

COURT OF APPEALS OF GEORGIA

Kimberly A. Crane v. James S. Crane

Crane v. Crane, A25A2209 (Ga. Ct. App. Feb. 5, 2026) · No. A25A2209 · Decided February 5, 2026

SUMMARY

The Georgia Court of Appeals reverses a trial court order enforcing the parties’ postnuptial agreement. The majority holds that the husband failed to demonstrate the required full and fair disclosure of material financial facts before execution of the agreement, particularly given the wife’s waiver of alimony. A dissent would affirm, concluding that the record supported the trial court’s finding of sufficient disclosure.

CASE DETAILS

COURT	Court of Appeals of Georgia
WRITING FOR THE COURT	Padgett, Judge; Doyle, Presiding Judge; Markle, Judge
JURISDICTION	Court of Appeals of Georgia
DECIDED	February 5, 2026
DOCKET	A25A2209
DISPOSITION	reversed
PROCEDURAL POSTURE	Wife obtained interlocutory appellate review of the trial court's pre-decree order granting Husband's motion to enforce the parties' postnuptial agreement in a pending divorce action.
STANDARD OF REVIEW	The enforceability of a postnuptial agreement is reviewed for abuse of discretion. The trial court's legal holdings are reviewed de novo, while factual findings are upheld unless clearly erroneous.
PRECEDENTIAL VALUE	Published and precedential
PARTIES	Kimberly A. Crane v. James S. Crane

TOPICS

- prenuptial agreements
- marriage
- spousal support
- contract interpretation
- interlocutory appeal

PRACTICE AREAS

- family law
- contracts
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court erred in enforcing the postnuptial agreement when the record did not establish that Husband made a full and fair disclosure of material financial facts before the agreement was executed.
2. Whether Wife's access to joint accounts, tax returns, mortgage documents, and general knowledge of the family's standard of living satisfied the disclosure requirement or instead improperly placed on her a duty to investigate.

HOLDINGS

1. The party seeking enforcement must affirmatively establish a full and fair disclosure of the parties' assets and material financial facts before execution; the opposing spouse does not bear a general duty to investigate.
2. General access to joint accounts, tax returns, mortgage documents, and information from which Wife could have learned about the family's finances did not satisfy Husband's affirmative duty to disclose material assets and income.
3. Mallen did not control because it involved materially different facts, including attached financial disclosure forms and an alimony provision, and was based on unique circumstances.

KEY QUOTATIONS

“Georgia law imposes an “affirmative duty of pre-execution disclosure on parties” seeking to enforce such an agreement.” (7)

“The burden does not fall to Wife to accumulate information from available sources.” (9-10)

“We find that by relying on the Wife’s ability to access joint accounts, joint tax returns, and joint mortgage documents, and her general awareness of other investments the Husband made and the family’s standard of living, the trial court erred in relieving the Husband of both his affirmative duty to make full and fair disclosure of material facts and his burden to demonstrate his fulfillment of that duty.” (14)

“Based upon the foregoing, we conclude that there was not a full and fair disclosure of material facts prior to the parties signing the Agreement.” (14)

FACTUAL BACKGROUND

The parties married in 2005 and entered into a postnuptial agreement in 2014 governing property division, Husband's future inheritance, and waiver of spousal support. The agreement contained no financial disclosure form or listing of either party's separate property. Husband handled the family's finances, while Wife was a stay-at-home mother who testified that she lacked knowledge of the value of Husband's retirement account, separate assets, income, and textbook-business investment. Husband testified that he discussed the family's finances with Wife, but admitted he had no independent proof that he disclosed his income or the value of his separate assets before execution of the agreement.

PROCEDURAL HISTORY

Husband filed for divorce in 2024 and moved to enforce the parties' 2014 postnuptial agreement. The trial court granted the motion after an evidentiary hearing and later entered a written order consistent with its oral ruling. The Court of Appeals granted Wife's application for interlocutory review and reversed the enforcement order.

DISPOSITION

reversed

CASES CITED

- Murray v. Murray, 299 Ga. 703, 705 (791 SE2d 816) (2016)
- Arlotta v. Arlotta, 372 Ga. App. 828, 830-31 (906 SE2d 912) (2024)
- Alexander v. Alexander, 279 Ga. 116, 117-18 (610 SE2d 48) (2005)
- Curry v. Curry, 260 Ga. 302, 303(2) (392 SE2d 879) (1990)
- Spurlin v. Spurlin, 289 Ga. 818, 819(2) (716 SE2d 209) (2011)
- Brantley v. Brantley, 345 Ga. App. 644, 646-47(1) (814 SE2d 787) (2018)
- Kwon v. Kwon, 333 Ga. App. 130, 135(1) (775 SE2d 611) (2015)
- Blige v. Blige, 283 Ga. 65, 71(2) & n.21 (656 SE2d 822) (2008)
- Dodson v. Dodson, 298 Ga. 117, 119 (779 SE2d 638) (2015)
- Corbett v. Corbett, 280 Ga. 369, 370(1) (628 SE2d 585) (2006)
- Mallen v. Mallen, 280 Ga. 43, 46-47(1)(c) (622 SE2d 812) (2005)
- Lawrence v. Lawrence, 286 Ga. 309, 313(3)-(4) (687 SE2d 421) (2009)
- Smith v. Carter, 305 Ga. App. 479, 480(1) (699 SE2d 796) (2010)

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