

On April 14, 2022, the court continued the matter to May 19, 2022. The court also advanced the hearing set for May 26, 2022 to May 19, 2022.

On April 15, 2022, Petitioner filed a substitution of attorney, and is no longer represented by counsel.

The court has been unable to secure an Arabic interpreter for May 19, 2022. The court has been able to secure the interpreter for June 2, 2022. The interpreter will be available for Petitioner in person on that date. Therefore, the court continues all matters to June 2, 2022.

All prior orders remain in full force and effect.

TENTATIVE RULING #1: THE COURT CONTINUES THE MATTER TO JUNE 2, 2022 FOR AN ARABIC INTERPRETER TO BE AVAILABLE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

On March 11, 2022, Petitioner filed a Petition to Establish Paternity. A summons was issued. On the same day Petitioner filed a Request for Order (RFO) requesting the court make child custody, child support, and attorney's fee orders. Respondent was served with the summons, Petition to Establish Paternity, RFO, and Income and Expense Declaration on April 24, 2022. Parties were not referred to Child Custody Recommending Counseling (CCRC).

Petitioner is requesting the court find Respondent to be the biological father of the minor. Petitioner is requesting sole legal and physical custody of the minor. Petitioner is requesting the court order guideline child support. Last, Petitioner is requesting the court order Family Code section 2030 attorney fees.

On May 18, 2022 parties submitted a stipulation and order to continue the hearing to July 14, 2022 at 8:30 in Department 5. The court adopts the parties' stipulation and continues the matter to July 14, 2022. The court reserves jurisdiction on the request for child support and attorney fees.

TENTATIVE RULING #2: THE COURT ADOPTS THE PARTIES' STIPULATION AND CONTINUES THE MATTER TO JULY 14, 2022. THE COURT RESERVES JURISDICTION ON THE REQUEST FOR CHILD SUPPORT AND ATTORNEY FEES.

3. ASHLEY SAMADANI V. ANTHONY SAMADANI

PFL20200775

On March 10, 2022, Petitioner filed a Request for Order (RFO) requesting the court make orders for child support, spousal support, attorney fees, and the retroactivity of child and spousal support. Petitioner filed an Income and Expense Declaration on February 23, 2022. Respondent was served by mail on March 18, 2022 and March 21, 2022.

Petitioner is requesting the court order guideline child support as well as guideline spousal support. Petitioner is requesting Family Code section 2030 attorney fees. Petitioner requests the court order child and spousal support be retroactive to either January 4, 2021 or December 2, 2020 based on the parties stipulation filed with the court on January 11, 2022.

Respondent has filed a Proof of Service on May 5, 2022 indicating Petitioner was served with a Responsive Declaration and Income and Expense Declaration electronically on May 4, 2022, however, neither document appears in the court's file.

Petitioner filed a Reply on May 13, 2022. Respondent was served electronically on May 13, 2022. Petitioner asserts that Respondent owes \$102,385 in child and spousal support when interest and bonus income is included, with a retro activity date of December 2, 2020.

On May 18, 2022, parties submitted a stipulation to continue the matter at least 30 days out. The court adopts the parties' stipulation and continues the hearing.

TENTATIVE RULING #3: THE COURT ADOPTS THE PARTIES' STIPULATION TO CONTINUE THE HEARING. THE MATTER IS CONTINUED TO JUNE 2, 2022 AT 8:30 IN DEPARTMENT 5.

On November 18, 2021, the court ordered Petitioner to have parenting time every other weekend with informal supervision provided by Petitioner's sister. The court set a further Child Custody Recommending Counselling (CCRC) appointment for the parties and a review hearing for May 19, 2022.

Parties attended CCRC and were able to reach a full agreement. A Copy of the CCRC report was mailed to the parties on April 25, 2022. The current order is to remain in full force and effect. The court has read and considered the CCRC report and finds the agreement of the parties to be in the best interest of the minors. The court adopts the agreement as the court's order. Petitioner shall have informally supervised visits the first, third, and fifth Saturday of each month from 9:00 am to 9:00 pm. Petitioner shall have one weekend in June and one weekend from Saturday at 9:00 am until Sunday at 9:00 pm. Petitioner's parenting time is to be supervised by Mikala Romas or other person agreed upon by both parties in writing.

Neither party has filed a supplemental declaration.

All prior orders not in conflict with this order remain in full force and effect. Respondent shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #4: THE AGREEMENT OF THE PARTIES CONTAINED IN THE CCRC REPORT IS ADOPTED AS THE COURT ORDER. THE CURRENT ORDER REMAINS IN FULL FORCE AND EFFECT. PETITIONER SHALL HAVE INFORMALLY SUPERVISED VISITS THE FIRST, THIRD, AND FIFTH SATURDAY OF EACH MONTH FROM 9:00 AM TO 9:00 PM. PETITIONER SHALL HAVE ONE WEEKEND IN JUNE AND ONE WEEKEND FROM SATURDAY AT 9:00 AM UNTIL SUNDAY AT 9:00 PM. PETITIONER'S PARENTING TIME IS TO BE SUPERVISED BY MIKALA ROMAS OR OTHER PERSON AGREED UPON BY BOTH PARTIES IN WRITING. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING

On March 20, 2022, the court adopted its tentative ruling with the following modifications, the court ordered Petitioner to pay Respondent spousal support in the amount of \$758 per month and child support in the amount of \$344 per month. The court reserved jurisdiction to modify the support orders to the date of the filing of the Request for Order (RFO). The court set a review hearing for May 19, 2022 and ordered parties to file update Income and Expense Declarations at least 10 days prior to the next court date.

