

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

1. DCSS V. CHAD MCCRACKEN

PFS20200179

Respondent filed a Request for Order (RFO) on December 3, 2024, seeking to modify child support. He filed his Income and Expense Declaration concurrently therewith. He served all required documents on December 16th.

Other Party filed and served a Responsive Declaration to Request for Order and her Income and Expense Declaration on December 31, 2024.

Respondent's Reply Declaration to Responsive Declaration of Ms. Palson was filed and served on January 6th.

On January 10th, the Supplemental Declaration of Other Parent, Yuliya Palsson Re: Respondent's RFO to Modify Child Support was filed. It was served on January 9th.

On January 13, 2025, the parties appeared before Commissioner Friel for hearing on the RFO. Other Party objected to Commissioner Friel and the hearing was reset on the Department 5 calendar to be heard on the present date.

Other Party filed an updated Income and Expense Declaration on March 14th. She filed another updated Income and Expense Declaration on May 2nd.

Respondent filed an updated Income and Expense Declaration and a Supplemental Declaration Re: Support on April 30th.

On May 6, 2025, Respondent filed an Application for Order Shortening Time (OST). The OST was granted, and the matter was set to join with the hearing on Respondent's RFO. Concurrently with the OST, Respondent filed his Request for Hearing Regarding Earnings Assignment and an Application for Stay of Service of Earnings Assignment Order. All documents were electronically served the same day.

Respondent is requesting guideline child support payable by Other Parent in the amount of \$2,269 commencing on December 3, 2024. He also asks that Other Parent be responsible for half of all out-of-pocket health, educational, childcare, and extracurricular costs. He requests an order for proof that Other Party has added the minor to her health, vision, and dental insurance, which she was previously ordered to do. He asks that he be allowed to claim the minor on his tax returns each year until the minor turns 18. Finally, he is requesting Other Party be ordered to repay the overpayment in support since December 2024, which amounts to a total of \$3,600.

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Other Parent argues that she earns base pay plus additional pay for night work, overtime pay, or differential payments. She asks that the court utilize her base pay and an *Ostler/Smith* table for any additional pay.

After reviewing the filings as outlined above, the court finds it necessary to utilize two separate XSpouse reports; One for the time prior to Other Party going out on disability and the other for the time prior to her receipt of disability. As such, for the time period from December 3, 2024 through March 2, 2025 the court finds that child support is \$2,281 per month. The court adopts the attached XSpouse report and orders Other Party to pay Respondent \$2,281 per month as and for child support. The court finds this order results in arrears in the amount of \$6,843 through and including February 3, 2025. The court orders Other Party to pay Respondent \$380.17 on the 15th of each month commencing on June 15, 2025 and continuing until paid in full (approximately 18 months). If any payment is late or missed the remaining balance is due in full with legal interest within five (5) days.

Commencing March 3, 2025 and continuing until termination by operation of law or further order of the court, child support is \$1,512 per month. This is calculated using \$6,724 per month as Other Party's disability income based on the forms attached to her Income and Expense Declaration which show bi-monthly payments of approximately \$3,362. See attached XSpouse report. The court adopts the attached XSpouse report and orders Other Party to pay Respondent \$1,512 per month as and for child support, payable on the 3rd of each month.

The court finds the above order results in arrears in the amount of \$4,536 through and including May 3, 2025. The court orders Other Party to pay Respondent \$252 on the 15th of each month commencing on June 15, 2025 and continuing until paid in full (approximately 18 months). If any payment is late or missed the remaining balance is due in full with legal interest within five (5) days.

The court finds Respondent has continued to pay Other Parent support at the rate of \$600 per month. The court finds this results in an overpayment of \$3,600 from December through May. The court orders Other Parent to repay the overpayment at a rate of \$100 per month for approximately 36 months, commencing on June 15th and payable on the 15th of each month.

In addition to the above, the parties are to equally split uninsured health care costs, childcare costs incurred related to employment, educational costs and the costs of agreed

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upon extracurricular activities. Reimbursement procedures shall be in accordance with the attached FL-192.

Other Party is ordered to provide Respondent with documentation evidencing the fact that the minor has been added to Other Party's health, dental and vision insurance no later than May 30, 2025.

