This opinion is nonprecedential except as provided by Minn. R. Civ. App. P. 136.01, subd. 1(c).

STATE OF MINNESOTA
IN COURT OF APPEALS
A25-1007

In re the Marriage of:

Diana Jakubauskiene, petitioner,
Respondent,

vs.

Robertas Jakubauskas,
Appellant.

Filed April 20, 2026
Affirmed; motion denied
Beane, Judge

Hennepin County District Court
File No. 27-FA-22-5255

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Considered and decided by Bentley, Presiding Judge; Ede, Judge; and Beane, Judge.

NONPRECEDENTIAL OPINION

BEANE, Judge

Appellant Robertas Jakubauskas (husband) challenges the judgment dissolving the parties' marriage, arguing that the district court (1) clearly erred in determining the value of certain real property, (2) erred by rejecting his claim to a nonmarital portion of marital real property, (3) abused its discretion by denying his request for reimbursement of certain expenses he incurred during the pendency of the dissolution proceeding, and (4) abused its discretion by denying his request for conduct-based attorney fees. By notice of related appeal, respondent Diana Jakubauskiene (wife) argues that the district court abused its discretion by (1) denying her request for spousal maintenance, (2) retroactively reducing husband's temporary child-support obligation, (3) not awarding her half of husband's 2022 bonus, (4) denying her request to require husband to secure his child-support obligation with life insurance, (5) not awarding her a marital lien to secure the property-equalizer payment owed to her, and (6) denying her request for need- and conduct-based attorney fees. Husband moves to strike wife's reply argument on the marital-lien issue. We affirm and deny husband's motion as moot.

FACTS

Husband and wife married in 2001 and have two joint minor children. In April 2022, they separated, and wife petitioned for an order for protection (OFP) against husband, on behalf of herself and both children. The district court granted an ex parte OFP and, following a June evidentiary hearing, granted a two-year OFP on behalf of wife and the children. The OFP (and later amendments to it) granted wife temporary sole legal and temporary sole physical custody of the children, awarded husband temporary parenting time, and required husband to pay temporary basic child support of $2,182 per month. Wife initiated this dissolution proceeding in September 2022, and later that year, the district court granted wife's request to consolidate the OFP matter with the dissolution proceeding.

The district court established November 10, 2022, as the valuation date for the marital estate and conducted a six-day trial in January and March 2024. During the trial, the district court received hundreds of exhibits and heard testimony from 22 witnesses, including both parties, various family members, and numerous real-property appraisers and financial experts.

The district court thereafter dissolved the parties' marriage and resolved the various disputed issues. As to the children, the district court awarded wife sole legal custody, awarded the parties joint physical custody, and established a parenting-time schedule. Based on its detailed findings on the parties' income and expenses, the district court ordered husband to pay $1,527 in basic monthly child support and denied wife's request for spousal maintenance. The district court also granted husband's request to alter the temporary child-support obligation established in the OFP, retroactive to February 1, 2023, when he changed employment.

As to division of the parties' property, the district court rejected both parties' claims to nonmarital interests in certain real properties. The district court analyzed extensive competing evidence regarding the valuation of the parties' assets, particularly their multiple real properties, and allocated those assets between the parties. The district court denied the parties' other financial requests, including husband's request to be reimbursed for mortgage payments and other expenses he incurred during the pendency of the dissolution proceeding and wife's request for half of husband's 2022 bonus. After accounting for the property allocation, the parties' debts, and adjustments for reimbursements (including reimbursement owed to husband because of the retroactive reduction of his temporary child-support obligation), the district court ordered husband to pay wife a property-division equalizer of $447,005 within 30 days after the entry of judgment.

Wife moved for a new trial or amended findings. Husband opposed the motion (although he agreed to or requested several clerical corrections) and moved for conduct-based attorney fees. Husband also sought a stay of the dissolution judgment—specifically, his obligation to pay the property-division equalizer—pending resolution of wife's postdecision motion and any appeal. The district court substantially denied wife's postdecision motion; granted husband's request to correct a clerical error regarding a property valuation and, consequently, corrected the amount of the property-division equalizer payment to $411,761; and denied husband's motions for attorney fees and a stay.

