

SUPREME COURT OF ILLINOIS

In re Marriage of Mayfield

2013 IL 114655 (Ill. 2013) · No. 114655 · Decided June 28, 2013

SUMMARY

The Illinois Supreme Court held that a lump-sum workers’ compensation settlement constitutes income for purposes of calculating child support. Applying the statutory guideline of 20% of net income, the court upheld an award requiring the former husband to pay 20% of the entire settlement because he neither specifically requested a deviation from the guidelines nor presented sufficient evidence to support one. The court overruled *In re Marriage of Wolfe* to the extent it required justification for adhering to the guidelines in allocating a lump-sum settlement.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice Theis; Chief Justice Kilbride; Justice Freeman; Justice Thomas; Justice Garman; Justice Karmeier; Justice Burke
JURISDICTION	Illinois
DECIDED	June 28, 2013
DOCKET	114655
DISPOSITION	affirmed
PROCEDURAL POSTURE	Howard Mayfield appealed the appellate court's affirmance of a circuit court order requiring him to pay 20% of a lump-sum workers' compensation settlement as child support. The Illinois Supreme Court granted leave to appeal and affirmed.
STANDARD OF REVIEW	The appellate court reviewed the interpretation of section 505(a) of the Illinois Marriage and Dissolution of Marriage Act de novo. Whether to deviate from the statutory child-support guidelines is reviewed under the applicable abuse-of-discretion framework.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Howard R. Mayfield v. Shannon Mayfield

TOPICS

- child support
- family law
- statutory interpretation

PRACTICE AREAS

family law

child support

workers' compensation

QUESTIONS PRESENTED

1. Whether a lump-sum workers' compensation settlement constitutes income under section 505(a)(3) of the Illinois Marriage and Dissolution of Marriage Act for purposes of calculating child support.
2. Whether the circuit court had discretion to apportion the settlement by applying the 20% child-support guideline only to the settlement's prorated monthly equivalent rather than to the entire lump sum.
3. Whether Mayfield presented sufficient evidence to justify a deviation from the statutory child-support guidelines.

HOLDINGS

1. A lump-sum workers' compensation settlement is income from all sources under section 505(a)(3) of the Illinois Marriage and Dissolution of Marriage Act and must be included in determining the noncustodial parent's net income.
2. When the obligor receives a lump-sum workers' compensation settlement and does not establish grounds for deviation, the statutory 20% guideline for one child may be applied to the entire net settlement rather than only to its prorated monthly equivalent.
3. Mayfield was not entitled to a downward deviation because he neither specifically requested a deviation from the statutory guidelines nor presented sufficient evidence supporting one.
4. In re Marriage of Wolfe was wrongly decided and is overruled because it effectively required a trial court to justify applying the statutory guidelines rather than requiring justification for departing from them.

KEY QUOTATIONS

“That holding, in effect, turns the statute on its head, requiring the trial court to justify an adherence to the guidelines, rather than a departure from them, when allocating a lump sum. Wolfe was wrongly decided and is, therefore, overruled.” (¶ 23)

“Accordingly, the trial court was correct to set child support at 20% of the lump-sum settlement in the absence of any evidence to support a different amount.” (¶ 26)

FACTUAL BACKGROUND

Howard Mayfield and Shannon Mayfield divorced in 2003, with Mayfield ordered to pay child support for their children. After a workplace injury, Mayfield received a \$300,000 workers' compensation settlement, reduced to \$239,920 after attorney fees and medical expenses; the settlement agreement stated that the amount represented monthly payments over his 34-year life expectancy. Mayfield spent most of the settlement on debts, property, a motorcycle, a vacation, and home remodeling, while his minor daughter remained in need of support. When Shannon sought modification after the parties' son reached majority, the circuit court ordered Mayfield to pay 20% of the entire net settlement.

PROCEDURAL HISTORY

The Woodford County circuit court ordered Mayfield to pay \$47,984, representing 20% of his \$239,920 net workers' compensation settlement, as child support. The appellate court affirmed. The Illinois Supreme Court granted Mayfield's petition for leave to appeal and affirmed the appellate court's judgment.

DISPOSITION

affirmed

CASES CITED

- In re Marriage of McGrath, 2012 IL 112792, ¶ 13
- In re Marriage of Rogers, 213 Ill. 2d 129, 136-39 (2004)
- In re Marriage of Dodds, 222 Ill. App. 3d 99, 104 (1991)
- Cassens Transport Co. v. Illinois Industrial Commission, 218 Ill. 2d 519, 530 (2006)
- In re Marriage of Wolfe, 298 Ill. App. 3d 510 (1998)