Circuit Court for Carroll County
Case No. C-06-FM-21-001071

UNREPORTED*

IN THE APPELLATE COURT

OF MARYLAND

No. 1112

September Term, 2025

LYNDA M. DODDS

v.

CHRISTOPHER A. DODDS

Reed,
Shaw,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

Opinion by Eyler, J.

Filed: February 4, 2026

* This is an unreported opinion. This opinion may not be cited as precedent within the rule of stare decisis. It may be cited for its persuasive value only if the citation conforms to Rule 1-104(a)(2)(B).

This case returns to us on appeal from an order entered by the Circuit Court for Carroll County on July 28, 2025, following a four-day custody modification hearing. In that order, the court (1) granted the appellee, Christopher A. Dodds ("Father"), sole legal custody of the parties' minor children, J. and C. (collectively, "the Children"), (2) found the appellant, Lynda M. Dodds ("Mother"), in civil contempt for violating a previously entered divorce decree, (3) established a child access schedule, (4) awarded Father attorney's fees, and (5) reduced Father's child support obligation.[1] In this *pro se* appeal, Mother presents ten questions for our review, which we have consolidated and recast as follows:

1. Did the circuit court err as a matter of law in granting Father sole legal custody without making the findings required by section 9-101 of the Family Law Article ("FL") of the Maryland Code or adequately considering the factors set forth in *Taylor v. Taylor*, 306 Md. 290 (1986)?

2. Did the circuit court abuse its discretion by denying Mother's request for an order compelling Father to authorize renewal of the Children's passports?

3. Did the circuit court abuse its discretion in modifying and/or declining to further modify the child access schedule?

4. Did the circuit court abuse its discretion by finding Mother—but not Father—in contempt?

5. Did the circuit court err in calculating the child support award?

6. Did the circuit court err in awarding Father attorney's fees?

[1] To protect the Children's privacy, we will refer to them by the initials of their middle names, as the initials of their first names are the same.

7. Did the circuit court exhibit judicial bias against Mother?[2]

[2] In her brief, Mother frames the issues as follows:

I. Whether, after finding a material change, the court abused its discretion or committed legal error by awarding Appellee sole legal custody without § 9-101 safety findings and without factor-specific Taylor/Md. Rule 2-522 findings?

II. Whether the court committed reversible error by omitting Taylor findings on judgment, boundary-respect, and order-compliance in light of the admitted video of Appellee on Appellant's exclusive-possession property?

III. Whether the circuit court abused its discretion by (a) approving Appellee's unilateral school-placement changes without a finding of consultation before invoking tie-breaker authority (Santo), and (b) modifying the parenting schedule and reallocating transportation, materially altering the children's programs and Appellant's time, without reasoned best-interest findings explaining the need for the changes?

IV. Whether the circuit court abused its discretion by differentially enforcing exchange and transportation provisions without articulating findings that justify the differential treatment and explain how it serves the children's best interests?

V. Whether the circuit court abused its discretion and denied due process by refusing to hold Appellee in contempt or grant relief for repeated violations of the Oct. 24, 2024 telephone-access order, while sanctioning Appellant on other grounds, without the written findings required by Md. Rules 15-207 and 2-522?

VI. Whether the court abused its discretion by denying passport renewal without the findings required by §§ 5-203(d)(1) and 9-101, without Taylor analysis, and without considering narrower safeguards?

VII. Whether the support order is legally erroneous for relying on incomplete or disputed financial disclosures and an overstated health-insurance credit, without the guidelines findings or worksheets

(continued . . .)

For the reasons that follow, we will vacate the child support and attorney's fee awards, remand for further proceedings, and otherwise affirm.

BACKGROUND[3]

A. The Marriage & Divorce

Father and Mother were married on or about June 26, 2014. At that time, Mother had an eight-year-old daughter, S., whom Father adopted in 2018.[4] During their marriage, the parties had two sons together: J., born in 2018, and C., born in 2021.

On December 27, 2021, Mother filed a complaint in the circuit court, seeking an absolute divorce and child support, as well as sole legal and primary physical custody of

required by Family Law §§ 12-201–12-204 (including § 12-204(h)(1)) and Md. Rule 9-206?

VIII. Whether the circuit court erred by awarding $18,648.25 in attorney's fees under the wrong statute without the findings required by Family Law § 12-103(b), and by imposing a "community-service" contempt condition without record-based findings linking the remedy to the violation?

IX. Whether the religious-authority award is legally defective because it rests on impermissible grounds and lacks child-welfare findings required by Bienenfeld and Levitsky?

X. Whether the cumulative omissions and asymmetric rulings create an appearance of partiality, that a reasonable person aware of all the circumstances would question the judge's impartiality, warranting reassignment on remand?

[3] As the parties are intimately familiar with the underlying facts, we will forgo a recitation of them and proceed directly to the pertinent procedural history.

[4] We will refer to the daughter by the initial of her first name.

all three children. One month later, Father counterclaimed for divorce, child custody, and child support. Following a *pendente lite* hearing held on April 28, 2022, the presiding magistrate recommended that the parties be granted "*temporary* joint legal and physical custody" of the children and proposed a regular access schedule. (Emphasis retained.) The court adopted the magistrate's recommendations in a *pendente lite* order entered on June 13, 2022.[5] On August 18, 2022, Mother amended her complaint to include a request for "rehabilitative and/or indefinite alimony[.]"

Trial commenced on December 12, 2023, and proceeded over three consecutive days. When trial could not be completed within that period, the court continued the proceedings to March 19-20, 2024. The circuit court announced its findings and rulings from the bench on April 29th. In granting the parties an absolute divorce, it found that their "separation ha[d] been continuous and uninterrupted since December 4, 2021[,]" and that there was "no reasonable hope or expectation" of reconciliation.

Turning to the issue of child custody, the circuit court awarded Mother sole legal and physical custody of S., with reasonable access to Father. In so doing, the court noted that S. would turn eighteen in less than two weeks' time—which would likely render the issue moot. As to J. and C., the court concluded that their best interests would be served by awarding the parties joint legal and shared physical custody, while maintaining the existing access schedule. Having found that "the parties ha[d] difficulty reaching shared decisions

[5] Notwithstanding the access schedule set forth in the *pendente lite* order, Father elected to forgo further parenting time with S. in September of 2022.

concerning the [C]hildren[,]" the court granted Father tie-breaking authority "[i]n the event that the parties are unable to reach a decision after meaningful discussions[.]"

When calculating child support, the circuit court relied upon the parties' financial statements, which reflected gross monthly incomes of $2,286 for Mother and $8,560 for Father. It ultimately ordered Father to pay Mother child support "in the amount of $741 per month, beginning May 1, 2024." In distributing the parties' marital property, the court ordered the sale of the marital home, with the proceeds to be divided evenly. However, it granted Mother temporary use and possession of the home and ordered Father to pay the mortgage "[d]uring that use and possession period[.]"[6] Additionally, the court awarded Mother one-half of the marital portion of three of Father's retirement accounts. Finally, after reviewing the applicable factors, it declined to make a monetary award or grant alimony. The court embodied its oral rulings in an order entered on May 1, 2024.

Mother timely appealed the circuit court's judgments. In an unreported opinion, we vacated the child support award, remanded for reconsideration of that issue, and otherwise affirmed. *Dodds v. Dodds*, No. 579, Sept. Term, 2024 (unreported) (filed June 12, 2025).

B. The Contempt Petitions

On June 7, 2024, while Mother's initial appeal was pending, Father filed a petition for contempt, alleging that she had committed multiple violations of the judgment of divorce. Among other things, he claimed that she had "on multiple occasions failed to

[6] Mother's use and possession period extended "until the earlier of October 1, 2024[,] or closing on the sale of the marital home."

observe the 8:30 AM exchange time, returning the [C]hildren much closer to 9:00 AM[.]" Father also described instances in which Mother allegedly failed to deliver the Children to his home on his designated access days, the most recent of which occurred the day before he filed the petition. In addition to seeking a contempt finding against Mother, Father requested that the court impose sanctions and award him reasonable attorney's fees and costs.

On June 25, 2024, Mother filed her own petition for contempt. In it, she alleged that Father had violated the divorce decree by, *inter alia*, failing to pay child support, declining to cooperate in the sale of the marital home, and "intentionally breach[ing] the custody schedule by refusing to drop [off] the minor [C]hildren back to the marital home on Friday, May 3, 2024[.]" Mother subsequently moved to dismiss Father's contempt petition on July 1st and filed an opposition on July 11th. The court denied Mother's motion to dismiss on July 24th and the following day scheduled a consolidated show cause hearing on the parties' contempt petitions for January 30, 2025.

C. The Motions for Modification of Custody

On August 29, 2024, Mother and Father filed emergency motions to modify custody, each seeking, *inter alia*, primary physical custody of the Children with alternating weekend access to the other. In her motion, Mother alleged several material changes in circumstances, including a Child Protective Services ("CPS") finding of "indicated" child

abuse against Father, which was then pending appeal.[7] Mother also asserted that Father had inadequately attended to the Children's health care needs and had misused his tie-breaking authority by canceling their medical appointments and disregarding the recommendations of health care providers. Finally, she alleged that Father had "demonstrated a pattern of delegating significant parental duties to . . . his parents[,]" such that the Children lived with them on weekdays and at Father's residence only on weekends. Mother concluded that "[t]he current living arrangements, [Father's] reliance on third parties, and [his] refusal to prioritize the [C]hildren's medical and psychological needs are not in the best interests of [J.] and [C.]" Accordingly, Mother requested that the court award her primary physical custody of the Children and grant Father "alternating weekend visitation[.]"

