

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

1. DCSS V. CHAD MCCRACKEN (OTHER PARENT: YULIYA PALSSON) PFS20200179

Respondent filed a Request for Order (RFO) on August 13, 2024, seeking custody and visitation orders. The parties appeared before the court on October 31st for hearing on the RFO. A review hearing was set on the issues of custody and visitation.

At the review hearing, the parties agreed to return to Child Custody Recommending Counseling (CCRC) to discuss the issues of a parenting plan and an Evidence Code section 730 evaluation. Another review hearing was set for July 10th.

At the July 10th hearing, the court adopted the recommendations as stated in the June 26, 2025 CCRC report and ordered a 730 evaluation. Another review hearing was set for November 6, 2025 at which time the court made several orders including its reiteration that a 730 evaluation was to be completed. A review hearing was set for February 5th which was continued to the present date for receipt and review of the 730 evaluation.

On January 28, 2026, Respondent filed a Reply and Supplemental Declaration of Respondent; It was served on January 27th.

On February 25, 2026, Other Parent filed an RFO for custody and visitation orders. It was served on January 23rd, a month prior to filing. The hearing on that RFO is scheduled for May 14, 2026.

Given that it appears the 730 evaluation still has not been completed, this matter is continued to join with the May 14, 2026 hearing. Supplemental Declarations are due no later than 10 days prior to the hearing date.

TENTATIVE RULING #1: THIS MATTER IS CONTINUED TO JOIN WITH THE MAY 14, 2026 HEARING. SUPPLEMENTAL DECLARATIONS ARE DUE NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE.

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) 621-6725 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, 1247 (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. CINDY COCHRAN V. GLENN COCHRAN

23FL0328

On November 26, 2025, Petitioner filed a Request for Order (RFO) seeking an order compelling Respondent's disclosures along with property control, spousal support, and attorney's fees. She filed her Income and Expense Declaration concurrently therewith. All required documents were personally served on Respondent on December 17th. Respondent has not filed a Responsive Declaration to Request for Order.

Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure "as an admission that the motion or other application is meritorious." El Dorado County, Local Rule 7.10.02(C). Here, it appears the RFO was timely and properly served on Respondent. He had notice of the pending requests and chose not to file an opposition. As such, the court finds good cause to treat his failure to do so as an admission that the claims made in the RFO are meritorious.

Petitioner is requesting guideline spousal support as well as temporary exclusive use, possession, and control of the property located on Hilltop Drive in Grizzly Flats. She further requests an order compelling Respondent to complete his Preliminary Declaration of Disclosure, respond to discovery requests, and monetary sanctions. Additionally, she is seeking \$5,000 in need-based attorney's fees.

Petitioner's motion to compel is granted. Respondent is ordered to serve his full and complete Preliminary Declaration of Disclosure, with required supporting documents, no later than April 5, 2026. Respondent is further ordered to provide full and complete, verified, discovery responses without objections no later than April 5, 2026. Respondent is sanctioned \$750 pursuant to Family Code § 2107 for his failure to comply with his disclosure requirements. This amount is to be paid directly to Petitioner's attorney and may be paid in one lump sum or in monthly increments of \$125 commencing on April 1st and continuing on the 1st of each month until paid in full. If any payment is missed or late the entire amount shall become immediately due and payable.

Regarding spousal support, with Respondent's estimated income of \$4,000 per month and Petitioner's income of \$3,132, support is nominal at best. Accordingly, the court is setting temporary spousal support to \$0 for the time being. Since Respondent failed to file and complete his Income and Expense Declaration, the court is reserving jurisdiction to award support back to the date of filing the RFO.

The court is also reserving jurisdiction on Petitioner's request for sanctions pursuant to Family Code § 2040 for Respondent's violation of the ATROS.

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Petitioner's request for property control is granted. Petitioner shall have temporary exclusive use, possession and control of the residence located at 5250 Hilltop Drive in Grizzly Flats, California. Respondent is ordered to continue making the entirety of the mortgage payments in a timely manner pending disposition of the divorce or further court order.

Respondent is further ordered to immediately return all of Petitioner's personal items which are within his custody and control.

Finally, regarding the request for need-based attorney's fees, the request is denied without prejudice. In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2). Here, given Petitioner's estimate that Respondent's income is \$4,000 per month, the court does not find there to be a sufficient disparity in access to funds to retain counsel.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH) however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #2: PETITIONER'S MOTION TO COMPEL IS GRANTED. RESPONDENT IS ORDERED TO SERVE HIS FULL AND COMPLETE PRELIMINARY DECLARATION OF DISCLOSURE, WITH REQUIRED SUPPORTING DOCUMENTS, NO LATER THAN APRIL 5, 2026. RESPONDENT IS FURTHER ORDERED TO PROVIDE FULL AND COMPLETE, VERIFIED, DISCOVERY RESPONSES WITHOUT OBJECTIONS NO LATER THAN APRIL 5, 2026. RESPONDENT IS SANCTIONED \$750 PURSUANT TO FAMILY CODE § 2107 FOR HIS FAILURE TO COMPLY WITH HIS DISCLOSURE REQUIREMENTS. THIS AMOUNT IS TO BE PAID DIRECTLY TO PETITIONER'S ATTORNEY AND MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$125 COMMENCING ON APRIL 1ST AND CONTINUING ON THE 1ST OF EACH MONTH UNTIL PAID IN FULL. IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

REGARDING SPOUSAL SUPPORT, THE COURT IS SETTING SPOUSAL SUPPORT TO \$0 FOR THE TIME BEING. SINCE RESPONDENT FAILED TO FILE AND COMPLETE HIS INCOME AND EXPENSE DECLARATION, THE COURT IS RESERVING JURISDICTION TO AWARD SUPPORT BACK TO THE DATE OF FILING THE RFO.

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THE COURT IS ALSO RESERVING JURISDICTION ON PETITIONER'S REQUEST FOR SANCTIONS PURSUANT TO FAMILY CODE § 2040 FOR RESPONDENT'S VIOLATION OF THE ATROS.

