

SUPREME COURT OF NORTH DAKOTA

Bedgar v. Wilson

Bedgar, 2026 ND 51 (N.D. 2026) · No. No. 20250389 · Decided February 26, 2026

SUMMARY

The North Dakota Supreme Court affirmed the finding that Jeremy Wilson was in contempt for failing to pay shared expenses required by the parties’ divorce judgment. The court held that several portions of the remedial sanctions were improper, including amounts for expenses already paid, expenses not previously submitted, mileage, and certain unclear activity expenses. It reversed the awards of remedial sanctions and attorney’s fees and remanded for further proceedings, while rejecting Wilson’s claim that Bedgar’s contempt motion was frivolous.

CASE DETAILS

COURT	Supreme Court of North Dakota
WRITING FOR THE COURT	Jon J. Jensen; Lisa Fair McEvers, Chief Justice; Daniel J. Crothers; Jerod E. Tufte; Douglas A. Bahr
JURISDICTION	Supreme Court of North Dakota
DECIDED	February 26, 2026
DOCKET	No. 20250389
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Wilson appealed from an order finding him in contempt for failing to pay shared expenses required by a divorce judgment and awarding Bedgar remedial sanctions and attorney's fees. He also sought attorney's fees and sanctions on the ground that Bedgar's contempt motion was frivolous.
STANDARD OF REVIEW	The district court has broad discretion in contempt decisions and in awarding remedial sanctions and attorney's fees. A contempt determination is reviewed very limitedly and will not be reversed if valid reasons are fairly discernable. An abuse of discretion occurs when the court acts arbitrarily, unreasonably, or unconscionably, fails to exercise a rational mental process, or misinterprets or misapplies the law.
PRECEDENTIAL VALUE	Published opinion; precedential decision of the Supreme Court of North Dakota.

TOPICS

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QUESTIONS PRESENTED

1. Whether the district court abused its discretion by finding Wilson in civil contempt for failing to pay shared expenses required by the divorce judgment.
2. Whether the district court awarded remedial sanctions broader than necessary by including amounts for expenses Wilson had already paid, expenses he was not required to pay, expenses not previously submitted to him, mileage for transporting the children to therapy, and unclear 4-H and FFA expenses.
3. Whether Bedgar's contempt motion was frivolous and whether Wilson was entitled to attorney's fees and costs as a remedial sanction.
4. Whether the award of attorney's fees to Bedgar should be reconsidered after reversal of the remedial-sanctions award.

HOLDINGS

1. The district court did not abuse its discretion in finding Wilson in contempt because Wilson admitted that he failed to pay some expenses submitted to him, did not show an inability to pay, and Bedgar presented evidence that she followed the reimbursement procedure required by the judgment.
2. The remedial-sanctions award was improper because remedial sanctions cannot be broader than necessary to address the specific contemptuous conduct; they must compensate for actual losses caused by the contempt or have a nexus to compelling future compliance.
3. Bedgar's contempt motion was not frivolous, and Wilson was not entitled to attorney's fees and costs as a remedial sanction because the motion had merit even though it was not completely successful.
4. The attorney's-fees and costs award to Bedgar must be reconsidered on remand because the Supreme Court reduced and reversed portions of the remedial-sanctions award.

KEY QUOTATIONS

“remedial sanctions cannot be broader than necessary to address the specific contemptuous conduct, i.e., the sanctions must be compensation for actual losses caused by the contempt or have a nexus to compelling future compliance.” (¶ 20)

“By definition, a meritorious motion is not frivolous.” (¶ 28)

FACTUAL BACKGROUND

The parties' divorce judgment required them to share specified extracurricular, school-event, and out-of-pocket medical expenses for their three children, with some 4-H and FFA expenses requiring agreement. The judgment also provided that a question posed through the Our Family Wizard application would be presumed agreed to if not answered within five days. Bedgar presented a spreadsheet listing forty-five expenses totaling \$17,092.30, while Wilson admitted he owed some submitted expenses but had not paid them and offered no evidence that he was unable to pay. The district court found Wilson in contempt and awarded monetary sanctions and attorney's fees, including amounts for expenses already paid, expenses not previously submitted, mileage, and disputed activity expenses.

PROCEDURAL HISTORY

The parties' 2021 stipulation was incorporated into a judgment of divorce and parenting plan requiring them to share specified child-related expenses. Bedgar brought an initial contempt motion, after which the parties stipulated to certain unpaid expenses and fees. She later brought a second contempt motion concerning expenses incurred from 2022 through 2024; the district court found Wilson in contempt and awarded \$15,611.39 in remedial sanctions and \$5,242.66 in attorney's fees and costs. The Supreme Court affirmed the contempt finding, reversed the remedial-sanctions and attorney's-fees awards, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the opinion, including recalculation of remedial sanctions excluding amounts not caused by contempt or unsupported by the required findings, clarification of the 4-H and FFA expenses, and reconsideration of the attorney's fees and costs awarded to Bedgar.

CASES CITED

- Rath v. Rath, 2017 ND 128, ¶ 9, 895 N.W.2d 306
- Glasser v. Glasser, 2006 ND 238, ¶ 12, 724 N.W.2d 144
- Montgomery v. Montgomery, 2003 ND 135, ¶ 18, 667 N.W.2d 611
- Arnold v. Trident Res., LLC, 2020 ND 104, ¶ 10, 942 N.W.2d 465
- Thorlakson v. Wells, 207 N.W.2d 326, 329 (N.D. 1973)
- Harger v. Harger, 2002 ND 76, ¶ 14, 644 N.W.2d 182
- Dogbe v. Dogbe, 2023 ND 133, ¶ 22, 993 N.W.2d 491