

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

1. CHRISTIAN BOOTH V. POPPY BOOTH

PFL20160594

On March 8, 2022, Petitioner filed a Request for Order (RFO) requesting a change in child support based on the minor now residing with Petitioner. Petitioner concurrently filed an Income and Expense Declaration. Respondent was personally served with the aforementioned documents on April 14, 2022. Respondent did not file a Responsive Declaration or an Income and Expense Declaration.

Petitioner's RFO was set to be heard on May 12, 2022. Having not received the required documents from Respondent, the court continued the matter to July 7, 2022. Respondent was ordered to file an updated Income and Expense Declaration at least 10 days prior to the hearing. The court reserved jurisdiction to modify child support to the date of the filing of the RFO. Petitioner was to prepare and file the Findings and Orders After Hearing.

Petitioner's Income and Expense Declaration

"For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current income and Expense Declaration." Cal. Rule Ct. 5.260(1); *See also* Cal. Fam. Code §2100. "'Current' means the form has been completed within the past three months providing no facts have changed." Cal. Rule Ct. 5.260(3).

Petitioner timely filed his Income and Expense Declaration at the time of filing his RFO. Due to Respondent's failure to timely file her declaration, the matter was continued to the current hearing date which sets Petitioner's Income and Expense Declaration outside the three-month period to be considered "current." However, the court expressly reserved jurisdiction to modify the child support order dating back to the filing of the RFO. As of that date, Petitioner's Income and Expense Declaration was current. *See In re Marriage of Ciprari*, 32 Cal. App. 5th 83 (2019) – court's use of past tax returns as evidence of income in retroactively modifying a support order. Thus, it is proper to use Petitioner's most recently filed Income and Expense Declaration, regardless of the fact that it was filed more than three months ago.

Child Support

In calculating child support, the court is to consider, among other things, the amount of each parent's net disposable income. Fam. Code §4055(b)(1)(E). In certain circumstances, however, "the court may, in its discretion, consider the earning capacity of a parent in lieu of the parent's income, consistent with the best interests of the children..." Cal. Fam. Code §4058. Earning capacity is composed of the ability, willingness, and opportunity to work. *State of Oregon v. Vargas*, 70 Cal. App. 4th 1123, 1125-1126 (1999). The court "...may refer to the former job as the basis for its findings of ability and opportunity and may impute income to the parent based on his or her prior earnings." *In re Marriage of Eggers*, 131 Cal. App. 4th 695 (2005).

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

As stated above, the minor child is currently residing with Petitioner and attending school in Petitioner's district. Petitioner estimates that the minor spends approximately 90% of his time with Petitioner. This is a change in circumstances since the previous child support award in 2017 when it was indicated that the minor resided with Respondent. As such, the court finds that a modification to the child support arrangement is warranted and within the best interest of the minor.

As previously stated, Respondent failed to file an updated Income and Expense Declaration after being served with the RFO, and once again after being ordered to do so by the court. Without information regarding Respondent's current income, the court looks to Respondent's education and previous employment information.

In Respondent's previous Income and Expense Declaration, filed with the court in 2016, Respondent indicated that she was 41 years old with a high school degree. She did not list any higher education. At that time, she was working 20 hours per week and being paid just above minimum wage. There is nothing in the court's file to indicate a change in Respondent's circumstances which would cause her to be unable to work. Considering the foregoing, the court finds it appropriate to calculate child support by imputing on Respondent an earning capacity of full-time work at minimum wage.

Using the figures outlined in Petitioner's Income and Expense Declaration, and with the imputation of minimum wage to Respondent, the court finds that child support is to be set at \$256 per month. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$ 256 per month payable on the 1st of the month until further order of the court or termination by operation of law. This court order is to be effective as of April 1, 2022. . Petitioner may collect the support payments through wage withholding by filing an Income Withholding Order with the court.

The court finds this results in an arrears balance of \$1,024 for the months of April through July inclusive. Respondent is ordered to pay Petitioner \$128 per month payable on the 15th of the month commencing July 15, 2022 until paid in full (approximately eight months). If there is any missed payment, the entire balance is due in full including any legal interest.

Petitioner may collect the support payments through wage withholding by filing an Income Withholding Order with the court.

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

TENTATIVE RULING #1: THE COURT ORDERS GUIDELINE CHILD SUPPORT AS OUTLINED ABOVE. PETITIONER MAY COLLECT THE SUPPORT PAYMENTS THROUGH WAGE WITHHOLDING BY

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

FILING AN INCOME WITHHOLDING ORDER WITH THE COURT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

ATTORNEY (NAME AND ADDRESS): EDC Court California ATTORNEY FOR: Pet.	TELEPHONE NO.:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: PFL2016-0594