In his motion to modify custody, Father alleged that Mother had disregarded his exercise of tie-breaking authority with respect to J.'s education. Father represented that he had recently moved out of his parents' home and into a separate residence in Ellicott City, while Mother planned to relocate from the former marital home to Williamsport in Washington County upon the expiration of her use-and-possession period.[8] Father further

[7] An "indicated" finding refers to "a finding that there is credible evidence, which has not been satisfactorily refuted, that abuse, neglect, or sexual abuse did occur." FL § 5-701(l). The Office of Administrative Hearings ultimately reversed this finding, determining that the allegations against Father were "unsubstantiated." *See* FL § 5-701(aa) ("'Unsubstantiated' means a finding that there is an insufficient amount of evidence to support a finding of indicated or ruled out.").

[8] Father also asserted that Mother had refused to provide him with her new address despite the divorce decree's requirement that he return the Children to her residence at the end of any given custodial period, and instead insisted that they use a "'neutral' location for [him] to make all future exchanges."

averred that Mother had expressed a desire to continue homeschooling the Children. When he objected to her proposal, Mother "began to insist that she would only 'homeschool' [J.] for the first few weeks of the school year" and would enroll him in a Washington County school following her move on September 16, 2024. When Father opposed that proposal, Mother allegedly "insisted that she would be enrolling [J.] in [a] Washington County school[] with a start date of September 3, 2024."

According to the motion, after the parties reached an impasse and Mother "refused to communicate further[,]" Father exercised his tie-breaking authority by enrolling J. in first grade at St. John's Lane Elementary, a Howard County public school. In an email sent on August 21, 2024, Father advised Mother of the enrollment and informed her that the first two days of school fell during her custodial time, requiring her to transport J. to and from school. According to Father, however, Mother responded "that she did 'not agree with [J.] attending school at St. John's Lane Elementary' . . . and that [J.] would 'be enrolled full-time at Williamsport Elementary starting September 3rd[.]'" When Father responded that Mother's failure to reconsider her position would result in further court involvement, she "cut[] off communications entirely."

Finally, Father alleged that J. did not attend the first two days of first grade on August 26 and 27, 2024, when the child was in Mother's care. He then expressed concern that the issue would recur, as Mother "made it abundantly clear that she ha[d] absolutely no intention of taking [J.] to St. John's Lane Elementary[.]" In light of Mother's alleged disregard for his tie-breaking authority, Father sought sole legal and primary physical

custody of the Children, with Mother "having alternating weekend access consistent with the current rotation[.]"

On August 30, 2024, the circuit court entered an order on the parties' motions, which provided:

> **ORDERED**, that [Mother's] *Ex Parte* Motion for Emergency Custody Modification is DENIED. The relief requested in [Mother's] Motion shall be considered at the hearing in this matter set for January 30, 2025; and it is further
>
> **ORDERED**, [Father's] *Ex Parte* Motion for Emergency Modification of Custody is GRANTED IN PART; and it is further
>
> **ORDERED**, that, consistent with the tie-breaker authority awarded to [him] . . . , [Father] shall have the authority to enroll the [C]hildren in school and to make decisions concerning the [C]hildren's education; and it is further
>
> **ORDERED**, that, consistent with the tie-breaker authority awarded to [Father] . . . , [Mother] shall not have the authority to enroll the [C]hildren in or disenroll the [C]hildren from school or to make decisions concerning the [C]hildren's education that conflict with [Father's] decisions; and it is further
>
> **ORDERED**, that [Father's] residence shall be considered the [C]hildren's primary residence for purposes of school enrollment; and it is further
>
> **ORDERED**, that [Mother] and [Father] shall ensure that the [C]hildren regularly attend school as required at the school(s) in which [Father] has enrolled the [C]hildren. A failure or refusal by either party to comply with the provisions of this Order will be considered by the [c]ourt as a basis for a modification of legal or physical custody; and it is further
>
> **ORDERED**, that any other relief requested by either party in their respective *ex parte* motions which is not granted in this Order shall be considered at the hearing in this matter set for January 30, 2025.

On October 1, 2024, Father filed a second emergency motion to modify custody, in which he again sought sole legal and primary physical custody of the Children. In that motion, Father described the logistical difficulties that had arisen as a result of Mother's recent move to Williamsport, which he asserted was located "over 65 miles, and more than an hour's drive[,] away from . . . Father['s] [home] and [J.'s] school." Father further alleged that, in addition to those cited in his August 29th motion, J. had incurred two school absences—as well as four "tardies"—during the first four weeks of school, all of which occurred on dates when he was in Mother's custody. Father appears to have attributed the problem, in part, to the exchange time provided in the divorce judgment, writing:

> [T]he [c]ourt specifically ordered in the [judgment of divorce] that exchanges were to be done at 8:30 a.m. Now[] that she has moved to Williamsport, over an hour away, Mother insists that . . . Father return the [C]hildren at the [c]ourt's ordered time at 8:30, even on a school day. This means that . . . upon receiving the children at 8:30 a.m., Mother would have to turn around and race back down the road to get [J.] to school at 9:25 a.m. – literally a physical impossibility without breaking applicable road laws.

The court subsequently set a hearing on Father's motion for October 10, 2024. The hearing proceeded as scheduled, with both parties appearing with counsel. One week later, Father moved to postpone the consolidated hearing on the parties' contempt petitions and August 29th modifications motions until February 11 and 12, 2025. The court granted that motion on October 21st.

On October 24, 2024, the circuit court entered an order granting in part Father's October 1st motion to modify child custody and setting forth the following revised access schedule:

> The children shall be with Mother from 5:30 p.m. Sunday until 5:30 p.m. Tuesday each week and with Father from 5:30 p.m. Tuesday until 5:30 p.m. Friday each week . . . .
>
> [T]he parties shall alternate having the children with them every other weekend from 5:30 p.m. Friday until 5:30 p.m. Sunday, provided that Father's weekend with the children shall commence on the Friday that Father does not work[.]

Mother moved to alter or amend that order on October 26th and November 17th. Father filed responses on November 20th and December 3rd, wherein he requested that the court both deny Mother's motions and award him "attorneys' fees and costs related to the instant matter[.]" In its orders denying Mother's motions, the court advised the parties that it would consider Father's requests for costs and attorneys' fees at the February 2025 hearing.

D. The Merits Hearing

The merits hearing commenced on February 11, 2025, and continued without interruption through February 13th. When it did not conclude on that date, the court continued the proceeding to May 12th. Over the course of those four days, the court heard testimony from ten witnesses and received more than one hundred exhibits into evidence. At the conclusion of the hearing, the court took the matters under advisement.

The circuit court announced its rulings from the bench on July 22, 2025. It began by making detailed factual findings based on the evidence presented during the four-day hearing. After setting forth those findings, which span thirty pages of transcript, the court found that there had been material changes in circumstances since entry of the divorce decree, which warranted a modification of custody. Among other things, the court cited (1) Mother's move to Williamsport, (2) her refusal "to send [J.] to school for the first week of

the school year," and (3) her repeated failures to pick up or drop off the Children on time. After considering an array of best-interest factors, the court granted Father sole legal custody of the Children. However, the court declined to further modify physical custody, electing instead to retain the revised access schedule set forth in its October 24th order. The court then recalculated Father's monthly child support obligation to $643, and ordered him to pay an additional $100 per month toward a $2,176 arrearage for S.

After addressing the issues of child custody and support, the circuit court turned to the parties' contempt petitions. In denying Mother's petition, the court determined that the evidence did not support the allegations contained therein. Although the court was also unpersuaded by several of the allegations raised in Father's petition, it nevertheless found that Mother had "willfully and repeatedly violated the order for exchanging the [C]hildren on time." The court then ruled:

> The [c]ourt is going to impose a sanction of ten hours of volunteer community service, due within 10 days from the date of the [c]ourt's judgment, and [Mother] can purge that contempt by enrolling in and successfully completing a court-approved coparenting class. So [Father's] petition for contempt is denied, except as to that last issue[.]

Finally, the circuit court granted Father's request for attorney's fees, finding that Mother lacked substantial justification for pursuing her motion to modify custody and for filing CPS complaints against Father and a nanny whose services he had retained. The court determined that, "as of or at least through February of this year," Father had accumulated $37,296.50 in attorney's fees, a "significant portion of [which] were incurred in defending

against [Mother's] motion and/or the CPS complaints." It then directed Mother to contribute half that amount, or $18,648.25.

The court memorialized its oral rulings in a written order entered on July 28, 2025. This appeal followed. We will include additional facts as necessary in our discussion of the issues presented.

DISCUSSION

I.

Mother contends that the circuit court erred as a matter of law in awarding Father sole legal custody of the Children without first conducting a "factor-specific, on-the-record analysis under *Taylor*" or making "the express safety findings required by FL § 9-101[.]" We will first address Mother's challenge to the adequacy of the court's analysis of the *Taylor* factors and then turn to her contention that the court failed to comply with FL § 9-101.

A. Standard of Review

When reviewing a court's child custody determinations, we apply three interrelated standards of review, which the Supreme Court of Maryland has described as follows:

> When the appellate court scrutinizes factual findings, the clearly erroneous standard of [Rule 8-131(c)] applies. Secondly, if it appears that the [court] erred as to matters of law, further proceedings in the trial court will ordinarily be required unless the error is determined to be harmless. Finally, when the appellate court views the ultimate conclusion of the [court] founded upon sound legal principles and based upon factual findings that are not clearly erroneous, the [court's] decision should be disturbed only if there has been a clear abuse of discretion.

