2013 IL App (5th) 120082-U

NO. 5-12-0082

IN THE

APPELLATE COURT OF ILLINOIS

FIFTH DISTRICT

CYNTHIA TIMMONS,	)	Appeal from the
	)	Circuit Court of
Petitioner-Appellant,	)	Monroe County.
	)	
v.	)	No. 02-F-5
	)	
THOMAS WEAVER,	)	Honorable
	)	Dennis B. Doyle,
Respondent-Appellee.	)	Judge, presiding.

PRESIDING JUSTICE SPOMER delivered the judgment of the court.
Justices Stewart and Wexstten concurred in the judgment.

ORDER

¶ 1 *Held*: The circuit court did not err in finding the petitioner to be equitably estopped from asserting a child support arrearage where the original order was stated in terms of a percentage, rather than an amount, and was therefore voidable, petitioner accepted a different amount for years via a paycheck withholding, and petitioner had filed a petition to modify the accepted amount in the interim. The circuit court erred in ordering the petitioner to repay overpaid child support and nonminor support retroactive to a date prior to respondent's petition to modify. All other aspects of the circuit court's order affirmed where there was no basis to find an abuse of discretion.

¶ 2 The petitioner, Cynthia Timmons, appeals the January 17, 2012, order of the circuit court of Monroe County that established the respective obligations between herself and the respondent, Thomas Weaver (Tom), for child support, arrearage, and nonminor expenses. Cynthia argues that the circuit court erred in: (1) finding Cynthia was equitably estopped from arguing that Tom owed a child support arrearage for the period between 2004 and 2009 and awarding $0 in arrearage for that time period, (2) making the reduction of Tom's child support obligation retroactive to August 1, 2009, when he did not file a petition to modify

child support until August 31, 2009, (3) making Cynthia's obligation to pay nonminor support to Tom for their son D.C.W. retroactive to September 2010 when Tom did not file his petition for nonminor support until April 25, 2011, (4) deducting business expenses which were not for repayment of debt from Tom's gross income for purposes of calculating Tom's net income, (5) failing to specify that Cynthia and Tom were to equally divide past and future dental and vision expenses when ordering the parties to equally divide medical expenses, and (6) inequitably determining Cynthia's and Tom's respective duties of nonminor support for D.C.W. and S.B.W., the particulars of which will be discussed below. For the reasons that follow, we affirm in part and modify in part.

¶ 3 FACTS

¶ 4 The facts necessary to our disposition of this appeal reveal a lengthy and convoluted history of litigation between the parties as to the duty to support their children. A recitation of many of these facts is necessary to understand the issues on appeal related to the most current support order. On March 22, 2002, in the circuit court of Monroe County, Cynthia registered, pursuant to section 305 of the Uniform Child-Custody Jurisdiction and Enforcement Act (750 ILCS 36/305 (West 2000)), the following orders of the circuit court of St. Louis County, Missouri:

1. Judgment and decree of dissolution of marriage, filed April 28, 1996;

2. Findings of fact, conclusions of law, and judgment and order of modification of decree of dissolution with parenting plan, filed December 30, 1999;

3. Amended judgment and decree of dissolution with amended parenting plan, filed April 26, 2000; and

4. Family court modification judgment, filed October 5, 2001.

¶ 5 A review of these documents reveals that Cynthia and Tom were married in 1986. Three children were born during the marriage: V.A.W., born May 11, 1990; D.C.W., born

September 15, 1991; and S.B.W., born October 27, 1992. At the time of the 1996 dissolution of marriage, the Missouri court granted Cynthia and Tom joint legal custody of the children, with Cynthia having primary physical custody, and Tom a visitation schedule. With regard to child support, the court found that Cynthia had means to provide health insurance for the children at a reasonable cost, and ordered her to maintain health insurance and responsibility for uncovered medical and dental expenses for the children. Tom was ordered to pay $543.33 per month for each minor, for a total of $1,629.99 per month.

¶ 6 In 1998, Cynthia relocated the children to Illinois. In 1999, after recognizing that both Cynthia and Tom had been engaging in "acrimony and adversarial behavior," the circuit court modified the dissolution judgment and parenting plan to provide that Cynthia be awarded primary legal custody of the children, with Tom exercising a visitation schedule. Cynthia's obligation to maintain health insurance and pay 100% of their uncovered medical expenses, as well as Tom's child support obligation, remained the same. The judgments were modified again in 2000 and 2001 by the Missouri court due to issues regarding the children that Cynthia and Tom could not resolve amongst themselves, but the child support obligations continued as outlined above.

