

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

July 28, 2022

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

1. and 11. BASSEL KHADRA V. STEPHANIE WU

PFL20200697/PFL20200809

On January 5, 2022, Petitioner filed a Request for Order (RFO) requesting a Child Custody Evaluation pursuant to Family Code section 3111. The RFO was granted, and Deborah Barns was appointed as the child custody evaluator on April 28, 2022. Petitioner was ordered to bear the cost of the evaluation but the court reserved jurisdiction over reallocation of the cost to the time of trial. The court set the matter for review of the 3111 evaluation on July 28, 2022. The court has not yet received the 3111 evaluation.

On May 18, 2022, Minor's Counsel filed an RFO, asking the court to suspend all contact between Respondent and the minor pending the return of the Family Code section 3111 evaluation under Case No. PFL2020069. This RFO is on the heels of Minor's Counsel's Ex Parte Application and Declaration for Orders and Notice also filed on May 18, 2022, wherein Minor's Counsel made the same request. The court set the matter for regular hearing on July 28, 2020 and granted the ex parte request in part but modified it to read as follows: In person visitation between Respondent and Minor is suspended pending the return of the 3111 evaluation; Respondent may continue to have supervised phone calls/FaceTime visits with the minor but if there are any inappropriate discussions the supervisor is authorized to immediately terminate the call/FaceTime. Minor's Counsel was to designate a supervisor.

The parties are ordered to appear.

TENTATIVE RULING #1: THE PARTIES ARE ORDERED TO APPEAR.

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2. CAMERON CALDWELL V. ALICIA CRECELIUS

PFL20210337

On April 22, 2022, Petitioner filed a Request for Order (RFO) requesting a change in child custody and visitation. Petitioner and Respondent have one minor child. Petitioner is requesting sole legal and sole physical custody with Respondent to have only supervised visitation. Petitioner is concerned for the safety of the minor while in the care of Respondent given Respondent's habitual use of alcohol. Petitioner notes a court order dated February 3, 2022 wherein the court ordered, among other things, "neither parent shall consume alcohol, narcotics, or non-prescribed drugs 24 hours prior to or during times of custody..." On February 18, 2022, Petitioner received a phone call notifying him that Respondent was intoxicated while with the minor at Knotty Pine Lanes, a bowling alley in Pollock Pines.

The parties were referred to Child Custody Recommending Counseling (CCRC) on June 3, 2022, and a hearing on the RFO was scheduled for July 28, 2022. There is no proof of service on file indicating that Respondent was served with the RFO and CCRC referral forms. However, on June 2, 2022, Respondent filed a Responsive Declaration to the Request for Order, so the court finds her to have had actual notice of the pending RFO.

Respondent opposes the orders requested by Petitioner. Instead, Respondent requests that the physical custody schedule be changed to Respondent having custody on Monday through Thursday, and Petitioner to have the minor Friday through Sunday. Respondent feels the current arrangement, which is a 2-2-3 schedule, is adversely affecting the minor's sleep and behavior. She is further requesting that the minor attend school in Pollock Pines. She asserts that this was agreed to by her and Petitioner previously but the two have since had a disagreement and Petitioner is no longer consenting to it.

The parties attended CCRC on June 3, 2022. A report containing the recommendations of the CCRC counselor was prepared on July 18, 2022 and mailed to the parties on July 22, 2022. To date, the court has not received an objection, or response, to the CCRC report by either party.

Having reviewed the filings of the parties as well as the CCRC report, the court finds the recommendations contained in the CCRC report to be in the best interest of the minor child and therefore adopts them as the orders of the court.

TENTATIVE RULING #2: THE RECOMMENDATIONS CONTAINED IN THE CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER ARE TO REMAIN IN FULL FORCE AND EFFECT. PETITIONER TO PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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3. DANIELLE HOPKINS V. JOHN HOPKINS

PFL20170221

On August 6, 2021, Respondent filed a Request for Order (RFO) asking the court to modify the custody and visitation orders. A Child Custody Recommending Counseling (CCRC) session was scheduled on September 3, 2021 with a hearing on the RFO set on October 21, 2021. On August 6, 2021, Petitioner was served by mail with the RFO and referral to CCRC.