PETITIONER'S REQUEST FOR PROPERTY CONTROL IS GRANTED. PETITIONER SHALL HAVE TEMPORARY EXCLUSIVE USE, POSSESSION AND CONTROL OF THE RESIDENCE LOCATED AT 5250 HILLTOP DRIVE IN GRIZZLY FLATS, CALIFORNIA. RESPONDENT IS ORDERED TO CONTINUE MAKING THE ENTIRETY OF THE MORTGAGE PAYMENTS IN A TIMELY MANNER PENDING DISPOSITION OF THE DIVORCE OR FURTHER COURT ORDER.

RESPONDENT IS FURTHER ORDERED TO IMMEDIATELY RETURN ALL OF PETITIONER'S PERSONAL ITEMS WHICH ARE WITHIN HIS CUSTODY AND CONTROL.

FINALLY, REGARDING THE REQUEST FOR NEED-BASED ATTORNEY'S FEES, THE REQUEST IS DENIED WITHOUT PREJUDICE.

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3. SHAWN EVANS V. SHALENE EVANS

24FL0159

On December 29, 2025, this matter came before the court for hearing on Respondent's Request to Vacate Temporary Restraining Order. The request was granted and the parties were referred to Child Custody Recommending Counseling (CCRC). A review hearing was set for the present date.

The parties attended CCRC on January 22, 2026 and were unable to reach any agreements. A report with recommendations was prepared on February 11, 2026. And an amended report was prepared on February 17, 2026. The amended report was mailed to the parties on February 18th.

Petitioner filed an MC-030 Declaration on February 19th. It was served the same day however the Proof of Service was signed by Petitioner herself. This is not proper service. Accordingly, the court cannot consider this document.

After reviewing the filings as outlined above the court finds the recommendations contained in the February 17, 2026 amended CCRC report to be in the best interests of the minor. The recommendations are hereby adopted as the orders of the court.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH) however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #3: THE COURT FINDS THE RECOMMENDATIONS CONTAINED IN THE FEBRUARY 17, 2026 AMENDED CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR. THE RECOMMENDATIONS ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT.

RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH) HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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4. MICHAELA JOHNSON V. MATTHEW JOHNSON

22FL0137

Pending before the court are three Requests for Orders (RFOs) filed by Petitioner. The first, filed on December 4, 2025, requesting a change of venue to Placer County. The second, which was filed the next day, seeks child support orders. And the third, filed on December 10, 2025, seeking an order shortening time (OST) on the change of venue.

The December 4th RFO was served the same day as filing, however there was no Notice of Tentative Ruling or blank FL-320 served. Likewise, the December 5th RFO was served the same day as filing but service did not include the requisite Notice of Tentative Ruling, a blank FL-320, or an Income and Expense Declaration. The December 10th RFO was served on December 9th, but it too did not include the required additional documents.

On February 19, 2026, Respondent filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration.

Petitioner filed and served a Declaration on February 24th.

Regarding the request for a change of venue, as noted above, there are several issues pending before the court including an Order to Show Cause which is scheduled to be heard in May. The court is not inclined to change venue while there are outstanding motions pending on the court's calendar. As such, the request to change venue is denied without prejudice.

The request for support is also denied. "For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, *and serve* a current Income and Expense Declaration." (emphasis added) Cal. Rule Ct. 5.260(1); See *also* Cal. Fam. Code §2100. Petitioner filed her Income and Expense Declaration with her RFO, but there is no Proof of Service for the Income and Expense Declaration. Without a Proof of Service, the court cannot consider the document and therefore the request for support must be denied.

This matter was set to commence trial on January 27, 2026. However, the matter was continued due to the court's availability. The court set the matter for a trial setting conference on the present date. The parties are ordered to appear to select trial and Mandatory Settlement Conference dates.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH) however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

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TENTATIVE RULING #4: THE REQUEST FOR A CHANGE OF VENUE IS DENIED WITHOUT PREJUDICE DUE TO THE PENDING OSC. THE REQUEST FOR CHILD SUPPORT IS DENIED DUE TO PETITIONER'S FAILURE TO SERVE HER INCOME AND EXPENSE DECLARATION. THE PARTIES ARE ORDERED TO APPEAR TO SELECT TRIAL AND MANDATORY SETTLEMENT CONFERENCE DATES.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH) HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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5. JOHANNA KAY V. MICHAEL KAY

24FL0258

On December 4, 2025, Petitioner filed a Request for Order (RFO) seeking to compel disclosures, attorney's fees, and sanctions. She filed a Declaration of Attorney, Melissa M. Cantu concurrently therewith. All required documents were served on December 11th with the exception of the Notice of Tentative Ruling which is not listed on the Proof of Service.

Respondent filed and served his Responsive Declaration to Request for Order along with his Declaration Regarding Service of Declaration of Disclosure, and a Declaration of Nancy P. DiCenzo on February 18th.

Petitioner requests an order compelling Respondent to provide amended disclosures within 10 days of the hearing date to include estimated values of assets, and appropriate attachments for each asset indicated on the form. Alternatively, she asks that Respondent be precluded from presenting evidence on issues that should have been included in the disclosures. She further requests sanctions in the amount of \$6,000 pursuant to Family Code § 271 and Family Code § 2107(c).

Respondent opposes the motion and asks that the court sanction Petitioner \$2,000 to account for his having to respond to the pending motion. He states he has complied with his disclosure requirements both in his Preliminary Declaration of Disclosure and in his Final Declaration of Disclosure.

Family Code section 2104 imposes on each party the obligation of making a preliminary disclosure of assets within the timeframe specified. For the party responding to a Petition for Dissolution, the disclosure is due either concurrently with the response or within 60 days of filing the same. Where a party fails to comply with Section 2104, the complying party may, among other things, file a motion to compel and seek sanctions against the noncomplying party. Fam. Code § 2107(b)(1). "...[T]he court *shall*...impose monetary sanctions against the noncomplying party. Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and *shall* include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." Fam. Code § 2107(c).

