

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 25, 2024

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

1. AHMED EL SAKA V. DYANA ANCHIETTA

PFL20200567

Petitioner filed a Request for Order (RFO) on June 26, 2023, seeking to modify child support. The matter came before the court for hearing on November 2, 2023. The court ordered the current child support order to remain in place and continued the issue of child support for a contested hearing to take place on the present date. Parties were ordered to file updated Income and Expense Declarations at least 10 days prior to the hearing and the court reserved jurisdiction to retroactively modify support to the date of filing the RFO.

On January 10, 2024, Respondent filed and electronically served her Income and Expense Declaration. Petitioner filed and served his Income and Expense Declaration with attachments on January 12th.

Petitioner filed and electronically served Petitioner's Supplementary Declaration in Support of Modification of Child Support Order RFO on January 22nd. This document was late filed and therefore the court has not considered it.

Petitioner is seeking to modify the current child support order. He argues the changed circumstance to warrant amending the order is the fact that his worker's compensation payments have ended, and he was terminated from his previous employer due to their inability to accommodate his restrictions. Though he has provided a letter from his new employer stating that he will be receiving \$1,100 every two weeks. Additionally, he argues that Respondent is able to work and should be ordered to do so to contribute to the support of the child.

Respondent opposes the motion stating that she is a full-time homeschool teacher who teaches their minor child. She also spends her days driving the minor, who is 12 years old, to extracurricular activities. Respondent does not believe Petitioner's claims regarding his income as, she states, he has been deceptive throughout the course of the proceedings. She also points to the fact that Respondent has never produced any documentation of his alleged disability or worker's compensation claim. Respondent requests the current child support order remain in effect or, that Petitioner be imputed with income based on his earning capacity.

Family Code section 3900 codifies the general obligation of both parties to support their minor children. The court maintains broad discretion in determining the amount of child support based on each party's earning capacity. *See* Fam. Code § 4050. In doing so, the court has the ability to impute an unemployed, or under employed party with income commensurate with his or her earning capacity. State of Oregon v. Vargas, 70 Cal. App. 4th 1123 (1999). Such imputation is warranted where the parent has the ability and opportunity to work but simply lacks the willingness to do so. In re Marriage of Regnery, 214 Cal. App. 3d 1367 (1989).

Here, the court finds that both parties have the ability and opportunity to work. While Respondent did provide a letter indicating that he will receive \$1,100 every two weeks from his

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new employer, this is not commensurate with his earning capacity as evidenced by his prior income. He has not provided any evidence that would support an argument that his earning capacity has decreased. Additionally, \$1,100 every two weeks amounts to only \$28,600 annually which does not even meet the minimum wage laws in California.

Likewise, Respondent also has the ability and opportunity to work. Respondent's arguments that she spends her time homeschooling the minor and driving to activities are insufficient to justify her failure to contribute to the support of the minor financially. This is especially in light of the fact that she has not provided any reason why the minor cannot attend public school or why Respondent would be unable to work when she is not homeschooling the minor, if she so chooses to continue doing so.

For the aforementioned reasons, the court finds it appropriate to impute both parties with full-time minimum wage. This amounts to a monthly income of \$2,773 for each party.

Utilizing the same figures as outlined above, the court finds that child support is \$589 per month. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Petitioner to pay Respondent \$589 per month as and for child support, payable on the 1st of the month until further order of the court or legal termination. This child support order is effective as of July 1, 2023.

The court finds the above order results in arrears in the amount of \$4,123 through and including January 1, 2024. The court orders Petitioner to pay Respondent \$229.05 on the 15th of each month until paid in full (approximately 18 months). If a payment is late or missed the remaining balance is due in full with legal interest within five (5) days. Petitioner shall receive a credit for amounts paid for child support from July 1, 2023 through January 1, 2024, if any.

TENTATIVE RULING #1: THE COURT DECLINES TO HEAR THE MOTION TO QUASH THE NOTICE TO APPEAR AND PRODUCE AS THE MATTER IS MOOT. BOTH PARTIES SHALL BE IMPUTED WITH FULL-TIME MINIMUM WAGE INCOME THEREFORE CHILD SUPPORT IS \$589 PER MONTH. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS PETITIONER TO PAY RESPONDENT \$589 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS CHILD SUPPORT ORDER IS EFFECTIVE AS OF JULY 1, 2023.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$4,123 THROUGH AND INCLUDING JANUARY 1, 2024. THE COURT ORDERS PETITIONER TO PAY RESPONDENT \$229.05 ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 18 MONTHS). IF A PAYMENT IS LATE OR MISSED THE REMAINING BALANCE IS DUE IN FULL WITH LEGAL INTEREST WITHIN FIVE (5) DAYS. PETITIONER SHALL RECEIVE A CREDIT FOR AMOUNTS PAID FOR CHILD SUPPORT FROM JULY 1, 2023 THROUGH JANUARY 1, 2024, IF ANY.

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

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

ATTORNEY (NAME AND ADDRESS): California ATTORNEY FOR: Father	TELEPHONE NO: Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2024, Monthly	CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	1	Nets (adjusted)	Guideline		
% time with Second Parent	0%	0%	Father	2,357	Payment (cost)/benefit	(589) 589
Filing status	Single	HH/MLA	Mother	2,841	Net spendable income	1,768 3,431
# Federal exemptions	1*	2*	Total	5,198	% combined spendable	34% 66%
Wages + salary	2,773	2,773	Support		Total taxes	416 (68)
401(k) employee contrib	0	0	CS Payor	Father	Comb. net spendable	5,199
Self-employment income	0	0	Presumed	(589)	Proposed	
Other taxable income	0	0	Basic CS	(589)	Payment (cost)/benefit	(635) 635
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	1,905 3,310
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	137 (121)
Other gains (and losses)	0	0	Child 1	(589)	% combined spendable	36.5% 63.5%
Ordinary dividends	0	0	Spousal support	blocked	% of saving over gdl	858% -758%
Tax. interest received	0	0	Total	(589)	Total taxes	233 98
Social Security received	0	0	Proposed, tactic 9		Comb. net spendable	5,214
Unemployment compensation	0	0	CS Payor	Father	Percent change	0.3%
Operating losses	0	0	Presumed	(635)	Default Case Settings	
Ca. operating loss adj.	0	0	Basic CS	(635)		
Roy, partnerships, S corp, trusts	0	0	Add-ons	0		
Rental income	0	0	Presumed Per Kid			
Misc ordinary tax. inc.	0	0	Child 1	(635)		
Other nontaxable income	0	0	Spousal support	blocked		
New-spouse income	0	0	Total	(635)		
SS paid other marriage	0	0	Savings	16		
CS paid other relationship	0	0	Total releases to Father	1		
Adj. to income (ATI)	0	0				
Ptr Support Pd. other P'ships	0	0				
Health insurance	0	0				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

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2. BEAU FREIDENFELT V. JENNA CAHILL

23FL1050

On October 23, 2023, Petitioner filed a Request for Order (RFO) seeking orders regarding the custody, visitation, schooling, and location of the minors. The RFO was personally served on November 29th. Respondent filed her Responsive Declaration to Request for Order on January 8, 2024. It was mail served on January 5, 2024.

Respondent is requesting joint legal and joint physical custody of the parties' three minor children. He is seeking an equal timeshare with a 2-2-5-5 schedule. The minors are listed under section 3 of the RFO, though the box for child support is not checked so it appears Respondent is not making a request for child support. However, he is requesting an order directing Respondent to return the children to El Dorado County and return their eldest child back to his school.

The parties attended Child Custody Recommending Counseling (CCRC) on December 14, 2023. The parties were able to reach agreements on some, but not all, of the issues raised in the RFO. The CCRC counselor prepared a report on December 22, 2023, which codifies the agreements of the parties and provides recommendations regarding the remaining issues of education and extracurricular activities.

Respondent requests the court adopt the agreements and recommendations of CCRC with the following clarifications and modifications: (1) Adopt a parenting plan consistent with their prior agreement which Respondent outlines in her opposition papers; and (2) Order that the children are to participate in extracurricular activities in El Dorado Hills, however, Petitioner shall be responsible for enrolling the children in, and transporting the children to, the extracurricular activities.

The court has reviewed the filings as outlined above and finds the agreements and recommendations as stated in the December 22, 2023 CCRC report to be in the best interests of the minors. They are therefore hereby adopted as the orders of the court. Respondent's request that Petitioner be responsible for enrolling and transporting the children to extracurricular activities is denied. The custodial parent is to transport the children to and from the extracurricular activities that take place during the custodial parent's time. Regarding the visitation schedule, it appears Respondent's request is consistent with the parenting schedule stated in the CCRC report except with the weeks switched. Therefore, on week one Petitioner shall have parenting time from Tuesday at 4pm to Wednesday at 8am and Friday at 4pm until Monday at 8am. Week two, Petitioner shall have parenting time from Thursday at 4pm until Friday at 8am.