Both parties participated in the CCRC session and reached several agreements but not on all issues. A CCRC report was issued on September 9, 2021 with copies mailed to the parties that same day. The report recommended that the parties share physical custody but did not recommend a specific schedule.

On October 7, 2021 Petitioner filed an RFO requesting the court make an order for child support, for Respondent to pay for medical insurance through his employment, and to split the costs of uncovered medical expenses. Petitioner filed an Income and Expense declaration on the same date. A hearing on the RFO was set for January 6, 2022. Respondent was served by mail with the RFO on October 8, 2021.

At the October 21, 2021 hearing, the court adopted its tentative ruling as modified. This included an adoption of the CCRC report with the modifications that the parties shall participate in co-parenting counseling at least once per month and that Respondent shall have visits with the minor on every other weekend from Friday at 6 p.m. to Sunday at 6 p.m., commencing with the weekend of October 22, 2021, and every Wednesday from pick-up at school (or 2 p.m. if school is not in session from Petitioner's home) to Thursday morning drop-off at school (or 9 a.m. if school is not in session to Petitioner's home). The court ordered that, provided the parties participate in co-parenting counseling, after 60 days Respondent's parenting time shall increase to every other Thursday at 6 p.m. to Sunday at 6 p.m.

On November 2, 2021 Respondent filed a Responsive Declaration to Petitioner's RFO for child support agreeing to guideline support dependent on the custody order entered October 21, 2021, consenting to providing medical and dental insurance as well as to paying half of the uncovered medical expenses, and requesting that Petitioner be imputed full time minimum wage or in the alternative consider funds paid by her partner for expenses as her income. Respondent filed his Income and Expense Declaration on October 21, 2021. On November 2, 2021, Petitioner was served by mail with both filings.

At the January 6, 2022 RFO hearing, the court adopted its tentative ruling, imputing minimum wage for 20 hours per week to Petitioner and ordering Respondent to pay Petitioner \$557 in monthly child support for November 2021 and December 2021 and \$551 in monthly child support beginning January 1, 2022. The court further ordered Respondent to pay an additional \$49 per month towards the arrears balance, payable on the 1st of the month, commencing on February 1, 2022, until the balance is paid in full. Petitioner was authorized to file for a wage garnishment.

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Respondent was ordered to provide medical and dental insurance for the child if it is available through his employment at no or a reasonable cost. The court ordered the parties to share equally all uncovered medical, dental, vision, and prescription drug costs.

The court continued the matter to February 24, 2022 regarding the health insurance coverage and costs, with the parties ordered to meet and confer prior to the next hearing. The court reserved jurisdiction to modify child support back to the date of filing of the RFO.

At the February 24, 2022 hearing, the court maintained its prior orders that Respondent's parenting time shall increase after 60 days in co-parenting counseling. The parties were ordered to meet and confer to determine on which date the 60 days have elapsed, with the court finding that co-parenting counseling shall be deemed to have commenced on the date that Respondent had his initial intake with the co-parenting counselor.

Regarding health insurance coverage, the court found that Respondent had substantially complied with the court's orders. Respondent was ordered to provide Petitioner a copy of the paperwork confirming enrollment of the minor into the health insurance plans as well as proof of the out-of-pocket cost of the premiums within 3 days of receiving the paperwork. Respondent also was ordered to provide Petitioner the insurance cards within 3 days of receiving them.

The court continued the matter to April 28, 2022 at 8:30 a.m. to confirm that the parties had increased Respondent's parenting time as ordered, to confirm that Respondent provided the documents and insurance cards to Petitioner as ordered above, and to modify child support based on Respondent's increased timeshare and his out-of-pocket insurance costs. The court reserved jurisdiction to modify child support back to the date of filing of the RFO. The court ordered the parties to meet and confer to resolve the above issues and to provide the court with a declaration updating it on the status at least 10 days in advance of the hearing.

Respondent filed a Status Update with the court, on April 20, 2022 and served on Petitioner electronically that same day. On April 28, 2022, parties appeared and agreed to a continuance to May 26th.

