

**1. A.D. V. N.F.**

**21FL0183**

**TENTATIVE RULING #1: PARTIES ARE ORDERED TO APPEAR**

**2. A.L. v. V.L**

**PFL20210463**

**TENTATIVE RULING #2: PARTIES ARE ORDERED TO APPEAR.**

On February 10, 2022, the court issued its Ruling after Hearing on the Petitioner's request for move-away. The court ordered several conditions to be met prior to the move-away taking place, including parties selecting a co-parenting counselor, completing an intake appointment with the co-parenting counselor, and completion of two (2) in-person sessions with the co-parenting counselor. Parties were to file and serve a declaration of what they have learned so far from co-parenting counseling sessions, what proactive steps they will take to improve their co-parenting relationship, and what efforts they will make to address conflict in a productive manner should it arise. Respondent was to continue with the visitation schedule and have additional parenting time on her days off, including overnights should Respondent's days off be consecutive. Respondent and the minor A.B. were to participate in PCIT as previously scheduled. Respondent was to inquire with the PCIT counselor if PCIT would be able to continue remotely. If PCIT could not take place remotely, Petitioner is to locate and enroll the children with a licensed therapist in North Carolina that can provide conjoint counseling between the minors and Respondent. The court set a further review hearing to ensure the conditions of Petitioner moving away have been met.

Upon review of the court file, neither party has filed a supplemental declaration or proof of compliance with the conditions set forth by the court.

**TENTATIVE RULING #3: PARTIES ARE ORDERED TO APPEAR.**

#### 4. CASEY BEBERNES V. MEGAN BEBERNES

21FL0073

On January 12, 2022, Respondent filed a Request for Order (RFO) requesting spousal support, an Income and Expense Declaration, and Declaration in support of the RFO. Petitioner was served by mail on January 22, 2022 with Proof of Service filed on January 26, 2022. Respondent is requesting guideline temporary spousal support.

Respondent requests the court order temporary spousal support as she was the full-time wage earner throughout the marriage. Respondent asserts she is currently in need of support, as she is no longer employed full time.

Petitioner filed a Responsive Declaration on February 9, 2022. Respondent was personally served on February 9, 2022, with Proof of Service filed the same day. Petitioner objects to the request for temporary spousal support. Petitioner asserts this was a marriage of short duration, with the parties having already been separated for a year. Petitioner requests that if the court were to order temporary support, the court impute either Respondent's full time nursing wages or full-time childcare wages. Petitioner further requests the court defer the issue of spousal support until trial.

Based on Respondent's Income and Expense Declaration, her current monthly average is \$600. Respondent pays \$44.35 a month for health insurance premiums. Respondent lists her current monthly expenses as \$3,344, yet discloses no expenses paid by others.

Petitioner has an average monthly income of \$6,977 which includes his income from UPS and VA disability income. Petitioner has required union dues of \$53 a month and health insurance of \$9 and month. Petitioner has monthly expenses of \$3,510 a month.

Based on the above figures, the court imputes income to the Respondent at full time employment of \$14 per hour, as the court finds Respondent has the ability to work, a willingness to work, as evidenced by her childcare work, and the opportunity to work, but is not currently working at capacity. The court calculates this to be \$2,427 per month. (\$14/hour multiplied by 40 hours per week multiplied by 52 weeks a year divided by 12 months). Using the parties married filing separately status and the Alameda formula, Petitioner is ordered to pay Respondent \$1,371 per month as an for temporary spousal support. See attached DissoMaster report. Payments shall begin on February 1, 2022 and continue until further order of the court. The court reserves jurisdiction over modification of temporary spousal support to the date of the filing of the RFO. The court finds this order results in arrears of \$2,742 for the months of February and March 2022. Petitioner is ordered to pay \$457 per month in arrears, commencing on March 15<sup>th</sup> and due on the 15<sup>th</sup> of each month until the balance is pain in full (approximately six (6) months). If a payment is late or missed the remaining balance is due in full with legal interest within 5 days.