Input Data	Pet.	Resp.	Guideline (2022)	Cash Flow Analysis	Pet.	Resp.
Number of children	1	0	Nets (adjusted)	Guideline		
% time with Second Parent	0%	10%	Pet.	7,269 Payment (cost)/benefit	256	(256)
Filing status	HH/MLA	Single	Resp.	2,053 Net spendable income	7,524	1,798
# Federal exemptions	2*	1*	Total	9,322 % combined spendable	80.7%	19.3%
Wages + salary	11,649	2,427	Support	Total taxes	2,720	374
401(k) employee contrib	0	0	CS Payor	Resp. # WHA	11	2
Self-employment income	0	0	Presumed	(256) Net wage paycheck/mo	8,777	2,049
Other taxable income	0	0	Basic CS	(256) Comb. net spendable	9,322	
Short-term cap. gains	0	0	Add-ons	0 Proposed		
Long-term cap. gains	0	0	Presumed Per Kid	Payment (cost)/benefit	256	(256)
Other gains (and losses)	0	0	Child 2	(256) Net spendable income	7,524	1,798
Ordinary dividends	0	0	Spousal support	blocked NSI change from gdl	0	0
Tax. interest received	0	0	Total	(256) % combined spendable	80.7%	19.3%
Social Security received	0	0	Proposed, tactic 9	% of saving over gdl	0%	0%
Unemployment compensation	0	0	CS Payor	Resp. Total taxes	2,720	374
Operating losses	0	0	Presumed	(256) # WHA	11	2
Ca. operating loss adj.	0	0	Basic CS	(256) Net wage paycheck/mo	8,777	2,049
Roy, partnerships, S corp, trusts	0	0	Add-ons	0 Comb. net spendable	9,322	
Rental income	0	0	Presumed Per Kid	Percent change	0.0%	
Misc ordinary tax. inc.	0	0	Child 2	(256) Default Case Settings		
Other nontaxable income	0	0	Spousal support	blocked		
New-spouse income	0	0	Total	(256)		
Adj. to income (ATI)	0	0	Savings	0		
SS paid other marriage	0	0	No releases			
Ptr Support Pd. other P'ships	0	0				
CS paid other relationship	0	0				
Health ins(Pd by party)	253	0				
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	59	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	1,348	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				



LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

2. CHRISTINA ROTH V. EDGAR CALDERON

PFL20200755

On October 21, 2021, the court adopted its tentative ruling ordering reunification counseling between the minor and Respondent. The court set a review hearing for January 13, 2022.

On January 5, 2022, the parties submitted a stipulation to continue the review hearing to March 24, 2022.

On March 11, 2022, Petitioner filed a Supplemental Declaration outlining the difficulties the parties had in locating and securing a reunification therapist. However, there is no Proof of service showing Respondent or Minor's Counsel were served. Petitioner found a therapist on March 3, 2022, and immediately notified Respondent and Minor's counsel. Petitioner is requesting the court continue the current hearing for 60 days to allow sufficient time to begin the reunification therapy process.

On March 16, 2022, Minor's Counsel filed a Statement of Issues and Contentions. Petitioner and Respondent were served with the Statement by mail the same day. Minor's counsel confirms that reunification therapy has not begun. Minor's Counsel was able to speak with the minor's individual therapist who indicated the minor has regressed and does not currently want any contact with Respondent. The therapist stated this is not due to any behavior by Respondent, but rather that the minor has been doing trauma work in therapy which has led to these feelings. Minor's Counsel recommends the current order for reunification therapy remain in full force and effect. Further, that both parties meet with the identified therapist and complete their intakes within seven (7) days.

On March 23, 2022, parties submitted a Stipulation and Order to continue the matter to July 7, 2022.

Minor's Counsel filed a Statement of Issues and Contentions on June 28, 2022. Parties were served by mail on June 27, 2022. Minor's Counsel states the parties have been able to locate and engage with a reunification therapist. The therapist is having regular sessions with the minor to establish good rapport prior to engaging Respondent in the sessions. The therapist is requesting a further review hearing be set to ensure the parties continue to engage in the reunification process. Minor's Counsel requests the court set a further review hearing in approximately 90 days.

The court finds there is good cause to continue this matter. Parties are ordered to continue to participate in reunification therapy at the frequency and duration as directed by the therapist. Parties shall follow the treatment plan of the therapist. The court sets a further

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

review hearing for September 29th, 2022 at 8:30 AM in Department 5 to assess the progress in reunification therapy. All prior orders remain in full force and effect.

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

TENTATIVE RULING #2: THE COURT FINDS THERE IS GOOD CAUSE TO CONTINUE THE MATTER. PARTIES ARE ORDERED TO CONTINUE TO PARTICIPATE IN REUNIFICATION THERAPY AT THE FREQUENCY AND DURATION AS DIRECTED BY THE THERAPIST. PARTIES SHALL FOLLOW THE TREATMENT PLAN OF THE THERAPIST. THE COURT SETS A FURTHER REVIEW HEARING FOR SEPTEMBER 29TH, 2022 AT 8:30 AM IN DEPARTMENT 5 TO ASSESS THE PROGRESS IN REUNIFICATION THERAPY. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

4. JASON HARDOUIN V. JENAE NORELL

22FL0118

On April 11, 2022, Respondent filed a Request for Order (RFO), requesting an increase in child support based on Petitioner's new employment, and attorney's fees and costs in the amount of \$5,000. On April 28, 2022, the Department of Child Support Services (DCSS) filed a Responsive Declaration to Request for Order asking that the matter be continued to the DCSS calendar in Department 5 before the child support commissioner in accordance with Cal. Fam. Code Section 4251.

In all actions or proceedings where the local child support agency is providing enforcement services, requests for an order to establish, modify, or enforce child support shall be heard by a child support commissioner. Cal. Fam. Code § 4251. Accordingly, this matter is continued. The matter shall be heard by the child support commissioner on August 22nd, 2022 at 8:30 AM in Department 5.

