

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
NOVEMBER 05, 2025
8:30 a.m.

1. CANDELARIA PURCELL V. DANE PURCELL

SFL20200041

This matter is before the court for the parties to select a new contested hearing date on the Petitioner's Request for Order (RFO) filed February 27, 2024, to modify child custody and visitation, and award attorney fees and costs.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, NOVEMBER 05, 2025, IN DEPARTMENT 12 TO SELECT A NEW CONTESTED
HARING DATE.**

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DEPARTMENT 12
NOVEMBER 05, 2025
8:30 a.m.

2. CHRIS BRACKETT V. JENNIFER BRACKETT

SFL20170168

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on October 21, 2025, to modify child custody and visitation. The RFO also included a request for order shortening time and a request for temporary emergency orders. On October 21, 2025, the court shortened the time for service, ordering service to be made on or before October 24, 2025, and any responsive declaration to be served on or before October 31, 2025. The court denied the request for temporary emergency orders.

Proof of service filed October 24, 2025, shows that the RFO was electronically served upon the Respondent the same day. To date, however, there is no proof of service in the court's file showing that the RFO was served upon minors' counsel, Kelly Bentley.

On October 29, 2025, Respondent filed a responsive declaration, which was electronically served upon both the Petitioner and minors' counsel the same day per the proof of service also filed October 29, 2025.

The court, on its own motion and in the interest of judicial economy, continues the hearing to December 10, 2025, to allow Petitioner to properly serve minors' counsel on or before November 12, 2025. The court directs minors' counsel to interview her clients and submit a report on or before November 21, 2025. Any supplemental declarations in response to the report from minors' counsel shall be filed and served on all parties on or before December 01, 2025. The court will issue a new tentative ruling on or before December 09, 2025, at 2:00 p.m.

TENTATIVE RULING #2: THE COURT, ON ITS OWN MOTION AND IN THE INTEREST JUDICIAL ECONOMY, CONTINUES THE HEARING TO 8:30 A.M., WEDNESDAY, DECEMBER 10, 2025, IN DEPARTMENT 12 TO ALLOW PETITIONER TO PROPERLY SERVE THE RFO ON MINORS' COUNSEL ON OR BEFORE NOVEMBER 12, 2025. THE COURT DIRECTS MINORS' COUNSEL TO INTERVIEW HER CLIENTS AND SUBMIT A REPORT ON OR BEFORE NOVEMBER 21, 2025. ANY SUPPLEMENTAL DECLARATIONS IN RESPONSE TO THE REPORT FROM MINORS' COUNSEL SHALL BE FILED AND SERVED ON ALL PARTIES ON OR BEFORE DECEMBER 01, 2025. THE COURT WILL PUBLISH A NEW TENTATIVE RULING ON THE COURT'S WEBSITE ON OR BEFORE DECEMBER 09, 2025, AT 2:00 P.M.

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3. JARED ALLAN COLLINS V. STEFANI KERN

SFL20180059

This matter is before the court on two issues: (1) Arraignment of the Respondent on a Contempt citation filed by the Petitioner on September 30, 2025; and (2) the Request for Order (RFO) filed by the Petitioner on October 02, 2025, to modify child custody and visitation. The RFO is trailing the contempt proceeding; considering the right not to self-incriminate under the Fifth Amendment, the court will not rule on the RFO until the contempt proceeding is resolved.

TENTATIVE RULING #3: BOTH PARTIES' APPEARANCE IS REQUIRED AT 8:30 A.M., WEDNESDAY, NOVEMBER 05, 2025, IN DEPARTMENT 12, WITH THE RFO TO TRAIL THE CONTEMPT PROCEEDING.

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4. RACHEL ERWIN V. RANDY ERWIN

25FL0565

This case is before the court for hearing of the Petitioner's Request for Order (RFO) filed with the court on August 01, 2025, in which she requests an order for Child Support. The Petitioner filed an Income and Expense Declaration (Form FL-150) along with the RFO and both documents were personally served on the Respondent on October 01, 2025, per the Proof of Personal Service filed on October 02, 2025.

The Respondent did not file a Responsive Declaration or his own FL-150.

Since the filing of the RFO, the Petitioner obtained a Judgment of Dissolution by Default. Judgment was entered on September 05, 2025, and awards the Petitioner Sole Legal and Sole Physical custody of the parties' children RE (age 18 as of 11/10/25) and EE (age 15). Respondent's right of visitation is stated as "Reasonable" without further clarification. It is not clear from the filings whether RE will emancipate upon turning 18 or is still a full-time student.

The Judgment reserves jurisdiction over Child Support.

While the court has some concern over the timing of the entry of Judgment versus this hearing, there is no legal reason not to set Child Support.