In re Yve S., 373 Md. 551, 586 (2003) (cleaned up).

B. The *Taylor* Factors

We begin with Mother's contention that the circuit court committed legal error by "fail[ing] to make factor-specific" *Taylor* findings. She asserts that the court's best-interests analysis was fundamentally deficient because it did not articulate how particular incidents and evidence bore on the relevant *Taylor* factors. For example, she claims that, although the court considered the parents' capacity to communicate, it did not specifically address discrete disputes concerning the Children's medical care. In her view, therefore, the court erred by addressing the *Taylor* factors only in general terms, without expressly relating such specific events to the applicable factors or explaining why, in light of that evidence, awarding Father sole legal custody served the Children's best interests.

When presented with a motion to modify child custody, a trial court must undertake a two-step process. *See, e.g.*, *Santo v. Santo*, 448 Md. 620, 639 (2016). First, the court determines "whether there has been a material change in circumstances[.]" *Id.* A material change in circumstances is "a change in circumstances that affects the welfare of the child." *Gillespie v. Gillespie*, 206 Md. App. 146, 171 (2012). If the court finds that there has been such a change, it then "proceeds to consider the best interests of the child as if the proceeding were one for original custody." *Velasquez v. Fuentes*, 262 Md. App. 215, 246 (2024). The burden of proof with respect to both prongs rests with the moving party. *See Sigurdsson v. Nodeen*, 180 Md. App. 326, 344 (2008) ("The burden is . . . on the moving party to show that there has been a material change in circumstances since the entry of the final custody order and that it is now in the best interest of the child for custody to be

changed."), *aff'd*, 408 Md. 167 (2009). Because Mother does not challenge the court's finding that material changes in circumstances had occurred, we will consider only its analysis of the Children's best interests.

In *Taylor*, *supra*, the Supreme Court of Maryland set forth a non-exhaustive list of "major factors" courts should consider "in determining whether joint [legal] custody is appropriate[.]" 306 Md. at 303. Those factors are as follows:

> (1) capacity of the parents to communicate and to reach shared decisions affecting the child's welfare; (2) willingness of parents to share custody; (3) fitness of parents; (4) relationship established between the child and each parent; (5) preference of the child; (6) potential disruption of [the] child's social and school life; (7) geographic proximity of parental homes; (8) demands of parental employment; (9) age and number of children; (10) sincerity of parents' request; (11) financial status of the parents; (12) impact on state or federal assistance; and (13) benefit to parents.

Kadish v. Kadish, 254 Md. App. 467, 504 (2022) (citing *Taylor*, 306 Md. at 304-11).[9] Of these factors, "the most important . . . for a court to consider before awarding joint custody is the capacity of the parents to communicate and to reach shared decisions affecting a

[9] These factors expanded upon those previously enumerated by this Court in *Montgomery Cnty. Dep't of Soc. Servs. v. Sanders*, 38 Md. App. 406, 420 (1978), to guide courts in analyzing the best interests of the child. Those factors are as follows:

> 1) fitness of the parents; 2) character and reputation of the parties; 3) desire of the natural parents and agreements between the parties; 4) potentiality of maintaining natural family relations; 5) preference of the child; 6) material opportunities affecting the future life of the child; 7) age, health and sex of the child; 8) residences of parents and opportunity for visitation; 9) length of separation from the natural parents; and 10) prior voluntary abandonment or surrender.

Id. (internal citations omitted).

child's welfare." *Santo*, 448 Md. at 624 (citing *Taylor*, 306 Md. at 304). None of these factors is dispositive, however, and in considering the best interests of the child, "the trial court should . . . avoid focusing on or weighing any single factor to the exclusion of all others." *Jose v. Jose*, 237 Md. App. 588, 600 (2018). *See also Santo*, 448 Md. at 630 ("'[N]one' of the major factors in a custody case 'has talismanic qualities, and [] no single list of criteria will satisfy the demands of every case.'" (emphasis omitted) (quoting *Taylor*, 306 Md. at 303)).

"Consistent with *Taylor*, . . . a trial court should carefully set out the facts and conclusions that support the solution it ultimately reaches." *Id.* at 630. However, it "need not articulate every step of the judicial thought process in order to show that it has conducted the appropriate analysis." *Gizzo v. Gerstman*, 245 Md. App. 168, 196 (2020). *See also Aventis Pasteur, Inc. v. Skevofilax*, 396 Md. 405, 426 (2007) ("[T]rial judges are not obliged to spell out in words every thought and step of logic." (quotation marks and citation omitted)); *Bangs v. Bangs*, 59 Md. App. 350, 370 (1984) ("A chancellor is not required to articulate every step in his thought processes."). Nor is a trial court required to "'articulate each item or piece of evidence she or he has considered in reaching a decision.'" *Smith-Myers Corp. v. Sherill*, 209 Md. App. 494, 504 (quoting *Davidson v. Seneca Crossing Section II Homeowner's Ass'n*, 187 Md. App. 601, 628 (2009)), *cert. denied*, 431 Md. 447 (2013). *Accord Aventis Pasteur*, 396 Md. at 426. Thus, "'[t]he fact that the court did not catalog each factor and all the evidence which related to each factor

does not require reversal.'" *Id.* (quoting *John O. v. Jane O.*, 90 Md. App. 406, 429 (1992)). Against this backdrop, we turn to the instant case.

In its oral ruling, the circuit court made detailed factual findings and expressly addressed nearly all of the *Taylor* factors.[10,11] Critically, the court determined that the parties were "unable to effectively communicate in order to make shared decisions concerning the [C]hildren's best interests." That finding was supported by substantial evidence and thus justified the court's decision to grant sole legal custody to one parent. *See Taylor*, 306 Md. at 307 ("Only where the evidence is strong in support of a finding of the existence of a significant potential for compliance with this criterion should joint legal custody be granted."). Viewed in its entirety, the court's analysis of the remaining factors, in turn, supported its ultimate decision to award sole legal custody to Father.

Mother's contentions do not alter this conclusion. She essentially asserts that the court was required to make express factor-by-factor findings that explicitly addressed select evidence favorable to her. Among other things, Mother points to disputes over the Children's medical care, to an incident where Father allegedly "physically extracted" S.'s phone, and to an episode in which Father accessed and photographed Mother's personal

[10] The only two *Taylor* factors that the court did not explicitly address were (1) the impact on state or federal assistance and (2) the benefit to parents. Mother does not, however, challenge these omissions on appeal.

[11] The court also addressed all but one of the *Sanders* factors, omitting only "material opportunities affecting the future life of the child[.]" *Sanders*, 38 Md. App. at 420.

property over her objection.[12] She maintains that the court was obligated to specify on the record how each incident informed its analysis of such factors as parental communication, judgment, "boundary-respect," and "willingness to foster." As explained above, however, neither *Taylor* nor its progeny requires such specificity. Although courts should set forth the factual bases for a child custody determination, they need not address each and every piece of evidence presented as it relates to the *Taylor* factors.

In sum, the court was not required to catalogue and expressly address each episode highlighted in Mother's brief in order for its *Taylor* analysis to withstand appellate review. Rather, the record need only reflect that the court carefully considered the relevant factors

[12] Mother also argues that the court erroneously disregarded the parties' past involvement "in the [C]hildren's religious li[ves]." To be sure, "[l]egal custody carries with it the right and obligation to make long range decisions involving . . . religious training[.]" *Taylor*, 306 Md. at 296. The Supreme Court of Maryland has cautioned, however, that "intervention in matters of religion is a perilous adventure upon which the judiciary should be loath to embark." *Kirchner v. Caughey*, 326 Md. 567, 575 (1992) (cleaned up). In the child custody context, therefore, courts should limit their consideration of parents' religious beliefs and practices (or lack thereof). In *Bienenfeld v. Bennett-White*, 91 Md. App. 488, 507, *cert. denied*, 327 Md. 625 (1992), this Court held:

> [A] court in a custody proceeding may consider evidence of the religious views or practices of a party seeking custody . . . to the extent that such views or practices are demonstrated to bear upon the physical or emotional welfare of the child. Absent such a demonstration, courts have no business treading on the constitutionally sensitive ground of religion.

(Footnote omitted.)

Mother does not direct us to any evidence demonstrating the effect of Father's secularism or her religiosity on the Children's physical or emotional welfare. Absent any such evidence, the court did not err in disregarding this constitutionally precarious consideration.

bearing on the Children's best interests and that its ultimate decision was based on factual findings that were not clearly erroneous. Here, the court made meticulous factual findings, conducted a thorough analysis expressly addressing all but two of the *Taylor* factors, and articulated the reasons why granting sole legal custody to Father was in the Children's best interests. Accordingly, we reject Mother's contention that the court failed to conduct an adequate *Taylor* analysis.

C. FL § 9-101

We turn now to Mother's argument that the circuit court erred as a matter of law by failing to make "express [FL] § 9-101 finding[s] that custody/visitation would not place the [Children] at risk." FL § 9-101 provides:

> (a) In any custody or visitation proceeding, *if the court has reasonable grounds to believe that a child has been abused or neglected by a party to the proceeding, the court shall determine whether abuse or neglect is likely to occur if custody or visitation rights are granted to the party*.
>
> (b) Unless the court specifically finds that there is no likelihood of further child abuse or neglect by the party, the court shall deny custody or visitation rights to that party, except that the court may approve a supervised visitation arrangement that assures the safety and the physiological, psychological, and emotional well-being of the child.

