

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

1. AMANDA ALESSANDRO V. JEREMY ALESSANDRO

PFL20200677

On September 22, 2022, parties stipulated to participating in a Family Code section 3111 evaluation. The court accepted the parties' stipulation and adopted it as the court's order. The court set a review hearing for receipt of the 3111 Evaluation for January 26, 2023. Having not received the 3111 Evaluation report, the review hearing was continued several times until, on July 26th, the parties filed a Stipulation and Order Regarding Parenting Plan, School Choice, Custody. That stipulation was adopted as the order of the court on July 26th.

According to the stipulation, the parties were able to reach a full agreement as to the issues of custody and visitation with the assistance of the 3111 Evaluator, Ms. Stilley. The parties further stipulated to set a review hearing on October 5th to address the issue of child support. The hearing is also to address the receipt and review of any supplemental report prepared by Ms. Stilley if she deems necessary. Both parties agreed to file Income and Expense Declarations no later than 14 days prior to the hearing date.

In keeping with the stipulation, Petitioner filed and served her Income and Expense Declaration on September 20th. On September 28th Petitioner filed and served Petitioner's Supplemental Declaration requesting the following: (1) Set guideline child support at \$0 per month; parties to equally share out of pocket medical, childcare, extracurricular, and educational expenses; (2) Deny/dismiss Respondent's request for child support or, in the alternative, continue the hearing to allow Petitioner time to review Respondent's discovery responses; (3) Impute income to Respondent based on his previous estimated earnings of over 12,000 per month as a realtor and operations manager.

Respondent had not filed an Income and Expense Declaration timely for the October 5, 2023 hearing. The court therefore continued the matter to December 14, 2023 and ordered Respondent to file and serve his Income and Expense Declaration at least 14 days prior to the hearing.

Respondent filed an Income and Expense Declaration on October 5, 2023 along with a Responsive Declaration. Petitioner was served electronically on September 21, 2023. Respondent requests the court order guideline child support and for the parties to share in the costs of the minors' medical insurance.

Petitioner filed a Supplemental Declaration on December 7, 2023. Proof of Service shows Respondent was served by mail and electronically on December 7, 2023. Due to the untimeliness of this filing the court declines to consider it.

The court has imputed Respondent with income at \$50 per hour and 40 hours per week, as the court finds Respondent has the ability and opportunity to work. Based on

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Petitioner's September 20, 2023 and Respondent's October 5, 2023 filed Income and Expense Declarations, utilizing a 50% timeshare, and the parties filing joint tax returns, the court finds guideline child support to be \$479 per month payable from Petitioner to Respondent (See attached DissoMaster). The court orders Petitioner to pay respondent \$479 per month as and for guideline child support effective August 1, 2023, based on the parties' stipulation regarding custody. Petitioner is ordered to pay Respondent on the 1st of each month until further order of the court or termination by operation of law. The court is reserving jurisdiction to retroactively modify support to August 1, 2023.

The court finds there are outstanding discovery issues regarding Respondent's income. The court, therefore, is reserving on the potential arrears owed as well.

The court has included an overtime table to capture any additional income Respondent may earn through his real estate business. (See attached Overtime table). Respondent shall provide Petitioner with information on any additional income earned no later than the 15th of each month. The amount shall be adjusted on the following month's support payment.

The court sets the issue of child support for a further review hearing on February 22, 2024, to coincide with the hearing currently set.

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 #1: THE COURT HAS IMPUTED RESPONDENT WITH INCOME AT \$50 PER HOUR AND 40 HOURS PER WEEK, AS THE COURT FINDS RESPONDENT HAS THE ABILITY AND OPPORTUNITY TO WORK. THE COURT FINDS GUIDELINE CHILD SUPPORT TO BE \$479 PER MONTH PAYABLE FROM PETITIONER TO RESPONDENT (SEE ATTACHED DISSOMASTER). THE COURT ORDERS PETITIONER TO PAY RESPONDENT \$479 PER MONTH AS AND FOR GUIDELINE CHILD SUPPORT EFFECTIVE AUGUST 1, 2023, BASED ON THE PARTIES' STIPULATION REGARDING CUSTODY. PETITIONER IS ORDERED TO PAY RESPONDENT ON THE 1ST OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW. THE COURT IS RESERVING JURISDICTION TO RETROACTIVELY MODIFY SUPPORT TO AUGUST 1, 2023. THE COURT FINDS THERE ARE OUTSTANDING DISCOVERY ISSUES REGARDING RESPONDENT'S INCOME. THE COURT, THEREFORE, IS RESERVING ON THE POTENTIAL ARREARS OWED AS WELL. THE COURT HAS INCLUDED AN OVERTIME TABLE TO CAPTURE ANY ADDITIONAL INCOME RESPONDENT MAY EARN THROUGH HIS REAL ESTATE BUSINESS. RESPONDENT SHALL PROVIDE PETITIONER WITH INFORMATION ON ANY ADDITIONAL INCOME EARNED NO LATER THAN THE 15TH OF EACH MONTH. THE AMOUNT SHALL BE ADJUSTED ON THE FOLLOWING MONTHS SUPPORT PAYMENT.

