

COURT OF APPEALS OF GEORGIA

Malika Begum v. Zaheer Uddin

Begum v. Uddin, A26A0653 (Ga. Ct. App. June 23, 2026) · No. A26A0653 · Decided June 23, 2026

SUMMARY

The Georgia Court of Appeals reviewed a custody and child-support modification order arising from allegations of abuse and inappropriate discipline. The court affirmed the termination of supervised visitation, the summer visitation provisions, and the denial of attorney fees, but vacated and remanded the allocations for uninsured healthcare expenses and the downward child-support deviation for further findings and exercise of discretion.

CASE DETAILS

COURT	Court of Appeals of Georgia
WRITING FOR THE COURT	Doyle, Presiding Judge; Davis, Judge; C. Andrew Fuller, Senior Judge
JURISDICTION	Court of Appeals of Georgia
DECIDED	June 23, 2026
DOCKET	A26A0653
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Begum appealed from the trial court's order modifying custody and child support and its subsequent order on her motion for clarification.
STANDARD OF REVIEW	Visitation-modification orders and attorney-fee decisions are reviewed for abuse of discretion. The evidence in a child-custody case is viewed in the light most favorable to the trial court's decision; factual findings supported by any evidence are not set aside, and credibility determinations are deferred to the trial court. Legal conclusions are reviewed de novo.
PRECEDENTIAL VALUE	Published Georgia Court of Appeals opinion
PARTIES	Malika Begum v. Zaheer Uddin

TOPICS

- child custody
- child support
- family law procedure
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by terminating or phasing out supervision of Uddin's visitation.
2. Whether the amended parenting plan improperly restricted Begum's travel time with the children.
3. Whether the trial court erred in allocating uninsured healthcare expenses 35 percent to Begum and 65 percent to Uddin without findings showing an exercise of discretion.
4. Whether the trial court erred by applying a nonspecific downward deviation to Uddin's child-support obligation without findings addressing the changed custody arrangement and child-support guidelines.
5. Whether the trial court abused its discretion by denying Begum attorney fees and whether OCGA § 19-6-2 applied to the proceeding.

HOLDINGS

1. The trial court did not abuse its discretion by adopting a phased schedule that ultimately ended supervision of Uddin's visitation because evidence supported the GAL's recommendation and showed improvement in Uddin's treatment of the children.
2. The amended parenting plan did not constitute an abuse of discretion or directly prohibit Begum from traveling with the children.
3. The trial court's allocation requiring Begum to pay 35 percent and Uddin to pay 65 percent of uninsured healthcare expenses was vacated because the record did not show that the court exercised its discretion under the applicable statutory standard.
4. The trial court's nonspecific downward deviation reducing Uddin's presumptive child-support obligation was vacated because the court failed to make findings and exercise discretion in light of the materially changed custody arrangement and child-support guidelines.
5. The trial court did not abuse its discretion by denying Begum attorney fees, although the court had discretion to award fees under OCGA §§ 19-6-15 and 19-9-3. OCGA § 19-6-2 did not apply to this proceeding.

KEY QUOTATIONS

“And that’s — that’s where the egregiousness comes from, where I make that statement. And that [the son] is whipped, stuffed in a closet, ears pulled, slapped, like, more than three times at least.” (4-5)

“I think we need to phase these children up and feel comfortable, especially with the summer months coming. And for them not to regress [to] what happened last summer.” (6)

“Accordingly, because this order was not a matter of agreement between the parties in this proceeding, and because there is no finding that shows that the court applied its discretion by reimposing this allocation, we vacate this portion of the award and remand for appropriate application of discretion based on the financial information, guidelines, and modifications to the parenting plan presented in the record.” (11)

FACTUAL BACKGROUND

Begum and Uddin share two children and were divorced in 2022. During the modification proceeding, Begum alleged that Uddin physically and emotionally abused the children, including locking the son in a closet, grabbing him by the neck, and using degrading language. A guardian ad litem investigated the allegations, concluded that Uddin had engaged in egregious physical discipline but had improved during the proceeding, and recommended a phased transition from supervised visitation. The trial court adopted that recommendation, awarded Begum primary physical custody, established child support, and carried forward disputed allocations and deviations from the prior parenting plan.

PROCEDURAL HISTORY

The parties were divorced in 2022 under a parenting plan providing joint custody and a child-support arrangement based on their agreement. In 2023, both parties filed petitions seeking modification of custody and contempt. After a bench trial, the trial court awarded the parties joint legal custody, gave Begum primary physical custody, established phased visitation for Uddin, set child support, allocated uninsured medical expenses, and denied both parties' attorney-fee requests. The trial court later clarified and modified the visitation schedule and denied Begum's requests concerning the child-support deviation and attorney fees. Begum appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for the trial court to reconsider and appropriately exercise its discretion concerning the allocation of uninsured healthcare expenses, based on the financial information, child-support guidelines, and modifications to the parenting plan. Remand also to make findings and exercise discretion regarding the child-support deviation in light of the guidelines and the differences between the old and new parenting plans.

CASES CITED

- Mashburn v. Mashburn, 353 Ga. App. 31, 32 (836 SE2d 131) (2019)
- Spirnak v. Meadows, 355 Ga. App. 857, 861-62(1) (844 SE2d 482) (2020)
- Galvin v. Galvin, 288 Ga. 125, 127-28(4) (702 SE2d 155) (2010)
- Simmons v. Simmons, 288 Ga. 670, 673-74(4), (6) (706 SE2d 456) (2011)
- Hamlin v. Ramey, 291 Ga. App. 222, 225(1) (661 SE2d 593) (2008)
- Hardman v. Hardman, 295 Ga. 732, 737(3)(b) (763 SE2d 861) (2014)
- Nelson v. McKenzie, 364 Ga. App. 533, 535-36(2), 537-38(3) (875 SE2d 515) (2022)
- O'Keefe v. O'Keefe, 285 Ga. 805, 805-06 (684 SE2d 266) (2009)
- Hall v. Hall, 335 Ga. App. 208, 211-14(2) (780 SE2d 787) (2015)
- Gordon v. Abrahams, 330 Ga. App. 795, 799-800(3)(b) (769 SE2d 544) (2015)
- Slay v. Ross, 379 Ga. App. 1, 4-5(3)(a) (927 SE2d 569) (2026)

