

*This opinion is nonprecedential except as provided by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
A25-1521**

In re the Marriage of:

Stefanie R. Varga, petitioner,
Respondent,

vs.

Michael E. Kangas,
Appellant.

**Filed August 10, 2026
Affirmed
Kirk, Judge***

Ramsey County District Court
File No. 62-FA-13-8

Samantha J. Gemberling, Gemberling • Allen P.A., St. Paul, Minnesota (for respondent)

Victoria J. Brenner, Hannah S. Fereshtekhou, Joseph W. Hamaker, Taft Stettinius &
Hollister LLP, Minneapolis, Minnesota (for appellant)

Considered and decided by Rasmusson, Presiding Judge; Johnson, Judge; and Kirk,
Judge.

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to
Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

KIRK, Judge

In this appeal from the district court's order modifying child support, appellant-father argues that the district court abused its discretion by improperly calculating parenting time for the purposes of child support. We affirm.

FACTS

Appellant Michael E. Kangas (father) and respondent Stefanie R. Varga (mother) married in 1997 and have three joint children, two of whom were minors during the proceedings at issue. In 2013, mother petitioned for dissolution of the marriage, and the parties stipulated to a dissolution judgment and decree (J & D). The J & D granted the parties joint legal and joint physical custody, as well as equal parenting time. Father owed basic monthly child support. In 2018, the parties stipulated to a modification in child support which resulted in mother owing father net monthly child support.

In 2024, mother moved to modify child support and parenting time to allow one of the minor children to relocate to Florida with her. In response, father moved for temporary sole legal and physical custody. The district court broadly denied both parties' requests, ruling that the circumstances had not changed such that relocation of the child was appropriate, nor did the evidence support a modification of custody. However, given that mother was moving to Florida, the district court ordered that parenting time should be modified to "reflect the change in location." It outlined a parenting-time schedule that addressed parenting time during the school year, summers, vacations, and work travel. As to mother's motion to modify child support, the district court reserved ruling pending a

review hearing to be requested by either or both parties. A hearing was never requested, and the existing child-support order remained in effect.

In 2025, both parties separately moved to modify child support. The district court found that a modification was supported by changed circumstances and determined that based upon the parenting-time schedule as outlined in the 2024 order, mother was entitled to a downward parenting-expense adjustment. After applying this adjustment, the effect of the district court's order is that mother owes father \$121 in basic monthly child support.

Father appeals.

DECISION

Father argues that the district court improperly calculated the amount of parenting time in determining the parenting-expense adjustment, resulting in an inaccurate child-support obligation. We first set out the relevant standards governing our review.

A district court may modify child support upon a showing of a substantial change in circumstances that render the existing award unreasonable and unfair. Minn. Stat. § 518A.39, subd. 2 (2024). Whether to modify child support is within the broad discretion of the district court. *Shearer v. Shearer*, 891 N.W.2d 72, 77 (Minn. App. 2017). As a result, we will reverse a district court's order modifying child support "when it sets child support in a manner that is against logic and the facts on record or it misapplies the law." *Id.*

"Every child support order shall specify the percentage of parenting time granted to or presumed for each parent." Minn. Stat. § 518A.36, subd. 1(a) (2024). In determining this percentage, a district court calculates "the number of overnights or overnight

equivalents that a parent spends with a child pursuant to a court order.” *Id.* Then, the court utilizes the “approximate number of annual overnights the child or children will likely spend” with each parent to calculate the parenting-expense adjustment. Minn. Stat. § 518A.36, subd. 2(a) (2024). This adjustment “reflects the presumption that while exercising parenting time, a parent is responsible for and incurs costs of caring for the child.” Minn. Stat. § 518A.36, subd. 1(a). We review the district court’s calculation of parenting time for the purpose of the parenting-expense adjustment for clear error. *See Hesse v. Hesse*, 778 N.W.2d 98, 103 (Minn. App. 2009).

In its 2025 child-support order, the district court found that mother had 46% of the parenting time while father had 54%. In support of this finding, it calculated overnights as follows: “[Mother] has 168 days of parenting time. (105 scheduled days + 63 Minnesota days (7 days each month for 9 months)). [Father] is awarded the remaining 197 days.” The district court derived the 63 “Minnesota days” from the parenting-time schedule laid out in its 2024 parenting-time order:

Minnesota Time. [Mother] may exercise parenting time when she travels to Minnesota for work. This time shall not exceed 7 days per visit, will minimize impacts to school and activities and [mother] shall give the other parent at least a 30-day written notice of her plans.

