

On January 7, 2022, Petitioner filed a Petitioner to Determine Parental Relationship. Petitioner attached an Administrative Support order from the Department of Social Services for the State of Virginia showing Respondent to the adjudicated father of the minor. There are current child support orders from the state of Virginia. Respondent was personally served with the Summons on February 7, 2022, with Proof of Service filed on March 4, 2022.

Respondent filed a Response to the Petition to Establish Parental Relationship on March 14, 2022. Petitioner was served by mail on March 14, 2022 with Proof of Service filed the Same Day. Respondent acknowledges that parentage was established by a government support case.

On January 7, 2022, Petitioner filed a Request for Order (RFO) requesting custody and parenting time orders. Parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on February 4, 2022 and a review hearing on March 24, 2022. Respondent was served personally with the RFO and CCRC referral on February 7, 2022 with Proof of Service filed on March 4, 2022. Petitioner is requesting sole physical and legal custody with supervised visits for Respondent to take place in California.

On February 4, 2022 neither party appeared at CCRC. A No appearance report was filed on February 4, 2022.

On March 10, 2022, Respondent filed a Responsive Declaration to the RFO. It was served by mail on Petitioner on March 10, 2022 with Proof of Service Filed the same day. Respondent requests the court re-refer the parties to CCRC as he received the notice too late to be able to participate in the appointment. Respondent requests the court award joint legal custody with Petitioner to have primary physical custody. Respondent also objected to his visitation being supervised. Respondent requests age-appropriate visitation, with a schedule to be worked out at CCRC.

The court re-refers the parties to CCRC. The court finds Respondent did not receive notice of the CCRC appointment until after the appointment occurred. Parties are to attend CCRC on [date] with Rebecca Nelson. The court continued the review hearing to [date] for return of the CCRC report.

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

TENTATIVE RULING #15: PARTIES ARE RE-REFERRED TO CCRC WITH REBECCA NELSON ON APRIL 28TH, 2022 AT 1:00PM. THE COURT CONTINUES THE REVIEW HEARING TO JUNE 23, 2022 AT 1:30PM. RESPONDENT TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On December 21, 2022, Petitioner filed a Petition to Determine a Parental Relationship asserting Respondent is the presumed father of the minor. The Petition has a Voluntary Declaration of Paternity attached as well as the minors birth certificate showing the Respondent as father. Upon review of the court file, there is no Proof of Service showing Respondent was served with the Summons. Nevertheless, on January 6, 2022 Respondent filed a Responsive declaration confirming parentage was determined by a voluntary declaration of paternity. The court finds Respondent to be the presumed father of the minor.

On December 21, 2022, Petitioner filed a Request for Order, requesting orders for custody and parenting time. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on January 21, 2022 and a review hearing on March 10, 2022. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO.

Respondent also filed a Responsive Declaration on January 6, 2022. The Petitioner was served by mail on January 3, 2022 with Proof of Service filed on January 6, 2022. Respondent requests parenting time from Fridays at 6:00 P.M. to Sundays at 6:00 P.M.. Respondent to pick the minor up on Fridays and Petitioner to pick the minor up on Sundays. Respondent also proposes a holiday schedule.

Parties appeared at CCRC and reached a full agreement. The parties were mailed a copy of the CCRC report on March 4, 2022. The court finds the agreements of the parties contained within the CCRC report to be in the minor's best interest and are adopted as the court order.

Parties were ordered to appear on March 10, 2022, however, failed to do so. The court continued the matter to March 24, 2022 and once again ordered the parties to appear.

TENTATIVE RULING #16: PARTIES ARE ORDERED TO APPEAR.

On January 10, 2022, Petitioner filed a Petition to establish parentage. A summons was issued. Upon review of the court file, there is no Proof of Service showing the summons was served.

On January 10, 2022, Petitioner filed a Request for Order (RFO) requesting custody, child support, and parenting time orders. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on February 14, 2022 and a review hearing on March 24, 2022. Upon review of the court the, the court was unable to locate a Proof of Service showing Respondent had been served with the RFO and referral to CCRC. On February 14, 2022 neither party appeared at CCRC.

As there is no Proof of Service and no parties appeared for CCRC the court denies the RFO without prejudice.