Petitioner's request to order the children returned to El Dorado County is denied. Petitioner has familial support in the Rocklin area who can help raise the children when she

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becomes employed. Since the children will reside with Petitioner at least half of the time, it is in their best interests that they spend Petitioner's custodial time in Rocklin with her.

TENTATIVE RULING #2: THE AGREEMENTS AND RECOMMENDATIONS AS STATED IN THE DECEMBER 22, 2023 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. RESPONDENT'S REQUEST THAT PETITIONER BE RESPONSIBLE FOR ENROLLING AND TRANSPORTING THE CHILDREN IS DENIED. THE CUSTODIAL PARENT IS TO TRANSPORT THE CHILDREN TO AND FROM THE EXTRACURRICULAR ACTIVITIES THAT TAKE PLACE DURING THE CUSTODIAL PARENT'S TIME. REGARDING THE VISITATION SCHEDULE, IT APPEARS RESPONDENT'S REQUEST IS CONSISTENT WITH THE PARENTING SCHEDULE STATED IN THE CCRC REPORT EXCEPT WITH THE WEEKS SWITCHED. THEREFORE, ON WEEK ONE PETITIONER SHALL HAVE PARENTING TIME FROM TUESDAY AT 4PM TO WEDNESDAY AT 8AM AND FRIDAY AT 4PM UNTIL MONDAY AT 8AM. WEEK TWO, PETITIONER SHALL HAVE PARENTING TIME FROM THURSDAY AT 4PM UNTIL FRIDAY AT 8AM. PETITIONER'S REQUEST TO ORDER THE CHILDREN RETURNED TO EL DORADO COUNTY IS DENIED.

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

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

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3. BONNIE SOLOMON V. CHARLES SOLOMON

23FL0473

On May 17, 2023, Petitioner filed a Request for Order (RFO) seeking orders for spousal support, property control, and attorney's fees. A hearing on the RFO was conducted on October 19, 2023, at which time the court ruled on all requests raised by the RFO, including the request for spousal support. The court ordered spousal support per the Alameda formula in the amount of \$2,670 per month payable on the 1st of the month and continuing until further order of the court or legal termination. The order was deemed effective on June 1, 2023 and therefore resulted in an arrears amount of \$13,350. Respondent was ordered to pay Petitioner an additional \$1,112.50 per month on the 15th of each month until paid in full. The court reserved jurisdiction to retroactively modify support back to June 1, 2023, and set a review hearing for the present date. Parties were ordered to file and serve updated Income and Expense Declarations and any Supplemental Declarations no later than 10 days prior to the hearing date.

Petitioner's Supplemental Declaration in Support of Request for Order was filed on January 11th along with Attorney Kristen L. Bruce's Declaration in Support of Petitioner's Request for Order Regarding Attorney's Fees and Petitioner's Income and Expense Declaration. All documents were mail served and electronically served on the same day as filing.

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

According to Petitioner, Respondent has not complied with the court's prior orders. She therefore makes the following requests: (1) Respondent to pay guideline support based on the proposed DissoMaster retroactive to June 1, 2023; (2) Respondent be ordered to immediately pay Petitioner \$5,750 for the Bank of America savings account; (3) Respondent to pay Petitioner \$10,000 plus interest in attorney's fees; (4) Respondent to pay Petitioner \$1,500 in Family Code § 177.5 sanctions; and (5) Petitioner be granted authority to file a garnishment of Respondent's pension for support, attorney's fees and sanctions.

Given that Respondent has failed to file an Income and Expense Declaration the court is left to rely on the documentation provided by Petitioner. In support of Petitioner's asserted income for Respondent Petitioner provides a copy of the parties' 2022 tax form 1040-SR and an annuities summary. The Pensions and Annuities Summary Attachment indicates a total distribution of 159,420 for 2022, \$63,283 of which was taxable income. This amounts to an average of \$5,273 in taxable income and an average of \$8,011 in non-taxable income. Respondent also received a total of \$45,998 in social security benefits, only \$39,098 of which were taxable. Therefore, he received a monthly average of \$3,258 in monthly taxable social security income and \$575 in monthly non-taxable social security. Additionally, since the prior orders were made Petitioner's social security benefits increased to \$1,736.70.

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Utilizing the same figures as outlined above, the court finds that spousal support per the Alameda formula is \$5,916 per month. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$5,916 per month as and for temporary spousal support, payable on the 1st of the month until further order of the court or legal termination. The court orders the temporary spousal support order effective June 1, 2023.

The court finds the above order results in arrears in the amount of \$47,328 through and including January 1, 2024. The court orders Respondent pay Petitioner \$1,577.60 on the 15th of each month until paid in full (approximately 30 months). If a payment is late or missed the remaining balance is due in full with legal interest within five (5) days.

Petitioner's request for authority to file a garnishment of Respondent's pension for support is granted.

Regarding the \$5,750 from the Bank of America savings account, Petitioner's request for Family Code § 177.5 sanctions, and her request to garnish to fulfill the sanctions obligations, these issues are outside the scope of the present hearing. The court already ruled on the issue regarding the Bank of America savings account. Respondent shall comply with all prior orders of the court. The request for Section 177.5 sanctions is a new request and therefore would need to be raised via the filing of a new FL-300. The only issue that was continued to today's hearing was that of spousal support.

Petitioner also requested additional attorney's fees pursuant to Family Code section 2030. While a Section 2030 request can be raised at any time, the court is not inclined to increase the prior fee award at this time. A decision regarding attorney's fees pursuant to Section 2030 is to assess each party's access to income and ability to pay taking into consideration any awards for support. Given the court's support orders herein and its prior award of \$5,000 for attorney's fees the court does not find it appropriate to award additional fees at this time. Petitioner's request for additional attorney's fees is denied; however, the request to garnish Respondent's pension to fulfill the court's prior award of \$5,000 plus interest in the amount of \$97.26, is granted.

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

TENTATIVE RULING #3: THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$5,916 PER MONTH. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$5,916 PER MONTH AS AND FOR TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE

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COURT OR LEGAL TERMINATION. THE COURT ORDERS THE TEMPORARY SPOUSAL SUPPORT ORDER EFFECTIVE JUNE 1, 2023.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$47,328 THROUGH AND INCLUDING JANUARY 1, 2024. THE COURT ORDERS RESPONDENT PAY PETITIONER \$1,577.60 ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 30 MONTHS). IF A PAYMENT IS LATE OR MISSED THE REMAINING BALANCE IS DUE IN FULL WITH LEGAL INTEREST WITHIN FIVE (5) DAYS.

PETITIONER'S REQUEST FOR AUTHORITY TO FILE A GARNISHMENT OF RESPONDENT'S PENSION FOR SUPPORT IS GRANTED.

PETITIONER'S REQUEST FOR ADDITIONAL ATTORNEY'S FEES IS DENIED, HOWEVER, THE REQUEST TO GARNISH RESPONDENT'S PENSION TO FULFILL THE COURT'S PRIOR AWARD OF \$5,000 PLUS INTEREST IN THE AMOUNT OF \$97.26, IS GRANTED.

THE COURT DECLINES TO RULE ON PETITIONER'S REQUESTS REGARDING THE \$5,750 FROM THE BANK OF AMERICA SAVINGS ACCOUNT, HER REQUEST FOR FAMILY CODE § 177.5 SANCTIONS, AND HER REQUEST TO GARNISH TO FULFILL THE SANCTIONS OBLIGATIONS, THESE ISSUES ARE OUTSIDE THE SCOPE OF THE PRESENT HEARING. THE COURT ALREADY RULED ON THE ISSUE REGARDING THE BANK OF AMERICA SAVINGS ACCOUNT. RESPONDENT SHALL COMPLY WITH ALL PRIOR ORDERS OF THE COURT. THE REQUEST FOR SECTION 177.5 SANCTIONS IS A NEW REQUEST AND THEREFORE WOULD NEED TO BE RAISED VIA THE FILING OF A NEW FL-300. THE ONLY ISSUE THAT WAS CONTINUED TO TODAY'S HEARING WAS THAT OF SPOUSAL SUPPORT.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

ATTORNEY (NAME AND ADDRESS): California ATTORNEY FOR: Father	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2024, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	1	Nets (adjusted)	Guideline		
% time with Second Parent	0%	0%	Father	16,614 Payment (cost)/benefit	(5,916)	5,916
Filing status	MFJ->	<-MFJ	Mother	1,459 Net spendable income	10,698	7,375
# Federal exemptions	1*	2*	Total	18,073 % combined spendable	59.2%	40.8%
Wages + salary	0	0	Support (Nondeductible)	Total taxes	503	102
401(k) employee contrib	0	0	Presumed	blocked Comb. net spendable	18,074	
Self-employment income	0	0	Basic CS	blocked Proposed		
Other taxable income	8,531	1,737	Add-ons	blocked Payment (cost)/benefit	(5,916)	5,916
Short-term cap. gains	0	0	SS Payor	Father Net spendable income	10,698	7,375
Long-term cap. gains	0	0	Alameda	5,916 NSI change from gdl	0	0
Other gains (and losses)	0	0	Total	5,916 % combined spendable	59.2%	40.8%
Ordinary dividends	0	0	Proposed, tactic 9	% of saving over gdl	0%	0%
Tax. interest received	0	0	Presumed	blocked Total taxes	503	102
Social Security received	3,258	1,737	Basic CS	blocked Comb. net spendable	18,074	
Unemployment compensation	0	0	Add-ons	blocked Percent change	0.0%	
Operating losses	0	0	SS Payor	Father Default Case Settings		
Ca. operating loss adj.	0	0	Alameda	5,916		
Roy, partnerships, S corp, trusts	0	0	Total	5,916		
Rental income	0	0	Savings	0		
Misc ordinary tax. inc.	5,273	0	No releases			
Other nontaxable income	8,586	0				
New-spouse income	0	0				
SS paid other marriage	0	0				
CS paid other relationship	0	0				
Adj. to income (ATI)	0	0				
Ptr Support Pd. other P'ships	0	0				
Health insurance	0	175				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

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4. CHRISTINA BASS V. DAVID BASS

PFL20120626

Petitioner filed an ex parte motion for emergency temporary custody of the minors on June 22, 2023. The parties were referred to an emergency set Child Custody Recommending Counseling (CCRC) session, which they both missed. Both parties appeared for the hearing on August 17, 2023 and were referred back to CCRC with a review hearing set for October 26, 2023.

The parties appeared at the second CCRC appointment as ordered and were able to reach several agreements. On October 26th the court adopted the agreements and recommendations as stated in the September 12, 2023 CCRC report and a review hearing was set for the present date to review Respondent's progress in supervised visitation and assess whether a further step-up plan is warranted. Parties were ordered to file and serve any supplemental declarations no later than 10 days prior to the hearing date.

Petitioner's Supplemental Declaration for the January 25, 2024 Review Hearing was filed and served on January 12, 2024. Respondent has not filed a supplemental declaration but instead filed a Request for Order (RFO) seeking to set aside the June 23, 2023 orders. That RFO is set to be heard on April 4, 2024.

Pursuant to the court's October 26th order, Respondent is to have 2 visits with the children on Saturdays and Sundays for 2-hours each or one 4-hour visits if the parties agree. According to Petitioner the visits have moved from professionally supervised to non-professionally supervised by the paternal grandparents. Respondent has had additional visitation time during the holidays and a weekly call has been added. Petitioner asks that the current orders remain in effect as she has not received any information regarding Respondent's psychiatric treatment and whether or not he has progressed in that regard.

Given that the current visitation schedule is going well the court does not see any reason to disrupt the children's lives with additional orders at this time. Especially in light of the fact that the court is not in receipt of any information from Respondent regarding his mental health progress. Therefore, all prior orders remain in full force and effect.

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

TENTATIVE RULING #4: ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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6. ELIZABETH ANN HOBBS V. GARY DOUGLAS GELLAR

23FL1030

On October 16, 2023, Petitioner filed a Request for Order (RFO) seeking a variety of orders as stated therein. She filed an Amended Request for Order on October 19th. Respondent was personally served on October 21, 2023. While the RFO asserts a request for child support, Petitioner did not file her Income and Expense Declaration concurrently with the RFO. However, she did file it on November 28, 2023 along with Petitioner's Supplemental Declaration. Both documents were served on November 27th.

Respondent's Reply Declaration to Petitioner's Supplemental Declaration was filed on December 8th. It was served the day prior on December 7th. He filed his Responsive Declaration to Request for Order and his Income and Expense Declaration on January 8, 2024.

Petitioner's Reply Declaration was filed and served on January 12th.

Petitioner brings her RFO requesting sole legal and sole physical custody of the parties' minor child. She asks that the minor have visits with Respondent solely based on the minor's discretion. In her RFO Petitioner requests monthly child support in the amount of \$3,000 and for Respondent to maintain health insurance and any HSA on behalf of the minor. She later amends her support request asking for guideline support based on \$10,202 as Respondent's income with an overtime schedule and Respondent to provide her monthly paystubs with his true up payments. Finally, she requests Petitioner and Respondent both be given control of the residence in Diamond Springs, CA with Petitioner to continue paying the mortgage.

In his December 8th declaration, Respondent requested joint legal and joint physical custody with a week on/week off schedule. However, in his Responsive Declaration to Request for Orders he requests visitation from Friday at 6:00pm to Monday at 9:30am. He agrees to guideline child support based on a monthly income of \$8,623.33 and argues that the \$3,000 requested by Petitioner is above guideline. He asks the court to deny Petitioner's request for sole use and possession of the home (though the RFO seems to request possession to both parties). He further does not agree to pay the mortgage on the house unless Petitioner moves out. He requests an order that Petitioner keep the mortgage payments current. Finally, he consents to maintaining the health insurance and any HSA for the minor.

The parties attended Child Custody Recommending Counseling on December 8th. CCRC prepared a report the same day stating that the parties had reached agreements on all issues of custody and visitation. However, Respondent states that he did not agree, and he was forced into saying that he did.

Petitioner maintains that the parties did reach agreements at mediation, and she is unclear why Respondent is now saying otherwise. Despite the agreements, Petitioner does

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request some clarification. She would like to clarify that her parenting time begins on Monday at 9:30am in case there is an issue and the minor needs to be picked up from school.

The court has reviewed the filings of the parties as outlined above as well as the purported agreements of the parties as stated in the CCRC report. The court is of the opinion that the agreements stated in the CCRC report are in the best interests of the minor as it allows her to have one weekend night (Friday night) with Petitioner and one (Saturday) with Respondent. The minor is 15 years old and, as agreed upon by the parties, may request additional time with Respondent if she so chooses. Therefore, the agreements as stated in the CCRC report are adopted as the orders of the court with the following amendment, Respondent's parenting time shall be from Saturday at 10:00 am until Monday at 3:30 pm. Respondent is also ordered to maintain health insurance for the minor and any HSA account he has had for her.

The visitation schedule as adopted herein amounts to a 32% timeshare. In reviewing Respondent's paystubs, his hourly wage is 43.50, multiplied by 40 hours a week and 52 weeks per year results in an annual base pay of \$90,480 or \$7,540 per month. Any hours worked above the 40 hours per week will be accounted for using the bonus schedule as discussed further below. The monthly subsistence pay will also be accounted for as other taxable income.

Respondent provides his final paycheck which shows a year-to-date amount of \$13,575.24 in subsistence pay. The check is dated through November 4th, so effectively the subsistence pay was paid out over the first 10 months of the year which amounts to \$1,357.52 per month.

Utilizing the same figures as outlined above, the court finds that child support is \$1,066 per month. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$1,066 per month as and for child support, payable on the 1st of the month until further order of the court or legal termination. This child support order is effective as of November 1, 2023.

The court finds the above order results in arrears in the amount of \$3,198 through and including January 1, 2024. According to the filings of both parties, Respondent has been paying \$3,000 in monthly support. He therefore has a credit of \$9,000. Offsetting the arrears amount, Respondent is left with a credit of \$5,802. Respondent may decrease his monthly payments to \$582.50 until his credit is paid back in full (approximately 12 months). Once the credit is fully paid back, monthly support will automatically return to \$1,066.

The court further finds both parties routinely earn overtime pay and therefore, has included an Ostler-Smith overtime table with the DissoMaster. When either party receives overtime pay, the parties are to adjust the support due for that month pursuant to the attached

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overtime table. The parties are to provide one another with monthly paystubs. Parties may redact confidential information such as their social security numbers.

Finally, regarding the Diamond Springs residence, Petitioner's request for sole use and possession of the residence is denied. Given that it does not appear the parties were married, and since there are no allegations of domestic violence, the court is hesitant to make such a ruling at this time. Therefore, Petitioner's request is denied.

TENTATIVE RULING #6: THE AGREEMENTS AS STATED IN THE CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT WITH THE FOLLOWING AMENDMENT, RESPONDENT'S PARENTING TIME SHALL BE FROM SATURDAY AT 10:00 AM UNTIL MONDAY AT 3:30 PM. RESPONDENT IS ALSO ORDERED TO MAINTAIN HEALTH INSURANCE FOR THE MINOR AND ANY HSA ACCOUNT HE HAS HAD FOR HER.

THE COURT FINDS THAT CHILD SUPPORT IS \$1,066 PER MONTH. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$1,066 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS CHILD SUPPORT ORDER IS EFFECTIVE AS OF NOVEMBER 1, 2023.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$3,198 THROUGH AND INCLUDING JANUARY 1, 2024. ACCORDING TO THE FILINGS OF BOTH PARTIES, RESPONDENT HAS BEEN PAYING \$3,000 IN MONTHLY SUPPORT. HE THEREFORE HAS A CREDIT OF \$9,000. OFFSETTING THE ARREARS AMOUNT, RESPONDENT IS LEFT WITH A CREDIT OF \$5,802. RESPONDENT MAY DECREASE HIS MONTHLY PAYMENTS TO \$582.50 UNTIL HIS CREDIT IS PAID BACK IN FULL (APPROXIMATELY 12 MONTHS). ONCE THE CREDIT IS FULLY PAID BACK, MONTHLY SUPPORT WILL AUTOMATICALLY RETURN TO \$1,066.

THE COURT FURTHER FINDS BOTH PARTIES ROUTINELY EARN OVERTIME PAY AND THEREFORE, HAS INCLUDED AN OSTLER-SMITH OVERTIME TABLE WITH THE DISSOMASTER. WHEN EITHER PARTY RECEIVES OVERTIME PAY, THE PARTIES ARE TO ADJUST THE SUPPORT DUE FOR THAT MONTH PURSUANT TO THE ATTACHED OVERTIME TABLE. THE PARTIES ARE TO PROVIDE ONE ANOTHER WITH MONTHLY PAYSTUBS. PARTIES MAY REDACT CONFIDENTIAL INFORMATION SUCH AS THEIR SOCIAL SECURITY NUMBERS.

REGARDING THE DIAMOND SPRINGS RESIDENCE, PETITIONER'S REQUEST FOR SOLE USE AND POSSESSION OF THE RESIDENCE IS DENIED.

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

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

ATTORNEY (NAME AND ADDRESS): California ATTORNEY FOR: Father	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2024, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	1	Nets (adjusted)	Guideline		
% time with Second Parent	32%	0%	Father	6,554	Payment (cost)/benefit	(1,066) 1,066
Filing status	Single	HH/MLA	Mother	2,166	Net spendable income	5,487 3,233
# Federal exemptions	1*	2*	Total	8,720	% combined spendable	62.9% 37.1%
Wages + salary	7,540	1,834	Support		Total taxes	2,344 (345)
401(k) employee contrib	0	0	CS Payor	Father	Comb. net spendable	8,720
Self-employment income	0	0	Presumed	1,066	Proposed	
Other taxable income	1,358	0	Basic CS	1,066	Payment (cost)/benefit	(1,115) 1,115
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	5,649 3,140
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	162 (93)
Other gains (and losses)	0	0	Child 1	1,066	% combined spendable	64.3% 35.7%
Ordinary dividends	0	0	Spousal support	blocked	% of saving over gdl	235.9% -135.9%
Tax. interest received	0	0	Total	1,066	Total taxes	2,134 (204)
Social Security received	0	0	Proposed, tactic 9		Comb. net spendable	8,789
Unemployment compensation	0	0	CS Payor	Father	Percent change	0.8%
Operating losses	0	0	Presumed	1,115	Default Case Settings	
Ca. operating loss adj.	0	0	Basic CS	1,115		
Roy, partnerships, S corp, trusts	0	0	Add-ons	0		
Rental income	0	0	Presumed Per Kid			
Misc ordinary tax. inc.	1,358	0	Child 1	1,115		
Other nontaxable income	0	0	Spousal support	blocked		
New-spouse income	0	0	Total	1,115		
SS paid other marriage	0	0	Savings	68		
CS paid other relationship	0	0	Total releases to Father	1		
Adj. to income (ATI)	0	0				
Ptr Support Pd. other P'ships	0	0				
Health insurance	0	0				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	1,595				
Other medical expenses	0	0				
Property tax expenses	0	148				
Ded. interest expense	0	1,447				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	13				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father	CASE NUMBER:	
Two-way Monthly Overtime Wages Report 2024 Monthly		

Change in Child Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	250	500	750	1,000	1,250	1,500	1,750
0	0	19	38	57	75	93	110	128
100	<i>14</i>	5	24	43	61	79	97	115
200	<i>26</i>	<i>7</i>	12	31	50	68	86	103
300	<i>37</i>	<i>18</i>	1	20	39	57	75	93
400	<i>47</i>	<i>28</i>	<i>8</i>	11	29	48	65	84
500	<i>57</i>	<i>37</i>	<i>18</i>	1	20	38	56	76
600	<i>66</i>	<i>47</i>	<i>27</i>	<i>8</i>	11	29	48	67
700	<i>76</i>	<i>56</i>	<i>37</i>	<i>17</i>	2	20	39	59
800	<i>85</i>	<i>65</i>	<i>46</i>	<i>27</i>	<i>8</i>	11	31	51
900	<i>94</i>	<i>75</i>	<i>55</i>	<i>36</i>	<i>17</i>	3	23	42
1,000	<i>104</i>	<i>84</i>	<i>64</i>	<i>45</i>	<i>25</i>	<i>5</i>	15	34



PETITIONER:	CASE NUMBER:
RESPONDENT:	

Change in Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages			
	2,000	2,250	2,500
0	145	163	182
100	132	151	170
200	122	141	160
300	112	131	150
400	103	123	142
500	95	114	134
600	87	106	125
700	78	98	117
800	70	90	109
900	62	81	101
1,000	54	73	93



PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Child Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	250	500	750	1,000	1,250	1,500	1,750
0	1,066	1,085	1,104	1,123	1,141	1,159	1,177	1,194
100	1,052	1,071	1,090	1,109	1,128	1,146	1,163	1,181
200	1,040	1,060	1,079	1,098	1,116	1,134	1,152	1,170
300	1,029	1,049	1,068	1,087	1,105	1,123	1,141	1,159
400	1,019	1,039	1,058	1,077	1,096	1,114	1,132	1,150
500	1,010	1,029	1,049	1,068	1,086	1,105	1,123	1,142
600	1,000	1,020	1,039	1,058	1,077	1,095	1,114	1,134
700	991	1,010	1,030	1,049	1,068	1,086	1,106	1,125
800	981	1,001	1,020	1,040	1,059	1,078	1,097	1,117
900	972	992	1,011	1,031	1,050	1,069	1,089	1,109
1,000	963	983	1,002	1,022	1,041	1,061	1,081	1,101



PETITIONER:	CASE NUMBER:
RESPONDENT:	

Total Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages			
	2,000	2,250	2,500
0	1,212	1,229	1,248
100	1,198	1,217	1,236
200	1,188	1,207	1,226
300	1,178	1,198	1,217
400	1,170	1,189	1,208
500	1,161	1,181	1,200
600	1,153	1,172	1,192
700	1,145	1,164	1,183
800	1,137	1,156	1,175
900	1,128	1,148	1,167
1,000	1,120	1,140	1,159



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7. ERIKA LARSSON V. MATTIAS LARSSON

PFL20150771

Petitioner filed a Request for Order (RFO) on July 27, 2023 requesting sole physical and legal custody of the parties' minor children due to Respondent's abuse, neglect, and concerns he will take them out of the country or kidnap them again. In conjunction with her requested custody orders, Petitioner also requested guideline child support for the three minor children and bifurcation of the case to allow for entry of a status only judgment.

The parties were referred to Child Custody Recommending Counseling (CCRC) though neither appeared at the scheduled date and time. Thereafter, at the hearing on the RFO the court re-referred the parties to CCRC and set a review hearing for the present date. The court reserved jurisdiction on the issue of bifurcation. At the time of the court's prior ruling, it noted that Respondent's Responsive Declaration to Request for Order had not been served on Minor's Counsel and therefore it was not considered at that time. Additionally, Minor's Counsel had not filed a statement with the court. Respondent has since filed a Proof of Service establishing service of his responsive declaration on Minor's Counsel. He also filed another Responsive Declaration to Request for Order and his Income and Expense Declaration on January 18, 2024. Both had been mail served on January 15, 2024. Minor's Counsel filed her statement on January 11, 2024.

Respondent opposes the request for sole legal and sole physical custody and in his most recent responsive declaration he asks that he have the children all summers and any school vacations where they can fly to Sweden for visits. He also appears to make the alternative request that the children be ordered to reside in Sweden. He further requests the court enter judgment as to status only and give full faith and credit to the judgment entered in Sweden on November 28, 2023.

Minor's Counsel requests Petitioner be awarded sole legal and primary physical custody of the children. She also requests that all court ordered visitation between the children and Respondent to be held in the US.

The parties attended CCRC on December 4, 2023 and a report with recommendations was prepared on January 11, 2024. CCRC did note that the children were unavailable to be interviewed by the CCRC counselor, however the counselor recommends all current orders remain in full force and effect.

Petitioner's request for child support is denied. It is unequivocal that "[f]or all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense Declaration." Cal. Rule Ct. 5.260(1); *See also* Cal. Fam. Code §2100. Petitioner did not file an Income and Expense Declaration with her RFO, nor does the court have a current one on file. Therefore, Petitioner's request for child support is denied.

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Petitioner's request to bifurcate the matter and obtain a status-only judgment is likewise denied. A party may request bifurcation of the issue of marital status, however prior to doing so the 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. Cal. Rule Ct. 5.390(a). Here, Petitioner failed to file the requisite FL-315 and make a showing that all pension and retirement plans have been joined therefore the request to bifurcate must be denied.

