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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2021-2022

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Jessa Roginski, on behalf of Jaya Jackson, a minor

v.

Estate of Tarvaris Jackson

**Appeal from Montgomery Circuit Court
(CV-20-900791)**

MITCHELL, Justice.

When former NFL quarterback Tarvaris Jackson passed away last year, he left behind a young daughter named Jaya, to whom he owed child

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support under the terms of a Minnesota court order. Jaya's mother and legal representative, Jessa Roginski, commenced an action in the Montgomery Circuit Court to domesticate the Minnesota support order. In response to a motion filed by Jackson's estate, the circuit court entered an order to strike Roginski's filings, from which she appealed to this Court. Because the Court of Civil Appeals has exclusive appellate jurisdiction of appeals in domestic-relations cases, we transfer this appeal to that court.

Facts and Procedural History¹

In February 2017, a district court in Hennepin County, Minnesota, entered an order requiring Jackson to pay \$2,112 in child support each month until Jaya turns 18 years old or graduates high school (whichever comes later), becomes self-supporting or emancipated, marries, serves in the military, or dies. The order also required Jackson to maintain a life-

¹In this section, we relate the facts and procedural history that are necessary to explain our determination that this appeal belongs with the Court of Civil Appeals. We omit, as immaterial to that determination, discussion of events and filings occurring between the filing of the motion to dismiss by Jackson's estate and the circuit court's ruling on that motion.

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insurance policy for Jaya's benefit covering the predicted amount of his total child-support obligation.

Jackson passed away in April 2020, and his widow opened an estate ("the estate") for him in Montgomery County, where he resided at the time of his death. On June 17, 2020, Roginski filed a document titled "Notice of Filing Foreign Judgment" in the circuit court, which stated in relevant part:

"COMES NOW, Jessa Roginski, on behalf of Jaya Jackson, a minor, and pursuant to Ala. Code § 30-3D-602, files a certified copy of an authenticated foreign judgment from the District Court of Hennepin County in the State of Minnesota. That on February 21, 2017, a judgment was entered by the District Court of Hennepin County against Tarvaris D'Andre Jackson, deceased, awarding child support payments to Jessa Roginski for the support of their child, Jaya Jackson, in the amount of \$367,488.00."²

Attached to the notice were a copy of the Minnesota court's child-support order and an affidavit by Roginski's counsel, which said that Roginski was seeking "to domesticate the foreign judgment ... in

²According to Roginski, the figure of \$367,488 represents Jackson's monthly child-support obligation of \$2,112 multiplied by the 174 months between his last payment (February 2020) and Jaya's 18th birthday (August 2034).

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accordance with Ala. Code § 30-3D-602." Section 30-3D-602, Ala. Code 1975, is part of Alabama's enacted version of the Uniform Interstate Family Support Act ("the UIFSA"), § 30-3D-101 et seq., Ala. Code 1975.

The circuit clerk issued a "Certificate of Judgment" stating that Roginski had recovered a judgment against the estate in the circuit court for the sum of \$367,488 plus court costs of \$246. The following month, the estate filed a document titled "Motion to Dismiss, or In the Alternative, Motion to Strike Filings and Stay Enforcement," in which it argued: (1) that there was no foreign judgment in the amount of \$367,488; (2) that Roginski's filings did not meet the requirements to domesticate a foreign judgment under Alabama's enacted version of the Uniform Enforcement of Foreign Judgments Act ("the UEFJA"), § 6-9-230 et seq., Ala. Code 1975; (3) that Roginski's filings did not meet the requirements to register a support order under the UIFSA; and (4) that, in the alternative to dismissal, the court should strike Roginski's filings and stay enforcement of the child-support order.

In November 2020, the circuit court ruled on the estate's motion. Its order stated that Roginski's filings were "stricken" and that enforcement

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of the child-support order was "dismissed without prejudice." Roginski moved to alter, amend, or vacate the circuit court's order. The court denied that motion, and Roginski filed a timely notice of appeal to this Court.

Analysis

This appeal must be transferred to the Court of Civil Appeals under § 12-1-4, Ala. Code 1975, which provides in relevant part that, "[w]hen any case is submitted to the Supreme Court which should have gone to one of the courts of appeals," the case "must not be dismissed but shall be transferred to the proper court." The Court of Civil Appeals has "exclusive appellate jurisdiction" of "all appeals in domestic relations cases." § 12-3-10, Ala. Code 1975. Because this case is about Roginski's attempt to enforce the Minnesota child-support order in Alabama, it is a domestic-relations case, and this appeal falls within the Court of Civil Appeals' exclusive appellate jurisdiction.