Respondent argues that he has complied with his disclosure requirements and therefore, he should not be sanctioned. Petitioner has not filed a Reply so it seems she concedes that the necessary information has since been disclosed. As such, the court declines to rule on the request compelling an amendment to the Preliminary Declaration of

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Disclosure as it is found to be moot. That said, Respondent did not comply with his disclosure obligations in a timely manner, and in fact he did not do so until after Petitioner incurred the time and cost of meeting and conferring on the issue and filing the present RFO. Accordingly, Petitioner's request for monetary sanctions is granted. That said, Petitioner has not established grounds for an award of \$6,000 in sanctions. She states she attached redacted billing records to her attorney declaration, though no such records were attached. As such, the court is awarding Petitioner sanctions in the amount of \$2,500. Respondent is ordered to pay Petitioner's attorney \$2,500 as and for sanctions pursuant to Family Code § 271 and Family Code § 2107. Payment may be made in one lump sum or in monthly increments of \$500 commencing on March 15, 2026 and continuing on the 15th of each month until paid in full (approximately 5 months). If any payment is missed or late the entire amount shall become immediately due and payable with legal interest.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH) however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #5: THE COURT DECLINES TO RULE ON THE REQUEST COMPELLING AN AMENDMENT TO THE PRELIMINARY DECLARATION OF DISCLOSURE AS IT IS FOUND TO BE MOOT. PETITIONER'S REQUEST FOR MONETARY SANCTIONS IS GRANTED. THE COURT IS AWARDING PETITIONER SANCTIONS IN THE AMOUNT OF \$2,500. RESPONDENT IS ORDERED TO PAY PETITIONER'S ATTORNEY \$2,500 AS AND FOR SANCTIONS PURSUANT TO FAMILY CODE § 271 AND FAMILY CODE § 2107. PAYMENT MAY BE MADE IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$500 COMMENCING ON MARCH 15, 2026 AND CONTINUING ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 5 MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH) HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (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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7. KELSEY MCPARLAND V. PATRICK MCPARLAND

24FL0881

On November 3, 2025, Petitioner filed a Request for Order (RFO) seeking spousal support, attorney's fees and property control. This matter is already set for trial on these issues. In the interest of judicial economy, this matter is continued to join with the trial already set to begin on March 24, 2026 at 8:30am in Department 5. The court reserves jurisdiction to award support back to the date of filing the RFO.

TENTATIVE RULING #7: THIS MATTER IS CONTINUED TO JOIN WITH THE TRIAL ALREADY SET TO BEGIN ON MARCH 24, 2026 AT 8:30AM IN DEPARTMENT 5. THE COURT RESERVES JURISDICTION TO AWARD SUPPORT BACK TO THE DATE OF FILING THE RFO.

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) 621-6725 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, 1247 (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. KARINA MYERS V. MICHAEL MYERS

25FL0727

On September 2, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. Hearing on the RFO was held on November 20, 2025 at which time the court made custody and visitation orders and established a holiday schedule. A review hearing was set for the present date on the issue of the holiday schedule.

Petitioner and Respondent each filed a Supplemental Declaration on February 23rd. Respondent filed a Reply Declaration on February 26th.

Respondent includes a proposed holiday schedule in his Supplemental Declaration. Petitioner states she has reviewed the schedule and her only proposed change is that the Christmas holiday be split and alternate annually. Respondent opposes the proposed change.

After reviewing the filings as outlined above the court finds the holiday schedule included in Respondent's Supplemental Declaration to be in the best interests of the minor and it is hereby adopted as the order of the court with the following change. Christmas shall be a split holiday where one parent has the minor on Christmas Eve from 9am until 7:00pm and the other parent shall have the minor from 7:00pm on Christmas Eve to 9:00am on December 26th. On even years Respondent shall have the minor on Christmas Eve and Petitioner shall have the minor on Christmas Day. On odd years Petitioner shall have the minor on Christmas Eve and Respondent shall have the minor on Christmas Day.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH) however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #8: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE THE COURT FINDS THE HOLIDAY SCHEDULE INCLUDED IN RESPONDENT'S SUPPLEMENTAL DECLARATION TO BE IN THE BEST INTERESTS OF THE MINOR AND IT IS HEREBY ADOPTED AS THE ORDER OF THE COURT WITH THE FOLLOWING CHANGE. CHRISTMAS SHALL BE A SPLIT HOLIDAY WHERE ONE PARENT HAS THE MINOR ON CHRISTMAS EVE FROM 9AM UNTIL 7:00PM AND THE OTHER PARENT SHALL HAVE THE MINOR FROM 7:00PM ON CHRISTMAS EVE TO 9:00AM ON DECEMBER 26TH. ON EVEN YEARS RESPONDENT SHALL HAVE THE MINOR ON CHRISTMAS EVE AND PETITIONER SHALL HAVE THE MINOR ON CHRISTMAS DAY. ON ODD YEARS PETITIONER SHALL HAVE THE MINOR ON CHRISTMAS EVE AND RESPONDENT SHALL HAVE THE MINOR ON CHRISTMAS DAY.

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RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH) HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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10 & 21. DCSS v. CHRISTOPHER SOULE (OTHER PARENT: AMBER ESTEP) 22FL1219

The court, on its own motion, is advancing the 1:30pm hearing to join with the hearing currently set for 8:30am.

On May 30, 2025, Respondent filed a Request for Order (RFO) seeking child custody and child support orders. Hearing on the RFO was held on August 21, 2025, at which time the court made custody and visitation orders. Several review hearings have been held since that time, the most recent of which was held on January 8, 2026.

At the January 8th hearing, the parties stipulated to a continuance to allow Minor's Counsel time to submit her report. A review hearing was set for the present date at 1:30pm.

