

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
OCTOBER 22, 2025
8:30 a.m.

1. KERRY BROWN V. MARC BROWN

22FL0838

This matter is before the court for hearing on two separate Requests for Orders (RFO), both submitted by the Respondent, on August 14, 2025. The first RFO is a request to end the domestic violence restraining order (DVRO) issued in this case on October 20, 2022 (said DVRO is set to expire on October 20, 2027). The second RFO is a request to modify the current visitation order, which is contained within the October 20, 2022, DVRO.

The second RFO (to modify visitation) prompted the court to refer the parties to a CCRC session set for September 11, 2025.

Proof of service filed August 25, 2025, shows that both RFOs were personally served on the Petitioner on August 14, 2025.¹

To date, there is no responsive declaration from the Petitioner in the court's file.

The court is in receipt of the CCRC report dated September 23, 2025, indicating that both parties attended CCRC on September 11, 2025. A copy of the CCRC report was sent to both parties on September 23, 2025, per the Clerk's Certificate of Mailing filed that same day. The CCRC counsellor's recommendations are detailed in the report.

Having read and considered the CCRC report, the court finds the parties' agreements and recommendations of the CCRC counsellor to be in the best interest of the parties' child and so adopts them as the orders of the court with the following modifications: (1) beginning January 2026 (to allow Respondent time to progress with co-parenting classes and individual counseling, as recommended by the CCRC counsellor), the Respondent shall have visitation with the parties' child one Sunday per month in South Lake Tahoe, California, from 12:00 p.m. to 5:00 p.m., provided that the Respondent provides the Petitioner with two weeks' advance notice;² and (2) the Petitioner shall not be required to enroll in an individual parenting class at this time.

In conclusion, Respondent's request to modify the current visitation order is granted in part and denied in part, as detailed above. Respondent's request to terminate the DVRO is denied. The court's denial of these RFOs is without prejudice to the Respondent filing a new RFO at a later time.

TENTATIVE RULING #1: RESPONDENT'S REQUEST TO TERMINATE THE DVRO IS DENIED; AND RESPONDENT'S REQUEST TO MODIFY THE CURRENT VISITATION ORDER IS GRANTED IN PART AND DENIED IN PART. BOTH REQUESTS ARE DENIED WITHOUT PREJUDICE TO THE RESPONDENT FILING A NEW RFO AT A LATER TIME. THE COURT

¹ The proof of service technically states that the person served was the Respondent. However, this appears to be a mistake; it appears that the person who was actually served was the Petitioner.

² For any other visitation, the parties' child shall determine when he wants to see Respondent and the duration.

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FINDS THE PARTIES' AGREEMENTS AND THE RECOMMENDATIONS OF THE CCRC COUNSELLOR IN THE CCRC REPORT DATED SEPTEMBER 23, 2025, TO BE IN THE BEST INTEREST OF THE PARTIES' CHILD AND SO ADOPTS THEM AS THE ORDERS OF THE COURT WITH THE FOLLOWING MODIFICATIONS: (1) BEGINNING JANUARY 2026, THE RESPONDENT SHALL HAVE VISITATION WITH THE PARTIES' CHILD ONE SUNDAY PER MONTH IN SOUTH LAKE TAHOE, CALIFORNIA, FROM 12:00 P.M. TO 5:00 P.M., PROVIDED THAT THE RESPONDENT PROVIDES THE PETITIONER WITH TWO WEEKS' ADVANCE NOTICE; AND (2) THE PETITIONER SHALL NOT BE REQUIRED TO ENROLL IN AN INDIVIDUAL PARENTING CLASS AT THIS TIME.

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.