¶ 7 After the Missouri judgments were registered in the circuit court of Monroe County in 2002, further litigation ensued regarding Cynthia's and Tom's custody of and visitation with the children. This litigation culminated in a stipulated order, entered February 18, 2004, and reduced to a written order entered March 3, 2004 (the March 3, 2004, order), whereby the parties agreed to a substantial change in the visitation schedule. In addition, the stipulated order provided that Cynthia shall continue to provide the healthcare for the children and shall pay all uncovered costs associated therewith. Finally, the stipulated order provided as follows:

"That [Tom] shall pay child support at the rate of 32% of his net income for 10

months, payable over a 12 month period. *** [Tom] shall furnish to [Cynthia's] attorney his W-2 and 2003 tax return within 7 days of filing same. Support to commence March 1, 2004 [*sic*] based upon income 2003/2004."

¶ 8 Over the course of the next two years, Tom and Cynthia aggressively litigated proposed changes in custody and visitation, including Tom's motion to modify the judgment of dissolution to have sole custody of the children. On January 20, 2006, Cynthia filed a motion for modification of child support. Cynthia's motion for modification referenced the original judgment of dissolution and the original child support amount. The motion requested a modification of the $1,629.99 per month because Tom allegedly had a substantial increase in income and the children had an increase in financial needs. In her motion to modify child support, Cynthia made no reference to the March 3, 2004, order requiring Tom to pay 32% of his net income. On February 9, 2006, the circuit court denied Tom's motion to modify the custody judgment. Issues of visitation and child support were reserved.

¶ 9 On July 5, 2006, Tom filed a motion to modify child support. According to Tom's motion, the March 3, 2004, order required him to pay $1,500 per month for child support. Tom requested modification because he alleged he was receiving disability pay and his income had been greatly reduced. It is unclear from the record how Tom arrived at the $1,500 per month figure he alleged he was ordered to pay in the March 3, 2004, order. Neither motion to modify child support was ever ruled upon, and the parties continued to litigate visitation issues through 2007, when the circuit court again denied any motion to change the visitation schedule.

¶ 10 On April 10, 2008, Tom again filed a motion to modify custody and child support. This time, Tom alleged that V.A.W. had left Cynthia's residence, was residing with him, and Cynthia had been unresponsive when Tom had attempted to arrange to return V.A.W. This time, Tom's motion stated that he was previously ordered to pay child support in the amount

of $1,629.99, but requested modification due to V.A.W. residing with him. That same date, Tom filed a petition for nonminor expenses because V.A.W. was to be enrolled at Southern Illinois University at Edwardsville commencing fall 2008, but planned to reside with Tom.

¶ 11 On February 6, 2009, a hearing was held on Cynthia's petition for modification of child support and Tom's petition for modification of custody and child support and petition for nonminor expenses. Tom testified that he was ordered by the Missouri court to pay $543.33 per month for each child, for a total of $1,629.99 per month. Tom acknowledged that the stipulated March 3, 2004, order modified that judgment when it ordered him to pay 32% of his net income by stating, "I believe that is what is says." Tom then testified as to the information from his 2003 and 2004 tax returns and more current financial information as well. The specifics of this information will be set forth throughout this order as necessary to analyze the issues on appeal. Tom testified that V.A.W. had been residing with him since February 2008.

¶ 12 Cynthia testified as follows regarding child support before and after the March 3, 2004, order:

"Q. And you were awarded custody of those [3] children under the original judgment of [d]issolution of [m]arriage. Is that right?

A. Correct.

Q. And under that judgment you were ordered to be responsible for providing medical insurance and paying all uncovered medical and dental expenses. Is that correct?

A. Correct.

Q. Was that child support order modified on March 3, 2004?

A. Correct.

Q. However under that [o]rder March 3, 2004, did you continue to be

responsible for providing the children's medical insurance and all of their medical and dental expenses?

A. Yes.

Q. When I talked about the child support that was paid for a period of 10 months each year. Is that correct? Under the March 3, 2004, [o]rder?

A. It was paid 12 months but it was for 10–

Q. Based on 10–

A. Based on 10 months.

Q. And was the reason for that that Tom had visitation for two months each summer?

A:. Yes."