Respondent's request that the court give full faith and credit to the judgment entered in Sweden on November 28, 2023 is denied. To properly recognize a judgment from a foreign country the court would need information regarding the factors stated in Civil Procedure section 1716. Respondent has not provided the court with any of the relevant information and therefore his request for the court to recognize the Swedish judgment is denied.

Regarding custody, the court has read and considered the filings of the parties outlined above and does not find it to be in the best interests of the minors to extend the current ex parte orders which award Petitioner sole legal and sole physical custody. The court's June 9, 2023 ex parte orders are hereby vacated. The parties are to return to their prior visitation schedule where Respondent has parenting time with Ebba on Fridays 4:30 pm until 7:00pm and with Miley and Rylan on the 1st, 3rd, and 5th Saturdays of the month from 10:00am until 6:00pm. Visits are to take place in the United States. Respondent must give Petitioner at least 60-days' notice prior to travelling to the US to exercise his parenting time. The parties shall continue to share joint legal custody.

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

TENTATIVE RULING #7: PETITIONER'S REQUEST FOR CHILD SUPPORT AND HER REQUEST TO BIFURCATE ARE BOTH DENIED. THE COURT'S JUNE 9, 2023 EX PARTE ORDERS ARE HEREBY VACATED. THE PARTIES ARE TO RETURN TO THEIR PRIOR VISITATION SCHEDULE WHERE RESPONDENT HAS PARENTING TIME WITH EBBA ON FRIDAYS 4:30 PM UNTIL 7:00PM AND WITH MILEY AND RYLAN ON THE 1ST, 3RD, AND 5TH SATURDAYS OF THE MONTH FROM 10:00AM UNTIL 6:00PM. VISITS ARE TO TAKE PLACE IN THE UNITED STATES. RESPONDENT MUST GIVE PETITIONER AT LEAST 60-DAY'S NOTICE PRIOR TO TRAVELLING TO THE US TO EXERCISE HIS PARENTING TIME. THE PARTIES SHALL CONTINUE TO SHARE JOINT LEGAL CUSTODY. RESPONDENT'S REQUEST THAT THE COURT GIVE FULL FAITH AND CREDIT TO THE JUDGMENT ENTERED IN SWEDEN ON NOVEMBER 28, 2023 IS DENIED. ALL ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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8. GAYLE NYGAARD V. RUSSELL NYGAARD

PFL20080211

On May 26, 2023, Petitioner filed a Request for Order (RFO) seeking a judgment lien for spousal support arrears as well as attorney's fees. The RFO and all other required documents were mail served on June 20th.

The court issued its tentative ruling on October 18th and the parties appeared before the court for hearing on October 19, 2023. At that time the court ruled on the issue of spousal support arrears but stayed its ruling on the request for attorney's fees and Section 271 sanctions. Those issue were continued to the present date. Both parties were ordered to file updated Income and Expense Declarations at least 10 days prior to the hearing date. Respondent was admonished that failure to file his Income and Expense Declaration would result in the court adopting its tentative ruling for the October 19th hearing. The court ordered that the amount that Petitioner collected through escrow to be placed in Mr. Posner's IOLTA account and held in trust until after the hearing on the issue of attorney's fees.

Petitioner argues that she has incurred attorney's fees due to Respondent's non-compliance and she would like an order for attorney's fees in the amount of \$5,280 pursuant to Family Code section 2030 or 2032, or, in the alternative, attorney's fees paid in the form of a sanction pursuant to Family Code section 271.

Petitioner filed her updated Income and Expense Declaration on January 18th as well as Petitioner's Exhibit in Support of Sanctions. Both documents were mail served. Respondent has not filed an updated Income and Expense Declaration therefore the court adopts its prior tentative ruling as follows.

Generally, the court is to consider the Income and Expense Declaration of the proposed paying party in making an award of 2030 attorney's fees. Where that party fails to file his Income and Expense Declaration the court may rely on the estimate of the opposing party. Here the court has neither. Respondent has not filed anything with the court and Petitioner has not provided the court with her estimate of Respondent's income. The court finds it cannot make an award of 2030 fees with the information before it. However, the court can impose sanctions pursuant to Section 271.

Family Code section 271 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

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impose a sanction that would create an “unreasonable financial burden on the party against whom the sanction is imposed.” *Id.*

Here, it is undeniable that Respondent’s failure to pay support has frustrated the policy of the law to promote settlement and reduce the cost of litigation. His actions have directly caused Petitioner to incur the requested costs and fees. While Section 271 does prohibit a sanction that would create an unreasonable financial burden, there is no evidence before the court that such a burden exists. As such, Petitioner’s request for sanctions in the amount of \$5,280 is granted. This amount is to be paid directly to Petitioner’s counsel and may be paid in one lump sum or in monthly increments of \$440 due and payable on the 1st of each month, commencing November 1, 2023 and continuing until paid in full (approximately 12 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 #8: PETITIONER’S REQUEST FOR ATTORNEY’S FEES IS DENIED. PETITIONER’S REQUEST FOR SANCTIONS IN THE AMOUNT OF \$5,280 IS GRANTED. THIS AMOUNT IS TO BE PAID DIRECTLY TO PETITIONER’S COUNSEL AND MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$440 DUE AND PAYABLE ON THE 1ST OF EACH MONTH, COMMENCING NOVEMBER 1, 2023 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 12 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 TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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9. JEREMY HEATH V. RACHEL LORRAINE HEATH

22FL0458

Seek Work Order

On August 26, 2022, Respondent filed a Request for Order (RFO) seeking custody and visitation orders as well as child and spousal support, and attorney's fees. As part of the ruling on that request the court ordered Respondent to seek work. In doing so, she was to apply for a minimum of 5 jobs per week and to provide proof thereof to Petitioner on a monthly basis. The matter was continued to the present date for an update on Respondent's job search.

On January 12, 2023, Respondent filed a Supplemental Declaration Re Court Ordered Support Retroactive to Date of Filing RFO. This declaration appears to address only the issue of child support retroactivity.

Neither party has filed a brief updating the court on Respondent's effort to obtain employment. Therefore, the court reasonably infers the parties have no issues to address with the court, the seek work status update is dropped from calendar. All prior orders remain in full force and effect.

CCRC Review

Also on calendar for the present date is a review of Child Custody Recommending Counseling (CCRC). On October 19, 2023, the parties appeared before the court for hearing on the Temporary Restraining Order (TRO) filed by Respondent. At that time Respondent chose to drop the TRO and the parties were referred to CCRC.

The parties attended CCRC on December 11, 2023 and were able to reach agreements regarding a parenting schedule and extracurricular activities. The agreements were codified in a report dated January 11, 2024. The report was mailed to the parties the next day.

The court has reviewed the agreements as contained in the January 11, 2024 CCRC report and finds them to be in the best interests of the minors. They are therefore adopted as the orders of the courts. All prior orders not in conflict with this order remain in full force and effect.

The issue of child support is referred back to the DCSS calendar to be heard by the Child Support Commissioner on 3/11/2024 at 8:30 AM in Department 10.

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

TENTATIVE RULING #9: THE REVIEW OF RESPONDENT'S SEEK WORK EFFORTS IS DROPPED FROM CALENDAR AS THE PARTIES HAVE NOT FILED UPDATED BRIEFS WITH THE COURT. THE AGREEMENTS AS STATED IN THE JANUARY 11, 2024 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. THE ISSUE OF CHILD SUPPORT IS REFERRED BACK TO THE DCSS

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CALENDAR TO BE HEARD BY THE CHILD SUPPORT COMMISSIONER ON 3/11/2024 AT 8:30 AM IN DEPARTMENT 10. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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10. MICHAEL MARQUEZ V. TONYA MARQUEZ

23FL0679

Counsel for Petitioner, Nicholas Musgrove, filed his Notice of Motion and Motion to be Relieved as Counsel and his supporting declaration on October 13, 2023. The motion was mail served on December 8th. Counsel states he is unable to divulge his grounds for withdrawal citing confidential reasons.

The motion is granted pursuant to *Aceves v. Sup. Ct.*, 51 Cal. App. 4th 584 (1996). However, the court notes that the declaration filed is only minimally sufficient and future declarations in this regard must state some grounds for the withdrawal to the extent that such a statement can be made without violating the attorney-client privilege. For example, in *Aceves* Counsel did represent to the court that there was a conflict of interest and that conflict of interest had led to a breakdown in the attorney-client relationship. Such statements do not violate confidentiality, yet they do establish good cause to grant the withdrawal. The court may rely on Counsel's representation that there is a conflict, or that the attorney-client relationship has suffered an unrepairable breakdown, without knowing the underlying facts behind those statements. Here, Counsel submits in his declaration only the foregone conclusion that "there is good cause" but does not provide any explanation as to why he claims good cause exists. Future declarations in this regard will likely result in the parties being called in for an in-camera hearing.

TENTATIVE RULING #10: THE MOTION TO BE RELIEVED AS COUNSEL IS GRANTED. WITHDRAWAL WILL BE EFFECTIVE AS OF THE DATE OF FILING PROOF OF SERVICE OF THE FORMAL, SIGNED ORDER, UPON THE CLIENT.

