

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
MARCH 18, 2026
8:30 a.m.

1. ALEXANDRA OLMSTEAD V. AUSTIN KUENZI

SFL20140287

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on January 30, 2026, to transfer the case to the state of Nevada on the grounds that both parties presently reside in Nevada. Proof of service filed February 09, 2026, shows the RFO was served upon the Respondent by mail on February 07, 2026. To date, Respondent has filed no opposition.

While the court intends to grant the RFO on the merits, the Petitioner must establish a case in the appropriate court in Nevada before transfer can occur. The Petitioner may seek assistance from the court's Family Law Facilitator.

TENTATIVE RULING #1: ON THE COURT'S OWN MOTION, MATTER IS CONTINUED TO 8:30 A.M., WEDNESDAY, APRIL 15, 2026, IN DEPARTMENT 12 TO ALLOW THE PETITIONER ADDITIONAL TIME TO ESTABLISH A CASE IN THE APPROPRIATE COURT IN NEVADA (I.E., LODGING A COPY OF THIS COURT'S CURRENT CUSTODY ORDER IN THE NEVADA COURT).

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. ALLISON STEINMETZ V. JOHN STEINMETZ

24FL1038

This matter is before the court for review of judgment following the parties' Marital Settlement Agreement (MSA) reached at the Mandatory Settlement Conference on February 19, 2026. Since then, no new filings have been submitted to the court. Appearances are required to update the court on the status of turning the MSA into a judgment.

TENTATIVE RULING #2: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, MARCH 18, 2026, IN DEPARTMENT 12 TO UPDATE THE COURT ON THE STATUS OF TURNING THE PARTIES' MARITAL SETTLEMENT AGREEMENT INTO A JUDGMENT.

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3. COLLEEN SIDEY V. BRYAN YERIAN

22FL0437

This matter is before the court for a status conference regarding potential settlement on reserved issues. The court notes there currently exists a “Status Only Judgment,” issued October 23, 2024. Appearances are required to update the court on the status of negotiations regarding the reserved issues.

TENTATIVE RULING #3: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, MARCH 18, 2026, IN DEPARTMENT 12 TO UPDATE THE COURT ON THE STATUS OF SETTLEMENT NEGOTIATIONS REGARDING THE RESERVED ISSUES.

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4. JED HIRSCHFELD V. KELLI MCALISTER

24FL1065

This matter is before the court on two separate Requests for Order (RFO), both filed by the Petitioner.

The first RFO,¹ filed January 15, 2026, is a request to (1) modify “visitation,”² (2) require both parties to respond to any messages on the “Talking Parents” application within 48 hours regarding health, education, exchanges, or vacations, and (3) confirm that Petitioner has permission to take the parties’ children to Legoland. The filing of Petitioner’s RFO prompted the court to refer the parties to a CCRC session set for January 29, 2026. (El Dorado Super. Ct., Local Ct. R. 8.10.01.)

The second RFO, filed February 13, 2026, is a request to modify custody of the parties’ child, HH (age 6). The RFO also includes a request for Temporary Emergency Orders pending the hearing, specifically, that the Petitioner be granted sole temporary legal custody, as HH has an immediate dental issue. On February 13, 2026, the court denied the Petitioner’s request for Temporary Emergency Orders.

RFO Filed January 15, 2026

Proof of service filed January 20, 2026, shows that the RFO, CCRC referral, and Notice of Tentative Ruling were all served upon the Respondent via mail that same day.

Respondent filed no timely Responsive Declaration.

The court is in receipt of a CCRC report dated January 29, 2026. The CCRC counsellor states that, on the morning of the CCRC appointment, she was notified by a court clerk that the Respondent was reportedly ill and unable to attend that day. Due to the Respondent’s non-appearance, the CCRC counsellor was unable to make any recommendations to the court. A copy of the CCRC report was mailed to both parties on February 02, 2026, according to the Clerk’s Certificate of Mailing.

The court treats the RFO as unopposed. Having reviewed the Petitioner’s declaration in support of the RFO, the court finds that the requested changes are in the best interests of HH, and therefore, the court grants the relief requested in the RFO.

¹ The caption of the RFO has a check mark next to “Child Custody,” indicating that the RFO includes a request regarding child custody. However, the body of the RFO states the Petitioner requests no change to legal or physical custody.

² Petitioner’s specific requests regarding visitation are included in Attachment 7 to the RFO, and pertain to: (1) right of first refusal before arranging third-party child care; (2) right of first refusal where the other parent is unable to personally supervise the children for more than 24 hours; (3) ensuring the children arrive to school on time; (4) response time on the “Talking Parents” application; and (5) Facetime and phone calls between the parties and their children.

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RFO Filed February 13, 2026

On February 13, 2026, the court issued an order shortening time, requiring the Petitioner to serve the RFO and supporting documents no later than February 20, 2026, and requiring the Respondent to file and serve a Responsive Declaration no later than March 02, 2026.

