

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**1. MELISSA CVITANOVIC V. NIKOLA CVITANOVIC**

**25FL0506**

On September 11, 2025, the parties appeared in Department 8 for hearing on competing requests for Domestic Violence Restraining Orders (DVRO) filed by both parties. The parties reached a full agreement, and they requested the court set a hearing on child and spousal support. The request was granted and a hearing was scheduled for the present date.

Petitioner filed her Income and Expense Declaration on November 25, 2025 and a Supplemental Declaration on November 26<sup>th</sup>. Respondent filed and served a Reply Brief and his Income and Expense Declaration on December 4<sup>th</sup> and 5<sup>th</sup> respectively.

Petitioner asks the court to utilize \$115,092 as Respondent's monthly income for purposes of calculating support, alternatively she requests the court utilize \$50,000 as Respondent's monthly income. She further requests support be retroactive to May 25, 2025, which is their date of separation. She asks that arrears be ordered to be paid in one lump sum.

According to Respondent, the court reserved retroactivity on support back to June 4, 2025, which is the initial date of filing Petitioner's DVRO request. Once support orders are made, Respondent asks that the court terminate its prior orders regarding the division of the mortgage and household utilities. He asks that the court enforce the order contained within the September 11<sup>th</sup> stipulation for the sale of the home and impose reasonable conditions upon doing so. He further requests an order precluding Petitioner from charging to Respondent's expense accounts and credit cards including, but not limited to, the Serrano Country Club account. Finally, he asks that the court reserve jurisdiction over determination of credits, offsets, and support arrears.

The requests regarding termination of the court's orders for payment of the mortgage and utilities, enforcement of the stipulation to sell the home, and an order precluding Petitioner from charging to Respondent's accounts are all outside the scope of the present hearing which was set only on the issues of spousal and child support. Unrelated relief must be sought by scheduling a separate hearing and using the mandatory Request for Order form. Accordingly, the court declines to rule on these requests.

The court is reserving jurisdiction on the issues of credits and offsets.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

There is a significant disparity in Respondent's estimated monthly income. As such, the parties are ordered to appear for the hearing on the issues of child support, spousal support, and arrears.

**TENTATIVE RULING #1: THE REQUESTS REGARDING TERMINATION OF THE COURT'S ORDERS FOR PAYMENT OF THE MORTGAGE AND UTILITIES, ENFORCEMENT OF THE STIPULATION TO SELL THE HOME, AND AN ORDER PRECLUDING PETITIONER FROM CHARGING TO RESPONDENT'S ACCOUNTS ARE ALL OUTSIDE THE SCOPE OF THE PRESENT HEARING WHICH WAS SET ONLY ON THE ISSUES OF SPOUSAL AND CHILD SUPPORT. UNRELATED RELIEF MUST BE SOUGHT BY SCHEDULING A SEPARATE HEARING AND USING THE MANDATORY REQUEST FOR ORDER FORM. *SEE* CAL. RULE CT. § 5.92. ACCORDINGLY, THE COURT DECLINES TO RULE ON THESE REQUESTS.**

**THE COURT IS RESERVING JURISDICTION ON THE ISSUES OF CREDITS AND OFFSETS.**

**THERE IS A SIGNIFICANT DISPARITY IN RESPONDENT'S ESTIMATED MONTHLY INCOME. AS SUCH, THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON THE ISSUES OF CHILD SUPPORT, SPOUSAL SUPPORT, AND ARREARS.**

**NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**2. MATHEW DAVIDSON V. RIVER MCDOLE**

**25FL0524**

On November 24, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders and an order for medical treatment of the minor. The court granted Respondent's request to take the minor to her medical appointment at UC Davis and granted an Order Shortening Time (OST) to be heard on the requests for sole legal custody and clarification of the prior orders. Petitioner has not filed a Responsive Declaration to Request for Order.

Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure "as an admission that the motion or other application is meritorious." El Dorado County, Local Rule 7.10.02(C). Here, the RFO was timely and properly served on Petitioner as per the OST deadline. He had notice of the pending requests and chose not to file an opposition to the RFO. As such, the court finds good cause to treat his failure to do so as an admission that the claims made in the RFO are meritorious.

Respondent's Supplemental Declaration in Support of Request for Order was filed and served on December 5, 2025.

Respondent is requesting sole legal custody of the minor as Petitioner has stopped communicating with her. She further requests the court clarify its prior orders to state that Petitioner must complete each step of the parenting plan before he can proceed to the next step.

Respondent's requests are granted. Respondent shall have sole legal custody of the minor. Additionally, regarding the current visitation schedule, the court is clarifying that Petitioner must complete each step of the step up plan consecutively. He may not skip any of the steps simply due to the passage of time, without completing the required visits.

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

**TENTATIVE RULING #2: RESPONDENT'S REQUESTS ARE GRANTED. RESPONDENT SHALL HAVE SOLE LEGAL CUSTODY OF THE MINOR. ADDITIONALLY, REGARDING THE CURRENT VISITATION SCHEDULE, THE COURT IS CLARIFYING THAT PETITIONER MUST COMPLETE EACH STEP OF THE STEP UP PLAN CONSECUTIVELY. HE MAY NOT SKIP ANY OF THE STEPS SIMPLY DUE TO THE PASSAGE OF TIME, WITHOUT COMPLETING THE REQUIRED VISITS.**

**RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

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LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**3. MARIEL DEZZANI-FORD V. DOMINIQUE DEZZANI-FORD**

**25FL0349**

On September 17, 2025, Petitioner filed a Request for Order (RFO) seeking child support, bifurcation, and restoration to her former name. She filed her Income and Expense Declaration concurrently therewith. All required documents were served by mail on September 19<sup>th</sup>.

Petitioner filed another RFO on October 9<sup>th</sup> along with an updated Income and Expense Declaration, an Attorney's Fees Declaration, and a Memorandum of Points and Authorities re Motion to Compel and Fees. All required documents were electronically served on October 13<sup>th</sup>.

Respondent has not filed a Responsive Declaration to Request for Order for either of the pending RFOs. Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure "as an admission that the motion or other application is meritorious." El Dorado County, Local Rule 7.10.02(C). Here, it appears the RFOs were both timely and properly served on Respondent. He had notice of the pending requests and chose not to file an opposition to either. As such, the court finds good cause to treat his failure to do so as an admission that the claims made in the RFOs are meritorious.

*Bifurcation and Name Restoration*

"The court may separately try one or more issues before the trial of the other issues if resolution of the bifurcated issue is likely to simplify the determination of the other issues." Cal. Rules of Ct. Rule 5.390(c). In dissolution proceedings, the court may bifurcate the issue of the dissolution of the marriage and enter a status only judgment. *Id.* at (c)(7); Fam. Code § 2337. In fact, it is the public policy of the state to favor bifurcation where the dissolution of marriage would otherwise be postponed due to issues of property, support, custody or attorney's fees. In re Marriage of Fink, 54 Cal. App. 3d 357 (1976). Nevertheless, despite the general policy in favor of bifurcation, the moving party must ensure that "[a]ll pension plans that have not been divided by court order that require joinder ..." have been joined. Cal. Rule Ct. 5.390(d)(1). A party seeking bifurcation is to submit a completed FL-315 evidencing such. Cal. Rule Ct. 5.390(a).

Here, Petitioner has filed all requisite documentation. While she identifies several military pension plans of Respondent's, she correctly states that they do not require joinder. For the foregoing reasons, the request for bifurcation is granted. The parties are ordered to appear for the hearing on this issue and on the issue of returning Petitioner to her former name.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

*Child Support*

Petitioner is requesting guideline child support for the two minor children based on a 100% time share. She also requests an order for child support add-ons. Because Respondent has not filed his Income and Expense Declaration, the court is left with only Petitioner's estimate of Respondent's monthly income.

Utilizing the figures as outlined in Petitioner's Income and Expense Declaration, the court finds that child support is \$3,310 per month. The court adopts the attached Xspouse report and orders Respondent to pay Petitioner \$3,310 per month as and for child support, payable on the 1<sup>st</sup> of the month until further order of the court or legal termination. This order is effective as of October 1, 2025.

The court finds the above order results in arrears in the amount of \$9,930 through and including December 1, 2025. The court orders Respondent pay Petitioner \$413.75 on the 15th of each month commencing on January 15, 2026 and continuing until paid in full (approximately 24 months). If any payment is late or missed the remaining balance is due in full with legal interest within five (5) days.

In addition to the foregoing monthly support payments, the parties are ordered to equally share in any uninsured medical care costs for the children and childcare costs when such costs are incurred as a result of employment or necessary education for employment. The parties are ordered to follow the procedures as set forth in the attached FL-192.

*Motion to Compel*

Petitioner asks the court to make the following orders: (1) Compel Respondent to produce his completed Preliminary Declarations of Disclosure within 30 days; (2) Compel Respondent to produce his verified responses to Petitioner's Request for Form Interrogatories, Set One within 30 days; (3) Order evidentiary sanctions against Respondent, in addition to all waived objections and order that he cannot present evidence on items failed to be disclosed on his preliminary disclosures; (4) Monetary sanctions against Respondent in the amount of \$4,000 for failure to comply with his disclosure and discovery responses; and (5) Set a return date to assess Respondent's compliance with the court's orders in 45 days.