The Parties are advised that it is the goal of the State of California that both parties shall become and remain self-supporting to the best of their ability. You are further advised that, at some future date, should you fail to become self-supporting the other party may argue that your failure to become self-supporting is a factor which may be considered by the Court to modify a spousal support order or terminate the court's jurisdiction to order spousal support. You are further advised that if you voluntarily terminate employment, the court can impute income to you without application of the

ability and opportunity requirement and the court can deny a modification of support. *IRMO Gavron* (1988) 203 Cal.App.3d 705. You are further advised that mismanagement of your estate may result in a reduction of the court's order of support, termination of the court's ability to continue spousal support or imputation of income on property.

Respondent is to prepare and file the Findings and Orders after hearing.

**TENTATIVE RULING #4: PETITIONER TO PAY RESPONDENT \$1,371 AS AND FOR TEMPORARY SPOUSAL SUPPORT AS OUTLINED ABOVE. PETITIONER TO PAY RESPONDENT \$457 PER MONTH AS AND FOR ARREARS AS OUTLINED ABOVE. RESPONDENT IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

ATTORNEY (NAME AND ADDRESS):  <b>California</b>	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: <b>Pet.</b>	DISSOMASTER REPORT 2022, Monthly	
		CASE NUMBER: <b>21FL0073</b>

Input Data	Pet.	Resp.	Guideline (2022)	Cash Flow Analysis	Pet.	Resp.
Number of children	0	0	<b>Nets (adjusted)</b>	<b>Guideline</b>		
% time with NCP	0%	0%	Pet.	5,887	Payment (cost)/benefit	(1,273) 1,307
Filing status	MFS->	<-MFS	Resp.	1,982	Net spendable income	4,516 3,353
# Federal exemptions	1*	1*	Total	7,869	% combined spendable	57.4% 42.6%
Wages + salary	5,032	2,427	<b>Support (Nondeductible)</b>	Total taxes	1,028	445
401(k) employee contrib	0	0	SS Payor	Pet. # WHA	0	0
Self-employment income	0	0	Alameda	1,371	Net wage paycheck/mo	3,933 2,032
Other taxable income	0	0	Total	1,371	Comb. net spendable	7,868
Other nontaxable income	1,945	0	<b>Proposed, tactic 9</b>	<b>Proposed</b>		
New-spouse income	0	0	SS Payor	Pet. Payment (cost)/benefit	(1,273)	1,307
Wages + salary	0	0	Alameda	1,371	Net spendable income	4,516 3,353
Self-employment income	0	0	Total	1,371	NSI change from gdl	0 0
Misc ordinary tax, inc.	0	0	Savings	0	% combined spendable	57.4% 42.6%
SS paid other marriage	0	0	No releases		% of saving over gdl	0% 0%
Retirement contrib if ATI	0	0			Total taxes	1,028 445
Required union dues	0	0			# WHA	0 0
Nec job-related exp.	0	0			Net wage paycheck/mo	3,933 2,032
Adj. to income (ATI)	0	0			Comb. net spendable	7,868
SS paid other marriage	0	0			Percent change	0.0%
CS paid other relationship	0	0			Default Case Settings	
Qual. Bus. Inc. Ded.	0	0				
Health insurance	9	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
Required union dues	53	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. deductions	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				



On August 13, 2021, Petitioner filed a Request for Order (RFO) requesting the court to make custody and parenting time orders. A CCRC session was scheduled for September 10, 2021 with a hearing on the RFO set for October 28, 2021.

On September 2, 2021, Petitioner filed an ex parte application for temporary custody pending the hearing date, which was denied by the court the following day.

Only Petitioner participated in the CCRC session. A single parent CCRC report was issued on September 10, 2021 with copies mailed to the parties on September 15, 2021. Since only Petitioner participated, no recommendations were included in the report.

On September 21, 2021, Respondent was personally served with the RFO.

On October 14, 2021, Respondent filed a Responsive Declaration along with a Declaration in support of the RFO, served on Petitioner by overnight delivery the day prior. Respondent contends that she did not attend the CCRC session because she was not served with the RFO and referral to CCRC until after the date of the session. Respondent requests sole legal and physical custody of the minor, reasonable visitation to Petitioner, and a re-referral to CCRC.