TENTATIVE RULING #18: THE REQUEST FOR ORDER IS DENIED WITHOUT PREJUDICE.

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On January 10, 2022 Petitioner filed a Request for Order (RFO) requesting a modification of custody and parenting time. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on February 7, 2022 and a review hearing on March 24, 2022. Upon review of the court the, the court was unable to locate a Proof of Service showing Respondent had been served with the RFO and referral to CCRC. On February 7, 2022 neither party appeared at CCRC.

As there is no Proof of Service of the RFO or the referral to CCRC and no parties appeared for CCRC, the court denies the RFO without prejudice.

TENTATIVE RULING #18: THE REQUEST FOR ORDER IS DENIED WITHOUT PREJUDICE.

On October 14, 2021, the court adopted the parties' agreements, appointed Minors' Counsel, and set a hearing on January 27, 2022 regarding Minors' Counsel's input and the custody and visitation orders.

On January 20, 2022, Petitioner filed a Supplemental Declaration outlining the reunification process to date. Petitioner requests the step-up plan be expedited, as the initial meeting with the minors went well, and there were no concerns noted. Respondent was served a copy of the Supplemental Declaration by mail on January 20, 2022 with Proof of Service filed the same day.

Parties appeared at the January 27, 2022 hearing, however, Respondent objected to the matter being heard by a temporary judge. Parties agreed to have Dennis Brimer appointed as Minors' Counsel.

On March 4, 2022 Petitioner filed a Supplemental Declaration. Respondent and Minors' Counsel were served by mail on March 4, 2022, with Proof of Service Filed the same day. Petitioner requests the court move forward with the step-up plan as agreed to by the parties and adopted by the court in October last year. Petitioner includes as exhibits communication from the reunification therapist. Exhibit A outlines that visitation is going well and the minors appear to have a positive relationship with the Petitioner. Exhibit B is a statement from the reunification therapist that she is unable to make recommendations as to custody, as it is beyond the scope of her practice. She can provide the court with information about the visits, which she has done.

Parties appeared at the March 10, 2022 hearing. Minors' Counsel had not yet had an opportunity to meet with his clients and requested the matter be continued. The court ordered that Petitioner have phone calls with the minors two evenings per week at 6:00 p.m. Parties were to meet and confer to select days. The court continued the hearing to March 24, 2022.

On March 21, 2022 Minors' Counsel filed a Report with recommendations. However, upon review of the court file, there is no Proof of Service showing parties were served and as such the court cannot consider it.

Based on the therapist's report of the positive nature of supervised visits and no noted concerns about Petitioner's appropriateness with the minors, the court orders parenting time shall progress to Step 2. Petitioner shall have parenting time on the 1st, 3rd, and 5th Saturday from 10:00 A.M. to 6:00 P.M. and one weekday on the 2nd and 4th week from 5:00 P.M. to 7:00 P.M. Additionally, Petitioner is authorized to have phone calls with the minors on Tuesday and Thursday at 6:30 P.M. Step 2 shall begin April 2, 2022, as it is the 1st Saturday of the month. Step 2 shall be in effect for 30 days. The parenting plan shall proceed as outlined in the September 1, 2021 CCRC report as adopted by the court.

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

TENTATIVE RULING #19: PARENTING TIME SHALL PROGRESS TO STEP 2. PETITIONER SHALL HAVE PARENTING TIME ON THE 1ST, 3RD, AND 5TH SATURDAY FROM 10:00 A.M. TO 6:00 P.M. AND ONE WEEKDAY ON THE 2ND AND 4TH WEEK FROM 5:00 P.M. TO 7:00 P.M. ADDITIONALLY, PETITIONER IS AUTHORIZED TO HAVE PHONE CALLS WITH THE MINORS ON TUESDAY AND THURSDAY AT 6:30 P.M. STEP 2 SHALL BEGIN MARCH 19, 2022, AS IT IS THE 3RD SATURDAY OF THE MONTH. STEP 2 SHALL BE IN EFFECT FOR 30 DAYS. THE PARENTING PLAN SHALL PROCEED AS OUTLINED IN THE SEPTEMBER 1,

2021 CCRC REPORT AS ADOPTED BY THE COURT. PETITIONER TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

On October 4, 2021, Respondent filed an Order to Show Cause and Affidavit for Contempt against Petitioner alleging one count of contempt. On November 8, 2021, Petitioner filed a Proof of Personal Service showing service upon Petitioner on November 2, 2021. On November 18, 2021, Petitioner was arraigned on the Contempt Complaint and appointed the Public Defender. The matter was continued to February 3, 2022, and Petitioner was ordered to appear.