Family Code section 2104 imposes on each party the obligation of making a preliminary disclosure of assets within the timeframe specified. For the party responding to

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

a Petition for Dissolution, the disclosure is due either concurrently with the response or within 60 days of filing the same. 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).

Here, Petitioner has established the necessary requirements for an order compelling Respondent's Preliminary Declaration of Disclosure. She has established that she has complied with her disclosure obligations under Section 2104, and she has further established Respondent's non-compliance. As such, her request for an order compelling Respondent to serve his Preliminary Declarations of Disclosure is granted. Respondent is ordered to serve full and complete Preliminary Declarations of Disclosure no later than January 8, 2026.

Turning to the issue of Form Interrogatories, "[t]he party to whom interrogatories have been propounded shall respond in writing under oath separately to each interrogatory ..." Cal. Civ. Pro. § 2030.210(a). Generally speaking, responses to interrogatories are due within 30 days of the date of service. Cal. Civ. Pro. § 2030.260. If a party fails to provide timely responses, that party waives any right to object to the interrogatories, and waives the right to produce writings in response. Cal. Civ. Pro. § 2030.290 (a). All responses to interrogatories, with the exception of objections only, are required to be made under oath signed by the party responding. Cal. Civ. Pro. § 2030.250.

Here, Petitioner has once again established grounds for a motion to compel. Petitioner has provided the court with copies of the discovery as well as the proofs of service thereof. As such, Petitioner's motion to compel is granted. Respondent shall provide full and complete verified responses, without objections, to Form Interrogatories, Set One, no later than January 8, 2026.

In addition to the requests for orders compelling discovery responses and disclosures, Petitioner is requesting evidentiary sanctions. Civil Procedure section 2023.030 vests the court with authority to order evidence sanctions which preclude the noncomplying party from supporting or opposing designated claims or defenses where that party has engaged in the misuse of the discovery process. Cal. Civ. Pro. § 2023.030(b) & (c). Misuse of the discovery process includes one's failure to respond to an authorized form of discovery. Cal. Civ. Pro. § 2023.010; See *also* Cal. Civ. Pro. § 2025.480(k). Likewise, Family Code § 2107(b)(2) allows for the imposition of evidence sanctions where the sanctioned party has failed to timely produce Preliminary Declarations of Disclosure. The court holds

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

broad discretion over the imposition of discovery sanctions. *Calvert Fire Ins. Co. v. Cropper*, 141 Cal. App. 3d 901 (1983).

While there is statutory authority to order the requested sanctions the court, in its discretion, feels that evidentiary sanctions are premature at this juncture. However, should Respondent fail to comply with the court orders herein, such sanctions may be appropriate in the future. As such, Petitioner's requests for evidentiary sanctions are denied without prejudice.

While evidentiary sanctions are not being granted, the court is granting monetary sanctions. Sanctions for are mandatory for one who "unsuccessfully makes *or opposes* a motion to compel a response...unless [the court] finds that one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust" Cal. Civ. Pro. §2030.290 (interrogatories). In all other circumstances, the imposition of discovery sanctions is permissive. See Cal. Civ. Pro. § 2023.030 (the court *may* impose monetary sanctions for misuse of the discovery process). Conduct subject to discretionary sanctions includes, but is not limited to, "[f]ailing to respond or submit to an authorized method of discovery." Cal. Civ. Pro. § 2023.010(d).

In addition to discovery sanctions, "...the court *shall*...impose monetary sanctions against" a party who fails to provide his or her disclosures in accordance with Family Code § 2104. Fam. Code § 2107(c). "Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and *shall* include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." *Id.*

Where sanctions are awarded, the amount imposed is to include "...the reasonable expenses, including attorney's fees, incurred by anyone as a result of..." the conduct of the party subject to sanction. Cal. Civ. Pro. 2023.030(a). A party requesting sanctions must establish that the amount requested is reasonable, was incurred as a result of discovery abuse, and the requesting party must already be liable for those expenses before the court can award the costs as sanctions. See *Tucker v. Pacific Bell Mobile Servs.*, 186 Cal. App. 4<sup>th</sup> 1548 (2010) (anticipated costs for future deposition could not be included in award of sanctions).

Here, Respondent did not oppose the motion to compel, therefore discovery sanctions are not mandatory. However, the court does find that he engaged in the misuse of the discovery process by failing to submit to authorized forms of discovery. He provides



LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

no justification for his actions therefore the court finds that the imposition of sanctions is warranted. Additionally, given Respondent's failure to timely serve his Preliminary Declarations of Disclosure, he is subject to sanctions under the Family Code as well.

As stated above, the sanctions must be reasonable, incurred as a result of the discovery abuse, and must have already been incurred. With that in mind, the court is not awarding sanctions for any anticipated fees as referenced in counsel's declaration. Likewise, the court is not awarding the entire \$937.50 for "meet and confer with opposing counsel regarding disclosures and discussion with client." At a billable rate of \$385 per hour, this would amount to approximately 2.4 hours worth of work. Where no disclosures or discovery responses were served, the court does not find it reasonable or necessary to engage in 2.4 hours of meet and confer discussions relating to the missing discovery. As such, this amount is being reduced to \$385 to account for one hour of time. Additionally, Petitioner cannot recover for her time spent preparing the motion for child support and bifurcation of status. Given that that motion is relatively simple, the court is reducing Petitioner's proposed \$2,518.78 for time spent preparing both motions to \$2,133.78 which the court finds to be a more reasonable amount associated with just the one motion.

Respondent is ordered to pay, directly to Petitioner's attorney, \$3,988.19 as and for sanctions. Given the amount of sanctions ordered, and considering Respondent's income and support obligations, the court is concerned with Respondent's ability to pay this amount in one lump sum. As such, this amount may be paid in monthly increments of \$100 commencing on January 1, 2026 and continuing until paid in full (approximately 30 months).

The request for a return date on the motion to compel is denied. If Respondent fails to comply with the court's orders made herein and Petitioner is inclined to seek additional sanctions, she will be required to do so by filing a properly noticed Request for Order form.

*Family Code § 271 Sanctions*

The court reserves jurisdiction over Petitioner's request for sanctions pursuant to Family Code § 271 until the time of trial.

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

**TENTATIVE RULING #3: THE REQUEST FOR BIFURCATION IS GRANTED. THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON THIS ISSUE AND ON THE ISSUE OF RESTORING PETITIONER'S PRIOR NAME.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**UTILIZING THE FIGURES AS OUTLINED IN PETITIONER'S INCOME AND EXPENSE DECLARATION, THE COURT FINDS THAT CHILD SUPPORT IS \$3,310 PER MONTH. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$3,310 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 1<sup>ST</sup> OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF OCTOBER 1, 2025.**

**THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$9,930 THROUGH AND INCLUDING DECEMBER 1, 2025. THE COURT ORDERS RESPONDENT PAY PETITIONER \$413.75 ON THE 15TH OF EACH MONTH COMMENCING ON JANUARY 15, 2026 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 24 MONTHS). IF ANY PAYMENT IS LATE OR MISSED THE REMAINING BALANCE IS DUE IN FULL WITH LEGAL INTEREST WITHIN FIVE (5) DAYS.**

**IN ADDITION TO THE FOREGOING MONTHLY SUPPORT PAYMENTS, THE PARTIES ARE ORDERED TO EQUALLY SHARE IN ANY UNINSURED MEDICAL CARE COSTS FOR THE CHILDREN AND CHILDCARE COSTS WHEN SUCH COSTS ARE INCURRED AS A RESULT OF EMPLOYMENT OR NECESSARY EDUCATION FOR EMPLOYMENT. THE PARTIES ARE ORDERED TO FOLLOW THE PROCEDURES AS SET FORTH IN THE ATTACHED FL-192.**

**PETITIONER'S MOTION TO COMPEL IS GRANTED. RESPONDENT SHALL PROVIDE FULL AND COMPLETE VERIFIED RESPONSES, WITHOUT OBJECTIONS, TO FORM INTERROGATORIES, SET ONE, AND HIS PRELIMINARY DECLARATIONS OF DISCLOSURE NO LATER THAN JANUARY 8, 2026. THE REQUESTS FOR EVIDENTIARY SANCTIONS ARE DENIED AND THE REQUEST FOR A RETURN HEARING IS DENIED.**

**RESPONDENT IS ORDERED TO PAY, DIRECTLY TO PETITIONER'S ATTORNEY, \$3,988.19 AS AND FOR SANCTIONS. THIS AMOUNT MAY BE PAID IN MONTHLY INCREMENTS OF \$100 COMMENCING ON JANUARY 1, 2026 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 30 MONTHS).**

**THE COURT RESERVES JURISDICTION OVER PETITIONER'S REQUEST FOR SANCTIONS PURSUANT TO FAMILY CODE § 271 UNTIL THE TIME OF TRIAL.**

**PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

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Fixed Shares	Father	Mother	Monthly figures		Cash Flow		
#of children	0	2	2025			Guideline	Proposed
% time with NCP	0.00 %	0.00 %	GUIDELINE		Comb. net spendable	14023	14023
Filing status	MFJ->	<-MFJ	Nets(adjusted)		Percent change	0%	0%
# exemptions	1 *	3 *	Father		Father		
Wages+salary	0	4557	10000		Payment cost/benefit	-3310	-3310
Self-employed income	0	0	Mother		Net spendable income	6690	6690
Other taxable income	0	0	Total		Change from guideline	0	0
TANF+CS received	0	0	Support		% of combined spendable	48%	48%
Other nontaxable income	10000	0	Addons		% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS		Total taxes	0	0
401(k) employee contrib	0	0	Alameda SS		Dep. exemption value	0	0
Adjustments to income	0	0	Total		# withholding allowances	0	0
SS paid prev marriage	0	0	-		Net wage paycheck	0	0
CS paid prev marriage	0	0	Settings changed		Mother		
Health insurance	0	475			Payment cost/benefit	3310	3310
Other medical expense	0	0			Net spendable income	7334	7334
Property tax expense	0	0	Proposed		Change from guideline	0	0
Ded interest expense	0	0	Tactic 9		% of combined spendable	52%	52%
Charitable contributions	0	0	CS		% of saving over guideline	0%	0%
Misc tax deductions	0	0	3310		Total taxes	59	59
Qual bus income ded	0	0	SS		Dep. exemption value	0	0
Required union dues	0	0	Total		# withholding allowances	0	0
Mandatory retirement	0	0	Saving		Net wage paycheck	3747	3747
Hardship deduction	0 *	0 *	Releases				
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Proposed CS

FC 4055 checking: ON

Per Child Information									
	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	0 - 100	0	0	0	Father	3310	Father	3310	Father
	0 - 100	0	0	0	Father	1217	Father	1217	Father
	0 - 100	0	0	0	Father	2094	Father	2094	Father

# NOTICE OF RIGHTS AND RESPONSIBILITIES REGARDING CHILD SUPPORT

## Childcare and Health Care Costs and Reimbursement Procedures

Your child support order may include a provision for payment of childcare or uninsured health care costs. Childcare costs may be included as part of the monthly child support payment or reimbursable as a percentage of the costs. If the childcare costs are included as part of the monthly child support payment, you must pay that amount each month until the court changes (modifies) the child support order. If you need to change your child support order because there has been a change in the cost of childcare, see page 2.

If you have a child support order that includes a provision for the reimbursement of a percentage of childcare costs or a portion of the child's or children's health care costs and those costs are not paid by insurance, the **law says**:

1. **Notice.** You must give the other parent an itemized statement of the charges that have been billed for any childcare costs or health care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 90 days after those costs were given to you.
2. **Proof of full payment.** If you have already paid all of the childcare costs or uninsured health care costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.
3. **Proof of partial payment.** If you have paid only your share of the childcare costs or uninsured health care costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the childcare or health care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.
4. **Payment by notified parent.** If you receive notice from a parent that a childcare or uninsured health care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.
5. **Going to court.** Sometimes parents get into disagreements about childcare and health care costs. If you and the other parent cannot resolve the situation after talking about it, you can request that the court make a decision.
- a. **Disputed requests for payment.** If you dispute a request for payment made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay the requested amount before filing your request.
- b. **Nonpayment.** If you claim that the other parent has failed to pay you back for a payment, or they have failed to make a payment to the provider after proper notice, you may file a request for the court to resolve the dispute.
- c. **Paid charges.** The court will presume that if uninsured health care costs or childcare costs for employment or necessary training for job skills have been paid, those costs were reasonable. If you want to dispute paid charges, you will have to show the court that the costs were unreasonable.
- d. **Attorney's fees.** If the court decides one parent has been unreasonable, it can order that parent to pay the other parent's attorney's fees and costs.
- e. **Court forms.** Use forms [FL-300](#) and [FL-490](#) to get a court date. See form [FL-300-INFO](#) for information about completing, filing, and serving your court papers.
6. **Court-ordered insurance coverage.** If a parent provides health care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health care costs.
  - a. **Burden to prove.** The parent claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.
  - b. **Cost of additional coverage.** If a parent purchases health care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.
7. **Preferred health providers.** If the court-ordered coverage designates a preferred health care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any parent uses a health care provider other than the preferred provider, any health care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the parent incurring those costs.
8. **Need help?** Contact the [family law facilitator](#) in your county or call your county's bar association and ask for an experienced family lawyer.

## Information Sheet on Changing a Child Support Order

### General Info

The court has made a child support order in your case. This order will remain the same unless one of the parents requests that the support be changed (modified). An order for child support can be modified by filing a request to change child support and serving the other parent. If both parents agree on a new child support amount, they can complete, sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350). (**Note:** If the local child support agency is involved in your case, it must be served with any request to change child support and approve any agreement.)

### Online Self-Help Guide

For more information about how child support works, visit: <https://selfhelp.courts.ca.gov/child-support>.

### When a Child Support Order May Be Changed

The court considers several things when ordering the payment of child support.

- First, the number of children is considered, along with the percentage of time each parent has physical custody of the children.
- Next, the net disposable incomes of both parents are determined (which is how much money is left each month after taxes and certain other items like health insurance, union dues, or other child support ordered and paid are subtracted from a parent's paycheck). The court can also look at a parent's earning ability.
- The court considers both parents' tax filing status and may consider hardships, such as the cost of raising the parent's child from another relationship who lives with the parent.

A parent can request to change an existing order for child support when circumstances change significantly. For example if the net disposable income of one of the parents changes, parenting time changes, or a new child is born.

### Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based on having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

### How to Change a Child Support Order

To change a child support order, you must file papers with the court. **Remember:** You must follow the order you have now.

### What forms do I need?

If you are asking to change a child support order, you must fill out one of these forms:

- Form FL-300, *Request for Order* or
- Form FL-390, *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms, and attach proof of income for the past two months (like your paycheck stubs):

- Form FL-150, *Income and Expense Declaration* or
- Form FL-155, *Financial Statement (Simplified)*

### What if I am not sure which forms to fill out?

Contact the family law facilitator in your county. You can find them here: [www.courts.ca.gov/selfhelp-facilitators.htm](http://www.courts.ca.gov/selfhelp-facilitators.htm).

**After you fill out the forms**, file them with the court clerk and ask for a hearing date. Write the hearing date on the form. The clerk may ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form FW-001, *Request to Waive Court Fees* and
- Form FW-003, *Order on Court Fee Waiver (Superior Court)*

**You must serve the other parent.** If the local child support agency is involved, serve it too.

- This means someone 18 or over—not you—must deliver copies of your filed court forms to the other parent, at least **16 court days** before the hearing. Add **5 calendar days** if delivered by mail within California (see Code of Civil Procedure section 1005 for other situations).
- **Court days** are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to: [www.courts.ca.gov/holidays.htm](http://www.courts.ca.gov/holidays.htm).

Blank copies of both of these forms must also be served:

- Form FL-320, *Responsive Declaration to Request for Order*
- Form FL-150, *Income and Expense Declaration*

Then the server fills out and signs a *Proof of Service*. Take this form, plus one copy, to the clerk and file it at least one week before your hearing.

**Go to your hearing and ask the judge to change the support.** Bring your tax returns from the last two years and your proof of income for the past two months (like your paycheck stubs). The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- Form FL-340, *Findings and Order After Hearing* and
- Form FL-342, *Child Support Information and Order Attachment*

### Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

## Information About Child Support for Incarcerated or Confined Parents

- 1. Child support.** As of September 27, 2022, child support automatically stops if the parent who has to pay is confined against their will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution.

**Exception.** Child support does not automatically stop if the parent who has to pay has money available to pay child support.

- 2. Past confinement.** Child support also automatically stops during past confinement if it was ordered from October 8, 2015, through December 31, 2019, or January 1, 2021, through September 26, 2022, and the parent who has to pay was confined for more than 90 days in a row during the same time frame.

**Exceptions for past confinement.** Child support does not automatically stop if the parent who has to pay was in jail or prison for failing to pay child support or for domestic violence against the other parent or the child, or if they had money available to pay support.

- 3. Timing.** The date child support automatically restarts will depend on the parent's release date. If you need to change your child support order, see page 2.

- a. If released before January 1, 2024,** child support automatically restarts the first day of the first full month after the parent is released.
- b. If released after January 1, 2024,** child support will automatically restart the first day of the 10th month after the parent is released.

**Employment before the 10-month period ends:** If the parent who has to pay support starts working before the date child support is set to automatically restart, the person who is owed support or the local child support agency can request the court restart the child support order early. The court may order a different amount of child support if appropriate.

- 4. More info.** For more information about child support and incarcerated parents, see Family Code section 4007.5 or go to <https://selfhelp.courts.ca.gov/child-support/incarcerated-parent>. You can also contact the family law facilitator in your county and can find them here: [www.courts.ca.gov/selfhelp-facilitators.htm](http://www.courts.ca.gov/selfhelp-facilitators.htm).

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**4. CRYSTAL HATFIELD V. PAUL HATFIELD**

**24FL0471**

On September 12, 2025, Petitioner filed a Request for Order (RFO) seeking a variety of orders and monetary sanctions. All required documents were electronically served on September 24<sup>th</sup>.