TENTATIVE RULING #4: MATTER CONTINUED TO AUGUST 22ND, 2022 AT 8:30 AM IN DEPARTMENT 5. BEFORE THE CHILD SUPPORT COMMISSIONER.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

5. JESUS NEGRON-FLORES JR V. ALEXANDRIA WASHBURN

PRL20200647

On April 22, 2022, counsel for Petitioner filed a Motion to be Relieved as Counsel. Petitioner was served with address verification, by certified mail with return receipt. Upon review of the court file, there is no Proof of Service showing the Motion to be Relieved was properly served. As such, the matter is dropped from the court's calendar.

TENTATIVE RULING #5: MATTER DROPPED FROM COURT'S CALENDAR FOR LACK OF SERVICE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

6. JON GRGICH V. KIMBERLY GRGICH

PFL20190950

On April 14, 2022, Petitioner filed a Request for Order (RFO) requesting changes to the current child custody arrangement, child support, visitation, and spousal support. Petitioner requests joint legal and physical custody, with visitation to be on a week on/week off basis. This is a change to the current order wherein Petitioner has physical custody of the minors every 1st, 2nd, 3rd, and 5th weekends from Saturday through Sunday and every Tuesday at 5pm through Wednesday at 8am. Petitioner requests guideline child support be updated in accordance with the week on/week off custody arrangement.

Petitioner requests a decrease in spousal support based on an imputation of income to Respondent and the short duration of the marriage. He notes that the marriage lasted 7 years and therefore he requests that spousal support be set for a duration of 3.5 years and terminate on October 1, 2024. He indicates that Respondent is trained as a vet technician and should be imputed with an income of \$17 per hour for full time work commensurate with her training. He also requests that the court set her income to \$50 per hour for the current work she is doing teaching horse riding lessons. He asks that the court order Respondent to become self-supporting pursuant to Family Code Section 4330(b).

Petitioner filed his Income and Expense Declaration on April 15, 2022. Thereafter, he served his RFO, his Income and Expense Declaration, and the court's referral to Child Custody Recommending Counseling (CCRC).

Petitioner and Respondent attended CCRC on May 25, 2022. CCRC issued its report on June 14, 2022. CCRC recommended in pertinent part: (1) joint legal custody to Petitioner and Respondent, (2) parenting time on a 2-2-3 schedule, (3) nightly phone contact between the children and the non-custodial parent, (4) use of talkingparents.com, (5) neither parent is to consume alcoholic beverages, narcotics, or restricted dangerous drugs (exception by prescription) during that parent's custody time with the children, (6) Counseling for the minor son, (7) Respondent to enroll in and complete co-parenting counseling, and (8) both parents to provide the court with certifications of the respective completions of co-parenting counseling. The CCRC counselor also mentioned a recommendation that the minors attend Sutter's Mill school, though this was not included in the counselor's formal recommendations to the court.

The report was provided to the court as well as both parties. On June 22, 2022, Respondent filed a declaration in opposition to the CCRC report. Respondent does not feel that Sutter's Mill would be in the best interest of the children given its distance from where the children reside. Further, she requests sole legal custody of the children. If the court is inclined to adopt the CCRC recommendations, Respondent requests an evidentiary hearing on the

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

matter and that all current orders remain in full force and effect until the matter can be heard and ruled upon.

Also on June 22, 2022, Respondent filed her Income and Expense Report as well as her Responsive Declaration to Request for Order. Respondent requests that all current orders remain in effect. She alleges a prior history of alcohol abuse and concerns about the safety of the children while they are with Petitioner if, and when, alcohol is in use. She claims that Petitioner often does not use his parenting days under the current schedule and is not involved with the healthcare or extracurricular activities of the children. Petitioner would like the current parenting schedule to remain in place until both kids have started counseling and the counselor has approved additional visitation with Petitioner.

Regarding spousal support, Respondent states that she is not trained as, and has never worked as, a veterinary technician. She worked as a kennel technician. She notes that caring for the children is the primary reason that she cannot work more hours than she currently does.

Petitioner filed a Supplemental Declaration Regarding Respondent's Income on June 29, 2022. Therein, he reasserted his belief that Respondent is charging approximately \$50 per hour for her services and her monthly income should be increased by \$2,083.33.

Given the issues at hand, and the numerous factual disputes between the parties, the parties are ordered to appear to choose settlement conference and trial dates.

TENTATIVE RULING #6: THE PARTIES ARE ORDERED TO APPEAR TO CHOOSE SETTLEMENT CONFERENCE AND TRIAL DATES.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
July 7, 2022
8:30 a.m./1:30 p.m.

8. LAURIE BYBEE V. AARON BYBEE

PFL20190366

On May 2, 2022, Petitioner filed an ex parte request for emergency temporary sole physical and legal custody of the minors, supervised visitation for Respondent, appointment of Minors' Counsel and/or CASA, and an order to attend Child Custody Recommending Counseling (CCRC). Respondent filed a Responsive Declaration to the ex parte request for orders the same day. On May 3, 2022, the court granted the ex parte request in part, appointing Minors' Counsel and ordering the parties to attend CCRC. The court denied the request for sole physical and legal custody to Petitioner and supervised visitation to Respondent. The court ordered that all prior orders remained in full force and effect.

