

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 12  
DECEMBER 03, 2025  
8:30 a.m.

**1. ALLISON STEINMETZ V. JOHN STEINMETZ**

**24FL1038**

This matter is before the court for a trial setting conference. The issues to be addressed at trial are: (1) dissolution of marriage; (2) division of assets; (3) division of debts; (4) *Epstein*<sup>1</sup> credits; (5) *Watts*<sup>2</sup> charges; (6) spousal support; and (7) attorney fees.

A Mandatory Settlement Conference is currently set for January 08, 2026.

The parties are ordered to appear to select a new trial date.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,  
WEDNESDAY, DECEMBER 03, 2025, IN DEPARTMENT 12 TO SELECT A NEW TRIAL DATE.**

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<sup>1</sup> *In re Marriage of Epstein* (1979) 24 Cal.3d 76.

<sup>2</sup> *In re Marriage of Watts* (1985) 171 Cal.App.3d 366.



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**2. AMBER COLLINS V. MITCHELL BURKHART**

**25FL0568**

This matter is before the court for hearing of the Request for Order (RFO) filed by the Petitioner on October 16, 2025, in which she requests modification of Visitation of the parties' child LG (age 4) and that the parties be referred to CCRC. Because the parties had a CCRC appointment within the previous 6 months (08/14/25) they were not referred to CCRC.

Proof of Service filed October 23, 2025, asserts that the Respondent was personally served with the RFO on October 16, 2025. However, that Proof of Service does not state that the Notice of Posting Tentative Ruling form was served on the Respondent along with the RFO.

No Responsive Declaration has been filed by the Respondent.

Because there is no Proof that the Respondent has been made aware of the court's Tentative Ruling process, the court cannot dispose of the case through issuance of a Tentative Ruling.

**TENTATIVE RULING #2: THE PARTIES ARE ORDERED TO APPEAR FOR HEARING ON THE PETITIONER'S RFO AND FOR POSSIBLE REFERRAL TO CCRC.**



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**3. JASON BECK V. JAIME WICKMAN**

**25FL0117**

This matter is before the court for hearing of the Request for Order (RFO) filed by the Petitioner on November 06, 2025, in which he requests that Custody/Visitation orders from August 18, 2025, be modified. The Petitioner requested Temporary Emergency Orders pending the hearing, which the court granted. The court also ordered that the time for hearing and service be shortened, ordering that service be accomplished by November 14, 2025, and that any Responsive Declaration be filed by November 24, 2025.

There is no Proof of Service of the RFO on the Respondent in the file.

Because there is no Proof of Service of the RFO, the Hearing is dropped from calendar, and the Temporary Emergency Orders issued on November 06, 2025, are vacated.

**TENTATIVE RULING #3: DUE TO LACK OF SERVICE ON THE RESPONDENT THE HEARING ON THE PETITIONER'S RFO IS DROPPED AND THE TEMPORARY EMERGENCY ORDERS ENTERED ON NOVEMBER 06, 2025, ARE VACATED.**

**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.4<sup>TH</sup> 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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**4. JOSHUA DAVIDSON V. DANIELLE DAVIDSON**

**SFL20200154**

This matter is before the court for hearing of the Request for Order (RFO) filed by the Respondent on June 09, 2025, in which she seeks a modification of her visitation with the parties' children (ages 13 and 9). The RFO was initially set for hearing on August 20, 2025, but the Respondent had not obtained service on the Petitioner, so the hearing was continued to October 01, 2025.

At the hearing on October 01, 2025, both parties appeared and were re-referred to CCRC (Petitioner did not attend the original session on July 11, 2025) with the appointment scheduled for October 09, 2025, and the review hearing set for this date.

The parties attended the CCRC appointment as scheduled and a CCRC report was submitted by the CCRC counsellor on October 10, 2025. Copies of the CCRC report were mailed to the parties on October 13, 2025, according to the Clerk's Certificate of Mailing submitted that same date. The CCRC report sets forth several Agreements reached by the parties and several Recommendations on the topics upon which they did not agree.

The Respondent filed a Supplemental Declaration on October 30, 2025, and attached copies of UA testing results (negative) and participation in parenting classes. The Respondent also provided the name and information for three Family Therapists which was done in compliance with a component of the CCRC Report (Respondent names three providers from which Petitioner picks one). Proof of Service by Mail filed October 30, 2025, states that the Respondent's Supplemental Declaration was mailed to the Petitioner on that same date.