Petitioner's income is found to be \$5,212 per month which is determined by taking the YTD gross income from the most recent paystub attached to the Petitioner's FL-150 and dividing it by the number of months to date. The paystub for July 25, 2025 is for the period ending on July 19, 2025, which is 6.61% of the year. The year-to-date total is \$34,451. 6.61% of 34,451 is 5,212/mo.

The Petitioner's FL-150 on page 1 at item #4 asserts that the Respondent's income is \$2,960/month. The court has no other evidence of Respondent's income and so uses the figure provided by Petitioner.

Petitioner, on page 4 of the FL-150, states that Respondent sees the children 5% of the time.

These factors are used in the attached XSpouse calculation which yields guideline child support payable by the Respondent to the Petitioner of \$892 per month, beginning August 01, 2025, and the first of each month thereafter, according to law. The arrears created by the retroactive start date of this support order shall be paid at the rate of \$108 per month beginning December 01, 2025, and the first date of each month thereafter until paid in full.

TENTATIVE RULING #4: THE RESPONDENT IS ORDERED TO PAY \$892 PER MONTH TO THE PETITIONER AS AND FOR CHILD SUPPORT, BEGINNING AUGUST 01, 2025 AND THE FIRST OF EACH MONTH THEREAFTER UNTIL THE CHILDREN TURN 18 AND ARE NO LONGER FULL-TIME STUDENTS OR TURN 19, EMANCIAPATE, DIE, MARRY, JOIN THE ARMED FORCES, OR FURTHER ORDER OF THE COURT. THE RESPONDENT IS ORDERED TO PAY ARREARS OF \$108 PER MONTH BEGINNING DECEMBER 01, 2025, AND THE FIRST DAY OF EACH MONTH THEREAFTER UNTIL ARREARS ARE 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 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.

2025

Xspouse 2025-1.2-CA

Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow		
Number of children	0	2	2025			Guideline	Proposed
Percent time with NCP	5.00%	0.00%			Combined net spendable	7196	7220
Filing status	SINGLE	HH/MLA	GUIDELINE		Percent change	0%	0%
Number of exemptions	1	3	Nets (adjusted)		Father		
Wages and salary	2960	5212	Father	2484	Payment cost/benefit	-892	-778
Self employed income	0	0	Mother	4712	Net spendable income	1592	1706
Other taxable income	0	0	Total	7196	Change from guideline	0	114
TANF CS received	0	0	Support		% of combined spendable	22%	24%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	472%
New spouse income	0	0	Guideln CS	-892	Total taxes	476	281
Employee 401-k contribution	0	0	Alameda SS	0	Dep. exemption value	0	0
Adjustments to income	0	0	Total	-892	# withholding allowances	0	0
SS paid prev marriage	0	0	CS range: -775--892		Net wage paycheck	2373	2373
CS paid prev marriage	0	0	Settings changed		Mother		
Health insurance	0	0	Proposed		Payment cost/benefit	892	802
Other medical expenses	0	0	Tactic 9		Net spendable income	5604	5514
Property tax expenses	0	0	CS	-974	Change from guideline	0	-90
Ded interest expense	0	0	SS	-0	% of combined spendable	78%	76%
Contribution deduction	0	0	Total	-974	% of saving over guideline	0%	-372%
Misc tax deductions	0	0	Saving	24	Total taxes	500	672
Qualified business income deduction	0	0	Releases	-1	Dep. exemption value	0	0
Required union dues	0	0			# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	4217	4217
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Proposed CS

FC 4055 checking: **ON**

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		5 - 95	0	0	0 Father	892 Father	892 Father
	0000-00-00	5 - 95	0	0	0 Father	332 Father	332 Father
	0000-00-00	5 - 95	0	0	0 Father	560 Father	560 Father

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5. WILLIAM WENDELL V. ANNA WENDELL

SFL20160151

This case is before the court for hearing of the Respondent's Request for Order (RFO) filed September 02, 2025 in which she requests modification of the visitation schedule for the parties' daughter TW (age 16) and modification of the Child Support order. Respondent filed an Income and Expense declaration (FL-150) along with her RFO and both documents were personally served on the Petitioner on October 30, 2025, which is not sufficient notice for the hearing date.

Because the Petitioner's RFO raises Visitation as an issue, the parties were referred to CCRC with the appointment set for September 18, 2025. Neither party attended the CCRC session per the Memorandum submitted by the CCRC counsellor on September 18, 2025.

If Petitioner is still pursuing the orders requested by her RFO, she is to appear for rereferral to CCRC and resetting of the hearing in accordance with the new CCRC date.

TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR.