

3. HENRY AGUILAR V. KRISTIE WILLIS

PFL20180694

Counsel for Respondent filed a Motion to be Relieved on January 31, 2022. The matter was set for a hearing on March 24, 2022. Upon review of the court's file, the court is unable to locate a Proof of Service showing Respondent has been served with the request. Therefore, the court denies the motion without prejudice.

The court notes a second Motion to be Relieved was filed by Respondent's counsel on February 24, 2022. The motion has been set for a hearing on April 21, 2022.

TENTATIVE RULING #3: THE MOTION TO BE RELIEVED IS DENIED WITHOUT PREJUDICE.

4. JAMES MILLIMAN V. ERICA MORALEZ-MILLIMAN

PFL20170881

On January 6, 2022 parties appeared for a Child Custody and Recommending Counseling review hearing. Parties agreed to participate in a Family Code section 3111 evaluation with Respondent to pay the costs, subject to reallocation. The court ordered Respondent to provide Petitioner with the names of three potential evaluations within two weeks. Petitioner was to select one within a week. The court adopted the tentative ruling and set a further review hearing for March 24, 2022.

On March 11, 2022 the court signed an order appointing Wendy Campbell as the child custody evaluator.

The court has not yet received a Family Code section 3111 report. Therefore, the court continues the matter to June 16th, 2022 at 8:30AM. All prior orders remain in full force and effect.

Respondent is to prepare the Findings and Orders After Hearing.

TENTATIVE RULING #4: THE COURT CONTINUES THE MATTER TO JUNE 16, 2022 AT 8:30AM FOR RECEIPT OF THE FAMILY CODE SECTION 3111 REPORT. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS THE PREPARE THE FINDINGS AND ORDERS AFTER HEARING.

5. JENNIFER COWELS V. BENJAMIN COWELS

PFL20180808

On December 9, 2021 the court granted Respondent's request to identify Dr. Sidney Nelson as the Family Code section 3111 evaluator. The court set a review hearing for March 24, 2022 for return of the 3111 report and child support.

On February 9, 2022 Minors' Counsel filed an Amended Order appointing Stephanie Stilley as the Child Custody Evaluator as Dr. Sidney Nelson was not available to perform the evaluation. The court granted the request to appoint Stephanie Stilley.

The court has not received a completed report from Ms. Stilley, therefore, the court finds good cause to continue the matter to [date in June]. Parties are ordered to file and serve updated Income and Expense Declarations at least 10 days prior to the next court date. Should Petitioner fail to prove a complete Income and Expense Declaration as has been previously ordered and required by both the Local Rules and California Rules of Court, including supporting documentation, the court will consider an imputation of income and sanctions. The court continues to reserve jurisdiction to the next hearing over retroactive modification back to July 1, 2022.

The court also set the matter for the court's ruling on the move away trial. Parties are ordered to appear for the ruling.

TENTATIVE RULING #5: THE COURT CONTINUES THE REVIEW HEARING FOR RECEIPT OF THE 3111 REPORT TO JUNE 9TH, 2022. PARTIES ARE ORDERED TO FILE AND SERVE UPDATED INCOME AND EXPENSE DECLARATIONS AT LEAST 10 DAYS PRIOR TO THE NEXT COURT DATE. SHOULD PETITIONER FAIL TO PROVE A COMPLETE INCOME AND EXPENSE DECLARATION AS HAS BEEN PREVIOUSLY ORDERED AND REQUIRED BY BOTH THE LOCAL RULES AND CALIFORNIA RULES OF COURT, INCLUDING SUPPORTING DOCUMENTATION, THE COURT WILL CONSIDER AN IMPUTATION OF INCOME AND SANCTIONS. THE COURT CONTINUES TO RESERVE JURISDICTION TO THE NEXT HEARING OVER RETROACTIVE MODIFICATION BACK TO JULY 1, 2022. PARTIES ARE ORDERED TO APPEAR FOR THE COURT'S RULING ON THE MOVE AWAY TRIAL.

On May 26, 2021, Petitioner filed a Request for Order (RFO) requesting the court to make custody, parenting time, child support, and attorney's fees orders and to order Respondent to complete a program for PTSD and alcohol. A CCRC session was scheduled for June 28, 2021 with a hearing on the RFO set for August 12, 2021.

On July 22, 2021, the Department of Child Support Services (DCSS) filed a Notice Regarding Payment of Support, intervening into the family law case.

