

CONNECTICUT APPELLATE COURT

R. D. v. G. D.

AC 47576 (Conn. App. Ct. Feb. 17, 2026) · No. AC 47576 · Decided February 17, 2026

SUMMARY

The Connecticut Appellate Court affirmed the judgment dissolving the parties’ marriage and awarding the plaintiff sole legal and physical custody of the children without visitation for the defendant. The court upheld the alimony, child support, life insurance, and pendente lite alimony orders, including the exclusion of distributions from an inherited IRA from the plaintiff’s income for child support purposes. The court declined to review the attorney’s fee challenge because the defendant failed to provide a complete transcript and adequately preserve or brief the issue.

CASE DETAILS

COURT	Connecticut Appellate Court
WRITING FOR THE COURT	Clark, J.; Alvord, J.; Seeley, J.
JURISDICTION	Connecticut Appellate Court
DECIDED	February 17, 2026
DOCKET	AC 47576
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed from a judgment of the Superior Court dissolving the parties' marriage and entering custody, visitation, alimony, child support, life-insurance-security, property, and attorney's-fee orders.
STANDARD OF REVIEW	Custody and visitation orders and financial orders in dissolution actions are reviewed for abuse of discretion. The interpretation of the child-support guidelines and related legal conclusions are reviewed plenary. Claims requiring review of whether the evidence supports the trial court's findings may be unreviewable when the appellant fails to provide a complete transcript.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	G. D. v. R. D.

TOPICS

dissolution of marriage

child custody

alimony

child support

appellate procedure

PRACTICE AREAS

family law

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child custody

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child support

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by awarding the plaintiff sole legal and physical custody and denying the defendant visitation.
2. Whether the trial court improperly relied on the defendant's postseparation but predissolution increase in income in awarding initial periodic alimony.
3. Whether the trial court had authority to award pendente lite alimony at the time of the dissolution judgment retroactive to a date after the filing of the application.
4. Whether mandatory distributions from the plaintiff's inherited IRA constituted income for purposes of calculating child support.
5. Whether the trial court abused its discretion by ordering the defendant to maintain a \$700,000 life-insurance policy as security for child support.
6. Whether the defendant's challenge to the \$20,000 attorney's-fee award was reviewable despite an incomplete transcript and failure to preserve the objection.

HOLDINGS

1. The trial court did not abuse its discretion by awarding the plaintiff sole legal and physical custody and denying the defendant visitation because it expressly found that visitation was not in the children's best interests and made detailed findings concerning the defendant's parental unfitness and the physical and psychological danger he posed.
2. The trial court did not abuse its discretion by considering the defendant's postseparation but predissolution increase in income in making an initial alimony award.
3. The trial court had statutory authority to award pendente lite alimony at the time of the dissolution judgment, with the award effective from a date permitted by the governing statute.
4. Mandatory distributions from an inherited IRA are not income for purposes of calculating child support under the Connecticut Child Support and Arrearage Guidelines when the beneficiary already owns the funds and may withdraw them at any time without penalty.
5. The trial court did not abuse its discretion by ordering the defendant to maintain a \$700,000 life-insurance policy as security for his child-support obligations.
6. The appellate court declined to review the defendant's challenge to the \$20,000 attorney's-fee award because he failed to provide a complete transcript and failed to articulate an objection to the fee request before the trial court.

KEY QUOTATIONS

“A parent’s privilege of visitation of children whose custody has been awarded to the other parent in a divorce action . . . is not an absolute right but one which is dependent on what is for the best interests of the children even though such visitation rights may be restricted or effectively terminated.” (section I)

“Unlike in Cardona, the trial court in the present case expressly determined that “[a] grant of visitation to the [defendant] at this time would not be in the children’s best interests” and made detailed findings concerning the defendant’s unfitness as a parent and the physical and psychological danger he posed to the children.” (section I)

“Thus, from the standpoint of the beneficiary, an inherited IRA does not function as a retirement account but is more akin to a savings account from which the beneficiary can withdraw funds at her discretion.” (section III)

“Because the beneficiary of an inherited IRA has access to the entire balance and may withdraw funds from the account at any time without penalty, withdrawals from such an account are not an “addition . . . [or] a gain or recurrent benefit”” (section III)

FACTUAL BACKGROUND

The parties married in 2006 and have two children. The trial court found that the defendant had engaged in repeated verbal, emotional, and physical abuse toward the plaintiff and the children, including a 2019 incident during which he struck the plaintiff and a 2021 incident during which he verbally and physically abused one child. The children improved after moving with the plaintiff away from the defendant, and the trial court found that renewed contact would likely result in renewed abuse and harm. Financially, the defendant became employed at substantially higher income after separation, while the plaintiff possessed an inherited IRA from which she received mandatory distributions.