On May 26, 2022, the parties filed a Stipulation and Order setting forth the agreed upon parenting schedule and step-up plan. The court adopted the stipulation of the parties and once again reserved jurisdiction on the issue of modifying child support back to the date of the RFO to be addressed at the July 28, 2022 hearing.

To date, neither party has filed an updated 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).

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Without updated income and expense declarations the court is unable to rule on the matter of child support. The court finds there are current orders in place as to child support. Those orders remain in full force and effect. Accordingly, the matter is dropped from the court's calendar.

TENTATIVE RULING #3: THE MATTER IS DROPPED FROM THE COURT'S CALENDAR. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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7. JAMES VERNADES V. ALLISON VERNADES

PFL20170788

On December 8, 2022, the parties submitted a Stipulation and Order RE: Child Custody and Visitation codifying their agreed upon visitation time between Petitioner and the minor children. In February of 2022, Petitioner's parenting time was expanded to include overnights every other weekend from Saturday at 9:00 am to Sunday at 7:00 pm, plus Wednesdays from after school until 7:00 pm. On March 28, 2022, Petitioner filed a Supplemental Declaration requesting joint physical custody with his parenting time to be Sunday at 12:00 pm to Monday at 7:00 pm. Tuesday and Wednesday after school until 7:00 pm and alternating weekends from Saturday at 9:00 am to Sunday at 12:00 pm. Respondent filed a reply, requesting that the current parenting schedule remain as is.

The matter came before the court for hearing on April 7, 2022, at which time the court ordered the following: (1) the parties to enroll and participate in a co-parenting class, proof of completion must be filed and served no later than May 31, 2022; (2) upon the completion of co-parenting class, the parties are to participate in co-parenting counseling with an agreed upon therapist, at the frequency and duration as directed by the therapist; and (3) the parties to return to Child Custody Recommending Counseling (CCRC). The matter was set for a review hearing on June 23, 2022.

On May 18, 2022, Petitioner filed his certificate of completion evidencing his completion of co-parenting classes with Modern Parenting Solutions Online Learning. There is no certificate of completion filed by Respondent.

In compliance with the court's order, the parties attended CCRC on May 4, 2022. A CCRC report was issued on June 20, 2022 and mailed to the parties that same day.

On July 1, 2022, Petitioner filed a Supplemental Declaration. Respondent was served electronically the same day. Petitioner asserts the statement to minors' therapist about negative or "abusive" situations in his home are false. Petitioner further asserts, the mediator should not have based the recommendation to reduce his parenting time on those statements. Petitioner asserts the minors are being "coached" by Respondent. Petitioner objects to any reduction in his parenting time. Petitioner also objects to Respondent having final decision-making authority, and requests the court affirm the prior joint legal custody orders. Petitioner objects to the recommendation for a parenting coach, and requests the court appoint Minors' Counsel instead. The court notes Petitioner objects to a parenting coach in part due to the costs, however, the appointment Minors' Counsel will incur a cost as well. Petitioner requests the court proceed with a step-up plan for his parenting time. Petitioner additionally requests no third parties be present at parenting exchanges. Petitioner also states Respondent has not selected one of the three proposed co-parenting counselors. Last, Petitioner request the court order parties to provide notice within one day of any change in address.

Respondent filed a Reply Declaration on July 11, 2022. Petitioner was served by mail on July 11, 2022. Respondent asserts Petitioner's declaration is misleading. Respondent asserts Petitioner does not pay child support. Respondent also asserts she completed the co-parenting class on or about May 2, 2022 and provided Petitioner's counsel with the certificate of completion on or about May 3, 2022. Respondent asserts Petitioner is uncooperative in dealing with the minors' medical care. Respondent

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asserts Petitioner lacks insight as to how his behavior impacts the minors. Respondent notes the case law cited by Petitioner in his declaration is not certified for publication, and therefore, cannot be relied on by the court.

The court has reviewed the filed documents as noted above and makes the following findings and orders:

The court has not reviewed the case referenced by Petitioner as no cite was provided. Further, the court finds *In re Marriage of K.R.* to be unpublished. California Rule of Court, rule 8.1115 restricts citation of unpublished opinion in California courts.