¶ 13 Cynthia went on to testify as to the increase in expenses that she had incurred for the children since the entry of the March 3, 2004, order. Cynthia acknowledged that V.A.W. moved out in February 2008, and testified that V.A.W. turned 18 on May 11, 2008, and graduated high school on May 18, 2008. Cynthia then testified as to her monthly income and expenses as will be set forth as necessary throughout this order.

¶ 14 In her written argument in support of her proposed order modifying child support, Cynthia admitted that the March 3, 2004, order was improper because it did not state a specific dollar amount. At no time during the February 6, 2009, proceedings, nor in any of the pleadings preceding the hearing, did Cynthia argue that she was entitled to retroactive child support as a result of the March 3, 2004, order.

¶ 15 On June 23, 2009, the circuit court entered an order on Cynthia's January 20, 2006, petition to modify child support and Tom's April 10, 2008, motions to modify child support and for nonminor educational expenses. The court found that Tom's monthly net income at that time was $9,064.50, based on his 2008 wages. As a result, the circuit court granted

Cynthia's motion to modify and ordered Tom to pay Cynthia $2,538 per month as child support for the two remaining minor children living with Cynthia at the time, D.C.W. and S.B.W. Tom's motion for child support and change of custody as to V.A.W. was moot at that time, but the circuit court granted Tom's petition for nonminor support and ordered Tom and Cynthia to each pay half of V.A.W.'s post-high school expenses directly to the university and ordered Cynthia to pay Tom $340 per month so long as V.A.W. continued to live with him. Each party was ordered to continue to provide health insurance coverage for V.A.W. and to divide all uncovered medical expenses equally.

¶ 16 On August 31, 2009, Tom filed yet another petition to modify child support and for other relief. This time he based his motion on the fact that D.C.W. was residing with him, along with V.A.W. On December 9, 2009, an order was entered continuing Tom's pending motions but abating the current child support order until further order of the court. On May 19, 2010, Cynthia filed a petition to modify child support on the basis that D.C.W. had turned 18, was going to graduate high school, and the only minor child, S.B.W., continued to reside with Cynthia.

¶ 17 Also on May 19, 2010, Cynthia filed, for the first time, a petition to establish child support arrearage based on the March 3, 2004, order. In the petition, Cynthia alleged that because Tom had paid $1,629.99 per month since the entry of the March 3, 2004, order, he had underpaid. However, there was no allegation as to the amount of such arrearage. The litigation continued with discovery until April 7, 2011, when Cynthia filed a petition for maintenance and educational expenses for a nonminor child because S.B.W. had reached the age of 18, expected to graduate from high school in May 2011 and attend the University of Illinois beginning in August 2011. Tom countered on April 27, 2011, with a petition for nonminor educational expenses for D.C.W. who planned to attend college and reside with Tom for the upcoming academic year.

¶ 18 All of the pending petitions and motions came on for hearing on September 21, 2011. The hearing began with Tom's petition to modify child support, filed in August 2009. Tom testified that D.C.W. came to live with him at that time. D.C.W. turned 18 in September 2009 but did not graduate high school until May 2010. Tom testified that he continued paying child support to Cynthia for D.C.W. and S.B.W. in the amount of $2,538 as ordered by the court through December 2009, when the court ordered the abatement. In support of his petition for nonminor expenses, D.C.W. still resided with Tom and had been enrolled in college consistently since graduation. His expenses were outlined in an affidavit in support of his petition, which will be set forth as necessary to analyze any issues on appeal related to this petition. Tom also testified as to his then current income and expenses, the details of which will be set forth as necessary.

¶ 19 With regard to Cynthia's petition for arrearage, Tom introduced evidence that on August 9, 2004, he transmitted his 2003 tax return to the office of Cynthia's attorney along with his pay stubs for the beginning of 2004, in compliance with the March 3, 2004, order. All the payments he had made over the years were made through a withholding order.

¶ 20 Cynthia testified that she agreed to pay D.C.W.'s tuition and fees but opposed paying living expenses for D.C.W. since he worked full time. In support of her petition to modify child support, Cynthia testified that S.B.W. turned 18 and graduated high school in May 2011. S.B.W. had attended the University of Illinois since August 2011. S.B.W.'s itemized expenses were admitted into evidence.

