

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Dr. Jonathan Frantz v. Jennifer Crawford-Frantz

Frantz · No. 6D2023-2405 · Decided June 27, 2025

SUMMARY

The Sixth District Court of Appeal of Florida reviewed a dissolution-of-marriage judgment awarding retroactive child support. The court held that the calculation improperly included periods when the parties and their child lived together, contrary to section 61.30(17), Florida Statutes. The judgment was affirmed in part, reversed in part, and remanded for recalculation of retroactive child support and any affected payments.

CASE DETAILS

COURT	Sixth District Court of Appeal of Florida
WRITING FOR THE COURT	Smith, J.; Mize, J.; Gannam, J.
JURISDICTION	Sixth District Court of Appeal of Florida
DECIDED	June 27, 2025
DOCKET	6D2023-2405
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Former Husband appealed the final judgment dissolving the parties' marriage, challenging, among other matters, the trial court's award of retroactive child support.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Dr. Jonathan Frantz v. Jennifer Crawford-Frantz

TOPICS

- child support
- dissolution of marriage
- statutory interpretation
- appellate procedure
- family law procedure

PRACTICE AREAS

- family law
- child support
- appellate procedure
- statutory interpretation

QUESTIONS PRESENTED

- Whether the trial court improperly awarded retroactive child support for a period during which the parents and child continued to reside together in the same household.

2. Whether the final judgment should otherwise be affirmed after the remaining appellate issues were resolved or rendered moot by subsequent lower-court rulings.

HOLDINGS

1. Under section 61.30(17), Florida Statutes, retroactive child support may not include any period during which the parents and child resided together in the same household. The award must begin only after the parties and child stopped residing together, subject to the statute's twenty-four-month limitation preceding the filing of the petition.
2. The final judgment is affirmed in all respects other than the retroactive child-support calculation, which is reversed and remanded for correction.

KEY QUOTATIONS

“Based on the plain language of the statute, retroactive child support should not begin until after the parents and child no longer reside together” (2)

“While the statute does give discretion to the trial court in awarding retroactive child support, that discretion is expressly limited to only go back to the point when the parties and child discontinued residing together, and further limited to a timeframe no greater than twenty-four months preceding the date of filing of the petition.” (3)

FACTUAL BACKGROUND

The parties married in 2004 and their child, A.F., was born in 2007. Dr. Frantz filed for dissolution in October 2020, but the parties and A.F. continued living together in the marital residence until the end of March 2021. The trial court's final judgment awarded Jennifer Crawford-Frantz \$110,886 in retroactive child support, using a calculation that included the period during which the parties and child resided together.

PROCEDURAL HISTORY

Former Husband filed a petition for dissolution in October 2020. After a final hearing, the Lee County Circuit Court entered a final judgment on March 17, 2023, awarding Former Wife \$110,886 in retroactive child support. The trial court denied rehearing. During the appeal, the appellate court relinquished jurisdiction at Former Husband's request, and three issues were resolved or rendered moot by subsequent lower-court rulings. The appellate court affirmed the judgment in all other respects, reversed the retroactive child-support calculation, and remanded for recalculation.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Recalculate retroactive child support without including the period during which the parties and A.F. resided together through the end of March 2021. If the recalculation affects other portions of the final judgment,

including current child support or equalization payments, correct those portions as well. The final judgment remains affirmed in all other respects.

CASES CITED

- Khenh Ye Vong v. Chassang, 981 So. 2d 1262, 1263 (Fla. 2d DCA 2008)
- Ditton v. Circelli, 888 So. 2d 161, 162-63 (Fla. 5th DCA 2004)

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