On March 21, 2022, Respondent filed a Proof of Service showing Petitioner was served electronically with the October 12, 2021 filed RFO on March 21, 2021.

Petitioner filed an updated Income and Expense Declaration on May 12, 2022. Respondent was served by mail on May 6, 2022.

Respondent filed an updated Income and Expense Declaration on May 13, 2022. Petitioner was served electronically on May 12, 2022.

The court notes both parties failed to comply with the court's order to file and serve Income and Expense Declarations at least 10 days prior to the hearing.

Based on Petitioner's May 12, 2022 filed Income and Expense Declaration, she has an average monthly income of \$7,882. She has deductions of \$549 for health insurance, \$521 for mandatory retirement, and \$425 for property taxes.

Respondent has an average monthly income of \$2080 (\$15 per hour, 32 hours per week multiplied by 52 weeks a year, divided by 12 months), based on his May 13, 2022 filed Income and Expense Declaration. Respondent has no listed deductions.

Utilizing the above figures and an 87% timeshare to Petitioner, the court finds the guideline child support to be \$339 per month payable by Respondent to Petitioner. Respondent is ordered to pay Petitioner \$339 per month as and for child support, commencing on April 1, 2022, payable on the 1st of the month, until further order of the court or termination by operation of law. See attached DissoMaster Report.

The court further finds the guideline spousal support to be \$790 per month payable by Petitioner to Respondent. Petitioner is ordered to pay Respondent \$790 per month as and for spousal support, commencing on November 1, 2021, payable the 1st of the month, until further order of the court or by termination by operation of law. See attached DissoMaster Report.

The court finds the above orders result in a net payment of \$451 from Petitioner to Respondent. Petitioner is ordered to pay \$451 per month as and for spousal support, commencing on November 1, 2021, payable the 1st of the month, until further order of the court or by termination by operation of law. See attached DissoMaster Report.

The court finds this order results in an arrears amount of \$502. This is based on the march 20, 2022 order for Petitioner to pay \$1102 per month for child and spousal support to Respondent for the months of April and May 2022. The court reserved jurisdiction to the date of the filing of the RFO for support. The total owed from November through May from Petitioner to Respondent would be \$2,706.

Less the \$2,204 paid for April and May, results in a balance of \$501. Petitioner is ordered to pay Respondent \$502 on or before June 15, 2022.

All prior orders not in conflict with this order remain in full force and effect.

TENTATIVE RULING #5: THE COURT ADOPTS THE CHILD AND SPOUSAL SUPPORT ORDERS AS OUTLINED ABOVE. PETITIONER IS ORDERED TO PAY \$451 PER MONTH AS AND FOR SPOUSAL SUPPORT, COMMENCING ON NOVEMBER 1, 2021, PAYABLE THE 1ST OF THE MONTH, UNTIL FURTHER ORDER OF THE COURT OR BY TERMINATION BY OPERATION OF LAW. SEE ATTACHED DISSOMASTER REPORT. PETITIONER IS ORDERED TO PAY RESPONDENT \$502 AS AND FOR ARREARS ON OR BEFORE JUNE 15, 2022.

ATTORNEY (NAME AND ADDRESS): EDC Court California	TELEPHONE NO:	Superior Court Of The State of California, County of
ATTORNEY FOR: Resp.		COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: PFL 20210321

