MISSOURI COURT OF APPEALS
WESTERN DISTRICT

MICHAEL JAMES REICHARD

APPELLANT-RESPONDENT,

v.

KARI LEIGH REICHARD

RESPONDENT-APPELLANT.

DOCKET NUMBER WD84256 Consolidated with WD84273

DATE: November 16, 2021

Appeal From:

Cole County Circuit Court
The Honorable Patricia S. Joyce, Judge

Appellate Judges:

Division Four: Cynthia L. Martin, Chief Judge, Presiding, Anthony Rex Gabbert, Judge and Thomas N. Chapman, Judge

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Attorneys:

Carla Grace Holste, Jefferson City, MO, for appellant-respondent.

Sara Catherine Michael, Jefferson City, MO, for respondent-appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

MICHAEL JAMES REICHARD, APPELLANT-RESPONDENT,
v.
KARI LEIGH REICHARD, RESPONDENT-APPELLANT.

WD84256 Consolidated with WD84273 Cole County

Before Division Four: Cynthia L. Martin, Chief Judge, Presiding, Anthony Rex Gabbert, Judge and Thomas N. Chapman, Judge

Michael Reichard ("Husband") and Kari Reichard ("Wife") each appeal from a judgment dissolving their marriage. Husband argues that the trial court erred in: (1) using restrictive parenting time to punish him; (2) its calculation of child support; (3) awarding the tax dependency exemption for the minor children to Wife; (4) its distribution and division of certain marital property and debts; and (5) ordering a forced sale of the marital home and farmland. Wife argues that: (1) the trial court abused its discretion in denying her request for maintenance; and (2) it was error for the trial court to prospectively grant Husband overnight parenting time with the minor children when the youngest child turns five.

AFFIRMED IN PART, REVERSED IN PART, AND REMANDED.

Division Four Holds:

1. Husband failed to sustain his burden to establish that the trial court abused its discretion by using its award of parenting time to punish husband.

2. Because Husband is required to pay 100 percent of the Form 14 presumed child support amount, and is also obligated to pay for health insurance for the Children, the line 6c cost for health insurance has no effect on the presumed child support calculation. Therefore, even if the trial court used an incorrect amount on line 6c, the presumed child support would have remained the same. We find no reversible error in the trial court's calculation of child support.

3. Husband failed to preserve his argument that the trial court erred in awarding the tax dependency exemption for the minor children to Wife.

4. The trial court's division of marital property was supported by the evidence, except as to trailers owned in part by third parties. Because no evidence supports the conclusion that the trailers are owned exclusively by Husband and Wife, it was error for the trial court to direct the sale of that property and the division of proceeds between Husband and Wife.

5. The trial court erred in failing to treat credit card debt accrued during the parties' separation as marital debt, but it did not err in determining that there was no debt owed to Husband's parents.

6. The trial court did not abuse its discretion in ordering liquidation of the marital real estate.

7. Because Wife has not addressed the impact of the value of marital property awarded to her by the Judgment, we reject her argument that the trial court abused its discretion when it denied her request for maintenance.

8. The trial court did not err in prospectively awarding Husband overnight parenting time when the youngest child turns five. The prospective change set forth in the Judgment is based on the occurrence of a future event that is sufficiently definite and not conditioned upon a future act by Husband or Wife.

Opinion by Cynthia L. Martin, Judge November 16, 2021

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