Respondent filed and served his Responsive Declaration to Request for Order on November 21<sup>st</sup>.

Petitioner brings her RFO requesting the following orders: (1) Sanctions in the amount of \$301,298.19 pursuant to Family Code §§ 1101 and 721 for Respondent's breach of fiduciary duty, alternatively she requests a true-up payment of spousal support; (2) Disbursement of half of the community funds Respondent received in January 2025; (3) Compel Respondent's compliance with Moon, Schwartz, and Madden; and (4) Sanctions in the amount of \$5,000 pursuant to Family Code § 271.

Respondent opposes the requests for sanctions under all statutes cited by Petitioner. He further opposes the distribution of the funds, arguing that the funds he received are separate property. He asks that the court defer any orders regarding a true-up spousal support payment until the time of trial as he is of the belief that he has overpaid in support. Finally, he states he has complied with Moon, Schwartz, and Madden by turning over all documents in his possession.

Regarding the Moon, Schwartz and Madden (MSM) request, while it appears there is a disagreement over whether or not Respondent has disclosed his documents to MSM, to the extent he has not done so, Respondent is ordered to provide MSM with all documents requested within three days of their request.

Given that the parties are set to commence trial on all issues on January 13, 2026, the remaining requests are continued to join with trial. The court reserves jurisdiction on all requests for sanctions and on the issue of a true-up payment on spousal support.

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

**TENTATIVE RULING #4: REGARDING THE MOON, SCHWARTZ AND MADDEN (MSM) REQUEST, WHILE IT APPEARS THERE IS A DISAGREEMENT OVER WHETHER OR NOT RESPONDENT HAS DISCLOSED HIS DOCUMENTS TO MSM, TO THE EXTENT HE HAS NOT DONE SO, RESPONDENT IS ORDERED TO PROVIDE MSM WITH ALL DOCUMENTS REQUESTED WITHIN THREE DAYS OF THEIR REQUEST.**



LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**GIVEN THAT THE PARTIES ARE SET TO COMMENCE TRIAL ON ALL ISSUES ON JANUARY 13, 2026, THE REMAINING REQUESTS ARE CONTINUED TO JOIN WITH TRIAL. THE COURT RESERVES JURISDICTION ON ALL REQUESTS FOR SANCTIONS AND ON THE ISSUE OF A TRUE-UP PAYMENT ON SPOUSAL SUPPORT.**

**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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**5. ASHLEY KELLEY V. ANDREW HOLVICK**

**PFL20150291**

On September 15, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. The RFO was originally filed ex parte, as such, Petitioner filed her Responsive Declaration to Request for Order on September 12<sup>th</sup>. The request was denied ex parte but the matter was referred to Child Custody Recommending Counseling (CCRC), and a review hearing was set for the present date.

Respondent is requesting sole legal and sole physical custody of the minor. He further asks that the parties be ordered to utilize Talking Parents for all communications.

Petitioner opposes the requests and asks that the current orders remain in place.

The parties attended CCRC on October 10<sup>th</sup> but they were unable to reach any agreements. A report with recommendations was prepared on November 10, 2025. It was mailed to the parties on November 12<sup>th</sup>.

After reviewing the filings as outlined above, the court finds the recommendations contained in the November 10, 2025 CCRC report to be in the best interests of the minor and they are therefore hereby adopted as the orders of the court.

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

**TENTATIVE RULING #5: THE COURT FINDS THE RECOMMENDATIONS CONTAINED IN THE NOVEMBER 10, 2025 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR AND THEY ARE THEREFORE HEREBY ADOPTED AS THE ORDERS OF THE COURT. 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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**7. APRIL LOCKHART V. DAVID MERCADO**

**PFL20200534**

On August 5, 2025, the parties appeared before the court for a two-day evidentiary hearing at which time the court made a variety of custody and visitation orders. A review hearing was set for the present date to assess the progress of therapy, co-parenting, decision-making, and communication with Minor's Counsel. Supplemental Declarations, if any, were ordered to be filed no later than 10 days prior to the hearing.

Minor's Counsel's Statement was filed and served on November 20, 2025.

Petitioner filed and served a Status Update on November 25<sup>th</sup>.

The Supplemental Declaration of Respondent, David Mercado, was filed and served on December 1<sup>st</sup>.

On December 3<sup>rd</sup>, Petitioner filed and served a Status Update Supplemental Declaration Response to Respondents' Supplemental Declaration. This was filed less than the ordered 10 days and therefore it is late filed and the court has not considered it.

On December 5<sup>th</sup> Respondent filed and served: (1) Objection to Petitioner's Declaration & Reply Declaration Exceeding Page Limits Under CRC 5.11; (2) Objection to Petitioner's Introduction of Exhibits; and (3) a Declaration. While the court will consider the objections as they are timely, Respondent's Declaration was filed after the 10 day cutoff date and therefore it will not be considered.

On December 5<sup>th</sup>, Petitioner filed and served the following: (1) Petitioner's Reply to Respondent's Objection to Exhibits and Request for Sanctions under Family Code § 271; (2) Petitioner's Declaration in Response to Respondent's Objection to Declaration Length Under CRC 5.111.

Respondent's objections are sustained. The court has not read or considered any portion of Petitioner's declaration that exceeds the applicable page limit as set forth in California Rules of Court 5.111. Additionally, the court has not read or considered Petitioner's proposed exhibits due to Petitioner's failure to properly serve the same. Petitioner is admonished that a litigant acting pro per is held to the same standard as an attorney and is therefore required to comply with the Rules of Court and Rules of Civil Procedure.

After reviewing the filings as outlined above the court finds the current orders remain in the best interests of the child. The court is not inclined to grant final decision-making

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

authority or sole legal, sole physical custody to either party, though the parties continue to make these requests. There are no grounds for either order at this time. Likewise, the court is not removing Minor's Counsel. The parties must learn to co-parent for the sake of the minor. That said, the court is granting the requests of Minor's Counsel.

If the minor is not currently working with a tutor, the parties are to confer and mutually select an academic tutor for the minor. Should they fail to reach an agreement, each party shall provide Minor's Counsel with the names and contact information of three (3) currently available tutors within seven (7) days of the date of this order. Minor's Counsel shall exercise final selection authority from the submitted options within the following seven (7) days.

Once selected, the minor shall participate in the tutoring process until one of the following conditions is met: (a) the selected tutor determines that continued services are no longer required, or (b) both parents, having conferred with the minor's educational providers, mutually agree that the tutoring process is no longer necessary. The parties are to equally share in the cost of tutoring.

All prior orders not in conflict with this order remain in full force and effect. The parties are admonished to comply with all court orders or they may be held in contempt of court which may result in monetary or criminal sanctions.

Respondent's request for monetary sanctions is denied as the court finds that both parties have equally acted without regard for the state's policy of favoring settlement and decreasing the cost of litigation.

Minor's Counsel shall prepare the Findings and Orders After Hearing.

**TENTATIVE RULING #7: RESPONDENT'S OBJECTIONS ARE SUSTAINED. THE COURT HAS NOT READ OR CONSIDERED ANY PORTION OF PETITIONER'S DECLARATION THAT EXCEEDS THE APPLICABLE PAGE LIMIT AS SET FORTH IN CALIFORNIA RULES OF COURT 5.111. ADDITIONALLY, THE COURT HAS NOT READ OR CONSIDERED PETITIONER'S PROPOSED EXHIBITS DUE TO PETITIONER'S FAILURE TO PROPERLY SERVE THE SAME. PETITIONER IS ADMONISHED THAT A LITIGANT ACTING PRO PER IS HELD TO THE SAME STANDARD AS AN ATTORNEY AND IS THEREFORE REQUIRED TO COMPLY WITH THE RULES OF COURT AND RULES OF CIVIL PROCEDURE.**

**AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE THE COURT FINDS THE CURRENT ORDERS REMAIN IN THE BEST INTERESTS OF THE CHILD. THE COURT IS NOT**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**INCLINED TO GRANT FINAL DECISION-MAKING AUTHORITY OR SOLE LEGAL, SOLE PHYSICAL CUSTODY TO EITHER PARTY, THOUGH THE PARTIES CONTINUE TO MAKE THESE REQUESTS. THERE ARE NO GROUNDS FOR EITHER ORDER AT THIS TIME. LIKEWISE, THE COURT IS NOT REMOVING MINOR'S COUNSEL. THE PARTIES MUST LEARN TO CO-PARENT FOR THE SAKE OF THE MINOR. THAT SAID, THE COURT IS GRANTING THE REQUESTS OF MINOR'S COUNSEL.**

**IF THE MINOR IS NOT CURRENTLY WORKING WITH A TUTOR, THE PARTIES ARE TO CONFER AND MUTUALLY SELECT AN ACADEMIC TUTOR FOR THE MINOR. SHOULD THEY FAIL TO REACH AN AGREEMENT, EACH PARTY SHALL PROVIDE MINOR'S COUNSEL WITH THE NAMES AND CONTACT INFORMATION OF THREE (3) CURRENTLY AVAILABLE TUTORS WITHIN SEVEN (7) DAYS OF THE DATE OF THIS ORDER. MINOR'S COUNSEL SHALL EXERCISE FINAL SELECTION AUTHORITY FROM THE SUBMITTED OPTIONS WITHIN THE FOLLOWING SEVEN (7) DAYS.**