PROCEDURAL HISTORY

The plaintiff commenced a dissolution action in the Superior Court for the judicial district of Middlesex. After an eleven-day trial, the court, Albis, J., dissolved the marriage and awarded the plaintiff sole legal and physical custody, denied the defendant visitation subject to a future motion for modification, ordered periodic and pendente lite alimony, child support, life-insurance security, property division, and \$20,000 in attorney’s fees. The defendant appealed, and the Connecticut Appellate Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Santiago, 142 Conn. App. 582, 64 A.3d 832, cert. denied, 309 Conn. 911, 69 A.3d 307 (2013)
- Cardona v. Padilla, 230 Conn. App. 534, 330 A.3d 912 (2025)
- N. R. v. M. P., 227 Conn. App. 698, 323 A.3d 1142 (2024)
- C. D. v. C. D., 218 Conn. App. 818, 293 A.3d 86 (2023)

- Raymond v. Raymond, 165 Conn. 735, 345 A.2d 48 (1974)
- El Idrissi v. El Idrissi, 173 Conn. 295, 377 A.2d 330 (1977)
- Ortega v. Bhola, 88 Conn. App. 457, 869 A.2d 1261 (2005)
- F. S. v. J. S., 223 Conn. App. 763, 310 A.3d 961, cert. denied, 350 Conn. 903, 323 A.3d 344 (2024)
- Hathaway v. Hathaway, 60 Conn. App. 818, 760 A.2d 1280 (2000)
- Panganiban v. Panganiban, 54 Conn. App. 634, 736 A.2d 190, cert. denied, 251 Conn. 920, 742 A.2d 359 (1999)
- Dan v. Dan, 315 Conn. 1, 105 A.3d 118 (2014)
- Emrich v. Emrich, 233 Conn. App. 324, 340 A.3d 517 (2025)
- Hallock v. Hallock, 228 Conn. App. 81, 324 A.3d 193 (2024)
- Elliott v. Elliott, 14 Conn. App. 541, 541 A.2d 905 (1988)
- Unkelbach v. McNary, 244 Conn. 350, 710 A.2d 717 (1998)
- Clark v. Rameker, 573 U.S. 122, 134 S. Ct. 2242, 189 L. Ed. 2d 157 (2014)
- Gentile v. Carneiro, 107 Conn. App. 630, 946 A.2d 871 (2008)
- Birkhold v. Birkhold, 343 Conn. 786, 276 A.3d 414 (2022)
- Jenkins v. Jenkins, 243 Conn. 584, 704 A.2d 231 (1998)
- Sheppard v. Sheppard, 80 Conn. App. 202, 834 A.2d 730 (2003)
- Vickery v. Vickery, 25 Conn. App. 555, 595 A.2d 905, cert. denied, 220 Conn. 919, 597 A.2d 344 (1991)
- Lederle v. Spivey, 113 Conn. App. 177, 965 A.2d 621, cert. denied, 291 Conn. 916, 970 A.2d 728 (2009)
- McGaffin v. Roberts, 193 Conn. 393, 479 A.2d 176, cert. denied, 470 U.S. 1050, 105 S. Ct. 1747, 84 L. Ed. 2d 813 (1985)
- Calo-Turner v. Turner, 83 Conn. App. 53, 847 A.2d 1085 (2004)
- Dolan v. Dolan, 211 Conn. App. 390, 272 A.3d 768, cert. denied, 343 Conn. 924, 275 A.3d 626 (2022)
- Smith v. Snyder, 267 Conn. 456, 839 A.2d 589 (2004)
- Medeiros v. Medeiros, 175 Conn. App. 174, 167 A.3d 967 (2017)
- Dowd v. Dowd, 96 Conn. App. 75, 899 A.2d 76, cert. denied, 280 Conn. 907, 907 A.2d 89 (2006)
- Florian v. Lenge, 91 Conn. App. 268, 880 A.2d 985 (2005)