

Third District Court of Appeal

State of Florida

Opinion filed October 28, 2020.
Not final until disposition of timely filed motion for rehearing.

No. 3D20-413
Lower Tribunal No. 11-26169

Albert Steven Coriat,
Appellant,

vs.

Enma Larissa Coriat,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Samantha Ruiz Cohen, Judge.

Law Offices of Maria del Carmen Calzon, P.A., and Maria del Carmen Calzon, for appellant.

Wasson & Associates, Chartered, and Annabel C. Majewski; Vilar Law, P.A., and Patrick Vilar, for appellee.

Before SCALES, LOBREE and BOKOR, JJ.

SCALES, J.

Albert Steven Coriat (“Former Husband”) appeals a February 14, 2019 trial court order granting attorney’s fees and costs to Enma Larissa Coriat (“Former Wife”) after Former Wife prevailed in her petition for modification of child support. We affirm in part and reverse in part, remanding with instructions.

After a February 14, 2019 evidentiary hearing, the trial court awarded fees and costs to Former Wife in the amount of \$39,420. While Former Husband makes several arguments challenging the trial court’s fee judgment, we find merit only in Former Husband’s argument that the judgment includes amounts attributable to clerical and secretarial work, contrary to Youngblood v. Youngblood, 91 So. 3d 190, 192 (Fla. 2d DCA 2012).

In her answer brief to this Court, Former Wife concedes that a portion of the award was attributable to clerical and secretarial work. We are unable to discern from the record how much of the judgment is based on such billings; at the evidentiary hearing, Former Husband argued the amount was “substantial” without proffering a precise amount in response. We, therefore, remand to the trial court to determine the portion of the judgment attributable to clerical and secretarial work, and to enter a new judgment that does not include such amount.

Affirmed in part; reversed in part and remanded with instructions.