Husband filed this appeal, and wife filed a notice of related appeal. After briefing was complete, husband moved this court to strike a portion of wife's reply brief related to her claim of error in the denial of a marital lien.

DECISION

The parties' arguments on appeal address four categories of issues resolved in the dissolution judgment: (1) property division, (2) spousal maintenance, (3) child support, and (4) attorney fees. Because arguments pertaining to the same aspect of the dissolution judgment are related and share a standard of review, we analyze the parties' arguments according to those categories.

I. The district court did not abuse its discretion in dividing the parties' property.

In a dissolution proceeding, the district court "shall make a just and equitable division of the marital property of the parties without regard to marital misconduct, after making findings regarding the division of the property." Minn. Stat. § 518.58, subd. 1 (2024). A district court has broad discretion in dividing marital property, and we will not disturb the property division absent an abuse of discretion. *Schmidt v. Schmidt*, 964 N.W.2d 221, 231 (Minn. App. 2021). A district court abuses its discretion if it makes factual findings that lack support in the evidence, misapplies the law, or renders a decision that is "against logic and the facts on record." *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022) (quotation omitted).

Husband challenges several aspects of the district court's property division: (1) valuation of one of the parties' real properties, (2) denial of his nonmarital claims, and (3) denial of his request for expense reimbursement. Wife challenges two additional decisions related to the property division: (4) denial of her request for half of husband's 2022 bonus, and (5) denial of her request for a marital lien. We address each issue in turn.

A. The record supports the district court's valuation of the parties' real property.

Husband challenges the district court's valuation of one of the parties' real properties, which is located on Clubhouse Lake Road in Marcell (the Clubhouse property). The value of an asset is a factual finding that we will not set aside unless it is clearly erroneous. *Maurer v. Maurer*, 623 N.W.2d 604, 606 (Minn. 2001). A finding is clearly erroneous if it is "manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole." *Kiya v. Jackson*, 23 N.W.3d 857, 863 (Minn. App. 2025) (quoting *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021)), *rev. denied* (Minn. Aug. 12, 2025). "A [district] court's valuation should be upheld if it falls within the range of credible estimates even though it does not coincide exactly with any one estimate." *Maher v. Maher*, 393 N.W.2d 190, 193 (Minn. App. 1986).

The parties purchased the Clubhouse property in February 2021 for $550,000. They spent much of 2021 converting the existing garage into a three-bedroom, two-bathroom guest home; those improvements cost a total of $75,320. The parties presented to the district court competing appraisals as of the November 10, 2022 valuation date. Wife's appraisers valued the Clubhouse property at $935,000, whereas husband's appraiser estimated the value to be only $685,000.

The district court found the analysis by husband's appraiser "generally more credible" than that of wife's appraisers. But the district court rejected the portion of husband's proposed valuation that described the guest home as an "over improvement" that added only $135,000 in value to the initial purchase price. Instead, the district court identified three factors that persuaded it to "add $100,000 in value" to husband's proposed valuation: (1) wife's appraisers' higher valuation included consideration of properties with "in-law suites," which husband's did not; (2) wife's appraisers estimated the cost of a new guest home would be between $193,000 and $264,000; and (3) a contractor estimated the value of the guest home would be a minimum of $200,000. Based on these factors, the district court assigned the Clubhouse property a value of $785,000.

Husband contends the district court's valuation is clearly erroneous because the value it assigned to the guest home lacks support in the record. He is correct that neither party's appraiser specifically endorsed the valuation that the district court adopted. But the district court was not required to simply adopt one valuation or the other. *See Maher*, 393 N.W.2d at 193. The district court articulated reasons, based on the record, for finding that the addition of the guest home increased the value of the Clubhouse property by about $235,000. Husband also contends the district court's reasoning for that valuation is flawed. We are not persuaded. He emphasizes the evidence that supports his preferred valuation and contends the district court should have given that evidence greater weight.[1] But we do not reweigh evidence, and the existence of evidence in the record that could support an alternative finding does not render a finding clearly erroneous. *Kenney*, 963 N.W.2d at 221-22. In sum, husband has not demonstrated that the district court clearly erred by finding that adding the three-bedroom, two-bathroom guest home to the Clubhouse property increased its value by around $235,000 and assigning that property a total value of $785,000.

B. The district court did not err in determining that husband failed to prove his nonmarital claims.

Marital property is any real or personal property "acquired by the parties, or either of them, . . . at any time during the existence of the marriage relation between them." Minn.

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[1] Husband also asserts that the contractor estimate of at least $200,000 value for the guest home was hearsay but does not present any argument or authority addressing the district court's evidentiary ruling. "Summary arguments made without citation to legal support are waived." *Fannie Mae v. Heather Apartments Ltd. P'ship*, 811 N.W.2d 596, 600 n.2 (Minn. 2012). Husband's hearsay argument is therefore waived.

Stat. § 518.003, subd. 3b (2024). Minnesota law presumes that all property acquired by either party during the marriage, before the valuation date, is marital property "regardless of whether title is held individually or by the spouses in a form of co-ownership." *Id.* To overcome the presumption of marital property, a spouse must prove, by the preponderance of the evidence, that the property is "nonmarital property." *Baker v. Baker*, 753 N.W.2d 644, 649-50 (Minn. 2008). Nonmarital property is real or personal property that either spouse acquired that

> (a) is acquired as a gift, bequest, devise or inheritance made by a third party to one but not to the other spouse;
> (b) is acquired before the marriage;
> (c) is acquired in exchange for or is the increase in value of property which is described in clauses (a), (b), (d), and (e);
> (d) is acquired by a spouse after the valuation date; or
> (e) is excluded by a valid antenuptial contract.

Minn. Stat. § 518.003, subd. 3b.

Whether property is marital or nonmarital is a question of law that we review de novo. *Gill v. Gill*, 919 N.W.2d 297, 301 (Minn. 2018). But we defer to the district court's underlying factual findings and set them aside only if they are clearly erroneous. *Id.* We also defer to the district court's credibility determinations. *Kerr v. Kerr*, 770 N.W.2d 567, 570 (Minn. App. 2009). For a claimed nonmarital gift, a court considers "whether a gift was intended at all and to whom it was intended to be made," both of which are "fact questions that depend on the surrounding circumstances." *Id.* at 571.

Husband claimed to have acquired $882,094 of nonmarital property in the form of gifts from his father and the increase in value of those gifts. He asserted that his father made numerous gifts of money and labor to buy and improve the parties' real properties, which increased in value during the marriage. Husband also claimed that although the gifts were made during the marriage, they were intended only for husband's benefit. Wife did not dispute, and the district court implicitly found, that husband's father made significant gifts of money and labor during the marriage. But the district court found that those gifts were not intended solely for husband. Instead, the district court determined, based on findings about the family's history and the credibility of the parties and husband's father, that the gifts were intended for the benefit of the whole family. Consequently, the district court concluded that the gifts and any increase in their value were marital property and that husband failed to prove his nonmarital claims.

Husband asserts various errors in the district court's decision. He first contends the district court erred by not addressing each of his nonmarital claims individually despite his efforts to trace each gift across various real-property transactions. This contention is unavailing. A party claiming nonmarital property must demonstrate that the property maintained its nonmarital status even when comingled with marital property. *Risk ex rel. Miller v. Stark*, 787 N.W.2d 690, 696 (Minn. App. 2010), *rev. denied* (Minn. Nov. 16, 2010). But tracing whether nonmarital property retained its nonmarital character is necessary only if the property was nonmarital in the first place. The district court's conclusion that all the gifts from husband's father were marital property—which is amply supported by its detailed factual findings and credibility determinations—eliminated any need to trace those gifts and any increases in their value.

