

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JUNE 04, 2025
8:30 a.m.

1. ASHLEY MARTINEZ HERNANDEZ V. JOSE MARTINEZ JACQUEZ 22FL0152

This matter is before the court on the Respondent's Request for Order (RFO) to modify child custody and visitation filed April 03, 2025. The RFO prompted the court to schedule a CCRC session for April 21, 2025. Proof of service filed April 08, 2025, shows the Petitioner was personally served on April 07, 2025.

Petitioner did not file a responsive declaration.

The parties attended CCRC on April 21, 2025, and reached several agreements regarding exchange location, therapy and parenting classes, alcohol and substance use, children's clothing and belongings, and respect guidelines. A CCRC report dated April 22, 2025, was submitted to the court and mailed to both parties on April 23, 2025, as stated in the Clerk's Certificate of Mailing filed that date.

The court has read and considered the CCRC report, and the filings of the parties noted above. The court finds that the agreements and recommendations of the CCRC report are in the children's best interests and adopts them as the court's orders with the exception that, instead of having the parties file a motion to be re-referred back to CCRC for further review, the court sets a review hearing for December 10, 2025. At least 10 days prior to the review hearing, both parties shall file a declaration regarding the status of child custody and visitation, as well as proof of completion of counseling (or progress reports if counseling is not completed).

TENTATIVE RULING #1: THE COURT ADOPTS THE RECOMMENDATIONS OF THE CCRC REPORT DATED APRIL 22, 2025, AND SETS A REVIEW HEARING AT 8:30 A.M., WEDNESDAY, DECEMBER 10, 2025, IN DEPARTMENT 12. AT LEAST 10 DAYS PRIOR TO THE HEARING DATE, BOTH PARTIES SHALL FILE A DECLARATION REGARDING THE STATUS OF CHILD CUSTODY AND VISITATION, AS WELL AS PROOF OF COMPLETION OF COUNSELING (OR PROGRESS REPORTS IF COUNSELING IS NOT COMPLETED).

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 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 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07.

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2. COLLEEN SIDEY V. BRYAN YERIAN

22FL0437

This matter is before the court on two Requests of the Petitioner, an OSC Re: Contempt and a Request for Order (RFO), each filed April 29, 2025. The RFO requests orders for division of assets of the parties while the OSC Re: Contempt seeks consequences for the alleged failure of the Respondent to perform obligations ordered pursuant to the parties' agreement on June 20, 2024.

A status only Judgment was entered October 23, 2024.

The RFO was served on Respondent's attorney of record by electronic service on April 29, 2025, per the Proof of Service filed April 29, 2025.

The OSC Re: Contempt was personally served on the Respondent on May 06, 2025, per the Proof of Personal Service filed May 14, 2025.

No Responsive Declaration to the RFO has been filed by the Respondent.

The Respondent is ordered to appear for arraignment on the OSC Re: Contempt.

The parties are ordered to appear to select Trial and MSC dates for resolution of reserved issues.

TENTATIVE RULING #2: THE PARTIES ARE ORDERED TO APPEAR.

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3. DAWN KRAVAN V. ISAC BELL

SFL20150187

TENTATIVE RULING #3: THE PARTIES ARE ORDERED TO APPEAR.

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4. MONIQUE INSHAW V. FRANCOIS INSHAW

23FL0924

This matter is before the court on the Respondent's Request for Order (RFO) filed May 02, 2025, seeking modification of visitation of the parties' daughter, PI (age 7), and appointment of an attorney to represent her. A copy of the RFO (and Notice of Tentative Ruling) was served on counsel for the Petitioner by mail on May 06, 2025, per the Proof of Service filed with the court on that same date.

Petitioner filed a Responsive declaration on May 28, 2025, which the court has not considered as it was not timely filed.

Respondent's RFO was filed through counsel who has appeared in the case but who has not substituted into the matter and who has, as recently as the court appearance on April 16, 2025, announced that he only represents the Respondent on the Domestic Violence Restraining Order request.

The Court finds that the portion of the RFO seeking modification of Respondent's visitations is properly before the court as the current custody/visitation orders are contained in the 4th Amended TRO filed 09/03/2024. The Court finds that the request for appointment of minor's counsel is not an issue that is within the scope of representation of counsel for the Respondent and so does not address that issue.

This matter is set for a 2-day evidentiary hearing to begin on July 24, 2025, and for a Mandatory Settlement Conference on July 10, 2025.

Respondent's declaration in support of his RFO notes that the TRO limiting his visitation has been in effect for over a year and a half. Respondent cites to and attaches a copy of the CCRC report submitted to the court on January 31, 2025, in which the CCRC counsellor reports in her interview with PI that PI stated she "would like one night, two days with Father." Additionally, the CCRC report recommends that Respondent have overnight visits.

The court finds that overnight visits with the Respondent are in the best interests of PI and therefore modifies the TRO as follows: Respondent's weekend visits on the 2nd, 4th and 5th weekends of each month shall be from 10:00 am on Saturday overnight until 1:00 pm on Sunday so long as Respondent's son, Elliott, is also present.

TENTATIVE RULING #4: THE TRO IS AMENDED TO PROVIDE THAT RESPONDENT'S VISITS ON THE 2ND, 4TH, AND 5TH WEEKENDS OF EACH MONTH SHALL BEGIN AT 10:00 AM ON SATURDAY AND CONTINUE OVERNIGHT TO 1:00 PM ON SUNDAY, SO LONG AS RESPONDENT'S SON, ELLIOTT, IS ALSO PRESENT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 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 (1999). NOTICE TO ALL PARTIES OF A

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