

# APPELLATE REVIEW

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The following is a list of appellate court decisions rendered in family cases in 2025, with subsequent Supreme Court action through December 31. Read and verify the status of cases before citing them:

***Buggelli v. Buggelli***, 234 Conn. App. 78 (2025).

- \* Trial court misapplied New Jersey law when it denied post judgment motions for reimbursement of extracurricular, health care and college expenses.
- \* New Jersey choice of law provision.
- \* Remand for an evidentiary hearing to resolve a contractual ambiguity.

***Cardona v. Padilla***, 230 Conn. App. 534 (2025).

- \* Trial court abused its discretion when it ordered long gaps between in-person visitation when child would be in Florida.
- \* Parenting schedule did not provide the child with active and consistent involvement of both parents.
- \* Schedule overlooked child's relationship with plaintiff's other child and extended family.
- \* Skype cannot replace physical contact.
- \* Order requiring request for leave before filing future motions to modify custody or visitation was not an abuse of discretion, even though neither party sought the order.

***Christensen v. Christensen***, 232 Conn. App. 299 (2025).

- \* No appellate review where ruling had been superseded by a subsequent order.
- \* Appellant failed to order necessary transcripts.
- \* Order for payment of counsel fees was not ripe for review, as no specific award was issued.

***D. A. v. A.C.***, 235 Conn. App. 111 (2025).

- \* Trial court properly denied motion to dismiss General Statutes § 46b-15 matter.

***D. K. v. D. F.***, 234 Conn. App. 59 (2025).

- \* No abuse of discretion in denying a motion to modify custody and visitation.
- \* No improper delegation of judicial authority.

***D. S. v. D. S.***, 351 Conn. 1 (2025).

- \* Unfunded retirement benefit that could be revoked at any time was not divisible property.
- \* Range and scope of the contingencies rendered the defendant's receipt of payments too speculative to qualify as property.
- \* Court properly awarded alimony based on the defendant's status as either an active or retired partner, and on whether or not she actually received retirement payments.

**Doe v. Lamb**, 235 Conn. App. 295 (2025).

\* Mother could not be found negligent after her adult son engaged in criminal computer hacking from her home.

**Emrich v. Emrich**, 233 Conn. App. 324 (2025).

\* Denying post judgment motion to modify alimony was not an abuse of discretion.

**Fredo v. Fredo**, 234 Conn. App. 106 (2025).

\* Defendant lacked standing to litigate her claim that the plaintiff failed to transfer real property into a trust for their children, as required by dissolution decree.

**In re Jewelyette M.**, 351 Conn. 511 (2025).

\* Trial court can permit foster parents to intervene in the dispositional phase of a neglect proceeding in which DCF recommended reunification.

\* C.G.S. § 46b-129(p) confers on the foster parents a limited “right to be heard and comment.”

\* Right to be heard ordinarily will include the right to be present throughout the proceedings, and to argue at appropriate times for the child’s best interests. It will not include the right to call or cross-examine witnesses, or to appeal an adverse ruling.

\* Trial court has discretion to broaden or restrict right to be heard for good cause.

\* Two dissenting opinions and one concurrence.

**In re Andrew C.**, 351 Conn. 784 (2025).

\* Reasoning in foster parent case expands *In re Jewelyette M.*

**J. B. v. K. B.**, 234 Conn. App. 124 (2025).

\* Separation agreement unambiguously required reimbursement of post majority medical and dental expenses.

**J. C.-S. v. J. G.**, 230 Conn. App. 651, *cert. denied*, 351 Conn. 924 (2025).

\* Record was inadequate to review denial of a civil protection order.

**J. E. v. J. N.**, 233 Conn. App. 283 (2025).

\* Trial court denied defendant due process when it required him to proceed with a trial without counsel.

\* Cost and administrative burden of a short continuance would have been *de minimis* and would have protected child’s best interests.

**J. R. v. N. K.**, 232 Conn. App. 434, *cert. denied*, 353 Conn. 902 (2025).

\* Plaintiff failed to establish a prima facie case for a restraining order based on coercive control and stalking.

\* Appellate court rejected equal protection claim based on membership of several minority groups.

**Jacob-Dick v. Dick**, 231 Conn. App. 404 (2025).

\* Trial court did not abuse its discretion when it entered a purge order that incarcerated defendant.

\* Court abused its discretion when it found defendant in contempt for failure to pay after he had delivered a check.

**Johnson v. Superior Court**, 352 Conn. 161 (2025).

\* Court properly found criminal contempt for repeatedly interrupting court proceedings.

\* No merit to claim that court should have delayed contempt proceeding.

**K. S. v. C. S.**, 232 Conn. App. 163 (2025).

\* Trial court did not abuse its discretion when it ordered no contact between party’s boyfriend and the minor child.

- \* Court did not abuse its discretion when it awarded final decision-making authority to defendant.
- \* Court properly drew an adverse inference about the boyfriend living at the house with the child, based on the plaintiff not testifying to refute the defendant's evidence at the contempt hearing.
- \* Trial court improperly awarded attorney's fees on a contempt motion for legal services unrelated to the motion.
- \* Net income determinations were inconsistent with the child support guidelines worksheet.
- \* Trial court failed to take a second mortgage into account.