On May 3, 2022, Petitioner filed a Request for Order (RFO) requesting the orders as set forth above. Parties were referred to CCRC for an appointment on May 10, 2022, and a review hearing on June 2, 2022. Respondent was served by mail on May 3, 2022.

On May 9, 2022, Minors' Counsel requested the June 2, 2022, hearing be continued to June 23, 2022, to allow adequate time to meet with the minors and review the file. The court granted the request.

On May 10, 2022, parties attended the CCRC appointment and reached a full agreement. A CCRC report was filed on May 10, 2022, and mailed to the parties on May 11, 2022.

On June 21, 2022, parties submitted a Stipulation and Order to continue the June 23, 2022 hearing to July 7, 2022. The court signed the stipulation and order to continue on June 21, 2022.

The court has not received a Statement of Issues and Contentions from Minors' Counsel.

Parties are ordered to appear.

TENTATIVE RULING #8: PARTIES ARE ORDERED TO APPEAR.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

9. MALLORY BACH V. BRANDON BYFIELD

PFL20210450

Petitioner filed a Request for Order (RFO) on May 6, 2022, requesting the court make child support orders. Respondent was served by mail on May 6, 2022.

Petitioner filed an Income and Expense Declaration on June 27, 2022. Respondent was served by mail along with a blank Income and Expense Declaration on June 24, 2022.

Petitioner asserts there was a request for child support orders in her July 2021 RFO and Respondent was ordered to file an Income and Expense Declaration but has failed to do so. Petitioner further states the issue of the child support order has remained unresolved by the court. Petitioner requests the court impute income at minimum wage should Respondent fail to file an Income and Expense Declaration.

Respondent has not filed a Responsive Declaration or an Income and Expense Declaration.

Parties are ordered to appear.

TENTATIVE RULING #9: PARTIES ARE ORDERED TO APPEAR.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

10. MANDY ANDERSON V. JEREMY ANDERSON

PFL20190451

On September 23, 2021, parties appeared for a hearing on the July 28, 2021 Request for Order (RFO). Parties presented oral argument and reached an agreement. Parties agreed to participate in a Family Code section 3111 evaluation. Parties agreed to an interim modification of custody and parenting time pending return on the evaluation. Petitioner agreed to waive the defect in notice and agreed to reserve jurisdiction on the request to modify support to the date of the filing of Respondent's Income and Expense Declaration on June 22, 2021. Parties were to file updated Income and Expense Declarations prior to the next court date. The court adopted the tentative ruling not in conflict with the parties' agreement. Any orders not in conflict with the tentative ruling remained in full force and effect. The matter was set for a review hearing on December 2, 2021.

On November 23, 2021, parties submitted a stipulation and order to continue the December 2, 2021 hearing to February 24, 2021.

On February 9, 2022, Petitioner filed an Income and Expense Declaration. Respondent was served by mail on February 8, 2022.

On February 23, 2022, parties submitted a stipulation and order to continue the February 24, 2022 hearing to April 21, 2022.

On April 12, 2022 Respondent filed an updated income and expense declaration. Petitioner was served by mail on the same day.

On April 18, 2022, Petitioner filed a Supplemental Declaration. Respondent was served electronically the same day.

Respondent filed a Supplemental Declaration on April 19, 2022. Petitioner was served by mail on April 18, 2022.

The court received the Family Code section 3111 report on April 18, 2022. The court has read and considered the 3111 report. Each party requests modifications to the recommendations contained in the report.

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

The court finds the recommendations contained in the 3111 report to be in the best interest of the minors and adopts them as its order. The parties shall share joint legal custody. Respondent shall have parenting time as set forth in item 9 on page 17 of the 3111 report starting July 15, 2022, if it has not already been implemented. Respondent shall follow the step-up plan as set forth in item 10 on page 17. The court adopts the holiday plan as set forth

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

in the report with the following modification, Petitioner shall have the Labor Day and Memorial Day holidays, Respondent will have all other Monday holidays. The parties shall participate in co-parenting counseling. If parties cannot agree to a counselor, then Respondent shall provide Petitioner with the names of three co-parenting counselors who are currently accepting new clients no later than July 22, 2022. Petitioner shall select one of the three no later than July 29, 2022. Parties shall participate at a frequency and duration as directed by the counselor. The parties shall continue to utilize the talkingparents.com application to communicate about the minors.

The court finds the above order results in Respondent having a 32% timeshare commencing on July 15, 2022. Based on the parties most recent Income and Expense declarations, and imputing income to Petitioner for employment at 30 hours per week, the court finds the guideline child support to be \$2,567. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay \$2,567 per month payable on the 1st of the month effective August 1, 2022 until modified on January 1, 2023 as set forth below.

Commencing January 1, 2023, the court finds Respondent's time share will be 39%. The court finds based on the 39% timeshare and the figures as set forth above, guideline child support to be \$2,160. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$2,160 per month payable on the 1st of the month commencing January 1, 2023 and payable until further court order or termination by operation of law.

Regarding retroactive modification, the court finds parties agreed that the court would reserve jurisdiction for retroactive modification to the date Respondent filed his updated Income and Expense Declaration. The court finds based on a 24% timeshare and the figures as set forth above, guideline child support to be \$2,963. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$2,963 per month payable on the 1st of the month commencing July 1, 2021 and ending August 1, 2022. The court finds this order results in an arrears balance of \$6,756. The court orders Respondent to pay Petitioner \$563 per month due on the 15th of each month as and for arrears, commencing on July 15, 2022 and due on the 15th of each month until paid in full (approximately 12 months). If there is any missed payment the full amount owing is due with any legal interest.