At the October 28, 2021 hearing, the court adopted the tentative ruling, which re-referred the parties to CCRC on December 2, 2021 and continued the matter to January 20, 2022.

Both parties participated in CCRC and reached some agreements, but not on the parenting schedule itself. A CCRC report was issued on January 12, 2022 with copies mailed to the parties on January 14, 2022.

The report notes that both parties are requesting physical custody with visits to the other parent on the 1<sup>st</sup>, 2<sup>nd</sup>, and 4<sup>th</sup> weekends of the month. Petitioner lives in Chico area, whereas Respondent lives in Placerville area, making a more equal timeshare impractical. The report recommends that the child reside primarily with Petitioner with Respondent having weekend visitation. The report states that the parties both agree that the move from Oroville to El Dorado County was due to the parties being displaced by the Wall fire in 2017, after which they moved to Antelope and then to Camino. The report noted the extended family in the Chico area and close proximity to it and the child's lack of strong ties to the community in Placerville, given her young age.

Parties appeared on January 20, 2022. Respondent requested a continuance due to the late mailing of the CCRC report. The court continued the hearing to March 10, 2022.

On March 3, 2022 Respondent filed a Supplemental Declaration and Memorandum of Points and Authorities. Petitioner was served via overnight delivery on March 2, 2022 with Proof of Service filed on March 3, 2022. Respondent objects to the recommendations in the CCRC report. Respondent asserts that the minor's ties to the community in El Dorado County are more than tangential and Petitioner's return to Butte County was intended to be temporary. Respondent requests the court deny Petitioner's request to relocate the minor from El Dorado County to Butte County. Respondent requests she be awarded temporary sole physical custody with reasonable parenting time to Petitioner. Respondent also requests parties be re-referred to CCRC to specifically discuss the potential move away.

The court re-refers the parties to CCRC with Normal Labat to address the potential move away, discuss, consider and analyze the *LaMusga* factors on April 14<sup>th</sup>, 2022 at 1:00PM. The court sets a further review hearing on June 2<sup>nd</sup>, 2022 at 8:30AM. The court declines to issue any temporary orders pending the next hearing date.

Petitioner is ordered to prepare and file the Findings and Orders after Hearing.

**TENTATIVE RULING #5: THE COURT RE-REFERS THE PARTIES TO CCRC WITH NORMAL LABAT TO ADDRESS THE POTENTIAL MOVE AWAY, DISCUSS, CONSIDER AND ANALYZE THE LAMUSGA FACTORS ON APRIL 14<sup>TH</sup>, 2022 AT 1:00PM. THE COURT SETS A FURTHER REVIEW HEARING ON JUNE 2<sup>ND</sup>, 2022 AT 8:30AM. THE COURT DECLINES TO ISSUE ANY TEMPORARY ORDERS PENDING THE NEXT HEARING DATE. PETITIONER IS ORDERED TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

On October 12, 2021, Respondent filed a Request for Order (RFO) requesting spousal support and property control orders. An income and Expense Declaration was filed concurrently with the RFO.

On November 4, 2021 and again on November 30, 2021, the court approved the parties' stipulations regarding the family home, which the court previously found has resolved Respondent's request for property control orders.

Upon review of the file, the court finds that there is no proof of service indicating service of the RFO and Income and Expense Declaration on Petitioner. However, on December 22, 2021 Petitioner filed an Income and Expense Declaration and on December 30, 2021 Petitioner filed a Responsive Declaration. The Respondent was served with the Income and Expense Declaration and Responsive Declaration by mail on December 22, 2021 with a Proof of Service filed the same day.

Petitioner requests the court order temporary spousal support to Respondent in the amount of \$758 per month. Petitioner also requests the court order child support paid to Petitioner from Respondent in the amount of \$344 per month.

Petitioner and counsel appeared on January 6, 2022, however, Respondent did not appear. Petitioner requested the court stay the tentative ruling and continue the matter. The court continued the hearing to March 10, 2022 and stayed the tentative ruling. Supplemental declarations were to be filed at least 10 days prior to the next hearing date.

Upon review of the file, the court finds there have been no new filings in this matter. Respondent's RFO has not been properly served. Therefore, the request for temporary spousal support and child support are denied without prejudice. Further, Respondent's Income and Expense Declaration is now stale, as it was filed in October of last year. Therefore, the court does not have the requisite information to make appropriate temporary spousal support or child support orders.

**TENTATIVE RULING #10: THE REQUEST FOR TEMPORARY SPOUSAL SUPPORT AND CHILD SUPPORT ARE DENIED WITHOUT PREJUDICE.**

**7. DENISE BAHRS V. THOMAS BAHRS**

**PFL20140152**

On January 19, 2022 Petitioner filed an Order to Show Cause (OSC) and Affidavit for Contempt alleging nine (9) counts of a failure to pay in accordance with the June 11, 2018 Stipulation and Order. On February 7, 2022 Petitioner filed a Proof of Personal Service showing Respondent was personally served with the filing on February 1, 2022.

The court finds that as Petitioner has shown proof of personal service as required by law, Respondent is ordered to appear for arraignment on the citation.

**TENTATIVE RULING #7: RESPONDENT IS ORDERED TO APPEAR FOR ARRAIGNMENT**

**8. GRACE SJOTVEDT V. CONNOR EVANS****PFL20210559**

On December 9, 2021, the court continued the issue of Child Support for review to February 10, 2022 and reserved jurisdiction to modify the support order back to October 1, 2021. Respondent was to fully complete, and serve, an Income and Expense Declaration with supporting documentation no later than 15 days after the December 9, 2021 hearing. Petitioner was also ordered to file and serve a current Income and Expense Declaration no later than 10 days prior to the February 10<sup>th</sup> hearing.

Respondent filed an Income and Expense Declaration on January 25, 2022. Upon review of the file, the court was unable to locate a Proof of Service indicating Petitioner has been served with this document. However, Petitioner's Notice of Noncompliance and Request for Sanctions filed on January 13, 2022, indicates Petitioner did receive a copy of Respondent's FL-150 on or about December 30, 2021.

In Petitioner's Notice of Noncompliance and Request for Sanctions, Petitioner notes the deficiencies in Respondent's Income and Expense Declaration and requests \$1,750 as Family Code section 271 sanctions. The court notes the Proof of Service for the Notice of Noncompliance and Request for Sanctions indicates service on Respondent on November 12, 2022, a date which has not yet occurred.

Petitioner filed an updated Income and Expense Declaration on January 31, 2022. Proof of Service was filed on January 31, 2022 showing Respondent was served by mail the same date.

Respondent filed a Request for Order (RFO) on January 25, 2022 requesting a change in custody and parenting time. The court has set a hearing date of March 10, 2022. However, the court was unable to locate a proof of service for this RFO.

On February 7, 2022, Petitioner filed an updated Income and Expense Declaration, served by mail on Respondent that same day.

In the interest of judicial economy, the court continued the February 10, 2022 matter to join with the RFO set on March 10, 2022, as any changes in custody and parenting time may impact the child support order. Respondent was directed to serve Petitioner with the RFO forthwith if he had not already done so. Respondent was directed to file and serve an updated Income and Expense Declaration, that complies with the California Rules of Court and the Local Rules no later than February 24, 2022. The court reserved on Petitioner's request for Family Code 271 sanctions until March 10, 2022.

On February 18, 2022 Respondent filed an Income and Expense Declaration and a Declaration with Certificates. On the same day, Respondent filed a Proof of Service indicating Petitioner was served the RFO from January 25, 2022, the Income and Expense Declaration, and Declaration with certificates by mail on February 18, 2022.

Respondent's Income and Expense Declaration appears to be identical to the one filed on February 7, 2022. In his Declaration, Respondent request the court not impose sanctions, as he has attempted to comply with the court's order to submit an Income and Expense Declaration that complies with the California Rules of Court and the Local Rules. Respondent has completed a four hour parenting

class as of February 17, 2022. Respondent also completed a four-hour Parent Education and Family Stabilization Course.