(Emphasis added.) As is clear from its plain language, FL § 9-101(a) requires a court to assess the likelihood of future child abuse or neglect *only if* there are reasonable grounds to believe a party to the proceeding has previously neglected or abused a child.[13] In this

[13] When read together with subsection (b), which directs the court to deny custody or visitation unless it "specifically finds that there is no likelihood of further child abuse or neglect[,]" FL § 9-101(a) presupposes an antecedent "finding or determination by the court (continued . . .)

case, the record does not reflect that the court expressly considered whether abuse or neglect would likely occur if Father were awarded sole legal and shared physical custody of the Children. The question, therefore, is whether there were reasonable grounds to believe that Father had abused or neglected either child.

As noted above, FL § 9-101 "requires further findings only 'if the court has reasonable grounds to believe' that a child has been abused or neglected." *Volodarsky*, 397 Md. at 308 (emphasis omitted) (quoting FL § 9-101(a)). In *Volodarsky*, the Supreme Court of Maryland held that the preponderance-of-the-evidence standard governs a court's determination of whether such "reasonable grounds" exist. *Id.* at 308. *Accord Baldwin v. Baynard*, 215 Md. App. 82, 106 (2013) ("The preponderance of the evidence standard applies when the court determines whether reasonable grounds exist."). In other words, "reasonable grounds to believe" does not refer to a standard of proof lower than a preponderance of the evidence. Rather, it describes the conclusion a court may reach after weighing the evidence under that standard and determining whether it is more likely than not that abuse or neglect occurred.

Where, as here, the trial court serves as factfinder and there has been no prior judicial finding of abuse or neglect, application of the preponderance-of-the-evidence standard requires the presiding judge to "sift through the conflicting evidence, make credibility determinations, and determine the ultimate persuasiveness of the evidence

that abuse or neglect likely occurred in the first instance." *Volodarsky v. Tarachanskaya*, 397 Md. 291, 304 (2007).

bearing on the allegation[.]" *Volodarsky*, 397 Md. at 307. Accordingly, the mere existence of some evidence suggesting abuse or neglect does not, by itself, establish "reasonable grounds to believe" that such abuse or neglect occurred. Rather, the court must determine whether "'such evidence . . . , when considered and compared with the evidence opposed to it, has more convincing force and produces . . . a belief that it is more likely true than not true.'" *Mathis v. Hargrove*, 166 Md. App. 286, 310 n.5 (2005) (quoting *Coleman v. Anne Arundel Cnty. Police Dep't*, 369 Md. 108, 127 n.16 (2002)). On appeal, we will not disturb such a determination "unless clearly erroneous[] and will give due regard to the opportunity of the trial court to judge the credibility of the witnesses." Md. Rule 8-131(c).

Applying these principles to the instant case, we discern no clear error in the circuit court's apparent determination that it lacked "reasonable grounds to believe" that Father had abused or neglected either child. Although Mother points to various incidents that, in her view, raised concerns regarding the Children's safety and well-being, the court did not find that any such abuse or neglect had occurred. To the contrary, implicit in the court's decision to grant Father sole legal and shared physical custody was a finding that Mother had not proven her allegations of abuse or neglect by a preponderance of the evidence. In ruling from the bench, moreover, the court repeatedly characterized Mother's allegations of abuse and neglect as "unfounded."

In her brief, Mother does not specifically assert that the court clearly erred in rejecting her allegations of abuse or neglect. She has therefore waived any appellate challenge in that regard. *See Diallo v. State*, 413 Md. 678, 692 (2010) ("'[A]rguments not

presented in a brief or not presented with particularity will not be considered on appeal.'" (quoting *Klauenberg v. State*, 355 Md. 528, 552 (1999))). Even if we were to construe her brief as presenting such a challenge, moreover, Mother would not prevail. On this record and deferring to the court's credibility determination, we cannot say that it clearly erred in finding that Mother failed to prove by a preponderance of the evidence that Father had abused or neglected either child.

Because the court did not have reasonable grounds to believe that Father had abused or neglected the Children, FL § 9-101 did not require the court to make the additional "no likelihood of further child abuse or neglect" findings that Mother now demands. Accordingly, we conclude that the court did not err—as a matter of law or otherwise—by omitting express findings under FL § 9-101.

II.

Mother also challenges the circuit court's denial of her request for a court order compelling Father to execute documents necessary to renew the Children's passports in anticipation of an international trip she had planned in order to visit extended family in Kenya.[14] She claims that the court abused its discretion by declining to enter such an order

[14] The Code of Federal Regulations provides that, when parents share joint legal custody, both must ordinarily execute a passport application on behalf of a minor under sixteen years of age. 22 C.F.R. § 51.28(a)(2) ("Except as specifically provided in this section, both parents . . . , whether applying for a passport for the first time or for a renewal, must execute the application on behalf of a minor under age 16[.]"). *See also* 22 C.F.R. § 51.28(a)(3)(ii)(F) ("An order of a court of competent jurisdiction providing for joint legal custody . . . will be interpreted as requiring the permission of both parents[.]"). Notwithstanding that general rule, a passport application may be executed by only one (continued . . .)

"without [FL] § 9-101 evidence-based risk findings, without [a] *Taylor* best-interest analysis, and without considering less-restrictive safeguards."[15] According to Mother, the court's decision rested exclusively on speculation that she "might retain the [C]hildren abroad" rather than on evidence-based findings. (Emphasis omitted.)

In her July 11, 2024, opposition to Father's contempt petition, Mother included a request that the circuit court require Father "to allow the [C]hildren to obtain passports without limitation." (Footnote omitted.)[16] In so doing, Mother asserted that Father had "unreasonably ignored [her] request to renew the [C]hildren's passports, thereby preventing the family from undertaking their planned international travel during the summer." (Footnote omitted.) The court briefly addressed Mother's request in announcing its rulings from the bench on July 22, 2025, stating:

> [Mother] requested that the [c]ourt order [Father] to consent to her getting passport applications for the [C]hildren to travel internationally, including to

parent if accompanied by a court order "specifically authorizing the applying parent . . . to obtain a passport for the minor, regardless of custodial arrangements[.]" 22 C.F.R. § 51.28(a)(3)(ii)(D). Although Father now has sole legal custody, the parties shared legal custody at the time of the hearing.

[15] Mother also argues that the court erred "[b]y denying passport renewal without [FL] § 5-203(d)(1) guardianship findings[.]" That paragraph provides: "If the parents live apart, a court may award custody of a minor child to either parent or joint custody to both parents." FL § 5-203(d)(1). Although a court should certainly consider the *Taylor* factors prior to making a custody determination pursuant to FL § 5-203(d)(1), the provision does not set forth any additional considerations courts must weigh or findings they should make.

[16] Although we have not squarely addressed this issue, our sister states have held that trial courts *may* compel one parent to execute all forms necessary to enable the other parent to obtain a passport for their child. *See, e.g.*, *Benton v. Sotingeanu*, 450 S.W.3d 714, 718 (Ky. Ct. App. 2014).

> Kenya, where her extended family lives. She acknowledged on cross-examination that she wasn't sure whether Kenya is a signatory to the Hague Convention, but assured [Father] and the [c]ourt that her intention was for a family visit, not to permanently relocate the [C]hildren.
>
> [F]ather, not surprisingly, was uneasy with that idea and the [c]ourt believes that [Father's] fears are not unfounded. Just given the high level of conflict in this case, it's understandable to the [c]ourt why [Father] would not want [Mother] traveling to Kenya with the [C]hildren. Particularly if they're not a signatory to the Hague Convention, it might make it very, very difficult, if not impossible and exceedingly expensive, to try to get the [C]hildren back from Kenya if [Mother] decided not to return with the [C]hildren.[17]

The court thus grounded its decision in both the history of high conflict between the parties and Mother's uncertainty as to whether Kenya was a signatory to the Hague Convention.

We find no merit in Mother's contention that the court erred in denying her passport-related request without making findings pursuant to FL § 9-101. As discussed above, a court is only required to make findings under that section if, applying the preponderance-of-the-evidence standard, it determines that there are reasonable grounds to believe that a party has abused or neglected a child. Because the court permissibly found that Mother failed to prove such allegations against Father, FL § 9-101 was never triggered, and the court was not required to make additional findings under that section with respect to Mother's passport request. Nor are we persuaded that the court was obligated to conduct a

[17] We note that "Kenya is not a signatory to the 1980 Hague Convention on the Civil Aspects of International Child Abduction [("the Hague Convention")], nor are there any bilateral agreements in force between Kenya and the United States concerning international parental child abduction." *Kenya International Parental Child Abduction Information*, U.S. Dep't of State, Bureau of Consular Affairs, https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/International-Parental-Child-Abduction-Country-Information/Kenya.html (last visited Jan. 4, 2026).

second analysis of the *Taylor* factors as they apply to this collateral issue, particularly given that the requested order would not itself have modified the existing custody determinations.

Mother also argues that the court's refusal to grant her request rested on speculation that she "might retain the [C]hildren abroad because relatives live in a non-Hague country." (Emphasis omitted.) She maintains that the court thus "improperly shifted the burden to [her] to disprove a risk unsupported by [the] record[.]" Finally, Mother complains that the court neither "weigh[ed] narrower alternatives [n]or explain[ed] why they would be inadequate."

Mother's arguments overlook the general rule that "'the moving party on any proposition . . . has . . . the burden of persuasion.'" *Epps v. State*, 193 Md. App. 687, 702 (2010) (emphasis omitted) (quoting *Herbert v. State*, 136 Md. App. 458, 481 (2001)). In other words, it is the movant who must "'persuade a judge somehow to alter the *status quo*.'" *Id.* (emphasis retained) (quoting *Herbert*, 136 Md. App. at 481). *See also Sigurdsson*, 180 Md. App. at 344 (stating that on a motion to modify custody, "[t]he burden is . . . on the moving party to show that there has been a material change in circumstances . . . and that it is now in the best interest of the child for custody to be changed."). As the moving party, Mother bore the burden of persuading the court that compelling Father to execute the Children's passport-renewal documents would promote their best interests. Thus, the court did not improperly shift the burden of proof, as Mother claims. Rather, it correctly allocated the burden to her as the moving party and evidently concluded that she had not met it. That conclusion fell well within the court's discretion.

In ruling from the bench, the court observed that, while Father had expressed concerns that Mother might refuse to return the Children to the United States from Kenya if their passports were issued, Mother had not established that the country was a Hague Convention signatory. The court then reasoned that, if Kenya were not such a signatory, securing the Children's return to the United States could prove extremely difficult and "exceedingly expensive." Mother's inability to confirm whether Kenya was a Hague Convention signatory was therefore relevant to the court's assessment of whether granting her request would expose the Children to a risk of international abduction. *See* FL § 9.7-107(a)(8)(i) ("In determining whether there is a credible risk of abduction of a child, the court shall consider any evidence that the petitioner or respondent . . . is likely to take the child to a country that . . . is not a party to the Hague Convention[.]"). *See also Moore v. Moore*, 349 P.3d 1076, 1080 (Alaska 2015) ("In determining whether to limit foreign visitation, the trial court may look to . . . whether proposed countries of visitation are Hague Convention signatories."). Finally, although Mother now complains that the court failed to consider narrower safeguards, she has not identified—either at the hearing or on appeal—any less restrictive measures the court could have reasonably imposed to address Father's concerns about international travel to a non-Hague country. The court was not required to consider "narrower alternatives" to denying Mother's request that she, as the moving party, never proposed.

III.

Mother's next contention is disjointed and somewhat difficult to follow. She appears to advance two distinct arguments. First, she again asserts that the circuit court erred in awarding Father sole legal custody by failing to apply the *Taylor* factors to particular evidence—this time pertaining to the Children's education.[18] We reject that sub-contention for the reasons discussed in Section I.A., *supra*. Second, she seems to assert that the court abused its discretion in modifying and/or in declining to further modify the child access schedule, including the parties' respective transportation obligations.

A. Procedural History

As recounted above, both parties filed emergency motions for modification of custody on August 29, 2024. In their motions, each party sought primary physical custody of the Children with alternating weekend access to the other. In its order entered on August

[18] Although Mother's arguments regarding the Children's education appear to be directed primarily at the court's decision to award Father sole legal custody, she does write: "The court abused its discretion by approving [Father's] unilateral school-placement changes[.]" The court's August 30, 2024, order provided, in relevant part:

> **ORDERED**, that, consistent with the tie-breaker authority awarded to [Father] in the Judgment of Absolute Divorce issued by this [c]ourt on April 29, 2024 (docketed on May 1, 2024), [Mother] shall not have the authority to enroll the children in or disenroll the children from school or to make decisions concerning the children's education that conflict with [Father's] decisions[.]

Insofar as Mother may be attempting to contest this provision, we reject her challenge, as she does not provide particularized argument in support of her assertion that "[t]he court abused its discretion by approving [Father's] unilateral school-placements changes[.]"

30, 2024, the circuit court advised the parties that their requests would be considered at the merits hearing then set for January 30, 2025, and subsequently rescheduled to commence on February 11th.

As previously discussed, on October 1, 2024, Father filed a second motion for modification of custody, in which he reiterated his request for primary physical custody, with access to Mother on alternating weekends. On October 10th, the court held a hearing on that motion, which was followed by an order entered on October 24th. In that order, the court modified the access schedule such that the Children would reside with Mother from Sunday at 5:30 p.m. until Tuesday at 5:30 p.m. each week, and with Father from Tuesday at 5:30 p.m. until Friday at 5:30 p.m. It further provided that the parties would alternate weekend access from Friday at 5:30 p.m. until Sunday at 5:30 p.m. Finally, the order directed Mother to pick up the Children from Father's home at the start of her Friday parenting time and to transport them to Father's home at the start of his Tuesday parenting time, while requiring Father to transport the Children to Mother's home at the start of her Sunday parenting time.

The circuit court considered the relief requested in the parties' August 29, 2024, motions at the merits hearing. In announcing its rulings from the bench on July 22nd, the court declined to modify the access schedule established in its October 24th order, stating, in relevant part:

> The parenting time schedule that the [c]ourt is going to implement is the parenting time schedule that the [c]ourt implemented in its October 24, 2024 order. I'm not implementing the schedule that [Father] asked the [c]ourt to

> implement, where he has primary physical custody all week and [Mother] has every other weekend.
>
> I realize . . . the difficulties that the current schedule presents in a lot of ways. But I balance that against taking the [C]hildren from the situation they're in now to seeing . . . [M]other every other weekend. And I don't believe that's in their best interest. So[,] the parenting time schedule will be as set forth in that October 24, [20]24 order.

In its July 28, 2025 written order, the court set forth an access schedule identical to that in its October 24, 2024, order.

B. Analysis

Mother does not appear to challenge the court's October 24, 2024, modification order. Rather, as framed in her brief, Mother's principal complaint is that the court, in its July 28, 2025, order, declined to further modify the access schedule and transportation directives that it had implemented on October 24th. Even if we were to construe her arguments as also challenging the October 24th order itself, we would be unable to adequately review that order, as Mother has failed to file a transcript of the October 10th hearing on Father's October 1st motion. *See* Md. Rule 8-413(a) ("The record on appeal shall include . . . the transcript[s] required by Rule 8-411[.]"[19]). As the appellant, Mother

[19] Rule 8-411 provides, in pertinent part:

> (a) **Ordering of transcript. —** Unless a copy of the transcript is already on file, the appellant shall order in writing from the court reporter a transcript containing:
>
> * * *

(continued . . .)

"bears the burden of showing, *by the record*, that . . . error occurred." *Kovacs v. Kovacs*, 98 Md. App. 289, 303 (1993) (emphasis added), *cert. denied*, 334 Md. 211 (1994). Thus, "[t]he failure to provide the court with a transcript warrants summary rejection of the claim of error." *Id.* Because Mother failed to produce a copy of the relevant transcript, we reject any challenge to the court's October 24th modification order. Accordingly, our review is confined to the court's subsequent decision, embodied in its July 28th order, to retain the modified access schedule and transportation directives initially established on October 24th.

In challenging the court's refusal to further modify the child access schedule, Mother argues that the court failed to adequately address her move to Williamsport, her employment and financial constraints, and Father's alleged reliance on third parties to transport the Children. With respect to the court's allocation of transportation responsibilities in particular, Mother also claims that the court made no findings explaining why requiring her to transport the Children twice per week, while only requiring Father to do so once, served the Children's best interests "or why less-burdensome configurations wouldn't suffice."

"Decisions concerning visitation [and access] generally are within the sound discretion of the trial court, and are not to be disturbed unless there has been a clear abuse

> (2) a transcription of any portion of any proceeding relevant to the appeal that was recorded pursuant to Rule 16-503 (b) and that: (A) contains the ruling or reasoning of the court or tribunal, or (B) is otherwise reasonably necessary for the determination of the questions presented by the appeal[.]

of discretion." *In re Billy W.*, 387 Md. 405, 447 (2005). Under that standard, we will not disturb such a decision on appeal unless it is "well removed from any center mark imagined by the reviewing court and beyond the fringe of what that court deems minimally acceptable." *In re Yve S.*, 373 Md. at 583-84 (cleaned up).

As a preliminary matter, we reiterate that the circuit court was not required to "articulate each item or piece of evidence . . . considered in reaching [its] decision," *Smith-Myers Corp.*, 209 Md. App. at 504 (cleaned up), nor was it obligated "to spell out in words every thought and step of logic." *Aventis Pasteur*, 396 Md. at 426 (cleaned up). As with any child custody decision, moreover, "[t]he primary goal of access determinations in Maryland is to serve the best interests of the child[,]" rather than the greatest convenience to the parents. *Conover v. Conover*, 450 Md. 51, 60 (2016).

Here, the court heard testimony concerning Mother's employment and income, her move to Williamsport and the resulting burden of transporting the Children to and from Father's residence, as well as occasions on which the Children's paternal grandmother transported the Children to Mother's home on Father's behalf. Although the court did not recount that testimony when announcing the ruling at issue, it expressly acknowledged the logistical challenges that the access schedule presented. The court nevertheless concluded that retaining the existing access schedule would serve the Children's best interests and properly gave that determination dispositive weight. In so doing, the court declined to award either party primary physical custody, with alternating weekend access to the other. That decision accords with the well-settled "presumption that the child's best interests are

served by reasonable maximum exposure to both parents." *Boswell v. Boswell*, 352 Md. 204, 225 (1998). Although the commute between the parties' homes remained a burden, we perceive no abuse of discretion in the court's decision to leave the existing access schedule and transportation provisions in place.

IV.

Next, Mother challenges the circuit court's contempt determinations. She argues that the court unevenly enforced both the child access schedules and the telephone-access provision of its October 24th custody modification order. Notably, Mother does not contend that the court clearly erred in finding that she had "willfully and repeatedly violated the order for exchanging the [C]hildren on time." Nor does she meaningfully dispute that such violations warrant a contempt finding. Rather, she principally asserts that the court erred in failing to make written findings regarding Father's alleged violations of its orders and by declining to impose corresponding sanctions.