¶ 21 On January 17, 2012, the circuit court entered an order on all of the above-referenced pending motions. The circuit court ordered as follows:

> 1. Tom and Cynthia shall share equally tuition, fee, and book expenses for both S.B.W. and D.C.W., as well as room, board, and vehicle expenses for S.B.W. and living expenses for D.C.W.

2. Cynthia's half of D.C.W.'s living expenses amounts to $544 per month, retroactive to September 2010, for a total arrearage of $8,160.

3. Cynthia is to provide health insurance, and Tom and Cynthia are to split all uncovered medical expenses retroactive to May 2010.

4. Tom's half of S.B.W.'s nonminor expenses is to be retroactive to September 1, 2011.

5. Tom's child support arrearage from the March 3, 2004, order is zero because Cynthia is equitably estopped from arguing otherwise.

6. Between August 1, 2009, and December 31, 2009, when one child resided with Tom and one with Cynthia, child support is set to zero, and Cynthia is required to reimburse Tom $12,690 for overpayment.

7. Tom's monthly net income from May 2010 until May 2011 is $9,364.31 and child support for S.B.W. for the year before she turned 18 is set at $1,872.86 per month, for an arrearage of $22,474.34.

8. After subtracting all the amounts Cynthia owed Tom from the amounts that Tom owed Cynthia, Tom still owed Cynthia $1,624.34 plus half S.B.W.'s educational expenses.

¶ 22 On February 14, 2012, Cynthia filed a notice of appeal from the January 17, 2012, order. Additional facts will be set forth as necessary to analyze the myriad of issues Cynthia raises on appeal.

¶ 23 ANALYSIS

¶ 24 We begin by noting our standard of review. "The standard of review for a current child support award is whether the award is an abuse of discretion or the factual predicate for the decision is against the manifest weight of the evidence." *Slagel v. Wessels*, 314 Ill. App. 3d 330, 332 (2000). "The trial court has wide discretion in awarding child support and

its decision will not be reversed by a court of review absent an abuse of discretion." *Id.* To the extent an issue on appeal requires this court to engage in statutory interpretation, our standard of review is *de novo*. *In re Marriage of Petersen*, 2011 IL 110984, ¶ 9. We may affirm the circuit court on any basis appearing in the record, whether or not the circuit court relied on that basis or its reasoning was correct. *Benson v. Stafford*, 407 Ill. App. 3d 902, 912 (2010). With these principles in mind, we will address the issues Cynthia raises on appeal in turn.

¶ 25 1. *Child Support Arrearage Between 2004 and 2009*

¶ 26 Cynthia first argues that the circuit court erred in determining that Tom had no child support arrearage between 2004 and 2009. The circuit court found that Cynthia was equitably estopped from claiming such an arrearage because she accepted the amount of child support Tom had paid via a withholding order for over six years, had the child support successfully modified in 2009 without asserting an arrearage, and never made a determination of the actual amount that the March 3, 2004, order required although Tom provided his 2003-2004 income information as required.

¶ 27 "A finding that the doctrine of equitable estoppel applies must be based on clear and convincing evidence and will not be reversed unless the trial court abused its discretion." *Babcock v. Martinez*, 368 Ill. App. 3d 130, 142 (2006). "In general, the doctrine of equitable estoppel applies in situations such as this-where a spouse seeks past-due child support." *Id.* at 143. "Equitable estoppel applies when a person, by his or her statements or conduct, induces a second person to rely, to his or her detriment, on the statements or conduct of the first person." *Id.* at 142. "The party asserting estoppel must have relied upon the other person's acts or representations and have had no knowledge or convenient means of knowing the facts, and such reliance must have been reasonable." *Id.* at 143.

¶ 28 Here, as in *Babcock*, Tom regularly paid the amount originally ordered by the

Missouri court, $1,629.99 per month, for many years via automatic deductions from his paychecks. All of those years, Cynthia accepted the money without protest. Although Tom sent his income information to Cynthia pursuant to the March 3, 2004, order, Cynthia never asserted that Tom owed a different amount, never sought to change the withholding order, and even filed a motion to modify child support in 2006, wherein she represented that the then current support amount that she was seeking to modify was $1,629.99, rather than a larger amount. As in *Babcock*, we find that this conduct on the part of Cynthia induced Tom to rely, to his detriment, on the assumption that he was satisfying his child support obligation. We find his reliance to be reasonable because the March 3, 2004, order was designated in terms of a percentage, rather than a specific dollar amount, and was therefore voidable. See *Id.* at 137-38 (citing *In re Marriage of Mitchell*, 181 Ill. 2d 169 (1998) (citing 750 ILCS 5/505(a)(5) (West 2004))). Accordingly, the Missouri court order was the only proper and enforceable order up until the time that the circuit court modified the order in 2009. See *Id.* at 138. For all of these reasons, we find that the circuit court did not abuse its discretion in finding a zero arrearage between 2004 and 2009.

