

## SUMMARY STATEMENT

*Amy Marie Hepworth v. James Hepworth*  
Docket No. 48478

Amy Hepworth and James Hepworth were granted a divorce in 2015. As part of the property settlement, Amy was awarded fifty-percent of the shares in a company, which James was to hold in trust until the shares were sold, at which point Amy was entitled to half of the proceeds. James sold the shares, ultimately receiving approximately \$1,800,000.00. James did not tell Amy he sold the shares, did not provide her with her half of the income from the sale, and disputed his obligation to provide Amy with her share of the sale.

Amy filed a motion to enforce the divorce decree, arguing that because the divorce decree was not an enforceable judgment as to the stock, she was forced to obtain money judgments. She further argued the relevant judgments for determining the amount of applicable interest on the judgments were the money judgments, not the divorce decree, and that she was entitled to pre-judgment interest pursuant to I.C. § 28-22-104(1).

The magistrate court determined the divorce decree was the relevant judgment, not the money judgments; James' sale of the stock occurred after entry of the divorce decree and, thus, Amy was entitled to post-judgment interest from the date of the sale of the stocks pursuant to I.C. § 28-22-104(2). Both parties appealed and the district court, acting in its appellate capacity, affirmed the magistrate court. Amy appealed to the Idaho Supreme Court.

The Court of Appeals reversed the district court. The Court held that the relevant judgment for purposes of I.C. § 28-22-104(2) was the judgment with a readily ascertainable monetary value, in this case, the money judgments. Because James sold the stock before the entry of the money judgments, Amy was eligible for an award of prejudgment interest pursuant to I.C. § 28-22-104(1) from the date James sold the shares until the entry of the money judgments. After the entry of the money judgments, Amy was entitled to post-judgment interest pursuant to I.C. § 28-22-104(2). The Court remanded the case for further proceedings.

\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\*