On February 25, 2022, Petitioner filed an Objection to Respondent's RFO, Income and Expense Declaration, and Motion to Strike pursuant to El Dorado County Local Rules 8.0303 and 8.03.04.

Petitioner asserts that Respondent failed to comply with Code of Civil Procedure section 2015.3, which requires the supporting declaration for a RFO be given under penalty of perjury, and therefore must be signed by the declarant. Petitioner requests that due to the RFO being unsigned, the court deny the RFO. Upon review of the court file, the court finds Respondent's January 25, 2022 RFO is unsigned, and as such will deny the request relief.

Petitioner renews the previous objections to Respondent's Income and Expense Declaration, namely that it failed to comply with California Rules of Court and El Dorado County Superior Court Local Rules.

Petitioner filed a Responsive Declaration to the RFO on February 25, 2022. Respondent was served by mail on February 25, 2022, with Proof of Service filed the same date. Petitioner in addition to requesting the court deny the RFO as it was not properly served or signed, request the court deny the RFO as he has not been consistent in exercising his parenting time under the current court orders and has failed to show how the requested change would be in the minor's best interest. Petitioner attached as Exhibit A, a calendar detailing visitation for the months of October 2021 through February 2022. Respondent has only utilized his Wednesday 4:00 P.M.-6:00 P.M. visit one time since the December 9, 2021 parenting time order was made. Respondent has utilized his every other Saturday and Sunday visits only four times since the December 9, 2021 parenting time order.

The court denies Respondent's request for changes to custody and parenting time. The request is denied as the RFO is not properly before the court; it was not signed under penalty of perjury, and it was served on Petitioner late. However, even if the request had properly been before the court, the court would find that the requested changes are not in the best interest of the minor, and therefore would not warrant a change in custody or parenting time. Respondent needs to demonstrate consistent visitation with the minor under the current orders prior to an increase in parenting time. Additionally, Parties attended CCRC less than six months ago, therefore, the court declines to rerefer the parties to CCRC at this time.

The court has reserved jurisdiction to modify child support to the date of the filing of the RFO on December 9, 2021. The court also reserved jurisdiction on the issue of arrears/back payment on December 9, 2021. Respondent was directed to comply with the filing requirement for the Income and Expense declaration. Respondent has failed to file a complete FL-150 including attaching the necessary supporting documents. Parties are ordered to appear to address the child support issue.

The court reserves on the issue of Family Code section 271 sanctions until the hearing.

**TENTATIVE RULING #8: RESPONDENT'S RFO IS DENIED WITHOUT PREJUDICE. PARTIES ARE ORDERED TO APPEAR TO ADDRESS THE CHILD SUPPORT ISSUE.**

On October 8, 2021, Petitioner filed a Request for Order (RFO) requesting the court bifurcate the case and grant a status-only judgment to dissolve the marital status. That same day, Respondent was served by mail with the RFO.

On December 22, 2021, Respondent filed a Response and a Responsive Declaration, both served on Petitioner electronically the day prior. Respondent consents to the bifurcation of the case to grant a status-only judgment, noting that there are some retirement accounts that will need to be joined to the case.

Upon review of the file, the court finds that on June 12, 2020 the Petition was filed and thereafter was personally served on Respondent on July 1, 2020. Then, on November 30, 2020 and again on January 6, 2021, Amended Petitions were filed. While the declaration contained within the RFO states that the January 6, 2021 Amended Petition was personally served on Respondent on January 24, 2021, the court finds that there is no proof of service in the court file indicating this service. However, either way the court finds that it had jurisdiction over the Respondent as of the service date of the initial Petition on July 1, 2020. Additionally, the court finds that the Petitioner's Preliminary Declaration of Disclosure was served on Respondent by mail on January 11, 2021.

The court found good cause to grant the requested relief. However, the court found that the retirement account have not been properly joined. The court ordered the parties to appear at the January 6, 2021 hearing for setting of a hearing on the status-only judgment.

