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## Sometimes you can get what you need: *In re Marriage of Strong*

When spousal support is owed but assets are intangible, like copyrights, courts may face unusual enforcement questions—as shown in a case testing the limits of family law and intellectual property.

By Scott M. Gordon

In their 1969 album, “Let it Bleed,” the Rolling Stones introduced the classic song “You Can’t Always Get What You Want.” This past October, a Los Angeles divorcee, faced with the challenge of getting what she wanted under her dissolution judgment, ended up getting exactly what she needed from an appellate court.

*In re Marriage of Strong* (2nd District Court of Appeal, Case No. B345-843, Oct. 29, 2025) asks how far a court can go in reaching assets to satisfy spousal and child support arrearages. The question posed was: is the court limited to cash assets and real property, or can intellectual property assets be reached to satisfy the debt.

### Strong particulars, strong arguments

Brett and Monique Strong were married for about seven years, separating in 2016. They began their dissolution case, during which certain orders, including child and support orders, were issued by the court.

In 2024, Brett requested to have his spousal support obligations terminated. Finding that Monique had made little effort to become self-sufficient and that Brett, then 70 years old, had no income or savings and “had not been productive for many years,” the court granted Brett’s request. It ordered spousal support terminated retroactively to August 2012.

In most other cases, this would have been the end of the story. In the *Strong* case, however, substantial



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amounts of support had not been paid by Brett to Monique. Monique claimed that she was owed approximately \$2 million in unpaid support and interest, an amount that was not subject to dispute.

The key question for the parties and the court was where the money to pay the arrearage would come from. Brett was a renowned sculptor. He didn’t have income or savings, but he held the copyright on works from Michael Jackson, namely, “The collected Works of the Jackson-Strong Alliance.”

Monique asked the court to assign the copyright in these works

to a receiver so that she could get the funds needed to satisfy the outstanding debt. Brett argued that the court did not have authority to assign the copyright.

### Drafting a receiver for the team

At Monique’s request, the lower court appointed a receiver and ordered Brett to assign the copyright to the receiver so the receiver could monetize the copyright and pay the judgment. Brett, however, appealed. Pointing to Code of Civil Procedure Section 708.510, he argued that the court had no authority to recruit a receiver for this purpose.

The code states that, upon application from a judgment creditor such as Monique, a court can order a judgment debtor to assign to the creditor, or to an appointed receiver, all or part of the right to payment due or to become due. Types of payments subject to assignment are wages, rents, commissions, royalties, payments due from a patent or copyright, and insurance policy loan value.

The express language of the statute, Brett contended, would not support the assignment of his copyright in the Michael Jackson work to a receiver. While not disputing his debt or the fact that his copy-

right was his only asset, Brett argued that the law did not authorize a court to compel assignment of a copyright; such authority existed only for patents.

### Receivers have a long history in family cases

Receivers have been part of the California family law playbook for more than a century. Back in 1906, in *McAneny v. Superior Ct. of Santa Clara Cnty* (1906) 150 Cal. 6, the California Supreme Court approved the use of a receiver to take charge of property for the payment of support and attorney fees.

Family Code Section 290, enacted in 1992, amended in 2006, and further amended effective 2023, states that “a judgment or order made or entered pursuant to this code may be enforced by the court by execution, the appointment of a receiver, or contempt, or by any other order as the court in its discretion determines from time to time to be necessary.”

### Receivers are free agents, but they come with costs

The receiver is neither an advocate nor an agent of the parties. He or she is a neutral third party who serves as an agent of the court and has a fiduciary duty to both parties in the case.

An appointed receiver will take control of specified assets, and if applicable, will collect income and profits from those assets. He or she will distribute the assets as required by the law and court orders and will pay any necessary costs and taxes owed out of those assets. The receiver can also be appointed to sell or liquidate the assets at issue.

The receiver can be an important tool in family law cases, especially in cases involving the management of a community business, the sale or wind-down of a business and/or the enforcement of a judgment. That being said, careful consideration should be given to the impact a receiver might have on a case. Although the receiver can provide an effective and efficient solution to a complicated case, there will be costs and other impacts.

A receiver is understandably expensive. The tasks assigned to the receiver are often complex, involving the operation and even the restructuring of a business, the liquidation of assets and the distribution of profits and proceeds. The receiver may also be charged with making decisions that can and will have a long-term impact on assets, especially those of businesses.

### The legal playing field is expansive

CCP Section 708.620 provides that the court may appoint a receiver to enforce a judgment when the judgment creditor shows that, considering the interests of both the judgment creditor and debtor, the appointment of a receiver is a reasonable method to obtain the fair and orderly satisfaction of the judgment. CCP Section 564 (b) (3) states that such a receiver may be appointed by the court in which the action or proceeding is pending, after judgment, to effectuate the judgment.

In *Strong*, Brett argued that the language of CCP Section 708.510 did not support the assignment of copyrights to a receiver. The statute, he asserted, only authorizes

appointment of a receiver to deal with “payments due from a patent or copyright.”

Not so, according to the appeals court. The fact that the legislature identified one source of payment for the collection of debt did not exclude other sources of payment. The statute, it noted, says “including but not limited to”—a clear indication that the list of sources is not exclusive.

The court found that “although no published California decision has yet held that a court may order the forced assignment of a copyright in particular, cases dating back to the 19th century uphold the forced assignment of other forms of a debtor’s intellectual property to satisfy a creditor’s judgment.”

The court found support for its position in analogous federal and out-of-state decisions, citing *In re Constant* (9th Cir. Dec. 3, 1993, Nos. 92-55465, 92-56220, 92-56475), which applied California law in affirming a district court’s order directing a debtor to assign his copyrights and patents to the United States Marshal to satisfy an outstanding judgment; and *Hendricks & Lewis PLLC v. Clinton* ((2014) 766 F.3d 991, 933), which applied a Washington statute analogous to CCP Section 695.010 in affirming a district court order assigning debtor’s copyrights to receiver to satisfy creditor’s money judgment.

The court observed that use of receivers in issues dealing with support arrearages is nothing new in California family law. In a 1951 case involving apportionment of receiver’s fees in a dispute over a business and payment of support, the court said, “[t]he rule is well

established that the compensation to be allowed receivers and their attorneys is primarily within the sound discretion of the trial court.” (*Venza v. Venza*, (1951) 101 Cal. App. 2d 678, 680.)

### Conclusion

In the end, the appellate court affirmed the trial court’s order compelling Brett to assign his copyright to the receiver. The case reminds us that, when addressing matters relating to the enforcement of a judgment or order for support, all available tools, including a receiver, must be considered. The *Strong* case shows that, as the Rolling Stones counseled us:

*You can’t always get what you want.  
But if you try sometime you just might find,*

*You get what you need.*

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**Hon. Scott Gordon (Ret.)** is a neutral with Signature Resolution who served on the Los Angeles Superior Court for 17 years and spent nine years as the assistant supervising and supervising judge of the Family Law and Criminal Divisions.