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THE COURT SETS THE ISSUE OF CHILD SUPPORT FOR A FURTHER REVIEW HEARING ON FEBRUARY 22, 2024, TO COINCIDE WITH THE HEARING CURRENTLY SET. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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

Input Data	Resp.	Pet.	Guideline (2023)	Cash Flow Analysis	Resp.	Pet.
Number of children	0	5	Nets (adjusted)	Guideline		
% time with Second Parent	50%	0%	Resp.	4,789 Payment (cost)/benefit	479	(479)
Filing status	MFJ->	<-MFJ	Pet.	6,111 Net spendable income	5,268	5,632
# Federal exemptions	1*	6*	Total	10,900 % combined spendable	48.3%	51.7%
Wages + salary	8,667	10,475	Support	Total taxes	1,836	2,219
401(k) employee contrib	0	0	CS Payor	Pet. Comb. net spendable	10,900	
Self-employment income	0	0	Presumed	479 Proposed		
Other taxable income	0	0	Basic CS	479 Payment (cost)/benefit	479	(479)
Short-term cap. gains	0	0	Add-ons	0 Net spendable income	5,268	5,632
Long-term cap. gains	0	0	Presumed Per Kid	NSI change from gdl	0	0
Other gains (and losses)	0	0	Child 1	42 % combined spendable	48.3%	51.7%
Ordinary dividends	0	0	Child 2	60 % of saving over gdl	0%	0%
Tax. interest received	0	0	Child 3	78 Total taxes	1,836	2,219
Social Security received	0	0	Child 4	114 Comb. net spendable	10,900	
Unemployment compensation	0	0	Child 5	186 Percent change	0.0%	
Operating losses	0	0	Spousal support	blocked Default Case Settings		
Ca. operating loss adj.	0	0	Total	479		
Roy, partnerships, S corp, trusts	0	0	Proposed, tactic 9			
Rental income	0	0	CS Payor	Pet.		
Misc ordinary tax. inc.	0	0	Presumed	479		
Other nontaxable income	0	0	Basic CS	479		
New-spouse income	0	0	Add-ons	0		
SS paid other marriage	0	0	Presumed Per Kid			
CS paid other relationship	0	0	Child 1	42		
Adj. to income (ATI)	0	0	Child 2	60		
Ptr Support Pd. other P'ships	0	0	Child 3	78		
Health insurance	2,042	1,072	Child 4	114		
Qual. Bus. Inc. Ded.	0	0	Child 5	186		
Itemized deductions	810	0	Spousal support	blocked		
Other medical expenses	0	0	Total	479		
Property tax expenses	810	0	Savings	0		
Ded. interest expense	0	0	No releases			
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	1,074				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Resp.	CASE NUMBER:	
Resp. Monthly Overtime Wages Report 2023 Monthly		

"R" denotes that Resp. is a recipient for the corresponding support
"CS%" is the percentage of Overtime paid as additional Child Support
"SS%" is the percentage of Overtime paid as additional Spousal Support

Resp.'s Gross Overtime	Basic CS%	Basic CS	El Dorado SS%	El Dorado SS	Total Basic CS	Total SS	Total Support CS+SS
0	0.00	0	0.00	0	479 R	0	479 R
100	30.16	30	0.00	0	449 R	0	449 R
200	30.05	60	0.00	0	419 R	0	419 R
300	29.95	90	0.00	0	389 R	0	389 R
400	29.85	119	0.00	0	360 R	0	360 R
500	29.75	149	0.00	0	331 R	0	331 R
600	29.65	178	0.00	0	301 R	0	301 R
700	29.55	207	0.00	0	272 R	0	272 R
800	29.46	236	0.00	0	244 R	0	244 R
900	29.36	264	0.00	0	215 R	0	215 R
1,000	29.26	293	0.00	0	187 R	0	187 R
1,100	29.17	321	0.00	0	159 R	0	159 R
1,200	29.07	349	0.00	0	130 R	0	130 R
1,300	28.98	377	0.00	0	103 R	0	103 R
1,400	28.88	404	0.00	0	75 R	0	75 R
1,500	28.79	432	0.00	0	47 R	0	47 R
1,600	28.70	459	0.00	0	20 R	0	20 R
1,700	28.61	486	0.00	0	7	0	7
1,800	28.52	513	0.00	0	34	0	34
1,900	28.43	540	0.00	0	61	0	61
2,000	28.35	567	0.00	0	88	0	88

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2. BRANDI CLARK V. DANIEL CLARK

PFL20170895

Respondent filed a Request for Order (RFO) on July 31, 2023, following the court's denial of his requested ex parte emergency orders. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on August 29, 2023 and a review hearing on September 21, 2023.

Both parties appeared at the CCRC appointment on August 29, 2023. The parties were unable to reach any agreements. A report with recommendations was filed with the court on September 15, 2023. Copies were mailed to the parties on September 18, 2023.

Petitioner filed a Responsive Declaration to the ex parte request for order on July 31, 2023. There is no Proof of Service for this document and therefore the court cannot consider it.

Parties appeared for the hearing on September 21, 2023. The court stayed its tentative ruling regarding adopting the CCRC report. The court stayed its tentative ruling as to the request for an Evidence Code section 730 evaluation. The court adopted its tentative ruling dropping the request to modify child support from calendar, due to the lack of proper service. The court appointed minors' counsel and continued the matter to December 14, 2023 for a further review hearing.

Minors' Counsel filed a Statement of Issues and Contentions and Request for Orders on December 4, 2023. Parties were served the same day. Minors' Counsel recommends the court adopt the CCRC report as to the minors Mason and Madeline. However, as to the minor Mia, Minors' Counsel recommends the court grant Respondent's request and modify custody and the parenting plan, to allow Respondent to be the primary caretaker, with the parenting plan being reversed. Minors' Counsel recommends Mia and Mason have at least two weeks together over the summer break. It is also Minors' Counsel's recommendation that this plan go into effect over the upcoming winter break.

Neither Petitioner nor Respondent has filed a Supplemental Declaration.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth by Minors' Counsel to be in the best interest of the minors. The court adopts the recommendations of Minors' Counsel as set forth in the December 4, 2023 filed Statement of Issues and Contentions. All prior orders as to Mason and Madeline remain in full force and effect. As to Mia, Respondent shall be the primary caretaker beginning at the start of winter break for Mia. Petitioner will have parenting time with Mia during summer break. Mia will have the first week of summer break with Mason in CA and the last week of summer break with Mason in Ohio.

The court denies the request for an Evidence Code section 730 evaluation.

