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SUPERIOR COURT
OF GUAM

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5 **IN THE SUPERIOR COURT OF GUAM**

6 ANNETTE C. WELLS,

7 CHILD SUPPORT CASE NO. CS0114-11

8 Plaintiff,

9 v.

10 **DECISION AND ORDER**

11 JOE E. CRUZ, JR.,

12 Defendant.

13 **INTRODUCTION**

14 This appeal asks whether the Child Support Administrative Hearing Officer correctly
15 extended Joe E. Cruz, Jr.'s child-support obligation beyond his daughter Aariyah Jriann W.
16 Cruz's eighteenth birthday under 19 GCA § 4105.1. The Office of the Attorney General, Child
17 Support Enforcement Division, sought the extension on the grounds that Aariyah suffers from
18 Stage 5 chronic kidney disease, requires continuous dialysis, and remains unable to support
19 herself independently. After considering the medical documentation, testimony, and statutory
20 framework, the AHO granted the motion and extended support until Aariyah reaches age twenty-
21 one. Father now challenges that ruling, arguing that Aariyah's condition does not meet the
22 statute's disability threshold and that post-majority support is unwarranted. Having reviewed the
23 record, the parties' submissions, and the governing law, the Court concludes that the AHO
24 applied the correct legal standard, relied on substantial evidence, and reached a determination
25 consistent with the text and remedial purpose of § 4105.1. Because the statute was designed to
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1 protect dependent children whose disabling conditions prevent meaningful self-support—even
2 after technical adulthood—the AHO’s decision falls squarely within its scope. The Court
3 therefore affirms.

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5 BACKGROUND

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7 Annette C. Wells (“Mother”) and Joe E. Cruz, Jr. (“Father”) are the parents of one child,
8 Aariyah Jriann W. Cruz (“Aariyah”), born December 27, 2006. Aariyah attained the age of
9 majority in December 2024. Prior to that date, Father was subject to a court-ordered child-
10 support obligation, most recently modified on June 4, 2024, requiring payment of \$929.52 per
11 month commencing April 1, 2024. *See* Findings & Order, (Sept. 18, 2024).

12 On October 17, 2024, the Office of the Attorney General, Child Support Enforcement
13 Division (“OAG”), filed a Motion to Extend Child Support Order for Disabled Child, seeking to
14 extend Father’s child-support obligation beyond Aariyah’s eighteenth birthday pursuant to 19
15 GCA § 4105.1. The OAG alleged that Aariyah suffers from Stage 5 chronic kidney disease,
16 requires continuous dialysis, and will ultimately need a kidney transplant, rendering her unable
17 to support herself. *See* Mot. to Extend Child Support Order for Disabled Child, (Oct. 17, 2024).

18 In support of its motion, the OAG submitted medical documentation from Fresenius
19 Kidney Care confirming that Aariyah has been diagnosed with chronic kidney disease, Stage 5,
20 requiring continuous ambulatory peritoneal dialysis and ongoing medical supervision. *See*, Letter
21 from Sajed Safabakhsh, M.D., FACP, FASN (Feb. 28, 2025).

22 Father opposed the motion, contending that although Aariyah’s condition is serious, it
23 does not constitute a qualifying “disability” within the meaning of 19 GCA § 4105.1, and that the
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1 statute requires more than proof of medical impairment to justify post-majority child support. *See*
2 Objection to Recommended Order Extending Child Support Beyond Age 18, (Mar. 25, 2025).

3 At the conclusion of the March 18, 2025 hearing, the AHO ruled from the bench that the
4 factual record supported extending child support and granted the OAG's motion, extending
5 Father's child-support obligation until Aariyah reaches the age of twenty-one (21). *See*, Min.
6 Entry, (Mar. 18, 2025). The AHO thereafter issued a written order dated June 2, 2025,
7 concluding that Aariyah's chronic kidney disease substantially limits her ability to support
8 herself and warrants continued support under 19 GCA § 4105.1. *See*, Order re: Office of
9 Attorney General's Motion to Extend Child Support, (Jun 2, 2025).