Husband also contends the district court (1) placed too much weight on wife's testimony about one gift; (2) improperly discredited the testimony of husband's father;

(3) improperly treated the contributions of the parties' parents as equivalent; (4) misused an email from husband's mother and improperly weighed against him her nonappearance at trial; and (5) "punishe[d]" him for making a nonmarital claim, as reflected in the court's finding that the claims "appear to be manufactured" in response to wife obtaining an OFP and pursuing dissolution. All these arguments challenge how the district court weighed evidence and assessed credibility in finding that husband's father did not intend for his gifts to be solely for husband's benefit. But weighing evidence and assessing credibility are the exclusive province of the district court. *Kenney*, 963 N.W.2d at 222.

Our role is simply to determine whether the district court clearly erred in finding that husband's father did not intend the gifts solely for husband. *Id.* Husband's arguments that the record could have supported a different finding are insufficient to convince us that it did. *See id.* To the contrary, the district court carefully identified the evidence it considered in determining intent and explained how it weighed and drew inferences from that evidence. For example, the district court noted evidence that money transfers from husband's father were all in husband's name but reasoned that this labeling did not indicate intent to benefit only husband because it was consistent with evidence that husband was the sole manager of the family's finances. The district court also specifically explained its credibility findings, stating that husband's father was not credible because he exhibited patent animus toward wife and his testimony was so focused on the exclusive nature of his gifts that it appeared "coached." The district court noted that husband likewise exhibited animus toward wife and had a strong financial incentive to minimize any property award to wife. In short, the record supports the district court's finding that the gifts from husband's father were not intended solely for husband. We therefore discern no error in the district court's conclusion that the gifts, including any increase in their value, are marital property.

C. The district court did not abuse its discretion by denying husband's request for expense reimbursement.

Husband asked the district court to order wife to reimburse him for certain expenses he paid during the pendency of the dissolution proceeding: (1) the mortgage and various other expenses related to the marital home, where wife resided; and (2) the cost of keeping wife on his health and dental insurance. The district court denied both requests. As to the expenses related to the marital home, the court explained that "both parties have had to pay ongoing expenses for living expenses and to preserve marital assets during the pendency of this proceeding," much of the information about the expenses "is not currently in the record," and husband's request "is an incomplete accounting of the expenses both parties have paid and therefore an insufficient basis for the Court to order that he be reimbursed." As to insurance costs, the court reasoned that the parties had initially chosen to include wife on husband's insurance, even though she had access to insurance through her own employer, and husband "provide[d] no accounting of the amount to which he believes he should be reimbursed."

Husband contends that the district court abused its discretion by denying his reimbursement requests. With respect to expenses related to the marital home, he asserts that the record contains "clear evidence of what [he] paid for." But husband does not address the district court's concern that wife also incurred expenses during the pendency of the proceeding, and husband failed to provide a full accounting of *both* parties' expenses. Because the district court was charged with equitably dividing the parties' property, Minn. Stat. § 518.58, subd. 1, declining to award reimbursement based on information that accounted for only one party's expenses was not an abuse of discretion.

With respect to insurance, husband assigns error to the district court's refusal to award reimbursement because he claims "the record reflects what [he] paid to cover [wife] under his insurance," pointing to two pages of benefit rates that were admitted as evidence. This again fails to address one of the district court's stated concerns—that husband requested reimbursement but did not specify the amount to be reimbursed or identify evidence that supported his claim. "On appeal, a party cannot complain of a district court's failure to rule in [their] favor when one of the reasons it did not do so is because that party failed to provide the district court with the evidence that would allow the district court to fully address the question." *Eisenschenk v. Eisenschenk*, 668 N.W.2d 235, 243 (Minn. App. 2003), *rev. denied* (Minn. Nov. 25, 2003). Because husband sought insurance reimbursement but failed to specify the amount of the request or direct the court to specific documents supporting the request in the record—which comprises more than 6,000 pages of exhibits—the district court did not abuse its discretion by denying the request.

D. The district court did not abuse its discretion by denying wife's request for half of husband's 2022 bonus.

Wife argues that the district court abused its discretion by denying her request for half of husband's 2022 bonus because an exhibit shows that husband received an annual bonus on January 31, 2023. This argument is unavailing for two reasons.