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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 #2: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH BY MINORS' COUNSEL TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS OF MINORS' COUNSEL AS SET FORTH IN THE DECEMBER 4, 2023 FILED STATEMENT OF ISSUES AND CONTENTIONS. ALL PRIOR ORDERS AS TO MASON AND MADELINE REMAIN IN FULL FORCE AND EFFECT. AS TO MIA, RESPONDENT SHALL BE THE PRIMARY CARETAKER BEGINNING AT THE START OF WINTER BREAK FOR MIA. PETITIONER WILL HAVE PARENTING TIME WITH MIA DURING SUMMER BREAK. MIA WILL HAVE THE FIRST WEEK OF SUMMER BREAK WITH MASON IN CA AND THE LAST WEEK OF SUMMER BREAK WITH MASON IN OHIO. THE COURT DENIES THE REQUEST FOR AN EVIDENCE CODE SECTION 730 EVALUATION. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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3. CASSANDRA THORP V. ANTWON LILES

22FL0592

Respondent filed a Request for Order (RFO) on August 8, 2023, requesting the court modify the child custody and parenting plan orders as well as child support order and to consolidate this matter with the Department of Child Support case number PFS20170306. Respondent concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 23, 2023 and a review hearing on December 14, 2023. Proof of Service shows Petitioner was served on August 16, 2023. The Department of Child Support Services (DCSS) was not served.

Petitioner filed an RFO on August 14, 2023 requesting modification of parenting time and that the parties be referred to mediation. There is no Proof of Service for this document, therefore the court drops Petitioner's RFO from calendar.

Respondent filed an updated Income and Expense Declaration on November 13, 2023. Petitioner was served by mail on November 13, 2023.

Both parties appear for the CCRC appointment on October 23, 2023. However, the parties were unable to reach any agreements. A report with recommendations was filed with the court on December 5, 2023. Copies were mailed to the parties the same day.

Petitioner filed a Declaration on November 13, 2023. Respondent was served on November 14, 2023. Petitioner objects to Respondent's requested orders.

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

The court denies Respondent's request for consolidation of the cases. These are not appropriate cases to consolidate. The court will link PFS20170306 with 22FL0592. All future filings shall be in PFS20170306 or parties may open a new family law case.

The court finds the recommendations as set forth in the December 5, 2023 CCRC report to be in the best interest of the minors. The court adopts the recommendations as set forth.

The court denies Respondent's request to modify child support. First, because DCSS was not properly served with the RFO. Second, because there is an active child support case, this court does not have jurisdiction to modify child 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.

TENTATIVE RULING #3: PETITIONER'S REQUEST FOR ORDER IS DROPPED DUE TO LACK OF PROPER SERVICE.

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THE COURT DENIES RESPONDENT'S REQUEST FOR CONSOLIDATION OF THE CASES. THESE ARE NOT APPROPRIATE CASES TO CONSOLIDATE. THE COURT WILL LINK PFS20170306 WITH 22FL0592. ALL FUTURE FILINGS SHALL BE IN PFS20170306 OR PARTIES MAY OPEN A NEW FAMILY LAW CASE. THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 5, 2023 CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH. THE COURT DENIES RESPONDENT'S REQUEST TO MODIFY CHILD 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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4. DELIA CHUMLEY V. DONALD CHUMLEY

21FL0101

Petitioner filed a Request for Order (RFO) and application for an Order Shortening Time (OST) on November 14, 2023. On November 14, 2023, the court granted the OST and set the hearing on the RFO for December 14, 2023. The court directed Petitioner to serve Respondent on or before November 20, 2023.

Proof of Service shows Respondent was personally served on November 21, 2023.

The court drops the matter from calendar due to the untimely service.

TENTATIVE RULING #4: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF TIMELY SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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

5. JENNIFER CURTIS V. LEON CURTIS

22FL0526

Petitioner filed a Request for Order (RFO) on September 18, 2023, requesting the court make orders as to guideline temporary spousal support and Family Code section 2030 attorney fees in the amount of \$6,000. Petitioner concurrently filed an Income and Expense Declaration. Additionally, Petitioner filed a Declaration in support of the request for attorney fees. Proof of Service shows Respondent was served by mail on September 19, 2023.

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

Respondent filed an RFO on October 24, 2023, requesting the court grant him exclusive use and control of the home located at 3801 Archetto Drive, El Dorado Hills, CA, to set aside the petition and allow Respondent to proceed by default. Respondent also requests the matter be bifurcated and for the court to proceed with a status only judgement. Proof of Service shows Petitioner was served on November 29, 2023. The court finds this service to be untimely.

Petitioner filed a Supplemental Declaration in support of attorney's fees on October 31, 2023. Respondent was served by mail and electronically on December 1, 2023.

Petitioner filed a Declaration as well as a Notice of Objection on December 1, 2023, objecting to the court considering Respondent's RFO as she was not timely served. Petitioner asserts service of the RFO was untimely, as Code of Civil Procedure section 1005(b) requires service 16 court days prior to the hearing, plus an additional five days for mail or two additional days for electronic service. Petitioner was served on November 29, 2023. Less than the 18 days required.

In Petitioner's Supplemental Declaration, she includes a proposed DissoMaster, based on Respondent's recently provided Income and Expense Declaration.

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

The court finds Respondent has not filed an Income and Expense Declaration with the court, therefore, the court adopts Petitioner's proposed DissoMaster attached to her December 1, 2023 Supplemental Declaration.

The court grants Petitioner's request for temporary guideline spousal support in the amount of \$8,710 per month per Petitioner's proposed DissoMaster. The court orders Respondent to pay Petitioner \$8,710 per month as and for temporary guideline spousal support effective October 1, 2023 and payable on the 1st of each month until further order of the court or termination by operation of law.

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The court finds this results in an arrears balance of \$26,130 for the months of October through December inclusive. The court orders Respondent to pay Petitioner \$2,177.50 per month as and for arrears effective January 15, 2024 and payable on the 15th of each month until paid in full (approximately 12 months). If there are any missed or late payments the full amount is due with legal interest.

In addition to her request for support, Petitioner is requesting attorney's fees and costs pursuant to Family Code section 2030. She states that Respondent has sufficient income and savings to pay for both her attorney's fees as well as his own.

The public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." In *Re Marriage of Keech*, 75 Cal. App. 4th 860, 866 (1999). This assures each party has access to legal representation to preserve each party's rights. It "is not the redistribution of money from the greater income party to the lesser income party," but rather "parity." *Alan S. v. Sup. Ct.*, 172 Cal. App. 4th 238, 251 (2009). In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2).

In accordance with Section 2030, the court finds Petitioner to have met her burden to establish all of the requisite elements that would support an award of attorney's fees. With comparable incomes of \$5,162 per month and \$45,000 per month there is certainly a disparity in each party's access to funds and thereby each party's access to counsel. Further, a monthly income of \$45,000 is sufficient to allow Respondent to pay for both parties' attorney's fees. Petitioner is requesting \$6,000 in attorney's fees though Counsel's declaration indicates that \$5,240.10 have been incurred with an additional \$3,000 anticipated. Additionally, in light of the support payments that are to commence, the disparity in income between the parties will decrease. As such, the court finds an award of \$5,000 to be just and reasonable at this time.

Petitioner is awarded \$5,000 as and for attorney's fees. Respondent may pay this amount to Petitioner in one lump sum or in monthly increments of \$1,000 due and payable on the 1st of each month commencing on January 1st and continuing until paid in full (approximately 5 months). If any payment is missed or late, the entire amount shall become immediately due with legal interest.

Respondent's RFO is dropped from calendar due to the lack of proper service.

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.

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TENTATIVE RULING #5: THE COURT FINDS RESPONDENT HAS NOT FILED AN INCOME AND EXPENSE DECLARATION, THEREFORE, THE COURT ADOPTS PETITIONER'S PROPOSED DISSOMASTER ATTACHED TO HER DECEMBER 1, 2023 SUPPLEMENTAL DECLARATION.

THE COURT GRANTS PETITIONER'S REQUEST FOR TEMPORARY GUIDELINE SPOUSAL SUPPORT IN THE AMOUNT OF \$8,710 PER MONTH PER PETITIONER'S PROPOSED DISSOMASTER. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$8,710 PER MONTH AS AND FOR TEMPORARY GUIDELINE SPOUSAL SUPPORT EFFECTIVE OCTOBER 1, 2023 AND PAYABLE ON THE 1ST OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT FINDS THIS RESULTS IN AN ARREARS BALANCE OF \$26,130 FOR THE MONTHS OF OCTOBER THROUGH DECEMBER INCLUSIVE. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$2,177.50 PER MONTH AS AND FOR ARREARS EFFECTIVE JANUARY 15, 2024 AND PAYABLE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF THERE ARE ANY MISSED OR LATE PAYMENTS THE FULL AMOUNT IS DUE WITH LEGAL INTEREST.

PETITIONER IS AWARDED \$5,000 AS AND FOR ATTORNEY'S FEES. RESPONDENT MAY PAY THIS AMOUNT TO PETITIONER IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$1,000 DUE AND PAYABLE ON THE 1ST OF EACH MONTH COMMENCING ON OR ABOUT JANUARY 1ST AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 5 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE WITH LEGAL INTEREST.

RESPONDENT'S RFO IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

6. JEREMY DAY V. RAVEN DAY

PFL20200495

Counsel for Respondent, Mr. Gregory Clark, filed a Motion to be Relieved as Counsel on September 19, 2023. Subsequent to the filing, Respondent filed a Substitution of Attorney, with Mr. Clark substituting out of the case. Therefore, the court finds the Motion to be Relieved is moot and drops this matter from calendar.

TENTATIVE RULING #6: THE MOTION TO BE RELIEVED AS COUNSEL IS MOOT, AS RESPONDENT HAS FILED A SUBSTITUTION OF ATTORNEY WITH MR. CLARK. THE MATTER IS DROPPED FROM CALENDAR.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

7. JOSE PELAYO V. ALEXIS RYKOWSKI

23FL0225

On September 25, 2023 Petitioner filed a Request for Order (RFO) requesting the court order Respondent to serve her Preliminary Declarations of Disclosure (PDD), and order sanctions pursuant to Family Code section 2107. Petitioner further requested the matter be set for trial. Respondent was served by mail on September 25, 2023.

Petitioner asserts Respondent filed her Response on April 14, 2023, but has failed to serve her PDD as required. Petitioner sent Respondent a letter on August 21, 2023 requesting Respondent serve her PDD forthwith.

Upon review of the court file, there is no Proof of Service showing Respondent served Petitioner with her PDD.

Parties to divorce proceedings are under the obligation to produce initial declarations of disclosure. Fam. Code § 2104. Where a party fails to comply with Section 2104, the complying party may, among other things, file a motion to compel and seek sanctions against the noncomplying party. Fam. Code § 2107(b)(1). Petitioner has established that he has complied with the requirements of Section 2104 and therefore Respondent is required to do the same. As such, Respondent is ordered to produce her full and complete preliminary and final declarations of disclosure no later than December 29, 2023.

Pursuant to Family Code section 2107(c) the court shall impose sanctions for failure to comply with disclosure requirements. The amount of the money sanctions should be sufficient to deter him or her from repeating the conduct or comparable conduct. The awarded amount is also to include reasonable attorney's fees, costs incurred, or both, unless the court finds that the non-complying party acted within substantial justification or that other circumstances make the imposition of the sanction unjust.

Here Petitioner is requesting \$2,500 in sanctions for Respondent's failure to comply with the requirements of Section 2104. Petitioner has not included a declaration from counsel setting forth the attorney's fees and/or costs incurred in pursuing this matter.

Further, in the present matter the court does not have an Income and Expense Declaration from Respondent. Therefore, the court is unaware of her financial circumstances. As such, the court is imposing monetary sanctions of \$60 for the filing fee, incurred for filing this motion. Respondent shall pay Petitioner \$60 on or before December 29, 2023. However, should Respondent continue to fail to make her disclosure requirements the court will impose additional sanctions in the future.

TENTATIVE RULING #7: THE COURT GRANTS PETITIONER'S MOTION TO COMPEL. RESPONDENT IS ORDERED TO PRODUCE HER FULL COMPLETE PRELIMINARY DECLARATIONS OF DISCLOSURE

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

NO LATER THAN DECEMBER 29, 2023. THE COURT IS IMPOSING MONETARY SANCTIONS OF \$60 FOR THE FILING FEE, INCURRED FOR FILING THIS MOTION. RESPONDENT SHALL PAY PETITIONER \$60 ON OR BEFORE DECEMBER 29, 2023. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

8. RICHARD BAKER V. KELSEY HICKENBOTTOM

23FL0172

On July 27, 2023, the court adopted its tentative ruling with modifications and set the matter for a review of the step-up plan on December 14, 2023. The court notes this matter has a companion case, case number 23FL0229. Because case number 23FL0172 was a request for a domestic violence restraining order, which was dropped, and 23FL0229 is a Petition to Establish a Parental Relationship, the court orders 23FL0229 shall be the lead case and all future filings shall be in 23FL0229.

Neither party has filed a supplemental declaration. As neither party has filed a supplemental declaration, the court reasonably infers there have been no issues with the step-up plan. Therefore, the court drops this matter from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #8: THE MATTER IS DROPPED FROM CALENDAR. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

9. STEVEN GIBSON V. STARR ROBINSON

PFL20190532

Petitioner filed a Request for Order (RFO) on May 26, 2023, requesting the court modify the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on July 17, 2023 and a review hearing on September 7, 2023. Respondent was served by mail on June 7, 2023.

Respondent filed an RFO on June 16, 2023, requesting the court modify the current orders for child custody and parenting time, as well as transfer the matter to Oregon. The parties' CCRC appointment and review hearing dates were confirmed. Petitioner was served by mail on June 16, 2023.

Only Respondent appeared for the CCRC appointment on July 17, 2023. As such, a single parent report was filed with the court on August 10, 2023. Copies were mailed to the parties on August 14, 2023.

Parties appeared for a Mandatory Settlement Conference on August 28, 2023. The parties agreed to be rereferred to CCRC and reset the review hearing date. The court rereferred the parties to CCRC with an appointment on October 30, 2023 and continued the review hearing from September 7 to December 14, 2023.

Both parties and the minor participated in the CCRC appointment on October 30, 2023. The parties were unable to reach any agreements. A report with recommendations was filed with the court on December 4, 2023. Copies were mailed to the parties the same day.

Petitioner has not filed a Responsive Declaration to Respondent's RFO.

Respondent has not filed a Responsive Declaration to Petitioner's RFO.

The court has read and considered the filings as set forth above. The court finds the recommendations as set forth in the December 4, 2023 CCRC report to be in the minor's best interest. The court adopts the recommendations as set forth with the following modifications. The court is not adopting items #2 and #3 on page 7 under the Parenting Time section. Petitioner shall have parenting time one time every other month on a weekend to be agreed to by the parties. If the parties are unable to agree, the visits shall be the 3rd weekend of the month in all odd months. (January, March, May, July, September, and November) Petitioner's parenting time shall take place in Oregon. On the weekend of the parenting time Petitioner shall have unsupervised parenting time from 10:00 AM to 6:00 PM. If Petitioner is required to only operate a vehicle with an interlock device, he shall only operate that vehicle if and when he transports the minor. The minor may refuse a particular visit, but not all future visits. Further, if the minor refuses the visit for a particular month, a visit shall be scheduled for the following

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

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

month. The court adopts all remaining recommendations of the CCRC report without modification.

As to Respondent's request to transfer the matter to Oregon, the court cannot order that the matter be transferred out of state. Rather, Respondent may open a case by registering the custody orders with the county in which she resides. The courts will then conduct a UCCJEA conference and determine which state is the home state and which state will have ongoing jurisdiction. Therefore, the court denies Respondent's request to transfer the matter to Oregon.

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 #9: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 4, 2023 CCRC REPORT TO BE IN THE MINOR'S BEST INTEREST. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH WITH THE FOLLOWING MODIFICATIONS. THE COURT IS NOT ADOPTING ITEMS #2 AND #3 ON PAGE 7 UNDER PARENTING PLAN. PETITIONER SHALL HAVE PARENTING TIME ONE TIME EVERY OTHER MONTH ON A WEEKEND TO BE AGREED TO BY THE PARTIES. IF THE PARTIES ARE UNABLE TO AGREE, THE VISITS SHALL BE THE 3RD WEEKEND OF THE MONTH IN ALL ODD MONTHS. (JANUARY, MARCH, MAY, JULY, SEPTEMBER, AND NOVEMBER) PETITIONER'S PARENTING TIME SHALL TAKE PLACE IN OREGON. ON THE WEEKEND OF THE PARENTING TIME PETITIONER SHALL HAVE UNSUPERVISED PARENTING TIME FROM 10:00 AM TO 6:00 PM. IF PETITIONER IS REQUIRED TO ONLY OPERATE A VEHICLE WITH AN INTERLOCK DEVICE, HE SHALL ONLY OPERATE THAT VEHICLE IF AND WHEN HE TRANSPORTS THE MINOR. THE MINOR MAY REFUSE A PARTICULAR VISIT, BUT NOT ALL FUTURE VISITS. FURTHER, IF THE MINOR REFUSES THE VISIT FOR A PARTICULAR MONTH, A VISIT SHALL BE SCHEDULED FOR THE FOLLOWING MONTH. THE COURT ADOPTS ALL REMAINING RECOMMENDATIONS IN THE CCRC REPORT WITHOUT MODIFICATION.

THE COURT DENIES RESPONDENT'S REQUEST TO TRANSFER THE MATTER TO OREGON FOR THE REASONS SET FORTH ABOVE.