The court declines modifying spousal support at this time. The current order remains in full force and effect.

All prior orders not in conflict with this order remain in full force and effect. Respondent is to prepare and file the Findings and Orders After Hearing.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

TENTATIVE RULING #10: THE COURT ADOPTS THE RECOMMENDATIONS OF THE 3111 REPORT WITH THE MODIFICATIONS AS SET FORTH ABOVE. THE COURT ORDERS CHILD SUPPORT AS SET FORTH ABOVE. THE COURT DECLINES MODIFICATION OF SPOUSAL SUPPORT. 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. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

ATTORNEY (NAME AND ADDRESS): EDC Court California ATTORNEY FOR: Resp.	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME: <div style="font-size: 1.2em; margin-top: 10px;">July 1, 2021 - July 1, 2022</div>
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: <div style="font-size: 1.2em; margin-top: 5px;">PFL 20190451</div>

Input Data	Resp.	Pet.	Guideline (2022)	Cash Flow Analysis	Resp.	Pet.
Number of children	0	3	Nets (adjusted)	Guideline		
% time with Second Parent	24%	0%	Resp.	11,922 Payment (cost)/benefit	(4,109)	4,176
Filing status	Single	HH/MLA	Pet.	5,226 Net spendable income	7,695	9,453
# Federal exemptions	1*	4*	Total	17,148 % combined spendable	44.9%	55.1%
Wages + salary	18,700	5,752	Support (Nondeductible)	Total taxes	6,483	526
401(k) employee contrib	0	0	CS Payor	Resp. # WHA	1	15
Self-employment income	0	0	Presumed	2,963 Net wage paycheck/mo	11,838	5,216
Other taxable income	0	0	Basic CS	3,188 Comb. net spendable	17,148	
Short-term cap. gains	0	0	Add-ons	(225) Proposed		
Long-term cap. gains	0	0	Presumed Per Kid	Payment (cost)/benefit	(4,109)	4,176
Other gains (and losses)	0	0	Child 1	541 Net spendable income	7,695	9,453
Ordinary dividends	0	0	Child 2	874 NSI change from gdl	0	0
Tax. interest received	0	0	Child 3	1,548 % combined spendable	44.9%	55.1%
Social Security received	0	0	SS Payor	Resp. % of saving over gdl	0%	0%
Unemployment compensation	0	0	El Dorado	██████ Total taxes	6,483	526
Operating losses	0	0	Total	██████ # WHA	1	15
Ca. operating loss adj.	0	0	Proposed, tactic 9	Net wage paycheck/mo	11,838	5,216
Roy, partnerships, S corp, trusts	0	0	CS Payor	Resp. Comb. net spendable	17,148	
Rental income	0	0	Presumed	2,963 Percent change	0.0%	
Misc ordinary tax. inc.	0	0	Basic CS	3,188 Default Case Settings		
Other nontaxable income	0	0	Add-ons	(225)		
New-spouse income	0	0	Presumed Per Kid			
Adj. to income (ATI)	0	0	Child 1	541		
SS paid other marriage	0	0	Child 2	874		
Ptr Support Pd. other P'ships	0	0	Child 3	1,548		
CS paid other relationship	0	0	SS Payor	Resp.		
Health ins(Pd by party)	295	0	El Dorado	1,264		
Qual. Bus. Inc. Ded.	0	0	Total	4,227		
Itemized deductions	0	0	Savings	0		
Other medical expenses	0	0	No releases			
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	450	0				
TANF, SSI and CS received	0	0				



ATTORNEY (NAME AND ADDRESS): EDC Court California ATTORNEY FOR: Resp.	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME: <div style="font-size: 1.2em; margin-top: 10px;">August 1, 2022 - December 1, 2022</div>
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: <div style="font-size: 1.2em; margin-top: 5px;">PFL 20190451</div>

