 - **Analytical Similarity to Venue:** The court compared this to [venue](#) or [personal jurisdiction](#). These involve "territorial considerations"—essentially asking *which* court among many should hear a case. Unlike subject matter jurisdiction, these rights **must be asserted early** or they are legally forfeited.
- **Why the Distinction Mattered Here**
 - Because the court classified the [UIFSA](#) issue as the "exercise" of jurisdiction rather than "subject matter":
 - **Waiver:** The Husband was found to have waived the objection by not raising it at the trial level and by actively arguing *for* Massachusetts jurisdiction when it suited him in the New York courts.
 - **Judicial Estoppel:** The court invoked [judicial estoppel](#), a rule that prevents a party from playing "fast and loose" with the courts by taking a position in one proceeding (arguing MA has jurisdiction) and the opposite position in another (arguing MA lacks jurisdiction).



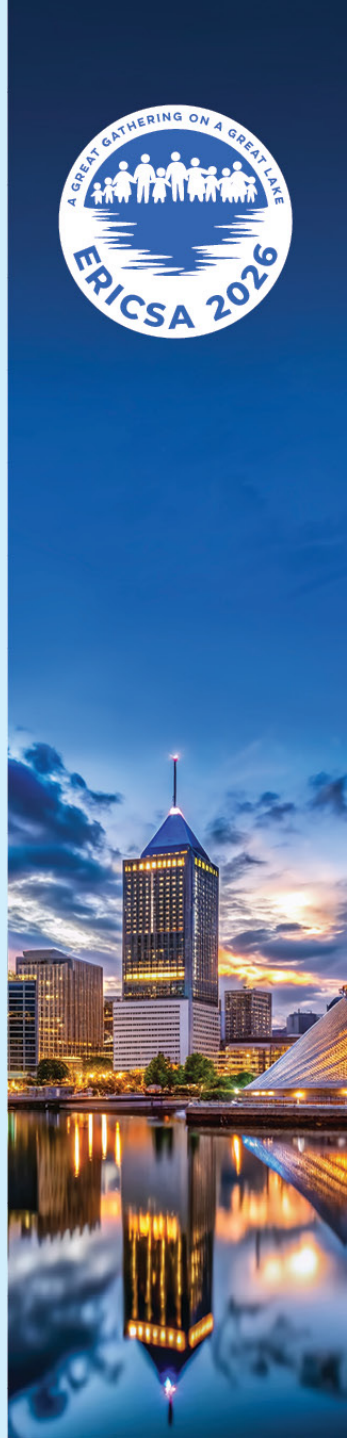
Toppenberg v. Toppenberg, 2025 ND 121, 23 N.W.3d 751 (N.D. 2025)

- **The Participants**

- **Appellant:** Kristina M. Toppenberg (Mother).
- **Appellee:** Zach D. Toppenberg (Father).
- **Statutory Party:** The State of North Dakota.
- **Court:** North Dakota Supreme Court (Opinion by Chief Justice Jensen).

- **Factual Background**

- **2021 Support Order:** Father was originally ordered to pay **\$1,814/month** based on an annual oilfield income of **\$103,200**.
- **Relocation:** In 2023, Father moved from North Dakota to Arizona to care for his ailing parents.
- **Career Change:** He transitioned from high-paying oilfield work to a construction job earning **\$21/hour** (approx. \$43,680/year).
- **The Motion:** Father moved to reduce his support obligation due to this significant decrease in income.
- **Financial Discrepancies:** During the hearing, Father admitted to receiving **\$30,000 in gifts** from his parents and failing to report roughly **\$24,000** in income on his 2023 tax return.



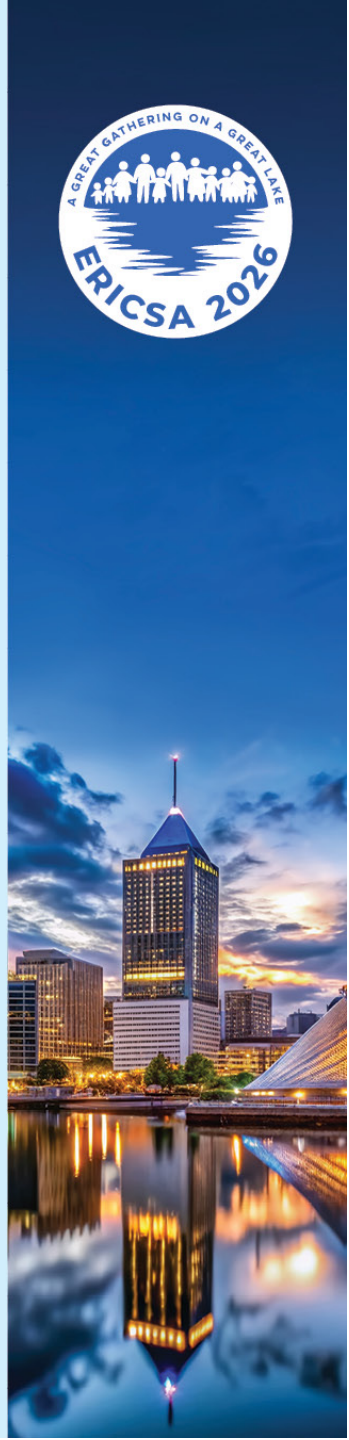
Toppenberg v. Toppenberg, 2025 ND 121, 23 N.W.3d 751 (N.D. 2025)

- **Primary Area of Law**

- **Family Law:** Child support modification and the definition of "gross income" under the [North Dakota Child Support Guidelines](#).

- **The Court's Holding**

- **Validity of Modification (Affirmed):** The Court agreed that Father's relocation was not a bad-faith "voluntary change in employment" designed to avoid support. Because his move was for legitimate family health reasons, the court was not required to impute his previous higher salary.
 - **Error in Income Calculation (Reversed):** The Supreme Court found the trial court erred by failing to include the following in Father's gross income:
 - **Gifts:** Under state law, gifts exceeding **\$1,000** must be included in gross income.
 - **Unreported Income:** The **\$24,000** omitted from his tax returns should have been factored into the calculation.
- **Final Result:** The case was **remanded** to the lower court to recalculate the support amount using a complete picture of Father's finances, including the gifts and unreported earnings.



Toppenberg v. Toppenberg, 2025 ND 121, 23 N.W.3d 751 (N.D. 2025)



- **The Broad Definition: "Income from Any Source"**

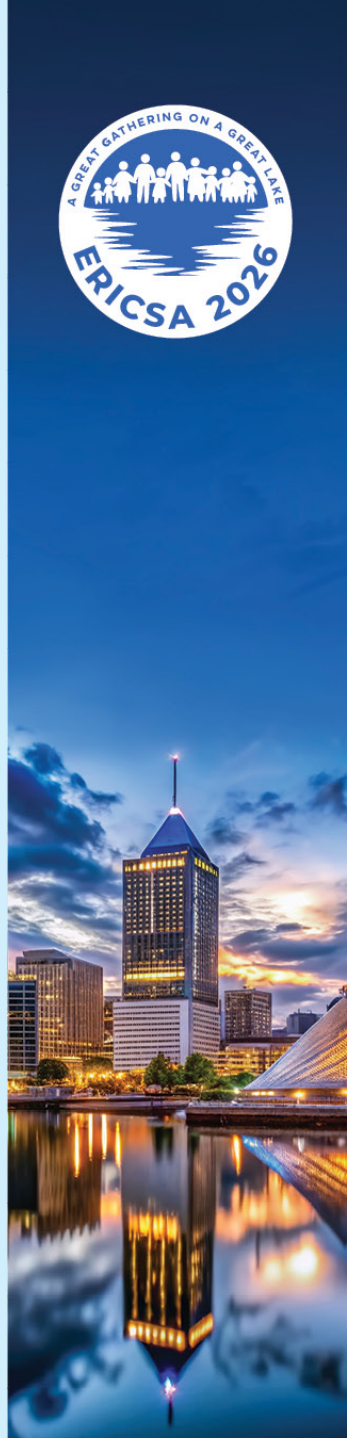
- The North Dakota guidelines are intentionally designed to capture a parent's total financial ability to support a child, regardless of whether the money is "earned" or "unearned."
- **Rule:** [N.D. Admin. Code § 75-02-04.1-01\(4\)\(a\)](#) defines "**Gross income**" as "**income from any source, in any form.**"
- **The Intent:** This broad language prevents parents from hiding their actual lifestyle behind low "taxable" wages if they have other ways of paying their bills.

- **The "Gifts and Prizes" Provision**

- While the law lists standard items like wages and bonuses, it also contains a specific "catch-all" for windfalls and generosity.
- **N.D. Admin. Code § 75-02-04.1-01(4)(b) states:** Gross income includes... **gifts and prizes to the extent they annually exceed one thousand dollars in value.**
- **The Threshold:** Small gifts (like \$500 for a birthday) do not count. However, the moment the cumulative value of gifts from a single source exceeds \$1,000 in a year, the entire amount is generally factored into the support math.
- **Application in Toppenberg:** Because the Father received **\$30,000** from his parents, it blew past the \$1,000 threshold. The court ruled that ignoring this \$30,000 was a legal error because those funds were "available money" for the child's care.

- **Commonly Included Sources of Income**

- Beyond typical wages, the guidelines explicitly list these as "Gross Income":
 - Windfalls: Lottery winnings and prizes.
 - Inheritances: To the extent they generate income or are distributed.
 - In-Kind Benefits: Free housing, company cars, or "forgiveness of debt" provided by an employer or family member.
 - Unreported Earnings: Even if not reported to the IRS, if the money can be proven (via bank statements or testimony), it counts toward child support.



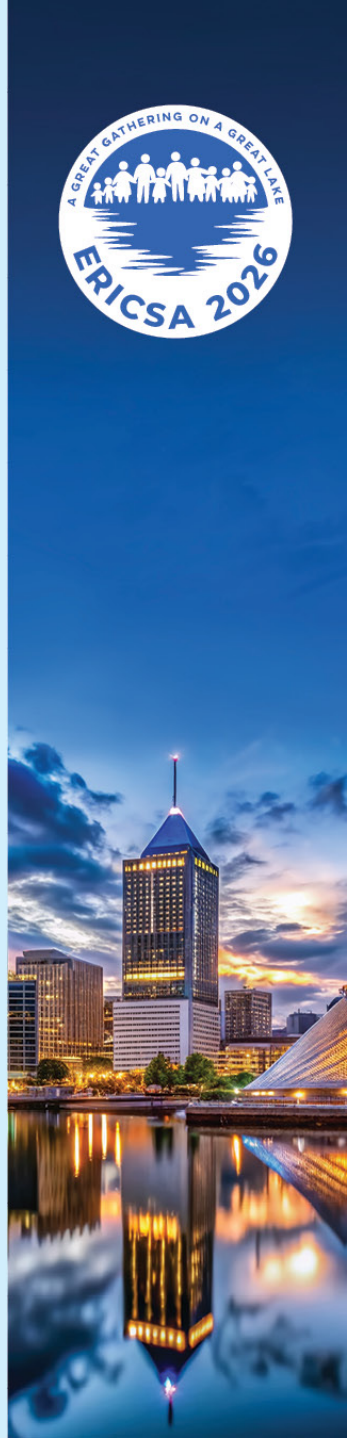
CASSANDRA (AVERITT) MCGUIRE v. BRIAN LEWIS, No. M2024-01242-COA-R3-JV. Court of Appeals of Tennessee (May 14, 2025).

- **The Participants**

- **Appellant:** Cassandra (Averitt) McGuire ("Mother"), proceeding *pro se*.
- **Appellee:** Brian Lewis ("Father").
- **Court:** Tennessee Court of Appeals (Nashville).

- **The Factual & Procedural Narrative**

- **Long-Standing Litigation:** The case originated in 2003 regarding paternity and support.
- **Custody Shift (2008):** Following a material change in circumstances, the trial court named Father the primary residential parent and ordered Mother to pay child support.
- **Support Arrearage:** By 2021, Mother's child support arrearages had grown to approximately **\$34,389.40**.
- **Emancipation (2020):** The child was emancipated in May 2020, leading the court to terminate Mother's ongoing support obligation but ordering her to pay \$220/month toward the debt.
- **The "Untimely" Motion (2024):** Mother filed a motion to dismiss the entire case for "fraud upon the courts" and "denial of procedural process," essentially trying to undo orders from 2008 and 2012.
- **Trial Court Denial:** The trial court denied the motion, stating it no longer had jurisdiction to modify orders that became final years ago.



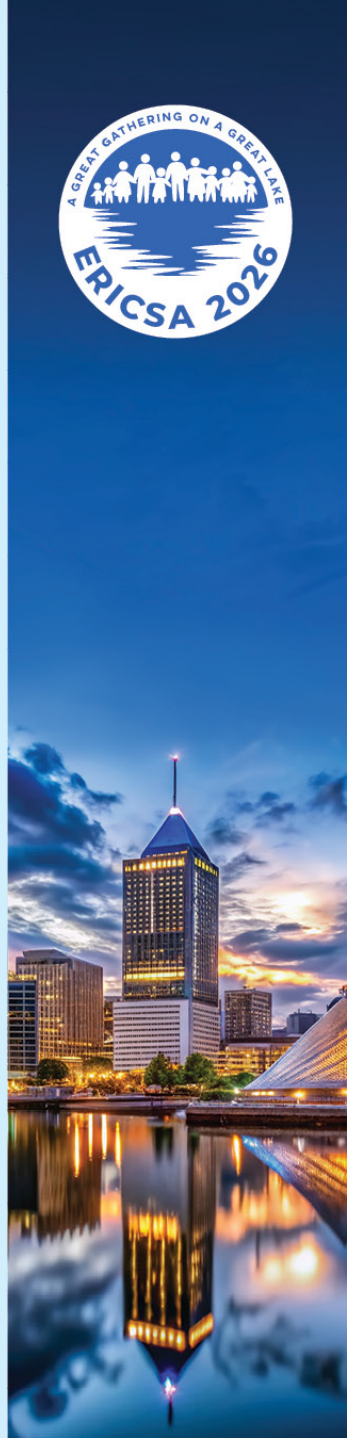
CASSANDRA (AVERITT) MCGUIRE v. BRIAN LEWIS, No. M2024-01242-COA-R3-JV. Court of Appeals of Tennessee (May 14, 2025).

- **Primary Areas of Law**

- **Appellate Procedure:** Specifically [Tennessee Rule of Appellate Procedure 27](#) and [Rule 6](#) of the Rules of the Court of Appeals.
- **Jurisdiction:** The finality of judgments and the limits of a trial court's power to modify old orders.

- **The Court's Holding**

- **Appeal Dismissed:** The Court of Appeals dismissed the appeal without reaching the merits of Mother's claims due to "profound" procedural deficiencies.
- **Briefing Failures:** The court found Mother's brief failed to comply with mandatory rules:
 - **Record Citations:** Citations to the record were inaccurate or bore no resemblance to the actual documents provided.
 - **Legal Authority:** Two-thirds of the cases cited were irrelevant, inaccurately quoted, or lacked proper citations.
- **Pro Se Standards:** While *pro se* litigants are given some leeway, the court held they must still comply with the same substantive and procedural laws as attorneys. The court will not "research or construct" an argument for a party.
- **Finality of Orders:** The court reaffirmed that once a trial court's order (like the 2021 arrearage order) becomes final and the time for appeal has passed, the trial court loses jurisdiction to modify it.



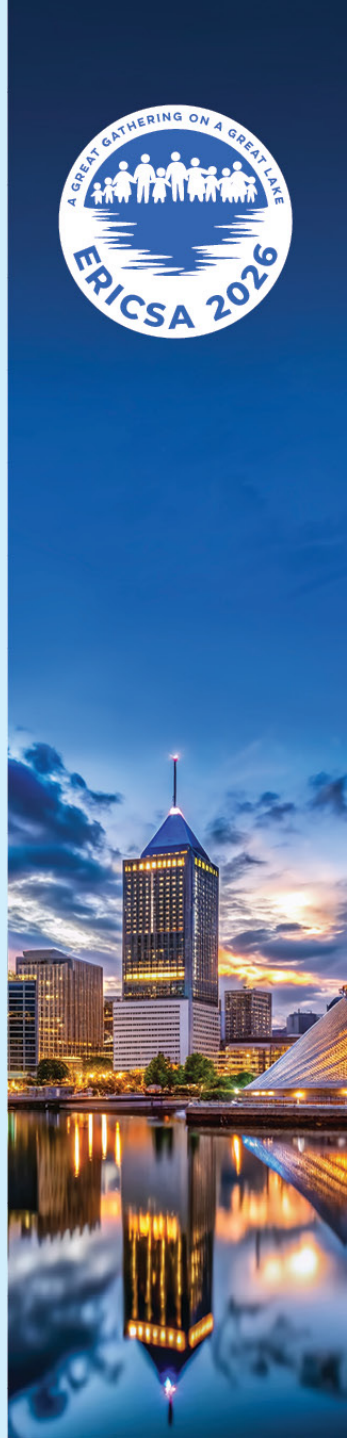
Schutter v. Seibold, WD86995 (Mo. App. May 06, 2025)

- **The Participants**

- **Appellant:** Paul J. Seibold ("Father").
- **Respondent:** Jennifer L. Schutter ("Mother").
- **The Child:** "Son" (noted as having extensive medical and educational needs).
- **The Courts:** Missouri Court of Appeals (Western District) reviewing the Circuit Court of Platte County.

- **The Factual Narrative**

- **The Move:** After a 2013 divorce in Missouri, Mother relocated with Son to Texas in 2019 with court approval.
- **The Conflict:** The parties engaged in "dozens of motions" over 13 years. Father filed multiple "Family Access Motions" in Missouri, alleging Mother denied him visitation.
- **The Texas Intervention:** Mother registered the Missouri judgment in Texas. In September 2023, a Texas court issued a **temporary custody order** that modified Father's visitation schedule for a four-month period.
- **The Dismissal:** Based on that Texas order, the Missouri trial court dismissed **all** of Father's pending motions—including those for visitation enforcement and **child support modification**—claiming it had lost all jurisdiction under the UCCJEA.



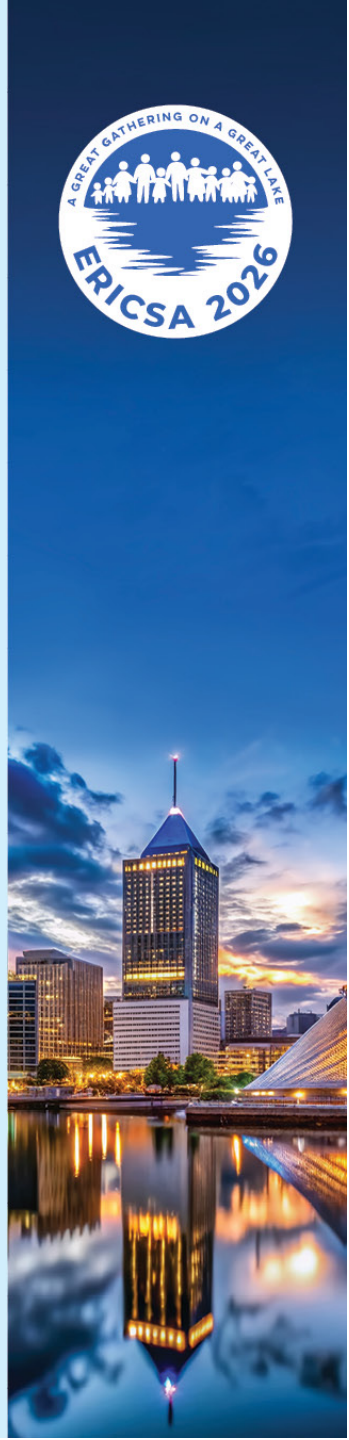
Schutter v. Seibold, WD86995 (Mo. App. May 06, 2025)

- **Primary Areas of Law**

- **UCCJEA:** [Uniform Child Custody Jurisdiction and Enforcement Act](#) (governs custody/visitation).
- **UIFSA:** [Uniform Interstate Family Support Act](#) (governs child support).