The UIFSA provides a statutory framework for registering out-of-state family-law support orders for enforcement in Alabama. See §§ 30-3D-601 through 604. Once registered under the UIFSA, an out-of-state

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support order "is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this state," § 30-3D-603(b), and may be modified by an Alabama court under certain circumstances, see §§ 30-3D-609 through 614. Because UIFSA proceedings concern family-law support orders, they fall within the category of "domestic relations cases" for purposes of § 12-3-10. Indeed, the Court of Civil Appeals has long taken exclusive appellate jurisdiction of appeals in UIFSA cases. See, e.g., Davis v. Davis, 317 So. 3d 47 (Ala. Civ. App. 2020); Hummer v. Loftis, 276 So. 3d 215 (Ala. Civ. App. 2018); Ex parte Reynolds, 209 So. 3d 1122 (Ala. Civ. App. 2016); Williams v. Williams, 91 So. 3d 56 (Ala. Civ. App. 2012); C.K. v. J.M.S., 931 So. 2d 724 (Ala. Civ. App. 2005); McCarthy v. McCarthy, 785 So. 2d 1138 (Ala. Civ. App. 2000).

Roginski's original filings in the circuit court expressly invoked § 30-3D-602, the UIFSA section that sets forth the procedures for registering an out-of-state support order. And on appeal, Roginski argues that she properly registered the Minnesota support order by complying with the requirements of § 30-3D-602. To that extent, this appears to be a UIFSA

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case, placing it squarely within the exclusive appellate jurisdiction of the Court of Civil Appeals.

The analysis is complicated slightly by the parties' references to the UEFJA, a separate statute that provides a general framework for the filing and enforcement of foreign judgments. See § 6-9-230 et seq.; see also Pope v. Gordon, 922 So. 2d 893, 897 (Ala. 2005) (explaining that "the purpose of the UEFJA 'is to give the holder of a foreign judgment the same rights and remedies as the holders of domestic judgments' " (quoting 30 Am. Jur. 2d Executions and Enforcements of Judgments § 778 (2005)). Unlike the UIFSA, the UEFJA is not exclusively or primarily concerned with domestic-relations orders or any other specialized subject matter. Rather, it provides generally for the filing and enforcement of "any judgment, decree, or order of a court of the United States or of any other court which is entitled to full faith and credit in this state." § 6-9-231. Under the UEFJA, an authenticated foreign judgment "may be filed in the office of the clerk of any circuit court of this state," § 6-9-232, subject to certain procedural requirements set forth in § 6-9-233. "A judgment so filed has the same effect and is subject to the same procedures, defenses

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and proceedings for reopening, vacating, or staying as a judgment of a circuit court of this state and may be enforced or satisfied in like manner."

§ 6-9-232.

Here, we have no occasion to consider the overall relationship between the UEFJA and the UIFSA, or even the substantive applicability of the UEFJA to this case. Even if we were to ignore the UIFSA, regard the Minnesota order as a "foreign judgment" under § 6-9-231, and consider this case solely as a UEFJA proceeding, the fact would remain that the foreign judgment Roginski sought to domesticate is a domestic-relations order. Thus, any proceeding to reopen, vacate, stay, enforce, or satisfy that judgment, as contemplated by § 6-9-232, would be a proceeding to reopen, vacate, stay, enforce, or satisfy a domestic-relations judgment. By the same token, any appeal in the case must be an appeal in a domestic-relations case.

Cases interpreting the division of appellate jurisdiction between this Court and the Court of Civil Appeals have generally looked to substance over mere form. See Kimberley-Clark Corp. v. Eagleton, 433 So. 2d 452, 454 (Ala. 1983); Ex parte Barnett, 248 So. 3d 981, 985 (Ala. Civ. App.

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2017). In substance, this case is about the enforcement of the Minnesota child-support order, and that is true no matter which statutory lens we apply. We conclude that this is a domestic-relations case, that Roginski's appeal is within the exclusive appellate jurisdiction of the Court of Civil Appeals, and that it must be transferred to that court under § 12-1-4.

Conclusion

For the foregoing reasons, we order this appeal to be transferred to the Court of Civil Appeals. Consistent with our conclusion that we lack appellate jurisdiction in this case, we emphasize that nothing in this opinion should be read to prejudice any of the parties' procedural or substantive arguments.

APPEAL TRANSFERRED TO COURT OF CIVIL APPEALS.

Parker, C.J., and Shaw, Bryan, and Mendheim, JJ., concur.