On January 6, 2022, Mr. Leander appeared on behalf of all parties. Mr. Leander informed the court that parties were working on a stipulation. The matter was continued to March 10, 2022.

Upon review of the file, there are no new filings. As such, the court orders the court bifurcates the case and shall set a separate trial for a status-only judgment. The court orders parties to appear on March 10, 2022 to select a hearing date on the status-only judgment.

**TENTATIVE RULING #9: THE COURT BIRFUCATES THE CASE AND SHALL SET A SEPARATE TRIAL FOR A STATUS-ONLY JUDGMENT. THE COURT ORDERS THE PARTIES TO APPEAR AT THE MARCH 10, 2022 TO SELECT A HEARING DATE ON THE STATUS-ONLY JUDGMENT.**

On December 2, 2021 the court adopted the tentative ruling as there was no proper request for oral argument. The court set a review hearing for March 10, 2022 at 8:30 to review the request for reunification and visitation.

In the interim, on December 7, 2021 Respondent filed a RFO again requesting reunification and visitation. Petitioner was served by mail on December 8, 2021 with Proof of Service filed the same day. A hearing was set for the RFO on February 24, 2022.

On February 9, 2022, Petitioner filed a Responsive Declaration requesting the matter be continued past the current date for trial on the confidential probate matter, which is currently set for April 5, 2022 in Department 8. Respondent was served by mail on February 9, 2022 with Proof of Service filed the same day. Petitioner renews the concerns previously raised in the November 23, 2021 Supplemental Declaration.

Respondent filed a Declaration in support of the RFO on February 15, 2022. Petitioner was served by mail on February 15, 2022 with Proof of Service filed the same day. Petitioner reiterates the same requests from her pervious filings.

On February 24, 2022 the court adopted the tentative ruling issued on February 23, 2022, as no parties requested oral argument. The court continued the matter to May 12, 2022. The court continues this review hearing to join with the RFO currently set for May 12, 2022.

Respondent is ordered to prepare and file the Findings and Order After Hearing.

**TENTATIVE RULING #10: THE MATTER IS CONTINUED TO JOIN WITH THE RFO CURRENTLY SET FOR MAY 12, 2022 AT 8:30 IN DEPARTMENT 5. RESPONDENT IS ORDERED TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

**11. JEREMY DAY v. RAVEN DAY**

**PFL20200495**

On May 17, 2021, Respondent filed an Order to Show Cause and Affidavit for Contempt. On May 19, 2021, the Contempt complaint was served by mail on Petitioner's counsel. On June 26, 2021, the Contempt complaint was served personally on Petitioner.

On July 8, 2021 the parties appeared, and the matter was continued to October 7, 2021 at the request of the parties. Petitioner was ordered to appear.

On September 9, 2021, Petitioner filed a Request for Order (RFO) requesting that the Contempt complaint be dismissed with prejudice for lacking evidentiary support. Petitioner further requested sanctions in the amount of \$5,000 under Code of Civil Procedure 128.5 and 128.7.

Respondent was personally served with the RFO on October 6, 2021. This service was untimely for the October 7, 2021 hearing, however, has since become effective.

On October 7, 2021, the matter was set to be heard by Commission Slossberg. Petitioner did not stipulate to the Commissioner hearing the matter, and therefore, the hearing was continued to January 27, 2022. The tentative ruling was stayed pending the next hearing.

On January 18, 2022, Petitioner filed a request to continue the January 27, 2022 hearing due to illness. The court granted the request and set the matter for March 10, 2022.

Parties are ordered to appear for arraignment on the Contempt citation.

**TENTATIVE RULING #11: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT**

**12. JONETTE MONTBLEAU V. RICHARD MONTBLEAU**

**PFL20180797**

On January 28, 2022 Respondent filed a Request for Order (RFO) requesting the court set aside the default judgment entered in this case. Petitioner was served by mail on February 11, 2022. Respondent is requesting the court set aside the default entered with this court on October 8, 2021. Parties submitted a stipulation to set aside the default which this court signed on December 16, 2021.