Input Data	Resp.	Pet	Guideline (2022)	Cash Flow Analysis	Resp.	Pet
Number of children	0	2	Nets (adjusted)	Guideline		
% time with Second Parent	13%	0%	Resp.	1,764	Payment (cost)/benefit	425 (404)
Filing status	Single	HH/MLA	Pet	5,815	Net spendable income	2,215 5,364
# Federal exemptions	1*	3*	Total	7,579	% combined spendable	29.2% 70.8%
Wages + salary	2,080	7,882	Support (Nondeductible)	Total taxes	316	997
401(k) employee contrib	0	0	CS Payor	Resp. # WHA	2	12
Self-employment income	0	0	Presumed	(339)	Net wage paycheck/mo	1,785 6,756
Other taxable income	0	0	Basic CS	(339)	Comb. net spendable	7,578
Short-term cap. gains	0	0	Add-ons	0	Proposed	
Long-term cap. gains	0	0	Presumed Per Kid		Payment (cost)/benefit	425 (404)
Other gains (and losses)	0	0	Child 1	(117)	Net spendable income	2,215 5,364
Ordinary dividends	0	0	Child 2	(222)	NSI change from gdl	0 0
Tax. interest received	0	0	CA FAM 4055(b)(7) CS LIA range		% combined spendable	29.2% 70.8%
Social Security received	0	0	\$317 to \$339		% of saving over gdl	0% 0%
Unemployment compensation	0	0	SS Payor	Pet	Total taxes	316 997
Operating losses	0	0	Alameda	790	# WHA	2 12
Ca. operating loss adj.	0	0	Total	451	Net wage paycheck/mo	1,785 6,756
Roy, partnerships, S corp, trusts	0	0	Proposed, tactic 9		Comb. net spendable	7,578
Rental income	0	0	CS Payor	Resp.	Percent change	0.0%
Misc ordinary tax. inc.	0	0	Presumed	(339)	Default Case Settings	
Other nontaxable income	0	0	Basic CS	(339)		
New-spouse income	0	0	Add-ons	0		
Adj. to income (ATI)	0	0	Presumed Per Kid			
SS paid other marriage	0	0	Child 1	(117)		
Ptr Support Pd. other P'ships	0	0	Child 2	(222)		
CS paid other relationship	0	0	CA FAM 4055(b)(7) CS LIA range			
Health ins (Pre-tax)	0	549	\$317 to \$339			
Qual. Bus. Inc. Ded.	0	0	SS Payor	Pet		
Itemized deductions	0	425	Alameda	790		
Other medical expenses	0	0	Total	451		
Property tax expenses	0	425	Savings	0		
Ded. interest expense	0	0	No releases			
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	521				
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 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 accounts 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.

On March 10, 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 May 19, 2022.

Upon review of the file, there are no new filings. As such, the court bifurcates the case and shall set a separate trial for a status-only judgment. The court orders parties to appear on May 19, for the status-only judgment.

TENTATIVE RULING #6: 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 MAY 19, 2022 TO SELECT DATES FOR THE STATUS-ONLY JUDGMENT.

On January 20, 2022, the court adopted its tentative ruling. The court temporarily stayed the order for child support. The court reserved jurisdiction to retroactively reinstate or modify child support. The court set a further review hearing to reassess the ongoing need to temporarily stay the child support order. Petitioner was ordered to file and updated Income and Expense Declaration prior to the review hearing date, including any unemployment benefits, if applicable. The court reserved jurisdiction on Petitioner's request for guideline child support.

Upon review of the court file, neither party has filed an updated Income and Expense Declaration or supplemental declaration.

The court, therefore, continues this matter to July 21st, 2022 at 8:30 AM. Parties are ordered to file updated Income and Expense Declarations no later than 10 days prior to the next hearing. Any supplemental declarations are due at least 10 days prior to the hearing. The court continues to reserve jurisdiction to retroactively reinstate child support or modify child support. The court continues to reserve jurisdiction on Petitioner's request for guideline child support.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #7: THE COURT, THEREFORE, CONTINUES THIS MATTER TO JULY 21st, 2022 at 8:30 AM. PARTIES ARE ORDERED TO FILE UPDATED INCOME AND EXPENSE DECLARATIONS NO LATER THAN 10 DAYS PRIOR TO THE NEXT HEARING. ANY SUPPLEMENTAL DECLARATIONS ARE DUE AT LEAST 10 DAYS PRIOR TO THE HEARING. THE COURT CONTINUES TO RESERVE JURISDICTION TO RETROACTIVELY REINSTATE CHILD SUPPORT OR MODIFY CHILD SUPPORT. THE COURT CONTINUES TO RESERVE JURISDICTION ON PETITIONER'S REQUEST FOR GUIDELINE CHILD SUPPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

8. JESSICA CLINGMAN V. MICHAEL CLINGMAN

PFL20130273

On September 27, 2021 the court reserved the right of retroactive modification of support to the date of filing. The parties were ordered to file and serve updated Income and Expense Declarations at least 10 days prior to the next hearing. Respondent was ordered to serve his 2021 federal and state taxes on Petitioner and Department of Child Support Services at least 10 days prior to the next hearing. On its own motion the court added the issue of determination of arrears to the next hearing. The matter was continued to May 9, 2022.

On April 26, 2022 the court issued an ex parte minute order reassigning the case to Honorable Lauren C. Bowers and reset the hearing for May 19, 2022.

Neither party has filed an updated Income and Expense Declaration.

Parties are ordered to appear.

TENTATIVE RULING #8: PARTIES ARE ORDERED TO APPEAR.

On April 1, 2022, Respondent filed a Request for Order (RFO) requesting the court establish child support arrears and for clarification of orders. Petitioner was served by mail on April 5, 2022. Respondent is requesting the court order child support arrears for 2021 be set at \$300,413. Respondent is further requesting the court clarify the language in the parties Marital Settlement Agreement, that while the bonus table stops at \$1,000,000 that was not intended to cap bonus support. Respondent asserts Petitioner has previously paid bonus support from approximately \$1.5 million in 2019. Respondent is requesting that all excess income is subject to the bonus table and should the excess income exceed 1 million dollars, Petitioner will apply the percentage associated with the \$1 million to any and all excess income to determine the bonus support.

Petitioner filed a Responsive Declaration on May 6, 2022. Respondent was served by mail on May 6, 2022. Petitioner objects to Respondent's request. Petitioner asserts the plain language of the Judgment and Stipulation are clear and the bonus tables attached stop at 1 million dollars, therefore capping the bonus income for support at 1 million. Petitioner also asserts that if the language is ambiguous, that this is an issue should be consolidated with Petitioner's request to be deemed a high earner.

The court finds that the matters are intertwined and will require testimony. This matter is continued to June 30, 2022 at 8:30 in Department 5 to join with the matter that is currently set on the law and motion calendar.

On May 18, 2022 parties submitted a stipulation to continue all matter to June 30, 2022.

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

TENTATIVE RULING #9: THE MATTER IS CONTINUED TO JUNE 30, 2022 AT 8:30 IN DEPARTMENT 5 TO JOIN WITH THE MATTER THAT IS CURRENTLY SET ON THE LAW AND MOTION CALENDAR. ALL PRIOR ORDERS NOT IN CONFLICT REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On April 25, 2022, Petitioner filed an ex parte request for emergency sole legal and physical custody of the minor. On April 26, 2022, the court denied Petitioner's ex parte request. Petitioner's Request for Order (RFO) was filed on April 26, 2022 and parties were referred to an emergency set Child custody Recommending Counseling (CCRC) appointment on May 3, 2022 and a review hearing on May 19, 2022. Upon review of the court file, there is no Proof of Service indicating Respondent was served with the RFO.

Nevertheless, both parties appeared at CCRC and were able to reach a full agreement. A copy of the CCRC report was mailed to the parties on May 11, 2022. The court has read and considered the agreement of the parties and finds it is in the best interest of the minor. The parties' agreement is adopted as the court's order. The parties shall have joint legal custody. The minor shall reside primarily with Petitioner. Respondent shall have four, day visits with the minor every other Saturday from 10:00 am until 6:00 pm. The visits shall take place in the Greater Placerville area. Following the completion of the four, day visits, Respondent will resume every other weekend with the minor from Friday after school until Sunday at 6:00 pm. Respondent shall not consume alcohol, narcotics, or restricted dangerous drugs, except by prescription, within 24 hours before and during his parenting time. Respondent shall safely store all firearms in a gun safe and or trigger locks with the weapons unloaded with the minor is in his care. The minor shall continue counseling with her current therapist. Respondent shall continue to participate in outpatient treatment services for chemical dependency through the Veterans Administration in Reno, Nevada. Respondent shall remain compliant with his psychotropic medication regimen. If there are any changes, Respondent shall notify Petitioner that there has been a change. Parties are to enroll in and complete a co-parenting class. Parties may select a class from the list available on the court's website.

All prior orders not in conflict with this order remain in full force and effect. Petitioner is ordered to prepare and file the findings and orders after hearing.

TENTATIVE RULING #10: THE COURT ADOPTS THE AGREEMENT OF THE PARTIES AS SET FORTH ABOVE AND CONTAINED IN THE CCRC REPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS ORDERED TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

Respondent filed a Request for Order (RFO) on February 17, 2022 requesting the court make orders child custody, child support, parenting time, property control, spousal support, attorney fees, and right of first refusal. Respondent concurrently filed an Income and Expense Declaration. Parties were referred to Child Custody Recommending counseling (CCRC) with an appointment on April 1, 2022 and a review hearing on May 19, 2022. Petitioner was served by mail on February 25, 2022.

Respondent requests the court order joint physical and legal custody of the minors. Respondent also requests the court order guideline child support. Respondent is requesting the right of first refusal. Respondent is requesting guideline spousal support. Respondent requests the court grant him exclusive use and control of the former marital property and that Petitioner be responsible for the mortgage payment. Last, Respondent is requesting attorney fees pursuant to Family Code section 2030.

Parties attended the CCRC appointment on April 1, 2022 and were able to reach a full agreement. A copy of the CCRC report was mailed to the parties on April 25, 2022. The court has read and considered the agreement of the parties and finds it to be in the minors' best interest. The agreement is adopted as the court order. The parties shall have joint legal and physical custody. The parties shall utilize a 2-2-3 parenting schedule with alternating weekends with exchanges at 5:00 pm. The court adopts the parties' agreement as to transportation, travel with the minors, vacations, holiday schedule, and the additional provisions. The parties are to participate in co-parenting counseling. The minors shall be assessed for individual therapy with a licensed clinician. If ongoing counseling is recommended, the minors shall participate in counseling at a frequency and duration as directed by the therapist. The parties shall follow the recommendations or treatment plan of the clinician.

Petitioner filed an Income and Expense Declaration on April 14, 2022. Respondent was served electronically on April 14, 2022.