On August 3, 2021, Petitioner filed an Affidavit of Unsuccessful Service, listing six unsuccessful attempts to serve the RFO and accompanying paperwork on Respondent. That same day, Petitioner filed a Request to Reschedule Hearing and an Application for Order for Posting, both of which were granted by the court on August 10, 2021. The hearing was continued to October 28, 2021.

On September 20, 2021, Petitioner filed a Proof of Service of Summons, indicating personal service of the Summons, Petitioner, Income and Expense Declaration, RFO, and Order on Request to Schedule Hearing. However, upon review of the file, the court finds that Petitioner did not file an Income and Expense Declaration with the court.

On October 21, 2021, Petitioner filed a Declaration. Upon review of the file, the court finds that there is no proof of service indicating service of this Declaration on Respondent. As such, the court cannot review or consider it.

Only Petitioner appeared at the CCRC session on June 28, 2021. A CCRC report was issued on June 30, 2021 with copies mailed to the parties on July 9, 2021.

On October 28, 2021 the court found that, as to the request for child support, under Family Code 4251 the issue should be addressed by the Child Support Commissioner as DCSS is a party to the case. The court continued the child support issue to the DCSS calendar. Additionally, on October 28, 2021, the court denied Petitioner's request for attorney's fees without prejudice. The court referred the parties back to CCRC and continued the issues of custody and visitation only to the instant hearing date. The court admonished the parties that should either party fail to attend the CCRC session, the court will consider sanctions against that party under Local Rule 8.10.02.

The parties both appeared for the CCRC appointment and a CCRC report was issued on December 22, 2021. Copies of the report were mailed to the parties on December 23, 2021. The CCRC report reflects that the parties reached a full agreement regarding the issues pending before the court.

On December 17, 2021 Petitioner filed a Declaration with an attached order from Placer County case number S-DR-0060415 entered on November 4, 2021 involving the parties and child presently before the court. The Placer County order contains an agreement by the parties to transfer the Placer County Case to El Dorado County, as well as custody and visitation orders. Petitioner's Declaration asserts that Placer County has not yet transferred the case to El Dorado County.

On January 4, 2022 Petitioner filed an additional Declaration objecting to Respondent's Responsive Declaration as untimely per CCP section 1005(b). Respondent was served electronically on January 4, 2022 with Proof of Service filed the same day.

On January 10, 2022 Respondent filed a Responsive Declaration to Petitioner's request for order. Petitioner was served electronically on January 3, 2022. Respondent objects to the request for sole physical and legal custody. Respondent also objects to the request for supervised visitation and that he participate in programs for PTSD, anger management, and alcohol abuse. Respondent requests the court order joint legal and physical custody and a 50/50 timeshare.

On February 16, 2022 the parties submitted a stipulation to continue the matter to March 24, 2022.

On February 28, 2022 the court received Notice of the Transfer from Placer County. On March 1, 2022, El Dorado County acknowledged receipt of the transfer from Placer County.

There have been no additional filings from the parties since February 16, 2022.

The court further finds that Respondent filed a motion on October 20, 2021, currently set for January 20, 2022 in this Department, requesting the court quash the El Dorado County action in favor of the Placer County matter, which was filed prior to the El Dorado County case. As parties stipulated to the matter being transferred to El Dorado County from Placer County on November 4, 2021, the court finds this RFO to be moot.

The court has read and considered the above filings and makes the following findings and orders:

The agreements contained in the CCRC report of December 22, 2021 reflect the November 4, 2021 stipulation of the parties. There are no agreements or recommendations as to legal or physical custody. The court re-refers the parties to CCRC on [date] with Norman Labat on the issues of custody and parenting time. The court continues the review hearing to [date] for return of the CCRC report. All prior orders not in conflict remain in full force and effect. Petitioner is to prepare and file the findings and orders after hearing.

TENTATIVE RULING #6: THE PARTIES ARE RE-REFERRED TO CCRC ON APRIL 29TH, 2022 AT 9:00AM WITH NORMAN LABAT ON THE ISSUES OF CUSTODY AND PARENTING TIME. THE COURT CONTINUES THE REVIEW HEARING TO JUNE 16TH, 2022 AT 8:30AM. ALL PRIOR ORDERS NOT IN CONFLICT REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

Petitioner filed a Request for Order (RFO) on September 22, 2021 requesting orders for custody and a parenting plan. Petitioner also requests the court order the sale of the marital residence and a vocational assessment of Respondent. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 21, 2022 and a review hearing on December 10, 2022. Upon review of the court's file, the court was unable to locate a proof of service of the RFO and referral to CCRC.

