

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Jennifer J. Edwards v. Jeremy Kyle Williams

Edwards v. Williams · No. 6D2023-3077 · Decided December 23, 2025

SUMMARY

The Sixth District Court of Appeal of Florida reverses and remands an amended supplemental final judgment modifying a long-distance parenting plan. The court held that the trial court failed to make findings that the change in circumstances was substantial, material, and unanticipated as required under the applicable version of section 61.13(3), Florida Statutes. The court affirmed on all other grounds and instructed the trial court to determine whether the existing record supports the required findings or whether further proceedings are necessary.

CASE DETAILS

COURT	Sixth District Court of Appeal of Florida
WRITING FOR THE COURT	Stargel, J.; Wozniak, J.; Brownlee, J.
JURISDICTION	Florida Sixth District Court of Appeal
DECIDED	December 23, 2025
DOCKET	6D2023-3077
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The mother appealed an amended supplemental final judgment modifying the parties' long-distance parenting plan and awarding the father ultimate decision-making authority regarding the child's education and medical care.
STANDARD OF REVIEW	De novo review applies to the trial court's failure to consider and include requisite statutory findings.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Jennifer J. Edwards v. Jeremy Kyle Williams

TOPICS

- child custody
- family law procedure
- appellate procedure
- standard of review
- statutory interpretation

PRACTICE AREAS

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

QUESTIONS PRESENTED

1. Whether the trial court was required to make findings that the circumstances had undergone a substantial, material, and unanticipated change before modifying the parenting plan.
2. Whether the appellate court could make the omitted factual findings in the first instance.
3. Whether the amended supplemental final judgment should be reversed and remanded.

HOLDINGS

1. Before modifying a parenting plan under section 61.13(3), Florida Statutes (2022), the trial court must make findings addressing a substantial, material, and unanticipated change in circumstances and determine that the modification is in the child's best interests.
2. An appellate court may not make the omitted factual findings in the first instance.

KEY QUOTATIONS

“A determination of parental responsibility, a parenting plan, or a time-sharing schedule may not be modified without a showing of a substantial, material, and unanticipated change in circumstances and a determination that the modification is in the best interests of the child.” (at 2)

“And “we, as an appellate court, are not in a position to make that initial determination.”” (at 3)

FACTUAL BACKGROUND

The parties had an August 2021 parenting plan governing long-distance timesharing for their minor child. After a hearing on the father's supplemental petition, the trial court modified the plan, awarded shared parental responsibility, and gave the father ultimate decision-making authority regarding education and medical care. The amended judgment found a substantial change in circumstances and that modification was in the child's best interest, but did not find that the change was material and unanticipated.

PROCEDURAL HISTORY

The circuit court entered a supplemental final judgment modifying the parties' August 2021 parenting plan after a hearing on the father's supplemental petition. The mother moved for rehearing, arguing that the court had failed to make the findings required by section 61.13(3), Florida Statutes (2022). The trial court entered an amended supplemental final judgment adding that it declined to address the statutory factors because doing so was not in the child's best interest. The Sixth District Court of Appeal reversed and remanded for appropriate factual findings, while affirming on all other grounds raised.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court must make appropriate findings of fact regarding the required change in circumstances. On remand, the trial court should determine whether the current record contains sufficient evidence to resolve the issue or whether further proceedings are necessary.

CASES CITED

- Hull v. Hull, 273 So. 3d 1135, 1139 (Fla. 5th DCA 2019)
- Romeo v. Romeo, 310 So. 3d 1064, 1065 (Fla. 2d DCA 2020)
- Davis v. Davis, 363 So. 3d 1213, 1214 (Fla. 6th DCA 2023)
- Douglass v. Buford, 9 So. 3d 636, 637 (Fla. 1st DCA 2009)

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