¶ 29 2. *Retroactivity of Reduction in Tom's Child Support*

¶ 30 Cynthia next argues that the circuit court erred in making the reduction of Tom's child support retroactive to August 1, 2009, when Tom did not file his petition to modify until August 31, 2009. We agree. Pursuant to section 510(a) of the Illinois Marriage and Dissolution of Marriage Act (the Act) (750 ILCS 5/510(a) (West 2010)), "support may be modified only as to installments accruing subsequent to due notice by the moving party of the filing of the motion for modification." Accordingly, Cynthia should not be responsible for any overpayment for the month of August 2009. We therefore modify the judgment to provide that Cynthia's responsibility for overpayment of child support is reduced by $2,538, from $12,690 to $10,152.

¶ 31 3. *Nonminor Expenses for D.C.W.*

¶ 32 Cynthia makes two claims of error regarding the circuit court's order of nonminor support for D.C.W. First, she argues that the circuit court erred in calculating the amount of D.C.W.'s living expenses because it did not take into account D.C.W.'s net wages, which were available to meet D.C.W.'s living expenses. However, as Tom points out, section 513 of the Act (750 ILCS 5/513 (West 2008)) lists several factors which the court must take into consideration in making an equitable nonminor expense award, including the financial resources of both parents and the standard of living the child would have enjoyed had the marriage not been dissolved, in addition to the child's financial resources. Bearing in mind Cynthia's financial resources, we find no abuse of discretion in the circuit court's determination of the amount of D.C.W.'s living expenses, nor in its order that Cynthia pay half of those expenses, amounting to $544 per month.

¶ 33 Although we find no abuse of discretion in the amount of monthly nonminor support for D.C.W. that the circuit court has ordered Cynthia to pay, we must modify the award in terms of its retroactivity. The circuit court ordered Cynthia to pay D.C.W.'s living expenses retroactively to September 2010, resulting in an award to Tom of $8,160. However, Tom did not file his petition for nonminor expenses for D.C.W. until April 25, 2011. Our Supreme Court has held that nonminor expenses are "support" for purposes of the modification provisions of section 510(a) of the Act. *In re Marriage of Petersen*, 2011 IL 110984, ¶ 13. As such, the court held that nonminor expenses are subject to section 505 of the Act (750 ILCS 5/510(a) (West 2008)), which states that modification of child support be limited to expenses that accrued following the filing of the petition for nonminor expenses. Accordingly, we must modify the judgment to reflect that Cynthia's obligation to pay D.C.W.'s living expenses to Tom is retroactive to May 1, 2011, a period of eight months, for a total of $4,352.

¶ 34 Tom argues that our decision to modify the retroactivity of the nonminor expense award for D.C.W. requires that we reverse the entire nonminor expense award for both D.C.W. and S.B.W. so that the circuit court can reconsider the equities of the awards in light of our modification. We disagree. Section 513 of the Act requires the court to consider all relevant factors that appear reasonable and necessary in determining a nonminor child support award, including the financial resources of both parents, the standard of living the child would have enjoyed had the marriage not been dissolved, the financial resources of the child, and the child's academic performance. 750 ILCS 5/513 (West 2010). We do not believe that retroactivity is an appropriate factor to consider in determining the prospective responsibility of each parent to contribute to nonminor expenses. Accordingly, we will modify the award as stated above.