**ONCE SELECTED, THE MINOR SHALL PARTICIPATE IN THE TUTORING PROCESS UNTIL ONE OF THE FOLLOWING CONDITIONS IS MET: (A) THE SELECTED TUTOR DETERMINES THAT CONTINUED SERVICES ARE NO LONGER REQUIRED, OR (B) BOTH PARENTS, HAVING CONFERRED WITH THE MINOR'S EDUCATIONAL PROVIDERS, MUTUALLY AGREE THAT THE TUTORING PROCESS IS NO LONGER NECESSARY. THE PARTIES ARE TO EQUALLY SHARE IN THE COST OF TUTORING.**

**ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. THE PARTIES ARE ADMONISHED TO COMPLY WITH ALL COURT ORDERS OR THEY MAY BE HELD IN CONTEMPT OF COURT WHICH MAY RESULT IN MONETARY OR CRIMINAL SANCTIONS.**

**RESPONDENT'S REQUEST FOR MONETARY SANCTIONS IS DENIED AS THE COURT FINDS THAT BOTH PARTIES HAVE EQUALLY ACTED WITHOUT REGARD FOR THE STATE'S POLICY OF FAVORING SETTLEMENT AND DECREASING THE COST OF LITIGATION.**

**MINOR'S COUNSEL SHALL PREPARE 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 PHONE CALL 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***

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

**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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**8. JONATHAN PEARCE V. ELIZABETH MONROE**

**24FL0151**

On September 9, 2025, Petitioner filed a Request for Order (RFO) seeking entry of judgment and monetary sanctions. He filed a Declaration of Attorney concurrently therewith. All required documents were served by mail on September 23<sup>rd</sup>. Respondent has not filed a Responsive Declaration to Request for Order.

Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure “as an admission that the motion or other application is meritorious.” El Dorado County, Local Rule 7.10.02(C). Here, it appears the RFO was timely and properly served on Respondent. She had notice of the pending requests and chose not to file an opposition to the RFO. As such, the court finds good cause to treat her failure to do so as an admission that the claims made in the RFO are meritorious.

Petitioner is requesting entry of judgment pursuant to the signed Marital Settlement Agreement (MSA) of the parties and sanctions in the amount of \$2,100 for the necessity of filing the present motion.

The court may, upon motion of either of the parties, enter judgment pursuant to an MSA signed by both of the parties outside the presence of the court. Cal. Civ. Pro. § 664.6.

After reviewing the filings of Petitioner, it does appear that the parties have entered into a valid MSA which has been fully executed. As such, the request to enter judgment is granted.

Petitioner is requesting sanctions pursuant to Family Code § 271 which states, in pertinent part, “...the court may base an award of attorney’s fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation of the parties and attorneys. An award of attorney’s fees and costs pursuant to this section is in the nature of a sanction.” Fam. Code § 271(a). While the purpose of Section 271 is to impose a punitive sanction, the court is not to impose a sanction that would create an “unreasonable financial burden on the party against whom the sanction is imposed.” *Id.*

The request for sanctions is granted in part. While the court is not necessarily bound by the amount of attorney’s fees already incurred, here, the court finds it reasonable to award sanctions in the amount of attorney’s fees incurred by Petitioner due to Respondent’s failure to sign and notarize the MSA. The court finds this amount to be

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

sufficient to deter similar conduct by Respondent in the future. As such, Respondent is ordered to pay \$1,005 to Petitioner's attorney, as and for sanctions pursuant to Family Code § 271. This amount is to be paid out of Respondent's portion of the community property.

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

**TENTATIVE RULING #8: THE REQUEST TO ENTER JUDGMENT IS GRANTED. RESPONDENT IS ORDERED TO PAY \$1,005 TO PETITIONER'S ATTORNEY, AS AND FOR SANCTIONS PURSUANT TO FAMILY CODE § 271. THIS AMOUNT IS TO BE PAID OUT OF RESPONDENT'S PORTION OF THE COMMUNITY PROPERTY. 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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**9. STEVE SCHRATZ V. PAMELA SCHRATZ**

**25FL0454**

On September 16, 2025, Respondent filed a Request for Order (RFO) seeking to enforce current spousal support orders and collect on spousal support arrears and to compel further disclosures. She filed her Income and Expense Declaration concurrently therewith. She filed an amended RFO the same day. All required documents were personally served on September 22<sup>nd</sup>.

Petitioner filed and served his Responsive Declaration to Request for Order and a Declaration in Support of Response to Request for Order on November 18<sup>th</sup>.

On November 24<sup>th</sup>, Respondent filed her Declaration Regarding Service of Declaration of Disclosure.

Respondent brings her RFO requesting half of each of the following assets: (1) House on Bullion Bend Road in Pollock Pines; (2) House on Forebay Road in Pollock Pines; (3) Petitioner's 401(k) account; (4) Petitioner's Roth account and (5) the "company business." She also asks the court to enforce the current spousal support orders and establish a collection method for \$27,500 in arrears. She further asks that Petitioner be compelled to provide further disclosures.

Petitioner opposes the requests. He argues that he made substituted payments towards Respondent's living expenses which often exceeded \$750 per month and which were intended and accepted as support by Respondent. He states the Bullion Bend Road property and Petitioner's 401(k) were both included in the MSA entered into by the parties in May of 2017. He argues the Forebay Road property and his Roth account were both obtained after a legal separation judgment was entered on May 3, 2017. He further states that the "company business" referred to by Respondent is in fact owned by his brothers and there is only an informal, non-binding agreement that he may receive compensation if the company sells. Finally, Petitioner requests sanctions pursuant to Family Code § 271.

Respondent's requests are denied in their entirety. Respondent has failed to establish non-payment of support either monetarily or by way of substituted payments for her monthly expenses. The requests regarding the Bullion Bend property and Petitioner's 401(k) were included in the MSA and thus ruling on these requests is barred by the doctrine of res judicata. Respondent has failed to provide evidence that the Forebay Road property and the Roth account were obtained prior to separation and therefore she has failed to establish that she has a right of half of these assets. These requests are denied without prejudice. Likewise, the request regarding the business is denied without prejudice.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

Petitioner's request for Section 271 sanctions is denied as the court is concerned with Respondent's ability to pay.

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

**TENTATIVE RULING #9: RESPONDENT'S REQUESTS ARE DENIED IN THEIR ENTIRETY. RESPONDENT HAS FAILED TO ESTABLISH NON-PAYMENT OF SUPPORT EITHER MONETARILY OR BY WAY OF SUBSTITUTED PAYMENTS FOR HER MONTHLY EXPENSES. THE REQUESTS REGARDING THE BULLION BEND PROPERTY AND PETITIONER'S 401(K) WERE INCLUDED IN THE MSA AND THUS RULING ON THESE REQUESTS IS BARRED BY THE DOCTRINE OF RES JUDICATA. RESPONDENT HAS FAILED TO PROVIDE EVIDENCE THAT THE FOREBAY ROAD PROPERTY AND THE ROTH ACCOUNT WERE OBTAINED PRIOR TO SEPARATION AND THEREFORE SHE HAS FAILED TO ESTABLISH THAT SHE HAS A RIGHT OF HALF OF THESE ASSETS. THESE REQUESTS ARE DENIED WITHOUT PREJUDICE. LIKEWISE, THE REQUEST REGARDING THE BUSINESS IS DENIED WITHOUT PREJUDICE.**

**PETITIONER'S REQUEST FOR SECTION 271 SANCTIONS IS DENIED AS THE COURT IS CONCERNED WITH RESPONDENT'S ABILITY TO PAY.**

**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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**10. TARA WORTH V. MICHAEL WORTH**

**25FL0593**

Petitioner filed and served a Request for Order (RFO) on September 18, 2025, seeking child support, spousal support, and attorney's fees. She filed her Income and Expense Declaration concurrently therewith.

Respondent filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration on November 18<sup>th</sup>.

Petitioner filed and served her Reply Declaration on November 26<sup>th</sup>.

Petitioner is requesting child and spousal support in the amount of \$12,519 per month. This is based on a timeshare of 93/7. She further requests \$12,000 in need-based attorney's fees.

Respondent consents to guideline support but argues that the timeshare for child support is 50/50. He further argues substantial financial hardship. Once support orders are made, Respondent asks that Petitioner no longer make charges to Respondent's credit card. He opposes the request for attorney's fees.

Utilizing the same figures as outlined in the attached Xspouse report, the court finds that for the period of time from September 15, 2025 to October 15, 2025 the parties were following a 93/7 timeshare therefore child support was \$2,680 per month and spousal support, per the Alameda formula, was \$3,171 per month.

Commencing on October 15, 2025 and continuing thereafter the parties began following a 50/50 timeshare therefore the court finds that spousal support per the Alameda formula is \$2,766 per month and child support is \$2,020 per month. The court adopts the attached Xspouse report and orders Respondent to pay Petitioner \$4,786 per month as and for child support and temporary spousal support, payable on the 15<sup>th</sup> of the month until further order of the court or legal termination.