Section 12-304 of the Courts and Judicial Proceedings Article ("CJP") of the Maryland Code governs appeals from contempt findings and provides, in pertinent part: "Any person may appeal from any order or judgment passed to preserve the power or vindicate the dignity of the court and adjudging him in contempt of court, including an interlocutory order, remedial in nature, adjudging any person in contempt, whether or not a party to the action." CJP § 12-304(a). The Supreme Court of Maryland has explained that the language of CJP § 12-304(a) "clearly and unambiguously limits the right to appeal in contempt cases to persons adjudged in contempt." *Pack Shack, Inc. v. Howard Cnty.*, 371

Md. 243, 254 (2002). *See also* CJP § 12-302(b) (stating that the general right to appeal from a final judgment "does not apply to appeals in contempt cases, which are governed by § 12-304 of this subtitle"). Accordingly, "a party that files a petition for constructive civil contempt does not have a right to appeal the trial court's denial of that petition." *Pack Shack*, 371 Md. at 246. *See also Kadish*, 254 Md. App. at 509 ("Mother does not have a right to appeal as the party who unsuccessfully sought to have the other adjudged in contempt." (quotation marks and citation omitted)); *Hermina v. Baltimore Life Ins. Co.*, 128 Md. App. 568, 576 (1999) ("[T]he statutory right to appeal from a contempt judgment is conferred on the person adjudged to be in contempt[.]"); *Becker v. Becker*, 29 Md. App. 339, 345 (1975) ("The right of appeal in contempt cases is not available to the party who unsuccessfully sought to have another's conduct adjudged to be contemptuous.").

In this case, each party filed a contempt petition against the other. Although the circuit court denied Mother's petition in toto, it granted Father's petition in part and held Mother in contempt based exclusively on her violation of the divorce decree provision requiring that she "transport the [C]hildren to Father's home at the beginning of Father's parenting time[.]" Mother's contentions that the court erred by failing to hold Father in contempt—whether for alleged violations of the access schedule or of the telephone-access provision—concern only the denial of her contempt petition and therefore fall outside the scope of her statutory right of appeal. Although Mother may appeal from the contempt finding against her, she cannot challenge the court's denial of her contempt petition against

Father. Accordingly, to the extent that Mother purports to appeal from the latter judgment, that issue is not properly before us, and we will not consider it.

Turning to the merits of the contempt finding against Mother, we are not persuaded by her argument that "[b]y sanctioning [Mother] for timeliness but not [Father], the court enforced orders unevenly." The court found that Mother had willfully violated the divorce decree by repeatedly refusing to transport the Children to Father's home on the days and at the times set forth in the access schedule. It found "no evidence," however, of a corresponding violation on the part of Father in this regard. The court's determination that the evidence was insufficient to show that Father had deliberately disobeyed the access schedule did not, of course, preclude it from making a contrary finding with respect to Mother. Moreover, the record reflects that the court uniformly applied the appropriate standard in making its contempt determinations—whether each party willfully failed to comply with a court order. *See Sayed A. v. Susan A.*, 265 Md. App. 40, 71 (2025) ("[O]ur decisional law makes plain that one may not be held in . . . civil contempt of a court order 'unless the failure to comply with the court order was or is willful.'" (quoting *Dodson v. Dodson*, 380 Md. 438, 452 (2004)). In sum, the court reached different conclusions based on its evaluation of the evidence presented—not as the result of an inconsistent application of the governing standard.

Mother also asserts that the circuit court erred by failing to make the requisite written findings in support of its imposition of constructive contempt. Specifically, she claims that the court failed (1) "to make the written contempt findings required by Rules

15-207 and 2-522[,]"[20] (2) to apply the *Taylor* factors, and (3) to address the likelihood of abuse under FL § 9-101.

Maryland Rule 15-207(d) governs the disposition of contempt proceedings and provides, in pertinent part: "When a court . . . makes a finding of contempt, the court shall issue a written order that specifies the sanction imposed for the contempt. In the case of a civil contempt, the order shall specify how the contempt may be purged." Md. Rule 15-207(d)(2). In its order holding Mother in constructive contempt, the circuit court found that she had willfully and repeatedly violated the divorce decree by "by refusing to transport the [C]hildren to and pick up the [C]hildren from [Father's] home as required and by failing to do so on time[.]" The court then specified the sanction imposed—ten hours of voluntary community service—and how the contempt could be purged—"by [Mother] enrolling in and successfully completing a court-approved co-parenting class." Thus, the court both expressly provided the reasons for its ruling in accordance with Rule 2-522 and complied with the requirements of Rule 15-207(d). Given that the imposition of sanctions did not itself modify custody or visitation, moreover, the court was not required to apply the *Taylor* factors or address the possibility of abuse. *Cf. Kowalczyk v. Bresler*, 231 Md. App. 203, 212-13 (2016) (holding that the court was required to make findings relating to the best interests of a child before entering a contempt order with a purge provision that prohibited

[20] Maryland Rule 2-522 states, in relevant part: "In a contested court trial, the judge, before or at the time judgment is entered, shall prepare and file or dictate into the record a brief statement of the reasons for the decision and the basis of determining any damages." Md. Rule 2-522(a).

contact between the mother and child until the next hearing). Accordingly, we perceive no error in the court's written contempt findings.

V.

Mother next contends that the circuit court erred in its calculation of Father's modified child support obligation. She advances two arguments in support of this contention. First, she claims that the court "violate[d] the statutory requirement that current income for both parties be verified." Second, she asserts that the court erroneously found that Father was paying $381 per month in health insurance premiums for the Children.

A. Child Support Calculations

FL § 12-104(a) provides that "[t]he court may modify a child support award subsequent to the filing of a motion for modification and upon a showing of a material change of circumstance."[21] '"Once a material change in circumstances has occurred, the [circuit] court must apply the guidelines in [FL §§] 12-202 to 12-204 . . . to determine the level of support to which the child is currently entitled.'" *Cutts v. Trippe*, 208 Md. App. 696, 710 (2012) (quoting *Rivera v. Zysk*, 136 Md. App. 607, 619 (2001)). *See also* FL § 12-202(a)(1) (requiring application of the guidelines in proceedings to establish or modify child support). Under those guidelines, a court must first "establish . . . the amount of 'basic child support obligation,' which is done through a table set forth in FL § 12-204(e)." *Wilson-X v. Dep't of Hum. Res.*, 403 Md. 667, 671 (2008). "[T]he basic child support

[21] Mother does not dispute the circuit court's determination that a material change in circumstances warranted modification of Father's child support obligation.

obligation depend[s] on the parents' combined income and number of children." *Gladis v. Gladisova*, 382 Md. 654, 663 (2004).

FL § 12-201(i) defines "income" as "(1) actual income of a parent, if the parent is employed to full capacity; or (2) potential income of a parent, if the parent is voluntarily impoverished." "Actual income," in turn, "means income from any source." FL § 12-201(b)(1). "In making an actual income determination, the court **must verify** the parents' income statements with documentation of both current and past actual income." *Reichert v. Hornbeck*, 210 Md. App. 282, 318 (2013) (emphasis retained) (cleaned up). *Accord Ley v. Forman*, 144 Md. App. 658, 669 (2002). "[S]uitable documentation of actual income includes pay stubs, employer statements otherwise admissible under the rules of evidence, or receipts and expenses if self-employed, and copies of each parent's 3 most recent federal tax returns." FL § 12-203(b)(2)(i). As is evident from the use of the word "includes," this list of suitable documentation is illustrative rather than exhaustive. *See* Md. Code, Gen. Prov., § 1-110 ("'Includes' or 'including' means includes or including by way of illustration and not by way of limitation.").

Once the court determines a parent's "actual income," it must calculate his or her "adjusted actual income" by subtracting from that amount:

> (i) preexisting reasonable child support obligations actually paid;
>
> (ii) except as provided in § 12-204(a)(2) of this subtitle, alimony or maintenance obligations actually paid; and
>
> (iii) an allowance for support for each child living in a parent's home to whom the parent owes a legal duty of support if the child is considered to

> be spending more than 92 overnights in the parent's home in a year and not subject to the support order.

FL § 12-201(c)(1). Based on the parents' combined adjusted actual income and the number of their children, the court next determines the basic child support obligation in accordance with the schedule in FL § 12-204(e). Finally, for present purposes, the court must add to the basic child support obligation "[a]ny actual cost of providing health insurance coverage for a child for whom the parents are jointly and severally responsible[,]" FL § 12-204(h)(1), and divide the resulting figure "between the parents in proportion to their adjusted actual incomes."[22] FL § 12-204(a)(1). *See also* FL § 12-204(h)(1). With these principles in mind, we turn to Mother's challenges to the court's child support calculations.

B. Verification of Income

We first address Mother's contention that the court erred in determining the parties' incomes without any verifying documentation. She claims that child support "was . . . set without Father's current verified income" because "his 2024 [tax] return was subpoenaed but never produced." The absence of Father's tax returns did not, however, preclude the court from verifying his income. *See Tanis v. Crocker*, 110 Md. App. 559, 572 (1996) ("[FL §] 12-203(b) does not require that a parent's income tax returns be considered in order to resolve a dispute concerning that parent's income."). The court found that Father earned an annual income of $107,000. That finding was supported by Father's testimony, which, in turn, was verified by his 2024 W-2 reflecting a gross annual income of

[22] "'Health insurance' includes medical insurance, dental insurance, prescription drug coverage, and vision insurance." FL § 12-201(h).

