

ALABAMA COURT OF CIVIL APPEALS

K.N.B. v. H.M.F., Jr.

CL-2025-0802 (Ala. Civ. App. June 12, 2026) · No. CL-2025-0802 · Decided June 12, 2026

SUMMARY

The Alabama Court of Civil Appeals reversed a Mobile Juvenile Court contempt order against the mother for allegedly allowing the child to have contact with the maternal grandfather. The court held that, regardless of whether the contempt was civil or criminal, the evidence was insufficient to establish that the mother willfully violated the court's no-contact order. The cause was remanded.

CASE DETAILS

COURT	Alabama Court of Civil Appeals
WRITING FOR THE COURT	Bowden, J.; Moore, P.J.; Edwards, J.; Hanson, J.; Fridy, J.
JURISDICTION	Alabama Court of Civil Appeals
DECIDED	June 12, 2026
DOCKET	CL-2025-0802
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The mother appealed a juvenile-court contempt order finding her in contempt for allowing the child to be around the maternal grandfather and modifying her visitation as a sanction.
STANDARD OF REVIEW	A contempt determination is reviewed for abuse of discretion and will not be reversed unless the trial court acted outside its discretion or the judgment is unsupported by the evidence.
PRECEDENTIAL VALUE	Published
PARTIES	K.N.B. (mother) v. H.M.F., Jr. (father)

TOPICS

- family law procedure
- contempt
- visitation
- standard of review
- appellate procedure

PRACTICE AREAS

- family law
- appellate procedure
- civil procedure
- remedies

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support the juvenile court's contempt finding based on the mother's alleged violation of the order prohibiting contact between the child and the maternal grandfather.
2. Whether the evidence established the required willful failure or refusal to comply with the order, regardless of whether the contempt was civil or criminal.
3. Whether the juvenile court's contempt sanction modifying the mother's visitation could stand when the underlying contempt finding was unsupported.

HOLDINGS

1. Regardless of whether the contempt was civil or criminal, the contempt finding required evidence that the mother willfully failed or refused to comply with the juvenile court's order.
2. The evidence was insufficient to establish by clear and convincing evidence that the mother willfully disobeyed or refused to comply with the order prohibiting contact between the child and the maternal grandfather.

KEY QUOTATIONS

"'Willful' means: '1. Done wittingly or on purpose, as opposed to accidentally or casually; voluntary and intentional, but not necessarily malicious • The word connotes blameworthiness. A voluntary act becomes willful, in law, only when it involves conscious wrong or evil purpose on the part of the actor, or at least inexcusable carelessness, whether the act is right or wrong. The term willful is stronger than voluntary or intentional; it is traditionally the equivalent of malicious, evil, or corrupt.'" (8)

FACTUAL BACKGROUND

The juvenile court's April 1, 2024, order prohibited contact between the child and the maternal grandfather. In May 2025, the child was photographed with the maternal grandfather at Dave and Buster's while accompanied by the maternal grandmother and maternal uncle; the mother was not present. The mother testified that she had told the maternal grandmother the child could not have contact with the maternal grandfather and, after learning of the incident, stopped allowing the maternal grandmother to provide day care and enrolled the child in Montessori school. The record contained no evidence that the mother directed, caused, knew of, or was inexcusably careless in permitting the child's contact with the maternal grandfather.

PROCEDURAL HISTORY

The father filed a motion to modify custody and for contempt in September 2023. In April 2024, the juvenile court entered a pendente lite order awarding the father physical custody, awarding the mother visitation, and prohibiting contact between the child and the maternal grandfather. After an August 2025 emergency hearing concerning whether the mother had allowed such contact, the juvenile court entered a contempt order on August 14, 2025. The mother moved to alter, amend, or vacate, appealed, and obtained a stay before the Court of Civil Appeals reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The cause was remanded following reversal of the contempt order. The opinion did not provide additional specific instructions.

CASES CITED

- Poh v. Poh, 64 So. 3d 49, 61 (Ala. Civ. App. 2010)
- Lester v. Lester, 378 So. 3d 555, 564 (Ala. Civ. App. 2022)
- Ex parte Ferguson, 819 So. 2d 626, 629 (Ala. 2001)
- Carnes v. Carnes, 82 So. 3d 704, 715 (Ala. Civ. App. 2011)

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