The court finds the above order results in arrears in the amount of \$15,423 through and including November 15, 2025. The court orders Respondent pay Petitioner \$1,285.25 on the 1<sup>st</sup> of each month commencing on January 1, 2026 and continuing until paid in full (approximately 12 months). If any payment is late or missed the remaining balance is due in full with legal interest within five (5) days.

Regarding Petitioner's request for attorney's fees, the public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

circumstances of the parties, parity between spouses in their ability to obtain effective legal representation.” In *Re Marriage of Keech*, 75 Cal. App. 4<sup>th</sup> 860, 866 (1999). This ensures 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. 4<sup>th</sup> 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). Family Code section 2032 works in tandem with Section 2030 to ensure that any award of costs and fees is just and reasonable. Fam. Code § 2032.

Here, the court does find there to be a significant disparity in income. The court further finds that Respondent does have access to funds to pay for the attorney’s fees of himself and those of Petitioner. As such, the court does find grounds to award need-based attorney’s fees. Respondent is ordered to pay, directly to Petitioner’s attorney, \$12,000 as and for attorney’s fees pursuant to Family Code § 2030. This amount may be paid in one lump sum or in monthly increments of \$1,500 commencing on January 1, 2026 and continuing until paid in full (approximately 8 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

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

**TENTATIVE RULING #10: UTILIZING THE SAME FIGURES AS OUTLINED IN THE ATTACHED XSPOUSE REPORT, THE COURT FINDS THAT FOR THE PERIOD OF TIME FROM SEPTEMBER 15, 2025 TO OCTOBER 15, 2025 CHILD SUPPORT WAS \$2,680 PER MONTH AND SPOUSAL SUPPORT, PER THE ALAMEDA FORMULA, WAS \$3,171 PER MONTH.**

**COMMENCING ON OCTOBER 15, 2025, THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$2,766 PER MONTH AND CHILD SUPPORT IS \$2,020 PER MONTH. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$4,786 PER MONTH AS AND FOR CHILD SUPPORT AND TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 15<sup>TH</sup> OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION.**

**THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$15,423 THROUGH AND INCLUDING NOVEMBER 15, 2025. THE COURT ORDERS RESPONDENT PAY PETITIONER \$1,285.25 ON THE 1<sup>ST</sup> OF EACH MONTH COMMENCING**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**ON JANUARY 1, 2026 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF ANY PAYMENT IS LATE OR MISSED THE REMAINING BALANCE IS DUE IN FULL WITH LEGAL INTEREST WITHIN FIVE (5) DAYS.**

**RESPONDENT IS ORDERED TO PAY, DIRECTLY TO PETITIONER'S ATTORNEY, \$12,000 AS AND FOR ATTORNEY'S FEES PURSUANT TO FAMILY CODE § 2030. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$1,500 COMMENCING ON JANUARY 1, 2026 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 8 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.**

**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 PHONE CALL 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 PHONE CALL 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.**

Fixed Shares	Father	Mother	Monthly figures		Cash Flow	Guideline	Proposed
#of children	0	1	2025				
% time with NCP	7.00 %	0.00 %	GUIDELINE		Comb. net spendable	11942	11942
Filing status	MFJ->	<-MFJ	Nets(adjusted)		Percent change	0%	0%
# exemptions	1 *	2 *			Father		
Wages+salary	6667	0	Father	11942	Payment cost/benefit	-5851	-5851
Self-employed income	5813	0	Mother	0	Net spendable income	6091	6091
Other taxable income	3027	0	Total	11942	Change from guideline	0	0
TANF+CS received	0	0	Support		% of combined spendable	51%	51%
Other nontaxble income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	2680	Total taxes	2991	2991
401(k) employee contrib	0	0	Alameda SS	3171	Dep. exemption value	0	0
Adjustments to income	0	0	Total	5851	# withholding allowances	0w	0w
SS paid prev marriage	0	0	-		Net wage paycheck	5328	5328
CS paid prev marriage	0	0			Mother		
Health insurance	574	0			Payment cost/benefit	5851	5851
Other medical expense	0	0			Net spendable income	5851	5851
Property tax expense	0	0			Change from guideline	0	0
Ded interest expense	3842	0	Proposed		% of combined spendable	49%	49%
Charitable contributions	0	0	Tactic 9		% of saving over guideline	0%	0%
Misc tax deductions	0	0	CS	2680	Total taxes	0	0
Qual bus income ded	0	0	SS	3171	Dep. exemption value	0	0
Required union dues	0	0	Total	5851	# withholding allowances	0w	0w
Mandatory retirement	0	0			Net wage paycheck	0	0
Hardship deduction	0 *	0 *	Saving	0			
Other GDL deductions	0	0	Releases	0			
Child care expenses	0	0					

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information									
	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	7 - 93	0	0	0	Father	2680	Father	2680	Father
	7 - 93	0	0	0	Father	2680	Father	2680	Father

Fixed Shares	Father	Mother	Monthly figures		Cash Flow	Guideline	Proposed
#of children	0	1	2025				
% time with NCP	49.99 %	0.00 %	GUIDELINE		Comb. net spendable	11942	11942
Filing status	MFJ->	<-MFJ	Nets(adjusted)		Percent change	0%	0%
# exemptions	1 *	2 *			Father		
Wages+salary	6667	0	Father	11942	Payment cost/benefit	-4786	-4786
Self-employed income	5813	0	Mother	0	Net spendable income	7156	7156
Other taxable income	3027	0	Total	11942	Change from guideline	0	0
TANF+CS received	0	0	Support		% of combined spendable	60%	60%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	2020	Total taxes	2991	2991
401(k) employee contrib	0	0	Alameda SS	2766	Dep. exemption value	0	0
Adjustments to income	0	0	Total	4786	# withholding allowances	0w	0w
SS paid prev marriage	0	0	-		Net wage paycheck	5328	5328
CS paid prev marriage	0	0			Mother		
Health insurance	574	0			Payment cost/benefit	4786	4786
Other medical expense	0	0			Net spendable income	4786	4786
Property tax expense	0	0			Change from guideline	0	0
Ded interest expense	3842	0	Proposed		% of combined spendable	40%	40%
Charitable contributions	0	0	Tactic 9		% of saving over guideline	0%	0%
Misc tax deductions	0	0	CS	2020	Total taxes	0	0
Qual bus income ded	0	0	SS	2766	Dep. exemption value	0	0
Required union dues	0	0	Total	4786	# withholding allowances	0w	0w
Mandatory retirement	0	0			Net wage paycheck	0	0
Hardship deduction	0 *	0 *	Saving	0			
Other GDL deductions	0	0	Releases	0			
Child care expenses	0	0					

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information								
	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS Payor
All children	49 - 51	0	0	0	Father	2020	Father	2020 Father
	49 - 51	0	0	0	Father	2020	Father	2020 Father

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**11. KATHLEEN ALTER V. JOEL ALTER**

**25FL0231**

Petitioner filed a Request for Order (RFO) following the denial of her ex parte application for emergency orders on October 13, 2025. Petitioner is seeking spousal support, attorney's fees and costs, as well as property control orders. Petitioner filed an Income and Expense Declaration concurrently with the ex parte application on October 10<sup>th</sup>. There is no Proof of Service showing Respondent was properly served with the RFO.

Respondent filed a Declaration of Counsel of December 1, 2025. It was served by mail the same day. Respondent's counsel asserts Respondent has not been properly served with the RFO and other necessary documents.

The court drops the matter from calendar due to the lack of proper service.

**TENTATIVE RULING #11: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER 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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**13. BALI DINES V. JACOB DINES**

**25FL0867**

Petitioner filed a Petition for Dissolution on September 4, 2025. A Summons was issued the same day.

Petitioner subsequently filed a Request for Order (RFO) along with an Order Shortening Time (OST), and an Income and Expense Declaration on September 8, 2025. Petitioner is seeking orders as to child custody and parenting time, child and spousal support, as well as to list the community property business for sale and to appoint a receiver. The court granted the OST and set the matter for a hearing on October 9, 2025. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on September 23, 2025.

Proof of Service shows Respondent was served electronically and by overnight mail on September 8, 2025. The court deems this to be improper service. See Cal. Rule Ct. Rule 5.92(f)(1)(B) (requiring personal service of the RFO where the responding party has not yet appeared in the case).

The RFO and other requisite documents were not properly served until October 1<sup>st</sup> when they were personally served along with the Summons and Petition. The court finds this to be untimely pursuant to Civil Procedure section 1005(b) which states all moving papers shall be served at least 16 court days before the hearing date.

Parties appeared for the hearing on October 9, 2025. Counsel for Petitioner requested the matter be continued to allow time for service to be effective. The court found good cause to continue the matter to December 11, 2025.

Petitioner filed a Declaration on December 3, 2025 regarding the parties' income. It was served by overnight delivery on December 3<sup>rd</sup>. The court finds this to be late filed and therefore it has not been considered.

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

Parties are ordered to appear for the hearing. Respondent is ordered to bring a complete Income and Expense Declaration with him to the hearing.

**TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.  
RESPONDENT IS ORDERED TO BRING A COMPLETE INCOME AND EXPENSE  
DECLARATION WITH HIM TO THE HEARING.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**14. ROSA ESCOBAR V. JOSE MURILLO**

**25FL0913**

Petitioner filed a Petition for Custody and Support on September 17, 2025. A Summons was issued the same day. Petitioner concurrently filed a Request for Order (RFO) seeking child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 15, 2025. Proof of Service shows the Petition and Summons were served by certified mail with return receipt on September 25, 2025. There is no Proof of Service showing the return receipt or an Acknowledgment of Receipt. The Proof of Service shows Respondent was served with the RFO, however, there is no Proof of Service showing Respondent was served with the CCRC referral and other necessary documents.

Only Petitioner appeared at the CCRC appointment on October 15<sup>th</sup>. As such, a single parent report was issued on November 24, 2025. Copies were mailed to the parties the same day.

Respondent has not filed a Response or a Responsive Declaration.

The court drops the matter from calendar. The court has not obtained jurisdiction in this matter. There has not been an Acknowledgement of Receipt filed. The matter is also dropped from calendar as the RFO was not properly served.

**TENTATIVE RULING #14: THE COURT DROPS THE MATTER FROM CALENDAR. THE COURT HAS NOT OBTAINED JURISDICTION IN THIS MATTER. THERE HAS NOT BEEN AN ACKNOWLEDGEMENT OF RECEIPT FILED. THE MATTER IS ALSO DROPPED FROM CALENDAR AS THE RFO WAS NOT PROPERLY SERVED.**

**NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**15. KELLI JEANCOQ V. RAYMOND LONERGAN**

**PFL20190708**

Respondent filed a Request for Order (RFO) on September 15, 2025, seeking child custody and parenting plan orders, as well as child support. Respondent concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 16, 2025, and a review hearing set for December 11, 2025. Proof of Service shows Petitioner was mail served with the referral to CCRC and other documents on September 27, 2025. However, it does not appear Petitioner was served with all the required documents.

Only Respondent appeared for CCRC on October 16<sup>th</sup>. As such, a single parent report was issued on October 16, 2025. The report was mailed to the parties on October 21, 2025.

Petitioner has not filed a Responsive Declaration.

The court finds the service to be deficient. Petitioner was not served with all the required documents. The court drops the matter from calendar due to the lack of proper service.

All prior orders remain in full force and effect.

**TENTATIVE RULING #15: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. 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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**16. DUNIA LANDAVERDE V. ANGEL LANDAVERDE**

**23FL0394**

*Motion for Sanctions and to compel*

Respondent filed a Request for Order (RFO) seeking issue sanctions as well as monetary sanctions for Petitioner's failure to file her Preliminary Declarations of Disclosure (PDDs), on October 1, 2025. Proof of Service shows Petitioner was mail served on October 7, 2025. Respondent asserts despite the prior orders of August 21, 2025, Petitioner has still failed to serve her PDDs. As such, Respondent is requesting the court strike the Petition filed by Petitioner and deem Respondent's Response to be the Petition, thereby allowing Respondent to proceed by default. In the alternative, Respondent requests daily sanctions of \$100 until Petitioner serves her PDDs. Additionally, Respondent is requesting an order compelling Petitioner to complete and serve her form interrogatories within two weeks of this hearing. Last, Respondent seeks \$1,500 in sanctions pursuant to Family Code § 271, Code of Civil Procedure § 2030.290, and Family Code § 2107 for Petitioner's failure to timely respond.

Petitioner has not filed a Responsive Declaration therefore the court deems the failure to do so as an admission that Petitioner's moving papers have merit. See El Dorado County, Local Rule 7.10.02(C).

Family Code section 2104 imposes on each party the obligation of making a preliminary disclosure of assets within the timeframe specified. 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). "...[T]he court shall...impose monetary sanctions against the noncomplying party. Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and shall include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." Fam. Code § 2107(c).

Here Petitioner has provided no justification for her failure to provide her PDDs even after an order compelling her to do so. The court did not impose sanctions for Petitioner's failure to serve her PDDs in its August order. The court denies Respondent's request to strike Petitioner's Petition and deem Respondent's Response to be the Petition. Respondent has provided no authority for the court to do so.

The court grants the request for sanctions under Family Code section 2107 (c). The court is mandated to impose monetary sanctions against the noncomplying party in an

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

amount sufficient to deter repetition of the conduct or comparable conduct. As the court noted above, this is the second motion brought by Respondent to compel Petitioner's PDDs, which she is statutorily obligated to provide. Beyond the statutory obligation, this court ordered her to serve her PDDs in August of this year. Petitioner has repeatedly failed to comply with her obligations. The court grants Respondent's request for sanctions, however, is not imposing a daily fine. The court orders Petitioner to pay directly to Respondent's counsel \$1,000 for her failure to timely serve her PDDs. The payment is due on or before December 31, 2025.

Petitioner is to serve her PDDs by no later than December 26, 2025. If she again fails to do so, the court grants a waiver of receipt of the PDDs.

As to the motion to compel responses to the form interrogatories, generally speaking, responses to interrogatories are due within 30 days of the date of service. Cal. Civ. Pro. § 2030.260. If a party fails to provide timely responses, that party waives any right to object to the interrogatories, and waives the right to produce writings in response. Cal. Civ. Pro. § 2030.290(a). All responses to interrogatories, with the exception of objections only, are required to be made under oath signed by the party responding. Cal. Civ. Pro. § 2030.250.

Here, Respondent has established Petitioner's failure to comply with her discovery obligations by her failure to respond to the form interrogatories. Respondent has provided the court with copies of the discovery as well as the proofs of service thereof. As such, Respondent's motion to compel is granted. Petitioner shall provide full and complete verified responses, without objections, to Respondent's Form Interrogatories to Petitioner, no later than December 26, 2025.

Sanctions are mandatory for one who "unsuccessfully *makes or opposes* a motion to compel a response...unless [the court] finds that one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust" Cal. Civ. Pro. § 2030.290 (interrogatories). In all other circumstances, the imposition of discovery sanctions is permissive. See Cal. Civ. Pro. § 2023.030 (the court *may* impose monetary sanctions for misuse of the discovery process). Conduct subject to discretionary sanctions includes, but is not limited to, "[f]ailing to respond or submit to an authorized method of discovery." Cal. Civ. Pro. § 2023.010(d).

Where sanctions are awarded, the amount imposed is to include "...the reasonable expenses, including attorney's fees, incurred by anyone as a result of..." the conduct of the

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

party subject to sanction. Cal. Civ. Pro. 2023.030(a) & 2031.300. A party requesting sanctions must establish that the amount requested is reasonable, was incurred as a result of discovery abuse, and the requesting party must already be liable for those expenses before the court can award the costs as sanctions. See *Tucker v. Pacific Bell Mobile Servs.*, 186 Cal. App. 4<sup>th</sup> 1548 (2010) (anticipated costs for future deposition could not be included in award of sanctions).

Here, Petitioner did not oppose the motion to compel, therefore, discovery sanctions are not mandatory. However, the court does find that Petitioner engaged in the misuse of the discovery process by failing to submit to authorized forms of discovery. She provides no justification for her actions therefore the court finds that the imposition of sanctions is warranted.

In reviewing Respondent's filings, the court finds an award of sanctions in the amount of \$1,500 is proper. This covers amounts that would otherwise not have been incurred *but for* Petitioner's misuse of the discovery process. The court is not awarding sanctions for time spent appearing at the hearing as those costs have not yet, and may not, be incurred. However, sanctions are subject to increase in the event Respondent incurs additional costs for Counsel's appearance at the hearing.

In sum, Petitioner is sanctioned \$2,500 (\$1,500 for discovery sanctions plus the additional \$1,000 for failure to serve the PDDs). Payment to be made directly to Respondent's counsel on or before December 31, 2025.

Finally, Respondent is requesting Section 271 sanctions. Under Family Code Section 271, "...the court *may* base an award of attorney's fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation between the parties..." (emphasis added). In making an award under Section 271, "...the court shall take into consideration all evidence concerning the parties' incomes, assets, and liabilities. The court shall not impose a sanction pursuant to this section that imposes an unreasonable financial burden on the party against whom the sanction is imposed..." *Id.*

There is no question that Petitioner's actions have frustrated the policy of the law to promote settlement and cooperation and thereby reduce litigation costs. However, the imposition of sanctions under this section are within the discretion of the court. After the award of \$2,500 in discovery sanctions already awarded to Respondent hereunder, the

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

court feels that an additional sanction under this section would constitute an unreasonable financial burden. As such, Respondent's request for Family Code Section 271 sanctions is denied.

*Child Custody and Parenting time*

The matter is also before the court for a review hearing to set a parenting plan. Parties appeared in Department 8 on Petitioner's request for a Domestic Violence Restraining Order (DVRO). The request was denied and the parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 27, 2025.

Both parties appeared at the appointment and were unable to reach any agreements. A report with recommendations was filed with the court on November 21, 2025. Copies were mailed to the parties on November 24<sup>th</sup>.