Proof of service filed February 19, 2026, shows the RFO was served upon the Respondent via mail on February 18, 2026.

Respondent filed no timely Responsive Declaration.

The court finds that a change is required for the best interests of HH. Petitioner's declaration shows that HH's dental care is being neglected due to lack of cooperation between the parties. Therefore, the court grants the Petitioner sole legal custody for decisionmaking on dental care of HH. As to all other issues, the parties shall continue to share joint legal custody.

TENTATIVE RULING #4:

RFO FILED JANUARY 15, 2026: THE COURT GRANTS THE RFO. THE PETITIONER IS DIRECTED TO PREPARE AND SUBMIT FOR THE COURT'S SIGNATURE A FINDINGS AND ORDER AFTER HEARING (FOAH). THE PETITIONER MAY SEEK ASSISTANCE FROM THE COURT'S FAMILY LAW FACILITATOR.

RFO FILED FEBRUARY 13, 2026: THE COURT GRANTS THE RFO IN PART. THE COURT GRANTS THE PETITIONER SOLE LEGAL CUSTODY FOR DECISIONMAKING ON DENTAL CARE OF THE PARTIES' CHILD, HH (AGE 6). AS TO ALL OTHER ISSUES, THE PARTIES SHALL CONTINUE TO SHARE JOINT LEGAL CUSTODY. THE PETITIONER IS DIRECTED TO PREPARE AND SUBMIT FOR THE COURT'S SIGNATURE A FINDINGS AND ORDER AFTER HEARING (FOAH). THE PETITIONER MAY SEEK ASSISTANCE FROM THE COURT'S FAMILY LAW FACILITATOR.

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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5. JOHNATHAN ROBERT MILTON V. KIMBERLY LESLEY NOBELLA 25FL0722

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on February 03, 2026, to modify child custody and visitation. Because the parties attended CCRC within six months before the instant RFO was filed, the court did not issue a new CCRC referral. (El Dorado Super. Ct., Local Ct. R. 8.10.01.)

Proof of service filed March 02, 2026, shows the RFO was served upon the Respondent via mail on February 05, 2026.

Also on March 02, 2026, the Petitioner filed a letter from his counsellor at Vista Rise Collective dated February 09, 2026. The court notes, however, there is no proof of service for said letter.

On March 13, 2026, the Respondent filed a Responsive Declaration, a copy of which was served upon the Petitioner via mail that same day. The proof of service indicates that the Respondent, herself, performed the mail service. Generally, service must be completed by a third party. Nonetheless, the court considers the Respondent's declaration, although exhibits referenced by the Respondent were not attached to the declaration or separately filed. The court finds that it is in the best interests of the parties' children to expand the Petitioner's visitation but not to include overnight visits, as requested by the Petitioner. The court grants visitation for the Petitioner each Wednesday from 5:00 p.m. to 8:00 p.m., as well as the first, second, and fourth Saturdays and Sundays of each month from 10:00 a.m. to 6:00 p.m.

Respondent is directed to prepare a new Restraining Order After Hearing to reflect the new visitation schedule.

TENTATIVE RULING #5: THE COURT GRANTS THE RFO IN PART. THE COURT GRANTS VISITATION FOR THE PETITIONER EACH WEDNESDAY FROM 5:00 P.M. TO 8:00 P.M., AS WELL AS THE FIRST, SECOND, AND FOURTH SATURDAYS AND SUNDAYS OF EACH MONTH FROM 10:00 A.M. TO 6:00 P.M. RESPONDENT IS DIRECTED TO PREPARE AND SUBMIT FOR THE COURT'S SIGNATURE A NEW RESTRAINING ORDER AFTER HEARING (ROAH) TO REFLECT THE NEW VISITATION SCHEDULE.

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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6. MICHELLE BETH MCGINNIS V. MICHAEL MCGINNIS

SFL20210030

This matter is before the court for a five-year dismissal hearing pursuant to Code of Civil Procedure section 583.310, which provides, "An action shall be brought to trial within five years after the action is commenced against the defendant." (Code Civ. Proc., § 583.310.) The action was filed on March 02, 2021.

On July 08, 2021, the Petitioner filed a request for entry of default against the Respondent. However, it does not appear that the court granted or denied said request. The court notes that proof of service of summons on the Respondent was filed on April 13, 2021. Thus, it would appear appropriate to grant the request for default.

To date, there is no proof of service in the court's file for Petitioner's Preliminary Declaration of Disclosure. There is also no proposed judgment.