- **The Court's Holding**

- **Custody/Visitation (Affirmed):** The court held that under the **UCCJEA**, a "temporary" order from another state (Texas) counts as a modification. Once Texas modified the custody arrangement, Missouri lost its "exclusive continuing jurisdiction" to enforce its own old visitation orders.
 - **Child Support (Reversed):** The court ruled that the trial court made a major error by dismissing the **child support** motions.
 - **The Reason:** The **UCCJEA** does *not* apply to child support.
 - **The Rule:** Child support is governed by **UIFSA**. Because Missouri issued the initial support order and Father still lives in Missouri, the state retains jurisdiction over the money, even if it loses control over the visitation.
- **Final Result:** The dismissal of visitation motions was upheld, but the case was **sent back to Missouri** to hear Father's request to modify his child support.



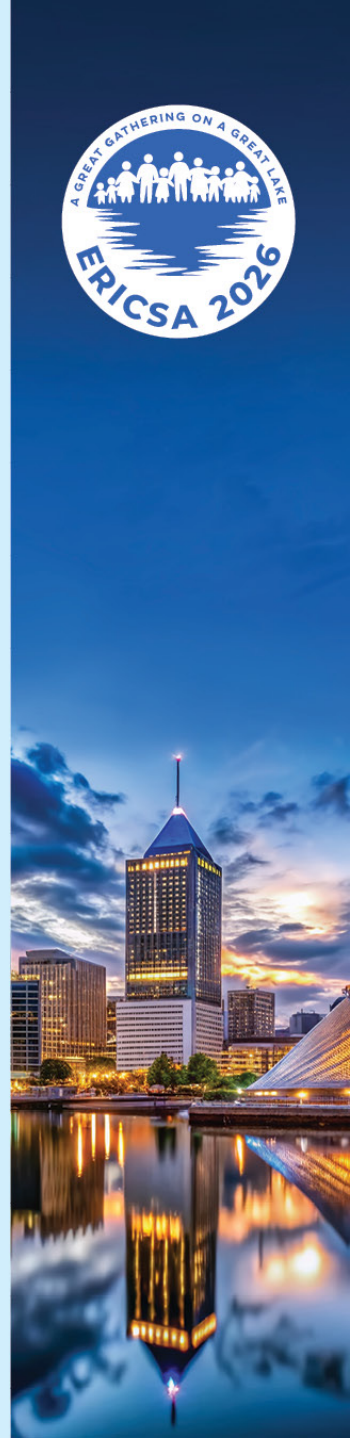
HOWARD LEON HAYNIE, Plaintiff, v. NYS CHILD SUPPORT ENFORCEMENT AGENCY, Defendant. No. 1:25-cv-0306 (MAD/TWD) United States District Court, N.D. New York. (April 3, 2025).

- **The Participants**

- **Plaintiff:** Howard Leon Haynie (proceeding *pro se* and *in forma pauperis*).
- **Defendant:** New York State Child Support Enforcement Agency (NYS DCSE).
- **Court:** U.S. District Court, Northern District of New York (Report and Recommendation by Magistrate Judge Therese Wiley Dancks).

- **The Factual Narrative**

- **CDL Suspension (2013):** Plaintiff alleged his Commercial Driver's License was suspended for an original arrearage of only **\$14.00** without prior notice.
- **Second Suspension (2018):** Plaintiff's CDL was suspended again without notice or an opportunity to address alleged arrears.
- **Economic Impact:** Plaintiff remained disqualified from commercial driving from 2013 through 2025, causing significant financial hardship and job loss.
- **Credit Reporting:** The agency reported arrears to credit bureaus as "bad debt," harming Plaintiff's creditworthiness.
- **Inaccurate Calculation:** Plaintiff alleged the agency continued to collect arrears for a child who had already turned 22 in 2023.



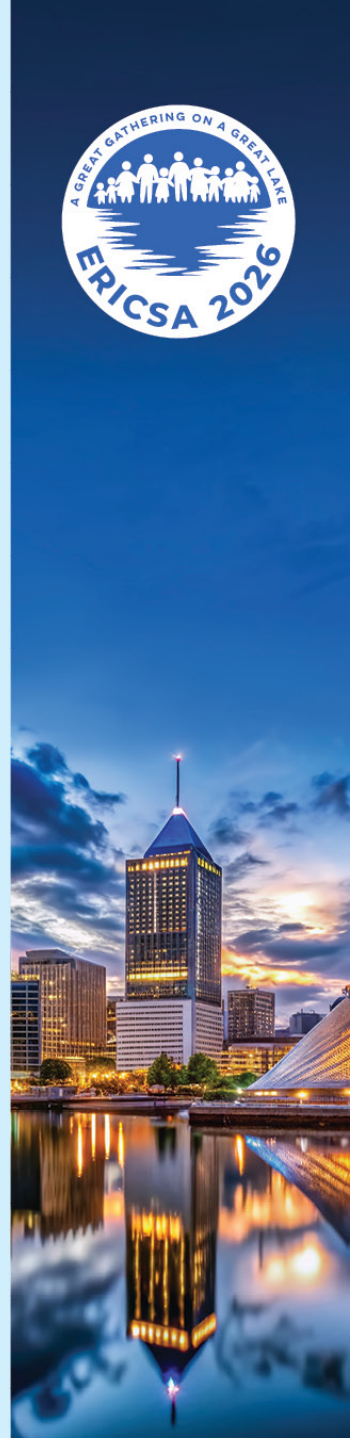
HOWARD LEON HAYNIE, Plaintiff, v. NYS CHILD SUPPORT ENFORCEMENT AGENCY, Defendant. No. 1:25-cv-0306 (MAD/TWD) United States District Court, N.D. New York. (April 3, 2025).

- **Primary Areas of Law**

- **Constitutional Law:** [Eleventh Amendment](#) (Sovereign Immunity) and 14th Amendment (Due Process).
- **Federal Jurisdiction:** The **Rooker-Feldman Doctrine** and the **Domestic Relations Exception**.

- **The Court's Holding**

- **Sovereign Immunity Bar:** The court held that the NYS Child Support Enforcement Agency is an "arm of the state." Under the **Eleventh Amendment**, state agencies cannot be sued by private citizens in federal court for money damages or declaratory relief.
- **Lack of Subject Matter Jurisdiction:** * **Rooker-Feldman:** Federal courts cannot act as an "appeals court" for state court child support judgments.
 - **Domestic Relations Exception:** Matters involving the calculation and enforcement of child support are traditionally reserved for state courts, not federal courts.
- **Final Result:** The Magistrate Judge **recommended dismissal** of the complaint without prejudice for lack of jurisdiction, noting that the legal problems were substantive and could not be cured by an amended filing.



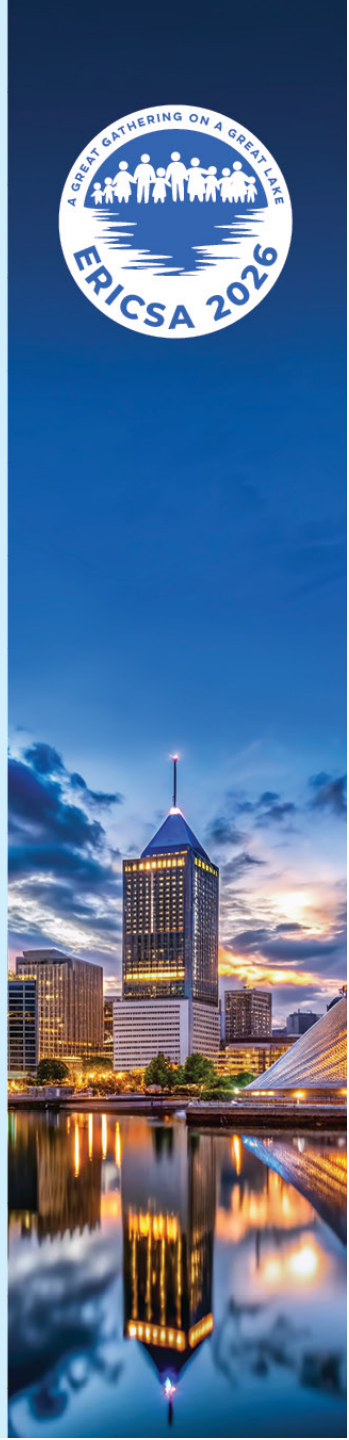
Jeevanandam v. Bharathan; Department of Revenue Child Support Enforcement Division., 496 Mass. 103 (Mass. 2025)

- **The Participants**

- **Plaintiff-Appellee:** Bharathan Jeevanandam ("Father").
- **Defendant-Appellee:** Vanikala Bharathan ("Mother").
- **Third-Party Defendant-Appellant:** Department of Revenue (DOR) Child Support Enforcement Division.
- **The Court:** Supreme Judicial Court of Massachusetts (transferred from the Appeals Court).

- **The Factual Narrative**

- **The Support Order:** Following a 2012 divorce, Father was ordered to pay **\$555/week** in child support for a child with special needs. The DOR enforced this through wage withholding.
- **The Change in Circumstances:** In 2021, Father filed for modification because the child had enrolled in a full-time residential program paid for by the government.
- **The Overpayment:** A judge terminated Father's support obligation retroactively to January 1, 2022. However, because the DOR continued collecting during the litigation, Father overpaid.
- **The Lower Court Order:** The trial judge ordered Mother to reimburse Father **\$50/week** for the overpayment and ordered the **DOR to enforce this reimbursement** via wage assignment.
- **The Conflict:** The DOR refused, arguing it lacks the legal authority to seize wages from one parent to pay another when the money isn't actually for "supporting a child."



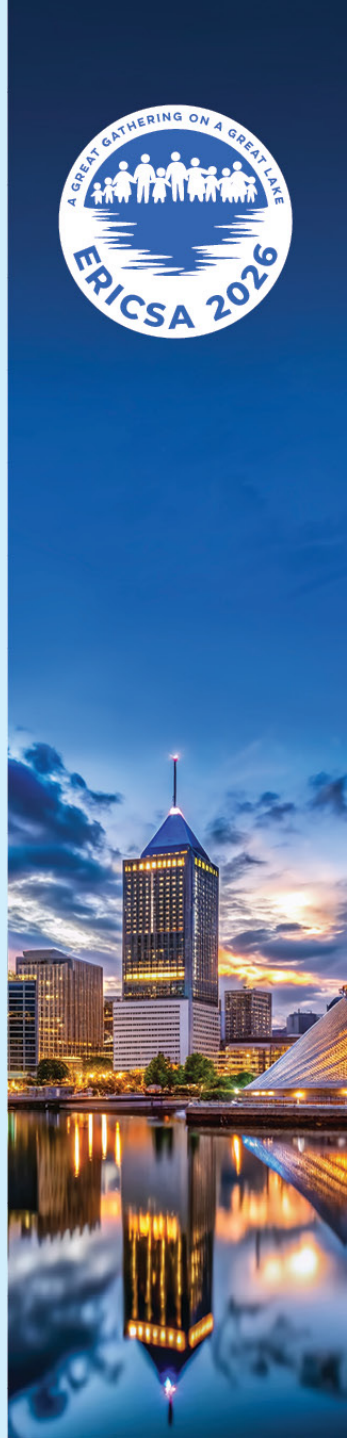
Jeevanandam v. Bharathan; Department of Revenue Child Support Enforcement Division., 496 Mass. 103 (Mass. 2025)

- **Primary Areas of Law**

- **Administrative Law:** The scope of agency authority ([G. L. c. 119A](#)).
- **Family Law:** Definitions of "support order" and "reimbursement."
- **Constitutional Law:** Separation of Powers.

- **The Court's Holding**

- **Limited Agency Power:** The Court held that the DOR only has the authority to enforce orders that are "**for the support and maintenance of a child.**"
- **Reimbursement vs. Support:** While the word "reimbursement" appears in the statute, the court clarified it only refers to reimbursements *for child support*. Because the Father's obligation had ended, this was a simple **civil debt** between adults, not child support.
- **No Judicial Usurpation:** A judge cannot order an executive agency (the DOR) to do something the law does not authorize. Doing so violates the **Separation of Powers** by forcing an agency to perform a function outside its legislative mandate.
- **Alternative Remedies:** The Court noted Father could still collect his money through other legal means, such as **contempt of court** or **property attachment**, but he could not use the DOR's specialized tools.
- **Final Result:** The order requiring the DOR to collect the reimbursement was **vacated**.



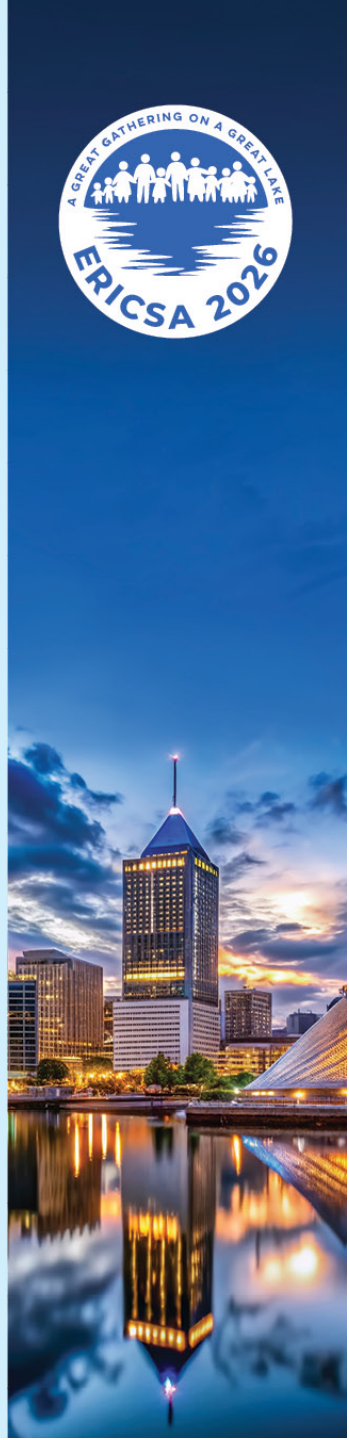
Lesane v. Wake Cnty. Child Support Enft. Agency, 5:25-CV-212-FL-BM (E.D. N.C. Oct 16, 2025).

• The Participants

- **Plaintiff:** Shaquan Lavena Lesane (proceeding *pro se* and *in forma pauperis*).
- **Defendants:** Wake County Child Support Enforcement Agency and individual officials (Erica Fraiser, Julie Bell, and Jim Black).
- **Court:** U.S. District Court, Eastern District of North Carolina (Memorandum and Recommendation by Magistrate Judge Brian S. Meyers).

• The Factual Narrative

- **The Dispute:** Plaintiff filed a civil rights action alleging "extortion," "fraud," and "harassment" stemming from a state child support case.
- **The Allegations:** Lesane claimed the agency and its employees:
 - Initiated "frivolous" legal actions and contempt proceedings against her.
 - Failed to provide "proof of claim" or an "original contract" signed by her.
 - Violated her "natural rights" and the "Foreign Sovereign Immunities Act" (a common argument in "sovereign citizen" style filings).
- **The Goal:** Plaintiff sought **\$10,000,000** in damages and a federal order to "cease and desist" all state child support enforcement activities.



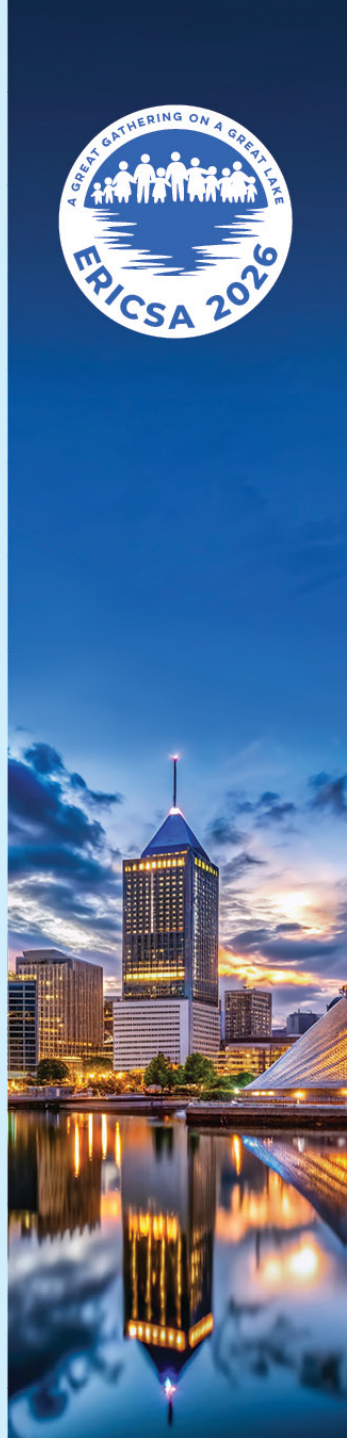
Lesane v. Wake Cnty. Child Support Enft. Agency, 5:25-CV-212-FL-BM (E.D. N.C. Oct 16, 2025).

- **Primary Areas of Law**

- **Federal Jurisdiction:** The **Rooker-Feldman Doctrine** and the **Younger Abstention Doctrine**.
- **Civil Procedure:** [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#) regarding the dismissal of frivolous or meritless *in forma pauperis* complaints.

- **The Court's Holding**

- **Dismissed for Frivolity:** The court recommended the case be dismissed because it lacked an "arguable basis in law or fact."
- **The "No-Fly Zone" of Federal Law:**
 - **Younger Abstention:** Since the child support proceedings were likely ongoing in state court, federal courts are strictly forbidden from interfering in those state "police power" functions.
 - **Rooker-Feldman:** If the state orders were already final, the Plaintiff could not use a federal lawsuit to "appeal" them; only the U.S. Supreme Court can review final state court judgments.
- **Sovereign Immunity:** The court noted that the county agency and officials in their official capacities are generally immune from such suits under the **Eleventh Amendment**.
- **Final Result:** The court granted the Plaintiff's request to proceed without paying fees but immediately **recommended dismissal** of the entire lawsuit before it could even be served on the defendants.