Input Data	Resp.	Pet.	Guideline (2022)	Cash Flow Analysis	Resp.	Pet.
Number of children	0	3	Nets (adjusted)	Guideline		
% time with Second Parent	32%	0%	Resp.	11,916 Payment (cost)/benefit	(3,660)	3,725
Filing status	Single	HH/MLA	Pet.	5,229 Net spendable income	8,144	9,002
# Federal exemptions	1*	4*	Total	17,145 % combined spendable	47.5%	52.5%
Wages + salary	18,700	5,752	Support (Nondeductible)	Total taxes	6,489	523
401(k) employee contrib	0	0	CS Payor	Resp. # WHA	1	15
Self-employment income	0	0	Presumed	2,567 Net wage paycheck/mo	11,838	5,216
Other taxable income	0	0	Basic CS	2,792 Comb. net spendable	17,146	
Short-term cap. gains	0	0	Add-ons	(225) Proposed		
Long-term cap. gains	0	0	Presumed Per Kid	Payment (cost)/benefit	(3,660)	3,725
Other gains (and losses)	0	0	Child 1	457 Net spendable income	8,144	9,002
Ordinary dividends	0	0	Child 2	753 NSI change from gdl	0	0
Tax. interest received	0	0	Child 3	1,357 % combined spendable	47.5%	52.5%
Social Security received	0	0	SS Payor	Resp. % of saving over gdl	0%	0%
Unemployment compensation	0	0	El Dorado	Total taxes	6,489	523
Operating losses	0	0	Total	# WHA	1	15
Ca. operating loss adj.	0	0	Proposed, tactic 9	Net wage paycheck/mo	11,838	5,216
Roy, partnerships, S corp, trusts	0	0	CS Payor	Resp. Comb. net spendable	17,146	
Rental income	0	0	Presumed	2,567 Percent change	0.0%	
Misc ordinary tax. inc.	0	0	Basic CS	2,792 Default Case Settings		
Other nontaxable income	0	0	Add-ons	(225)		
New-spouse income	0	0	Presumed Per Kid			
Adj. to income (ATI)	0	0	Child 1	457		
SS paid other marriage	0	0	Child 2	753		
Ptr Support Pd. other P'ships	0	0	Child 3	1,357		
CS paid other relationship	0	0	SS Payor	Resp.		
Health ins(Pd by party)	295	0	El Dorado	1,206		
Qual. Bus. Inc. Ded.	0	0	Total	3,773		
Itemized deductions	0	0	Savings	0		
Other medical expenses	0	0	No releases			
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 8251)	0	0				
Child support add-ons	450	0				
TANF,SSI and CS received	0	0				

ATTORNEY (NAME AND ADDRESS): EDC Court California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Resp.		January 1, 2023
DISSOMASTER REPORT 2022, Monthly		CASE NUMBER: PFL20190451

Input Data	Resp.	Pet.	Guideline (2022)	Cash Flow Analysis	Resp.	Pet.
Number of children	0	3	Nets (adjusted)	Guideline		
% time with Second Parent	39%	0%	Resp.	11,912 Payment (cost)/benefit	(3,208)	3,271
Filing status	Single	HH/MLA	Pet.	5,233 Net spendable income	8,597	8,547
# Federal exemptions	1*	4*	Total	17,145 % combined spendable	50.1%	49.9%
Wages + salary	18,700	5,752	Support (Nondeductible)	Total taxes	6,493	519
401(k) employee contrib	0	0	CS Payor	Resp. # WHA	1	15
Self-employment income	0	0	Presumed	2,160 Net wage paycheck/mo	11,838	5,216
Other taxable income	0	0	Basic CS	2,385 Comb. net spendable	17,144	
Short-term cap. gains	0	0	Add-ons	(225) Proposed		
Long-term cap. gains	0	0	Presumed Per Kid	Payment (cost)/benefit	(3,208)	3,271
Other gains (and losses)	0	0	Child 1	370 Net spendable income	8,597	8,547
Ordinary dividends	0	0	Child 2	630 NSI change from gdl	0	0
Tax. interest received	0	0	Child 3	1,160 % combined spendable	50.1%	49.9%
Social Security received	0	0	SS Payor	Resp. % of saving over gdl	0%	0%
Unemployment compensation	0	0	El Dorado	Total taxes	6,493	519
Operating losses	0	0	Total	# WHA	1	15
Ca. operating loss adj.	0	0	Proposed, tactic 9	Net wage paycheck/mo	11,838	5,216
Roy, partnerships, S corp, trusts	0	0	CS Payor	Resp. Comb. net spendable	17,144	
Rental income	0	0	Presumed	2,160 Percent change	0.0%	
Misc ordinary tax. inc.	0	0	Basic CS	2,385 Default Case Settings		
Other nontaxable income	0	0	Add-ons	(225)		
New-spouse income	0	0	Presumed Per Kid			
Adj. to income (ATI)	0	0	Child 1	370		
SS paid other marriage	0	0	Child 2	630		
Ptr Support Pd. other P'ships	0	0	Child 3	1,160		
CS paid other relationship	0	0	SS Payor	Resp.		
Health ins(Pd by party)	295	0	El Dorado	1,155		
Qual. Bus. Inc. Ded.	0	0	Total	3,315		
Itemized deductions	0	0	Savings	0		
Other medical expenses	0	0	No releases			
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	450	0				
TANF, SSI and CS received	0	0				

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

11. ROSA MALLORY V. MICHAEL MALLORY

PFL20110553

On February 14, 2022 Respondent filed a Request for Order (RFO) requesting a change to custody and parenting time. Petitioner was served with the RFO by mail on February 16, 2022.

Respondent requests the court modify custody and parenting time to allow him to be involved in the minors lives and decisions. Respondent requests to begin the visitation process again to be reunified with the minors. Respondent asserts he has been cleared through his mental health evaluation. Respondent included four exhibits with his declaration, including a letter from Keith Rivera, a Licensed Clinical Social Worker, who conducted a Mental Health Status Exam for Respondent.

On April 14, 2022, the court adopted its tentative ruling, findings good cause to continue the matter for the parties to attend CCRC. The court set a review hearing for July 7, 2022 for review of the CCRC report.

On May 11, 2022, Petitioner filed a Responsive Declaration requesting the court deny Respondent's requested orders. Respondent was served by mail on May 6, 2022. Petitioner asserts Respondent has failed to comply with the prior order to participate in a 730 evaluation, has not visited or had contact with the minors since approximately 2018, and failed to comply with the court order to use the talkingparents.com application for all communication regarding the minors. Petitioner requests the court affirm its prior order for a 730 evaluation, with additional provisions to be assessed. Petitioner further requests the court suspend the current order for professionally supervised visitation pending a return on the 730 evaluation, as the minors have not had contact with Respondent in over three years. If and when contact is resumed, Petitioner requests it take place in a therapeutic setting under the guidance of a reunification counselor.