Petitioner filed a Responsive Declaration on May 6, 2022. Respondent was served electronically on May 5, 2022. Petitioner requests the court adopt the agreement of the parties as to custody and parenting time. Petitioner consents to guideline child support and spousal support, but requests the court take into consideration Respondent's new employment as of April 2022. Further, Petitioner has been on disability since March 29, 2022 and anticipates being on disability until May 23, 2022 or later. Petitioner is agreeable to Respondent remaining in the former marital residence with the minors, however, requests Respondent be responsible for paying the mortgage, utilities, and other household bills. Last, Petitioner requests each party be responsible for their own attorney fees.

The court has read and considered the filings as outlined above. The court adopts the agreement of the parties as to custody and parenting time as outlined above. The court grants Respondent's request for exclusive use and control of the former marital home. Respondent shall be responsible for the mortgage, utilities, and other household expenses.

The court does not have updated Income and Expense Declarations from either party, showing their current income. Therefore, the court continues the request for child support, spousal support, and attorney fees to July 21st, 2022 at 8:30 AM. The court reserves jurisdiction to modify child support and spousal support to the date of the filing of the RFO. Parties are ordered to file updated Income and Expense Declarations at least 10 days prior to the next court date.

Respondent shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #11: THE COURT ADOPTS THE AGREEMENT OF THE PARTIES AS TO CUSTODY AND PARENTING TIME AS OUTLINED ABOVE. THE COURT GRANTS RESPONDENT'S REQUEST FOR EXCLUSIVE USE AND CONTROL OF THE FORMER MARITAL HOME. RESPONDENT SHALL BE RESPONSIBLE FOR THE MORTGAGE, UTILITIES, AND OTHER HOUSEHOLD EXPENSES. THE COURT DOES NOT HAVE UPDATED INCOME AND EXPENSE DECLARATIONS FROM EITHER PARTY, SHOWING THEIR CURRENT INCOME. THEREFORE, THE COURT CONTINUES THE REQUEST FOR CHILD SUPPORT, SPOUSAL SUPPORT, AND ATTORNEY FEES TO JULY 21st, 2022 at 8:30 AM. THE COURT RESERVES JURISDICTION TO MODIFY CHILD SUPPORT AND SPOUSAL SUPPORT TO THE DATE OF THE FILING OF THE RFO. PARTIES ARE ORDERED TO FILE UPDATED INCOME AND EXPENSE DECLARATIONS AT LEAST 10 DAYS PRIOR TO THE NEXT COURT DATE. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On March 15, 2022, Respondent filed a Request for Order (RFO) requesting the court modify the spousal support order, order attorney fees pursuant to Family Code 2030 and Family Code section 271, and enforcement of the current orders of March 31, 2018. Petitioner was served by mail on March 17, 2022. Respondent filed an updated Income and Expense Declaration on March 22, 2022. Petitioner was served by mail on March 22, 2022. On April 5, 2022, Petitioner was re-served with the RFO, Income and Expense Declaration, tentative ruling notice, blank responsive declaration, blank income and expense declaration, application for video conference, and the previously filed proofs of service by mail on April 5, 2022.

Respondent request the court modify the spousal support order as there has been a material change in circumstances as stated in the orders of March 21, 2018. Further Respondent requests the court enforce the March 21, 2018 orders for payments/reimbursements. Last, Respondent requests the court order attorney fees pursuant to Family Code section 2030 and Family Code section 271 for failure to follow court orders. Respondent asserts that once Petitioner began receiving his social security benefits that would be considered a material change of circumstances. Respondent further asserts she is currently unable to pay all her expenses and has multiple medical bills. Respondent states she is owed \$1,160.74 from Petitioner for reimbursements. Respondent asserts she has delayed in filing this request due to health issues. Respondent is requesting attorney's fees both pursuant to Family code 2030 and 271.

Petitioner filed a Responsive Declaration and Income and Expense Declaration on May 5, 2022. Respondent was served by mail on May 5, 2022. Petitioner concurs that he is now receiving social security. However, Petitioner states Respondent is overestimating his income. Petitioner also asserts he made the jeep payment timely per the 2018 order. Petitioner acknowledges that he was unable to provide documentation that the loan is fully current. Petitioner also asserts he never received an overpayment from Chrysler. Petitioner states there were never any orders made addressing the Allstate payment. Last, Petitioner requests the court deny Respondent's request for attorney fees and asserts there have not been any violations that would warrant an award of attorney fees.

Based on the March 22, 2022 filed Income and Expense Declaration, Respondent has an average monthly income of \$1,748 from her pension and social security. She also receives \$400 per month in spousal support and \$582 per month from Petitioner's social security. She pays \$573 per month in medical premiums.

Petitioner has an average monthly income of \$3,343 from his pension and social security benefits, based on the May 5, 2022 filed Income and Expense Declaration. He pays \$355 per month in medical premiums.

Utilizing the above figures, and both parties' single tax status, the court finds the guideline spousal support to be \$324 per month payable by Petitioner to Respondent. Petitioner is ordered to pay Respondent \$324 per month as and for spousal support, commencing on June 1, 2022 payable the 1st of the month, until further order of the court or by termination by operation of law. See attached DissoMaster Report.

The court finds after the payment of spousal support there is still a disparity in income between the parties, however, the court cannot find that either party has a great access to justice. Therefore, Respondent's request for Family Code 2030 fees is denied.