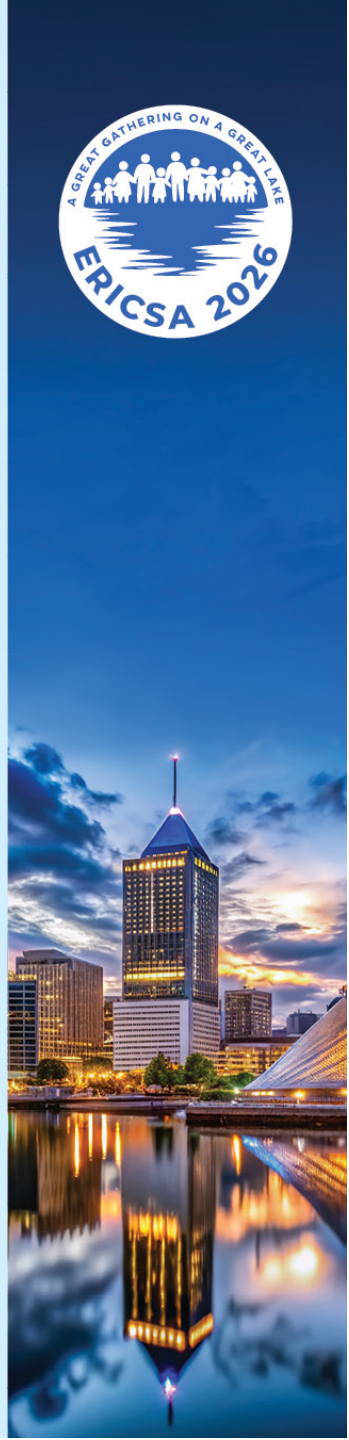
Walker v. Dane Cnty. Child Support Agency, 25-cv-817-jdp, 25-cv-907-jdp (W.D. Wis. Nov 17, 2025)

• The Participants

- **Plaintiff:** Charles L. Walker (proceeding *pro se*).
- **Defendants:** Dane County Child Support Agency, Wisconsin Department of Children and Families, Judge Jacob Frost, Court Commissioner Mary Beth Keppel, and Attorney Andrea D. Brendemuehl.

• The Factual Narrative

- **Case 1 (Historical Issues):** Walker alleged that in 2007, Attorney Brendemuehl initiated a "fake" paternity/support proceeding without proper service and that Commissioner Keppel issued an illegal arrest warrant.
- **Case 2 (Recent Enforcement):** Walker alleged that in 2023, Judge Frost ordered him to pay child support arrears and found him in contempt, leading to his arrest.
- **The "Social Security" Dispute:** Walker claimed that Judge Frost's order was unconstitutional because his only income was Social Security benefits, which he argued were exempt from garnishment for child support.
- **Ongoing State Action:** At the time of this federal filing, Walker had a pending appeal in the Wisconsin Court of Appeals challenging these exact rulings.



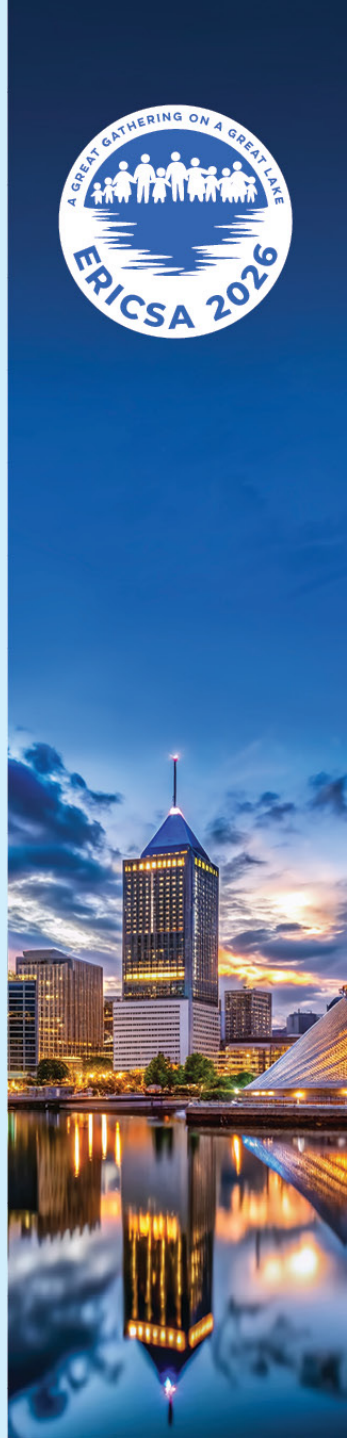
Walker v. Dane Cnty. Child Support Agency, 25-cv-817-jdp, 25-cv-907-jdp (W.D. Wis. Nov 17, 2025)

- **Primary Areas of Law**

- **Constitutional Law:** [Younger Abstention Doctrine](#) and Judicial Immunity.
- **Civil Procedure:** [28 U.S.C. § 1915](#) (Screening of *pro se* complaints) and Statute of Limitations.

- **The Court's Holding**

- **Younger Abstention:** The court held it could not adjudicate claims about state-court rulings while those proceedings (and their appeals) are still ongoing in state court.
 - **Judicial Immunity:** Claims against Judge Frost and Commissioner Keppel were dismissed because judges and commissioners are immune from lawsuits for actions taken as part of their official judicial duties (like issuing warrants or support orders).
 - **Statute of Limitations:** Claims regarding the 2007 proceedings were dismissed as "untimely," as the six-year statute of limitations for constitutional claims had long since expired.
 - **Failure to State a Claim:** The court found no plausible basis for suing the county or state directly, as Walker failed to identify a specific "widespread policy" that caused his alleged injuries.
- **Final Result:** Both cases were **dismissed** at the screening stage, with the court noting that the deficiencies were so fundamental they could not be fixed by an amendment.



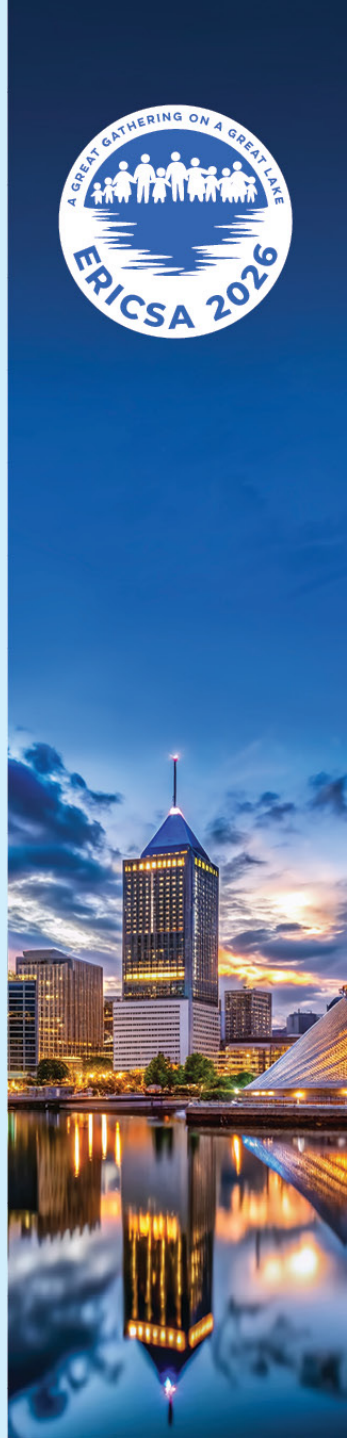
J.T.S. v. M.L.S., 2024-CA-00023-COA (Miss. App. Dec 16, 2025).

- **The Participants**

- **Appellant:** J.T.S. (Wife).
- **Appellee:** M.L.S. (Husband).
- **The Children:** Five children (born between 1994 and 2003).
- **The Court:** Mississippi Court of Appeals (Opinion by Justice McDonald).

- **The Factual Narrative**

- **The Divorce (2015):** The parties were granted a divorce on the ground of irreconcilable differences. The judgment incorporated a "Child Custody and Property Settlement Agreement" (CCPSA).
- **The "Post Nuptial" Twist:** Prior to the final divorce, the parties signed a "Post Nuptial Agreement" regarding property management. The later CCPSA stated that any part of the Post Nuptial Agreement not modified would remain "in full force and effect."
- **The Contempt Filing (2022):** Wife sued for contempt, alleging Husband failed to pay child support, failed to reimburse medical/educational expenses, and "fraudulently conveyed" property to his parents to avoid paying her \$263,365 in judgments.
- **The Counter-Claim:** Husband moved to modify the divorce decree to lower his life insurance requirements, citing the emancipation of the older children as a "change in circumstances."



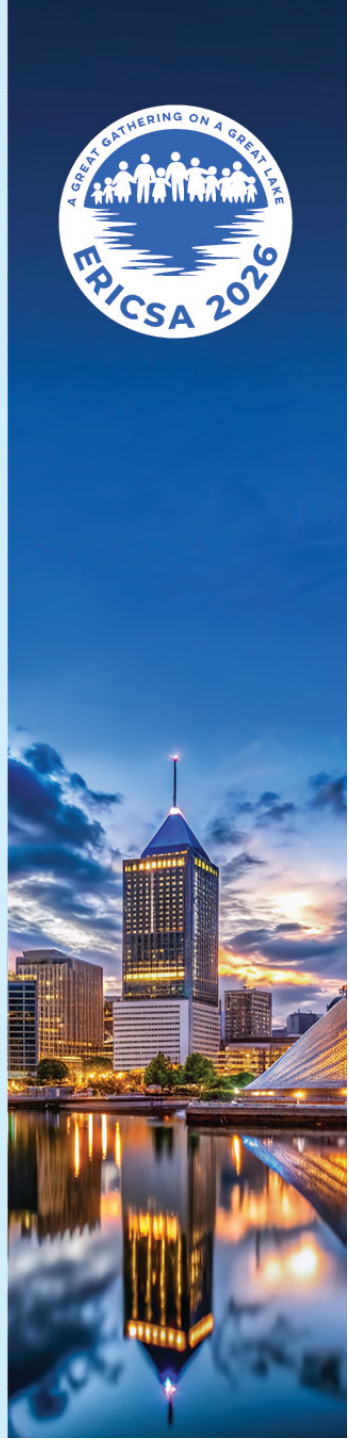
J.T.S. v. M.L.S., 2024-CA-00023-COA (Miss. App. Dec 16, 2025).

- **Primary Areas of Law**

- **Family Law:** Contempt enforcement and modification of support-related obligations.
- **Contract Law:** Incorporation by reference and the enforceability of pre-divorce agreements.
- **Civil Procedure:** Use of [Rule 54\(b\)](#) to certify partial judgments as final for appeal.

- **The Court's Holding**

- **Enforceability of Post-Nuptial Terms:** The court examined whether terms from the *pre-divorce* Post Nuptial agreement were truly "incorporated" into the court's decree. The chancellor initially ruled they weren't enforceable by contempt; the Appellate Court reviewed this "incorporation by reference" logic.
 - **Life Insurance Modification (Affirmed):** The court upheld the reduction of Husband's required life insurance from **\$1,000,000 to \$400,000**, agreeing that the emancipation of three of the five children constituted a material change in circumstances.
 - **Interest Rates (Reversed/Remanded):** The Appellate Court addressed whether the chancellor erred in setting a lower interest rate (4%) on child support arrearages and property settlement payments, leading to a remand for a proper calculation.
 - **Bifurcation of Claims:** The court clarified that while the contempt issues were "final" for appeal, the **fraudulent conveyance** claims (alleging Husband hid money with his parents) remained live and were not dismissed.
- **Final Result:** Affirmed in part, reversed and rendered in part, and reversed and remanded in part.



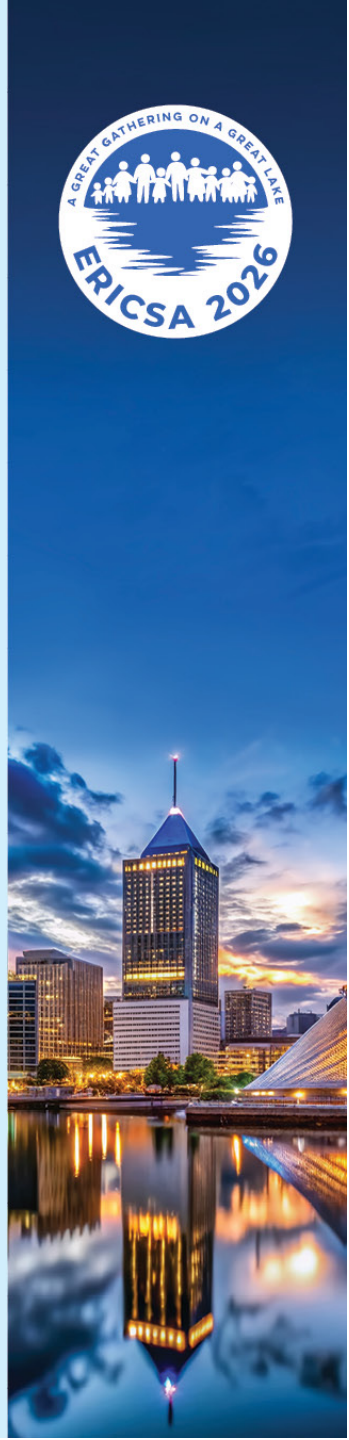
RICCI v. WEST. No. A25A0618, Court of Appeals of Georgia, Third Division (May 1, 2025)

- **The Participants**

- **Appellant:** Anthony Ricci (Father).
- **Appellee:** Angela West (Mother).
- **Court:** Georgia Court of Appeals, Third Division (Opinion by Judge Padgett).

- **The Factual Narrative**

- **The Decree (2009):** The parties divorced in Virginia. Their agreement featured a "self-executing" child support provision: support was set at **21% of Father's base salary** and adjusted automatically if his salary changed by more than **\$10,000/year**.
- **The Career Change (2018):** Father left a corporate job earning **\$238,000** to become a commercial airline pilot, initially earning only **\$50,000**.
- **The Adjustment:** Following the "de-escalator" logic of the agreement, Father significantly reduced his support payments to match his new, lower salary.
- **The Contempt Filing:** Mother sued for contempt, arguing Father was "voluntarily underemployed" and had failed to provide timely documentation of his income changes.
- **Trial Court Ruling:** The trial court found Father in contempt, imputed his income back to **\$238,000**, and ordered him to pay **\$151,589** in arrears plus attorney fees.



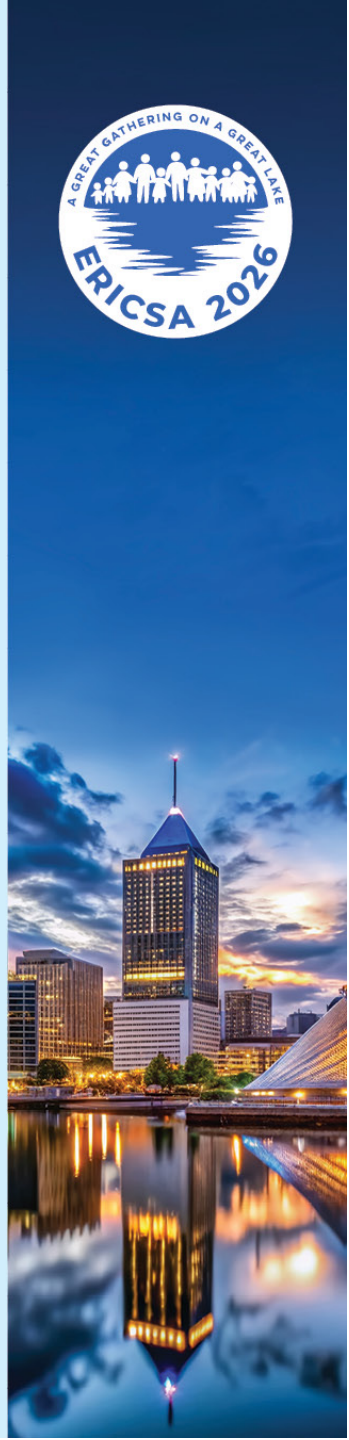
RICCI v. WEST. No. A25A0618, Court of Appeals of Georgia, Third Division (May 1, 2025)

- **Primary Areas of Law**

- **Family Law:** Contempt proceedings and "Self-Executing" child support modifications.
- **Jurisdiction:** Enforcement of foreign (Virginia) judgments under Georgia law.
- **Contract Interpretation:** Plain meaning of settlement agreements.

- **The Court's Holding**

- **No Improper Modification:** The Court of Appeals held that a trial court cannot modify a divorce decree during a contempt proceeding. By "imputing" income that wasn't there, the trial court essentially rewrote the parties' contract.
- **Self-Executing Clauses:** The court ruled that because the original agreement allowed for automatic adjustments based on salary—and did **not** distinguish between voluntary or involuntary changes—Father was entitled to lower his payments when his salary dropped.
- **No "Floor" Established:** Since the parties never wrote a minimum payment amount (a "floor") into their agreement, the court had to enforce the plain language of the 21% calculation.
- **Full Faith and Credit:** The court emphasized that Georgia must enforce the Virginia decree as written, even if such a "percentage-based" support order would be disfavored under standard Georgia guidelines.
- **Final Result:** The contempt order and attorney fee award were **vacated**, and the case was remanded to recalculate arrears based on Father's *actual* pilot salary rather than his old corporate salary.



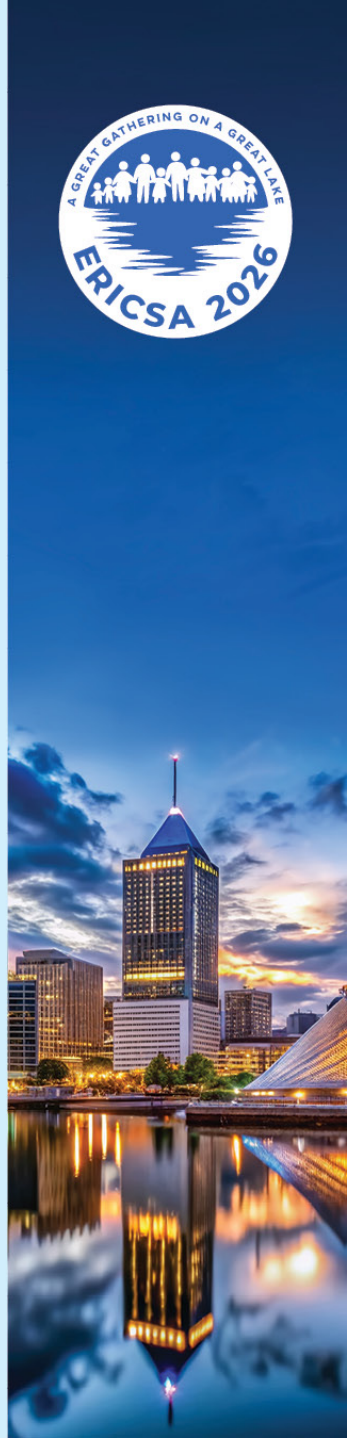
In re Marriage of Springer, 2025 IL App (5th) 220378U, 5-22-0378 (Ill. App. Sep 11, 2025).

- **The Participants**

- **Petitioner-Appellee:** Angela Springer ("Mother").
- **Respondent-Appellant:** Brett Alan Springer ("Father").
- **The Court:** Appellate Court of Illinois, Fifth District (Opinion by Justice Boie).

- **The Factual Narrative**

- **Timeline:** The parties married in 1998 and have three children. Mother filed for dissolution in 2018.
- **The Default:** Father initially defaulted by failing to appear at early hearings; a supplemental order was entered in his absence but was later vacated to allow him to present his case.
- **Contempt String:** Between 2020 and 2021, Mother filed six separate "Petitions for Rule to Show Cause" regarding Father's failure to pay child support, provide discovery, and comply with settlement drafting.
- **Disputed Assets:** Two primary accounts were at issue:
 - An **AIVSX mutual fund** Father started in 1990 (pre-marriage) but later added Mother to as a joint tenant.
 - A **Nationwide annuity** account.
- **Dissipation Claim:** Father alleged Mother dissipated funds from their joint checking account during the separation.