First, although wife's appellate brief identifies a single page showing the bonus she describes, she never brought that exhibit or any other supporting evidence to the district court's attention. Even after the district court noted this omission, wife's motion to amend the district court's finding on this issue merely referenced unspecified "undisputed evidence." As noted above, a party cannot complain that the district court did not rule in their favor when they did not give the court the information necessary to support their request. *See Eisenschenk*, 668 N.W.2d at 243. Because wife failed to identify for the district court the single relevant page within the thousands of pages of exhibits submitted, the district court did not abuse its discretion by denying her request for half of the bonus.

Second, the exhibit wife identifies on appeal does not independently support her position that the bonus should have been allocated as marital property. The exhibit shows that the bonus was paid in 2023—after the November 10, 2022 valuation date—making it nonmarital property. *See* Minn. Stat. § 518.003, subd. 3b(d). Wife suggests that husband earned the bonus for work performed in 2022, most of which occurred before the valuation date, and thus the bonus is marital property. But she did not present this argument to the district court. *See Thiele v. Stich*, 425 N.W.2d 580, 582 (Minn. 1988) (stating that appellate review is limited to issues presented to and considered by the district court). More troublesome still, wife does not point to any evidence that husband had a legally cognizable right to the bonus, rather than merely an expectation of receiving it, before the valuation date. *See Stageberg v. Stageberg*, 695 N.W.2d 609, 613-15 (Minn. App. 2005) (discussing factors for determining whether nonvested economic interests, such as an attorney's contingent fee, are marital property or merely expectation), *rev. denied* (Minn. July 19, 2005). On this record, the district court did not abuse its discretion by denying wife's request for half of husband's 2022 bonus.

E. The district court did not abuse its discretion by declining to award wife a marital lien.

Wife argues that the district court abused its discretion by awarding her a property-equalizer payment but declining to award her a marital lien in property allocated to husband as security for the payment. She does not identify any authority beyond Minn. Stat. § 518.58, subd. 1, which merely requires a district court to equitably divide the parties' property and says nothing about marital liens. A marital lien is a mechanism for distributing marital property in a dissolution proceeding. *Bakken v. Helgeson*, 785 N.W.2d 791, 794 (Minn. App. 2010). Wife acknowledges that, as with other property-division decisions, whether to award a marital lien is a matter of the district court's discretion. *See Rohling v. Rohling*, 379 N.W.2d 519, 522-23 (Minn. 1986). Yet she has not identified an abuse of that discretion here. The district court's order explained that, if husband fails to pay within the specified time, wife "may seek a judgment against [him]" and pursue "any other remedies."[2] Wife asserts that pursuing collection of a marital lien would be simpler and less expensive for her than pursuing traditional collection methods. Even if that is so,

[2] We observe that wife availed herself of this option after entry of the original dissolution judgment, and a money judgment was entered and docketed against husband in October 2024.

merely declining to afford wife that advantage does not amount to an inequitable property division or other abuse of discretion.[3]

II. The district court did not abuse its discretion by denying wife's request for spousal maintenance.

We review a district court's decision whether to award spousal maintenance for an abuse of discretion. *Curtis v. Curtis*, 887 N.W.2d 249, 252 (Minn. 2016). When reviewing a spousal-maintenance decision, we review findings as to a party's income or expenses for clear error. *Sinda v. Sinda*, 949 N.W.2d 170, 175 (Minn. App. 2020).

If a party requests spousal maintenance, the threshold determination is whether, in light of the marital standard of living, the requesting party has shown that they need maintenance because they: (1) "lack[] sufficient property" to provide for their "reasonable needs," (2) are "unable to provide adequate self-support," or (3) are "the custodian of a child whose condition or circumstances make it appropriate that the custodian not be required to seek employment outside the home." Minn. Stat. § 518.552, subd. 1 (2024); *see also Lyon v. Lyon*, 439 N.W.2d 18, 22 (Minn. 1989) (stating that an award of spousal maintenance requires a showing of need).