On February 22, 2022, Petitioner filed a Responsive Declaration to the RFO. Respondent was served with the Responsive Declaration by mail on February 22, 2022 with Proof of Service Filed on February 23, 2022. Petitioner consents to the request to set aside the default per the parties stipulation filed on December 16, 2021.

The court grants the request to set aside the default.

**TENTATIVE RULING #12: THE DEFAULT JUDGMENT ENTERED ON OCTOBER 8, 2021 IS SET ASIDE.**

On September 23, 2021, the court adopted the parties agreements contained in the August 9, 2021 Child Custody Recommending Counseling (CCRC) report. The court appointed Minors' Counsel and continued the issue of child support to March 10, 2022. Parties were directed to meet and confer prior to the next hearing date.

On November 17, 2021 Respondent filed an Income and Expense Declaration. On November 19, 2021 Respondent filed a Declaration regarding child support and attached a proposed X-Spouse guideline support calculation. Petitioner was served by mail with both filings on November 29, 2021. Respondent requests the court continue to utilize a 35% time share for her parenting time. This results in a child support payment from Petitioner to Respondent in the amount of \$1,665 per month. This would be a \$30 increase from the prior amount. Respondent is not requesting arrears. Respondent also requests the court to not impute income and to instead utilize Respondent's current actual income. Respondent requests that if the court were to impute income that Petitioner be required to pay 50% of Respondent's monthly travel expenses for visitation, up to \$1,250 per month.

At the hearing on December 9, 2021, the court continued the child support issue to the March 10, 2022 hearing date and ordered the parties to file and serve on one another updated Income and Expense Declarations at least 10 days prior to the next hearing. The court ordered the parties to provide 30-days advance notice of when the minors will be travelling to Oklahoma along with the direct flight information. If direct flights are not available, the court ordered one of the parents to accompany the minors. The court appointed Barbara Newman as Minor's Counsel and ordered her to provide input to the court at least 10 days prior to the hearing. Any supplemental declarations were ordered to be filed at least 10 days prior to the hearing as well. The issue of travel costs for the summer was continued to the next hearing.

On February 28, 2022, Petitioner filed an Income and Expense Declaration and Supplemental Declaration. Upon review of the file, the court finds that there is no Proof of Service indicating the Respondent was served with the Income and Expense Declaration or Supplemental Declaration. Therefore, the court has not considered these filings.

On March 1, 2022, Minors' Counsel filed a Statement of Issues and Contentions in Support of Request for Orders. Parties were served by mail on March 1, 2022 with Proof of Service filed the same day. Minors' Counsel recommends Respondent's visitation during the school year remain as currently ordered. Minors' Counsel also recommends parties work together to address the issue of routines and the boys' access to gaming. Minors' Counsel also recommends the summer parenting plan remain as previously agreed upon, with the exception that the final week of Mother's parenting time in July take place in California to allow J.W. to attend band camp and that Father have the first and last two weeks of the summer rather than the first and last 10 days of the summer.

On March 1, 2022 Respondent filed an updated Income and Expense Declaration. It was served on Petitioner electronically on March 2, 2022 with Proof of Service filed on March 4, 2022.

Having reviewed the filings of the parties, the court finds that the recommendations contained within the Statement of Issues and Contentions filed by Minor's Counsel are in the best interest of the children and adopts them as the order of the court. Specifically, all current parenting orders shall remain in place with the exception of Petitioner now having the first and last two weeks of the summer and Respondent being ordered to spend the final week of her summer parenting time with the children in California so that J.W. can attend band camp.

Regarding child support, as the change to the parenting schedule above is insubstantial and as the orders as requested by Respondent per her X-spouse calculation leads to only a nominal change in child support, the court denies the request to modify child support finding there is no change of circumstances to warrant it.

Regarding the costs of transportation for the summer visitation, the court orders the parties to share those costs equally, not including any lodging costs for Respondent during the final week of her parenting time.

Respondent is ordered to prepare and file the Findings and Order After Hearing.