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11 This appeal followed.
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13 **DISCUSSION**
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15 The analysis proceeds in two parts. First, the Court examines the text, structure, and
16 legislative history of 19 GCA § 4105.1 to determine whether the statute authorizes continued
17 child support for adult children whose disabilities prevent meaningful self-support. That review
18 confirms that the Legislature enacted § 4105.1 as a remedial safeguard for dependent disabled
19 children and intended its protections to apply in circumstances like Aariyah's. Second, the Court
20 considers the Defendant's argument that Aariyah's condition does not satisfy the statute's
21 disability threshold. Because § 4105.1 does not define "disability," the Court evaluates the
22 AHO's reliance on related statutory provisions and persuasive authority to give the term
23 practical meaning. The record demonstrates that Aariyah's chronic kidney disease substantially
24 limits her ability to function independently and that the AHO's findings are supported by
25 substantial evidence and consistent with the statute's purpose. Accordingly, the Court affirms
26 the AHO's Decision and Order extending child support.
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I. The Legislative History of 19 GCA § 4105.1 Confirms the Legislature Intended to Strengthen Child-Support Enforcement and Extend Support for Disabled Children Up to Age Twenty-One.

Statutory interpretation always begins with the language of the statute. *Data Management Resources, LLC v. Office of Public Accountability*, 2013 Guam 27 ¶ 17. If ambiguity remains after such review we must then examine the legislature's intent when passing the law. *People v. Reselap*, 2022 Guam 2 ¶ 54. The structure and remedial character of this provision reflect the Legislature's decision to carve out limited—but vital—protection for disabled children who, despite adulthood in a technical sense, remain unable to support themselves.

The legislative record confirms that § 4105.1 was enacted precisely for children in circumstances such as Aariyah's. The provision originated in Bill No. 373 (22d Guam Legis. 1993), a comprehensive child-support enforcement measure intended to strengthen support obligations and prevent vulnerable children from losing financial stability solely due to the passage of time. The Committee expressly recognized that "disabled adult children should be provided and cared for," and endorsed extending support where disability impairs the child's ability to function independently.

Viewed against that backdrop, § 4105.1 is not a narrow technical exception but a deliberate safeguard for children who, like Aariyah, suffer serious medical conditions that substantially restrict their ability to sustain work, manage treatment, and meet their essential needs without continued parental assistance. The AHO's application of § 4105.1 is therefore consistent with both the statute's language and its protective purpose.

II. **Absent a Statutory Definition of “Disability,” the Court Declines to Adopt Defendant’s Narrow Interpretation.**

1 The Defendant urges reversal, arguing that Aariyah's condition—though serious—does
2 not meet the statute's disability threshold and that child support should have terminated
3 automatically when she turned eighteen. But the text, structure, and purpose of Guam's child-
4 support framework point the other way, and the record supports the AHO's determination.
5 Section 4105.1 authorizes continued child support when a child "is disabled before the age of
6 eighteen." Although the statute does not define "disabled," the AHO reasonably consulted
7 related Guam statutes and persuasive authorities to give meaning to the term in a way consistent
8 with the Legislature's broader policy objectives—ensuring that dependent disabled children are
9 not left without necessary support. That interpretive approach was not only appropriate—it was
10 faithful to the statute's remedial purpose. Applying that framework, the AHO found, based on
11 medical certification and unrebutted testimony, that Aariyah's chronic kidney disease requires
12 dialysis, ongoing treatment, and a future transplant; substantially limits her ability to engage in
13 ordinary life activities; and prevents her from supporting herself consistently or meaningfully.
14 Those findings are firmly grounded in the record and well within the scope of § 4105.1's
15 protection. The Defendant's proposed alternative—importing a narrower, employment-based
16 definition of disability from the worker's-compensation statutes—would distort the statute by
17 conditioning support on workplace injury concepts that have no application in the parent-child
18 support context. The AHO correctly rejected that approach, recognizing that the child-support
19 statute centers not on industrial injury, but on dependency arising from a disabling condition.
20 Nor does the Defendant's position account for the practical realities the AHO documented:
21 Aariyah's medical schedule and limitations materially restrict her capacity to function as an
22 independent adult. As persuasive authority reflects, a disabled adult need not be entirely unable
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1 to work to remain entitled to support where the disability and circumstances render self-support
2 unrealistic or inequitable. *Presley v. Presley*, 65 Md. App. 265, 500 A.2d 322, 278 (1985). Here,
3 Aariyah's youth, limited work history, and serious medical condition collectively establish that
4 she remains dependent within the meaning of § 4105.1. Because the AHO applied the correct
5 legal standard, grounded the decision in substantial evidence, and reached a result consistent
6 with Guam's statutory policy and persuasive authority, there is no basis to disturb the ruling.
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8 The Court therefore affirms the AHO's Decision and Order extending child support.

9 **CONCLUSION**

10 The Court affirms the AHO's Decision and Order extending child support.
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15 **SO ORDERED**

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18 **HONORABLE ARTHUR R. BARCINAS**
19 **Judge, Superior Court of Guam**