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[3] Husband moves this court to strike wife's reply argument on this issue because it recounts events in the district court after the filing of this appeal, which, he contends, are outside the record on appeal. We may strike references to extra-record matters from the parties' briefs. *Brodsky v. Brodsky*, 733 N.W.2d 471, 479 (Minn. App. 2007). But we will deny a motion to strike as moot if we do not consider or rely on the material that is the subject of the motion. *Drewitz v. Motorwerks, Inc.*, 728 N.W.2d 231, 233 n.2 (Minn. 2007). Because we have not considered the extra-record matters that wife addresses in her reply brief, we deny husband's motion as moot.

The district court determined that wife can support herself because her net monthly income of $7,990 exceeds her reasonable monthly expenses of $6,992. Because wife had not made the required threshold showing of need, the district court denied her request for spousal maintenance. Wife disputes the district court's findings on both her net income and her expenses.[4]

As to wife's income, the district court found, and wife does not dispute, that she is able to work full-time and earn a total (base and bonus) gross annual income of $122,666 and that she has pre-tax deductions for life-insurance premiums totaling $33.12 annually. Wife disputes only (1) the amount she is expected to pay in taxes annually, asserting it is $25,563 instead of the $24,647 that the district court found; and (2) the annual cost of her pre-tax deductions for health insurance, asserting it is $2,460 instead of the $2,102 that the district court found. As a result, she contends she has net monthly income of $7,884 instead of the $7,990 that the district court found. But the tax and insurance figures that wife challenges have a basis in the evidentiary record. The district court explained, and wife does not dispute, that its tax figure is based on the same 21% tax rate that her expert used. And the insurance figure corresponds to the year-to-date amount listed for insurance on her last paystub of 2023. Thus, the district court did not clearly err by incorporating those figures into its finding on wife's net income.

[4] Wife also claims the district court erred by not imputing income to husband for purposes of spousal maintenance. But because wife did not make the threshold showing of need, husband's income played no role in the court's denial of spousal maintenance.

As to wife's expenses, she argues that the district court erred by finding that her reasonable monthly expenses are $6,992, rather than $12,986, as she claimed. She contends the district court arbitrarily determined her budget based on a percentage calculation and the figure is not supported by findings or the record. This argument is unavailing. The district court observed that wife has "taken many positions" regarding her budget, ranging from $6,000 during the 2022 OFP proceeding to $18,691 in a November 2023 financial disclosure. It reasoned that, considering those wide-ranging positions and evidence of the family's monthly net income in recent years, wife's claimed budget of $12,986 (plus $3,487 for the children) was not credible. Instead, the district court cited evidence that the family's average monthly spending was about $9,200; used that figure as a budget for wife and the children; and determined, based on the percentages wife used in calculating her own budget, that 76% of that figure—$6,992—is for her personal expenses. In short, the district court identified the record evidence on which it relied and the logical inferences it made in determining wife's expenses. Wife's suggestion that the court could have weighed the evidence differently and made a different finding is insufficient to demonstrate clear error in its determination of wife's monthly expenses. *See Kenney*, 963 N.W.2d at 222.

In sum, the record supports the district court's findings as to wife's income and expenses, and because those figures show that her income is sufficient to meet her needs, the district court did not abuse its discretion by denying her request for spousal maintenance.[5]

III. The district court did not abuse its discretion in addressing child support.

A district court has broad discretion to provide for the support of the parties' children. *Putz v. Putz*, 645 N.W.2d 343, 347 (Minn. 2002). An abuse of discretion occurs when a district court sets support in a manner that is "against logic and the facts on record." *Id.* A district court's determination of income for child-support purposes is a factual finding that we will not disturb unless it is clearly erroneous. *Newstrand v. Arend*, 869 N.W.2d 681, 685 (Minn. App. 2015), *rev. denied* (Minn. Dec. 15, 2015).

