

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
November 13, 2025 Session

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Appellate Courts

BARBARA MATTHEWS LAW v. HALBERT GRANT LAW, JR.

Appeal from the Chancery Court for Hamilton County
No. 17-0883 Jeffrey M. Atherton, Chancellor

No. E2024-01570-COA-R3-CV

Halbert Grant Law, Jr. (“Husband”) and Barbara Matthews Law (“Wife”) divorced in 2020, and Husband appealed the ruling to this Court. In the first appeal, we determined that the trial court erred in classifying several significant assets and remanded the case back to the trial court. Following a hearing on remand, the trial court re-divided the marital estate and awarded Wife both alimony in futuro and alimony in solido. Husband appeals. Discerning no error, we affirm.

**Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Chancery Court Affirmed;
Case Remanded**

KRISTI M. DAVIS, J., delivered the opinion of the Court, in which JOHN W. MCCLARTY, P.J., E.S., and THOMAS R. FRIERSON, II, J., joined.

Phillip C. Lawrence, Chattanooga, Tennessee, for the appellant, Halbert Grant Law, Jr.

John P. Konvalinka and Lawson Konvalinka, Chattanooga, Tennessee, for the appellee, Barbara Matthews Law.

OPINION

BACKGROUND

This is the parties’ second appeal before this Court, as Husband appealed the final decree of divorce in 2021. On April 26, 2022, this Court issued its opinion in *Law v. Law*, which can be summarized as follows:

On May 1, 1992, Barbara Matthews Law (“Wife”) and Halbert Grant Law, Jr. (“Husband”), executed a prenuptial agreement. They married the

following day. Wife filed for divorce in the Chancery Court for Hamilton County in December of 2017. The parties disputed, *inter alia*, the enforceability of the prenuptial agreement, as well as the classification and division of several assets. Trial was held over multiple days in 2019 and 2020, and the trial court entered its final decree divorcing the parties on July 31, 2020. The trial court held that the prenuptial agreement was valid and enforceable, classified the parties' assets, and divided the marital estate. Wife was awarded the parties' family home and \$4,500.00 per month in alimony *in futuro*. Husband appeal[ed], challenging the classification of the parties' home as marital property, as well as the classification of one bank account. Wife cross-appeal[ed], challenging the enforceability of the prenuptial agreement and the classification of several assets. Wife also request[ed] increased alimony. We affirm[ed] the trial court's finding that the parties' prenuptial agreement [was] valid and enforceable. We reverse[d] the trial court's classification of three assets – the parties' home, a checking account, and an investment account. We vacate[d] the trial court's decision as to those three assets and remand[ed] for [further] proceedings. . . . In light of the changes in classification of several major assets, we also vacate[d] and remand[ed] the trial court's award of alimony for reconsideration.

No. E2021-00206-COA-R3-CV, 2022 WL 1221084, at *1 (Tenn. Ct. App. Apr. 26, 2022) (hereinafter, “*Law I*”). In light of our ruling in *Law I*, the trial court had to re-distribute several assets on remand and determine alimony for Wife. Specifically, the trial court needed to distribute two Fidelity accounts, a checking account and a savings account. On September 12, 2022, the trial court entered an order prohibiting Husband from removing any funds from the investment account, noting that “the Fidelity Investment Account balance will not be less than three million six hundred thousand dollars (\$3,600,000.00) until further order from this Court.” The order also required Wife to engage a forensic accountant to determine the balance of both disputed accounts and ordered the parties to mediation. Mediation was unsuccessful, and the parties proceeded with litigation regarding the amount of funds in the still-disputed Fidelity accounts. On August 18, 2023, Wife filed a motion for civil contempt against Husband, arguing that the trial court designated several assets as marital, and even though Husband had not appealed disposition of those assets, he had not yet distributed them to Wife. Among these assets are a Gerber Taylor investment account, an insurance policy, and 2018 tax return funds. Husband later responded to the motion claiming any contempt had been purged.

The trial court held a hearing on October 31 and November 1, 2023, at which Husband, Wife, and expert witness Shannon Farr testified. The court received a total of 37 exhibits, including the deposition of Gregory Campbell. After concluding the proof, the trial court requested that the parties submit proposed findings of fact and conclusions of law and took the case under advisement.