Respondent filed a Declaration on December 1, 2025. Petitioner was mail served the same day. Respondent requests the court adopt a week on/week off parenting plan to reduce the number of exchanges required. Respondent believes this will reduce the conflict between the parties and allow for better co-parenting.

Petitioner has not filed a Supplemental Declaration or a Reply Declaration.

The court adopts the recommendations as set forth in the November 21<sup>st</sup> CCRC report with the following modifications, as they are in the best interests of the minors. The court modifies the recommendation as to the parenting plan to a week on/week off plan with the exchanges to occur on Fridays at school pick up or 3:00 PM if there is no school. The remaining recommendations are adopted as set forth.

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 #16: THE COURT DENIES RESPONDENT'S REQUEST TO STRIKE PETITIONER'S PETITION AND DEEM RESPONDENT'S RESPONSE TO BE THE PETITION. RESPONDENT HAS PROVIDED NO AUTHORITY FOR THE COURT TO DO SO.**

**THE COURT GRANTS THE REQUEST FOR SANCTIONS UNDER FAMILY CODE SECTION 2107 (C). THE COURT ORDERS PETITIONER TO PAY DIRECTLY TO RESPONDENT'S COUNSEL \$1,000 FOR HER FAILURE TO TIMELY SERVE HER PDDS. THE PAYMENT IS DUE ON OR BEFORE DECEMBER 31, 2025.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**PETITIONER IS TO SERVE HER PDDS BY NO LATER THAN DECEMBER 26, 2025. IF SHE AGAIN FAILS TO DO SO, THE COURT GRANTS A WAIVER OF RECEIPT OF THE PDDS.**

**RESPONDENT'S MOTION TO COMPEL IS GRANTED. PETITIONER SHALL PROVIDE FULL AND COMPLETE VERIFIED RESPONSES, WITHOUT OBJECTIONS, TO RESPONDENT'S FORM INTERROGATORIES TO PETITIONER NO LATER THAN DECEMBER 26, 2025.**

**THE COURT FINDS AN AWARD OF SANCTIONS IN THE AMOUNT OF \$1,500 IS PROPER. HOWEVER, SANCTIONS ARE SUBJECT TO INCREASE IN THE EVENT RESPONDENT INCURS ADDITIONAL COSTS FOR COUNSEL'S APPEARANCE AT THE HEARING.**

**IN SUM, PETITIONER IS SANCTIONED \$2,500 (\$1,500 FOR DISCOVERY SANCTIONS PLUS THE ADDITIONAL \$1,000 FOR FAILURE TO SERVE THE PDDS). PAYMENT TO BE MADE DIRECTLY TO RESPONDENT'S COUNSEL ON OR BEFORE DECEMBER 31, 2025.**

**RESPONDENT'S REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS IS DENIED.**

**THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH IN THE NOVEMBER 21<sup>ST</sup> CCRC REPORT WITH THE FOLLOWING MODIFICATIONS, AS THEY ARE IN THE BEST INTERESTS OF THE MINORS. THE COURT MODIFIES THE RECOMMENDATION AS TO THE PARENTING PLAN TO A WEEK ON/WEEK OFF PLAN WITH THE EXCHANGES TO OCCUR ON FRIDAYS AT SCHOOL PICK UP OR 3:00 PM IF THERE IS NO SCHOOL. THE REMAINING RECOMMENDATIONS ARE ADOPTED AS SET FORTH.**

**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 PHONE CALL 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**



LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

**BEING REQUESTED MUST BE MADE BY PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**17. SCOTT RONNINGEN V. ANGELINA RONNINGEN**

**23FL0127**

*Request for Order*

Respondent filed and ex parte application for emergency orders on October 17, 2025. Petitioner filed a Responsive Declaration on October 20, 2025. The court granted the ex parte request and referred the parties to an emergency set Child Custody Recommending Counseling (CCRC) appointment on November 4, 2025, and a review hearing was set for December 11, 2025. Respondent filed a Request for Order (RFO) on October 20<sup>th</sup>, seeking the same orders as set forth in the ex parte request. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

Both parties appeared for CCRC and reached a full agreement. A report containing the parties' agreement was filed with the court on November 4, 2025. Copies were mailed to the parties on November 5<sup>th</sup>.

The court finds good cause to proceed with the October 20<sup>th</sup> RFO, despite the lack of proper service. The court adopts the parties' agreements as set forth in the November 4<sup>th</sup> CCRC report as they are in the best interest of the minor.

*Contempt*

Respondent filed a Request for Order (RFO) on November 13, 2025, seeking orders regarding Petitioner's failure to comply with the sentencing orders on Petitioner's contempt. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served. As such, the court drops it from calendar.

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 #17: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE OCTOBER 20<sup>TH</sup> RFO, DESPITE THE LACK OF PROPER SERVICE. THE COURT ADOPTS THE PARTIES' AGREEMENTS AS SET FORTH IN THE NOVEMBER 4<sup>TH</sup> CCRC REPORT AS THEY ARE IN THE BEST INTEREST OF THE MINOR.**

**THE NOVEMBER 13, 2025 FILED 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. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

**NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**18. JOSHUA SPIVEY V. SINA RADLEY**

**25FL0322**

Petitioner filed an ex parte application for emergency orders on September 18, 2025. On September 19, 2025, the court denied the request on an ex parte basis but referred the parties to Child Custody Recommending Counseling (CCRC) despite the parties having attended in the prior six months. Petitioner filed a Request for Order (RFO) on September 19, 2025. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Only Petitioner appeared for the CCRC appointment on October 20, 2025. As such a single parent report was filed with the court on November 24, 2025. Copies were mailed to the parties on the same day.

The court drops the matter from calendar due to the lack of proper service. All prior orders remain in full force and effect.

**TENTATIVE RULING #18: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. 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 PHONE CALL 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 PHONE CALL 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 11, 2025  
8:30 a.m./1:30 p.m.

**19. HILLERI TALAUGON V. GARY TALAUGON**

**23FL0825**

Respondent filed a Request for Order (RFO) on October 3, 2025, seeking restitution and Family Code section 271 sanctions. Respondent concurrently filed a Memorandum of Points and Authorities. Proof of Service shows Petitioner was mail served on October 9, 2025. The court finds mail service does not comply with the service requirements of Family Code section 215. The public policy behind Family Code § 215 is to ensure actual notice to a party where matters such as custody are often ongoing past final judgment in a case. The policy is to treat the new motion as akin to a newly filed complaint.

Petitioner filed a Responsive Declaration on November 18, 2025. Proof of Service was filed on November 18, 2025, however, is incomplete as it does not state who was served or the address where service was made. Therefore, the court cannot consider Petitioner's Responsive Declaration.

The court orders parties to appear.

**TENTATIVE RULING #19: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 11, 2025  
8:30 a.m./1:30 p.m.

**20. NICHOLAS WILLIAMS V. JENNIFER WILLIAMS**

**23FL0197**

Petitioner filed an ex parte application requesting bifurcation on November 26, 2025. On December 1, 2025, the court denied the request on an ex parte basis but granted an Order Shortening Time (OST). Petitioner filed the Request for Order (RFO) seeking a bifurcated status only judgment on December 1, 2025. In the OST the court directed service to be accomplished by no later than December 1, 2025. The court also set December 8, 2025 as the deadline for Respondent to file a Responsive Declaration.

Petitioner has not filed a Responsive Declaration therefore the court deems the failure to do so as an admission that Petitioner's moving papers have merit. See El Dorado County, Local Rule 7.10.02(C).

California Rules of Court, rule 5.390(a) states that on noticed motion of a party, using form FL-300, "Request for Order," "the stipulation of the parties, case management, *or* the court's own motion, the court may bifurcate one or more issues to be tried separately before other issues are tried."

Family Code section 2337 provides that "[i]n a proceeding for dissolution of marriage, the court, upon noticed motion, may sever and grant an early and separate trial on the issue of the dissolution of the status of the marriage apart from other issues." Fam. Code, § 2337, subd. (a). The trial court may separately try the issue of termination of marriage if doing so "is likely to simplify the determination of the other issues." Cal. Rules of Court, rule 5.390(b)(7).

Public policy favors bifurcation of trial on pivotal issues in a dissolution action. In re Marriage of Macfarlane & Lang (1992) 8 Cal.App.4th 247, 257; see *also* In re Marriage of Wolfe (1985) 173 Cal.App.3d 889, 893–894 ["To the extent bifurcation of issues such as custody, support or the division of community property can assist the parties to achieve settlement of remaining issues, it should be encouraged"]. For the issue of marital status, "[c]onsistent with the legislative policy favoring no fault dissolution of marriage, only slight evidence is necessary to obtain bifurcation and resolution of marital status. On the other hand, a spouse opposing bifurcation must present compelling reasons for denial." Gionis v. Sup. Ct. 202 Cal.App.3d 786, 790 (1988).

The minimum statutory requirements for bifurcating and terminating marital status are that six months must have passed since the date of service of the summons and petition (§ 2339, subd. (a)), and that the party seeking termination of marital status must

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 11, 2025

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

have served a preliminary declaration of disclosure or obtained a written agreement to defer service to a later date (§ 2337, subd. (b)). Both requirements were met here.

Parties are ordered to appear for the hearing.

**TENTATIVE RULING #20: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.**