Wife makes three arguments regarding child support. First, wife challenges the district court's determination of husband's income for purposes of determining child support. She contends the district court should have imputed income to him because he "could have found a higher paying job in his field." A district court must calculate child support based on "potential income" if a parent is voluntarily underemployed. Minn. Stat. § 518A.32, subd. 1 (2024). But the district court expressly determined that husband is not voluntarily underemployed because he "credibly testified" that the types of higher paying jobs wife references are no longer available. It also found that his "history of developing his career, consistent high-level earnings, and efforts to earn more income for the family through the rental business would be inconsistent with him voluntarily reducing his

[5] Wife also contends the district court abused its discretion by denying spousal maintenance without reserving the issue. She has waived this issue because she presents no supporting argument or legal authority. *See Fannie Mae*, 811 N.W.2d at 600 n.2.

income." Wife's recitation of evidence that would have supported a different finding is insufficient to show that the district court clearly erred in finding that husband is not voluntarily underemployed. *See Kenney*, 963 N.W.2d at 222.

Second, wife argues that, even if the district court accurately determined the amount of child support that husband must pay going forward, it abused its discretion by making that determination retroactive to February 1, 2023, when husband began his current employment. The retroactive modification applied to husband's temporary child-support obligation under the OFP. Under Minnesota law, a "temporary order or restraining order" does not "prejudice the rights of the parties or the child which are to be adjudicated at subsequent hearings in the proceeding" and "[m]ay be revoked or modified by the court before the final disposition of the proceeding." Minn. Stat. § 518.131, subd. 9 (2024). Because that statute authorizes the modification that the district court ordered here and wife identifies no error in the district court's application of that statute, we discern no abuse of discretion in the retroactive modification of husband's temporary child-support obligation.

Third, wife claims error in the district court's denial of her request to require husband to secure the child-support obligation with life insurance. When ordering child support, a district court "may require sufficient security to be given" for payment of the obligation. Minn. Stat. § 518A.71 (2024). This statute affords the district court discretion to require a person obligated to pay child support to obtain life insurance, but it is "not mandatory." *Hunley v. Hunley*, 757 N.W.2d 898, 900-01 (Minn. App. 2008) (addressing precursor to Minn. Stat. § 518A.71). We reverse a district court's discretionary decision only if the court made unsupported factual findings, misapplied the law, or rendered an illogical decision. *Woolsey*, 975 N.W.2d at 506.

Wife contends the district court abused its discretion by denying her life-insurance request because the court's own findings show that her monthly income of $7,990 is insufficient to cover the $9,200 monthly budget for her and the children. The district court did not expressly articulate a reason for denying wife's request, but its findings and the record support its implicit determination that a life-insurance requirement is not warranted here. As the district court highlighted in denying wife need-based attorney fees, wife earns more than enough to support herself and is also entitled to a "substantial" property-division equalizer payment of more than $400,000. Additionally, as husband notes, the child-support obligation will only be in effect for a few more years because the parties' youngest child was 13 years old at the time of trial and is now 15, and that obligation will expire once that child finishes high school. Because wife has not demonstrated any factual, legal, or logical error in the denial of a life-insurance requirement, the district court did not abuse its discretion in this aspect of its child-support decision.

IV. The district court did not abuse its discretion by denying attorney fees.

A district court analyzes a request for need- or conduct-based attorney fees in a family-law matter under Minnesota Statutes section 518.14 (2024).[6] We review a district

[6] The legislature amended this statute during the pendency of this action, effective for proceedings "commenced on or after" August 1, 2024. 2024 Minn. Laws ch. 101, art 1, § 5, at 862, 868. We cite the current version of the statute because it does not appear that the recent amendments affect the parties' rights or arguments. *See Interstate Power Co. v. Nobles Cnty. Bd. of Comm'rs*, 617 N.W.2d 566, 575 (Minn. 2000).

court's decision regarding both types of attorney fees for an abuse of discretion. *Backman v. Backman*, 990 N.W.2d 478, 489 (Minn. App. 2023) (need); *Madden v. Madden*, 923 N.W.2d 688, 702-03 (Minn. App. 2019) (conduct).