On the remaining issues, the court finds it needs to take testimony regarding the payments. The court orders parties to appear.

The court reserves on the request for Family Code Section 271 sanctions.

TENTATIVE RULING #12: THE COURT ORDERS SPOUSAL SUPPORT AS OUTLINED ABOVE. RESPONDENT'S REQUEST FOR FAMILY CODE SECTION 2030 ATTORNEY FESS IS DENIED. PARTIES ARE ORDERED TO APPEAR ON THE REMAINING ISSUES. THE COURT RESERVES ON THE REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS.

ATTORNEY (NAME AND ADDRESS): EDC Court California	TELEPHONE NO:	Superior Court Of The State of California, County of
ATTORNEY FOR: Pet		COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: PFL2050319

Input Data	Pet	Resp	Guideline (2022)	Cash Flow Analysis	Pet	Resp
Number of children	0	0	Nets (adjusted)	Guideline		
% time with Second Parent	0%	0%	Pet	2,988 Payment (cost)/benefit	(324)	324
Filing status	Single	Single	Resp	1,742 Net spendable income	2,664	2,066
# Federal exemptions	1*	1*	Total	4,730 % combined spendable	56.3%	43.7%
Wages + salary	0	0	Support (Nondeductible)	Total taxes	0	15
401(k) employee contrib	0	0	SS Payor	Pet # WHA	0	0
Self-employment income	0	0	Alameda	324 Net wage paycheck/mo	0	0
Other taxable income	3,343	2,330	Total	324 Comb. net spendable	4,730	
Short-term cap. gains	0	0	Proposed, tactic 9	Proposed		
Long-term cap. gains	0	0	SS Payor	Pet Payment (cost)/benefit	(324)	324
Other gains (and losses)	0	0	Alameda	324 Net spendable income	2,664	2,066
Ordinary dividends	0	0	Total	324 NSI change from gdl	0	0
Tax. interest received	0	0	Savings	0 % combined spendable	56.3%	43.7%
Social Security received	2,588	1,104	No releases	% of saving over gdl	0%	0%
Unemployment compensation	0	0		Total taxes	0	15
Operating losses	0	0		# WHA	0	0
Ca. operating loss adj.	0	0		Net wage paycheck/mo	0	0
Roy, partnerships, S corp, trusts	0	0		Comb. net spendable	4,730	
Rental income	0	0		Percent change	0.0%	
Misc ordinary tax. inc.	755	1,226		Default Case Settings		
Other nontaxable income	0	0				
New-spouse income	0	0				
Adj. to income (ATI)	0	0				
SS paid other marriage	0	0				
Ptr Support Pd. other P'ships	0	0				
CS paid other relationship	0	0				
Health ins(Pd by party)	355	573				
Qual. Bus. Inc. Ded.	0	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	0	0				
Cr. for Pd. Sick and Fam. L.	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				



On March 22, 2022 Respondent filed a Request for Order (RFO) requesting the court modify its prior orders regarding the minor's school and that the parties be referred to Child Custody Recommending Counseling (CCRC) to attempt to reach an agreement to modify the holiday schedule. Petitioner was served by mail on April 18, 2022.

Respondent is requesting the court modify its September 21, 2021 order that the minor be enrolled at Oak Meadow Elementary School for first grade. Respondent asserts the minor will have more educational and extra-curricular opportunities available to her if she were to remain at her current school Holy Trinity School. Respondent further requests the parties be re-referred to CCRC to clarify the holiday schedule, as Respondent asserts there is confusion between the parties when holidays coincide with weekends.

Petitioner filed a Responsive Declaration on May 9, 2022 requesting the court deny Respondent's RFO and that in the alternative the court change the custody arrangement to allow Petitioner to have placement of the minor for the 2022-2023 school year. Petitioner asserts Respondent put forth these same arguments and evidence during their four-day trial in September 2021. Petitioner requests the court deny Respondent's request for the minor to remain at Holy Trinity as she is barred from raising the request by res judicata. Further, Petitioner requests that should Petitioner fail to enroll the minor in Oak Meadow Elementary by May 31, 2022, that the custody arrangement be modified to allow Petitioner to be the minor's academic placement. Petitioner requests that should Respondent fail to enroll the minor at Oak Meadow by May 31, 2022, that he be allowed to have the minor placed with him for the school year and be enrolled in school in San Jose. Petitioner also requests the court put its further parenting plan into the orders: that the minor attend school and live primarily in San Jose starting the 2023-2024 school year. Last, Petitioner asserts there is no need to re-refer the parties to CCRC as there is no reason to adjust the holiday schedule.

Respondent filed a Reply along with Points and Authorities on May 13, 2022. Petitioner was served by mail on May 13, 2022. Respondent asserts the standard for the RFO is not whether or not there has been a change in circumstances, as the orders issued were temporary, but rather the best interest of the child. Respondent states the minor's interest in stability is the paramount concern and that changing schools would be unnecessarily disruptive. Respondent also asserts the court's reasoning for ordering the change in schools for the next academic year was due to the minor requiring a higher level of services that Holy Trinity did not offer.