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

LAW & MOTION TENTATIVE RULINGS

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January 25, 2024

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

11. SARAH CRAIG V. RYAN CRAIG

PFL20170099

On August 2, 2023, Sarah and Richard Craig (hereinafter “Grandparents”), filed a Request for Order (RFO) requesting grandparent visitation. Grandparents filed three Proofs of Service by Mail on September 20, 2023, serving Petitioner, Respondent, and minor’s counsel. It does not appear that DCSS was served. On September 27, 2023, Petitioner filed an Objection to Request for Order Filed by Respondent’s Parents as a Request for Joinder. Thereafter she filed and served a Responsive Declaration to Request for Order on October 12th and 13th respectively.

Petitioner originally objected to the RFO because the grandparents are not a party to the action, they did not use the mandatory Notice of Motion and Declaration for Joinder Forms (FL-371). In addition, Petitioner argued that the Proof of Service for the Request for Order does not show Respondent was served. On November 7, 2023, Grandparents filed an FL-371 Notice of Motion and Declaration for Joinder. It, along with the summons and the original RFO, as well as several other documents were all personally served on Respondent on December 1, 2023, and on Minor’s Counsel and Petitioner’s counsel on December 21st. Petitioner then filed her Responsive Declaration to Motion for Joinder on January 5, 2024.

Grandparents are requesting uninterrupted visitation with the minors on a routine basis, as well as a week of vacation and a three-day weekend to occur separately at some time between spring and autumn annually. The grandparents allege that although they have visited the minor children, their visits are subject to the Petitioner’s approval which is often unreliable.

Petitioner asks the court to deny grandparent’s RFO. Petitioner states that she has sole legal and physical custody of the minor children, while Respondent has professionally supervised visits. Petitioner filed a Temporary Domestic Violence Restraining Order in June, which was granted. Petitioner disagrees with the grandparent’s RFO, believing that the facts are misconstrued.

“A person who has or claims custody or physical control of any of the minor children subject to the action, or visitation rights with respect to such children, may apply to the court for an order joining himself or herself as a party to the proceeding.” Cal. Rules of Court, Rule 5.24(c)(2). Notwithstanding the foregoing, before ordering the joinder of grandparents, the court must (1) find “that there is a preexisting relationship between the grandparent and the grandchild that has engendered a bond such that visitation is in the best interest of the child;” and (2) Balance “the interest of the child in having visitation with the grandparent against the right of the parents to exercise their parental authority.” Cal. Rule of Ct., Rule 5.24(e)(1)(B); Cal. Fam. Code § 3104(a). “There is a rebuttable presumption affecting the burden of proof that the visitation of a grandparent is not in the best interest of a minor child if the parent who has been awarded sole legal and physical custody of the child in another proceeding...objects to visitation by the grandparent” Cal. Fam. Code § 3104(f).

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The court has reviewed the filings of the parties and Grandparents have not made a sufficient showing to overcome the presumption that visitation with the grandparents is in the best interests of the children such that it outweighs Petitioner's rights to effectively parent her children. Because the court cannot make the requisite findings under Family Code Section 3104, Grandparents' Motion for Joinder and their RFO are denied.

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

TENTATIVE RULING #11: GRANDPARENTS' MOTION FOR JOINDER AND THEIR RFO FOR VISITATION ARE DENIED. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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

12. UZRA KHURSAND V. YAMA KHURSAND

PFL20180089

On April 29, 2022, Respondent filed a Request for Order (RFO). The RFO was served via U.S. Mail on May 10, 2022. On June 30, 2022, Respondent filed a Declaration of Yama Khursand Re: Modification of Custody and a Declaration of Wallace Francis Re: Modification of Custody, both of which are in support of Respondent's RFO and both of which were served electronically.

On July 6, 2022, Petitioner filed and served her Responsive Declaration to Request for Order. Minor's Counsel filed her Statement of Issues and Contentions and Request for Orders on July 11, 2022, which had been served the day prior on July 10, 2022.

Respondent's RFO asked the court to institute a 2-2-4 schedule with a graduated step-up plan to 50/50 physical custody, or a schedule recommended by a child custody evaluator, for the youngest minor. Additional orders requested in the RFO were as follows: (1) the court to order a complete child custody evaluation under Family Code section 3111; (2) Remove Donelle Anderson as therapist and Barbara Newman as Minors' Counsel and appoint neutral, unbiased individuals for those roles; (3) Respondent to attend graduation. The RFO was set to be heard on August 11th.

At the August 11th hearing the court ruled on all matters including ordering the parties to participate in a Family Code Section 3111 evaluation with an Evidence Code Section 730 component. All parties were ordered to cooperate in the evaluation. Respondent was ordered to pay the cost of the evaluation but the court reserved jurisdiction to reallocate the costs of the 3111 Evaluation. Finally, the court noted the overlap in issues between the 3111/730 Evaluation and the trial date which was previously set for August 11th. The court vacated the August 11th trial date and set a review hearing for November 10th to review the 3111/730 report and choose new trial dates.

On October 6th the parties stipulated to appoint Jacqueline Singer as the 3111/730 evaluator.

Minors' Counsel filed a Statement of Issues and Contentions on February 7, 2023 stating that the parties have not yet begun the evaluation process. Minors' Counsel requested the current orders remain in full force and effect. Minors' Counsel further requested the court order Respondent secure any and all weapons in a safe. Finally, Minors' Counsel requested the parties put the matter back on calendar if they do not agree with the recommendations of the 3111 Evaluation.

The court continued the February 16th hearing to June 22, 2023 in order to ensure the evaluator had sufficient time to conduct her evaluation and complete the report and to choose new trial dates. Respondent was admonished to properly secure all firearms and weapons. The court continued to reserve jurisdiction on the reallocation of costs of the 3111 Evaluation.

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On May 31st and June 1st Minor's Counsel served and then filed Minor Counsel's Statement of Issues and Contentions and Request for Orders. Respondent filed and served Respondent's Declaration of Yama Khursand Re: Review Hearing, on June 13, 2023.

According to Minor's Counsel the parties had not participated in, nor completed, a 3111 Evaluation. As such, Minor's Counsel requested the court vacate the order for the 3111 Evaluation, without prejudice, and maintain all other current orders. Minors' Counsel did not believe that further review hearings on this issue are necessary.

Respondent stated he has been unable to afford the custody evaluation, though he believes it is critical. He noted that he requested Petitioner pay for the evaluation and he also requested a less expensive evaluator, though the court appointed Dr. Singer. Respondent objected to Minor's Counsel's request that the court drop its order for the 3111 Evaluation. He also objected to any hearsay statements made by Minor's Counsel. Additionally, Respondent argues that the parties have not complied with the court's order to participate in co-parenting counseling because Petitioner is using this as a means to preclude him from increasing his parenting time. Respondent asks the court to set trial on the issue of custody forthwith.

On June 22, 2023, the parties appeared for the hearing and presented argument. The court vacated the order for a Family Code 3111 evaluation and referred the parties to Child Custody Recommending Counseling (CCRC) for an appointment on July 28, 2023 and a review hearing on September 14, 2023.

Only Petitioner attended CCRC on July 24, 2023. On August 23rd, Respondent filed a Declaration of Wallace E. Francis RE: Child Recommended Counseling indicating that neither Respondent nor his attorney received notice of the date and time set for CCRC counseling. According to the Clerk's Certificate of Mailing, the CCRC referral and questionnaire were mailed to Wallace Francis at 111 Santa Rosa Ave. Ste. 401, Santa Rosa, CA 95404 which was the address given for Mr. Francis when he filed his Notice of Limited Scope on December 21, 2021. According to the pleadings, the address for Mr. Francis is now 3333 Mendocino Ave.

Minor's Counsel's Statement of Issues and Contentions and Request for Orders was filed and served on August 28th. Minor's Counsel notes that the initial request to modify the visitation schedule was made by Respondent. Minor's Counsel therefore asks that the request be denied. She points to the fact that Respondent has not presented any evidence that a modification is in the minor's best interest. Further, Respondent is clearly discussing the court proceedings with the minor and instructed the minor to lie to Minor's Counsel.

On September 14, 2023, the court adopted its tentative ruling, rereferring the parties to CCRC and setting a further review hearing.

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On September 21, 2023, Petitioner filed a request to continue the hearing and filed the same request again on October 9, 2023. On October 10, 2023, the court continued the review hearing from November 9, 2023 to January 25, 2024 due to Petitioner's unavailability.

Both parties attended CCRC and were able to reach an agreement. A report with the parties' agreement and further recommendations was filed with the court on January 8, 2024. Copies were mailed to the parties on the same day.

Petitioner filed a Declaration in Support of a Continuance on January 22, 2024. Respondent and Minors' Counsel were served electronically on January 22, 2024. Petitioner is requesting a continuance due to the sudden unavailability of her counsel due to a medial emergency.

The court has not received a statement of issues and contentions from Minors' Counsel.

The court orders parties to appear for the hearing.