A. Need-Based Fees

A district court "shall" award attorney fees "in an amount necessary to enable a party to carry on or contest the proceeding" if it finds, in relevant part, that the party requesting the fees "does not have the means to pay them." Minn. Stat. § 518.14, subd. 1. A district court may consider a party's property award in assessing the need for fees. *See Schallinger v. Schallinger*, 699 N.W.2d 15, 24 (Minn. App. 2005) (affirming denial of need-based fees when party paid fees in part with "advance marital fund distribution"), *rev. denied* (Minn. Sept. 28, 2005); *cf. Beck v. Kaplan*, 566 N.W.2d 723, 727 (Minn. 1997) (affirming award of need-based fee based on finding that requesting party would have to "deplete 'the limited capital assets available to her for her retirement'" to pay fees). A district court's determination regarding a party's ability to pay fees is a factual finding that we review for clear error. *Muschik v. Conner-Muschik*, 920 N.W.2d 215, 225 (Minn. App. 2018).

Wife sought need-based attorney fees for the dissolution proceeding and postdecision motions. The district court denied her requests, finding that she "has the means" to pay her fees based on her income and the "substantial" property-division equalizer owed to her. In challenging that decision, wife first argues that a fee award is appropriate because husband has a greater ability to pay fees. This argument relies on outdated caselaw interpreting an earlier version of Minn. Stat. § 518.14. *Geske v.*

Marcolina, 624 N.W.2d 813, 818 n.2 (Minn. App. 2001) (explaining that "disparity in income" is no longer "an adequate basis for a fee award"). Wife also lists evidence that she presented to show need, but the mere existence of evidence that could support an alternative finding does not render the district court's finding clearly erroneous. *Kenney*, 963 N.W.2d at 222. Finally, wife insists that she "should not be obligated to use her property settlement to pay for fees," but she cites no supporting authority and, in fact, acknowledges that a court may consider a party's property award when assessing need. On this record, the district court did not clearly err in determining that wife has the means to pay her attorney fees or otherwise abuse its discretion in denying her request for need-based fees.

B. Conduct-Based Fees

A district court may award conduct-based fees "against a party who unreasonably contributes to the length or expense of the proceeding." Minn. Stat. § 518.14, subd. 1a. Conduct-based fees may be based on a party's pursuit of "frivolous or bad-faith claims." *Baertsch v. Baertsch*, 886 N.W.2d 235, 239 (Minn. App. 2016). A district court may deny conduct-based fees if both parties "contributed to the unnecessary length of the[] proceedings." *See Kahn v. Tronnier*, 547 N.W.2d 425, 431 n.5 (Minn. App. 1996), *rev. denied* (Minn. July 10, 1996); *see also Kitchar v. Kitchar*, 553 N.W.2d 97, 104 (Minn. App. 1996) (noting that "the actions of both parties contributed to the expense involved in this case" in affirming denial of conduct-based fees), *rev. denied* (Minn. Oct. 29, 1996).

Both parties challenge the district court's denial of their requests for conduct-based fees. We turn first to wife, who argues that the district court abused its discretion by denying her conduct-based attorney fees for the dissolution proceeding and postdecision motions. She contends she has incurred attorney fees in responding to husband's "unnecessary litigation" and "baseless arguments," reciting various instances. But she does not address the district court's reasoning in denying fees—that this is a "high conflict case" in which "both parties inappropriately contribute[d] to the litigation" and are "equally responsible for the costs incurred." Because that explanation is supported by both caselaw and logic and wife does not dispute its factual accuracy, wife has not demonstrated that the district court abused its discretion by denying her request for conduct-based fees.

Husband, in turn, argues that the district court abused its discretion by denying his request for conduct-based attorney fees related to wife's postdecision motion. He focuses on the district court's critical description of the motion, particularly that the motion essentially restated the arguments in wife's proposed order. In doing so, he also largely fails to address the district court's reasoning that neither party is entitled to conduct-based fees because they both "inappropriately contribute[d] to the litigation." The court specifically explained that this pattern continued in postdecision motions, with both parties filing "numerous, lengthy" motions that "equally contributed to the cost of this litigation." Because the district court's reasoning is supported by the record, caselaw, and logic, husband has not demonstrated that the district court abused its discretion by denying his request for conduct-based fees.

Affirmed; motion denied.