LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
SEPTEMBER 17, 2025
8:30 a.m.

1. JULIANA KIRKLAND V. ANDREW KIRKLAND SFL20180046

This matter is before the court for hearing of the Child Support request contained in the Request for Order (RFO) filed by the Petitioner on May 08, 2025. The RFO also requested modification of the Custody/Visitation of the parties' two children. That issue was resolved through CCRC, which was confirmed at the hearing on August 20, 2025. Additionally, the parties were ordered to file and serve current Income and Expense Declarations (I&E) at least 10 days prior to this hearing.

Only the Respondent complied with the court's order, having filed an I&E on September 09, 2025. A Proof of Service by Mail filed September 09, 2025, shows a copy of Respondent's I&E was mailed to the Petitioner on September 05, 2025.

Petitioner filed an I&E with her RFO on May 08, 2025, which the court has considered for the calculation below.

Neither party provided paystubs or other documentation to verify their stated income.

Petitioner asserts her income is $600 per week (item 1h of her I&E) but asserts her monthly income is $2,400 (item 5a). The court assumes that the Petitioner multiplied $600 x 4 to arrive at $2,400. However, as there are 52 weeks in a year, $600 per week actually amounts to monthly income of $2,600 ($600 x 52 = $31,200; $31,200/12 = $2,600). The court has used that figure as Petitioner's income. Petitioner's I&E reveals no other income or credits.

Respondent asserts he works 60 hours per week and earns $2,500 per month (items 1g and 1h). The $2,500 figure is repeated at item 5a of his I&E. The minimum wage in Arizona, where Respondent resides, is $14.70 per hour. A 60-hour work week at minimum wage yields monthly income of $3,822 ($14.70 x 60 = $882; $882 x 52 = $45,864; $45,864/12 = $3,822). The court has used that figure as Respondent's income. The court also employed the income tax rate in Arizona (2.5%) in the calculation. Respondent's I&E shows no other income or credits.

The Custody/Visitation schedule ordered at the hearing of May 08, 2025, yields a 16% timeshare for Respondent.

These factors are used in the attached XSpouse calculation which yields guideline support of $1,033 per month payable by the Respondent.

The court orders Respondent to pay $1,033 per month as and for child support, beginning June 01, 2025, and the 1st day of each month thereafter according to law. Arrears created by the retroactive start date of this order shall be paid at the rate of $67 per month beginning October 01, 2025, and the 1st day of each month thereafter until paid in full.

TENTATIVE RULING #1: THE COURT FINDS THAT GUIDELINE CHILD SUPPORT IS $1,033 PER MONTH AND ORDERS THAT AMOUNT PAID BY THE RESPONDENT TO THE

PETITIONER BEGINNING JUNE 01, 2025, AND THE FIRST OF EACH MONTH THEREAFTER. THE RESPONDENT IS ORDERED TO PAY THE ARREARS CREATED BY THE RETROACTIVE START DATE OF THIS ORDER AT THE RATE OF $67 PER MONTH BEGINNING ON OCTOBER 01, 2025, AND THE 1ST DAY OF EACH MONTH THEREAFTER UNTIL PAID IN FULL.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY <u>PHONE CALL</u> 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 <u>LEWIS V. SUPERIOR COURT</u>, 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.

Fixed Shares	Father	Mother
#of children	0	2
% time with NCP	16.00 %	0.00 %
Filing status	SINGLE	HH/MLA
# exemptions	1 *	3
Wages+salary	3822	2600
Self-employed income	0	0
Other taxable income	0	0
TANF+CS received	0	0
Other nontaxble income	0	0
New spouse income	0	0
401(k) employee contrib	0	0
Adjustments to income	0	0
SS paid prev marriage	0	0
CS paid prev marriage	0	0
Health insurance	0	0
Other medical expense	0	0
Property tax expense	0	0
Ded interest expense	0	0
Contribution deduction	0	0
Misc tax deductions	0	0
Qual bus income ded	0	0
Required union dues	0	0
Mandatory retirement	0	0
Hardship deduction	0 *	0 *
Other GDL deductions	0	0
Child care expenses	0	0

Monthly figures
2025

GUIDELINE
Nets(adjusted)

Father	3239
Mother	3091
Total	6330

Support

Addons	0
Guideln CS	1033
Alameda SS	0
Total	1033

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Settings changed
Taxes changed

Proposed
Tactic 9

CS	1188
SS	0
Total	1188
Saving	2
Releases	2

Released to Father

Cash Flow

	Guideline	Proposed
Comb. net spendable	6330	6332
Percent change	0%	0%
Father		
Payment cost/benefit	-1033	-853
Net spendable income	2206	2386
Change from guideline	0	180
% of combined spendable	35%	38%
% of saving over guideline	0%	11289%
Total taxes	583	248
Dep. exemption value	0	0
# withholding allowances	0	0
Net wage paycheck	3063	3063
Mother		
Payment cost/benefit	1033	855
Net spendable income	4124	3946
Change from guideline	0	-178
% of combined spendable	65%	62%
% of saving over guideline	0%	-11189%
Total taxes	-491	-158
Dep. exemption value	0	0
# withholding allowances	0	0
Net wage paycheck	2225	2225

Father pays Guideline CS, Proposed CS

FC 4055 checking: **ON**

Per Child Information

	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	15 - 85	0	0	0	Father	1033	Father	1033	Father
	16 - 84	0	0	0	Father	378	Father	378	Father
	16 - 84	0	0	0	Father	655	Father	655	Father