**TENTATIVE RULING #6: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, MARCH 18, 2026, IN DEPARTMENT 12.**

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7. RAEANNE ISABELL WILSON V. PAUL EDWARD LYNFOOT

22FL1155

This matter is before the court on the Request for Order (RFO) filed by the Petitioner on January 23, 2026, to modify custody and visitation. The filing of the RFO prompted the court to refer the parties to a CCRC session set for February 06, 2026. (El Dorado Super. Ct., Local Ct. R. 8.10.01.)

To date, there is no proof of service of the RFO in the court's file and no responsive declaration filed by the Respondent. However, the court is in receipt of a CCRC report dated February 10, 2026, which indicates that both parties appeared for the CRCC session as scheduled. The court finds that any defect in service of the RFO has been waived by the Respondent as a result of his appearance and participation at the CCRC session.

A copy of the CCRC report was mailed to both parties on February 10, 2026, according to the Clerk's Certificate of Mailing filed that same day. The court finds that the Agreements of the parties and the Recommendations of the CCRC counsellor set forth in the CCRC report are in the parties' children's best interests and therefore adopts them as the orders of the court.

TENTATIVE RULING #7: THE COURT FINDS THAT THE AGREEMENTS OF THE PARTIES AND THE RECOMMENDATIONS OF THE CCRC COUNSELLOR SET FORTH IN THE CCRC REPORT DATED FEBRUARY 10, 2026, ARE IN THE PARTIES' CHILDREN'S BEST INTERESTS AND THEREFORE ADOPTS THEM AS THE ORDERS OF THE COURT.

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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8. TONI MORLEY V. VICTOR GUTIERREZ

25FL1225

This matter is before the court on the Request for Order (RFO) filed by the Respondent on February 03, 2026, to modify Child and Spousal Support retroactive to the date of filing (February 05, 2026) after the court partially granted the Petitioner's RFO (filed December 18, 2025) on January 28, 2026.

As outlined in the Findings and Order After Hearing (FOAH) filed January 30, 2026, the court ordered Respondent to pay Child Support to the Petitioner in the amount of \$1,064.00 and Spousal Support to the Petitioner in the amount of \$242.00 beginning January 01, 2026, and the first of each month thereafter until further order of the court. The court also ordered the Respondent to pay the Petitioner \$446.88 Child Support and \$101.64 Spousal Support for the month of December 2025 (42 percent of the monthly support amounts).

Proof of service filed February 27, 2026, shows that Respondent's instant RFO, as well as Respondent's Income & Expense Declaration (I&E), also filed February 05, 2026, were served upon the Petitioner via mail on February 06, 2026.

On March 03, 2026, the Petitioner filed a Responsive Declaration, a copy of which was served upon the Respondent that same day, according to the proof of service, also filed March 03, 2026.

On March 10, 2026, the Department of Child Support Services (DCSS) filed its Responsive Declaration to the instant RFO, a copy of which was served upon both parties via mail on March 12, 2026, according to the proof of service filed March 13, 2026.

In support of the RFO, Respondent claims that: (1) he actually earns approximately \$4,641.083 [sic] per month;³ (2) he also has monthly health insurance costs of \$685.42; and (3) the parties actually share 50/50 custody of their son, AG (age 9).⁴

Petitioner's Responsive Declaration opposes the instant RFO claiming there has been no change in circumstances since the court's order dated January 28, 2026, that would warrant modification of child or spousal support.

³ The FOAH was based on a finding that the Respondent earned a monthly average of \$6,000.00. This evidence was presented in the Petitioner's I&E submitted concurrently with her RFO on December 18, 2025. As noted in the court's tentative ruling issued January 27, 2026, the court did not consider Respondent's I&E, filed January 26, 2026, because it was not timely served upon the Petitioner (proof of service shows that Respondent's I&E was personally served upon Petitioner on January 23, 2026, five days before the hearing; the deadline for service of Respondent's I&E was January 14, 2026 – nine court days before the hearing (Code Civ. Proc., § 1005, subd. (b)).)

⁴ The FOAH was based on a finding that Respondent's custody share of AG is 14 percent; and Petitioner's custody share of AG is 86 percent. Evidence of the parties' custody share was presented in Petitioner's RFO papers filed December 18, 2025.

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The court finds that Respondent's claim that he actually makes a lesser amount than the court used to calculate child and spousal support in the FOAH is not a change of circumstances that would allow the court to modify the FOAH, which was entered less than three months ago.

However, the court notes that the parties had no custody/visitation orders as of the hearing held on January 28, 2026, which yielded the FOAH entered January 30, 2026. Therefore, the FOAH was based upon a finding that Respondent's custody share of AG is 14 percent, as claimed in Petitioner's I&E filed December 18, 2025.

The Petitioner's RFO filed January 29, 2026, prompted the court to refer the parties to CCRC, which yielded a stipulation and order, which was entered by the court on February 20, 2026. The current custody order is as follows: "Father's parenting time shall be on Thursdays and Fridays from 2:30 p.m. (school pick-up) to 10:00 p.m. ... and Saturday from when Father gets off work (3:30 p.m.) to the time he is ready for drop off, or, if Father is off work all day." Additionally, the parties have a holiday schedule, which provides additional parenting time for the Respondent.