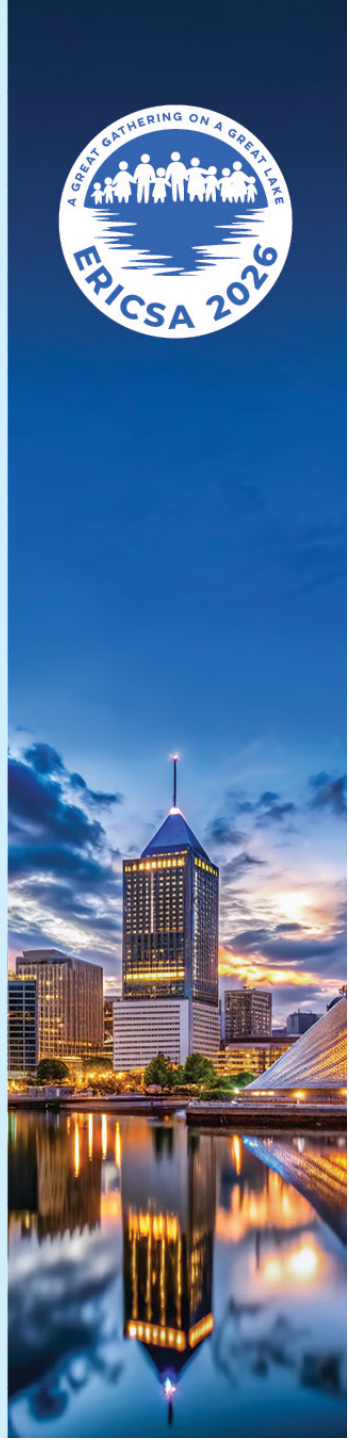
In re Marriage of Springer, 2025 IL App (5th) 220378U, 5-22-0378 (Ill. App. Sep 11, 2025).

- **Primary Areas of Law**

- **Family Law:** Child support calculation and "Dissipation" of marital assets.
- **Property Law:** Classification of marital vs. non-marital property under the [Illinois Marriage and Dissolution of Marriage Act](#).
- **Constitutional Law:** Procedural Due Process in contempt proceedings.

- **The Court's Holding**

- **Support Calculation (Affirmed):** The court upheld the trial court's permanent child support figures, finding they were appropriately based on the evidence presented.
 - **Property Classification (Affirmed):** * The mutual fund was ruled **marital property**. Even though Father started it before marriage, adding Mother as a joint tenant created a presumption of a "gift to the marriage" that Father failed to rebut with clear and convincing evidence.
 - **Dissipation (Waived):** The court ruled Father waived his claim that Mother spent marital funds inappropriately because he failed to file the specific **statutory notice** required by Illinois law for dissipation claims.
 - **Contempt Orders (Reversed):** The court **vacated** the contempt judgments related to the 4th, 5th, and 6th petitions. It found the process **procedurally defective** because the petitions failed to specify whether they sought "civil" or "criminal" contempt, depriving Father of proper notice.
- **Final Result:** Affirmed in part, reversed in part, and remanded for further proceedings on the contempt issues.



In re Marriage of Springer, 2025 IL App (5th) 220378U, 5-22-0378 (Ill. App. Sep 11, 2025).

- **The Act of "Transmutation"**

- Under [Illinois law](#), when a spouse takes an asset they owned before the marriage and places it into **joint tenancy** (adding the other spouse's name to the title), the law presumes that the owner intended to "transmute" the property into a marital asset.

- **The Presumption of a Gift**

- The court explained that adding a spouse as a joint tenant creates a **rebuttable presumption of a gift to the marital estate**.
- **The Logic:** By giving the other spouse equal legal access and "right of survivorship," the original owner is signaling that the asset is now part of the shared family wealth.
- **The Mother's Evidence:** The Mother testified that the accounts were made joint specifically because she was leaving her career to stay home with the children and they agreed this would be her "retirement" security.

- **Failure to Rebut with "Clear and Convincing" Evidence**

- To keep the money, the Father had to prove by "clear and convincing evidence" that he *never* intended to make a gift. The court found his arguments insufficient:
- **The "Just in Case" Argument:** Father argued he only added her name so she could access money if he died. The court found this was not enough to overcome the legal presumption of a present gift.
- **Conditional Gifts:** Father essentially argued he only wanted it to be a gift *if the marriage lasted*. The law does not recognize "conditional" gifts in this context; once the title is changed, the gift is usually considered complete.

- **The "Trial by Ambush" Factor**

- The court also noted that the Father had stipulated earlier in the case that other similar funds were marital. Changing his position on the [Nationwide annuity](#) mid-trial was labeled a **"trial by ambush,"** which further weakened his credibility regarding his intent for the mutual fund.



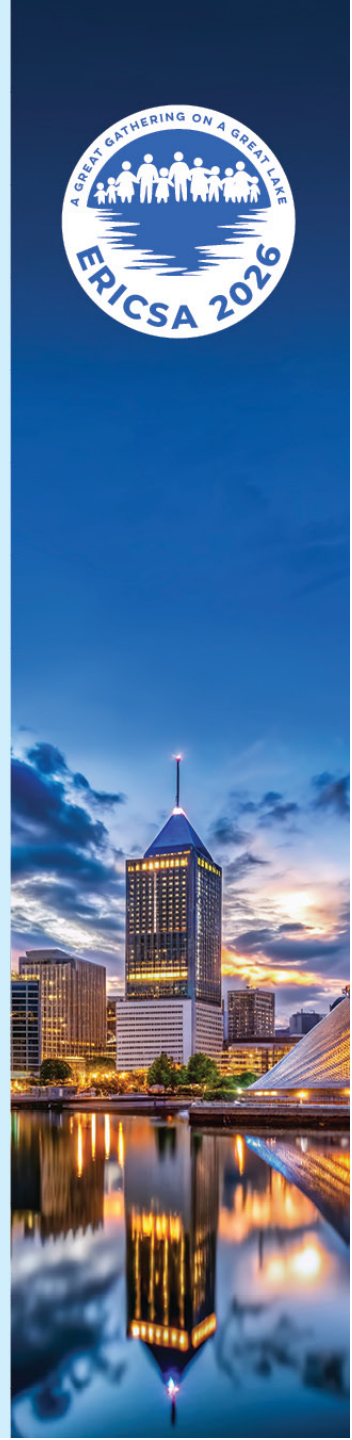
Shahid v. Masood, 2026 Ark.App. 151, CV-24-47 (Ark. App. Mar 04, 2026).

- **The Participants**

- **Appellant/Cross-Appellee:** Madiha Shahid (Wife).
- **Appellee/Cross-Appellant:** Asif Masood (Husband), a hematologist oncologist.
- **The Court:** Arkansas Court of Appeals (Division I), reviewing the Pulaski County Circuit Court.

- **The Factual Narrative**

- **Background:** The parties were married in 1997 and separated in 2020. They have three sons (one minor at the time of the decree).
- **Lifestyle:** The family maintained a "comfortable lifestyle," with expensive clothing, vacations, and private schooling.
- **Income Dispute:** Husband is a 1099 contractor through his solely owned corporation. His income fluctuated significantly due to a new employment contract in 2022 and business expenses (e.g., high-cost oncology drugs).
- **Custody Conflict:** Wife sought sole custody, alleging Husband was "manipulative and abusive" and had shamed her in their tight-knit Pakistani community; Husband sought joint custody.
- **Contempt Issues:** Husband moved for contempt against Wife for discovery failures (hidden bank accounts); Wife sought contempt against Husband for failing to pay joint tax debts.



Shahid v. Masood, 2026 Ark.App. 151, CV-24-47 (Ark. App. Mar 04, 2026).



- **Primary Areas of Law**

- **Family Law:** Child support (Income calculation under Administrative Order No. 10), rehabilitative alimony, and the presumption of joint custody.
- **Civil Procedure:** Civil contempt for non-compliance with discovery and court orders.

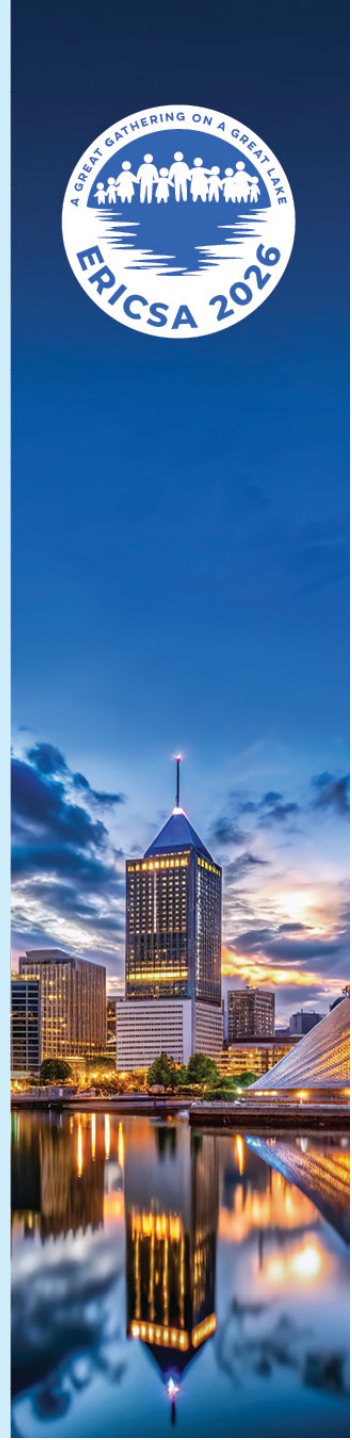
- **The Court's Holding**

- **Child Support (Affirmed/Modified):** The court upheld the retroactive modification of support based on the parties' changing incomes (Wife starting a job at UAMS and Husband's new medical contract).
- **Joint Custody (Affirmed):** The court held that Wife failed to rebut the statutory presumption of joint custody with "clear and convincing evidence." General allegations of "shaming" in the community were insufficient to prove abuse.
- **Alimony (Modified):** The court awarded Wife **\$5,000/month for seven years**. Notably, the court ruled that this alimony would **not** terminate upon her remarriage, despite standard statutory provisions, to allow her time to reach her earning potential.

- **Contempt (Mixed):**

- **Against Wife:** Affirmed. Her failure to disclose five bank accounts until after the production deadline was deemed willful non-compliance.
- **Against Husband:** Denied. Because the original order did not set a specific deadline for paying joint tax debts, his failure to pay them immediately was not "willful" contempt.

- **Final Result:** The amended decree was affirmed in its primary financial and custodial determinations.



Shahid v. Masood, 2026 Ark.App. 151, CV-24-47 (Ark. App. Mar 04, 2026).



- **The Move to the "Income Shares Model"**

- As of July 1, 2020, [Administrative Order No. 10](#) shifted Arkansas to an **Income Shares Model**.
- **The Goal:** Child support should be based on the combined income of **both** parents, aiming to provide the child with the same proportion of parental resources they would have received if the parents still lived together.
- **The Calculation:** The court determines a total support amount from a standardized chart and then divides that responsibility between the parents based on their percentage of the total income.

- **Defining "Gross Income" for Business Owners**

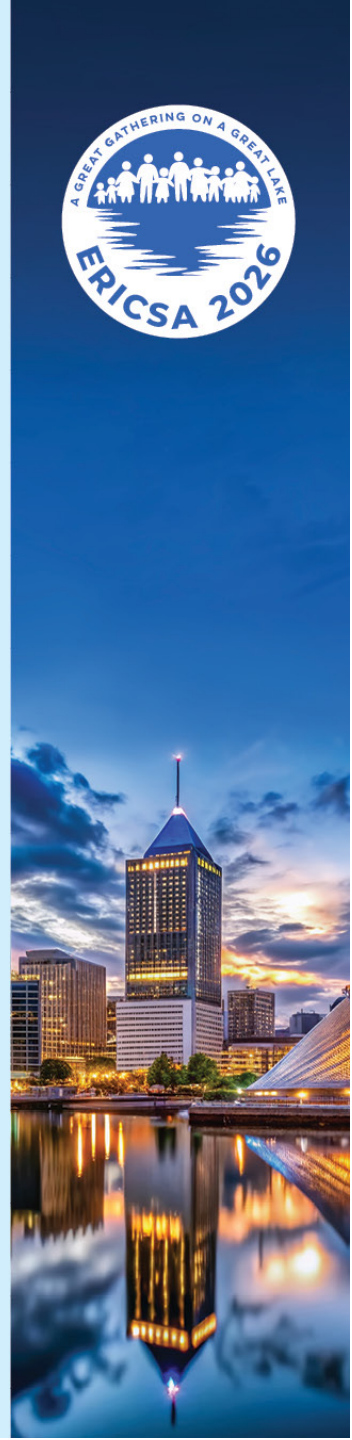
- The order defines income [intentionally broadly](#). For self-employed individuals like the Husband in this case, it includes:
- **Gross Receipts minus "Ordinary and Necessary" Expenses:** Only expenses required for the operation of the business can be deducted.
- **Strict Review of Deductions:** Courts must "carefully examine" business tax returns and records to ensure that reported "losses" or "expenses" aren't actually personal benefits or tax strategies.
- **Depreciation Limits:** Depreciation is only allowed as a deduction if it reflects an *actual decrease* in the value of a business asset, not just a paper deduction for tax purposes.

- **Identifying "Hidden" Income**

- The guidelines require the court to identify additional funds available for support that might not appear on a W-2:
- **In-Kind Income (Perks):** Personal use of business property (like a company car), gifts, or redirected income must be valued at fair market price and added back into the parent's gross income.
- **Retained Earnings:** If a business owner chooses to keep profits in the company rather than paying themselves a salary, the court can still consider those funds as available for child support after reviewing the business's history.

- **Historical Averaging**

- Because business income often fluctuates (as it did for the oncologist in this case), [Administrative Order No. 10](#) typically requires a self-employed parent to provide at least **two to three years** of tax returns. This allows the court to use an average, preventing a "bad year" or a "strategic dip" in income from unfairly reducing a child's support.



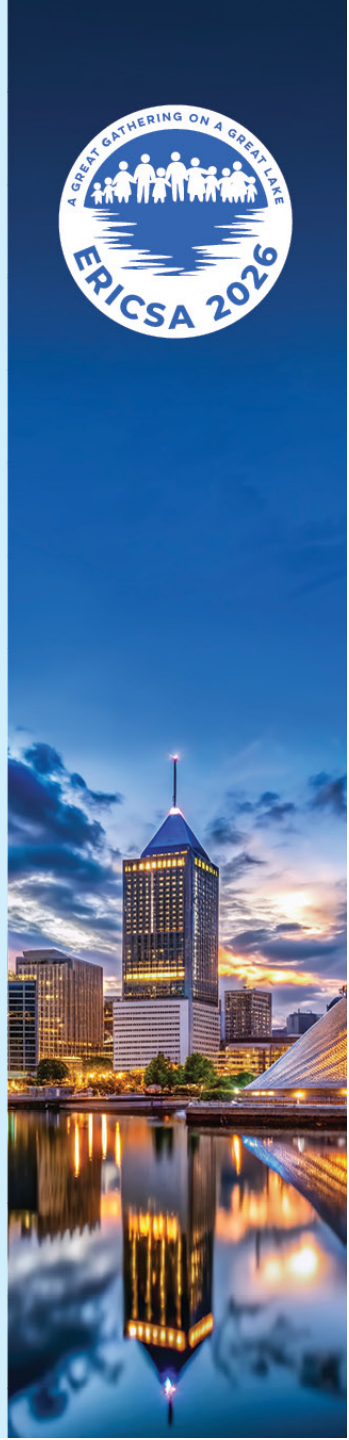
Taylor v. Hergenreter, 24-1394 (Iowa App. Jul 02, 2025).

- **The Participants**

- **Plaintiff-Appellant:** Alex M. Taylor (Father).
- **Defendant-Appellee:** Amanda A. Hergenreter (Mother).
- **The Child:** J.T. (born in 2015).
- **Court:** Iowa Court of Appeals (reviewing the District Court for Webster County).

- **The Factual Narrative**

- **The Relationship:** The parties cohabited from 2015 through 2018 but were never married.
- **Separation:** The parties separated in December 2018. Following the split, Mother was the primary caretaker, while Father provided care approximately 25% of the time.
- **Post-Separation Support:** Father provided for the child's needs while the child was in his care but only gave Mother additional funds (roughly \$800 total) when specifically asked via Facebook Messenger.
- **The Tax Refund:** Following their 2018 separation, Father received an \$8,477 federal tax refund from a joint filing; he refused to share any portion of it with Mother.
- **The Petition:** In 2023, Father petitioned to establish paternity, custody, and support.



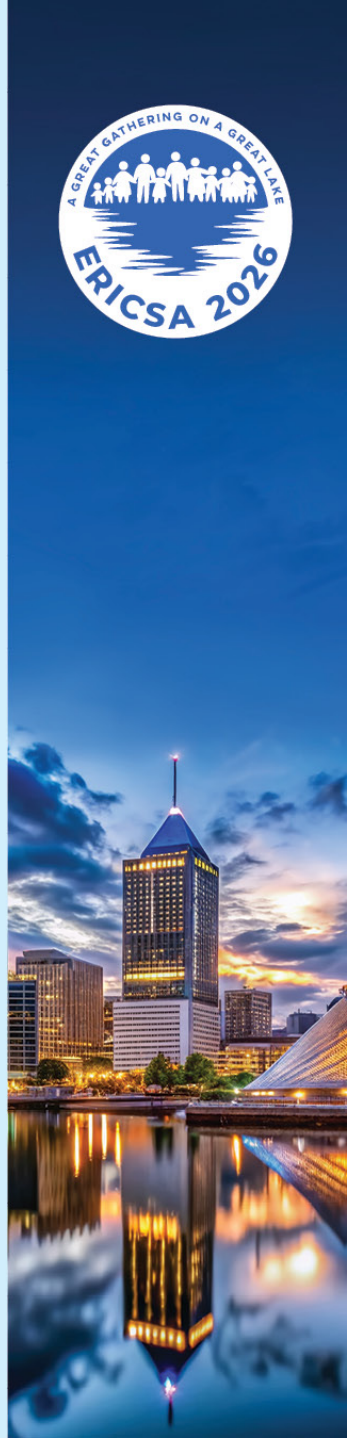
Taylor v. Hergenreter, 24-1394 (Iowa App. Jul 02, 2025).

- **Primary Areas of Law**

- **Family Law:** Paternity and support of children born out of wedlock ([Iowa Code Chapter 600B](#)).
- **Equitable Remedies:** Application of the [Markey v. Carney](#) standard for calculating past (retroactive) child support.
- **Jurisdiction:** Limits of a court's authority to divide property in non-marital proceedings.

- **The Court's Holding**

- **Past Child Support (Modified):** The court affirmed the award of retroactive support but reduced the amount to **\$28,163.57**. It subtracted support for months the parties still lived together and credited Father for the \$800 he previously paid.
- **Medical Support (Affirmed):** Father was ordered to pay **\$11,496.38** in past cash medical support to the State. The court rejected his "exception" argument because employer-sponsored insurance was available to him at no extra cost, which he failed to utilize for his other child.
- **Tax Refund Division (Reversed):** The court held it had **no authority** to divide the 2018 tax refund. Because this was a Chapter 600B action (non-marital), and Mother failed to allege a specific legal theory (like unjust enrichment or contract), the court lacked jurisdiction to divide cohabitated property.
- **Attorney Fees:** The court affirmed the denial of trial attorney fees and declined to award fees for the appeal.



Kimberly MORRELL, Appellant, v. Mark ALSENTZER,
Appellee. No. 4D2024-1148 District Court of Appeal of
Florida, Fourth District. 415 So.3d 708. (July 16, 2025).

- **Parties Involved:**

- **Appellant:** Kimberly Morrell (the Mother).
- **Appellee:** Mark Alsentzer (the Father).