Parties participated in CCRC but were unable to reach any agreements. A CCRC report with recommendations was filed on June 24, 2022. A copy of the report was mailed to the parties on June 27, 2022. The court has read and considered the CCRC report and finds the recommendations to be in the minors' best interests, with the following modification:

The court adopts the recommendation for the minors to participate in individual therapy as its order. The court temporarily suspends the current order for professionally supervised visitation. The court finds Respondent has been absent from the minors lives for a substantial period. Further, the court finds Respondent has failed to comply with the court's prior order to participate in a 730 evaluation. The mental health status exam completed does not fulfill the components of a 730 evaluation. The court further modifies the order for Respondent to complete a 730 evaluation to include in the issues to be addressed whether it

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

would be in the best interests of the minors to have renewed contact with Respondent, given his lengthy absence. All other prior orders as to custody and communication between the parties not in conflict remain in full force and effect.

The court sets a review hearing for return of the 730 evaluation on October 27th, 2022 at 8:30 AM in Department 5. The 730 evaluation shall include the prior assessments, as well as the assessment as to whether it would be in the best interests of the minors to have renewed contact with Respondent. The 730 evaluation shall be conducted by Dr. Mackin. If Dr. Mackin is no longer available to conduct the evaluation, the parties shall meet and confer and agree to an evaluator.

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 #11: THE COURT ADOPTS THE RECOMMENDATION CONTAINED WITHIN THE CCRC REPORT. PETITIONER SHALL CONTINUE TO HAVE SOLE LEGAL AND PHYSICAL CUSTODY OF THE MINORS. THE COURT TEMPORARILY SUSPENDS PROFESSIONALLY SUPERVISED PARENTING TIME PENDING RETURN OF THE 730 EVALUATION OF RESPONDENT. RESPONDENT SHALL COMPLETE A 730 EVALUATION WITH DR. MACKIN AS PREVIOUSLY ORDERED. THE EVALUATION SHALL INCLUDE WHETHER RENEWED CONTACT BETWEEN THE MINORS AND RESPONDENT IS IN THE MINORS' BEST INTERESTS. IF DR. MAKIN IS NO LONGER AVAILABLE TO COMPLETE THE EVALUATION, THE PARTIES ARE TO MEET AND CONFER TO SELECT A MUTUALLY AGREED UPON EVALUATOR. THE COURT SETS A REVIEW HEARING ON OCTOBER 27TH, 2022 AT 8:30 AM IN DEPARTMENT 5 FOR RETURN OF THE 730 EVALUATION AND REVIEW OF RESPONDENT'S PARENTING TIME. 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.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

13. TARA GRUDIN V. KEVIN GRUDIN

PFL20190049

On February 7, 2022, Respondent filed a Request for Order (RFO) requesting a change in child custody, parenting time, and child support. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on March 14, 2022, and a review hearing on April 21, 2022. Petitioner was served with the RFO and referral to CCRC personally on February 7, 2022.

Respondent requests the court order joint legal and physical custody of the minor with a week on/week off parenting plan. Respondent is also requesting Petitioner comply with the prior order to participate in co-parenting. Respondent requests Petitioner provide all information concerning a missing firearm. Respondent requests Petitioner be ordered to provide him with his one-half of the economic stimulus payment. Respondent requests child support be adjusted to reflect any change in custody. Lastly, Respondent requests \$2,500 for sanctions, for failure to comply with court orders.

Petitioner filed a Supplemental declaration on April 12, 2022, explaining why she failed to attend CCRC. Respondent was served by mail on the same day. Petitioner asserts that she was required to attend a K-12 Threat Assessment Training as a requirement of her employment, and that she had not been previously notified of this training. Petitioner requests the court re-refer the parties to CCRC.

On April 21, 2022, the court adopted its tentative ruling, and re-referred the parties to CCRC. The court admonished Petitioner that failure to appear at the subsequent CCRC session may result in the court issuing sanctions pursuant to the local rules. Parties were ordered to attend CCRC on May 18, 2022 with Ady Langer. The court continued the remaining issues to a review hearing set on July 7, 2022.

On May 18, 2022 the parties attended CCRC and were able to reach several agreements. The CCRC report also contains recommendations on the unresolved issues. The report was filed with the court on June 7, 2022. A copy was mailed to the parties on June 8, 2022. The court has read and considered the CCRC report and finds the agreements and recommendations to be in the minor's best interest; therefore, they are hereby adopted as the court's orders. The parties shall participate in co-parenting counseling as set forth in the CCRC report. Petitioner shall provide the names of three therapists to Respondent on or before July 22, 2022. Respondent shall select one of the three on or before July 29, 2022.

Respondent's most recent Income and Expense Declaration was filed on February 7, 2022, which is now stale. Petitioner's most recent Income and Expense Declaration was filed April 12, 2022, which is nearly out of date as well. Additionally, the court finds the recommended parenting plan is a step-up plan. Respondent currently has an approximate 29%

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

timeshare. With the step-up plan that will remain largely unchanged until October 15, 2022. The court finds good cause to continue the request to modify child support, to review the step-up plan, as well as review the parties' participation in co-parenting counseling. The court reserves jurisdiction to modify child 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 hearing. Any supplemental declarations are due at least 10 days prior to the next hearing date.

