

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

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COMPLETE TITLE OF CASE:

MICHAEL KETTEMAN,

Respondent

v.

RACHEL KETTEMAN.

Appellant

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DOCKET NUMBER WD73205

DATE: August 23, 2011

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Appeal From:

Circuit Court of Clay County, MO  
The Honorable Kathryn Elizabeth Davis, Judge

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Appellate Judges:

Division Three  
James Edward Welsh, P.J., James M. Smart, Jr., and Joseph M. Ellis, JJ.

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Attorneys:

Warren P. Wade, Kansas City, MO

Counsel for Appellant,

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Attorneys:

Heather R. Smith, Liberty, MO

Counsel for Respondent

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**MISSOURI APPELLATE COURT OPINION SUMMARY  
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**MICHAEL KETTEMAN, Respondent, v.  
RACHEL KETTEMAN, Appellant**

**WD73205**

**Clay County**

Before Division Three Judges: Welsh, P.J., Smart, and Ellis, JJ.

Rachel Ketteman appeals from the circuit court's judgment dissolving her marriage to Michael Ketteman. She contends that the circuit court erred in asserting personal jurisdiction over her because the requirements of Missouri's long-arm statute were not satisfied and she lacked sufficient minimum contacts with the State of Missouri. Further, she asserts that the circuit court erred in entering an order of child custody because the Uniform Child Custody Jurisdiction Act (UCCJA) required that custody be determined by a court in Texas. Finally, Rachel Ketteman contends that the circuit court erred in failing to make findings of fact to support the determination that it had personal jurisdiction over her and that it had the authority to make a child custody determination under the UCCJA.

**AFFIRMED IN PART and REVERSED IN PART**

**Division Three holds:**

(1) The circuit court erred in asserting personal jurisdiction over Rachel Ketteman. Because she and Michael Ketteman never lived in lawful marriage in the State of Missouri, the circuit court lacked jurisdiction to subject her to an *in personam* judgment for child support and division of marital property (not within the State). The circuit court, therefore, erred in ordering Rachel Ketteman to pay child support in the amount of \$278.00 per month and to pay certain marital debts. The circuit court did, however, have jurisdiction over the status of the marriage and could dissolve it.

(2) The Circuit Court of Clay County had the authority to make the child custody determination in this case under the UCCJA. The record established that the only other state that would have jurisdiction over this matter refused to assert jurisdiction and declined to exercise jurisdiction because Missouri was the more appropriate forum.

(3) This court is able to determine from the factual record that the circuit court had the authority to proceed under the UCCJA and to determine the child custody issue. Thus, we decline Rachel Ketteman's request that we remand this case for further findings.

Opinion by James Edward Welsh, Presiding Judge

August 23, 2011

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**THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.**