

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

FRANK E. SMITH, JR.,

Appellant,

v.

Case No. 5D20-912

CHRISTINE FENTON-SMITH,

Appellee.

_____ /

Opinion filed June 25, 2021

Appeal from the Circuit
Court for Lake County,
Dan R. Mosley, Judge.

Timothy M. Doud, of Law Offices
of Timothy M. Doud, LLC, Tarpon
Springs, for Appellant.

Pamela Jean Helton and Barry V.
Newton, Jr., of Law Office of
Pamela J. Helton, P.A., Clermont,
for Appellee.

SASSO, J.

Frank E. Smith, Jr. ("Former Husband") appeals the final judgment of
dissolution that dissolved his marriage to Christine Fenton-Smith ("Former

Wife”). Former Husband raises several issues on appeal, only one of which has merit. We agree that the trial court abused its discretion in ordering Former Husband to pay Former Wife’s attorney’s fees where it failed to consider the financial situation of the parties after the dissolution proceeding. See *Ziruolo v. Ziruolo*, 217 So. 3d 1170, 1172 (Fla. 1st DCA 2017) (noting a critical factor for a trial court to consider in awarding fees is the financial situation of the parties after the dissolution proceeding has concluded); *Lovell v. Lovell*, 14 So. 3d 1111, 1117 (Fla. 5th DCA 2009) (directing courts to determine attorney’s fees after the dissolution proceeding has concluded, based upon the parties’ resulting financial situation).

Therefore, we reverse the trial court’s award of attorney’s fees and remand for reconsideration. In all other aspects, we affirm.

REVERSED and REMANDED.

WALLIS and HARRIS, JJ., concur.