The court denies the request to appoint Minors' Counsel without prejudice. The court finds this request was not included in the original RFO and is not properly before the court.

The court is not adopting the recommendations of the CCRC report as to Respondent having final decision-making authority or reducing Petitioner's parenting time. The current custody and parenting time orders remain in full force and effect. Respondent shall keep Petitioner informed of all the medical, mental health, and education needs of the minors. Respondent shall not make unilateral decisions. Parties are to utilize co-parenting counseling to decide on issues where parties are unable to agree. Respondent shall select one of the three co-parenting counselors provided by petitioner on or before August 4, 2022, if not already completed. Parties are to engage in co-parenting counseling at the soonest available appointment. Parties are to participate at a frequency and duration as directed by the counselor. The minors are to continue to participate in individual counseling at a frequency and duration as directed by the counselor. The parenting exchanges are to take place at either the Police or Sheriff Department located in between the parties' homes. Neither party is to bring a third party to the custody exchanges. Neither party is to video or audio record the exchanges. Each party is to remain in their respective vehicle while the minors walk from one vehicle to the other. The court sets a further review hearing on October 6th, 2022 at 8:30 AM in Department 5 to receive an update on the parties' progress in co-parenting counseling and to reassess the parenting plan.

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 #7: THE CURRENT CUSTODY AND PARENTING TIME ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL KEEP PETITIONER INFORMED OF ALL THE MEDICAL, MENTAL HEALTH, AND EDUCATION NEEDS OF THE MINORS. RESPONDENT SHALL NOT MAKE UNILATERAL DECISIONS. PARTIES ARE TO UTILIZE CO-PARENTING COUNSELING TO DECIDE ON ISSUES WHERE PARTIES ARE UNABLE TO AGREE. RESPONDENT SHALL SELECT ONE OF THE THREE CO-PARENTING COUNSELORS PROVIDED BY PETITIONER ON OR BEFORE AUGUST 4, 2022, IF NOT ALREADY COMPLETED. PARTIES ARE TO ENGAGE IN CO-PARENTING COUNSELING AT THE SOONEST AVAILABLE APPOINTMENT. PARTIES ARE TO PARTICIPATE AT A FREQUENCY AND DURATION AS DIRECTED BY THE COUNSELOR. THE MINORS ARE TO CONTINUE TO PARTICIPATE IN INDIVIDUAL COUNSELING AT A FREQUENCY AND DURATION AS DIRECTED BY THE COUNSELOR. THE PARENTING EXCHANGES ARE TO TAKE PLACE AT EITHER THE POLICE OR SHERIFF DEPARTMENT LOCATED IN BETWEEN THE PARTIES'

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HOMES. NEITHER PARTY IS TO BRING A THIRD PARTY TO THE CUSTODY EXCHANGES. NEITHER PARTY IS TO VIDEO OR AUDIO RECORD THE EXCHANGES. EACH PARTY IS TO REMAIN IN THEIR RESPECTIVE VEHICLE WHILE THE MINORS WALK FROM ONE VEHICLE TO THE OTHER. THE COURT DENIES THE REQUEST TO APPOINT MINORS' COUNSEL WITHOUT PREJUDICE. THE COURT SETS A FURTHER REVIEW HEARING ON OCTOBER 6TH, 2022 AT 8:30 AM IN DEPARTMENT 5 TO RECEIVE AN UPDATE ON THE PARTIES' PROGRESS IN CO-PARENTING COUNSELING AND TO REASSESS THE PARENTING PLAN. 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.

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10. LINNEA BANKS V. KEVIN BANKS SR.

PFL20190908

On January 27, 2022, the parties appeared before the court for a hearing on child custody and parenting time. At that time Petitioner agreed to provide a higher level of consistency and accountability to the parties' minor son to ensure he stays on top of his schoolwork during her parenting time. A review hearing was set for March 17, 2022, to ensure the minor's grades and attendance were improving.

On March 17, 2022, the parties appeared for the review hearing. The parties agreed to continue with the current custody arrangement and the matter was again set for review hearing on June 23, 2022 to address the issue of the minor's grades and school attendance. The parties were ordered to file supplemental declarations regarding school grades to be filed 10 days prior to the hearing. The parties agreed to a continuance of the review hearing to July 28, 2022.