- **Initial Litigation (2010):**

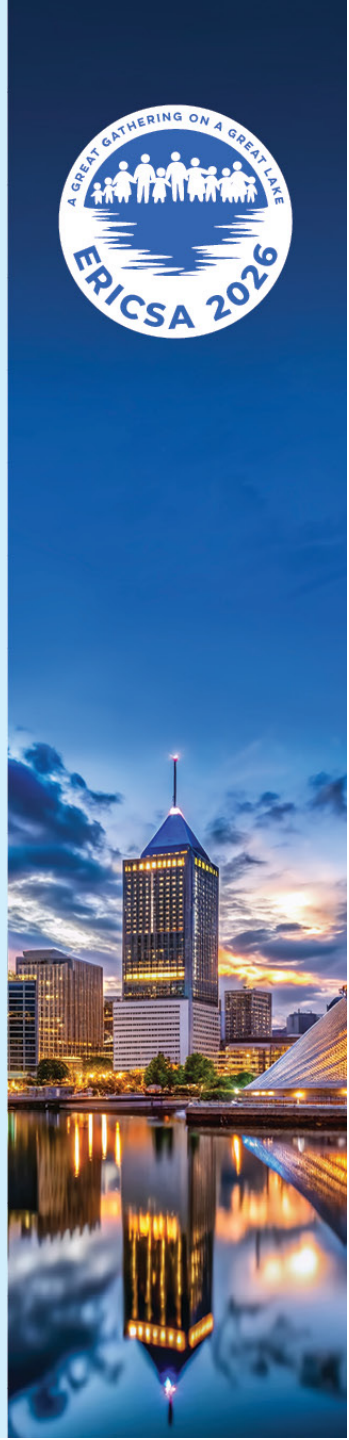
- The Father established paternity and was granted sole parental responsibility.
- The original final judgment did not include a determination or award for child support.

- **Change in Circumstances (2019–2021):**

- The child moved from the Father's home into the Mother's home in 2019.
- In January 2021, the Mother filed a petition seeking child support, citing the change in residence and the child's special needs.

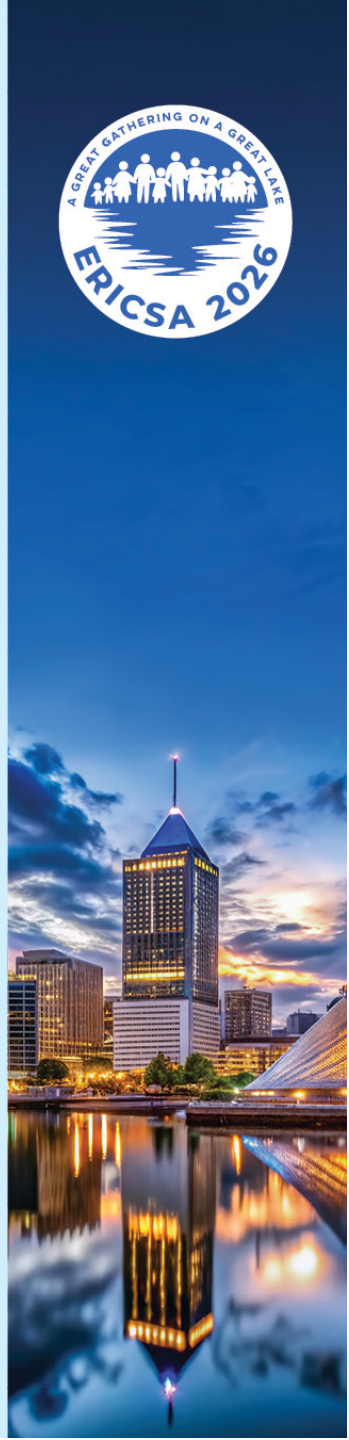
- **The Emancipation Trigger:**

- The Mother amended her petition in May 2022 to request retroactive support.
- The child turned 18 (legal emancipation) in August 2022.
- The Father moved to dismiss, arguing the Mother lost "standing" to seek support the moment the child became an adult.



Kimberly MORRELL, Appellant, v. Mark ALSENTZER,
Appellee. No. 4D2024-1148 District Court of Appeal of
Florida, Fourth District. 415 So.3d 708. (July 16, 2025).

- **Primary Area of Law:** Family Law; specifically Child Support Retroactivity and Standing.
- **Statutory Focus:** Interpretation of Section 61.30(17), Florida Statutes, regarding "initial determinations" of child support.
- **The Holding:**
 - Standing Post-Emancipation: The Court held that a parent does not lose standing to seek child support for a period when the child was still a minor, even if the petition is resolved after the child turns 18.
 - The 24-Month Rule: Per statute, a court has the discretion to award support retroactive to the date the parents stopped residing together, not to exceed 24 months preceding the filing of the petition.
 - Defining the "Initial Petition": The Court clarified that the 24-month period is measured from the petition that actually seeks the support (the Mother's 2021 filing), rather than the original 2010 paternity petition which did not address support.
- **Final Ruling:** The trial court's dismissal was reversed. The Mother is legally entitled to pursue support for the period between her filing and the child's 18th birthday, plus up to 24 months of retroactive support prior to her filing.



Antoine v. Dep't of Revenue, No. 4D2024-0360 (Fla. 4th DCA Apr. 30, 2025).

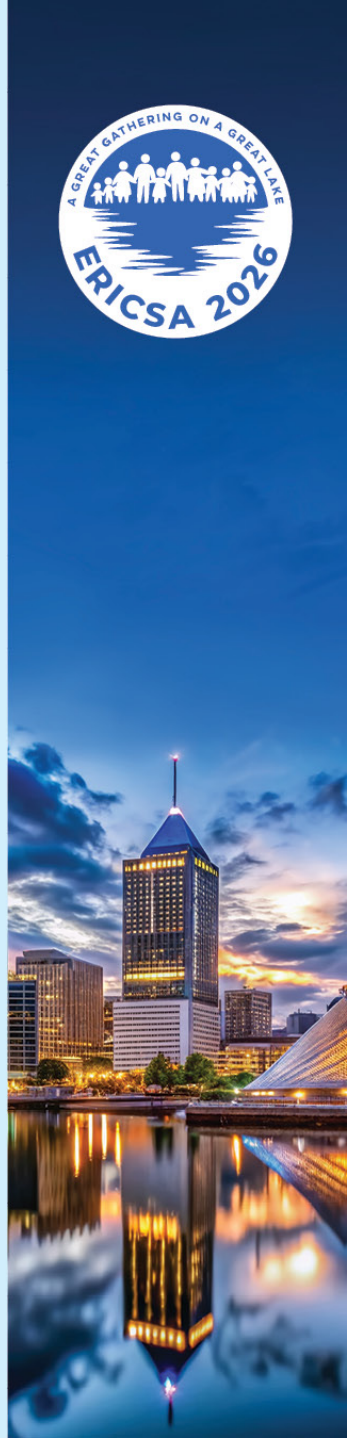
- **The Participants:**

- **Appellant:** Emance Charite Antoine (the Father).
- **Appellee:** Florida Department of Revenue (DOR), acting on behalf of the Mother.

- **The Court:** Florida District Court of Appeal, Fourth District (Decision Date: April 30, 2025).

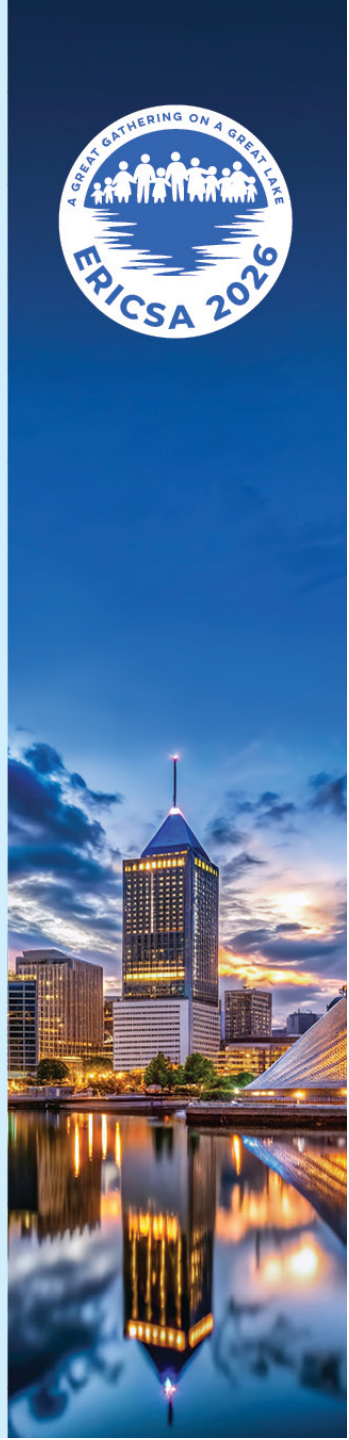
- **Factual Narrative:**

- The DOR initiated administrative proceedings to establish paternity and child support.
- To determine income, the DOR subpoenaed records from two businesses (Emance International Corp. and Gold Pedal Automotive).
- DOR counsel created income summaries based on deposit slips from 2021–2023 rather than actual bank statements.
- The Administrative Law Judge (ALJ) relied on these summaries to calculate a monthly income of \$4,722 and a retroactive support debt of \$58,330.
- The Father contested the figures, claiming he was unemployed and the accounts belonged to his own father.



Antoine v. Dep't of Revenue, No. 4D2024-0360 (Fla. 4th DCA Apr. 30, 2025).

- **Primary Areas of Law:** Family Law (Child Support Calculation); Administrative Law (Competent Substantial Evidence).
- **The Court's Holding:**
 - **Reversed and Remanded:** The appellate court overturned the support award, ruling it was not supported by "competent substantial evidence." The ALJ was ordered to recalculate the Father's income using accurate, non-duplicated figures.
- **Pivotal Facts & Legal Tidbits:**
 - **The "Face of the Record" Error:** Upon review, the court found the DOR's summaries contained multiple duplicate entries for the same deposits, which significantly (and erroneously) inflated the Father's income.
 - **The Pro Se Protection:** A major pivot in the case was the "Preservation of Error." Even though the Father didn't make formal legal objections, the court ruled that his layman's statement—"those numbers are totally off"—was legally sufficient to preserve his right to appeal the calculation.
 - **Procedural Caution:** The court emphasized that when an agency summary is "erroneous on its face," the resulting order cannot stand.



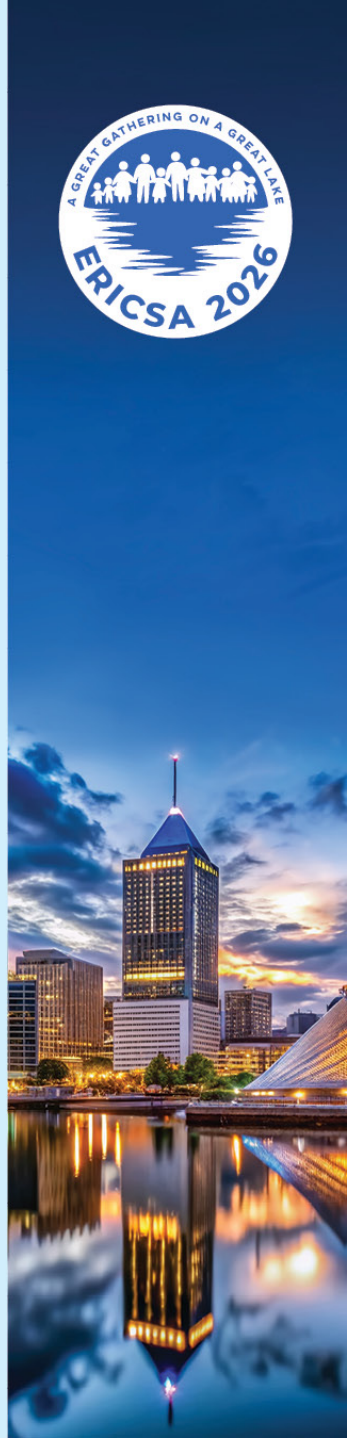
Sacramento Cnty. Dept of Child, Family & Adult Servs. v. E.J. (In re L.J.), C102008 (Cal. App. Aug 19, 2025).

- **Participants:**

- Appellants: E.J. (Father), M.C. (Mother), and L.J. (the Minor Child).
- Respondent: Sacramento County Department of Child, Family and Adult Services.
- Court: California Court of Appeals, Third District (Sacramento).

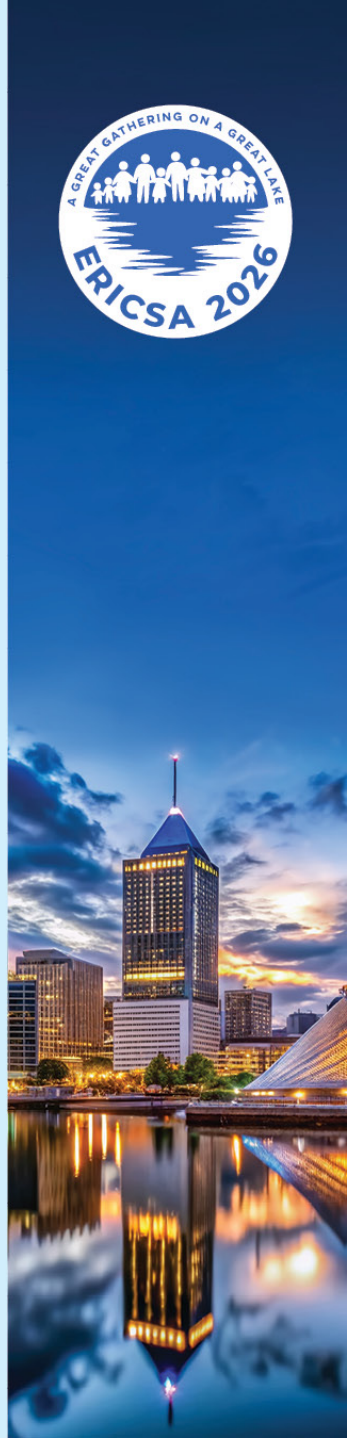
- **Factual Narrative:**

- **Removal:** 3-month-old L.J. was removed from Mother's custody in early 2023 due to Mother's drug use and incarceration; Father was also incarcerated at the time.
- **Paternity:** DNA testing established E.J. as the biological father, but he was initially denied reunification services due to his incarceration and criminal history.
- **The Petition:** After his release in early 2024, Father filed a Section 388 petition seeking to be recognized as a "presumed father" to obtain custody or reunification services.
- **Visitation & Bond:** Over five months, Father had five visits with L.J. Social workers reported that the child showed no emotional attachment to him and often cried or expressed discomfort in his presence.
- **Outcome:** The juvenile court denied Father's petition and moved to terminate parental rights to allow for the child's adoption by a relative.



Sacramento Cnty. Dept of Child, Family & Adult Servs. v. E.J. (In re L.J.), C102008 (Cal. App. Aug 19, 2025).

- **Primary Areas of Law:** Juvenile Dependency, Parental Status (Biological vs. Presumed), and the Indian Child Welfare Act (ICWA).
- **The Court's Holding:**
 - **Affirmed Denial of Presumed Status:** The court upheld the ruling that Father remained a "biological father" only, as he failed to demonstrate a prompt, full commitment to parental responsibilities.
 - **Affirmed Termination of Rights:** The "parental-benefit exception" did not apply because the Father failed to prove a "substantial, positive emotional attachment" existed with the child.
 - **Conditional ICWA Reversal:** The court conditionally reversed the termination of parental rights specifically to allow for proper ICWA inquiry, as the Department failed to interview paternal relatives about potential tribal heritage.
- **Pivotal Facts & Legal Tidbits:**
 - **The "Kelsey S." Standard:** A pivotal fact was that Father reportedly "took off" when he first learned Mother was pregnant and could not get an abortion. This failure to support the Mother during pregnancy was a key reason he was denied elevated "presumed father" status.
 - **Standing of the Minor:** The court confirmed that the child, L.J., had legal standing to appeal the denial of her Father's petition, as it directly impacted her right to a relationship with a biological parent.
 - **The ICWA Error:** Despite finding the Father's other arguments meritless, the case was remanded because the Department conceded it failed to follow up with the paternal grandmother and uncle regarding the family's reported Native American ancestry.



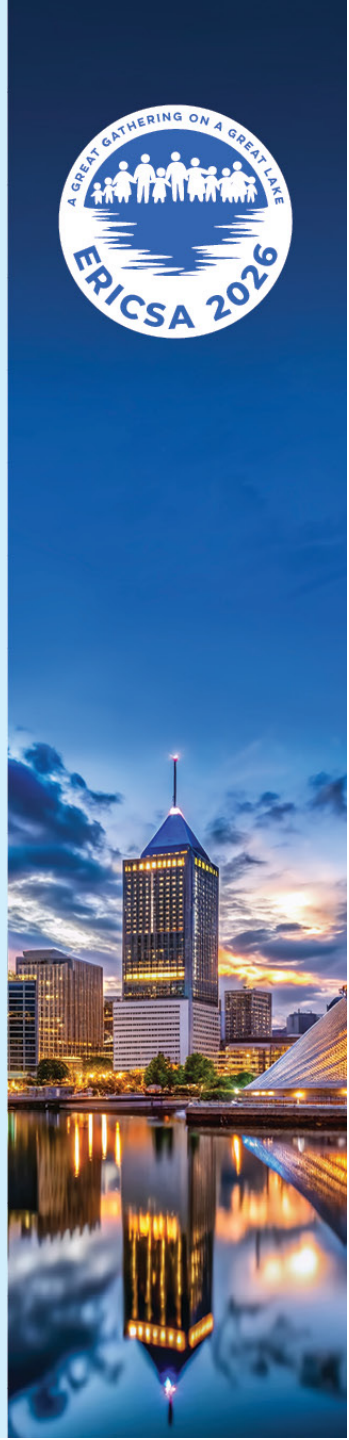
A.S. v. S.B. (In re K.S.), 2025 NY Slip Op 25300, No. 24-CC-00026 (N.Y. Sup. Ct. Oct 30, 2025).

• **Key Participants:**

- **Plaintiff:** A.S. (the Father), a Tribal Member.
- **Respondent:** S.B. (the Mother), a non-member.
- **The Child:** K.S. (born in 2013), a Tribal Member child.
- **The Court:** Saint Regis Mohawk Tribal Court (Decision Date: October 30, 2025).

• **Factual Narrative:**

- **Initial Invocation:** In 2024, the Mother (S.B.) originally invoked the Tribal Court's authority to seek a custody order, which was granted.
- **Change in Circumstances:** In April 2025, the Father filed for modification. Later, he sought emergency relief due to the Mother's incarceration.
- **Defiance of Orders:** The Court issued a Temporary Custody Order granting the Father custody and a Writ of Habeas Corpus for the child's production.
- **Concealment:** The Mother refused to comply, stating on the record she would not produce the child and would not recognize the Court's authority, effectively concealing the child's whereabouts.



A.S. v. S.B. (In re K.S.), 2025 NY Slip Op 25300, No. 24-CC-00026 (N.Y. Sup. Ct. Oct 30, 2025).

- **Primary Areas of Law:** [Tribal Law](#) (Sovereign Authority); Family Law (Custody and Jurisdiction); Contempt of Court.
- **The Court's Holding:**
 - **Jurisdiction Upheld:** The Court held it maintained "continuing exclusive jurisdiction." By initially filing for custody in this court, the Mother submitted to its authority and could not later repudiate it.
 - **Contempt Finding:** The Mother was found in **willful contempt** for disobeying the custody orders and the Writ of Habeas Corpus.
 - **Sanctions:** The Court imposed a **\$500 fine** and a **180-day sentence of incarceration** (probated if she turns over the child).
- **Pivotal Legal/Factual Tidbits:**
 - **Jurisdiction by Participation:** A key pivot was that a non-member who seeks the "protection and relief" of a Tribal Court cannot deny its jurisdiction when the rulings no longer align with their preferences.
 - **Sovereign Duty:** The Court emphasized that protecting Tribal children is an exercise of the Tribe's "most sacred and irreplaceable resource" and is central to Tribal sovereignty.
 - **Inherent Powers:** The Court clarified that the absence of a Tribal detention facility does not negate its inherent civil authority to enforce its judgments via coercive and remedial tools like contempt.