Parties are ordered to appear.

TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR.

On March 17, 2022, Respondent filed a Request for Order (RFO) requesting the court apply previously receive payments as credit for spousal support. Petitioner was served electronically on March 23, 2022.

Respondent requests the court credit Respondent for the March 1, 2022 spousal support payment with a prior payment received by Petitioner. The parties received a Golden State Stimulus check issued on December 2, 2021. Respondent asserts Petitioner contacted Respondent and it was understood she was cash the check and retain the entirety of the funds, in lieu of possible support. It appears from the exhibit A, parties had a text conversation about Petitioner keeping \$550 as payment for an award of spousal support. The court ordered spousal support, in the amount of \$823 on February 17, 2022, effective March 1, 2022, with no arrears owed. Respondent provided Petitioner with a cashiers check on March 1, 2022 in the amount of \$273, \$823 less the \$550 Petitioner retained from the Stimulus check. Respondent is therefore, requesting the court find the \$550 provided to Petitioner when she cashed the Stimulus check be credited to the March 1, 2021 spousal support payment.

Petitioner has not filed a Responsive Declaration to this RFO.

The court grants Respondent's request to credit the \$550 retained by Petitioner from the Stimulus check towards the March 1, 2022 spousal support payment.

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

TENTATIVE RULING #14: THE COURT GRANTS RESPONDENT'S REQUEST TO CREDIT THE \$550 RETAINED BY PETITIONER FROM THE STIMULUS CHECK TOWARDS THE MARCH 1, 2022 SPOUSAL SUPPORT PAYMENT. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE THE FINDINGS AND ORDERS AFTER HEARING

15. TODD BURGESS V. KATRINA BURGESS

21FL0134

On February 14, 2022, Petitioner filed a Request for Order (RFO) requesting the court make orders as to child custody, property control, and order a vocational evaluation. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on March 23, 2022 and a review hearing on May 19, 2022. Respondent was personally served with the RFO and referral to CCRC on February 16, 2022.

Petitioner is requesting sole legal and physical custody of the eldest minor and joint legal and physical custody of the younger minor. Petitioner is requesting property control of the auto repair business, Body Techs Unlimited, Inc. Petitioner asserts he is the only individual doing business as The Body Techs Unlimited. Petitioner is requesting full control of the business including the bookkeeping functions. Petitioner is also requesting the court order a vocational evaluation for Respondent as he asserts both minors are of school age and Respondent has several years of bookkeeping experience and is able to work.

On March 21, 2022 Respondent's counsel filed a Declaration regarding Respondent's completion of a four hour Parent Education and Family Stabilization court with the certificate of completion attached as an exhibit. Petitioner was served by mail on March 31, 2022.

Parties attended the CCRC appointment on March 23, 2022 and were able to reach a full agreement. Parties were mailed a copy of the report on March 30, 2022. The court has read and considered the CCRC report and finds the agreement of the parties to be in the best interest of the minors. Therefore, the court adopts the agreement of the parties as the court's order. The parties shall have joint legal and physical custody. The parties shall exercise a week on/week off parenting plan with exchanges taking place on Friday. The court adopts the transportation agreement, vacation agreement, and holiday plan as outlined in the report. The court also adopts the additional provisions as outlined in the report. Parties are to utilize the Family Wizard application for communication about the minors. The parties are to enroll in co-parenting counseling. The minor S.B. shall continue in individual therapy at a frequency and duration as directed by the therapist. The parties shall follow the treatment plan of the therapist.

Respondent filed a Responsive Declaration and Income and Expense Declaration on May 2, 2022. Petitioner was served electronically on April 28, 2022. Respondent requests the court adopt the parties' agreement reached at CCRC. Respondent requests the court deny Petitioner's property control request and request for vocational evaluation. Respondent asserts The Body Techs Unlimited is a community business which was established after the parties were married. Respondent further asserts she plays an ongoing vital role within the business. Respondent also requests the court deny the vocational evaluation as she is currently working for The Body Techs Unlimited as a bookkeeper, as well as working as the catering director and bookkeeper for Ring of Fire BBQ for 15-20 hours per week, with the hours likely increasing. Respondent is also in the process of developing her own business.

Petitioner filed a Reply Declaration on May 12, 2022. Respondent was served electronically on May 12, 2022. Petitioner renews his request for property control over the business. Petitioner asserts this is necessary as Respondent has not been cooperative in the bookkeeping services since the breakdown in the marriage. Respondent also reiterates his request for a vocational evaluation.

The court has read and considered the filings as outlined above. The court adopts the agreement of the parties contained in the CCRC report and outlined above. The court denies Petitioner's request for exclusive use and control of the community business, The Body techs Unlimited, Inc. The court reminds Respondent of her fiduciary duties regarding community owned assets. The court denies Petitioner's request for a vocational evaluation.

Petitioner shall prepare and file the findings and orders after hearing.