$106,878.22. Accordingly, the court satisfied FL § 12-203(b)'s verification requirement with respect to Father's income and did not therefore err in relying on the $107,000 figure when applying the guidelines.

Mother also argues that the circuit court erred in attributing to her a monthly income of $2,815 "without any paystub or [tax] return." In its oral ruling, the court determined Mother's annual income to be $33,800. That finding was apparently based on Mother's testimony that, as a part-time employee of the Immanuel Montessori School, she earned approximately $1,300 "every two weeks[.]"[23] Mother's testimony, however, was internally inconsistent in this regard. Mother attested that she earned $19 per hour and had a "flexible" schedule, working approximately six hours per day, three days per week "on average." The court took judicial notice that this amounted to an average weekly income of $342.[24] When confronted with this evidentiary inconsistency, Mother explained that the $1,300 figure she initially provided was "a rough estimate of what I make every two weeks."

Although Father introduced Mother's 2024 tax returns and three recent pay stubs into evidence, these documents tended to controvert—rather than to verify—Mother's estimated annual income. Her 2024 tax return indicated an annual income of $14,218. The pay stubs, in turn, confirmed Mother's $19 hourly rate, but reflected gross biweekly earnings of only $632.13, $587.86, and $631.18.

[23]A biweekly income of $1,300 multiplied by twenty-six annual pay periods comes to exactly $33,800.

[24] A weekly income of $342 multiplied by fifty-two weeks yields an annual income of $17,784.

In sum, the only documentary evidence concerning Mother's current income undermined, rather than supported, the $33,800 figure the court used as her "actual income." The record thus reflects that the court effectively adopted Mother's "rough estimate" without regard for the substantially lower amounts reflected in her tax return and pay stubs. Accordingly, we hold that the court therefore did not comply with FL § 12-203(b)'s requirement that it verify Mother's actual income with documentation of her current earnings. *See Ley*, 144 Md. App. at 670 ("The court must rely on the verifiable incomes of the parties, and failure to do so results in an inaccurate financial picture."). We will therefore vacate the child support award and remand for recalculation based on Mother's actual income as verified by suitable documentary evidence.

C. Health Insurance Premiums

Although we need not address Mother's final argument, we will do so briefly for the sake of completeness. In challenging the modified child support award, she claims that the trial court erred in attributing to Father a $381 monthly health insurance cost for the Children. In support of this argument, Mother relies on a statement of Father's employment benefits as of April 4, 2025, which she claims "show[s] an incremental family cost of only about $117/month (~ $29.25 per child)." According to her, the court erred by failing to make findings "tying $381 to the actual incremental cost as required by FL § 12-204(h)(1)[.]"

The employee benefits statement on which Mother relies was neither introduced into evidence at the hearing below nor otherwise appears in the record. "[A]n appellate

court must confine its review to the evidence actually before the trial court when it reached its decision." *Cochran v. Griffith Energy Serv., Inc.*, 191 Md. App. 625, 663, *cert. denied*, 415 Md. 115 (2010). Moreover, "parties to an appeal are not entitled to supplement the record by inserting into the record extract . . . such foreign matter as they may deem advisable." *Id.* at 662-63 (cleaned up). Because the employee benefits statement on which Mother relies "do[es] not form a legitimate portion of the record compiled in the trial court, . . . we cannot consider [it]." *Rollins v. Cap. Plaza Assocs., L.P.*, 181 Md. App. 188, 200, *cert. denied*, 406 Md. 746 (2008).

Our review of the record reflects that the $381 figure likely was carried over from the circuit court's original child support calculations, as the worksheet the court used to calculate the May 1, 2024, award likewise lists that amount as Father's monthly health insurance expense. At the ensuing motions hearing, neither party challenged that finding or introduced evidence of any updated cost of providing health insurance coverage for the Children. Because Mother did not raise the issue of Father's monthly health insurance expenses below, she has failed to preserve this issue for appellate review, and we decline to consider it. *See* Md. Rule 8-131(a) ("Ordinarily, an appellate court will not decide any other issue unless it plainly appears by the record to have been raised in or decided by the trial court[.]").[25]

[25] Mother also summarily asserts that the court "appears to carry forward a prior offset . . . without deviation findings identifying the presumptive amount or explaining the departure[.]" Because Mother has failed to present this argument with particularity, it is not properly before us, and we decline to address it. *See Diallo*, 413 Md. at 692-93 (continued . . .)

VI.

Mother penultimately contends that the circuit court erred in awarding Father $18,648.25 in attorney's fees without first (1) finding that she had acted in bad faith or without substantial justification or (2) considering the financial status and needs of each party. She also argues that the court erred in calculating the amount of that award by including within it attorney's fees Father incurred in defending against Mother's "CPS complaints."[26]

FL § 12-103 governs the award of attorney's fees in cases concerning child support, custody, and visitation. FL § 12-103 states:

> (a) *In general.* — The court may award to either party the costs and counsel fees that are just and proper under all the circumstances in any case in which a person[27]:
>
> (1) applies for a decree or modification of a decree concerning the custody, support, or visitation of a child of the parties; or
>
> (2) files any form of proceeding:
>
> (i) to recover arrearages of child support;

("'[A]rguments not presented in a brief or not presented with particularity will not be considered on appeal.'" (quoting *Klauenberg*, 355 Md. at 552)).

[26] Mother also reiterates her complaint regarding the court's order that she complete ten hours of voluntary community service. That sanction, however, was imposed pursuant to the court's contempt finding, which we have already addressed.

[27] The Supreme Court of Maryland and we have interpreted the phrase "just and proper under all the circumstances" as authorizing an award of "reasonable" attorney's fees. *See Petrini v. Petrini*, 336 Md. 453, 467 (1994); *Barton v. Hirshberg*, 137 Md. App. 1, 32 (2001).

(ii) to enforce a decree of child support; or

(iii) to enforce a decree of custody or visitation.

(b) *Required considerations.* — Before a court may award costs and counsel fees under this section, the court shall consider:

(1) the financial status of each party;

(2) the needs of each party; and

(3) whether there was substantial justification for bringing, maintaining, or defending the proceeding.

(c) *Absence of substantial justification.* — Upon a finding by the court that there was an absence of substantial justification of a party for prosecuting or defending the proceeding, and absent a finding by the court of good cause to the contrary, the court shall award to the other party costs and counsel fees.

"FL § 12-103(b) . . . gives courts discretion in awarding expenses or costs and counsel fees." *George v. Bimbra*, 265 Md. App. 505, 520 (2025). As is clear from the subsection's plain language, however, the exercise of that discretion is tempered by the requirement that a court first consider the financial status and needs of the parties, as well as whether they were substantially justified in bringing or defending the action.[28] "If the court grants an award of attorney's fees without considering all three criteria, it commits legal error." *McMorrow v. King*, 264 Md. App. 708, 737 (2025).

[28] "[S]ubstantial justification . . . relates solely to the merits of the case against which the judge must assess whether each party's position was reasonable." *Davis v. Petito*, 425 Md. 191, 204 (2012). A party's position is substantially justified if it has a "reasonable basis both in law and fact." *Id.* at 204 n.8 (quotation marks and citation omitted).

In contrast to the discretionary authority conferred by subsections (a) and (b), "FL § 12-103(c) . . . makes the award of . . . counsel fees *mandatory* if the court finds no substantial justification for the prosecution or defense of the proceeding and absent a finding by the court of good cause to the contrary."[29] *George*, 265 Md. App. at 520 (emphasis retained) (internal quotation marks and citation omitted). Thus, "[a]lthough FL § 12-103(b) requires the court to consider the 'financial status' and 'needs' of the parties," these factors "are not part of the calculus for an award under FL § 12-103(c)." *Guillaume v. Guillaume*, 243 Md. App. 6, 27 (2019). Rather, when a court determines that a party lacked substantial justification for prosecuting or defending a claim and finds no good cause to the contrary, the reasonableness of the attorney's fees is the only remaining consideration. *Davis*, 425 Md. at 206.

The record in this case belies Mother's assertion that "[t]he court made no express finding of bad faith or lack of substantial justification[.]" To the contrary, in announcing its award of attorney's fees, the court explicitly found that Mother lacked substantial justification in seeking a modification of child custody and thus awarded attorney's fees pursuant to FL § 12-103(c). Specifically, the court reasoned:

> The last issue that the [c]ourt was asked to address is [Father's] request for attorneys' fees. I've considered that request for attorneys' fees

[29] As used in FL § 12-103(c), "good cause" denotes "a substantial reason to not award a party all of their reasonable attorneys' fees[.]" *George*, 265 Md. App. at 523. A court cannot, however, "consider parties' relative financial status and fees in determining whether good cause exists under FL § 12-103(c)[.]" *Id.* at 524.

> under Family Law Article 12-203 [sic].[30] And 12-203(c) [sic] specifically provides that upon a finding by the [c]ourt, that there was an absence of substantial justification of a party for prosecuting or defending the proceeding and absent a finding by the [c]ourt of good cause to the contrary, the [c]ourt shall award to the other party costs and counsel fees. So[,] sort of a departure from the American rule.
>
> In this case, the [c]ourt finds that [Father] had substantial justification for bringing his motion for modification of custody. *The [c]ourt finds that [Mother] did not have substantial justification for bringing her motion for modification of custody*, and also did not have substantial justification for the unfounded complaints of neglect and abuse against [Father] and [Father's] nanny. [Father] incurred attorneys' fees, as I said, as of or at least through February of this year, of $37,296.50. The [c]ourt has reviewed the statement of account or invoice submitted by [Father's] attorney. *A significant portion of those fees were incurred in defending against [Mother's] motion* and/or the CPS complaints. *The [c]ourt, therefore, will order [Mother] to pay attorneys' fees to [Father] of half that amount, which is $18,648.25*, which I will reduce to a judgment in favor of [Father] and against [Mother].