TENTATIVE RULING #12: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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January 25, 2024

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

13. ZANE DAVIS V. NICHOLE JORDAN DAVIS

PFL20190077

Contempt

Petitioner filed an Order to Show Cause (OSC) and Affidavit for Contempt on July 28, 2023. Petitioner asserts that Respondent has refused to enable the Talking Parents video call feature for over three weeks, despite a court order to do so. In addition, Respondent is not allowing phone calls during her vacation or holidays. In total, Petitioner alleges that Respondent has denied him 26 court ordered Talking Parents video calls since May 5, 2022.

Furthermore, Petitioner alleges that Respondent owes \$902.50 in therapy reimbursements. Pursuant to an adopted tentative ruling, the parties were ordered to share the costs of therapy equally. Petitioner declares that Respondent only gave him a two-day notice for out-of-state travel, instead of the required ten-day notice, and despite his lack of consent, Respondent traveled with the child. Petitioner also alleges that Respondent is not compliant with the exchange times, has tried to change the custody schedule, and does not want their child to attend therapy sessions.

Petitioner filed a Proof of Personal Service showing Respondent was personally served on September 6, 2023.

On October 26, 2023, the parties appeared for the arraignment. The court appointed the Public Defender's office and continued the matter to January 25, 2024 for further arraignment.

Parties are ordered to appear for arraignment on the July 28, 2023 contempt citation.

Request for Orders

Petitioner filed a Request for Order (RFO) on September 1, 2023 requesting sole legal custody of the minor. Respondent was personally served on September 19, 2023. The parties have participated in Child Custody Recommending Counseling (CCRC) and the court made orders as to custody and parenting time on October 26, 2023.

The court finds based on the granting of a permanent DVRO, wherein Respondent and the minor are protected parties, the presumptions of Family Code section 3044 apply. The court finds Petitioner has not rebutted the presumptions. As such, the court finds an award of sole or joint legal and/or physical custody to Petitioner would be detrimental to the minor.

Respondent filed an RFO on September 14, 2023. Petitioner was served on September 19, 2023. The court finds this RFO to have been superseded by Respondent's September 27, 2023 RFO, which was heard on October 26, 2023.

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January 25, 2024

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

Review Hearing

Petitioner filed a Declaration on January 11, 2024. Upon review of the court file, there does not appear to be a Proof of Service which corresponds with this document. Therefore, the court cannot consider it.

Respondent filed a Supplemental Declaration on January 12, 2024. Petitioner was served on January 12, 2024. Respondent requests the court vacate the two pending RFOs and maintain the current orders. Respondent asserts Petitioner has not complied with enrollment in the Batterer's Intervention Program, asserts Petitioner has not complied with the random substance abuse testing component of the court's orders or the AOD requirement, and Respondent asserts Petitioner has not complied with the individual counseling order. Respondent requests the current orders remain in full force and effect.

Petitioner filed a Declaration with proof of enrollment in the Batterer's Intervention program on January 18, 2024. Respondent was served on January 17, 2024. The court finds this to be later filed, however, will consider it. Petitioner enrolled in the Batterer's Intervention Program on January 16, 2024 and was set to begin groups sessions on January 18, 2024.

The court finds the current orders remain in the minor's best interest. All current orders remain in full force and effect. The court finds good cause to set a further review hearing on March 28, 2024 at 1:30 PM. Any Supplemental Declarations shall be filed and served at least 10 days prior to the hearing.

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

TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR THE ARRAIGNMENT.

THE COURT DENIES PETITIONER'S RFO. THE COURT FINDS BASED ON THE GRANTING OF A PERMANENT DVRO, WHEREIN RESPONDENT AND THE MINOR ARE PROTECTED PARTIES, THE PRESUMPTIONS OF FAMILY CODE SECTION 3044 APPLY. THE COURT FINDS PETITIONER HAS NOT REBUTTED THE PRESUMPTIONS. AS SUCH, THE COURT FINDS AN AWARD OF SOLE OR JOINT LEGAL AND/OR PHYSICAL CUSTODY TO PETITIONER WOULD BE DETRIMENTAL TO THE MINOR.

THE COURT FINDS RESPONDENT'S SEPTEMBER 14, 2023 RFO TO HAVE BEEN SUPERSEDED BY RESPONDENT'S SEPTEMBER 27, 2023 RFO, WHICH WAS HEARD ON OCTOBER 26, 2023.

THE COURT FINDS THE CURRENT ORDERS REMAIN IN THE MINOR'S BEST INTEREST. ALL CURRENT ORDERS REMAIN IN FULL FORCE AND EFFECT. THE COURT FINDS GOOD CAUSE TO SET A FURTHER REVIEW HEARING ON MARCH 28, 2024 AT 1:30 PM. ANY SUPPLEMENTAL DECLARATIONS SHALL BE FILED AND SERVED AT LEAST 10 DAYS PRIOR TO THE HEARING.

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January 25, 2024

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

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

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

LAW & MOTION TENTATIVE RULINGS

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January 25, 2024

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

15. CAMERON JONES V. JACQUELYN PARSONS

PFL20110852

Respondent filed an ex parte application for emergency custody orders on December 7, 2023. Petitioner filed a Responsive Declaration on December 11, 2023. On December 12, 2023, the court denied the ex parte request and ordered that all prior orders remain in full force and effect. The court referred the parties to Child Custody Recommending Counseling (CCRC) for an emergency appointment on January 2, 2024 and a review hearing on January 25, 2024. The court reserved on Petitioner's request for Family Code section 271 sanctions. Respondent filed a Request for Order (RFO) on December 12, 2023, making the same requests as set forth in the ex parte application. Petitioner was served by mail on December 14, 2023.

Both parties appeared for CCRC on January 2, 2024. The parties were able to reach some agreements. A report with the parties' agreements and further recommendations was filed with the court on January 11, 2024. Copies were mailed to the parties the same day.

The court had read and considered the filings as set forth above. The court finds the agreements and the recommendations as set forth in the January 11, 2023 CCRC report to be in the best interest of the minor. The minor is to be returned to Respondent's care no later than January 29, 2024.

Neither party has filed an Income and Expense Declaration which is a requirement for the court to make a sanctions determination. Further, the court does not find Respondent's actions to be a violation of the public policy to promote settlement and reduce the costs of litigation. Therefore, the court denies Petitioner's request for Family Code section 271 sanctions.

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 #15: THE COURT HAD READ AND CONSIDERED THE FILINGS AS SET FORTH ABOVE. THE COURT FINDS THE AGREEMENTS AND THE RECOMMENDATIONS AS SET FORTH IN THE JANUARY 11, 2023 CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE MINOR IS TO BE RETURNED TO RESPONDENT'S CARE NO LATER THAN JANUARY 29, 2024. THE COURT DENIES PETITIONER'S REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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

ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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

16. DAVID RITCHIE V. MARIANNE LANSPA

PFL20180627

On July 12, 2023 Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC). The OSC was personally served on August 9th. The OSC asserts ten allegations of contempt and seeks attorney's fees pursuant to Family Code section 271.

The parties appeared before the court on September 14th and Petitioner was appointed a public defender. The court continued the matter to the present date.

The parties appeared before the court on December 7, 2023 and all parties requested a continuance. The court granted the request and continued the matter to January 25, 2024.

The parties are ordered to appear for arraignment.

TENTATIVE RULING #16: THE PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.

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January 25, 2024

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

17. DCSS V. JOSEPH CODY (OTHER PARENT: RAECHEL MARSHALL)

PFS20140326

Respondent filed a Request for Order (RFO) on October 10, 2023, requesting a modification of child custody orders. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on December 4, 2023 and a review hearing on January 25, 2024. Upon review of the court file, there is no Proof of Service showing Petitioner or Other Parent were served.

Only Respondent appeared for the CCRC appointment. As such, a single parent report with no agreements or recommendations was filed on December 4, 2023. Copies were mailed to the parties the same day. The court notes, Other Parent's copy has been returned to the court as the address provided was incomplete.

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

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

18. EUGENE SALMINA V. CASSIDY SALMINA

22FL0644

Respondent filed a Request for Order (RFO) on July 13, 2023, requesting the court make orders as to child custody and parenting time, 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 September 20, 2023 and a review hearing on November 9, 2023. Petitioner was served by mail on July 18, 2023.

Both parties attended CCRC on September 20, 2023 and reached a full agreement. Parties submitted a Stipulation and Order regarding child custody and parenting time on September 21, 2023. The court signed and adopted the parties' stipulation as its order. The court, therefore, finds the issues of child custody and parenting time have been resolved.

On November 9, 2023, the court continued the child support portion of the hearing as Petitioner had not filed an Income and Expense Declaration and Respondent's Income and Expense Declaration was out of date. The court directed parties to file and serve their Income and Expense Declarations at least 10 days prior to the next hearing. The court reserved jurisdiction to retroactively modify support to the date of the filing of the RFO.

Petitioner filed an Income and Expense Declaration as well as a Responsive Declaration on January 18, 2023. Respondent was served by mail on January 15, 2023. While the service was timely, the documents were filed less than 10 days prior to the hearing.