TENTATIVE RULING #15: THE COURT ADOPTS THE AGREEMENT OF THE PARTIES AS THE COURT'S ORDER. THE PARTIES SHALL HAVE JOINT LEGAL AND PHYSICAL CUSTODY. THE PARTIES SHALL EXERCISE A WEEK ON/WEEK OFF PARENTING PLAN WITH EXCHANGES TAKING PLACE ON FRIDAY. THE COURT ADOPTS THE TRANSPORTATION AGREEMENT, VACATION AGREEMENT, AND HOLIDAY PLAN AS OUTLINED IN THE REPORT. THE COURT ALSO ADOPTS THE ADDITIONAL PROVISIONS AS OUTLINED IN THE REPORT. PARTIES ARE TO UTILIZE THE FAMILY WIZARD APPLICATION FOR COMMUNICATION ABOUT THE MINORS. THE PARTIES ARE TO ENROLL IN CO-PARENTING COUNSELING. THE MINOR S.B. SHALL CONTINUE IN INDIVIDUAL THERAPY AT A FREQUENCY AND DURATION AS DIRECTED BY THE THERAPIST. THE PARTIES SHALL FOLLOW THE TREATMENT PLAN OF THE THERAPIST. THE COURT DENIES PETITIONER'S REQUEST FOR EXCLUSIVE USE AND CONTROL OF THE COMMUNITY BUSINESS, THE BODY TECHS UNLIMITED, INC. THE COURT DENIES PETITIONER'S REQUEST FOR A VOCATIONAL EVALUATION.

On March 15, 2022 the court accepted the stipulation of the parties and set a further review hearing for May 19, 2022. The court reserved jurisdiction on the reallocation of the costs of Minor's Counsel to the same date. Parties were ordered to file and serve updated Income and Expense Declarations no later than 10 days prior to May 19, 2022.

On April 29, 2022 Respondent filed an updated Income and Expense Declaration. Petitioner was served by mail on April 28, 2022.

Respondent filed a Supplemental Declaration on May 2, 2022. Petitioner and Minor's Counsel was served by mail on April 29, 2022. Respondent is requesting the court suspend all in person and phone visitation with Petitioner pending further review for the court to receive input from the minor's individual counselor. Respondent is requesting Petitioner cover 100% of travel expenses for the minor. Respondent is also requesting the costs of the minor's individual counseling be split 50/50.

Petitioner filed a Supplemental Declaration on May 5, 2022. Respondent and Minor's Counsel were served by mail on May 5, 2022. Petitioner requests the court grant him physical custody of the minor, order a Family Code section 3111 or an evidence code 730 evaluation paid for by respondent, the court to enforce the March 15, 2022 stipulation that Petitioner have weekly phone calls with the minor, enforcement of the spring break visit, reimbursement of travel expenses for Petitioner's travel, sanctions against Respondent for discussing custody order with the minor, for Respondent to pay a share of the transportation costs for the minor, and for the court to not consider the minor's March 15, 2022 testimony.

Petitioner filed an updated Income and Expense Declaration on May 5, 2022. Respondent was served by mail on May 5, 2022.

On May 11, 2022, counsel for Respondent filed a Supplemental Declaration with an attached email chain with the parties' discussions about counseling for the minor.

The court denies Petitioner's request for a Family Code section 3111 or 730 evaluation as there is no current Request for Order pending.

Based on the parties filed Income and Expense Declarations the court finds Respondent has approximately 66% of the combined spendable income while Petitioner has 34%. Therefore, the court will allocate a 60/40 split of the costs of Minors' Counsel with Respondent responsible for 60% of the costs and Petitioner responsible for 40% of the costs.

On the remaining issues, parties are ordered to appear.

All prior orders not in conflict with this order remain in full force and effect.

TENTATIVE RULING #16: THE COURT DENIES PETITIONER'S REQUEST FOR A FAMILY CODE SECTION 3111 OR 730 EVALUATION AS THERE IS NO CURRENT REQUEST FOR ORDER PENDING. THE COURT ORDERS RESPONDENT RESPONSIBLE FOR 60% OF THE COSTS AND PETITIONER RESPONSIBLE FOR 40% OF THE COSTS. PARTIES ARE ORDERED TO APPEAR ON THE REMAINING ISSUES. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

17A. ELIZABETH VAN LEUVEN V. KIRK VAN LUEVEN

PFL20190169

Parties have submitted a stipulation to continue the matter at least 30 days out. The court adopts the parties stipulation and continues the hearing.

TENTATIVE RULING #17A: THE COURT ADOPTS THE PARTIES' STIPULATION TO CONTINUE THE HEARING. THE MATTER IS CONTINUED TO JUNE 30th, 2022 at 8:30 AM.

17. JENNIFER LADLEY V. WILLIAM LADLEY

PFL20180837

On April 12, 2022, Petitioner filed a Request for Order (RFO) requesting the court order Respondent to produce paystubs and for the court to determine arrears owed. Upon review of the court file, there is no Proof of Service filed showing Respondent was served with the RFO. Therefore, the matter is dropped from the court's calendar.

TENTATIVE RULING #17: THE MATTER IS DROPPED FROM THE COURT'S CALENDAR