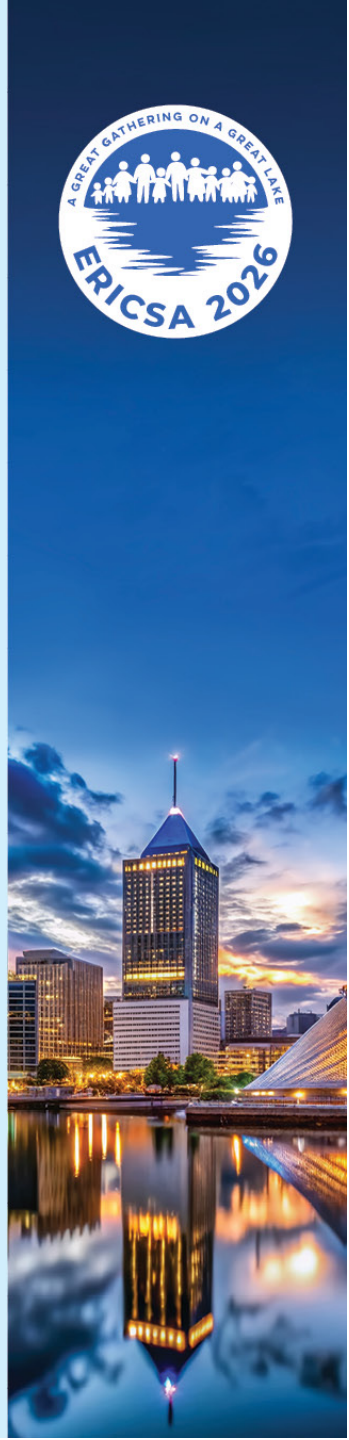
Tix v. Tix, 161 F.4th 1118 (8th Cir. 2025).

- **Key Participants:**

- **Appellant:** Kristin Ann McGowan (Non-member spouse).
- **Appellee:** Robert William Tix (Member of the Prairie Island Indian Community).
- **Amici:** Multiple Tribes and Tribal Organizations (supporting the Appellee).
- **The Court:** U.S. Court of Appeals for the Eighth Circuit (Decided: December 12, 2025).

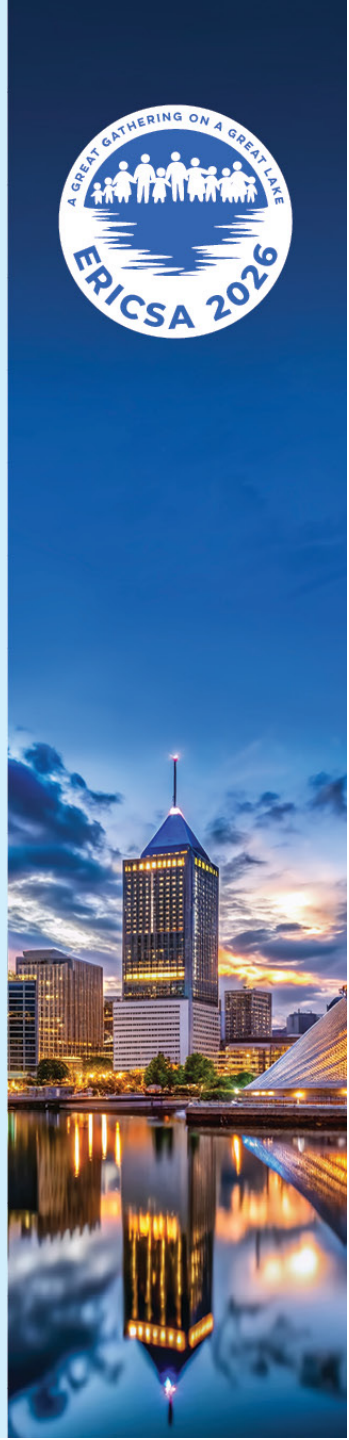
- **Factual Narrative:**

- The parties married in 2008 and lived in Edina, MN—**50 miles outside** the tribal reservation—for the duration of their 13-year marriage.
- In 2022, both parties filed for divorce: the Father in Tribal Court and the Mother in Minnesota state court.
- The Tribal Court proceeded over the Mother's objections, dissolving the marriage, awarding joint custody, and dividing assets.
- A critical fact was the family's reliance on "per capita payments" (tribal gaming revenue) issued to the Father, which the lower court initially used to justify tribal jurisdiction.



Tix v. Tix, 161 F.4th 1118 (8th Cir. 2025).

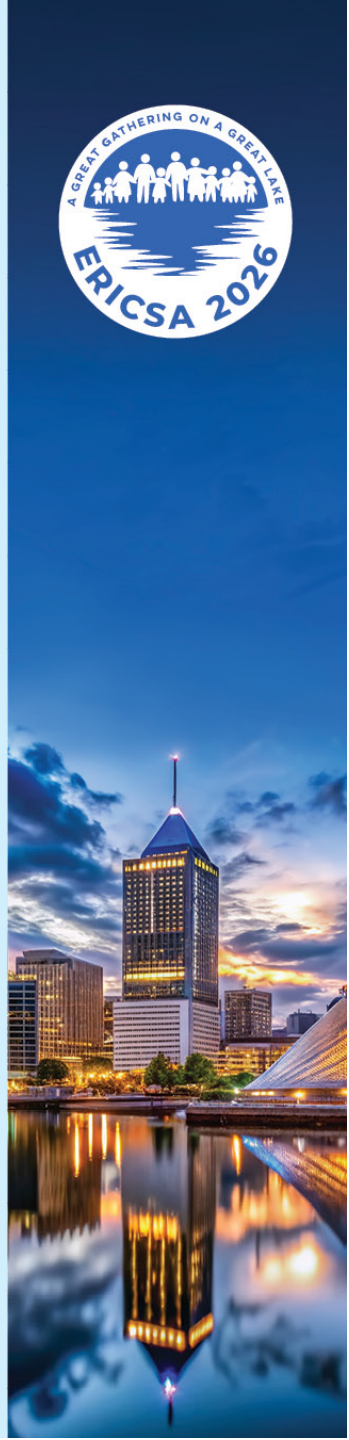
- **Primary Areas of Law:** [Indian Law](#) (Tribal Jurisdiction); **The Montana Doctrine**; Family Law (Divorce).
- **The Court's Holding:**
 - **Reversed:** The Eighth Circuit held the Tribal Court **lacked subject matter jurisdiction** over the divorce.
 - The court ruled that a marriage to a tribal member, by itself, does not satisfy the "consensual relationship" exception required for tribal authority over non-members residing off-reservation.
- **Pivotal Legal/Factual Tidbits:**
 - **The "Necessity" Test:** The court clarified that tribal jurisdiction is only valid if it is "necessary to protect tribal self-government." Since the divorce involved non-tribal property (a home/bank accounts in Edina) and a non-member spouse living off-reservation, that necessity was not met.
 - **Per Capita Payments:** The court found that because the tribal revenue was the "separate property" of the member under tribal law, the marriage did not create a sufficient "nexus" to tribal property to grant jurisdiction.
 - **Rule 19 Clarification:** The court also rejected the argument that the Tribe was an "indispensable party" to the federal lawsuit, allowing the Mother's challenge to proceed.



Tix v. Tix, 161 F.4th 1118 (8th Cir. 2025).

- **How this is Distinguished from other Cases:**

- The Eighth Circuit in [Tix v. Tix](#) distinguished this case from previous tribal jurisdiction precedents (like *Sanders v. Robinson*) based on three primary factors:
- **Off-Reservation Residency:** Unlike *Sanders*, where the non-member spouse lived on the reservation with the tribal member, the couple in *Tix* lived in Edina, MN—**50 miles outside tribal borders**—for the entirety of their 13-year marriage.
- **Lack of Nexus to Tribal Property:** The court found that the marriage did not involve tribal land or property; the "per capita" payments received by the husband were his **separate, non-marital property** under tribal law, meaning the wife's marriage did not create a legal connection to those tribal assets.
- **Narrowing the "Consensual Relationship" Exception:** The court ruled that a **marriage contract alone** is not a sufficient "consensual relationship" to grant a tribe jurisdiction over a non-member's off-reservation conduct and property, as it is not "necessary to protect tribal self-government."



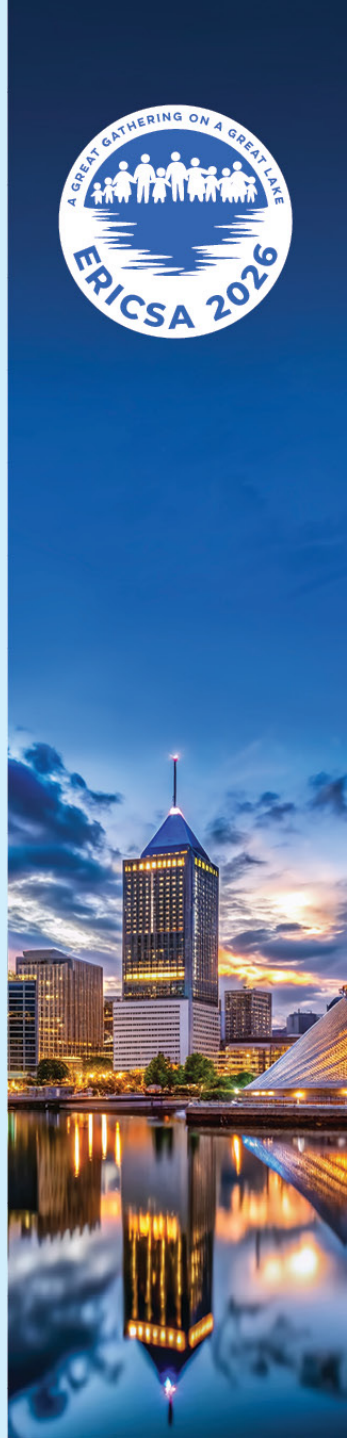
Tix v. Tix, 161 F.4th 1118 (8th Cir. 2025).

- **The Lower Court's Rationale**

- The District Court held that the Tribal Court had subject matter jurisdiction under the "**consensual relationship exception**" established in *Montana v. United States*. Its reasoning was built on three main pillars:
- **Marriage as a Contract:** The lower court viewed the marriage between the Mother (a non-member) and the Father (a tribal member) as a "consensual relationship" entered into via "contract" or "other arrangement."
- **Reasonable Anticipation:** The court concluded that the Mother could "reasonably anticipate" being under tribal jurisdiction because of her extensive dealings with the Prairie Island Indian Community.
- **Financial and Physical Ties:** The court pointed to the Mother's reliance on tribal benefits to justify jurisdiction, specifically:
 - The family's primary use of the Father's **per capita payments** (gaming revenues) for support.
 - The Mother's use of **tribal health and dental insurance**.
 - The family's visits to the reservation for medical care and Community events.

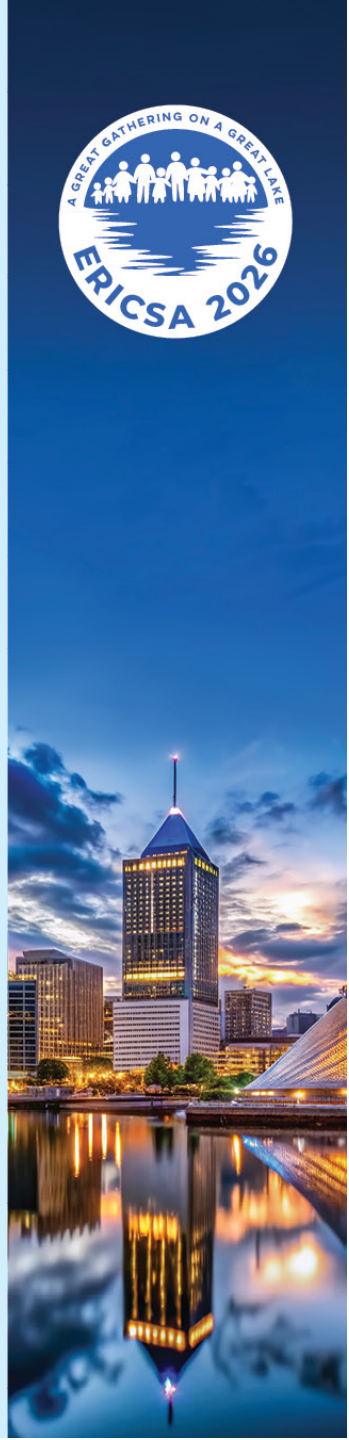
- **The Lower Court's Decision**

- **Subject Matter Jurisdiction:** The lower court ruled the Tribal Court had the authority to dissolve the marriage and distribute assets.
- **Dismissal of Federal Action:** Because it found the tribal order valid, the District Court dismissed the Mother's lawsuit with prejudice and denied her request to declare the tribal divorce "null and void."



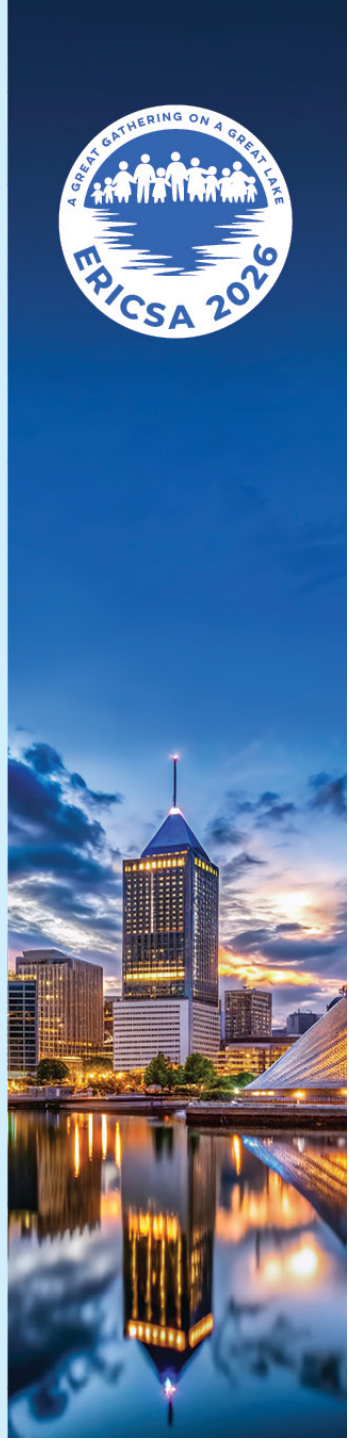
Supreme Court Possibility

- **Factors *favoring* Supreme Court review**
 - **Important federal question**
 - Scope of tribal civil jurisdiction over nonmembers is a core SCOTUS doctrine area.
 - **Doctrinal tension with Montana framework**
 - Always a live issue the Court revisits periodically.
 - **Family law + sovereignty crossover**
 - Unusual fact pattern could attract interest.
- **Factors *against* review (stronger)**
 - **No circuit split (biggest issue)**
 - This appears to be the *first* federal appellate decision on this precise fact pattern.
 - SCOTUS usually waits for disagreement among circuits.
 - **Highly fact-specific posture**
 - Off-reservation residence + financial ties + tribal membership of children = messy record.
 - Not a clean vehicle for broad doctrinal clarification.
 - **Vehicle problems / procedural posture**
 - Injunction + jurisdiction framing + Rule 19 issues complicate the case.
 - **Trend in tribal jurisdiction cases**
 - SCOTUS has already decided many Montana-line cases and may not feel urgency absent conflict.

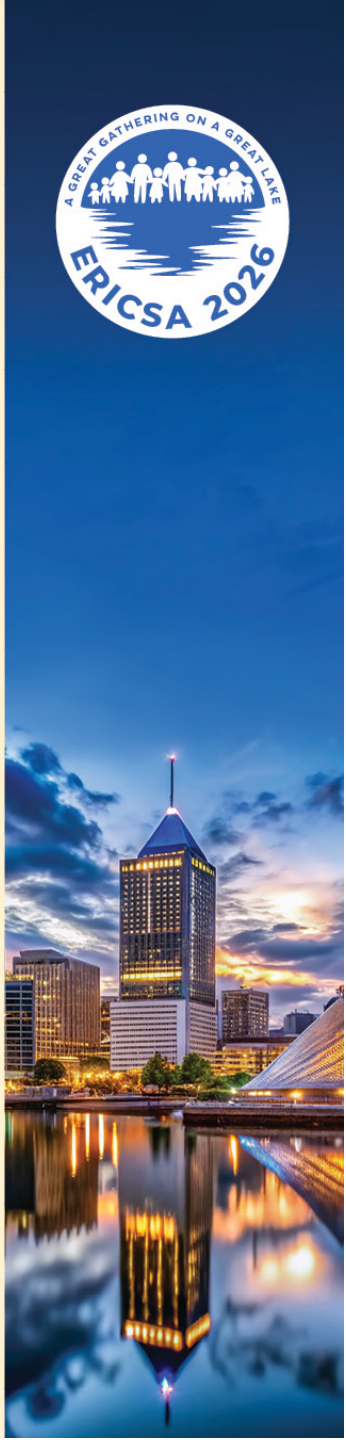


What's Next?