***Karosi v. Karosi***, 230 Conn. App. 710 (2025).

- \* Trial court properly transferred custodianship of a 529 account.
- \* The order was not an improper post judgment modification of a property division.

***L. F. v. S. F.***, 234 Conn. App. 602 (2025).

- \* Trial court improperly denied a request for leave to file a motion to modify.
- \* Plaintiff properly raised improper delegation of judicial authority issue.

***L. K. v. K. K.***, 231 Conn. App. 417, *cert. denied*, 351 Conn. 925 (2025).

- \* Trial court did not abuse its discretion when it denied a motion for counsel fees.

***Laffin v. Laffin***, 231 Conn. App. 855 (2025).

- \* Trial court properly denied motion to modify alimony where separation agreement unambiguously precluded modification.

***Lukasik v. Kopinska***, 231 Conn. App. 245 (2025).

- \* Trial court improperly deviated from the child support guidelines.
- \* Court should not have based deviation in part on coordination of total family support, as the parties were never married,
- \* Court should not have relied on a disparity in the parties' incomes for deviation.

***M. W. v. G. C.***, 232 Conn. App. 677 (2025).

- \* Trial court's factual findings supported by the record.

***Margarita O. v. Fernando I.***, 231 Conn. App. 190, *cert. denied*, 352 Conn. 904 (2025).

- \* Trial court properly found plaintiff in contempt for listing a house for a higher price than ordered by the court, even though house sold for above listing price.
- \* Court properly calculated the parties' respective shares of the sale proceeds.
- \* Court did not commit error in declining to award the defendant sanctions.
- \* Court properly did not award attorney's fees to the self-represented defendant, even though he was a Connecticut attorney.
- \* Award of postsecondary educational support violated clear and unambiguous language in stipulation.

***Marzaro v. Marzaro***, 231 Conn. App. 85, *cert. denied*, 351 Conn. 925 (2025).

- \* Trial court properly treated a house that was in a revocable trust as divisible property.
- \* Court properly determined that the adult children did not need to be joined as parties.

***Mathews v. Mathews***, 232 Conn. App. 571 (2025).

- \* No contempt of ambiguous order for retrieval of personal property from the former marital home.
- \* No contempt after party disposed of personal property that was not retrieved by the other party.
- \* No abuse of discretion for finding plaintiff in contempt of order that he pay funds to escrow.

***Milot v. Milot***, 234 Conn. App. 473 (2025).

- \* Trial court improperly ordered that plaintiff would need to approve all visits with minor children.
- \* Order improperly delegated judicial authority.
- \* Order precluding communication with minor child's health-care providers and therapists reversed because there was no good cause finding.

**Netter v. Netter**, 235 Conn. App. 774 (2025).

- \* Spendthrift trust created by the defendant's father before the marriage was not divisible property.
- \* Self-settled spendthrift trusts created during the marriage were divisible property.
- \* Order that plaintiff could return to the formal marital home to retrieve her belongings was not an abuse of discretion.

**Pasciolla v. Pasciolla**, 230 Conn.App. 174 (2025).

- \* Intervening executrix of the defendant's estate had standing to modify alimony.

**Prioleau v. Agosta**, 232 Conn. App. 94 (2025).

- \* Superior Court correctly denied a motion to correct a child support order rendered two years earlier by a family support magistrate.

**Raymond v. Briere**, 236 Conn. App. 589 (2025).

- \* Trial court properly considered plaintiff's efforts to research and report alleged criminal activity to law enforcement.
- \* Court improperly ordered plaintiff to undergo a psychological evaluation after the resolution of all pending motions.
- \* Rejecting judicial bias claim.

**Rettman v. Rettman**, 234 Conn. App. 147 (2025).

- \* Trial court abused its discretion when it denied a motion to open without evidence.
- \* Trial court did not abuse its discretion when it denied motion for contempt relating to alimony and a quitclaim deed.

**S. S. v. J. S.**, 230 Conn. App. 655 (2025).

- \* Trial court did not abuse its discretion when it extended a restraining order.

**Shear v. Shear**, 235 Conn. App. 769 (2025).

- \* Appeal dismissed as moot where custody order had been "superseded" by the more recent denial of motions to modify.

**Simpson v. Simpson**, 352 Conn. 81 (2025).

- \* Agreement to pay percentage-based child support and alimony was ambiguous.
- \* Trial court should have considered extrinsic evidence of intent, made findings of fact, and resolved the ambiguity.
- \* Supreme Court rejected judicial estoppel argument.

**Sonthonnax v. Xing**, 232 Conn. App. 610 (2025).

- \* Trial court's financial orders were based on clearly erroneous income findings.

**Suprynowicz v. Tohan**, 351 Conn. 75 (2025).

- \* Allowing negligence claim against doctor who allegedly used his own sperm to impregnate mothers.

**Surgent v. Surgent**, 234 Conn. App. 696 (2025).

- \* Trial court improperly considered evidence about allegedly failing to split stock sale proceeds when no motion had been filed and plaintiff did not have due notice.

**Villao v. Paz**, 235 Conn. App. 501 (2025).

- \* Attorney's fees award automatically stayed pending appeal.



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