On December 5, 2025, Respondent filed another RFO seeking to change the minors' school. Hearing on the RFO was set for the present date at 8:30am.

Other Parent filed and served a Declaration and her updated Income and Expense Declaration on January 12, 2026.

Respondent filed his Income and Expense Declaration on January 15th.

Minor's Counsel's Statement of Issues and Contentions and Request for Orders was filed and served on February 18th.

Other Parent filed and served her Responsive Declaration to Request for Order and her Supplemental Declaration Re: Child Custody Review Hearing on February 18th.

Minor's Counsel requests the following: (1) the parties to continue sharing joint legal custody; (2) the parties to exercise a week-on/week-off parenting plan with all exchanges occurring on Friday after school or 3:00pm if no school; (3) Respondent to complete a parenting class that focuses on parenting a child with ADHD; (4) Respondent to complete a co-parenting class; (5) both parties to refrain from interrogating the children regarding what happens in the other parent's home, including what the children are eating in the other parent's home; and (6) a review hearing to be held in approximately 90 days.

Other Parent is requesting the minors remain in their current school. She further requests the court adopt the week-on/week-off schedule as proposed by Minor's Counsel.

After reviewing the filings as outlined above, the court does find that the recommendations as stated in Minor's Counsel's Statement of Issues and Contentions are

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found to be in the best interests of the minors. They are hereby adopted as the orders of the court. Additionally, the minors are ordered to remain in their current school.

Minor's Counsel is directed to prepare the Findings and Orders After Hearing (FOAH) however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #10 & 21: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE, THE COURT DOES FIND THAT THE RECOMMENDATIONS AS STATED IN MINOR'S COUNSEL'S STATEMENT OF ISSUES AND CONTENTIONS ARE FOUND TO BE IN THE BEST INTERESTS OF THE MINORS. THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. ADDITIONALLY, THE MINORS ARE ORDERED TO REMAIN IN THEIR CURRENT SCHOOL.

MINOR'S COUNSEL IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH) HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE 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) 621-6725 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, 1247 (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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8:30 a.m./1:30 p.m.

11. MATTHEW TOOCH V. JENNIFER HOLLY

PFL20140486

On December 5, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders.

On February 5, 2026, Petitioner filed and served an RFO seeking child support and attorney's fees. He filed and served his Income and Expense Declaration, and his Responsive Declaration to Request for Order concurrently therewith.

The parties attended Child Custody Recommending Counseling (CCRC) on January 5, 2026. A report with recommendations was prepared on February 19th. It was mailed to the parties on February 20th.

The Supplemental Declaration of Jennifer M. Holly in Support of Respondent's Request for Temporary Emergency Orders and in Opposition of Petitioner's Request for Orders was filed on February 20th along with Respondent's Income and Expense Declaration.

On February 24th, Petitioner filed his Reply Declaration and Objections to Respondent's Supplemental Declaration.

Petitioner objects to Respondent's Reply Declaration as it exceeds the applicable page limit and contains hearsay, lack of personal knowledge, improper opinion/speculation and other inadmissible statements. He asks that the entirety of the document be struck from the file.

The court notes Petitioner's objections, however, Respondent's February 20th declaration is intended to be a Responsive Declaration to Request for Order which is not on the FL-320 form. The FL-320 is a mandatory use form. Cal. Rule Ct. 5.92 ("A Responsive Declaration to Request for Order (form FL-320) *must* be used to respond to the orders sought in form FL-300..." (emphasis added)). Because the document is intended to be a Responsive Declaration and because Respondent failed to use the required FL-320, the court cannot consider Respondent's February 20th declaration.

Respondent is requesting sole legal and sole physical custody of the minors pending an investigation and parenting classes for Petitioner. She further requests an order requiring Petitioner to respect the reasonable privacy of the children and an order for Petitioner to restore medical insurance for the children.

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Petitioner opposes the requests. Instead, he asks that he be awarded sole legal and sole physical custody of the children. He asks that Respondent have only supervised visits and that she maintain health insurance for the children. Petitioner is further requesting guideline child support based on each party's current income and he asks that the parties be ordered to equally split any out-of-pocket medical costs. Additionally, he requests need-based attorney's fees in the amount of \$5,000.

After reviewing the filings as outlined above the court finds the recommendations contained in the February 19, 2026 CCRC report to be in the best interests of the minors. They are hereby adopted as the orders of the court. Additionally, Petitioner is ordered to refrain from remaining in the room when the minors are changing. Absent an emergency, Petitioner is ordered to refrain from entering the bathroom while the minors are inside. Petitioner is further ordered to refrain from pinching or striking the minors.

Utilizing the same figures as outlined in the attached Xspouse report, the court finds that child support is \$1,043 per month. The court adopts the attached Xspouse report and orders Respondent to pay Petitioner \$1,043 per month as and child support, payable on the 15th of the month until further order of the court or legal termination. This order is effective as of February 15, 2026.

The court finds the above order results in arrears in the amount of \$1,043 through and including February 15, 2026. The court orders Respondent pay Petitioner \$1,043 no later than April 1, 2026. If the payment is late or missed, interest shall accrue.

In addition to the foregoing monthly support payments, the parties are ordered to equally share in any uninsured medical care costs for the children. The parties are ordered to follow the procedures as set forth in the attached FL-192.

Finally, regarding Petitioner's request for attorney's fees, the request is granted in part. In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2). Family Code section 2032 works in tandem with Section 2030 to ensure that any award of costs and fees is just and reasonable. Fam. Code § 2032.

Here, while the court does find there to be a disparity in income, the court does not find that an award of \$5,000 is either necessary or reasonable at this juncture in the litigation. Instead, the court is awarding \$2,500 as and for attorney's fees. Respondent is ordered to pay Petitioner's attorney \$2,500 as and for attorney's fees. This amount may be

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paid in one lump sum or in monthly increments of \$500 commencing on April 1, 2026 and continuing until paid in full (approximately 5 months). If any payment is missed or late the entire amount shall become immediately due and payable with legal interest.

All prior orders not in conflict with this order remain in full force and effect.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH), however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #11: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE THE COURT FINDS THE RECOMMENDATIONS CONTAINED IN THE FEBRUARY 19, 2026 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS. THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. ADDITIONALLY, PETITIONER IS ORDERED TO REFRAIN FROM REMAINING IN THE ROOM WHEN THE MINORS ARE CHANGING. ABSENT AN EMERGENCY, PETITIONER IS ORDERED TO REFRAIN FROM ENTERING THE BATHROOM WHILE THE MINORS ARE INSIDE. PETITIONER IS FURTHER ORDERED TO REFRAIN FROM PINCHING OR STRIKING THE MINORS.

UTILIZING THE SAME FIGURES AS OUTLINED IN THE ATTACHED XSPOUSE REPORT, THE COURT FINDS THAT CHILD SUPPORT IS \$1,043 PER MONTH. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$1,043 PER MONTH AS AND CHILD SUPPORT, PAYABLE ON THE 15TH OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF FEBRUARY 15, 2026.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$1,043 THROUGH AND INCLUDING FEBRUARY 15, 2026. THE COURT ORDERS RESPONDENT PAY PETITIONER \$1,043 NO LATER THAN APRIL 1, 2026. IF THE PAYMENT IS LATE OR MISSED, INTEREST SHALL ACCRUE.

IN ADDITION TO THE FOREGOING MONTHLY SUPPORT PAYMENTS, THE PARTIES ARE ORDERED TO EQUALLY SHARE IN ANY UNINSURED MEDICAL CARE COSTS FOR THE CHILDREN. THE PARTIES ARE ORDERED TO FOLLOW THE PROCEDURES AS SET FORTH IN THE ATTACHED FL-192.

FINALLY, REGARDING PETITIONER'S REQUEST FOR ATTORNEY'S FEES, THE REQUEST IS GRANTED IN PART. RESPONDENT IS ORDERED TO PAY PETITIONER'S ATTORNEY \$2,500 AS AND FOR ATTORNEY'S FEES. THIS AMOUNT MAY BE PAID IN ONE

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LUMP SUM OR IN MONTHLY INCREMENTS OF \$500 COMMENCING ON APRIL 1, 2026 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 5 MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH), HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE 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) 621-6725 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, 1247 (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	2	2026			
% time with NCP	49.99 %	0.00 %			18104	18332
Filing status	HH/MLA	HH/MLA	GUIDELINE	Comb. net spendable	0%	1%
# exemptions	1 *	3 *	Nets(adjusted)	Percent change		
Wages+salary	8541	20833	Father	6718	Father	
Self-employed income	0	0	Mother	11386	Payment cost/benefit	1043 1346
Other taxable income	0	0	Total	18104	Net spendable income	7761 8064
TANF+CS received	0	0	Support		Change from guideline	0 304
Other nontaxable income	0	0	Addons	0	% of combined spendable	43% 44%
New spouse income	0	0	Guideln CS	1043	% of saving over guideline	0% 133%
401(k) employee contrib	0	0	Alameda SS	0	Total taxes	1823 1359
Adjustments to income	0	0	Total	1043	Dep. exemption value	0 0
SS paid prev marriage	0	0	-		# withholding allowances	0 0
CS paid prev marriage	0	0	Settings changed		Net wage paycheck	6477 6477
Health insurance	0	4508			Mother	
Other medical expense	0	0			Payment cost/benefit	-1043 -1118
Property tax expense	0	1178			Net spendable income	10343 10268
Ded interest expense	0	1119	Proposed		Change from guideline	0 -76
Charitable contributions	0	0	Tactic 9		% of combined spendable	57% 56%
Misc tax deductions	0	0	CS	882	% of saving over guideline	0% -33%
Qual bus income ded	0	0	SS	0	Total taxes	4939 5175
Required union dues	0	0	Total	882	Dep. exemption value	0 0
Mandatory retirement	0	0	Saving	228	# withholding allowances	0 0
Hardship deduction	0 *	0 *	Releases	2	Net wage paycheck	13650 13650
Other GDL deductions	0	0	<i>Released to Father</i>			
Child care expenses	0	0				

Mother 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	49 - 51	0	0	0	Father	1043	Mother	1043	Mother
	49 - 51	0	0	0	Father	417	Mother	417	Mother
	49 - 51	0	0	0	Father	625	Mother	625	Mother

NOTICE OF RIGHTS AND RESPONSIBILITIES REGARDING CHILD SUPPORT

Childcare and Health Care Costs and Reimbursement Procedures

Your child support order may include a provision for payment of childcare or uninsured health care costs. Childcare costs may be included as part of the monthly child support payment or reimbursable as a percentage of the costs. If the childcare costs are included as part of the monthly child support payment, you must pay that amount each month until the court changes (modifies) the child support order. If you need to change your child support order because there has been a change in the cost of childcare, see page 2.

If you have a child support order that includes a provision for the reimbursement of a percentage of childcare costs or a portion of the child's or children's health care costs and those costs are not paid by insurance, the **law says**:

1. **Notice.** You must give the other parent an itemized statement of the charges that have been billed for any childcare costs or health care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 90 days after those costs were given to you.
2. **Proof of full payment.** If you have already paid all of the childcare costs or uninsured health care costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.
3. **Proof of partial payment.** If you have paid only your share of the childcare costs or uninsured health care costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the childcare or health care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.
4. **Payment by notified parent.** If you receive notice from a parent that a childcare or uninsured health care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.
5. **Going to court.** Sometimes parents get into disagreements about childcare and health care costs. If you and the other parent cannot resolve the situation after talking about it, you can request that the court make a decision.
- a. **Disputed requests for payment.** If you dispute a request for payment made by the other parent, you may file a request for the court to resolve the dispute, but only if you pay the requested amount before filing your request.
- b. **Nonpayment.** If you claim that the other parent has failed to pay you back for a payment, or they have failed to make a payment to the provider after proper notice, you may file a request for the court to resolve the dispute.
- c. **Paid charges.** The court will presume that if uninsured health care costs or childcare costs for employment or necessary training for job skills have been paid, those costs were reasonable. If you want to dispute paid charges, you will have to show the court that the costs were unreasonable.
- d. **Attorney's fees.** If the court decides one parent has been unreasonable, it can order that parent to pay the other parent's attorney's fees and costs.
- e. **Court forms.** Use forms [FL-300](#) and [FL-490](#) to get a court date. See form [FL-300-INFO](#) for information about completing, filing, and serving your court papers.
6. **Court-ordered insurance coverage.** If a parent provides health care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health care costs.
 - a. **Burden to prove.** The parent claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.
 - b. **Cost of additional coverage.** If a parent purchases health care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.
7. **Preferred health providers.** If the court-ordered coverage designates a preferred health care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any parent uses a health care provider other than the preferred provider, any health care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the parent incurring those costs.
8. **Need help?** Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

Information Sheet on Changing a Child Support Order

General Info

The court has made a child support order in your case. This order will remain the same unless one of the parents requests that the support be changed (modified). An order for child support can be modified by filing a request to change child support and serving the other parent. If both parents agree on a new child support amount, they can complete, sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form [FL-350](#)). (**Note:** If the local child support agency is involved in your case, it must be served with any request to change child support and approve any agreement.)

Online Self-Help Guide

For more information about how child support works, visit: <https://selfhelp.courts.ca.gov/child-support>.

When a Child Support Order May Be Changed

The court considers several things when ordering the payment of child support.

- First, the number of children is considered, along with the percentage of time each parent has physical custody of the children.
- Next, the net disposable incomes of both parents are determined (which is how much money is left each month after taxes and certain other items like health insurance, union dues, or other child support ordered and paid are subtracted from a parent's paycheck). The court can also look at a parent's earning ability.
- The court considers both parents' tax filing status and may consider hardships, such as the cost of raising the parent's child from another relationship who lives with the parent.

A parent can request to change an existing order for child support when circumstances change significantly. For example if the net disposable income of one of the parents changes, parenting time changes, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based on having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order, you must fill out one of these forms:

- Form [FL-300](#), *Request for Order* **or**
- Form [FL-390](#), *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms, and attach proof of income for the past two months (like your paycheck stubs):

- Form [FL-150](#), *Income and Expense Declaration* **or**
- Form [FL-155](#), *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Contact the family law facilitator in your county. You can find them here: www.courts.ca.gov/selfhelp-facilitators.htm.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form. The clerk may ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- Form [FW-001](#), *Request to Waive Court Fees* **and**
- Form [FW-003](#), *Order on Court Fee Waiver (Superior Court)*

You must serve the other parent. If the local child support agency is involved, serve it too.

- This means someone 18 or over—not you—must deliver copies of your filed court forms to the other parent, at least **16 court days** before the hearing. Add **5 calendar days** if delivered by mail within California (see Code of Civil Procedure section 1005 for other situations).
- **Court days** are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to: www.courts.ca.gov/holidays.htm.

Blank copies of both of these forms must also be served:

- Form [FL-320](#), *Responsive Declaration to Request for Order*
- Form [FL-150](#), *Income and Expense Declaration*

Then the server fills out and signs a *Proof of Service*. Take this form, plus one copy, to the clerk and file it at least one week before your hearing.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your proof of income for the past two months (like your paycheck stubs). The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- Form [FL-340](#), *Findings and Order After Hearing* **and**
- Form [FL-342](#), *Child Support Information and Order Attachment*

Need help?

Contact the **family law facilitator** in your county or call your county's bar association and ask for an experienced family lawyer.

Information About Child Support for Incarcerated or Confined Parents

1. Child support. As of September 27, 2022, child support automatically stops if the parent who has to pay is confined against their will for more than 90 days in a row in jail, prison, juvenile detention, a mental health facility, or other institution.

Exception. Child support does not automatically stop if the parent who has to pay has money available to pay child support.

2. Past confinement. Child support also automatically stops during past confinement if it was ordered from October 8, 2015, through December 31, 2019, or January 1, 2021, through September 26, 2022, and the parent who has to pay was confined for more than 90 days in a row during the same time frame.

Exceptions for past confinement. Child support does not automatically stop if the parent who has to pay was in jail or prison for failing to pay child support or for domestic violence against the other parent or the child, or if they had money available to pay support.

3. Timing. The date child support automatically restarts will depend on the parent's release date. If you need to change your child support order, see page 2.

- a. **If released before January 1, 2024,** child support automatically restarts the first day of the first full month after the parent is released.
- b. **If released after January 1, 2024,** child support will automatically restart the first day of the 10th month after the parent is released.

Employment before the 10-month period ends: If the parent who has to pay support starts working before the date child support is set to automatically restart, the person who is owed support or the local child support agency can request the court restart the child support order early. The court may order a different amount of child support if appropriate.

4. More info. For more information about child support and incarcerated parents, see [Family Code section 4007.5](#) or go to <https://selfhelp.courts.ca.gov/child-support/incarcerated-parent>.

You can also contact the family law facilitator in your county and can find them here: www.courts.ca.gov/selfhelp-facilitators.htm.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

12. TIANNA ADAMSON V. ANDREW ADAMSON

25FL0178

Petitioner filed a Request for Order (RFO) on September 29, 2025, seeking child support reimbursement for damage to a vehicle. Proof of Service shows Respondent was served with some of the required forms on September 29, 2025. There is no Proof of Service showing the Department of Child Support Services was served.

Petitioner filed an RFO on October 13, 2025, seeking an order compelling Respondent's Preliminary Declaration of Disclosure. Respondent was mail served some of the required documents on October 20, 2025. Petitioner asks the court to compel Respondent's completion and service of his Preliminary Declaration of Disclosure. She further requests \$2,700 in sanctions pursuant to Family Code § 2107.