The Petitioner filed a Responsive Declaration on November 05, 2025, a copy of which was mailed to the Respondent on November 05, 2025, per the Proof of Service by Mail filed that same date.

The Petitioner also filed a Supplemental Declaration on November 20, 2025, a copy of which was mailed to the Respondent on that same date according to the Proof of Service also filed on November 20, 2025. The Petitioner's Declaration states an objection to the Family Therapists listed by the Respondent as being too far (Reno area) from the children's residence and then offers three alternative providers in El Dorado County from which Respondent is asked to select.

The court has read and considered all the documents referenced above.

The court is asked to regulate the pace of Respondent's request to re-enter the children's lives after having been absent for a year or more. This is the not uncommon issue of dealing with a Prodigal Parent. The mandate of Family Code section 3020(b) that the "... children have frequent and continuing contact with both parents . . ." must be balanced against the overriding obligation to act in the children's best interests stated in Family Code section 3020(a).

While the returning parent (the Prodigal Parent) frequently requests to be rapidly reinstated into an equal parenting role, the custodial parent cautions that too fast a



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reinstatement may not be what is best for the children and that the children will be understandably devastated if the Prodigal Parent again disappears.

Respondent reports that in-person visits, which were being supervised by Live Violence Free, ended when the agency discontinued its supervision services in 2022. Her Zoom visits ended in 2024 when she was locked out of her Zoom account.

Petitioner is hesitant about allowing the Respondent to return without safeguards for the children and assurances that the Respondent will remain committed to working toward reunification and not disappear again.

The court takes Respondent's stated desire to re-engage with the children as sincere. The regular participation in counselling (see letter from Quest) and the negative UA test results through October 08, 2025, are positive signs.

However, the court also recognizes that the Petitioner's concerns are legitimate. The court particularly agrees that it is in the best interest of the children to require the Respondent to travel for the Family Therapy sessions that her absence necessitates.

The court finds that the Agreements reached by the parties, as set forth in the CCRC Report, are in the best interests of the children and so adopts them as orders of the court. Similarly, the court finds that the Recommendations of the CCRC Report are also in the children's best interest excepting the process of the selection of the Reunification Therapist (Paragraph #1 of the Section, "Reunification Therapy Step-Up Plan," on page 9 of the Report). The court agrees that any travelling required for the reunification therapy should be the burden of the Respondent and not the children. Therefore, the court orders that the Respondent select one of the options provided by Petitioner in his Supplemental Declaration filed November 20, 2025. Respondent is to tell Petitioner by the hearing date if any of the providers he named accepts insurance he has in place. The court orders that any cost of reunification therapy not covered by either party's insurance shall be paid by the Respondent.

**TENTATIVE RULING #4: THE COURT FINDS THAT THE AGREEMENTS SET FORTH IN THE CCRC REPORT OF OCTOBER 10, 2025, ARE IN THE BEST INTERESTS OF THE PARTIES' CHILDREN AND SO ADOPTS THEM AS ORDERS OF THE COURT. THE COURT FINDS THAT THE RECOMMENDATIONS SET FORTH IN THE REPORT ARE ALSO IN THE CHILDREN'S BEST INTERESTS AND SO ADOPTS THEM AS ORDERS OF THE COURT, EXCEPT THAT RESPONDENT SHALL SELECT A THERAPIST FROM THE THREE OPTIONS PROVIDED BY PETITIONER IN HIS SUPPLEMENTAL DECLARATION FILED NOVEMBER 20, 2025. PETITIONER SHALL TELL RESPONDENT IF ANY OF HIS THREE PROPOSED THERAPISTS WILL ACCEPT INSURANCE HE HAS IN PLACE. RESPONDENT SHALL PAY ANY COST OF REUNIFICATION THERAPY NOT COVERED BY EITHER PARTY'S INSURANCE.**

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**5. MAE CABRISTANTE V. CHAD CABRISTANTE, SR.**

**SFL20200161**

This action was filed on November 13, 2020. Code of Civil Procedure section 583.310 provides, “An action shall be brought to trial within five years after the action is commenced against the defendant.” (Code Civ. Proc., § 583.310.) Because the case has not been brought to trial within five years as required under Code of Civil Procedure section 583.310, the court intends to dismiss the action, unless the Petitioner appears and provides sufficient evidence of why it was impossible, impracticable, or futile to bring the action to trial during this time. (Code Civ. Proc., § 583.340, subd. (c).)

**TENTATIVE RULING #5: PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 583.310, THE COURT DISMISSES THE ACTION.**

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