The district court reasoned that this provision—called the business-travel provision—allowed mother to schedule seven-day visits every 30 days, excluding the summer months already allocated to mother. Adding these “Minnesota days” to mother’s remaining parenting time, the district court calculated the parenting-expense adjustment accordingly.

Father maintains that because the business-travel provision does not have an identifiable upper limit, the district court committed reversible error by improperly considering overnights that were not scheduled “pursuant to a court order.” *See* Minn. Stat. § 518A.36, subd. 1(a). We are unpersuaded.

A district court may clarify a judgment that is “ambiguous or uncertain on its face.” *Halverson v. Halverson*, 381 N.W.2d 69, 71 (Minn. App. 1986); *see Tarlan v. Sorensen*, 702 N.W.2d 915, 919 (Minn. App. 2005) (“If a judgment is ambiguous, a district court may construe or clarify it.”). Whether a provision in a judgment is clear or ambiguous is a legal question that we review de novo. *See Halverson*, 381 N.W.2d at 71. If a judgment is ambiguous, we review the district court’s interpretation of any ambiguity for clear error. *Tarlan*, 702 N.W.2d at 919; *Suleski v. Rupe*, 855 N.W.2d 330, 339 (Minn. App. 2014). Because the referee who authored the parenting-time order in 2024 is the same referee who determined its meaning in this proceeding, her reading of the provision is entitled to “great weight.” *Tarlan*, 702 N.W.2d at 919; *see also LaChapelle v. Mitten*, 607 N.W.2d 151, 162 (Minn. App. 2000) (“We defer to a district court’s interpretation of its own order.”), *rev. denied* (Minn. May 16, 2000).

The business-travel provision limits mother’s Minnesota time to seven-day visits with 30-day notice to father but does not clearly indicate the permitted frequency of mother’s visits.¹ However, the district court is in the best position to interpret its own

¹ Father argues that this silence equates to unambiguous breadth. We disagree. Elsewhere in its 2024 order, the district court adopted mother’s proposed parenting-time schedule; that schedule details that mother anticipated travelling to Minnesota approximately once per month. Considering this context, it is reasonable to interpret a monthly limitation on

order, *LaChapelle*, 607 N.W.2d at 162, and we will not disturb its interpretation absent clear error. *Tarlan*, 702 N.W.2d at 919. We discern none here. Parenting time is determined by the number of overnights “granted to or *presumed*” by a court order. Minn. Stat. § 518A.36, subd. 1(a) (emphasis added). Relying on this presumed time, a district court calculates the parenting-time adjustment by looking to the “approximate number of annual overnights” a child “will likely spend” with each parent. Minn. Stat. § 518A.36, subd. 2(b). As relevant here, the district court determined that, per its own parenting-time order, the children would presumably spend about one week per month with mother while she is in Minnesota on business. This is supported by the record. In the proposed parenting-time schedule, which the district court adopted as to both children, mother proposed parenting time “when [mother] travel[s] to Minnesota to work one week in September; one week prior to MEA; one week prior to Thanksgiving; one week prior to winter vacation; one week prior to March break; one week prior to Easter.” On this record and considering the deference we give a district court’s interpretation of its own order, we cannot say that the district court clearly erred by resolving any ambiguity in the business-travel provision by reading it to impose a monthly expectation on mother’s Minnesota visits. *See LaChapelle*, 607 N.W.2d at 162; *Tarlan*, 702 N.W.2d at 919.

mother’s Minnesota time such that the business-travel provision is not, as father claims, “unambiguously broad.” *See Landwehr v. Landwehr*, 380 N.W.2d 136, 139 (Minn. App. 1985) (stating that deciding whether an ambiguity exists “cannot be made by reading words in isolation”).

Father maintains that the district court erred by calculating overnights based on parenting time that mother actually exercised. We agree that for the purposes of the parenting-expense adjustment, courts look to the parenting time as scheduled by “the terms of a court order,” and not what the parent actually exercised. *Nelson v Nelson*, 983 N.W.2d 923, 929 (Minn. App. 2022) (quotation omitted). But here, while the district court noted that mother “exercised this time and more,” it did so only after it concluded that “[a]s drafted and intended,” the terms of the 2024 parenting-time order awarded mother 63 days of Minnesota time. As discussed, to the extent the terms of the 2024 parenting-time order are imprecise, the district court resolved any ambiguity. *See Tarlan*, 702 N.W.2d at 919.

In sum, considering the “great weight” given to the district court’s interpretation of its own orders, and the record evidence for the district court’s interpretation of the business-travel provision, we conclude that the district court did not clearly err in calculating the number of overnights, nor in turn, abuse its discretion in its order modifying child support. *See id.*

Affirmed.