

INDIANA COURT OF APPEALS

Jon Hansford Holstein v. Lacey Lawana Holstein

Holstein v. Holstein, No. 25A-DC-2767 (Ind. Ct. App. June 16, 2026) · No. 25A-DC-2767 · Decided June 16, 2026

SUMMARY

The Indiana Court of Appeals affirmed a dissolution judgment awarding the mother sole legal custody and primary physical custody of the parties’ two children. The court held that the trial court did not abuse its discretion given the mother’s role as primary caregiver and the parents’ inability to communicate and cooperate. The court denied the mother’s request for \$5,000 in attorney’s fees as a sanction for fictitious citations in the father’s original brief, while warning attorneys about the duty to verify legal authorities and the risks of using artificial intelligence in litigation.

CASE DETAILS

COURT	Indiana Court of Appeals
WRITING FOR THE COURT	Judge DeBoer; Judge Mathias; Judge Kenworthy
JURISDICTION	Indiana Court of Appeals
DECIDED	June 16, 2026
DOCKET	25A-DC-2767
DISPOSITION	affirmed
PROCEDURAL POSTURE	Father appealed from a final dissolution decree awarding Mother sole legal custody and primary physical custody of the parties' children. Mother requested appellate attorney's fees as a sanction for fictitious citations in Father's initial brief.
STANDARD OF REVIEW	The appellate court reviews findings to determine whether the evidence supports them and whether the findings support the judgment, setting aside the judgment only if clearly erroneous. Custody determinations are reviewed for abuse of discretion and are affirmed unless the evidence positively requires the result sought by the appellant. The court does not reweigh evidence or judge witness credibility and gives substantial deference to the trial court's direct interaction with the parties.
PRECEDENTIAL VALUE	published
PARTIES	Jon Hansford Holstein v. Lacey Lawana Holstein

TOPICS

child custody

family law procedure

appellate procedure

standard of review

constitutional law

PRACTICE AREAS

family law

appellate procedure

legal ethics

QUESTIONS PRESENTED

1. Whether the trial court's findings of fact were insufficient to explain its award of sole legal and primary physical custody to Mother.
2. Whether the trial court abused its discretion by awarding Mother primary physical custody rather than shared physical custody.
3. Whether the trial court abused its discretion by awarding Mother sole legal custody rather than joint legal custody.
4. Whether Mother was entitled to \$5,000 in attorney's fees as a sanction for fictitious case citations and a fabricated quotation in Father's initial brief.

HOLDINGS

1. The trial court's findings were adequate because they identified the factual bases for awarding Mother sole legal and primary physical custody and supported the judgment; the findings did not violate Father's constitutional rights.
2. The trial court did not abuse its discretion by awarding Mother primary physical custody rather than shared physical custody.
3. The trial court did not abuse its discretion by awarding Mother sole legal custody because the parties were unwilling or unable to communicate and cooperate in advancing the children's welfare.
4. Mother was not entitled to monetary sanctions or attorney's fees because Father's counsel promptly disclosed and corrected the fictitious citations, Mother showed no prejudice, and the circumstances did not warrant sanctions.

KEY QUOTATIONS

“In light of Parents’ demonstrated inability to work together for their Children’s benefit, we cannot say the trial court abused its discretion in finding that joint legal custody was not appropriate here.” (14)

“Nonetheless, we implore attorneys to heed these nationwide warnings and ensure their filings comply with their duty of candor to the Court.” (16)

FACTUAL BACKGROUND

The parties were married in 2012 and had two children, with Mother serving as the primary caregiver while Father often worked long hours and traveled. During the marriage's breakdown, Father engaged in angry and threatening conduct, including punching a wall, blocking Mother's car, raising his fist toward the car window,

and taking Mother's phone. Although the parties initially exercised joint legal custody under a provisional order, they thereafter experienced persistent conflict over medical care, scheduling, information sharing, activities, and other child-rearing matters. The trial court found that the parties' inability to communicate and cooperate made shared physical and joint legal custody inappropriate.

PROCEDURAL HISTORY

The parties entered an agreed provisional order providing for Mother's primary physical custody and joint legal custody. After a final dissolution hearing, the Johnson Superior Court awarded Mother sole legal and primary physical custody and granted Father parenting time under the Indiana Parenting Time Guidelines. Father appealed, and Mother sought sanctions based on fictitious authorities and a fabricated quotation in Father's initial brief.

DISPOSITION

affirmed

CASES CITED

- Rasheed v. Rasheed, 142 N.E.3d 1017, 1021 (Ind. Ct. App. 2020), trans. denied
- Richter v. Richter, 277 N.E.3d 123, 127-129 (Ind. Ct. App. 2026)
- Kirk v. Kirk, 770 N.E.2d 304, 307 (Ind. 2002)
- Hazelett v. Hazelett, 119 N.E.3d 153, 159 (Ind. Ct. App. 2019)
- In re Paternity of S.A.M., 85 N.E.3d 879, 885 (Ind. Ct. App. 2017)
- Purnell v. Purnell, 131 N.E.3d 622, 627 (Ind. Ct. App. 2019), trans. denied
- Best v. Best, 941 N.E.2d 499, 502 (Ind. 2011)
- Anselm v. Anselm, 146 N.E.3d 1042, 1047 (Ind. Ct. App. 2020), trans. denied
- Kondamuri v. Kondamuri, 852 N.E.2d 939, 949 (Ind. Ct. App. 2006)
- Milcherska v. Hoerstman, 56 N.E.3d 634, 642 (Ind. Ct. App. 2016)
- In re Paternity of E.P., 194 N.E.3d 160, 167 (Ind. Ct. App. 2022)
- Brown v. State, 746 N.E.2d 63, 70 (Ind. 2001)
- Wilcox v. Gingrich, 274 N.E.3d 1269, 1276-1278 (Ind. Ct. App. 2026)
- Mid Cent. Operating Eng'rs Health & Welfare Fund v. HoosierVac LLC, No. 2:24-cv-00326-JPH-MJD, 2025 WL 1511211, at *2 (S.D. Ind. May 28, 2025)
- Kruse v. Karlen, 692 S.W.3d 43, 54 (Mo. Ct. App. 2024), trans. denied
- Shahid v. Esaam, 918 S.E.2d 198, 202 (Ga. Ct. App. 2025)
- Dec v. Mullin, 171 F.4th 940, 947 (7th Cir. 2026)
- Williams v. Kirch, 268 N.E.3d 284, 288 (Ind. Ct. App. 2025)