Nevertheless, both parties appeared at the October 21, 2022 appointment and were able to reach a full agreement. A copy of the report was mailed to the parties on October 26, 2021. The court has read and considered the CCRC report. The court finds the agreements of the parties to be in the minors' best interest and will adopt them as the court's order, if Respondent appears to waive the defect in notice. Parties shall have joint legal custody and Petitioner shall have parenting time as outlined in the CCRC report.

On November 17, 2022, parties filed a stipulation to continue the December hearing to February 16, 2022.

On February 16, 2022, the court issued an ex parte minute order continuing the February 16, 2022 hearing to March 24, 2022 as February 16, 2022 was not a law and motion calendar day.

The court denies the requests to sell the marital residence and for a vocational evaluation as Respondent has not been properly served.

Petitioner is to prepare and file the findings and orders after hearing.

TENTATIVE RULING #7: IF RESPONDENT APPEARS TO WAIVE THE DEFECT IN NOTICE, THE COURT WILL ADOPT THE PARTIES' AGREEMENTS AS CONTAINED THE IN THE CCRC REPORT AS THEY ARE IN THE BEST INTEREST OF THE MINORS. THE REMAINDER OF THE RFO IS DENIED WITHOUT PREJUDICE. PETITIONER IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On February 10, 2022 Respondent filed an ex parte Request For Order (RFO) requesting sole physical custody of the minor and supervised visitation to the Petitioner. Petitioner was noticed of the ex parte request the same day. On February 14, 2022 the court denied the ex parte request and referred the parties to an emergency set Child Custody Recommending Counseling (CCRC) appointment on February 22, 2022 and a review hearing set on March 24, 2022. Petitioner was served with the RFO and referral to CCRC on February 15, 2022 with Proof of Service filed on February 16, 2022.

Both parties attended the CCRC appointment on February 22, 2022, however, Respondent left the session early. The parties were able to reach two agreements. The CCRC counselor filed a with the agreements and several recommendations on February 28, 2022. Parties were mailed copies of the CCRC report on March 11, 2022. The parties agreed Petitioner's boyfriend will not be present at exchanges and the parties will locate a therapist for the minor. The court adopts the agreements of the parties as they are in the best interest of the minor.

The court has read and considered the CCRC report and finds the recommendations to be in the best interest of the minor and makes the following orders: The current custody and parenting plan shall remain in full force and effect. Further that each party enroll in and provide proof of completion of a co-parenting class. Parties shall be enrolled no later than April 22, 2022. Parties are to locate a therapist for the minor no later than April 22, 2022. Petitioner is to provide Respondent a list of three names of licensed therapists no later than April 7, 2022. Respondent shall select one of the three therapists no later than April 14, 2022. The parties shall abide by the therapist's recommendations about the frequency and duration of counseling. The minor shall be transported only by a sober driver who has a valid driver's license and insurance. The parties shall abide by the respect guidelines as contained in the CCRC report. Respondent and Petitioner's boyfriend are to have no contact with each other.

All prior orders not in conflict remain in full force and effect. Respondent to prepare and file the findings and orders after hearing.

TENTATIVE RULING #8: THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED WITHIN THE CCRC REPORT AS OUTLINED ABOVE. THE CURRENT CUSTODY AND PARENTING PLAN ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

9. LEANNE VANNOY V. WILLIAM VANNOY

PFL20150453

On March 23, 2022 Petitioner submitted a request to continue the matter. Parties are ordered to appear to select a new hearing date.

Parties are ordered to appear.

TENTATIVE RULING #9: PARTIES ARE ORDERED TO APPEAR.

On February 2, 2022, Petitioner filed a Request for Order (RFO) requesting property control as well as attorney fees and sanctions. Petitioner concurrently filed an Income and Expense Declaration. Respondent was served with the RFO by mail on February 2, 2022 with Proof of Service filed the same day. Petitioner requests the court grant her exclusive use and control of the property located at Chrysler Circle in Garden Valley, California. Petitioner asserts this property is her separate property as it was purchased two years prior to the marriage and has been maintained with separate property funds. Petitioner further asserts there is a Premarital Agreement with confirms the Chrysler Circle property is Petitioner's separate property. Petitioner further request the court award Family Code section 271 sanctions to Petitioner to reimburse and compensate her for the costs of the RFO.

On March 10, 2022, Respondent filed a Responsive Declaration to the RFO requesting the court deny Petitioner's request for exclusive use and control of the property and award Respondent guideline spousal support. Respondent also requests Family Code section 2030 attorney fees. Petitioner was served the Responsive Declaration by mail on March 11, 2022 with Proof of Service filed the same day. Respondent asserts he has been diligently looking for appropriate and affordable housing but has been unable to do so. Respondent states his income is limited to social security and a twice annual payment from Jersey. Respondent requests Petitioner's RFO be continued to be heard concurrently with his RFO for spousal support with is currently set to be heard on April 21, 2022.

On March 22, 2022, parties stipulated to the court advancing the hearing on Respondent's RFO from April 21, 2022 to March 24, 2022. The court signed the parties stipulation and has advanced Respondent's RFO to join with the current matter.

The court grants Petitioner's request for the exclusive use and control of the Chrysler Circle property, as it is her separate property. While Respondent may not have significant income, he does have adequate savings which will allow him to secure appropriate rental housing. Further, Respondent's request for spousal support has been advanced to join Petitioner's RFO. Respondent is to vacate the Chrysler Circle property no later than April 8, 2022.

The court finds the Petitioner's average gross monthly income to be \$5,417 based on the filed Income and Expense Declaration. Petitioner has deductions for health insurance and property taxes of \$285 and \$337 respectively. The court finds Respondent's average gross month income to be \$1,283 based on the filed Income and Expense Declaration. Respondent has no monthly deductions.

With the above figures and a married filing jointly status for the parties, the court finds that temporary spousal support per the Alameda formula is \$1,170/month. See attached DissoMaster Report. The court adopts the attached DissoMaster report and orders Petitioner to pay Respondent \$1,170 per month as and for temporary spousal support, payable on the 1st of the month until further order of the court or legal termination. The order of spousal support is effective April 1, 2021.

The court finds that the parties' Income and Expense Declaration demonstrate that there is a disparity in monthly income, with Petitioner earning more than twice that of Petitioner per month prior to support. Following the support order, the disparity in income is greatly decreased, however it remains. Although both parties list savings available to them in #11a of their Income and Expense

Declaration, the court finds that Respondent does continue to have greater access to funds and ability to pay attorney's fees for both parties. The court orders for Petitioner to pay \$5,000 in attorney's fees under Family Code 2030. Petitioner is to pay \$5,000 to Respondent within 30 days of this order, finding that this is sufficient to address Petitioner's request for Family Code section 2030 fees.

The court grants Petitioner's request for Family Code Section 271 sanctions in the amount of \$2,500 as Respondent has taken an unreasonable position in refusing to voluntarily vacate the Chrysler Circle property. Respondent is ordered to pay Petitioner \$2,500 in attorney fees. Respondent may deduct the amount from the attorney fees awarded to him. This results in a net payment from Petitioner to Respondent of \$2,500 for attorney fees.

Petitioner is to prepare and file the findings and orders after hearing.

TENTATIVE RULING #10: THE COURT GRANTS PETITIONER'S REQUEST FOR EXCLUSIVE USE AND CONTROL OF THE CHRYSLER CIRCLE PROPERTY. RESPONDENT SHALL VACATE THE PROPERTY NO LATER THAN APRIL 8, 2022. THE COURT ORDERS PETITIONER TO PAY RESPONDENT \$1,170 PER MONTH AS AND FOR TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THE ORDER OF SPOUSAL SUPPORT IS EFFECTIVE APRIL 1, 2021. THE COURT GRANTS RESPONDENT'S REQUEST FOR FAMILY CODE 2030 ATTORNEY FEES IN THE AMOUNT OF \$5,000. THE COURT GRANTS PETITIONER'S REQUEST FOR FAMILY CODE 271 SANCTIONS IN THE AMOUNT OF \$2,500. THIS RESULTS IN A NET PAYMENT OF \$2,500 FROM PETITIONER TO RESPONDENT AS AND FOR ATTORNEY FEES. PETITIONER IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Respondent	CASE NUMBER: 22 FLO017	
DISSOMASTER REPORT 2022, Monthly		

Input Data	Responden	Petitioner	Guideline (2022)	Cash Flow Analysis	Respondent	Petitioner
Number of children	0	0	Nets (adjusted)	Guideline		
% time with NCP	0%	0%	Respondent	1,170	Payment (cost)/benefit	1,170 (1,170)
Filing status	MFJ->	<-MFJ	Petitioner	4,387	Net spendable income	2,340 3,217
# Federal exemptions	1*	1*	Total	5,557	% combined spendable	42.1% 57.9%
Wages + salary	0	3,290	Support (Nondeductible)	Total taxes	113	745
401(k) employee contrib	0	0	SS Payor	Petitioner	# WHA	0 0
Self-employment income	0	0	Alameda	1,170	Net wage paycheck/mo	0 2,775
Other taxable income	1,283	2,127	Total	1,170	Comb. net spendable	5,557
Other nontaxable income	0	0	Proposed, tactic 9	Proposed		
New-spouse income	0	0	SS Payor	Petitioner	Payment (cost)/benefit	1,170 (1,170)
Wages + salary	0	0	Alameda	1,170	Net spendable income	2,340 3,217
Self-employment income	0	0	Total	1,170	NSI change from gdl	0 0
Misc ordinary tax. inc.	0	0	Savings	0	% combined spendable	42.1% 57.9%
SS paid other marriage	0	0	No releases		% of saving over gdl	0% 0%
Retirement contrib if ATI	0	0			Total taxes	113 745
Required union dues	0	0			# WHA	0 0
Nec job-related exp.	0	0			Net wage paycheck/mo	0 2,775
Adj. to income (ATI)	0	0			Comb. net spendable	5,557
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	0	285				
Itemized deductions	0	337				
Other medical expenses	0	0				
Property tax expenses	0	337				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
Required union dues	0	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				



11. RICHARD MACK V. MELISSA MACK

PFL20200458

On January 10, 2022, Petitioner filed a Request for Order (RFO) requesting a change in custody, change in parenting time, and for the court to set the matter for Mandatory Settlement Conference (MSC) and trial dates. Petitioner concurrently filed an Income and Expense Declaration. On January 12, 2022, Petitioner filed an Amended RFO adding an additional request of a referral to Child Custody Recommending Counseling (CCRC). Parties were referred to CCRC with an appointment scheduled for February 9, 2022 and a review hearing on March 24, 2022. Respondent was served by mail with the Amended RFO on February 14, 2022 with Proof of Service filed on the same day.

Petitioner requests the court order joint legal custody, with sole physical custody. Petitioner alleges there is domestic violence between the Respondent and her significant other. Petitioner also request the court order Respondent to produce her Preliminary Declaration of Disclosure. Petitioner asserts Respondent has failed to respond to efforts to resolve or move forward with the dissolution process. Petitioner is requesting the court set MSC and trial dates for the dissolution proceedings.

On February 22, 2022, Petitioner filed an ex parte request for order requesting he be granted sole physical custody of the minor. Petitioner asserted the minor was a substantial risk in the care of the Petitioner due to past allegations of abuse and or neglect as well as domestic violence between the Respondent and her significant other. Respondent had failed to attend and participate in the February 9, 2022 CCRC appointment. On February 23, 2022 the court denied the ex parte request and referred the parties to an emergency set CCRC appointment on March 8, 2022.

On February 28, 2022, Respondent filed an ex parte request for order asserting that Petitioner had not returned the minor to her for her parenting time. Petitioner filed a Responsive Declaration making the same requests he had made previously in his February 22, 2022 ex parte application. The court set the matter for a hearing and ordered parties to appear on March 2, 2022.

On March 2, 2022 parties appeared for the ex parte hearing. The court admonished Petitioner for not returning the minor to Respondent for her parenting time as the court has denied Petitioner's ex parte request. The court ordered the minor be returned to Petitioner forthwith and that parties continue to exercise their prior parenting plan.

Parties both attended CCRC on March 8, 2022 and were able to reach a full agreement. The CCRC report makes additional recommendations as well. A copy of the report was mailed to parties on March 10, 2022. The court has read and considered the CCRC report and makes the following orders: The agreements of the parties are adopted as the court's order as they are in the best interest of the minor. The court adopts the recommendations of the CCRC report with the following modification: the court declines to appoint CASA at this time as the minor primarily resides out of county. The remaining recommendations are adopted. The minor is to be enrolled in individual therapy at a frequency and duration as directed by the therapist. Respondent is to select the names of three (3) therapists no later than April 21, 2022. Petitioner will then have seven (7) days to select a therapist and inform Respondent of his selection. The parties to share equally in the costs of therapy unless and until Medi-Cal is approved. Parties are to enroll in and complete co-parenting counseling. Petitioner is to select three (3) potential therapist and forward those names to Respondent no later than April 21, 2022. Respondent

will have seven (7) days to select one and respond to Petitioner. Parties are ordered to complete a parenting class and file proof of completion to the court no later than June 30, 2022. Parties are ordered to use the talkingparents.com application for all communication regarding the minor.

Petitioner filed a Supplemental Declaration on March 17, 2022. Respondent was served electronically on March 17, 2022. Petitioner reiterates his concerns about the minor and requests the court adopt the recommendations of the CCRC counselor.

Respondent is ordered to complete and serve her Preliminary Declarations of Disclosure no later than April 29, 2022.

Parties are ordered to appear to select MSC and trial dates.

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

TENTATIVE RULING #11: THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED WITHIN THE CCRC REPORT, WITH THE FOLLOWING MODIFICATION: THE COURT DOES NOT APPOINT CASA AT THIS TIME. THE REMAINDER OF THE REPORT IS ADOPTED AS OUTLINED ABOVE. PARTIES ARE ORDERED TO APPEAR TO SELECT DATES FOR A MSC AND TRIAL.

On January 5, 2022 Respondent filed a Request for Order (RFO) requesting modification of custody, visitation, and child support should there be a change in parenting time. Respondent also requested, and was granted, a referral to Child Custody Recommendation Counseling (CCRC). CCRC has been set for the parties to attend on February 9, 2022 and a return to court on March 24, 2022. The proof of service indicates the Department of Child Support Services and Petitioner were served by mail on January 11, 2022 and January 12, 2022 respectively. However, the Proof of Service indicates a hearing date of February 10, 2022.

On January 6, 2022, Petitioner filed an RFO requesting authorization to move with the children from EL Dorado County to Vacaville in Solano County. The court set a hearing date of February 10, 2022 for this RFO. Upon review of the file, the court could not locate a Proof of Service for the Petitioner's RFO. Based on the Proof of Service filed by Respondent with the February 10, 2022 hearing date, it appears Respondent has received notice. The Petitioner is directed to serve and file Proof of Service of the January 6, 2022 RFO.

Petitioner filed a Responsive Declaration to Respondent's RFO on January 26, 2022. Respondent was served by mail on January 26, 2022, with Proof of Service filed the same day.

DCSS filed a Responsive Declaration requesting pursuant to Family Code Section 4251 that the Child Support matter be set on a Monday calendar following the resolution of the custody issues.

On February 10, 2022, the court continued the matter for receipt of the CCRC report to March 24, 2022.

Neither party appeared at CCRC on February 9, 2022. A Nonappearance CCRC report was filed.

On March 1, 2022 Respondent filed an ex parte request for order requesting the court rerefer the parties to CCRC prior to the March 24, 2022 hearing. The court granted the ex parte request on March 4, 2022 and referred the parties to CCRC on March 8, 2022.

On March 8, 2022, both parties attended CCRC and were able to reach many agreements. However, they were not able to agree on a parenting plan. As such the counselor provided recommendations in the CCRC report. The parties were mailed a copy of the CCRC report on March 15, 2022.

The court has read and considered the above filings and makes the following orders:

The court adopts the CCRC report agreements and recommendations as they are in the best interest of the minors. The parties shall continue to have joint legal custody. The minors shall reside with Petitioner during the school week. Pending Respondent's relocation from Grass Valley, he shall have the minors every Friday from after school until Sunday at a time agreed upon by the parties. Respondent shall pick the minors up from school in Vacaville on Friday. Petitioner shall pick the minors up from Respondent's home on Sunday. Once Respondent moves to a location closer to Vacaville, his parenting time will be every Thursday after school until Sunday, per the parties' prior agreement.

The court notes, this order does not substantially change the parenting time between the parties, and once Respondent relocates, there is no change in parenting time. Therefore, the court will

not set the matter for a hearing to determine a change in child support. The current child support orders remain in full force and effect.

Respondent is to prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #12: THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE CCRC REPORT ARE ADOPTED AS ORDER OF THE COURT AS THEY ARE IN THE BEST INTEREST OF THE MINORS. THE PARTIES SHALL CONTINUE TO HAVE JOINT LEGAL CUSTODY. THE MINORS SHALL RESIDE WITH PETITIONER DURING THE SCHOOL WEEK. PENDING RESPONDENT'S RELOCATION FROM GRASS VALLEY, HE SHALL HAVE THE MINORS EVERY FRIDAY FROM AFTER SCHOOL UNTIL SUNDAY AT A TIME AGREED UPON BY THE PARTIES. RESPONDENT SHALL PICK THE MINORS UP FROM SCHOOL IN VACAVILLE ON FRIDAY. PETITIONER SHALL PICK THE MINORS UP FROM RESPONDENT'S HOME ON SUNDAY. ONCE RESPONDENT MOVES TO A LOCATION CLOSER TO VACAVILLE, HIS PARENTING TIME WILL BE EVERY THURSDAY AFTER SCHOOL UNTIL SUNDAY, PER THE PARTIES' PRIOR AGREEMENT. THE CURRENT CHILD SUPPORT ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On November 1, 2021 Respondent filed a Request for Order (RFO) requesting temporary spousal support, child support orders, and Family Code section 2030 attorney's fees. Respondent concurrently filed an Income and Expense Declaration. On November 3, 2021 Respondent filed a Proof of Service by First-Class Mail showing service of the filings upon Petitioner on November 2, 2021.

On January 3, 2022 Petitioner filed a Responsive Declaration to the RFO, consenting to guideline child support, but asking the court to deny the request for temporary spousal support and attorney's fees. Petitioner argues that Respondent has grossly misrepresented both parties' incomes and points to an unsigned Income and Expense Declaration he contends was sent by Respondent, as well as attached bank records he received from Respondent's bank accounts. Petitioner requests that voluntary support payments he has made in the amount of \$1,500/month be deemed the support order pending further hearing, after the parties have completed discovery. On January 3, 2021 Petitioner filed a Proof of Service by First-Class Mail showing service upon Respondent on December 29, 2021.

The court's file contains an Income and Expense Declaration filed by Petitioner on August 5, 2021, without supporting documentation, alleging \$5,000/month in self-employment income and \$2,452/month in wages and salaries. This figure is different than that alleged by either party to be Petitioner's income.

The records submitted by Petitioner, purported to be Respondent's bank records, show deposits that exceed that amount claimed by Respondent as her income.

On January 27, 2022, given the significant dispute regarding the parties' respective incomes, the court ordered the hearing continued to March 24, 2022 at 8:30 am in Department 5. The court ordered the parties to file and serve supporting documentation, including personal and business tax returns and accompanying Profit and Loss Statements, for the past 2 years no later than 10 days prior to the next hearing. The court ordered both parties to file and serve current, verified, and complete Income and Expense Declarations no later than 10 days prior to the next hearing.

The court reserved jurisdiction over retroactive modification to November 1, 2021 and reserves over both parties' requests for attorney's fees and costs.

The parties were additionally ordered to file and serve a Supplemental Declaration providing the court with the current custody and visitation practices. The parties did not agree as to the percentage of time each party shares with the children; however, no specific information was provided to allow the court to make a determination for purposes of calculating child support.

On March 11, 2022, Petitioner filed an updated Income and Expense Declaration including tax returns for 2019 and 2020. Petitioner also filed a Supplemental Declaration with the current parenting time arrangement. Respondent was personally served on March 11, 2022. Petitioner states the parties are utilizing a 2-2-5-5 parenting plan and have done so since May of 2020.

On March 14, 2022 Respondent filed an updated Income and Expense Declaration and Supplemental Declaration. Petitioner was served electronically on the same day. Respondent confirms parties are utilizing a 2-2-5-5 parenting plan. Respondent would prefer to do a week on week off

parenting plan. Respondent requests guideline child support, temporary spousal support, arrears if owed, and Family Code section 2030 attorney fees.

Per the March 11, 2022 filed Income and Expense Declaration, Petitioner has \$2,454 in regular income and \$3,500 in self-employment income per month. Petitioner has no deductions.

Respondent's Income and Expense Declaration shows \$500 per month in self-employment income. It fails to account for the \$1,500 in voluntary support Petitioner is paying as in the November 1, 2021 filed Income and Expense Declaration. Respondent attached a 2021 10-99 form as well as a Profit and Loss statement.

The court used the above factors in the attached DissoMaster calculation for guideline child support. The court adopts the attached DissoMaster calculation attached as "A" and orders that beginning December 1, 2021 Petitioner shall pay Respondent \$1,201 per month as and for child support.

With the above figures and a married filing jointly status for the parties, the court finds that temporary spousal support per the Alameda formula is \$478/month. See attached DissoMaster Report. The court adopts the attached DissoMaster report and orders Petitioner to pay Respondent \$478 per month as and for temporary spousal support, payable on the 1st of the month until further order of the court or legal termination. The order of spousal support is effective December 1, 2021.

The combined total payment for support is \$1,679. This results in an arrears amount of \$716. The court orders Petitioner pay Respondent \$200 per month as and for arrears due on April 15th and the 15th of each month until paid in full (approximately 4 months). If a payment is late or missed the remaining balance is due in full with legal interest within 5 days.

The above support results in a 50/50 net spendable income between the parties. Therefore, the court denies Respondent's request for Family Code 2030 attorney fees as there is no disparity in access to funds between the parties.

The court reserves jurisdiction to modify support retroactively to the date of the filing of the RFO. The court reserves on Petitioner's request for Family Code section 271 attorney fees.

All prior orders remain in full force and effect. Respondent is to prepare and file the findings and orders after hearing

TENTATIVE RULING #14: THE COURT ORDERS GUIDELINE CHILD SUPPORT AS OUT LINED ABOVE. THE COURT ORDERS TEMPORARY SPOUSAL SUPPORT AS OUTLINED ABOVE. THE COURT DENIES RESPONDENT'S REQUEST FOR FAMILY COE SECTION 2030 ATTORNEY FEES. THE COURT RESERVES JURISDICTION TO MODIFY SUPPORT RETROACTIVELY TO THE DATE OF THE FILING OF THE RFO. THE COURT RESERVES ON PETITIONER'S REQUEST FOR FAMILY CODE SECTION 271 ATTORNEY FEES. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Petitioner	DISSOMASTER REPORT 2022, Monthly	
		CASE NUMBER: PFL2020770

Input Data	Petitioner	Responden	Guideline (2022)	Cash Flow Analysis	Petitioner	Respondent
Number of children	0	3	Nets (adjusted)	Guideline		
% time with NCP	49.99%	0%	Petitioner	5,289	Payment (cost)/benefit	(1,678) 1,678
Filing status	MFJ->	<-MFJ	Respondent	433	Net spendable income	3,610 3,611
# Federal exemptions	1*	4*	Total	5,722	% combined spendable	50% 50%
Wages + salary	2,454	0	Support (Nondeductible)		Total taxes	666 67
401(k) employee contrib	0	0	CS Payor	Petitioner	# WHA	4 0
Self-employment income	3,500	500	Presumed	1,201	Net wage paycheck/mo	2,231 0
Other taxable income	0	0	Basic CS	1,201	Comb. net spendable	7,222
Other nontaxable income	0	1,500	Add-ons	0	Proposed	
New-spouse income	0	0	Presumed Per Kid		Payment (cost)/benefit	(1,678) 1,678
Wages + salary	0	0	Child 1	272	Net spendable income	3,610 3,611
Self-employment income	0	0	Child 2	370	NSI change from gdl	0 0
Misc ordinary tax. inc.	0	0	Child 3	559	% combined spendable	50% 50%
SS paid other marriage	0	0	SS Payor	Petitioner	% of saving over gdl	0% 0%
Retirement contrib if ATI	0	0	Alameda	478	Total taxes	666 67
Required union dues	0	0	Total	1,679	# WHA	4 0
Nec job-related exp.	0	0	Proposed, tactic 9		Net wage paycheck/mo	2,231 0
Adj. to income (ATI)	0	0	CS Payor	Petitioner	Comb. net spendable	7,222
SS paid other marriage	0	0	Presumed	1,201	Percent change	0.0%
CS paid other relationship	0	0	Basic CS	1,201	Default Case Settings	
Qual. Bus. Inc. Ded.	0	0	Add-ons	0		
Health insurance	0	0	Presumed Per Kid			
Itemized deductions	0	0	Child 1	272		
Other medical expenses	0	0	Child 2	370		
Property tax expenses	0	0	Child 3	559		
Ded. interest expense	0	0	SS Payor	Petitioner		
Charitable contribution	0	0	Alameda	478		
Miscellaneous itemized	0	0	Total	1,679		
Required union dues	0	0	Savings	0		
Mandatory retirement	0	0	No releases			
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				



14A. JAMES FIELDS V. MELODY FIELDS

PD-4474

On March 22, 2022 Petitioner filed an Order Shortening Time requesting the court put the matter on calendar to continue the trial date currently set for April 5, 2022. Petitioner is requesting a continuance of the trial date due to a discovery issue. Respondent was noticed of the Order Shortening Time request on March 21, 2022. Petitioner was ordered to notice Respondent of the March 24, 2022 hearing date by March 23, 2022.

Parties are ordered to appear.

TENTATIVE RULING 14A: PARTIES ARE ORDERED TO APPEAR.