The parties appeared for hearing on the RFO on December 18th at which time the court noted defects in the Proof of Service. Petitioner requested a continuance to allow time for her to complete proper service. The continuance was granted and the matter was set to be heard on the present date.

Petitioner filed a Proof of Service on January 5, 2026, showing mail service to Respondent. However, there is no Proof of Service showing the Department of Child Support Services was served.

The court finds the issues of child support were addressed in Department 10 by the Child Support Commissioner.

The court drops the RFOs from calendar due to the lack of proper service.

TENTATIVE RULING #12: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

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) 621-6725 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, 1247 (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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March 5, 2026
8:30 a.m./1:30 p.m.

13. JOEY ARDIER III V. KATE MCGRATH

23FL1047

Petitioner filed a Request for Order (RFO) on December 11, 2025, seeking child custody and parenting plan orders, as well as child and spousal support. Petitioner concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on January 7, 2026, and a review hearing on March 5, 2026. There is no Proof of Service showing Respondent was properly served.

Parties submitted a stipulation regarding custody and parenting time, which the court adopted as its order on January 5, 2026.

Respondent has not filed a Responsive Declaration or an Income and Expense Declaration.

The court drops the matter from calendar due to the lack of proper service. All prior orders remain in full force and effect.

TENTATIVE RULING #13: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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) 621-6725 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, 1247 (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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DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

14. CARLEY BAGATELOS V. THEODORE BAGATELOS

25FL1006

Petitioner filed a Request for Order (RFO) on January 30, 2026, along with an Order Shortening Time (OST). Petitioner is seeking an order to sell the former family residence forthwith, as well as a distribution of the proceeds from the sale of the home in the amount of \$20,000. The court granted the OST and set the matter for a hearing on March 5, 2026, at 1:30 PM. The court directed Petitioner to serve Respondent no later than February 9, 2026. The court directed Respondent to file and serve his Responsive Declaration by not later than February 20, 2026. Proof of Service shows Respondent was electronically served on January 30, 2026.

Respondent filed a Responsive Declaration on February 25, 2026. Respondent concurrently filed a Declaration explaining the late Responsive Declaration. Both were served electronically on February 25, 2026. Civil Procedure section 1005(b) states all opposition papers are to be filed at least nine court days before the hearing date. Section 12c states, “[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12.” Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made February 20th the last day for filing a response to the RFO. Therefore, the declaration is late filed and has not been considered by the court.

It is a longstanding tenant of the law that the court shall divide the community estate of the parties equally. Cal. Fam. Code § 2550. Inherent in the court’s authority to ensure that community assets are divided equally, the court holds broad discretion to “[a]t any time during the proceeding...order the liquidation of community or quasi-community assets so as to avoid unreasonable market or investment risks...” Cal. Fam. Code § 2108.

Here, the court is concerned with the inability of Petitioner to keep current on the mortgage payments. As such, the parties are ordered to place the house for sale. Petitioner is authorized to select the real estate agent. The parties are ordered to take no action which would delay, hinder, or otherwise prevent the sale, including actions which would prevent cleaning, repairs, and maintenance or showing of the home in furtherance of its sale. The parties are ordered to cooperate with the real estate professional to make the home available for showings and to communicate with the real estate professional as needed. The parties are to sign all documents related to the sale of the home in a timely manner.

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DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

The court grants Petitioner's request for disbursement of \$20,000 from the proceeds of the sale of the property. The remaining net proceeds of the sale are to be placed in the Attorney Trust Account of Petitioner's counsel until written agreement of the parties or until court order to release the proceeds. The court reserves jurisdiction over all aspects of the property, including, but not limited to, characterization of the property, the sale and distribution of the net proceeds of the sale, and the court's authority to direct the clerk to act as elisor for Respondent's signature if necessary.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH), however this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #14: THE PARTIES ARE ORDERED TO PLACE THE HOUSE FOR SALE. PETITIONER IS AUTHORIZED TO SELECT THE REAL ESTATE AGENT. THE PARTIES ARE ORDERED TO TAKE NO ACTION WHICH WOULD DELAY, HINDER, OR OTHERWISE PREVENT THE SALE, INCLUDING ACTIONS WHICH WOULD PREVENT CLEANING, REPAIRS, AND MAINTENANCE OR SHOWING OF THE HOME IN FURTHERANCE OF ITS SALE. THE PARTIES ARE ORDERED TO COOPERATE WITH THE REAL ESTATE PROFESSIONAL TO MAKE THE HOME AVAILABLE FOR SHOWINGS AND TO COMMUNICATE WITH THE REAL ESTATE PROFESSIONAL AS NEEDED. THE PARTIES ARE TO SIGN ALL DOCUMENTS RELATED TO THE SALE OF THE HOME IN A TIMELY MANNER.

THE COURT GRANTS PETITIONER'S REQUEST FOR DISBURSEMENT OF \$20,000 FROM THE PROCEEDS OF THE SALE OF THE PROPERTY. THE REMAINING NET PROCEEDS OF THE SALE ARE TO BE PLACED IN THE ATTORNEY TRUST ACCOUNT OF PETITIONER'S COUNSEL UNTIL WRITTEN AGREEMENT OF THE PARTIES OR UNTIL COURT ORDER TO RELEASE THE PROCEEDS. THE COURT RESERVES JURISDICTION OVER ALL ASPECTS OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, CHARACTERIZATION OF THE PROPERTY, THE SALE AND DISTRIBUTION OF THE NET PROCEEDS OF THE SALE, AND THE COURT'S AUTHORITY TO DIRECT THE CLERK TO ACT AS ELISOR FOR RESPONDENT'S SIGNATURE IF NECESSARY.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH), HOWEVER THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

March 5, 2026

8:30 a.m./1:30 p.m.

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) 621-6725 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, 1247 (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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

15. MICHAEL GABBARD V. VICTORIA ARABEI

25FL0883

On October 29, 2025 the paternal grandparents (Claimants) filed a Petition for Joinder and Memorandum of Law in Support of Joinder. They filed an RFO for custody and visitation orders concurrently therewith.