Petitioner filed a Supplemental Declaration on July 15, 2022. Respondent was served electronically on July 14, 2022. Petitioner requests the court re-refer the parties to Child Custody Recommending Counseling (CCRC) to determine where the minor should attend high school and which parent should have primary custody. Petitioner asserts the minor has expressed a desire to attend school in Sacramento County where Petitioner resides. Petitioner requests the minor reside with her during the school week and have parenting time with Respondent every other weekend.

Respondent filed a Supplemental Declaration on July 19, 2022. Petitioner was served electronically on July 18, 2022. Respondent requests the minor reside primarily with him throughout the school year, while Petitioner have parenting time every other weekend. Respondent requests the current holiday schedule remain in full force and effect. Respondent requests the court order the summer schedule remain in place with the parties utilizing a week on/week off parenting plan, with exchanges on Sunday. Respondent asserts Petitioner has continued to neglect the minor's education needs. Respondent asserts the minor not only fails to complete and turn in assignments during Petitioner's parenting time, but also fails to regularly attend school. The minor has been referred to SARB due to the excessive unexcused absences, the majority occurring during Petitioner's parenting time.

The parties, including the minor, participated in CCRC in January of this year, within the last six months. The court has reviewed and considered the CCRC report filed on January 18, 2022. The court finds the current circumstances to be substantially similar to those outlined in the CCRC report. The court finds the recommendations contained in the CCRC report remain in the minor's best interest. The current custody and parenting time orders remain in full force and effect.

The court finds each party completed a co-parenting class and has provided a certificate of completion.

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

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TENTATIVE RULING #10: ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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11A. APRIL ROBINSON V. GORDON ROBINSON

PFL20210147

On March 8, 2022, the parties reached a stipulation resolving Petitioner's request for a Domestic Violence Restraining Order (DVRO). The stipulation included the minors being removed as protected parties and the DRVO to be in place protecting Petitioner until March 1, 2024. The court ordered Petitioner to have sole legal and physical custody of the minors and found Family Code section 3044 applied. The court authorized Respondent to begin unsupervised parenting time with the minors as well as phone contact. The court did not order text messaging but did allow Respondent to reply to any text messages the minors sent him. The court authorized Respondent to initiate letter and email contact with the minors as well. The parties agreed to participate in private Child Custody Recommending Counseling (CCRC). The court set a review hearing for the private CCRC for May 26, 2022.

On March 23, 2022, Respondent submitted a request to continue the May 26, 2022 hearing to June 23, 2022 as the CCRC session would not be able to be completed by May 26, 2022. The court granted the request to continue the hearing on April 7, 2022.

On April 28, 2022 Petitioner filed an ex parte request for supervised visitation for Respondent. Respondent was served with the ex parte request electronically on April 28, 2022. Respondent filed a Responsive Declaration on April 29, 2022.

The court granted the ex parte request in part, on April 29, 2022. The court on its own motion granted an order shortening time and set the Request for Order (RFO) for a hearing on May 12, 2022. The court on its own motion also found it in the best interest of the children to appoint Minors' Counsel. The minors were to be made available to Minors' Counsel. The court reserved on the allocation of costs for Minors' Counsel. Respondent was authorized supervised visitation two times per week for two hours each visit. Parties were to file Income and Expense Declarations prior to the hearing. Petitioner was directed to serve Respondent with notice of the RFO on or before May 2, 2022. Respondent was served electronically on May 2, 2022.

On May 12, 2022, parties, including newly appointed Minors' Counsel, submitted a stipulation to continue the hearing to June 23, 2022 to join with the previously set CCRC review hearing.

Petitioner filed a Response to the private CCRC report on June 16, 2022. Respondent was served both electronically and by mail on June 16, 2022. Petitioner objects to many of the recommendations contained in the CCRC report. Petitioner requests the current court orders remain in full force and effect until Respondent has rebutted the Family Code section 3044 presumptions. Petitioner also requests the court not order the parties to participate in conjoint co-parenting counseling. Petitioner requests the issue be reserved until the next review hearing. Petitioner also objects to the court ordering the right of first refusal.