¶ 35 4. *Deduction of Expenses in Calculating Tom's Net Income*

¶ 36 Next, Cynthia takes issue with the deductions the circuit court made to Tom's net income for the purposes of calculating his retroactive child support obligation. However, the record does not reflect what deductions the circuit court made to arrive at its figure. The difference between Cynthia's calculation of monthly net income and the circuit court's calculation is $1,153.69. While Cynthia speculates that the circuit court deducted business expenses that were not expenditures for repayment of debts, and thus do not conform to section 505(a)(3)(h) of the Act (750 ILCS 5/505(a)(3)(h) (West 2010)), we note that Tom testified as to necessary medical expenses that he regularly incurs, which would conform to that section. We have no way of knowing what deductions the circuit court made, and because Cynthia did not seek clarification of the circuit court's order, we must presume that the circuit court's figure conforms with the law when there are facts in the record that could support it. The appellate court has held that:

"The party who brings a cause to a reviewing court must present a record which

clearly and fully presents all matters necessary and material for a decision of the questions raised [citation], and where the record is incomplete, the reviewing court will presume any stated facts not inconsistent with the record which will sustain and support the judgment of the trial court." *People v. Brown*, 50 Ill. App. 3d 348, 352-53 (1977).

¶ 37 For these reasons, we find no error regarding the circuit court's calculation of Tom's net income.

¶ 38 5. *Dental and Vision Expenses*

¶ 39 Cynthia next argues that the circuit court erred in ordering the parties to equally divide medical expenses, but not specifying that the parties should equally divide dental and vision expenses. We are not convinced that the circuit court did not intend such expenses should be included in ordering the parties to split medical expenses. We will not disturb the circuit court's order on this basis. Cynthia should seek clarification from the circuit court regarding this question.

¶ 40 6. *Nonminor Support for D.C.W. and S.B.W.*

¶ 41 Finally, Cynthia argues that the circuit court's order regarding the respective obligations of Cynthia and Tom to provide nonminor support for D.C.W. and S.B.W. was in error. Cynthia makes several subarguments to this court on this point, which will be addressed in turn.

¶ 42 a. *Failure to Specify Vehicle Expenses*

¶ 43 Cynthia argues that the circuit court abused its discretion in ordering the parties to equally divide S.B.W.'s vehicle expenses, without specifying an amount. Vehicle expenses are inherently variable, and we find no abuse of discretion in the circuit court's order.

¶ 44 b. *Failure to Take Into Account D.C.W.'s Income*

¶ 45 Cynthia next argues that the circuit court abused its discretion in ordering her to pay

half of D.C.W.'s living expenses without taking into account D.C.W.'s net wages, which were available to meet his expenses. Cynthia cites no case law that the circuit court was so obliged, and we will not substitute our judgment for that of the circuit court. We cannot find that no reasonable judge would have ruled as the circuit court did, and so refuse to disturb the circuit court's order in this respect.

¶ 46 c. *Cynthia's Obligation to Provide Health Insurance*

¶ 47 Cynthia requests that we reverse the circuit court's order that she continue to provide healthcare coverage for both S.B.W. and D.C.W. The only factor Cynthia cites is the disparity in income between herself and Tom. The circuit court was entitled to take into account many other factors, such as other financial resources and needs of both parents. The record reflects a huge income disparity between Tom and Cynthia, who, through the income of her spouse, has an annual household income of nearly $1 million. We will not disturb the circuit court's order.

¶ 48 d. *Failure to Make Tom's Obligation to S.B.W. Retroactive*

¶ 49 While section 510(a) of the Act limits the time frame under which the court may make a modification of child support retroactive, there is nothing in the Act that requires a modification to be made retroactive. In determining whether to make an obligation retroactive, the circuit court is entitled to consider all of the enumerated factors relevant to determine a modification award, including financial resources of the parties. Based on these factors, we cannot find that the circuit court abused its discretion in refusing to make Tom's obligation retroactive.

¶ 50 e. *Failure to Provide Termination Date*

¶ 51 Finally, we find no abuse of discretion in the circuit court's failure to provide a specific termination date for the parties' obligations to provide nonminor support to D.C.W. and S.B.W. When there has been a substantial change of circumstances such to warrant a

termination of the obligations, either party is free to seek a modification for termination.

¶ 52 CONCLUSION

¶ 53 For the foregoing reasons, we affirm the order of the circuit court of Monroe County in part, but modify the order as follows: (1) Cynthia's reimbursement to Tom for retroactive overpaid child support is reduced from $12,690 to $10,152, (2) Cynthia's reimbursement to Tom for retroactive overpaid nonminor education expenses is reduced from $8,160 to $4,352, and (3) after subtracting $14,504 that Cynthia owes Tom for retroactive overpaid nonminor expenses and child support, Tom is left owing Cynthia $7,970.34 plus one-half of S.B.W.'s educational expenses from September 2, 2011.

¶ 54 Affirmed as modified.