- **What to watch next (this matters more than cert itself)**
 - From a policy/IV-D/tribal systems perspective, the *real signals* will be:
 - Whether other circuits (9th Circuit especially) **take a different approach**
 - Whether tribes or advocates **push legislative clarification**
 - Whether state courts start **relying on Tix to resist tribal jurisdiction**
 - Whether DOJ/Interior weighs in in future cases
- **Why this case matters for us?**
 - Jurisdiction over **child support orders tied to tribal systems**
 - Recognition/enforcement friction between **state and tribal orders**
 - Limits of **nonmember participation in tribal forums**

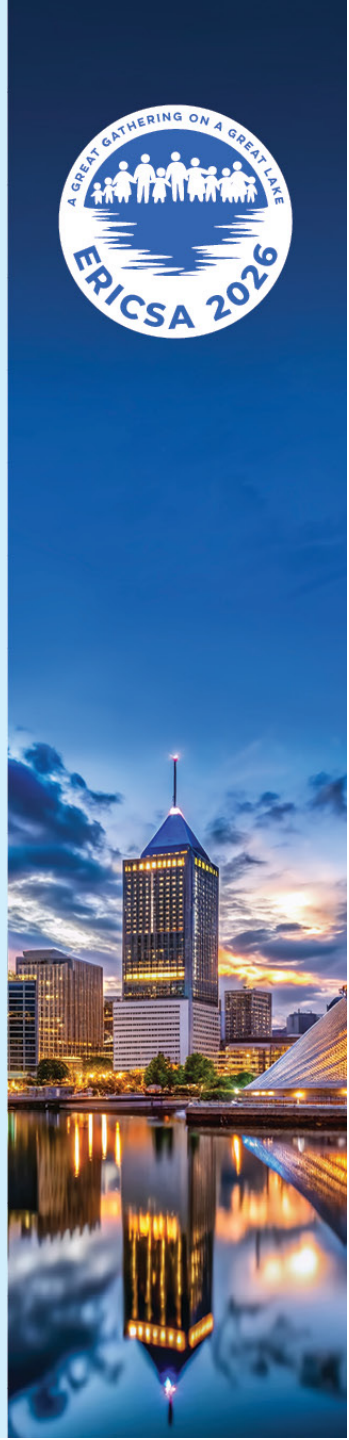


Enacted Child Support Legislation



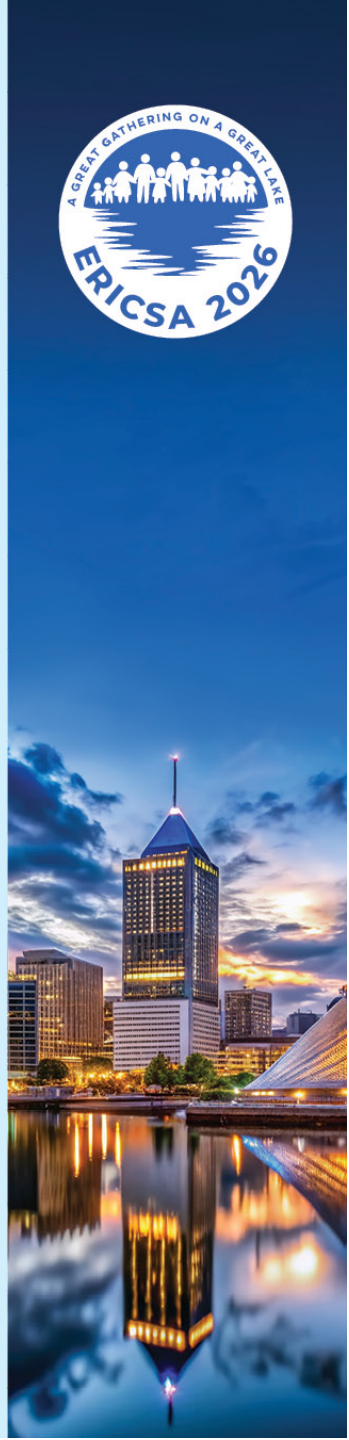
Parentage and Equality

- **Massachusetts (MA H 4970)**: Ensures legal parentage equality regardless of marital status, gender identity, or sexual orientation; specifically addresses children born via assisted reproduction or surrogacy.
- **Michigan (MI H 5211)**: Grants circuit courts jurisdiction over support proceedings for children born out of wedlock and establishes procedures for determining liability.
- **Michigan (MI H 5212)**: Establishes the "Revocation of Parentage Act," providing procedures to set aside acknowledgments or judgments of parentage under specific circumstances.
- **Michigan (MI H 5213)**: Creates the "Summary Support and Paternity Act" to streamline paternity establishment, including cases involving assisted reproduction.
- **New York (NY A 4921)**: Regulates surrogacy programs and requires intended parents to be responsible for all medical costs of the surrogate; streamlines parentage judgments before birth.



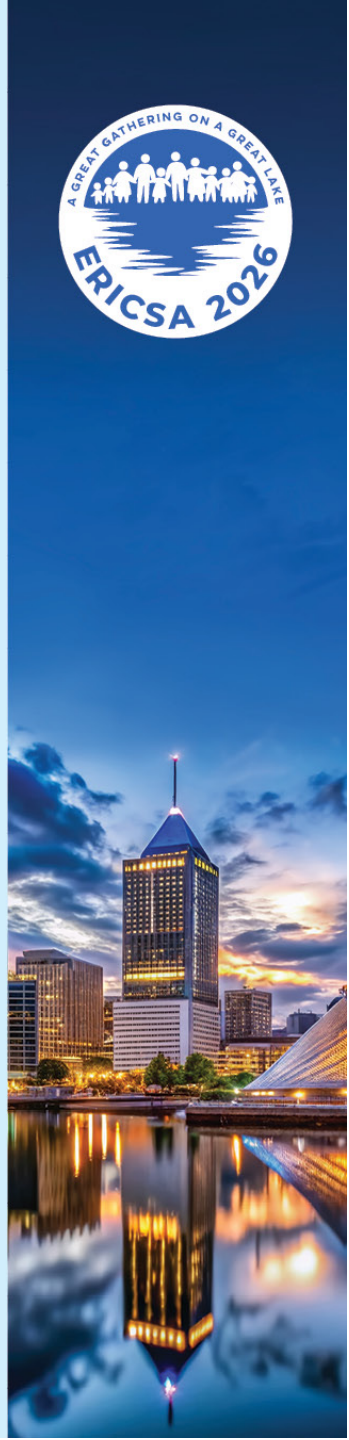
Child Support Enforcement and Guidelines

- **New Jersey (NJ S 2331)**: Enacts the "Equitable Outcomes in Child Support Collection Act," which renders certain outstanding arrears and liens owed to the state (for child maintenance costs) null and void.
- **Illinois (IL S 3284)**: Modifies guidelines for unemployed/underemployed parents; mandates that incarceration shall not be considered "voluntary unemployment" for support calculation purposes.
- **Illinois (IL S 3367)**: Removes parental monetary liability for the cost of care for children in voluntary placement with the Department of Children and Family Services.
- **Michigan (MI S 928)**: Modifies how medical expenses related to the birth of a child born out of wedlock are handled, specifically concerning Medicaid payments and court jurisdiction.
- **Michigan (MI H 5214)**: Updates procedures and criteria for the acknowledgment and revocation of parentage to streamline enforcement efforts.



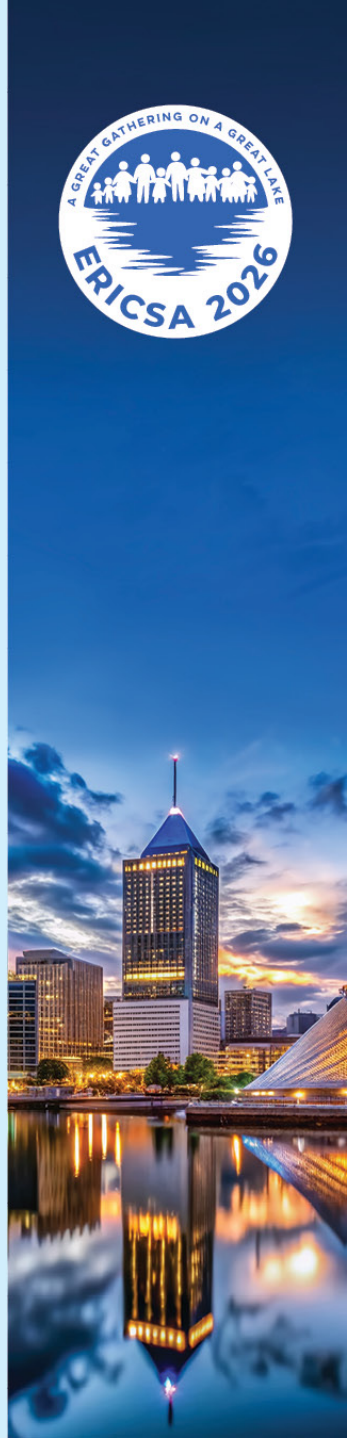
Guideline Recalibration

- **Virginia: (SB 805)** updates the schedule of basic support obligations and increases the gross monthly income threshold for calculations to \$42,500.
- **Washington: (HB 1014)** implements a hard cap, stating that a parent's total child support obligation may not exceed 45% of their net income (with specific exceptions).
- **Colorado: (HB 1159)** addresses "gross income" definitions, specifically allowing for straight-line depreciation in certain business calculations.
- **Utah: (SB 257)** establishes a new minimal child care award table effective January 1, 2027.



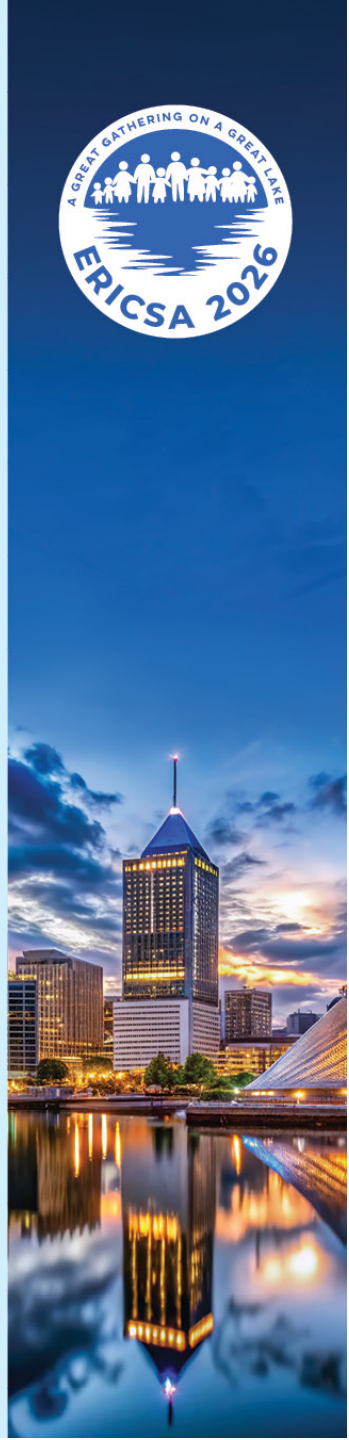
Divorce and Domestic Relations

- **District of Columbia (DC B 42)**: Eliminates waiting periods for divorce and legal separation; adds history of physical or financial abuse as a factor for alimony and property distribution.
- **District of Columbia (DC B 532)**: Enacts the "LOVE Act," authorizing the Mayor to issue marriage licenses during federal government shutdowns.
- **Michigan (MI H 5210)**: Consolidates and revises laws relating to wills, intestacy, and the administration of estates for individuals under legal incapacity.



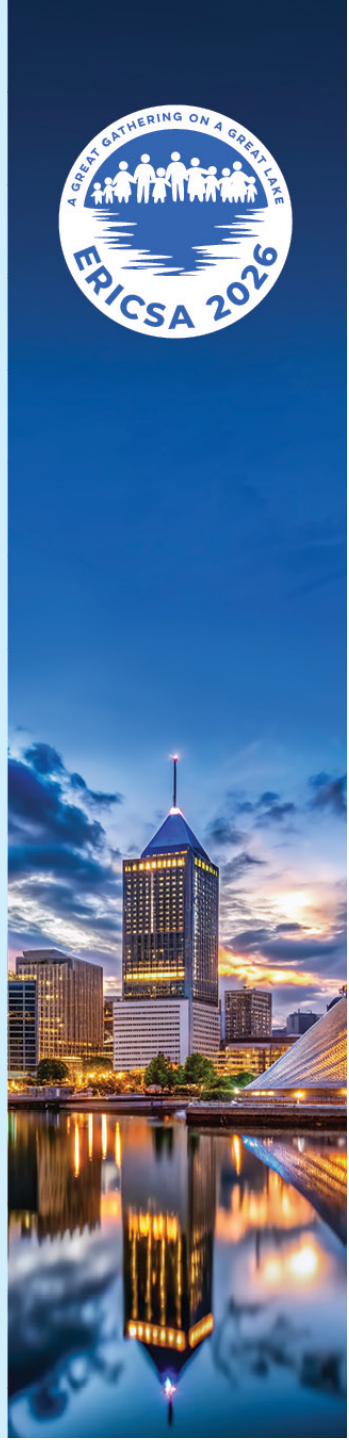
Incarcerated Obligors

- **Utah: (HB 224)** enacts provisions to suspend child support orders for incarcerated obligors, provided the incarceration isn't due to non-payment of support or crimes against the child/custodial parent.
- **Nebraska: (LB 704)** changes provisions relating to the review and modification of an incarcerated individual's support order.



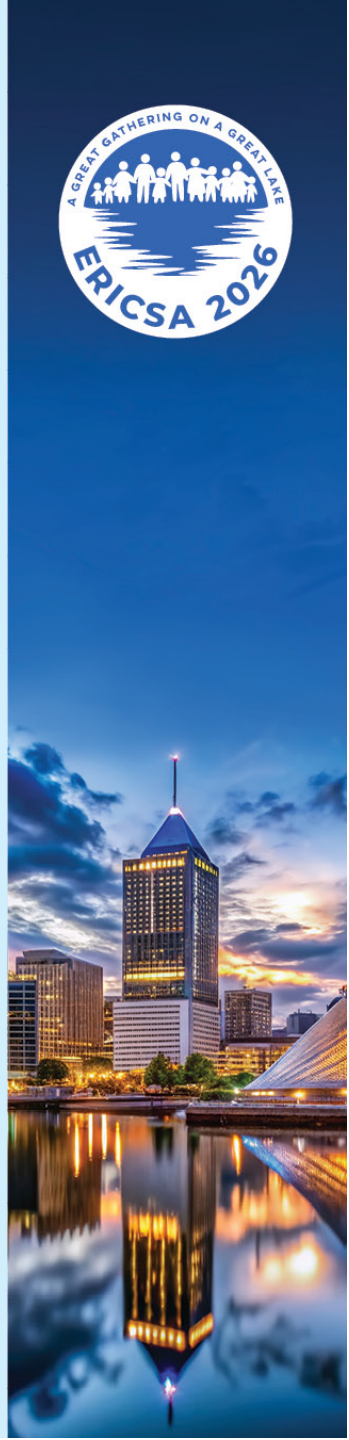
Expanded Enforcement: Gaming & Licensing

- **Mississippi: (SB 2369)** authorizes the withholding of gaming winnings from individuals with outstanding child support arrearages.
- **Indiana: (HB 1092)** similarly requires gaming certificate holders to check for child support delinquency before disbursing payouts of \$600 or more.
- **Maryland: (HB 681)** alters the threshold for driver's license suspension, increasing the non-compliance window from 60 to 120 days before notification.
- **Nevada & Kansas: (AB 519) and (HB 2334)** both tie professional and insurance licensure to child support compliance.



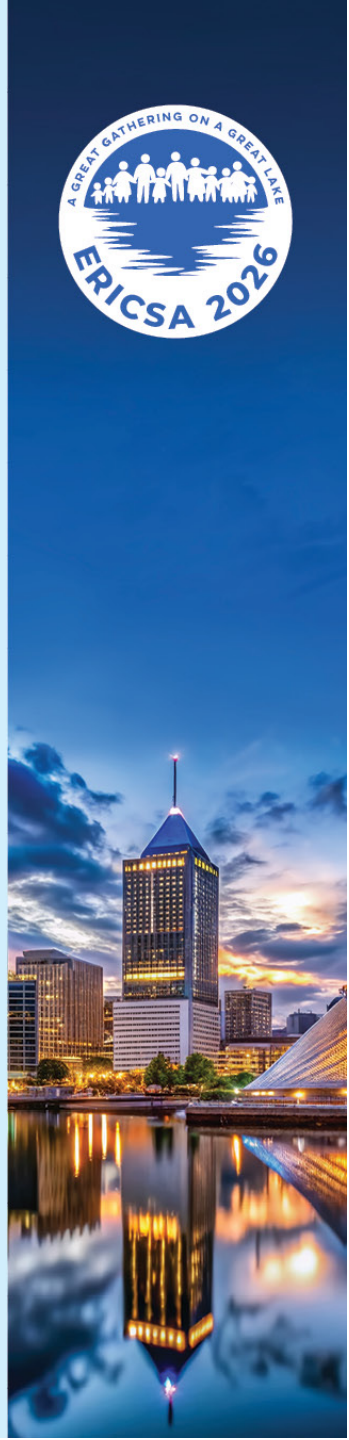
Modernizing Family Definitions

- **Kansas: (HB 2062)** provides for child support orders for unborn children from the date of conception, specifically including the mother's medical and pregnancy-related expenses.
- **Hawaii: (SB 1231)** repeals the 1973 Uniform Parentage Act and enacts portions of the 2017 Uniform Parentage Act to modernize parentage determinations.
- **Maryland: (HB 275)** introduces a "Multifamily Adjustment," allowing a deduction from actual income for children in the parent's home for whom they owe a legal duty but who are not part of the current support order.



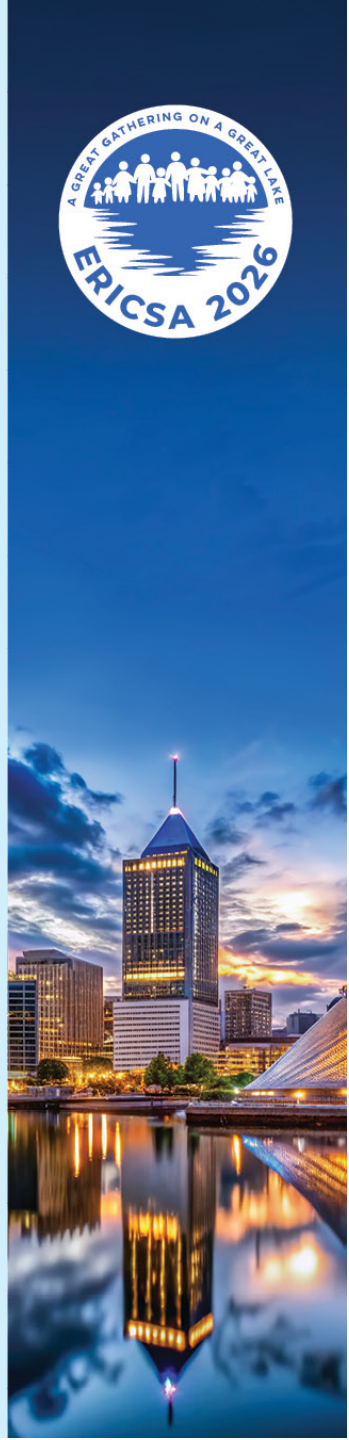
Assistance Reform & "Pass-Through" Policies

- **Maryland: (HB 881)** phases in a requirement that all child support received in a month must "pass through" to the family seeking assistance under the Family Investment Program, rather than being retained by the state.
- **New York: (AB 3005)** includes waivers for child support cooperation requirements for certain public assistance programs based on specific assessments.