Parties appeared for the hearing on December 18, 2025. Claimant's requested the matter be continued to allow Respondent to be properly served with the joinder request. The court granted the continuance request and continued the matter to March 5, 2026 at 1:30 PM. The court authorized Respondent to appear remotely for the hearing.

Upon review of the court file, there have been no new filings since the December 18th hearing.

There remains no Proof of Service showing either Petitioner or Respondent were properly served with the motion for joinder or the RFO. As such, the court drops the matter from calendar.

TENTATIVE RULING #15: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE FAILURE TO PROPERLY SERVE THE PARTIES.

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) 621-6725 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, 1247 (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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DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

16. FRANCESCA GARIBALDI V. ADAM GARIBALDI

25FL0344

Petitioner filed a Request for Order (RFO) on December 22, 2025, seeking spousal support orders. She concurrently filed an Income and Expense Declaration. Respondent was mail served on December 22, 2025. Petitioner is seeking temporary guideline spousal support.

Respondent has not filed a Responsive Declaration to the Request for Order, or an Income and Expense Declaration, therefore, the court deems his failure to do so as an admission that the requests in Petitioner's moving papers have merit. See El Dorado County, Local Rule 7.10.02(C).

The court finds Petitioner's Income and Expense Declaration to be incomplete. Petitioner has not included the prior two months paystubs or tax returns as required.

The court orders parties to appear for the hearing. Petitioner is ordered to bring an updated complete Income and Expense Declaration, which includes all the required attachments. Likewise, Respondent is ordered to bring a complete Income and Expense Declaration with him.

TENTATIVE RULING #16: THE COURT ORDERS PARTIES TO APPEAR FOR THE HEARING. PETITIONER IS ORDERED TO BRING AN UPDATED COMPLETE INCOME AND EXPENSE DECLARATION, WHICH INCLUDES ALL THE REQUIRED ATTACHMENTS. LIKEWISE, RESPONDENT IS ORDERED TO BRING A COMPLETE INCOME AND EXPENSE DECLARATION WITH HIM.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

17. KELLI JEANCOQ V. RAYMOND LONERGAN

PFL20190708

Respondent filed a Request for Order (RFO) on September 15, 2025, seeking child custody and parenting plan orders, as well as child support. Respondent concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 16, 2025, and a review hearing set for December 11, 2025. Proof of Service shows Petitioner was mail served with the referral to CCRC and other documents on September 27, 2025. However, it does not appear Petitioner was served with all the required documents.

Only Respondent appeared for CCRC on October 16th. As such, a single parent report was issued on October 16, 2025. The report was mailed to the parties on October 21, 2025.

Petitioner has not filed a Responsive Declaration.

Respondent appeared for the hearing on December 11, 2025. Respondent requested the matter be continued to allow additional time to perfect service on Petitioner. The court granted the request and continued the matter to March 5, 2026, at 1:30 PM in Department 5. The court stayed its tentative ruling pending the review hearing.

Proof of Service shows Petitioner was mail served on January 12, 2026. It does not appear Petitioner was served with a copy of the minute order with the continued hearing date.

The court drops the matter from calendar for lack of proper service.

Even if the court had reached the matter on the merits, the court would have denied Respondent's request for visitation. The court finds there is a current Domestic Violence Restraining Order in place, which protects the minor. Respondent has failed to set forth how the requested orders for visitation would be in the minor's best interest.

All prior orders remain in full force and effect.

TENTATIVE RULING #17: THE COURT DROPS THE MATTER FROM CALENDAR FOR LACK OF PROPER SERVICE.

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) 621-6725 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*

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

March 5, 2026

8:30 a.m./1:30 p.m.

LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

18. CLARIS PALAFOX V. EDWIN GUZMAN

25FL0462

Petitioner filed a Request for Order (RFO) on January 9, 2026, seeking guideline child support. She concurrently filed an Income and Expense Declaration. Proof of Service shows Respondent was served with only the FL-300 and FL-150.

Respondent has not filed a Responsive Declaration or an Income and Expense Declaration.

The court drops the matter from calendar due to the lack of proper service.

TENTATIVE RULING #18: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

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) 621-6725 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, 1247 (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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

19. DANIEL STEVENSON V. MAUDENA STEVENSON

24FL0166

Petitioner filed a Request for Order (RFO) on January 27, 2026, requesting production of documents. There is no Proof of Service showing Respondent was properly served.

The matter is dropped from calendar due to the lack of proper service.

TENTATIVE RULING #19: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

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) 621-6725 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, 1247 (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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

20. GEORGIA WANLAND V. DONALD WANLAND

PFL20190812

Respondent filed a Request for Order (RFO) on January 16, 2026, seeking an order compelling Petitioner's discovery responses. The matter was originally set to be heard April 2, 2026. On January 27, 2026, Respondent filed an ex parte application to have the matter heard sooner, as the parties' trial is scheduled for April 1ST. The court denied the request as Respondent had failed to file the necessary mandatory forms. Respondent filed a second ex parte application on January 30th, again requesting an earlier hearing date. The court granted the request to advance the hearing to March 5, 2026, at 1:30 PM in Department 5.

Upon review of the court file, there is no Proof of Service showing Petitioner was properly served. Respondent filed a Proof of Service on February 23, 2026, showing Petitioner was served with "Notice of Hearing on March 5, 2026 @1:30 PM, Dept. 5". It is unclear to the court what document this is referring to. Regardless, there is no Proof of Service showing Petitioner was served with the RFO and all other required documents. As such, the matter is dropped from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #20: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

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) 621-6725 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, 1247 (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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
March 5, 2026
8:30 a.m./1:30 p.m.

21. DCSS V. CHRISTOPHER SOULE (OTHER PARENT: AMBER ESTEP)

22FL1219

See tentative Ruling #10.