**TENTATIVE RULING #13: ALL CURRENT PARENTING ORDERS SHALL REMAIN IN PLACE WITH THE EXCEPTION OF PETITIONER NOW HAVING THE FIRST AND LAST TWO WEEKS OF THE SUMMER AND RESPONDENT BEING ORDERED TO SPEND THE FINAL WEEK OF HER SUMMER PARENTING TIME WITH THE CHILDREN IN CALIFORNIA SO THAT J.W. CAN ATTEND BAND CAMP. THE COURT DENIES THE REQUEST TO MODIFY CHILD SUPPORT FINDING THERE IS NO CHANGE OF CIRCUMSTANCES TO WARRANT IT. REGARDING THE COSTS OF TRANSPORTATION FOR THE SUMMER VISITATION, THE COURT ORDERS THE PARTIES TO SHARE THOSE COSTS EQUALLY, NOT INCLUDING ANY LODGING COSTS FOR RESPONDENT DURING THE FINAL WEEK OF HER PARENTING TIME. RESPONDENT IS ORDERED TO PREPARE AND FILE THE FINDINGS AND ORDER AFTER HEARING.**

**14. MAURICIO DEL POZO V. SCHONZE DEL POZO**

**PFL20160111**

On December 30, 2021, Petitioner filed a Request for Order (RFO) requesting the court make a formal custody order to reflect the parties' agreement which has been in place for the prior seven months. Parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on January 27, 2022 and a review hearing set for March 10, 2022. Respondent and Minors Counsel were served a copy of the RFO and CCRC referral by mail on January 7, 2022.

On January 27, 2022, only Petitioner appeared at the CCRC appointment. As such a single parent report was issued, with no agreements or recommendations. A copy of the report was mailed to parties on March 2, 2022.

Respondent has not filed a Responsive Declaration.

Parties are referred to CCRC with Norman Labat on April 15<sup>th</sup>, 2022 at 9:00AM. The court continues the hearing to May 26<sup>th</sup>, 2022 at 8:30AM for review.

**TENTATIVE RULING #14: THE PARTIES ARE ORDERED TO CCRC ON APRIL 15<sup>TH</sup>, 2022 AT 9:00AM. THE COURT CONTINUES THE REVIEW HEARING TO MAY 26<sup>TH</sup>, 2022 AT 8:30AM.**

On February 1, 2022, Petitioner filed a Request for Order (RFO) requesting modification of the judgement/marriage settlement agreement. Respondent was personally served on February 5, 2022, with Proof of Service filed on February 10, 2022.

Petitioner is requesting modification of the judgment/marital settlement agreement as Respondent has failed to accurately set forth the tax debts in his Declaration's of Disclosure. Further, Petitioner asserts Respondent has failed to pay the taxes debts and failed to hold her harmless for the tax liabilities. As a result, Petitioner has taken on more debt than was allocated to her at the time of the marriage settlement agreement. Petitioner requests the court adjust Respondent's share of the CalSTRS account plan downwards to accomplish an equal division of the community property in light of the required payments to the Internal Revenue Service and Franchise Tax Board.

Respondent has not filed a Responsive Declaration.

Parties are ordered to appear to select an evidentiary hearing date.

**TENTATIVE RULING #15: PARTIES ARE ORDERED TO APPEAR TO SELECT AN EVIDENTIARY HEARING DATE.**

**16. SARAH FLORES V. JUAN FLORES**

**PFL20210195**

On December 23, 2021, Respondent filed a Request For Order (RFO) requesting child custody, parenting time, property control, and attorney fees. Petitioner was served on December 22, 2021 by mail with Proof of Service filed on December 23, 2021.

On February 1, 2022 parties reached an agreement that resolved all underlying issues in the case, including custody, parenting time, property control, and attorney fees. As such, the current RFO is moot. As such, the court drops the matter from calendar.

**TENTATIVE RULING #16: THE PARTIES REACHED AN AGREEMENT ON FEBRUARY 1, 2022 RESOLVING ALL ISSUES RAISED IN THE RFO. THE MATTER IS DROPPED FROM CALENDAR.**