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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

10A. APRIL LOCKHART V. DAVID MERCADO

PFL20200534

On October 5, 2023, the parties appeared before the court for hearing on a Request for Order (RFO) filed by Respondent. At the hearing, Petitioner requested a continuance for the issue of attorney's fees pursuant to Family Code § 3121. The continuance was granted, and a hearing was set for the present date.

Both Petitioner and Respondent filed their respective Income and Expense Declarations on October 26th. On October 27th Respondent filed and served Response to Petitioner [sic] Request for Attorney Fees. On November 2nd, Petitioner filed and served her Responsive Declaration Filed on Opctober [sic] 27, 2023 by David Mercado.

Respondent asks the court to deny Petitioner's request for attorney's fees and notes that Respondent has also requested attorney's fees but his request is reserved for trial. Respondent points to the fact that Petitioner's Income and Expense Declaration is incomplete, stating that she does list income of \$2,207 but she fails to disclose the source of that income. He also argues that an award of attorney's fees would be inequitable where Petitioner owes Respondent over \$20,000 in accordance with prior court orders.

Petitioner argues that Respondent's I&E is likewise deficient as he has failed to complete Section 7 and failed to provide a Schedule C or a profit and loss statement. He also fails to disclose rental income he receives under Section 6(b) and his real property equity under Section 11(c). Petitioner asks the court to order Respondent to file a complete I&E prior to ruling on her request for fees. She also requests sanctions pursuant to Family Code § 271 for Respondent's intentional misrepresentation regarding his income. Finally, she requests the court continue the January 20, 2024 trial date as the continuance on this motion will cut into her time to obtain counsel.

On November 9, 2023, the court adopted its tentative ruling continuing the matter to December 14, 2023, and ordering the parties to file updated *complete* Income and Expense Declarations.

Petitioner filed an updated Income and Expense Declaration on November 30, 2023. Respondent was served on November 30, 2023. Once again, Petitioner has not completely filled out the FL-150. Petitioner has included her Schedule C profit and loss statement as well as a Declaration with further explanation of her income. The court notes, Petitioner's Declaration is dated March 20, 2023.

Respondent filed an Income and Expense Declaration on December 1, 2023 as well as a Declaration. Petitioner was served on December 1, 2023. Respondent filed an additional

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

Declaration on December 4, 2023 with a Schedule K-1 attached as well as an additional Declaration.

Petitioner filed a Supplemental Declaration, which the court deems to be a Reply Declaration on December 7, 2023. Proof of Service shows Respondent was served on December 6, 2023.

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

The court has concerns about both parties Income and Expense Declarations. The court is concerned neither party has been completely forthright about their income or their expenses. The court notes both parties have claimed to earn less than their monthly expenses. Yet both parties also state they are not receiving help from others. Most significantly, Petitioner has once again failed to fill out the FL-150 completely, and therefore, the court will not consider it. As such, the court denies Petitioner's request for Family Code section 3121 attorney fees.

Even if the court had considered Petitioner's Income and Expense Declaration, the court would have denied Petitioner's request.

The public policy of Family Code section 2030, and by analogy 3121, is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." In *Re Marriage of Keech*, 75 Cal. App. 4th 860, 866 (1999). This assures each party has access to legal representation to preserve each party's rights. It "is not the redistribution of money from the greater income party to the lesser income party," but rather "parity." *Alan S. v. Sup. Ct.*, 172 Cal. App. 4th 238, 251 (2009). In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2).

Here, based on the parties filed Income and Expense Declarations, while there is a disparity between the parties' income, it is not significant. Further, the court cannot find Respondent has the ability to pay both for his attorney as well as Petitioner's attorney. The court considers this in light of the order for support as well as the arrears owing to Petitioner. Therefore, the court would also deny the request on the merits.

The court reserves jurisdiction on Petitioner's request for sanctions pursuant to Family Code section 271 until the time of trial. The court confirms the currently set trial dates.

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.

LAW & MOTION TENTATIVE RULINGS

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December 14, 2023

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

TENTATIVE RULING 10A: THE COURT DENIES PETITIONER'S REQUEST FOR FAMILY CODE SECTION 3121 ATTORNEY FEES FOR THE REASONS SET FORTH ABOVE. THE COURT RESERVES ON THE REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS UNTIL THE TIME OF TRIAL.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

12. AIMEE ELSE V. DANIEL ELSE

PFL20190360

On August 8, 2023, Petitioner filed a Request for Order (RFO) requesting the court modify the current orders for parenting time. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 25, 2023 and a review hearing on December 14, 2023. Respondent was served by mail with address verification as required on September 20, 2023. Petitioner is requesting the court suspend all parenting time with Respondent.

Petitioner filed an ex parte request for emergency orders on October 26, 2023, requesting the out of state parenting time for Respondent be suspended. Petitioner asserted Respondent missed the CCRC appointment. On October 30, 2023, the court denied the ex parte request, however, rereferred the parties to an emergency set CCRC appointment on November 7, 2023. Petitioner filed an RFO on October 30, 2023, requesting the same orders as set forth in the ex parte request, which mirror those of the August RFO. There is no Proof of Service of the ex parte orders rereferring the parties to CCRC, nor is there a Proof of Service of the October 30, 2023 filed RFO.

Nevertheless, both parties appeared for the CCRC appointment on November 7, 2023. The parties were unable to reach any agreements. A report with recommendations was filed with the court on December 5, 2023. A copy of the report was mailed to the parties on December 6, 2023.

Petitioner filed a Declaration on December 5, 2023. Respondent was served by mail on December 5, 2023. The Declaration was filed less than 10 days prior to the hearing and therefore, the court has not considered it.

The court has read and considered the filings as set forth above. The court admonishes Petitioner that her declarations are filed under penalty of perjury. It appears to the court some of the allegations raised in her declaration were misleading to the court. Should Petitioner continue to file declarations with false or misleading statements, the matter could be referred to the District Attorney's office.