The trial court entered its final order on May 1, 2024. In accordance with *Law I*, the trial court awarded the parties' primary residence (the "Fleetwood home") to Husband, noting the value as \$711,951.29. After re-allocating the Fleetwood home, Husband's separate assets totaled nearly \$4,000,000. The trial court valued the Fidelity accounts, combined, at \$5,195,129.65 and divided that amount equally between the parties. Ultimately, Husband's portion of the marital estate totaled \$4,468,136.63, while Wife's allotment totaled \$4,863,710.97. These totals account for Husband's dissipation of marital assets, a finding upheld in *Law I*.

The trial court awarded Wife \$4,000 per month in alimony in futuro and instructed her to vacate the Fleetwood house within twelve months of the entry of the order. The trial court also awarded Wife \$1,000,000 in alimony in solido for the purpose of purchasing a home, as well as \$122,644.22 in attorney's fees. The trial court found Husband in willful contempt for failing to pay Wife her portion of the 2018 tax overpayment, as those funds were clearly provided for in the trial court's final decree of divorce, and Husband did not challenge that finding in *Law I*. Husband filed a timely motion to alter or amend the trial court's order, arguing that the trial court abused its discretion in awarding Wife \$1,000,000 in alimony in solido, and by awarding Wife what amounts to a possessory interest in the Fleetwood home. The trial court entered an order amending one portion of its memorandum opinion:

That portion of the Memorandum Opinion and Order entered on May 1, 2024 appearing as the second sentence in the second full paragraph on page 12 therein is amended to provide as follows:

"While Barbara Matthews Law ("Wife") lives in the Fleetwood home, Halbert Grant Law, Jr., ("Husband") shall receive a credit of an additional \$4,000/month in alimony that the Court finds is the fair rental value for the Fleetwood home."

In all other respects, the trial court denied Husband's motion. Husband then timely appealed to this Court.

ISSUES

Husband raises three issues on appeal, which we re-order and restate as follows:

- I. Did the trial court abuse its discretion in dividing the marital estate?
- II. Did the trial court err by awarding Wife alimony in futuro?
- III. Did the trial court err by awarding Wife alimony in solido?

DISCUSSION

I. Property division

Husband challenges the trial court’s distribution of the marital estate, particularly, the two Fidelity accounts that this Court re-classified as marital property in *Law I*. We give deference to the trial court’s division of the marital estate on appeal:

This Court gives great weight to a trial court’s decisions regarding the division of marital assets, and we will not disturb the trial court’s ruling unless the distribution lacks proper evidentiary support, misapplies statutory requirements or procedures, or results in some error of law. *Keyt v. Keyt*, 244 S.W.3d 321, 327 (Tenn. 2007). As to the trial court’s findings of fact, “we review the record de novo with a presumption of correctness, and we must honor those findings unless there is evidence which preponderates to the contrary.” *Id.* However, we accord no presumption of correctness to the trial court’s conclusions of law. *Id.*

Snodgrass v. Snodgrass, 295 S.W.3d 240, 245–46 (Tenn. 2009). After classifying and valuing marital property, a trial court endeavors to equitably divide it among the parties. *See* Tenn. Code Ann. § 36-4-121(a)(1); *Luplow v. Luplow*, 450 S.W.3d 105, 109 (Tenn. Ct. App. 2014) (citing *Miller v. Miller*, 81 S.W.3d 771, 775 (Tenn. Ct. App. 2001)). An equitable division of marital property does not necessarily require that the property be divided equally. *Luplow*, 450 S.W.3d at 109–10 (citing *Robertson v. Robertson*, 76 S.W.3d 337, 341 (Tenn. 2002)). Nor does it require that each party receive a share of every item classified as marital property. *Morton v. Morton*, 182 S.W.3d 821, 833–34 (Tenn. Ct. App. 2005) (quoting *King v. King*, 986 S.W.2d 216, 219 (Tenn. Ct. App. 1998)). In making its determination, the trial court must consider statutory factors in view of the evidence presented by the parties. Tenn. Code Ann. § 36-4-121(c); *Flannary v. Flannary*, 121 S.W.3d 647, 650 (Tenn. 2003).

Here, the trial court divided the marital estate essentially fifty-fifty and then gave Wife credit for Husband’s dissipation of marital assets. The trial court awarded Wife \$4,863,710.97 and awarded Husband \$4,468,136.63. Because this Court affirmed the status of most of the parties’ assets in *Law I*, two Fidelity accounts were primarily at issue by the time of the remand hearing. Per the trial court’s finding, which no one disputes on appeal, those accounts combined totaled \$5,195,129.65.