Based upon the current custody order, the court finds that the Respondent's custody share is approximately 16 percent. Further, the court finds this custody share to be a change in circumstance from when the FOAH was issued on January 30, 2026.

In re-calculating child and spousal support, the court will use the information provided by the Respondent in his I&E filed February 05, 2026, which is properly before the court. Respondent's I&E indicates he earns approximately \$4,641.00 per month⁵ and spends \$759.00 on health insurance per month.⁶

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⁵ Attached to Respondent's I&E is a copy of his 2025 W-2, which shows he earned a total gross amount of \$55,693.52. Thus, Respondent's gross monthly income is \$4,461.00, rounded down ($\$55,693.52 / 12 \text{ months} = \$4,641.13$).

⁶ Attached to Respondent's I&E is a copy of his paystub covering the 14-day period of January 03, 2026, through January 16, 2026. Said paystub shows total healthcare expenses of \$342.71 (\$312.06 for medical; \$18.64 for dental; and \$12.01 for vision). Therefore, Respondent's total monthly healthcare expenses amount to \$759.00, rounded up from \$758.86.

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As shown in the attached XSpouse calculation printout, Respondent is ordered to pay Child Support to the Petitioner in the amount of \$556.00 beginning March 01, 2026, and the first of each month thereafter until further order of the court. Although the attached XSpouse calculation printout would show \$69.00 of spousal support payable by the Petitioner to the Respondent, the court declines to impose spousal support and sets the amount of spousal support at zero. The court orders the Respondent to pay \$517.08 Child Support for the month of February 2026 (93 percent of the monthly support amount).

TENTATIVE RULING #8: THE RFO IS GRANTED IN PART. THE RESPONDENT IS ORDERED TO PAY CHILD SUPPORT TO THE PETITIONER IN THE AMOUNT OF \$623.00 BEGINNING MARCH 01, 2026, AND THE FIRST OF EACH MONTH THEREAFTER UNTIL FURTHER ORDER OF THE COURT. THE COURT AWARDS ZERO SPOUSAL SUPPORT. THE COURT ORDERS THE RESPONDENT TO PAY THE PETITIONER \$535.78 CHILD SUPPORT FOR THE MONTH OF FEBRUARY 2026 (86 PERCENT OF THE MONTHLY SUPPORT AMOUNT).

THE COURT DIRECTS DCSS TO PREPARE AND SUBMIT FOR THE COURT'S SIGNATURE A FINDINGS AND ORDER AFTER HEARING (FOAH).

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.

Fixed Shares	Father	Mother	Monthly figures	Cash Flow	Guideline	Proposed
#of children	0	1	2026		6659	6685
% time with NCP	16.00 %	0.00 %				
Filing status	SINGLE	HH/MLA	GUIDELINE	Comb. net spendable	6659	6685
# exemptions	1 *	2 *	Nets(adjusted)	Percent change	0%	0%
Wages+salary	4641	4000	Father	2980	Father	
Self-employed income	0	0	Mother	3678	Payment cost/benefit	-492 -391
Other taxable income	0	0	Total	6659	Net spendable income	2493 2594
TANF+CS received	0	0	Support		Change from guideline	0 101
Other nontaxable income	0	0	Addons	0	% of combined spendable	37% 39%
New spouse income	0	0	Guideln CS	-556	% of saving over guideline	0% 391%
401(k) employee contrib	0	0	Alameda SS	69	Total taxes	901 665
Adjustments to income	0	0	Total	-488	Dep. exemption value	0 0
SS paid prev marriage	0	0	-		# withholding allowances	0 0
CS paid prev marriage	0	0			Net wage paycheck	3619 3619
Health insurance	759	0			Mother	
Other medical expense	0	0			Payment cost/benefit	488 412
Property tax expense	0	0			Net spendable income	4166 4091
Ded interest expense	0	0	Proposed		Change from guideline	0 -75
Charitable contributions	0	0	Tactic 9		% of combined spendable	63% 61%
Misc tax deductions	0	0	CS	-623	% of saving over guideline	0% -291%
Qual bus income ded	0	0	SS	0	Total taxes	322 532
Required union dues	0	0	Total	-623	Dep. exemption value	0 0
Mandatory retirement	0	0			# withholding allowances	0 0
Hardship deduction	0 *	0 *	Saving	26	Net wage paycheck	3291 3291
Other GDL deductions	0	0	Releases	1		
Child care expenses	0	0	Released to Father			

Father pays Guideline CS, Proposed CS

Mother pays Guideline SS

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	556	Father	556	Father
	16 - 84	0	0	0	Father	556	Father	556	Father