

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, FOURTH DISTRICT

Robert C. Dart v. Ariane Dart

No. 4D2024-1525 (Fla. 4th DCA Jan. 7, 2026) · No. 4D2024-1525 · Decided January 7, 2026

SUMMARY

The Florida Fourth District Court of Appeal affirmed the trial court’s dissolution-of-marriage rulings but reversed its denial of retroactive child support. The court held that agreed pretrial orders required consideration and award of unpaid child support after determining the husband’s ongoing obligation, and that the parties’ prenuptial agreement did not control child support. The case was remanded to determine the appropriate amount of retroactive support and the manner of payment.

CASE DETAILS

COURT	District Court of Appeal of the State of Florida, Fourth District
WRITING FOR THE COURT	CONNER, J.; MAY, J.; GERBER, J.
JURISDICTION	District Court of Appeal of the State of Florida, Fourth District
DECIDED	January 7, 2026
DOCKET	4D2024-1525
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a final judgment dissolving the parties' marriage and cross-appeal from the denial of the wife's claim for retroactive child support.
STANDARD OF REVIEW	De novo review applies to interpretation of a prenuptial agreement, stipulation, or agreed pretrial order. Child-support awards not involving interpretation of such an instrument are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Robert C. Dart v. Ariane Dart

TOPICS

- child support
- family law procedure
- appellate procedure
- standard of review
- prenuptial agreements

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court erred in denying the wife's claim for retroactive child support after the parties entered agreed orders providing that unpaid child support determined at trial would be subject to retroactive award.
2. Whether the parties' prenuptial agreement controlled or affected the obligation to pay child support.
3. What standard of review applies to the denial of retroactive child support.

HOLDINGS

1. The trial court erred in denying retroactive child support because the parties agreed that the wife's child-support application would be addressed at trial and that unpaid support determined by the court would be subject to retroactive award.
2. The mother's ability to provide the children's basic needs and the absence of demonstrated detriment do not excuse the father's obligation to support the children.
3. The prenuptial agreement did not control or affect the parties' child-support obligation, and the court did not need to apply contract-interpretation principles to resolve the retroactive child-support issue.

KEY QUOTATIONS

“A Pretrial Stipulation is a powerful blueprint that enables a well-run and fair trial[] . . . [that is] binding upon the parties and the court, and should be strictly enforced.” (at 4)

“It is axiomatic, however, that any such stipulations be clear, positive, definitive, and unambiguous.” (at 4)

“Because the parties agreed that retroactive child support would be considered at the final hearing and Husband’s unpaid support during the pendency of the proceedings would be awarded as retroactive child support once Husband’s ongoing child support obligation was determined, we hold the trial court erred in denying retroactive child support.” (at 4)

FACTUAL BACKGROUND

The parties entered into a prenuptial agreement and had two children during the marriage. After the dissolution proceeding began, the wife sought temporary child support, while the husband admitted in his petition that he was obligated to pay guideline child support and did not request a downward deviation. The parties entered agreed orders providing that child support would be governed by Florida law and that any unpaid child support determined at trial would be subject to retroactive award. The trial court nevertheless denied the wife's request for retroactive child support, including support for the period when the older child was still a minor.

PROCEDURAL HISTORY

The husband petitioned to dissolve the marriage, and the wife counter-petitioned. The wife moved for temporary child support, and the parties later entered agreed orders providing that child support would be governed by Florida law and that unpaid support determined at trial would be subject to retroactive award. After trial, the

circuit court denied retroactive child support and entered a final dissolution judgment. Following denial of both parties' rehearing motions, the parties appealed and cross-appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the denial of retroactive child support and remand for further proceedings to determine and award the appropriate amount of retroactive child support and the manner of payment. All other rulings in the final dissolution judgment were affirmed without discussion.

CASES CITED

- U.S. Bank Nat'l Ass'n v. Rodriguez, 256 So. 3d 882, 884 (Fla. 4th DCA 2018)
- Wiener v. The Country Club at Woodfield, Inc., 254 So. 3d 488, 491-92 (Fla. 4th DCA 2018)
- Jones v. Blue Ridge Mfg., LLC, 353 So. 3d 69, 72-74 (Fla. 4th DCA 2022)
- Coe v. Rautenberg, 358 So. 3d 24, 27 (Fla. 4th DCA 2023)
- Palm Beach Polo Holdings, Inc. v. Broward Marine, Inc., 174 So. 3d 1037, 1039 (Fla. 4th DCA 2015)
- T.T.L. v. F.A.L., 367 So. 3d 1257, 1259 (Fla. 2d DCA 2023)
- Johnson v. Johnson, 297 So. 3d 700, 704-05 (Fla. 1st DCA 2020)
- Nierenberg v. Nierenberg, 758 So. 2d 1179, 1180 (Fla. 4th DCA 2000)
- Coffy v. Coffy, 321 So. 3d 230, 230 (Fla. 4th DCA 2021)

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