On appeal, Husband argues that the trial court abused its discretion because it did not fully analyze the property division factors found at Tennessee Code Annotated section 36-4-121(c). Husband also avers that he independently funded the Fidelity accounts by selling his car dealerships several years ago. According to Husband, the trial court should have considered his contribution to the Fidelity accounts “superior” to that of Wife in

dividing this asset. Husband argues in his brief that “[t]he trial court’s formulaic division of the Fidelity accounts in a fifty-fifty allocation without any explanation as to why Husband’s superior contribution should not militate in favor of an unequal division in Husband’s favor leads to the conclusion that the division was arbitrary.”

Respectfully, this issue is without merit, and the trial court’s fifty-fifty division of the relevant assets on remand is not arbitrary. From our review, the trial court awarded Wife half the balance of the combined Fidelity accounts because Husband has substantial separate property, including the Fleetwood house in which Wife continued to reside throughout the divorce, and because of Wife’s substantial contribution to the parties’ marriage. While Husband claims that his financial contribution to the parties’ Fidelity accounts is somehow superior to Wife’s, we explained in *Law I* that Husband inextricably commingled marital and separate funds in those Fidelity accounts. Moreover, it is undisputed that Wife contributed to the parties’ twenty-eight-year marriage by almost single-handedly raising the parties’ son and acting as a homemaker. Couching Husband’s contribution as “superior” to that of Wife’s under these circumstances, and after this Court has already determined that the parties equally contributed to the marriage, is unpersuasive. Under the circumstances, a fifty-fifty allocation is equitable and supported by the record. Although it would have been best for the trial court to specifically lay out the property division factors in its memorandum, it is not a fatal omission under the circumstances. The trial court’s reasoning is readily apparent from other portions of the order, in which it notes that Husband has significant separate property and investment experience while Wife has none. Further, Husband does not present an alternative figure to this Court for purposes of property division but simply maintains that Wife is not entitled to a fifty-fifty split of the Fidelity accounts due to her inferior contribution.

The record supports the trial court’s ruling, and we can find no abuse of discretion. We affirm the division of the parties’ marital property.

II. Alimony in futuro

Next, Husband argues that the trial court erred in awarding Wife \$4,000 per month in alimony in futuro. Our role in examining an award of alimony is determining whether the trial court applied the correct standard:

Appellate courts decline to second-guess a trial court’s decision [on alimony] absent an abuse of discretion. *Robertson*, 76 S.W.3d at 343. An abuse of discretion occurs when the trial court causes an injustice by applying an incorrect legal standard, reaches an illogical result, resolves the case on a clearly erroneous assessment of the evidence, or relies on reasoning that causes an injustice. *Wright ex rel. Wright v. Wright*, 337 S.W.3d 166, 176 (Tenn. 2011); *Henderson v. SAIA, Inc.*, 318 S.W.3d 328, 335 (Tenn. 2010). This standard does not permit an appellate court to substitute its judgment

for that of the trial court, but “reflects an awareness that the decision being reviewed involved a choice among several acceptable alternatives,’ and thus ‘envisions a less rigorous review of the lower court’s decision and a decreased likelihood that the decision will be reversed on appeal.’” *Henderson*, 318 S.W.3d at 335 (quoting *Lee Medical, Inc. v. Beecher*, 312 S.W.3d 515, 524 (Tenn. 2010)). Consequently, when reviewing a discretionary decision by the trial court, such as an alimony determination, the appellate court should presume that the decision is correct and should review the evidence in the light most favorable to the decision.

Gonsewski v. Gonsewski, 350 S.W.3d 99, 105–06 (Tenn. 2011) (internal citations and footnote omitted).

Tennessee Code Annotated section 36-5-121(i) addresses spousal support awards and provides a list of factors to consider in making such an award. Here, the trial court applied the statutory factors in a detailed analysis:

- (1) The relative earning capacity, obligations, needs, and financial resources of each party, including income from pension, profit sharing or retirement plans and all other sources.

This Court previously found that Wife earned \$35,000/year at the height of her earning capacity. However, Wife has not worked outside the home in many years. Instead, she relies upon Husband to pay her expenses, as she has throughout the pendency of this matter. Wife previously testified that she had to use her own funds to supplement her income to have sufficient funds to live on, and argued that she needed \$19,500/month in alimony to cover her expenses. At the trial on remand, Wife testified that if the Court awards her the amounts suggested by Ms. Farr as suggested in Exhibit 2, she would not need alimony.

With respect to Husband’s ability to pay, Wife previously argued that Husband was able to draw significant income from his investments since his retirement[] and has income from social security and disability. As stated above, Husband’s investment with CDVP has increased tremendously while this case was on appeal, thereby further increasing his ability to pay.

With respect to need, Wife testified that, due to the Court of Appeals’ determination that the Fleetwood home is separate property, her need has increased greatly, as she will now need to buy a home and pay for the accompanying home expenses. Husband argues Wife has plenty of money from her share of the marital estate, including \$1.6 million in a Raymond James account (comprised at least in part by the three checks paid by

Husband pursuant to the Final Decree) and whatever the Court awards from the Fidelity checking and investment accounts. Wife is also receiving \$1,297/month in social security benefits.

The Court again finds this factor favors Wife, particularly in light of the Court of Appeals' determination that the Fleetwood home is separate property and in light of the significant increase in value of Husband's assets during the pendency of the appeal on this matter. As shown by the figures above, Husband has significant separate property and income to pay support to Wife, and Wife has significantly lower income potential than Husband.

(2) The relative education and training of each party, the ability and opportunity of each party to secure such education and training, and the necessity of a party to secure further education and training to improve such party's earning capacity to a reasonable level.

This factor favors Wife. Wife has been out of the workforce for the duration of the marriage. Husband continued to exercise his business skills to generate a handsome income over the course of the marriage and after the entry of the Final Decree. However, neither party has expressed an interest in seeking further education or training to improve their earning capacity.

(3) The duration of the marriage.

This factor favors Wife. This was a long-term marriage that lasted 28 years.

(4) The age and mental condition of each party.

As of the date of the hearing on remand, Wife is 71 and Husband is 76. Neither party suffers from a mental condition. This favors neither party.

(5) The physical condition of each party, including, but not limited to, physical disability or incapacity due to a chronic debilitating disease.

Husband has been diagnosed with Parkinson's disease and suffers from hearing loss. Wife has no known physical disabilities. This factor favors Husband, as it is anticipated that his healthcare expenses will continue to increase in the coming years.

(6) The extent to which it would be undesirable for a party to seek employment outside the home, because such party will be custodian of a minor child of the marriage.

This factor does not apply to the facts of this case, as there are no minor children involved.

(7) The separate assets of each party, both real and personal, tangible and intangible.

This factor greatly favors Wife. Husband has significant separate property totaling \$3,945,988.47 while Wife has \$0.

(8) The provisions made with regard to the marital property as defined in § 36-4-121.

This factor favors Husband slightly. Wife is receiving a somewhat larger portion of the marital estate, but part of the reason for the discrepancy is Husband's dissipation.

(9) The standard of living of the parties established during the marriage.

The parties enjoyed a high standard of living throughout their marriage. As mentioned in the Final Decree, the parties travelled extensively throughout their marriage, including regular trips to Pawleys Island, South Carolina, Alaska, and Europe. The parties kept their property in good condition and money was never an issue.

The Court finds this factor favors Wife. The parties enjoyed a high standard of living during the marriage. As has already been shown since the entry of the Final Decree, Husband will have more income after the marriage, and Wife is entitled to an amount of support that will allow her to live comfortably.

(10) The extent to which each party has made such tangible and intangible contributions to the marriage as monetary and homemaker contributions, and tangible and intangible contributions by a party to the education, training or increased earning power of the other party.

This factor favors Wife. Wife was a homemaker during the course of the marriage, which allowed Husband to thrive with his business ventures and provide a comfortable lifestyle for their family.

(11) The relative fault of the parties in cases where the court, in its discretion, deems it appropriate to do so.

As stated in the Final Decree, this Court finds fault on the part of both parties. Thus, this factor favors neither party.

(12) Such other factors, including the tax consequences to each party, as are necessary to consider the equities between the parties.

* * * *

Upon considering the above factors and the position statements submitted by the parties, the Court awards Wife alimony *in futuro* in the amount of \$4,000/month while she resides in the Fleetwood home. . . . Upon Wife moving out of the Fleetwood home, Husband's alimony *in futuro* payments shall continue in the amount of \$4,000/month. This support will remain in the hands of this Court until Wife's death or remarriage.

Having reviewed the record and applicable authorities, we conclude that the trial court's ruling as to alimony *in futuro* should be affirmed. The factual findings underpinning the trial court's analysis are supported by the record, and the trial court applied the correct statutory factors in a reasoned manner. Viewing the decision in the light most favorable to the trial court, as the standard of review requires, we see no abuse of discretion.