The court received the private CCRC report on June 17, 2022. It is unclear when the parties received a copy of the report. However, the court notes Minors Counsel was not included in the notation on page 22 of the report of who received a copy of the report.

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On June 23, 2022, the court adopted its tentative ruling finding the CCRC report was not filed at least 10 days prior to the hearing. The court ordered that Minors' Counsel shall receive a copy of the private CCRC report, have an opportunity to review it, and if necessary, meet further with her clients. The court continued the hearing to July 28, 2022, to allow Minors' Counsel that opportunity as well as to file as Statement of Issues and Contentions. All prior orders remained in full force and effect.

Respondent filed a Declaration in Response to the CCRC report on June 17, 2022, which the court was unable to review prior to the June 23, 2022 hearing. Petitioner was served both by mail and electronically on June 17, 2022. Respondent requests the court adopt the recommendations of the private CCRC report numbers three through 24; temporarily grant Petitioner sole legal and physical custody pending the September 27-28, and October 4, 2022 trial; and order Petitioner not be allowed to move the minors out of the tri-county area without Respondent's consent or a court order. Respondent also requests the court reserve on the issue of the rebuttal of Family Code 3044 until the time of trial.

Minors' Counsel filed a Statement Regarding Custody and Visitation and Request for Orders on July 19, 2022. Upon review of the court file, there is no Proof of service showing this document was served on the parties. Therefore, the court is not able to consider it.

Petitioner filed a Supplemental Declaration in response to the CCRC report on July 18, 2022. Parties were served by mail and electronically on July 18, 2022. Petitioner reiterates her position from the June 16, 2022 Response to the CCRC report. Petitioner requests the current orders remain in full force and effect.

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

The current orders for custody and parenting time remain in full force and effect. The court adopts the recommendations from the CCRC report starting with recommendation number four through 24 and excluding number 18, the right of first refusal. Petitioner and Respondent shall each engage in individual therapy as set forth in item 4.1. The court modifies the recommendation for co-parenting counseling to co-parenting class; upon completion of a co-parenting class and completion of 10 sessions of individual therapy, the parties shall engage in co-parenting counseling. The minor A.R. shall participate in individual therapy as set forth in 4.3. The minor shall participate at a frequency and duration as recommended by the therapist. Petitioner shall not move with the minors outside the tri-county (El Dorado, Sacramento, Placer) area without a written agreement with Respondent or court order. The court reserves on the issue of the rebuttal the presumptions set forth in Family Code section 3044.

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 #11A: THE CURRENT ORDERS FOR CUSTODY AND PARENTING TIME REMAIN IN FULL FORCE AND EFFECT. THE COURT ADOPTS THE RECOMMENDATIONS FROM THE CCRC REPORT STARTING WITH RECOMMENDATION NUMBER FOUR THROUGH 24 AND EXCLUDING NUMBER 18, THE RIGHT OF FIRST REFUSAL. PETITIONER AND RESPONDENT SHALL EACH ENGAGE IN INDIVIDUAL

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THERAPY AS SET FORTH IN ITEM 4.1. THE COURT MODIFIES THE RECOMMENDATION FOR CO-PARENTING COUNSELING TO CO-PARENTING CLASS; UPON COMPLETION OF A CO-PARENTING CLASS AND COMPLETION OF 10 SESSIONS OF INDIVIDUAL THERAPY, THE PARTIES SHALL ENGAGE IN CO-PARENTING COUNSELING. THE MINOR A.R. SHALL PARTICIPATE IN INDIVIDUAL THERAPY AS SET FORTH IN 4.3. THE MINOR SHALL PARTICIPATE AT A FREQUENCY AND DURATION AS RECOMMENDED BY THE THERAPIST. PETITIONER SHALL NOT MOVE WITH THE MINORS OUTSIDE THE TRI-COUNTY (EL DORADO, SACRAMENTO, PLACER) AREA WITHOUT A WRITTEN AGREEMENT WITH RESPONDENT OR COURT ORDER. THE COURT RESERVES ON THE ISSUE OF THE REBUTTAL THE PRESUMPTIONS SET FORTH IN FAMILY CODE SECTION 3044. 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.