On February 3, 2022, parties appeared. The court appointed the Public Defender to represent Petitioner and continued the hearing to March 24, 2022 for an arraignment hearing.

Parties are ordered to appear for arraignment.

TENTATIVE RULING #20: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.

On January 4, 2022, Petitioner filed a Petitioner to Determine Parental Relationship and a Request for Order (RFO) requesting child custody and parenting time. Parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment to attend and review hearing date of March 10, 2022.

Upon review of the court file, there is no Proof of Service of the Summons on the Petitioner nor of the RFO and referral to CCRC. Nevertheless, both parties appeared at the CCRC appointment and were able to reach a full agreement. A copy of the report was mailed to the parties on March 3, 2022. Parties agree to joint legal and physical custody of the minors. Parties agreed to a holiday schedule as well as parameters for vacations. Parties agreed to a right of first option for childcare and to participate in co-parenting counseling. Parties agreed the minor J.E. will participate in individual counseling at a frequency and duration as directed by the licensed therapist.

On March 4, 2022 Parties entered a stipulation as to custody and parenting time. Due to lack of service the RFO is denied without prejudice. All prior orders remain in full force and effect.

TENTATIVE RULING #21: ON MARCH 4, 2022 PARTIES ENTERED A STIPULATION AS TO CUSTODY AND PARENTING TIME. DUE TO LACK OF SERVICE THE RFO IS DENIED WITHOUT PREJUDICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

On February 4, 2022, the parties appeared in court for Judgment and Sentencing regarding the court's prior finding of contempt against Respondent in January 2021. As Judge Bowers was not the judge who heard the contempt trial, the court continued the matter to February 24, 2022 and directed the clerk to contact Judge Pesce, the judge for the contempt trial, to see if and when she is available to hear the matter.

The court set the matter on March 9, 2022 at 1:00 p.m. in Department 8 for Judgement and Sentencing to be heard by Judge Pesce. No appearances were required at the February 24, 2022 hearing.

On March 9, 2022 no parties appeared at Department 8. The court continued the matter to March 24, 2022 at 1:30 pm in Department 5.

Parties are ordered to appear on March 24, 2022. The court notes, for this bench officer to proceed with Judgment and Sentencing an Arbuckle Waiver is required. Absent such a waiver the matter will need to be heard by Judge Pesce.

TENTATIVE RULING #23: PARTIES ARE TO APPEAR FOR JUDGMENT AND SENTENCING.

On January 14, 2021, Petitioner filed an Order to Show Cause and Affidavit for Contempt for Respondent's alleged failure to make payments regarding the marital home. On January 18, 2022, Petitioner filed a Declaration to which were attached screenshots of text messages in support of his contempt complaint. On February 4, 2022, Petitioner filed a proof of service indicating personal service of the contempt complaint and declaration on Respondent by personal service on February 1, 2022. Parties were ordered to appear for an arraignment hearing on March 3, 2022.

On March 3, 2022, Petitioner appeared, however, Respondent failed to appear. The court issued a bench warrant for Respondent but stayed it pending the next hearing. The court continued the arraignment to March 24, 2022 and ordered Petitioner to re-notice Respondent for the continued hearing date.

Parties are ordered to appear.

TENTATIVE RULING #24: PARTIES ARE ORDERED TO APPEAR

On December 10, 2021, Petitioner filed a Request for Order (RFO), requesting the court enter orders as to the parties retirement accounts. On January 31, 2022, Petitioner filed a request to continue the hearing as service had not yet been effectuated. On February 1, 2022 the court granted the request and continued the hearing to March 24, 2022. Upon review of the court file, the court was unable to locate a proof of service showing the Respondent has been served with the RFO. Therefore, the court cannot consider the RFO and as such the matter is denied without prejudice.

TENTATIVE RULING #25: THE REQUEST FOR ORDER IS DENIED WITHOUT PREJUDICE.