Both parties are reminded of the Respect Guidelines and are admonished that the Respect Guidelines include their respective family members. Parties shall ensure that the Respect Guidelines are followed.

The court drops the October 30, 2023 RFO from calendar due to lack of proper service. The court adopts the recommendations as set forth in the December 5, 2023 CCRC report. All orders remain in full force and effect.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

TENTATIVE RULING #11: THE COURT DROPS THE OCTOBER 30, 2023 RFO FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 5, 2023 CCRC REPORT. ALL ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. THE COURT ADMONISHES PETITIONER THAT HER DECLARATIONS ARE FILED UNDER PENALTY OF PERJURY. IT APPEARS TO THE COURT THAT SOME OF THE ALLEGATIONS RAISED IN HER DECLARATION WERE MISLEADING TO THE COURT. SHOULD PETITIONER CONTINUE TO FILE DECLARATIONS WITH FALSE OR MISLEADING STATEMENTS, THE MATTER COULD BE REFERRED TO THE DISTRICT ATTORNEY'S OFFICE. BOTH PARTIES ARE REMINDED OF THE RESPECT GUIDELINES AND ARE ADMONISHED THAT THE RESPECT GUIDELINES INCLUDE THEIR RESPECTIVE FAMILY MEMBERS. PARTIES SHALL ENSURE THAT THE RESPECT GUIDELINES ARE FOLLOWED. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

12. ALEXANDER PARDO V. CHANTAL MITCHELL

PFL20180206

Petitioner filed a Request for Order (RFO) on August 9, 2023, requesting modifications of the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on October 25, 2023 and a review hearing on December 14, 2023. Respondent was served by mail on August 28, 2023.

Petitioner has requested a modification of child support as well, however, he did not file an Income and Expense Declaration nor serve Respondent with an Income and Expense Declaration, therefore, the court denies the request to modify child support.

Respondent filed a Responsive Declaration to Request for Order and an Income and Expense Declaration on October 9, 2023. There is no Proof of Service for these documents, therefore the court cannot consider them.

Petitioner filed a Declaration on December 4, 2023, with Talking Parents transcripts attached. Respondent was served by mail on December 4, 2023.

Both parties attended CCRC on October 25, 2023. They were unable to reach any agreements. A report with recommendations was filed with the court on December 14, 2023. Copies were mailed to the parties on the same day.

The court has read and considered the filing as outlined above. The court finds the recommendations as set forth in the December 4, 2023 CCRC report to be in the best interests of the minor. The court adopts the recommendations as its orders.

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 #12: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 4, 2023 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDERS. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE

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December 14, 2023

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

**MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS
ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

14. CAROL CARLISLE V. WILLIAM CARLISLE

PFL20150037

Petitioner filed a Request for Order (RFO) requesting the costs for appeal on September 14, 2023. Respondent was served by mail on September 27, 2023. Petitioner included a Memorandum of Costs on Appeal. Petitioner is requesting, as the prevailing party on appeal, the court order Respondent pay her \$653.84 for her costs on appeal. Petitioner has included invoices for her costs.

Respondent filed a Responsive Declaration on December 4, 2023. Proof of Service shows Petitioner was served by mail on December 4, 2023. The court finds this document to be late filed pursuant to Civil Procedure section 1005(b) which states all opposition papers are to be filed at least nine court days before the hearing date. Section 12c states, “[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12” (emphasis added). Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made November 30, 2023 the last day for filing the Responsive Declaration to Request for Order. Therefore, the document is late filed and has not been considered by the court.

The court grants Petitioner’s request for costs on appeal in the amount of \$653.84. Respondent shall pay Petitioner \$653.84 on or before December 29, 2023.

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 #14: THE COURT GRANTS PETITIONER’S REQUEST FOR COSTS ON APPEAL IN THE AMOUNT OF \$653.84. RESPONDENT SHALL PAY PETITIONER \$653.84 ON OR BEFORE DECEMBER 29, 2023. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

15. CATHERYN WADMAN V. MAX WADMAN

21FL0116

Petitioner filed an ex parte request for emergency orders on August 9, 2023. On August 11, 2023, the court partially granted Petitioner's request, and ordered the minor be returned to Petitioner's care and custody. The remaining orders were denied. Petitioner filed a Request for Order (RFO) on August 11, 2023, requesting the same orders as set forth in her ex parte request. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 30, 2023 and a review hearing on December 14, 2023. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO or the referral to CCRC.

Nevertheless, both parties appeared at CCRC. Parties were unable to reach any agreements. A report with recommendations was filed with the court on December 4, 2023 and mailed to the parties the same day.

Respondent has not filed a Responsive Declaration.

The court finds good cause to proceed with the matter as Respondent appeared for the CCRC appointment, fully participated, and is aware of the requests made by Petitioner. The court has read and considered the December 4, 2023 CCRC report and finds the recommendations to be in the best interests of the minor. The court adopts the recommendations as its order.

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 #15: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE MATTER AS RESPONDENT APPEARED FOR THE CCRC APPOINTMENT, FULLY PARTICIPATED, AND IS AWARE OF THE REQUESTS MADE BY PETITIONER. THE COURT HAS READ AND CONSIDERED THE DECEMBER 4, 2023 CCRC REPORT AND FINDS THE RECOMMENDATIONS TO BE IN THE BEST INTERESTS OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDER. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

16. DCSS V. KEVIN CONNER (OTHER PARENT: BROOKE ROSEN)

PFS20140211

Other Parent filed an ex parte request for emergency orders on August 7, 2023. On August 8, 2023, the court partially granted the order and partially denied the order, ordering the minor shall not be removed from the state of California. All other requests were denied on an ex parte basis. On August 9, 2023, Other Parent filed a Request for Order (RFO) making the same requests as set forth in her ex parte request. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 23, 2023 and a review hearing on December 14, 2023. Upon review of the court file, there is no Proof of Service showing Respondent was served with the ex parte orders, RFO, or referral to CCRC.