As of this writing, Respondent has not filed an updated Income and Expense Declaration.

The court denies the request for child support due to Respondent's failure to file a current Income and Expense Declaration. "For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense Declaration." Cal. Rule Ct. 5.260(1); *See also* Cal. Fam. Code §2100. Given Respondent's failure to file the requisite documents, this request is denied.

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 #18: THE REQUEST TO MODIFY CHILD SUPPORT IS DENIED DUE TO RESPONDENT'S FAILURE TO FILE A CURRENT INCOME AND EXPENSE DECLARATION. "FOR ALL HEARINGS INVOLVING CHILD, SPOUSAL, OR DOMESTIC PARTNER SUPPORT, BOTH PARTIES MUST COMPLETE, FILE, AND SERVE A CURRENT INCOME AND EXPENSE DECLARATION." CAL. RULE CT. 5.260(1); SEE ALSO CAL. FAM. CODE §2100. GIVEN RESPONDENT'S FAILURE TO FILE THE REQUISITE DOCUMENTS, THIS REQUEST IS DENIED. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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January 25, 2024

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

19. GARY HARRIS V. KRISTEN BALCITA

23FL0561

Petitioner filed a Petition to Establish a Parental Relationship on June 16, 2023. Respondent was properly served on July 13, 2023. Respondent filed a Response on July 18, 2023.

Petitioner filed a Request for Order (RFO) on June 30, 2023, requesting the court make orders as to child custody and parenting time. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on August 25, 2023 and a review hearing on October 12, 2023. Proof of Service shows Respondent was personally served on July 13, 2023.

Respondent filed and served a Responsive Declaration on August 18, 2023. Respondent objects to Petitioner's requested orders. Respondent requests the court grant her sole legal and physical custody. Respondent asserts Petitioner has failed to have any contact with the minor for 12 years. Respondent also states in her declaration that Petitioner has provided misleading information to the Department of Child Support Services.

Only Respondent appeared for the CCRC appointment on August 25, 2023. As such, a single parent report was filed with no agreements or recommendations. A copy of the report was mailed to the parties on August 28, 2023.

On October 12, 2023, the parties appeared for the hearing and agreed to be rereferred to CCRC. The court set a further CCRC appointment for December 13, 2023 and a further review hearing on January 25, 2024.

Both parties reached a full agreement at CCRC and submitted a stipulation reflecting their agreement. The court signed and adopted the parties' stipulation as its order on December 18, 2023.

The court drops the matter from calendar as moot, as the parties have submitted a stipulation, which the court has adopted as its order. The current orders remain in the minor's best interest.

TENTATIVE RULING #19: THE COURT DROPS THE MATTER FROM CALENDAR AS MOOT, AS THE PARTIES HAVE SUBMITTED A STIPULATION, WHICH THE COURT HAS ADOPTED AS ITS ORDER. THE CURRENT ORDERS REMAIN IN THE MINOR'S BEST INTEREST.

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

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

ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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January 25, 2024

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

20. NATHAN HAYNES V. CHELSEY DORSEY

PFL20160512

Respondent filed a Request for Order (RFO) requesting modification of parenting time and child support orders on October 10, 2023. Parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on December 6, 2023 and a review hearing on January 25, 2024. Upon review of the court file, there is no Proof of Service showing the Department of Child Support Services, who are a party to the case, or Petitioner were served with the RFO. Therefore, the court drops Respondent's RFO from calendar.

Petitioner filed an ex parte request for emergency custody orders on November 7, 2023. On November 8, 2023, the court denied Petitioner's request. Petitioner filed a RFO making the same requests as set forth in the ex parte application. The parties were referred to CCRC and a review hearing on the same dates as previously set by Respondent's RFO. Upon review of the court file, there is no Proof of Service of Petitioner's RFO.

Both parties and the minor participated in the December 6, 2023 CCRC appointment. The parties were unable to reach any agreements. A report with recommendations was filed with the court on January 12, 2024. Copies were mailed to the parties the same day.

Petitioner filed a Declaration on December 7, 2023. There is no Proof of Service for this document, therefore, the court cannot consider it.

Petitioner filed a further Declaration on January 4, 2024. There is no Proof of Service for this document, therefore, the court cannot consider it.

The court finds good cause to proceed with Petitioner's RFO, as both parties appeared at the CCRC appointment and Respondent is aware of the requested orders. The court finds the recommendations as set forth in the January 12, 2024 CCRC report to be in the best interest of the minor. The court adopts the recommendations as its orders.

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

TENTATIVE RULING #20: RESPONDENT'S OCTOBER 10, 2023 FILED RFO IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE. THE COURT FINDS GOOD CAUSE TO PROCEED WITH PETITIONER'S RFO, AS BOTH PARTIES APPEARED AT THE CCRC APPOINTMENT AND RESPONDENT IS AWARE OF THE REQUESTED ORDERS. THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE JANUARY 12, 2024 CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDERS. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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21. NICOLE SELMAN V. BRIAN SELMAN

23FL0531

Petitioner filed a Request for a Domestic Violence Restraining Order (DVRO), on June 9, 2023. In her request, she asked the court to order debt payments as well as spousal support. The court granted the request for a DVRO on September 8, 2023 and set a further hearing on the issues of debt payment and spousal support. The court ordered both parties to file Income and Expense Declarations at least 10 days prior to the next court date.

The court issued a Tentative Ruling on October 18, 2023, which stated neither party had filed an Income and Expense Declaration and therefore, dropped the matter from calendar. Neither party requested oral argument. As such, the court adopted its tentative ruling and the October 19, 2023 hearing was this matter is dropped from calendar for failure to file the required documents.

Petitioner filed a Request for Order (RFO) on October 31, 2023, requesting the matter be put back on calendar and that the court reserve retroactivity to the original request. Petitioner asserts she did file an Income and Expense Declaration timely for the October 19, 2023 hearing. Proof of Service shows Respondent was properly served with the RFO and Income and Expense Declaration on November 8, 2023.

Upon review of the court file, the court notes Petitioner did file an Income and Expense Declaration on October 9, 2023. It was not added to the court file until October 11, 2023. However, there is no Proof of Service showing Respondent was properly served that document. Therefore, even if the court had been aware of the filing at the time the Tentative Ruling was written, the court could not have considered the document.

Petitioner filed a Responsive Declaration to her own motion, on January 4, 2024, which is not proper. Further, there is no Proof of Service for this document, therefore, the court cannot consider it.

Petitioner also filed an updated Income and Expense Declaration on January 4, 2024. There is no Proof of Service for this document and therefore, the court cannot consider it.

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

The court denies Petitioner's request to restore the matter to calendar. Petitioner failed to properly serve her Income and Expense Declaration prior to the October 19, 2023 hearing. Further, Petitioner has again failed to properly serve her current Income and Expense Declaration. "For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense Declaration." Cal. Rule Ct.

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5.260(1); *See also* Cal. Fam. Code §2100. Given Petitioner's failure to properly serve the requisite documents, this request is denied.

All prior orders remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #20: THE COURT DENIES PETITIONER'S REQUEST TO RESTORE THE MATTER TO CALENDAR. PETITIONER FAILED TO PROPERLY SERVE HER INCOME AND EXPENSE DECLARATION PRIOR TO THE OCTOBER 19, 2023 HEARING. FURTHER, PETITIONER HAS AGAIN FAILED TO PROPERLY SERVE HER CURRENT INCOME AND EXPENSE DECLARATION. "FOR ALL HEARINGS INVOLVING CHILD, SPOUSAL, OR DOMESTIC PARTNER SUPPORT, BOTH PARTIES MUST COMPLETE, FILE, AND SERVE A CURRENT INCOME AND EXPENSE DECLARATION." CAL. RULE CT. 5.260(1); *SEE ALSO* CAL. FAM. CODE §2100. GIVEN PETITIONER'S FAILURE TO PROPERLY SERVE THE REQUISITE DOCUMENTS, THIS REQUEST IS DENIED. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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22. SHANNON HILL V. JUSTIN HILL

PFL20140663

Petitioner filed an ex parte request for emergency custody orders on October 6, 2023. On October 11, 2023, the court denied the requests finding there were no exigent circumstances. The court did refer the parties to Child Custody Recommending Counseling (CCRC) despite the parties attending within the prior six months. The court set a CCRC appointment for December 8, 2023 and a review hearing for January 25, 2024. The court ordered the minor to be made available for the CCRC appointment at the counselor's request. Petitioner filed a Request for Order (RFO) on October 11, 2023, making the same requests as set forth in the ex parte application. Upon review of the court file, there is no Proof of Service showing Respondent was served with the RFO or referral to CCRC.

Only Petitioner appeared at CCRC. As such, a single parent report was filed with the court on December 8, 2023. Copies were mailed to the parties on December 11, 2023.

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

TENTATIVE RULING #22: THE MATTER IS DROPPED FROM CALENDAR DUE TO 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 TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.