

The Order of the Court is stated below:

Dated: April 10, 2026
10:00:37 AM

/s/ JOANNA SAGERS
District Court Commissioner



Dated: April 10, 2026
12:45:37 PM

/s/ LINDA JONES
District Court Judge



Robin Kirkham - 14550 Robin Kirkham Law, LLC 680 E Winchester St Murray, UT 84107 Telephone: (801) 386-4529 Email: robin@robinkirkhamlaw.com Attorney for Brianna Barnes	
IN THE THIRD JUDICIAL DISTRICT COURT SALT LAKE COUNTY, STATE OF UTAH 450 S. State St., P.O. Box 1860, Salt Lake City, UT 84111	
In the Matter of the Marriage of BRIANNA BARNES and ANDREW HIGGINS	ORDER AND JUDGMENT (Hearing held October 29, 2025) Case No. 224906378 Judge Linda Jones Commissioner Joanna Sagers

Parties appeared before Commissioner Joanna Sagers on October 29, 2025 for review hearing on the Temporary Restraining Order issued May 15, 2025 and Brianna's Motion to Enforce. Brianna Barnes (hereinafter "Brianna") was present with counsel Robin Kirkham, and Andrew Higgins (hereinafter "Andrew") was present with counsel John Walsh. Pursuant to information and argument presented at hearing and good cause appearing, the court hereby orders and enters judgment as follows:

FINDINGS AND ORDER

Parent-time

1. Hair Follicle Test. Andrew was ordered to submit to a hair follicle drug test and for the results to be submitted to the Court prior to the hearing herein. Andrew has submitted UA drug test results but has not yet provided the required hair follicle test results required by the Court.

2. Supervision. There will be no changes to parent-time from the prior order at this time. Andrew's parent-time should continue to be supervised by a professional supervisor or a mutually-approved third-party supervisor, with no overnights occurring. The supervisor shall ensure that Andrew is not under the influence of any substances or alcohol or intoxicated, prior to or during the parent-time with the children.

3. Parent-time. The parties have jointly prepared a parent-time calendar for upcoming parent-time for November and December to eliminate potential conflict over supervisor availability. The calendar has been filed herein and indicates Andrew should exercise the following parent-time schedule for November and December 2025:

- a. Every Wednesday from 5-9 p.m.
- b. Weekend: November 7-9, 2025 (5-9 p.m. each day)
- c. Holiday: November 11, 2025 (5-9 p.m.)
- d. Weekend: December 5-7, 2025 (5-9 p.m. each day)
- e. Holiday (M.H. Birthday): December 13, 2025 (5-9 p.m.)
- f. Holiday (Winter Break)

- i. December 19-23, 2025 (5-9 p.m.)
- ii. December 24, 2025 (6-8 p.m.)
- iii. December 25, 2025 (12-2 p.m.)
- iv. December 26, 2025 (5-9 p.m.)
- v. December 27, 2025 (3-7 p.m.)

4. Make-up Parent-time. Andrew's request for make-up parent-time is reserved, pending his hair follicle drug tests results.

5. Other Orders. Both parties are restrained from entering the residence of the other party, absent express written permission obtained directly from the other party. Permission granted by the children, tenants and/or roommates is not sufficient.

Home Equity

6. Andrew has thirty (30) days from the date of the hearing, October 29, 2025, to refinance the marital home pursuant to the Decree. If the home is unable to be refinanced within 30-days, the Court will recommend that the home be listed for sale immediately. The parties may contact the Commissioner's team if there are any problems with the refinance/sale and request a review hearing.

7. At the time of refinance and/or sale, Brianna shall be paid her \$110,000 equity, per the Decree of Divorce. The Decree of Divorce does not specify when the payment of Brianna's equity needed to be paid by, and therefore, Andrew is not held in contempt for his failure to pay her equity prior to the hearing.

8. Andrew's child support and medical expense arrears judgments entered herein shall be paid to Brianna from the home equity at the time of refinance or sale.

Personal Property

9. The Decree of Divorce does not specifically list some of the personal property items listed in Brianna's Motion to Enforce. Brianna contends they were items of her personal property awarded to her collectively. Andrew contends that the Decree awards Andrew any property in his possession at the time of the Decree. The Court is making no orders regarding the personal property items that were not specifically listed in the Decree.