Nevertheless, both parties appeared for the CCRC appointment on October 23, 2023. The parties were unable to reach any agreements. A report with recommendations was filed with the court on December 4, 2023. Copies were mailed to the parties the same day.

Respondent has not filed a Responsive Declaration.

The court finds good cause to proceed with the matter as Respondent appeared for the CCRC appointment, fully participated, and is aware of the requests made by Petitioner. The court has read and considered the December 4, 2023 CCRC report and finds the recommendations to be in the best interests of the minor. The court adopts the recommendations as its order.

All prior orders not in conflict with this order remain in full force and effect. Other Parent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #16: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE MATTER AS RESPONDENT APPEARED FOR THE CCRC APPOINTMENT, FULLY PARTICIPATED, AND IS AWARE OF THE REQUESTS MADE BY PETITIONER. THE COURT HAS READ AND CONSIDERED THE DECEMBER 4, 2023 CCRC REPORT AND FINDS THE RECOMMENDATIONS TO BE IN THE BEST INTERESTS OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDER. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. OTHER PARENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

**MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS
ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

17. KELLI ALDERMAN V. ADAM ALDERMAN

PFL20070219

Petitioner filed a Request for Order (RFO) on August 9, 2023, requesting modifications to the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 27, 2023 and a review hearing on December 14, 2023. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO or referral to CCRC.

Nevertheless, both parties appeared for the CCRC appointment and were able to reach several agreements. The CCRC report with agreements and recommendations was filed with the court on October 31, 2023. Copies were mailed to the parties on December 6, 2023.

The court finds good cause to proceed with the matter as Respondent appeared for the CCRC appointment, fully participated, and is aware of the requests made by Petitioner. The court has read and considered the October 31, 2023 CCRC report and find the agreements and recommendations to be in the best interests of the minors. The court adopts the agreements and recommendations as its order. The court adds an additional term regarding joint legal custody: the parties are to communicate about all joint legal custody decisions via Talking Parents or similar application; Respondent shall respond to any inquiries by Petitioner about decisions within 72 hours; if Respondent fails to respond within 72 hours, Petitioner shall have final decision-making authority.

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 #17: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE MATTER AS RESPONDENT APPEARED FOR THE CCRC APPOINTMENT, FULLY PARTICIPATED, AND IS AWARE OF THE REQUESTS MADE BY PETITIONER. THE COURT HAS READ AND CONSIDERED THE OCTOBER 31, 2023 CCRC REPORT AND FINDS THE AGREEMENTS AND RECOMMENDATIONS TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS ITS ORDER. THE COURT ADDS AN ADDITIONAL TERM REGARDING JOINT LEGAL CUSTODY: THE PARTIES ARE TO COMMUNICATE ABOUT ALL JOINT LEGAL CUSTODY DECISIONS VIA TALKING PARENTS OR SIMILAR APPLICATION; RESPONDENT SHALL RESPOND TO ANY INQUIRIES BY PETITIONER ABOUT DECISIONS WITHIN 72 HOURS; IF RESPONDENT FAILS TO RESPOND WITHIN 72 HOURS, PETITIONER SHALL HAVE FINAL DECISION-MAKING AUTHORITY. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 14, 2023

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

TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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December 14, 2023

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

19. ROBERT THORNTON V. MELISSA MEANOR

PFL20140803

On June 15, 2023, the court adopted its tentative ruling and set a review hearing from December 14, 2023 to review the Petitioner's progress in random testing and to review the step-up plan.

On October 31, 2023, Respondent filed a Request for Order (RFO) requesting the case be transferred to Placer County. Upon review of the court file, there is no Proof of Service showing the RFO was served on Petitioner or Minor's Counsel.

Minor's Counsel filed a Statement of Issues and Contentions on December 4, 2023. Proof of Service shows both Petitioner and Respondent were electronically served on December 4, 2023. Minor's Counsel is requesting the court order Petitioner have unsupervised parenting time every other weekend from Friday after school or 3:30 pm to Monday morning drop off or 8:00 am at school. If Monday is a holiday, then drop off at school on Tuesday or 8:00 am. Petitioner to also have unsupervised parenting time every Wednesday from after school or 3:30 pm until 7:00 pm. Petitioner to abstain from alcohol or non-prescription drugs 24 hours prior to and during his parenting time. No overnights are to occur at Petitioner's girlfriend's home. Petitioner is to have up to two weeks of vacation with the minor over the summer. Minor's Counsel has also included Exhibit A, a proposed holiday schedule. Last, Minor's Counsel requests each party enroll in and complete a co-parenting class and submit proof of completion to the court.

Respondent filed a Responsive Declaration on December 7, 2023. Petitioner and Minor's Counsel were served on December 7, 2023. The court finds this document to be late filed pursuant to Civil Procedure section 1005(b) which states all opposition papers are to be filed at least nine court days before the hearing date. Section 12c states, "[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, excluding the day of the hearing as provided by Section 12." Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made November 30, 2023 the last day for filing the Responsive Declaration to Request for Order. Therefore, the document is late filed and has not been considered by the court.

Petitioner has not filed a Supplemental Declaration.

The court drops Respondent's RFO from calendar due to lack of proper service.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in Minor's Counsel's Statement of Issues and Contentions to be in the best interest of the minor. The court adopts the recommendations as its order, including

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the proposed holiday schedule. The parties are to provide proof of completion of the co-parenting class no later than March 15, 2024.

All prior orders not in conflict with this order remain in full force and effect. Minor's Counsel shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULINGS #19: THE COURT DROPS RESPONDENT'S RFO FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN MINOR'S COUNSEL'S STATEMENT OF ISSUES AND CONTENTIONS TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDER, INCLUDING THE PROPOSED HOLIDAY SCHEDULE. THE PARTIES ARE TO PROVIDE PROOF OF COMPLETION OF THE CO-PARENTING CLASS NO LATER THAN MARCH 15, 2024. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. MINOR'S COUNSEL SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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