(Emphasis added.) Because the court found that Mother was not substantially justified in seeking modification of custody, and thus awarded attorney's fees pursuant to FL § 12-103(c), it was not required to consider the parties' financial resources and needs. Accordingly, we perceive no error in the circuit court's determination that Father was entitled to an attorney's fee award. This does not end our inquiry, however. Mother also challenges the amount of the award, arguing that the court erroneously included within its award attorney's fees incurred in defending against her CPS complaints.

[30] Notwithstanding its misstatements, the court was clearly referring to FL § 12-103(c). *See Paige v. State*, 222 Md. App. 190, 199 (2015) (observing that '"[a]lmost anyone can make a slip of the tongue, and judges are not immune from such errors'" (quoting *Reed v. State*, 225 Md. 566, 570 (1961)).

By its terms, FL § 12-103(a) authorizes a court to award attorney's fees in two categories of proceedings: (1) those where a party "applies for a decree or modification of a decree concerning the custody, support or visitation of a child of the parties" and (2) those in which a party seeks either to enforce such an order or to recover child support arrearages. FL § 12-103(c), in turn, mandates an award of attorney's fees where the court finds "an absence of substantial justification of a party for prosecuting or defending *the proceeding*[.]" (Emphasis added.) "In construing a statute, [the] definite article 'the' particularizes the subject which it precedes and is a word of limitation[.]" *State v. Fabien*, 259 Md. App. 1, 41 (2023) (quotation marks and citation omitted). In other words, "'the' is used before singular . . . nouns . . . that denote particular, specified . . . things." *Id.* (some quotation marks and citation omitted). Accordingly, we construe subsection (c)'s reference to "the proceeding" as limited to a fee-eligible action under subsection (a), such that the mandatory fee-shifting provision applies only to costs and counsel fees incurred in such an action—*i.e.*, a case concerning child custody, support, or visitation.

"FL § 5-706 details the process . . . CPS uses to investigate reports of suspected abuse or neglect." *In re J.R.*, 246 Md. App. 707, 734, *cert. denied*, 471 Md. 272 (2020). That section states, in relevant part:

> Promptly after receiving a report of suspected abuse or neglect of a child who lives in this State that is alleged to have occurred in this State, the local department or the appropriate law enforcement agency, or both, if jointly agreed on, shall make a thorough investigation of a report of suspected abuse or neglect to protect the health, safety, and welfare of the child or children.

FL § 5-706(b). When such an investigation culminates in a finding of "indicated" child abuse or neglect, the local department must provide the accused with written notice of that finding, FL § 5-706.1(a)(3), and may, under certain circumstances, identify him or her "as responsible for abuse or neglect in the centralized confidential database[.]" FL § 5-714(d). Based on its findings, the local department may also file a petition with the juvenile court on the child's behalf, seeking "appropriate relief, including the added protection . . . that either commitment or custody would provide." FL § 5-710(a). However, a finding of indicated abuse or neglect does not, in and of itself, alter parental rights or obligations. Thus, a CPS complaint does not seek to obtain or to enforce a decree concerning child custody, support, or visitation. Accordingly, an investigation conducted pursuant to FL § 5-706 is not the sort of proceeding to which FL § 12-103 applies.

We are mindful that an attorney's efforts in one proceeding may concurrently advance his or her client's interests in another. Accordingly, when determining the amount of an attorney's fee award in one proceeding, a court may, in some circumstances, consider fees incurred in another to the extent the attorney's work in that matter meaningfully furthered the client's position in the first.[31]

In her motion for modification of custody, Mother identified the finding of indicated child abuse against Father as a material change in circumstances. Because Father's efforts to challenge that indicated finding were directed at a predicate advanced in Mother's

[31] This principle presupposes that an attorney's fee award is otherwise authorized and does not permit a duplicative award.

motion, they were intertwined with his defense against her request for modification of custody. The court was not required, therefore, to disregard fees incurred in pursuing reversal of that indicated finding when determining the amount of the fee award associated with defending against Mother's motion.

The circuit court does not, however, appear to have confined its award of fees associated with CPS complaints to those incurred in challenging the finding of indicated abuse. Rather, it awarded half of the total invoiced fees after stating that "[a] significant portion of those fees were incurred in defending against [Mother's] motion and/or the CPS complaints." The record reflects, moreover, that additional CPS complaints were made against Father after the judgment of absolute divorce was entered on May 1, 2024, and that Mother admitted responsibility for only one of them. Because the record does not permit us to determine whether, and to what extent, the award includes attorney's fees not fairly attributable to defending against Mother's motion for modification, we will vacate the fee award and remand—without affirmance or reversal—so that the court can clarify and, if necessary, modify the award. Md. Rule 8-604(d)(1).[32]

VII.

Mother's final contention need not detain us long. She asserts that "[t]he circuit court's recorded rulings and statements create an appearance of partiality that would cause

[32] Maryland Rule 8-604(d)(1) provides, in relevant part: "If the Court concludes that the substantial merits of a case will not be determined by affirming, reversing or modifying the judgment, or that justice will be served by permitting further proceedings, the Court may remand the case to a lower court."

a reasonable person to question [its] neutrality. Given cumulative, process-based errors concentrated against [her]," Mother asks us to vacate the judgments and remand with instructions that the case be reassigned to a different judge. In support of her allegation of judicial bias, Mother primarily reiterates the same assignments of error she advances elsewhere in her brief. She claims, for example, that the court's bias was evident in its decision to award Father sole legal custody without conducting a "*Taylor*/Rule 2-522 factor-by-factor analysis and without [FL] § 9-101 safety findings despite record evidence." She concludes that, when considered collectively, the court's adverse judgments would lead a reasonable observer to question its neutrality.

A. Preservation

As a threshold matter, Mother has not preserved this issue for appellate review. To preserve a claim of judicial bias, "[a] litigant . . . must generally move for relief as soon as the basis for it becomes known and relevant." *Harford Mem'l Hosp., Inc. v. Jones*, 264 Md. App. 520, 542 (quotation marks and citation omitted), *cert. denied*, 490 Md. 640 (2025). It is, moreover, "incumbent upon [a litigant] to state with clarity the specific objection to the conduct of the proceedings and make known the relief sought."[33] *Id.* at 543 (quotation

[33] Specifically, a claim of judicial bias is only preserved for appeal where the following four requirements have been met:

> (1) facts are set forth in reasonable detail sufficient to show the purported bias of the trial judge; (2) the facts in support of the claim must be made in the presence of opposing counsel and the judge who is the subject of the charges; (3) counsel must not be ambivalent in setting forth his or her
>
> (continued . . .)

marks and citations omitted). "This preservation requirement ensures that allegations of judicial bias and partiality are not weaponized to avoid unfavorable rulings[.]" *Id.* (footnote omitted).

Our review of the record does not reveal that Mother raised the issue of judicial bias or impartiality during or immediately after the merits hearing. Accordingly, this matter is not preserved for our review. Even if it were properly before us, however, Mother's claim would fail on the merits.

B. The Merits

"Violation of the right to an impartial and disinterested judge constitutes a deprivation of the party's right to due process and an abuse of discretion by the judge." *Id.* at 541. *See also Sewell v. Norris*, 148 Md. App. 122, 136 (2002) ("'A necessary component of a fair trial is an impartial judge.'" (quoting *Tumey v. Ohio*, 273 U.S. 510, 532 (1927))). To prevail on a judicial bias claim in Maryland, however, an appellant must overcome a "strong presumption that judges are impartial participants in the legal process." *Harford Mem'l Hosp.*, 264 Md. App. at 541 (cleaned up). *See also Mezu v. Mezu*, 267 Md. App. 354, 391 (2025) ("The party seeking recusal has a heavy burden to overcome the presumption of judicial impartiality."). "Bald allegations and adverse rulings are not sufficient to overcome this presumption of impartiality." *Harford Mem'l Hosp.*, 264 Md.

> position regarding the charges; and (4) the relief sought must be stated with particularity and clarity.

Harford Mem'l Hosp., 264 Md. App. at 543 (quotation marks and citations omitted).

App. at 541-42. Ultimately, in reviewing a claim of judicial bias, the test is "whether a reasonable member of the public knowing all the circumstances would be led to the conclusion that the judge's impartiality might reasonably be questioned." *Id.* at 547 (quotation marks and citations omitted).

Here, Mother's claims of judicial bias rest exclusively on the court's adverse judgments and the factual findings in support thereof. As noted above, such unfavorable determinations, without more, are insufficient to rebut the presumption of judicial impartiality. Accordingly, we hold that Mother has not met her burden of demonstrating judicial bias or an appearance of partiality that would cause a reasonable person to question the court's neutrality.

For the foregoing reasons, we vacate the child support and attorney's fees awards, remand for further proceedings as to those issues, and otherwise affirm the judgments of the circuit court.

JUDGMENTS REGARDING CHILD SUPPORT AND ATTORNEY'S FEES VACATED AND REMANDED TO THE CIRCUIT COURT FOR CARROLL COUNTY FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION.

JUDGMENTS OTHERWISE AFFIRMED. COSTS TO BE PAID 85% BY APPELLANT AND 15% BY APPELLEE.