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 #13: THE COURT ADOPTS THE AGREEMENT AND RECOMMENDATIONS AS SET FORTH IN THE CCRC REPORT. THE PARTIES SHALL PARTICIPATE IN CO-PARENTING COUNSELING AS SET FORTH IN THE CCRC REPORT. PETITIONER SHALL PROVIDE THE NAMES OF THREE THERAPISTS TO RESPONDENT ON OR BEFORE JULY 22, 2022. RESPONDENT SHALL SELECT ONE OF THE THREE ON OR BEFORE JULY 29, 2022. THE COURT FINDS GOOD CAUSE TO CONTINUE THE REQUEST TO MODIFY CHILD SUPPORT, TO REVIEW THE STEP-UP PLAN, AS WELL AS REVIEW THE PARTIES' PARTICIPATION IN CO-PARENTING COUNSELING. THE COURT RESERVES JURISDICTION TO MODIFY CHILD 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 HEARING. ANY SUPPLEMENTAL DECLARATIONS ARE DUE AT LEAST 10 DAYS PRIOR TO THE NEXT HEARING DATE. 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.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

14. TIMOTHY ADKINS V. AMEY ADKINS

PFL20170402

On April 5, 2022, Respondent filed an ex parte application for emergency orders. On April 6, 2022, the court ordered all prior orders to remain in full force and effect. The court further ordered the minor to remain in counseling with his current therapist, Christopher Taylor. On April 6, 2022, Petitioner filed a Request for Order (RFO) requesting a modification in custody, parenting time, and appointment of a therapist for the minor. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on May 19, 2022, and a review hearing on July 1, 2022. On April 6, 2022, an ex parte minute order was issued modifying the July 1, 2022 review hearing date to July 7, 2022. Petitioner was served by mail with address verification on April 7, 2022.

The parties attended CCRC on May 19, 2022, however, they were unable to reach any agreements. A report with recommendations was filed on June 7, 2022. A copy of the report was mailed to the parties on June 8, 2022.

On July 1, 2022, Respondent filed a Reply Declaration to the CCRC report as well as a Memorandum of Points and Authorities. Upon review of the court file, there is no Proof of Service indicating Petitioner was served with the Reply or Memorandum. Therefore, the court has not considered these documents.

The court has read and considered the CCRC report as well as the filings as set forth above and makes the following findings and orders:

Minor's Counsel is appointed Barbara Newman to the minor. The parties shall share in the cost of Minor's Counsel equally subject to reallocation. The parties shall participate in co-parenting counseling as set forth in the CCRC report. Petitioner shall provide the names of three therapists to Respondent on or before July 21, 2022. Respondent shall select one of the therapists on or before July 28, 2022. The parties shall commence co-parenting counseling no later than August 15, 2022. A copy of the June 7, 2022 CCRC report shall be provided to the co-parenting therapist. Parties are to participate at a frequency and duration as recommended by the therapist. Parties shall abide by the treatment plan and recommendations. The minor shall continue to participate in counseling with his current therapist. The parties shall abide by the treatment recommendations. The minor shall participate at a frequency and duration as recommended by the therapist. The parties shall utilize the talkingparents.com application to communicate only about the minors physical and mental health, his education, and his general welfare, except in an emergency. The parties shall abide by the respect guidelines. The court stays the remaining recommendations pending the review hearing.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

The court sets a further review hearing on September 29th, 2022 at 8:30 AM in Department 5 to receive input from Minor's Counsel as well as verification the parties are actively participating in co-parenting counseling as set forth in the CCRC report.

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 #14: THE COURT ADOPTS THE RECOMMENDATIONS AS SET FOR ABOVE. MINOR'S COUNSEL IS APPOINTED. THE PARTIES SHALL SHARE IN THE COST OF MINORS' COUNSEL EQUALLY SUBJECT TO REALLOCATION. THE COURT SETS A FURTHER REVIEW HEARING ON SEPTEMBER 29TH, 2022 AT 8:30 AM IN DEPARTMENT 5 TO RECEIVE INPUT FROM MINOR'S COUNSEL AS WELL AS VERIFICATION THE PARTIES ARE ACTIVELY PARTICIPATING IN CO-PARENTING COUNSELING AS SET FORTH IN THE CCRC REPORT. 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.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 7, 2022

8:30 a.m./1:30 p.m.

15. WILLIAM ROSE V. MICHELLE ROSE

22FL0047

On February 17, 2022, Respondent filed a Request for Order (RFO), requesting a Move Away Order and changes to the visitation schedule. On May 25, 2019, the court issued its Statement of Decision denying Respondent's request to relocate and referring the parties to Child Custody Recommending Counseling (CCRC). A review hearing was set for July 7, 2022.

It does not appear that the parties attended CCRC. Instead, the parties have filed a Stipulation and Order for Custody and/or Visitation of Children dated May 25, 2022. Given the stipulation of the parties, the court sees no reason to review the matter further at this time.

TENTATIVE RULING #15: THE PARTIES HAVE STIPULATED TO CHILD CUSTODY AND VISITATION. THE MATTER IS DROPPED FROM CALENDAR.