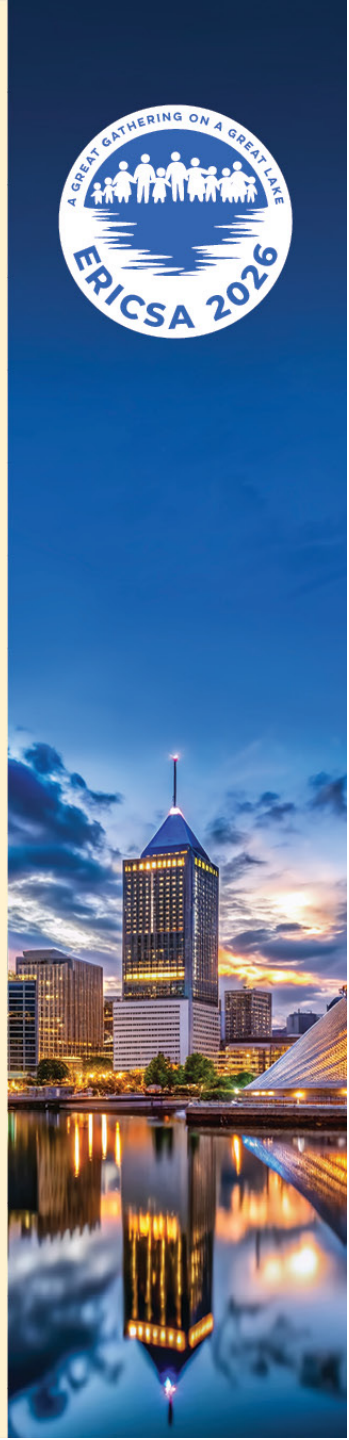


Parenting Time Changes

- **Illinois (HB 5172)**
- **Shared Physical Care Calculations**
 - **Threshold:** Shared physical care applies at 110+ overnights per year
 - **Overnight Equivalents:** Courts may credit substantial parenting time that does not include overnights
 - **Calculation Method:**
 - Basic support $\times$ 1.5 multiplier
 - Obligation divided by income shares and parenting-time percentages
 - **Support Ceiling:** Shared-care support may not exceed the amount under standard guidelines
- **Protections for Incarcerated Parents**
 - Presumption: Incarceration over 180 days creates a presumption of inability to pay
 - Rebuttal: Presumption may be overcome with evidence of actual ability to pay while incarcerated
- **Low-Income Obligor**
 - Minimum Support: Rebuttable presumption of \$40 per month, per child
 - Applicability: Obligor at or below 100% of the Federal Poverty Guidelines

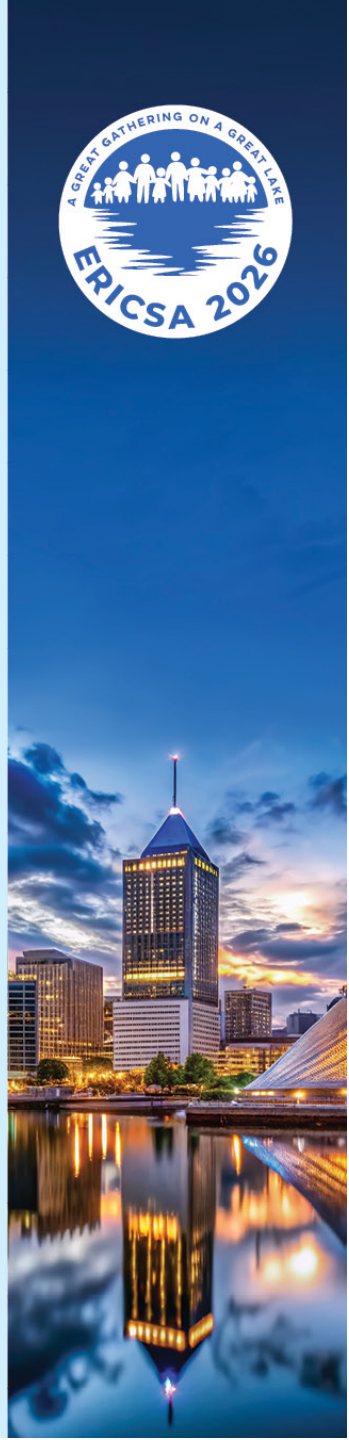


Artificial Intelligence for Attorneys



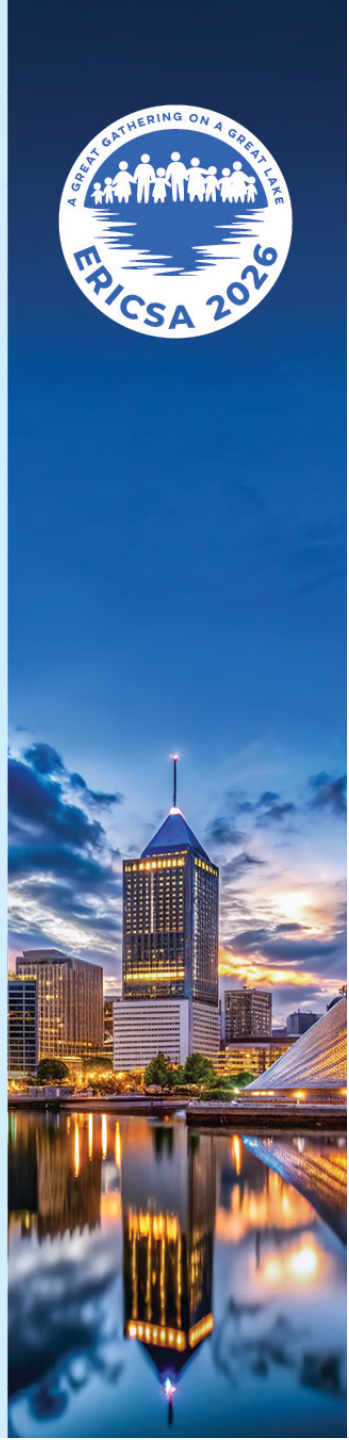
Government Attorneys and AI

- **New York – Broad, Explicitly Includes Government Law Offices**
 - New York City Bar Association – Formal Opinion 2024-5
 - Scope expressly includes “government law offices”
- **Key takeaways (highly relevant to IV-D / agency counsel):**
 - AI use is permitted but must comply with all professional rules
 - Applies to:
 - Government attorneys
 - Legal aid organizations
 - In-house public counsel
 - Core duties:
 - Competence (must understand AI limits)
 - Independent judgment (no blind reliance)
 - Confidentiality (especially with third-party tools)



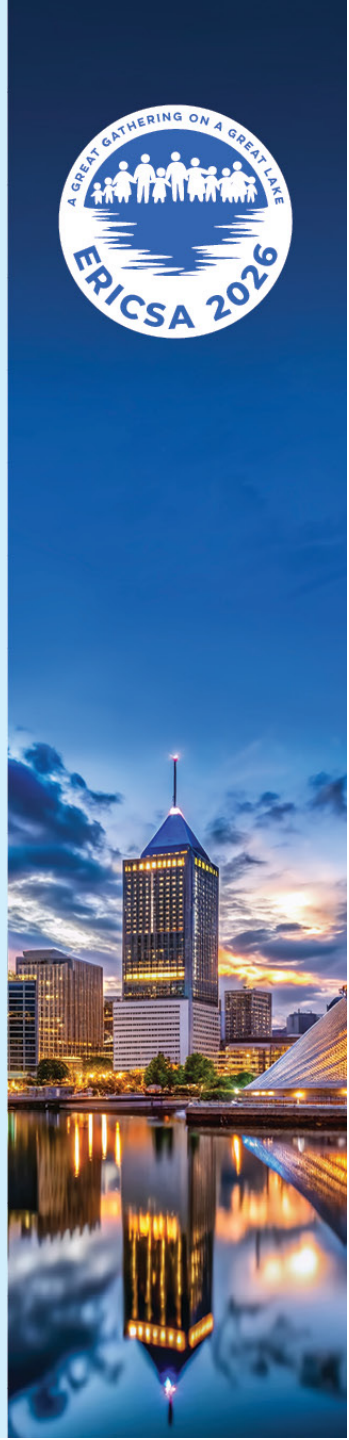
Government Attorneys and AI

- **New York (Additional) – AI Recording Opinion (2025)**
 - New York City Bar Association – Formal Opinion 2025-6
- **Specific issue:**
 - Using AI to record/transcribe client communications
- **Key rule:**
 - Requires **client consent and heightened transparency**



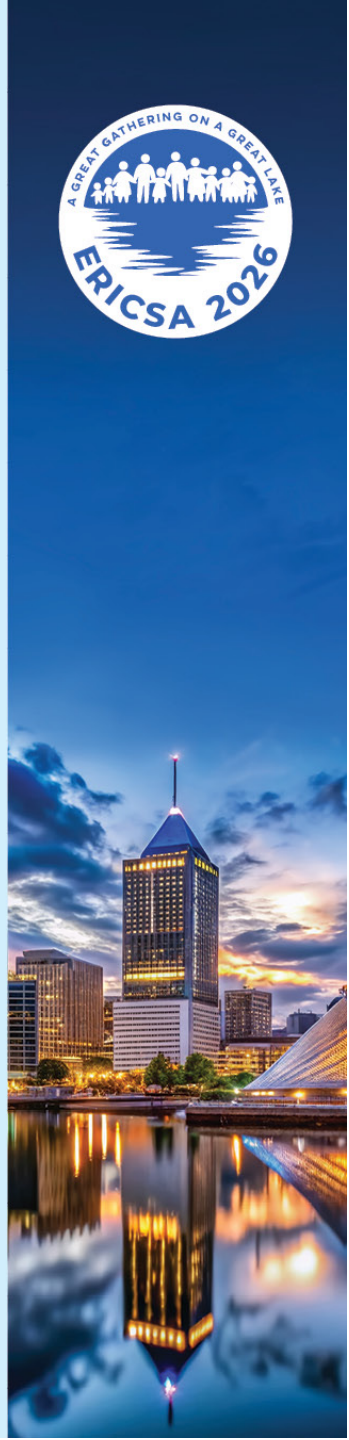
Government Attorneys and AI

- **North Carolina – Formal Ethics Opinion (2024 FEO 1)**
 - North Carolina State Bar – 2024 Formal Ethics Opinion 1
- **What it does:**
 - First full state bar opinion dedicated to AI use
 - Applies broadly to *any lawyer*, including public sector attorneys
- **Key principles:**
 - Duty of competence includes understanding AI risks
 - Duty of confidentiality requires vetting vendors and data handling
 - AI treated like a **nonlawyer assistant under supervision rules (Rule 5.3)**
- **Texas – Ethics Opinion 705 (2025)**
 - State Bar of Texas – Opinion 705
- **Highlights:**
 - Lawyers may use AI, but:
 - Must **verify outputs before filing**
 - Risk violations of candor and fairness rules if not checked



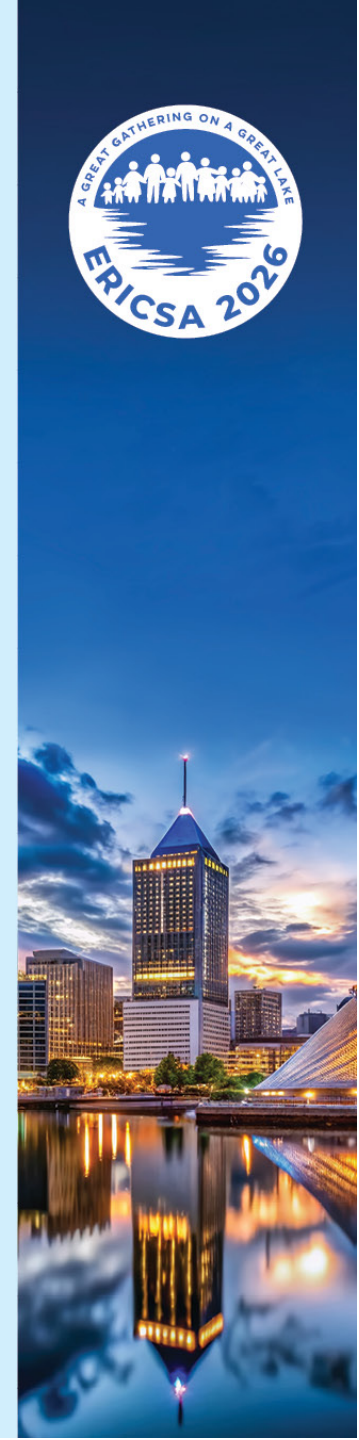
Government Attorneys and AI

- **Virginia – Proposed Opinion on AI & Fees (2025)**
 - Virginia State Bar – Proposed Legal Ethics Opinion 1901
- **Focus:**
 - Billing and fee reasonableness when using AI
- **Why it matters for government attorneys:**
 - Addresses **value vs. time**—relevant for:
 - Contract counsel
 - Special prosecutors
 - Grant-funded legal services

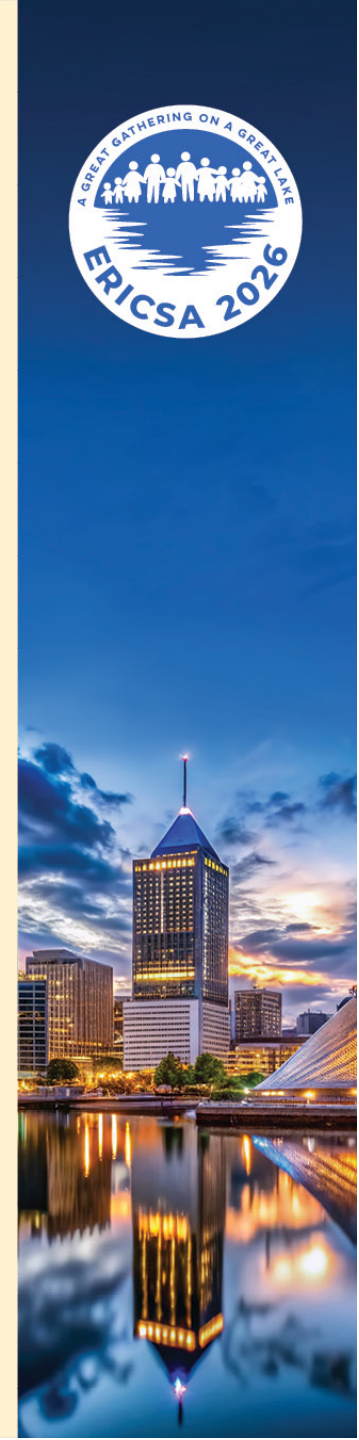


Government Attorneys and AI

- **California – Formal Guidance + 2025–2026 Developments**
 - State Bar of California – Practical Guidance (2023, expanded through 2025)
- **Core position:**
 - AI does **not change ethical duties**—it amplifies them
 - Key requirements:
 - Maintain confidentiality
 - Avoid inputting sensitive data into public AI tools
 - Ensure accuracy and bias mitigation
- California is also moving toward **statutory regulation of attorney AI use**, including verification requirements and limits on reliance



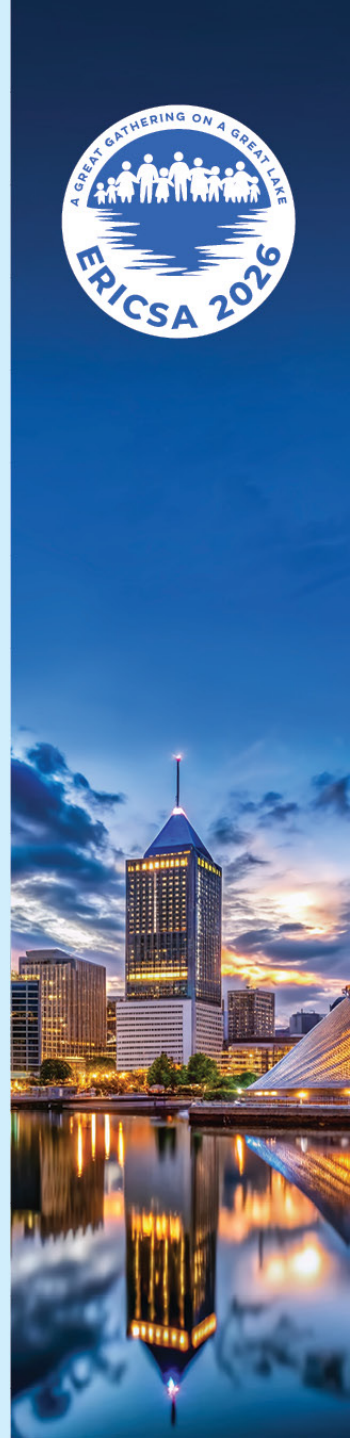
Key Themes and Takeaways



Key Themes and Takeaways



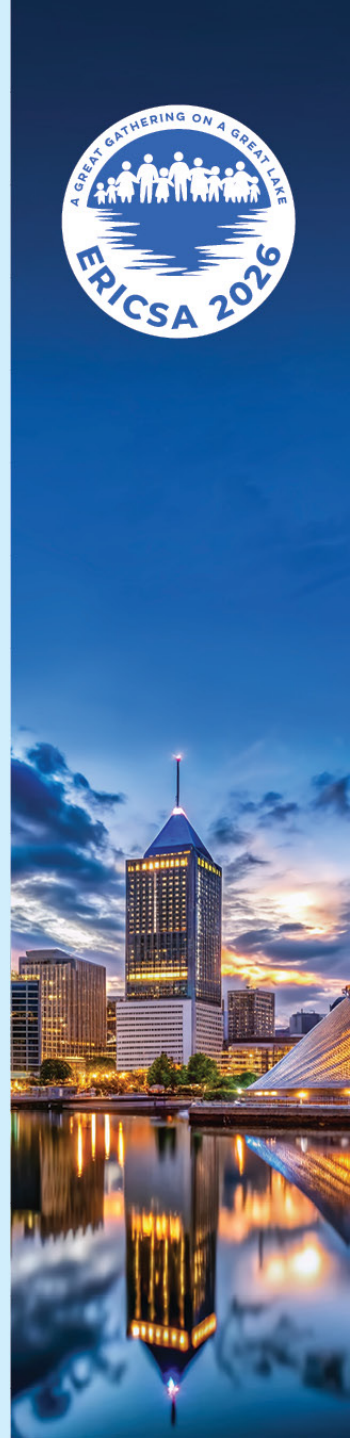
- **1. Courts, Not Agencies or Parties, Control Child Support Orders.**
 - Across jurisdictions, courts continue to emphasize that only a tribunal may establish, modify, or terminate a child support order. Administrative actions, interstate “transmittals,” informal agreements, or prolonged acquiescence by the parties do not substitute for judicial action. If it is not reduced to a court order, it does not change the obligation.
- **2. UIFSA Jurisdiction Is Often Waived—Not Lost Automatically**
 - Many of the year’s cases reinforce that disputes framed as “jurisdictional” are frequently about the exercise of jurisdiction, not the court’s fundamental power. Personal jurisdiction, venue, and UIFSA priority rules must be raised early and clearly, or they may be forfeited. Parties cannot strategically argue for jurisdiction in one forum and later disavow it when the outcome is unfavorable.
- **3. Consent Can Be Express—or Implied by Conduct**
 - Courts are increasingly willing to find consent to jurisdiction through participation, including attorney appearances, requests for continuances, failure to object, or years of accepting benefits under an order. Silence, delay, and selective objections can carry significant legal consequences.
- **4. Pro Se Status Does Not Relax Substantive or Procedural Rules**
 - Federal and state courts remain consistent: self-represented litigants receive some leniency, but not exemption from jurisdictional doctrines, discovery rules, briefing standards, or immunity principles. Courts will not reconstruct arguments, overlook defects, or permit repeated procedural end-runs.



Key Themes and Takeaways



- **5. State Agencies and Officials Retain Strong Immunity Protections**
 - Claims against IV-D agencies and state officials continue to fail on Eleventh Amendment, Section 1983 “person”, and private-right-of-action grounds. Enforcement actions that feel punitive to litigants are rarely actionable in federal court absent a clear statutory waiver.
- **6. “Income” Is Defined Broadly—and Courts Expect Full Disclosure**
 - Child support guidelines are interpreted expansively to capture actual financial capacity, not just reported wages. Gifts, unreported earnings, in-kind benefits, and lifestyle evidence remain fair game. Career changes for legitimate reasons may be respected, but incomplete or selective disclosures will not be.
- **7. International and Interstate Enforcement Is Expanding, Not Contracting**
 - Courts continue to read UIFSA and its international counterparts pragmatically. “Substantially similar” does not mean identical, and the absence of familiar enforcement tools does not defeat recognition. Mobility—domestic or international—does not insulate obligors from enforcement.
- **8. AI Usage**
 - AI is a tool—not a shield—lawyers remain fully responsible for accuracy, confidentiality, supervision, and ethical compliance, and must independently verify all AI-assisted work before relying on it.
- **Bottom Line for Practitioners:**
 - Most adverse outcomes this year were procedural, not substantive. Early objections, clean records, clear jurisdictional positions, and timely judicial orders remain the most effective risk-management tools in interstate and international child support cases.



Contact Information:

Ethan C. McKinney, JD
574-876-9488

ethancm@yahoo.com