10. Brianna is awarded the porch swing, pursuant to the Decree of Divorce. Andrew is ordered to surrender the porch swing to Brianna and/or Brianna's parents, who should arrange a time to pick-up the porch swing from Andrew.

11. Brianna is awarded her the heirloom family quilts, per the Decree of Divorce. Andrew argues that those family collectibles are not in his possession. If Andrew is in possession or control of any of Brianna's family heirlooms and collectibles, including the collection of quilts, those items shall be returned to Brianna.

Child Support Arrears

12. The Decree ordered Andrew to pay \$691 per month in child support beginning June 2023 and entered a separate award for arrears prior to June 2023. Including support owed through the end of October 2025, the court found Andrew in arrears for child support in the amount of \$22,324.64. However, since the hearing, the Utah Office of Recovery Services (ORS)

has obtained a Child Support Lien in Third District Salt Lake case number 266902051, filed January 7, 2026, which covers arrears accrued since May 1, 2025. As such, arrears since May 1, 2025 have been excluded from this Order, leaving \$20,730 pre-ORS arrears calculated as follows:

- a. 11/2022 – 5/2023 (arrears per Decree): \$4,837.00
- b. 6/2023 – 4/2025 (23 months prior to ORS withholding): \$15,893.00

Medical Expenses and Insurance

13. The alleged arrears for the emergency department co-pays are expenses that were accrued prior to the Decree being entered and therefore the Court is not finding contempt or making orders regarding those alleged expenses.

14. The Decree (signed June 2, 2023) ordered Andrew to pay \$110.86/month to Brianna for reimbursement of health insurance premiums. Based on Andrew's argument that his statutory share of Brianna's premiums may currently be less than that because of an additional child on her health insurance policy, Brianna was ordered to provide verification of the insurance expense for the amount of arrears to be calculated. Supporting documentation shows as follows:

a. Andrew's statutory share of Brianna's premiums was \$110.86 per month from June 1, 2023 through October 31, 2024.

b. Beginning November 1, 2024, Andrew's statutory share of Brianna's insurance premiums reduced to \$83.15 per month, as her youngest child was added to the policy beginning November 1, 2024, but her premiums did not change.

c. Andrew owes Brianna a total of \$2,882.42 for his share of the children's premiums between June 1, 2023 and October 31, 2025:

- i. $\$110.86/\text{month for 17 months (6/2023 - 10/2024)} = \$1,884.62.$
- ii. $\$83.15/\text{month for 12 months (11/2024 - 10/2025)} = \$997.80.$

JUDGMENT

15. **Child Support Judgment.** Brianna Barnes is awarded a judgment against Andrew Higgins for child support arrears in the amount of **\$20,730 plus post-judgment interest, pursuant to Utah Code 15-1-4(3) for child support owing through April 30, 2025.**

16. **Medical Insurance Judgment.** Brianna Barnes is awarded a judgment against Andrew Higgins in the amount of **\$2,965.57, plus post-judgment interest, pursuant to Utah Code 15-1-4(3) for premiums owing through October 31, 2025.**

17. **Paid from Sale or Refinance of Marital Home.** The combined total of \$23,695.57, together with any post-judgment interest, shall be paid to Brianna from the sale or refinance of the marital home, as described above.

END OF DOCUMENT – SIGNATURE AT THE TOP OF THE FIRST PAGE

Note: URCP 7(j)(4) indicates that “A party may object to the form of the proposed order by filing an objection within 7 days after the order is served.”

Approved as to form:		
/s/		
John Walsh Counsel for Andrew Higgins		
Signed with permission by Robin Kirkham Email dated:		

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing proposed Order and Judgment (Hearing held October 29, 2025) to be served to the following by the indicated method on this 20th day of March, 2026, to:

<u>Name</u>	<u>Method of Service</u>
John Walsh Counsel for Andrew Higgins	Email: johnwalshlaw@gmail.com

		<i>/s/ Robin Kirkham</i>
		Robin Kirkham Counsel for Brianna Barnes