On appeal, Husband asserts that the trial court misapplied the alimony factors and ignored evidence militating against a finding for alimony *in futuro*. Specifically, Husband urges that Husband and Wife are on essentially equal financial footing because Wife's assets are largely liquid, while Husband's are not. He also points out that while Wife did not work outside the marriage, Husband retired in 2007 and therefore has had no income in nearly two decades. These points, however, do not amount to an abuse of discretion by the trial court. Rather, Husband is merely pointing to acceptable alternative conclusions the trial court could have reached. Under the abuse of discretion standard, however, we do not "substitute [our] judgment for that of the trial court" in the manner suggested by Husband. Further, we are not persuaded that the proof supports Husband's arguments. While it is true that Husband retired several years ago, his tax returns demonstrate that he still has substantial passive income each year.

Nor is it dispositive that Husband's assets are non-liquid; Husband is a savvy businessman who knows how to invest his money well. Even considering the points he makes on appeal, Husband is still very much the more financially advantaged of the two parties. Contrary to his claims, Husband and Wife are not on financially equal footing. Further, Husband does not assert in his brief that he is unable to pay Wife's alimony. He merely argues that Wife should not receive that amount and that the trial court should have applied the factors to the evidence differently. This is, however, the type of second-guessing that we do not engage in when reviewing an alimony decision for an abuse

of discretion. *See Broadbent v. Broadbent*, 211 S.W.3d 216, 220 (Tenn. 2006) (alimony award should be upheld where “the trial court applied the correct legal standard and reached a decision that is not clearly unreasonable”).

Under the circumstances, we affirm the trial court’s award of \$4,000 per month in alimony in futuro to Wife.

III. Alimony in solido

Husband also challenges the trial court’s alimony in solido award to Wife. This type of alimony,

known as lump sum alimony, is a form of long-term support, the total amount of which is calculable on the date the decree is entered, but which is not designated as transitional alimony. Alimony in solido may be paid in installments if the payments are ordered over a definite period of time and the sum of the alimony to be paid is ascertainable when awarded. The purpose of this form of alimony is to provide financial support to a spouse, to enable the court to equitably divide and distribute marital property, or both.

Tenn. Code Ann. § 36-5-121(h)(1)(A). Alimony in solido is “typically awarded to adjust the distribution of the marital estate[,]” *Blount v. Blount*, 720 S.W.3d 295, 343–44 (Tenn. Ct. App. 2024), but can also be awarded to account for attorney’s fees.

Here, the trial court awarded Wife \$1,000,000 in alimony in solido “to purchase a home,” as well as another \$122,644.22 in attorney’s fees. On appeal, Husband argues that the trial court abused its discretion as to both allocations. According to Husband, the \$1,000,000 for Wife to purchase a home is arbitrary because Wife never testified that she needs this amount to buy a house. Husband asserts that no proof establishes “a house of that value was necessary for Wife’s comfort, safety and support.”

Respectfully, we disagree, and the trial court did not abuse its discretion. As we decided in *Law I*, the Fleetwood house is Husband’s separate property, and Wife must vacate the home. Accordingly, Husband has two homes as his separate property, while Wife has none. During the divorce proceedings, Husband purchased a home for approximately \$900,000, and the Fleetwood home is valued at over \$700,000. It is undisputed that the parties enjoyed an extremely high standard of living throughout their marriage. While at first blush \$1,000,000 in alimony in solido seems significant, here it is commensurate with the parties’ standard of living. Husband argues in his brief that the trial court’s ruling lacks a “cogent, consistent rationale” as to this award. We conclude, however, that the award is equitable under the circumstances and does not amount to an abuse of discretion. And, again, Husband does not claim that he lacks the ability to pay.

He simply believes Wife should not receive an award of this amount. Consequently, we affirm this portion of the trial court's ruling.

Finally, Husband briefly argues on appeal that Wife does not need \$122,644.22 to pay her attorney's fees. He claims that it would be erroneous to conclude that Wife needs additional funds to pay her attorney's fees because she has sufficient funds from the division of marital property to cover this debt. Again, however, Husband is simply assessing the evidence differently than the trial court. While reasonable minds could very well disagree about the attorney's fees award, this does not amount to an abuse of discretion. The trial court reached one of several reasonable conclusions that it could have after applying the applicable law. Accordingly, we cannot conclude that an abuse of discretion occurred. We affirm the trial court's decision to award Wife her attorney's fees as alimony in solido.

CONCLUSION

The judgment of the Chancery Court for Hamilton County is affirmed, and this case is remanded for further proceedings consistent with this opinion. Costs on appeal are assessed to the appellant, Halbert Grant Law, Jr., for which execution may issue if necessary.

KRISTI M. DAVIS, JUDGE