Respondent shall claim the minor on his taxes for the 2025 tax year. He may continue to do so in subsequent years until termination by operation of law or further order of the court.

Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #1: FOR THE TIME PERIOD FROM DECEMBER 3, 2024 THROUGH MARCH 2, 2025 THE COURT FINDS THAT CHILD SUPPORT IS \$2,281 PER MONTH. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS OTHER PARTY TO PAY RESPONDENT \$2,281 PER MONTH AS AND FOR CHILD SUPPORT. THE COURT FINDS THIS ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$6,843 THROUGH AND INCLUDING FEBRUARY 3, 2025. THE COURT ORDERS OTHER PARTY TO PAY RESPONDENT \$380.17 ON THE 15TH OF EACH MONTH COMMENCING ON JUNE 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 18 MONTHS). IF ANY PAYMENT IS LATE OR MISSED THE REMAINING BALANCE IS DUE IN FULL WITH LEGAL INTEREST WITHIN FIVE (5) DAYS.

COMMENCING MARCH 3, 2025 AND CONTINUING UNTIL TERMINATION BY OPERATION OF LAW OR FURTHER ORDER OF THE COURT, CHILD SUPPORT IS \$1,512 PER MONTH. THIS IS CALCULATED USING \$6,724 PER MONTH AS OTHER PARTY'S DISABILITY INCOME BASED ON THE FORMS ATTACHED TO HER INCOME AND EXPENSE DECLARATION WHICH SHOW BI-MONTHLY PAYMENTS OF APPROXIMATELY \$3,362. SEE ATTACHED XSPOUSE REPORT. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS OTHER PARTY TO PAY RESPONDENT \$1,512 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 3RD OF EACH MONTH.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$4,536 THROUGH AND INCLUDING MAY 3, 2025. THE COURT ORDERS OTHER PARTY TO PAY RESPONDENT \$252 ON THE 15TH OF EACH MONTH COMMENCING ON JUNE 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 18 MONTHS).

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IF ANY PAYMENT IS LATE OR MISSED THE REMAINING BALANCE IS DUE IN FULL WITH LEGAL INTEREST WITHIN FIVE (5) DAYS.

THE COURT FINDS RESPONDENT HAS CONTINUED TO PAY OTHER PARENT SUPPORT AT THE RATE OF \$600 PER MONTH. THE COURT FINDS THIS RESULTS IN AN OVERPAYMENT OF \$3,600 FROM DECEMBER THROUGH MAY. THE COURT ORDERS OTHER PARENT TO REPAY THE OVERPAYMENT AT A RATE OF \$100 PER MONTH FOR APPROXIMATELY 36 MONTHS, COMMENCING ON JUNE 15TH AND PAYABLE ON THE 15TH OF EACH MONTH.

IN ADDITION TO THE ABOVE, THE PARTIES ARE TO EQUALLY SPLIT UNINSURED HEALTH CARE COSTS, CHILDCARE COSTS INCURRED RELATED TO EMPLOYMENT, EDUCATIONAL COSTS AND THE COSTS OF AGREED UPON EXTRACURRICULAR ACTIVITIES. REIMBURSEMENT PROCEDURES SHALL BE IN ACCORDANCE WITH THE ATTACHED FL-192.

OTHER PARTY IS ORDERED TO PROVIDE RESPONDENT WITH DOCUMENTATION EVIDENCING THE FACT THAT THE MINOR HAS BEEN ADDED TO OTHER PARTY'S HEALTH, DENTAL AND VISION INSURANCE NO LATER THAN MAY 30, 2025.

RESPONDENT SHALL CLAIM THE MINOR ON HIS TAXES FOR THE 2025 TAX YEAR. HE MAY CONTINUE TO DO SO IN SUBSEQUENT YEARS UNTIL TERMINATION BY OPERATION OF LAW OR FURTHER ORDER OF THE COURT.

RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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		
#of children	1	0	2025			Guideline	Proposed
% time with NCP	0.00 %	0.00 %			Comb. net spendable	17854	17854
Filing status	HH/MLA	MFJ->	GUIDELINE		Percent change	0%	0%
# exemptions	2	1	Nets(adjusted)		Father		
Wages+salary	8586	16685	Father	5668	Payment cost/benefit	2281	2114
Self-employed income	0	0	Mother	12185	Net spendable income	7950	7782
Other taxable income	0	0	Total	17854	Change from guideline	0	-167
TANF+CS received	0	0	Support		% of combined spendable	45%	44%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	2281	Total taxes	1165	1370
401(k) employee contrib	814	0	Alameda SS	0	Dep. exemption value	0	0
Adjustments to income	0	0	Total	2281	# withholding allowances	0	0
SS paid prev marriage	0	0	-		Net wage paycheck	5655	5655
CS paid prev marriage	0	0	Settings changed		Mother		
Health insurance	417	13			Payment cost/benefit	-2281	-2114
Other medical expense	0	0			Net spendable income	9904	10071
Property tax expense	0	333			Change from guideline	0	167
Ded interest expense	0	0	Proposed		% of combined spendable	55%	56%
Contribution deduction	0	0	Tactic 9		% of saving over guideline	0%	0%
Misc tax deductions	0	0	CS	2320	Total taxes	4487	4281
Qual bus income ded	0	0	SS	0	Dep. exemption value	0	0
Required union dues	0	0	Total	2320	# withholding allowances	0	0
Mandatory retirement	1336	0	Saving	0	Net wage paycheck	11798	11798
Hardship deduction	0 *	0 *	Releases	1			
Other GDL deductions	0	0	Released to Mother				
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	100 - 0	0	0	0	Father	2281	Mother	2281	Mother
	100 - 0	0	0	0	Father	2281	Mother	2281	Mother

Fixed Shares	Father	Mother	Monthly figures		Cash Flow		
#of children	1	0	2025			Guideline	Proposed
% time with NCP	0.00 %	0.00 %			Comb. net spendable	10587	10587
Filing status	HH/MLA	MFS->	GUIDELINE		Percent change	0%	0%
# exemptions	2	1	Nets(adjusted)		Father		
Wages+salary	9150	1009	Father	4327	Payment cost/benefit	1512	1356
Self-employed income	0	0	Mother	6260	Net spendable income	5839	5683
Other taxable income	0	6724	Total	10587	Change from guideline	0	-156
TANF+CS received	0	0	Support		% of combined spendable	55%	54%
Other nontaxble income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	1512	Total taxes	1547	1753
401(k) employee contrib	0	0	Alameda SS	0	Dep. exemption value	0	0
Adjustments to income	0	0	Total	1512	# withholding allowances	0	0
SS paid prev marriage	0	0	-		Net wage paycheck	6807	6807
CS paid prev marriage	0	0	Settings changed		Mother		
Health insurance	2199	13			Payment cost/benefit	-1512	-1356
Other medical expense	0	0			Net spendable income	4748	4904
Property tax expense	0	333			Change from guideline	0	156
Ded interest expense	0	0	Proposed		% of combined spendable	45%	46%
Contribution deduction	0	0	Tactic 9		% of saving over guideline	0%	0%
Misc tax deductions	0	0	CS	1562	Total taxes	1460	1254
Qual bus income ded	0	0	SS	0	Dep. exemption value	0	0
Required union dues	0	0	Total	1562	# withholding allowances	0w	0w
Mandatory retirement	1077	0	Saving	0	Net wage paycheck	872	872
Hardship deduction	0 *	0 *	Releases	1			
Other GDL deductions	0	0	Released to Mother				
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	100 - 0	0	0	0	Father	1512	Mother	1512	Mother
	100 - 0	0	0	0	Father	1512	Mother	1512	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.

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May 15, 2025

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

2. JESSE BURT V. ALEXANDRA OTHOLT

23FL1061

On February 20, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders, child support, a holiday schedule, and orders regarding claiming the child for tax purposes. He filed his Income and Expense Declaration concurrently with the RFO. All required documents were mail served on March 4th, with the exception of a Notice of Tentative Ruling.

On February 26th, Judgment was entered which includes orders for custody, visitation, and child support.

Respondent filed a Responsive Declaration to Request for Order on March 13, 2025 and a supporting Declaration. Both documents were mail served on March 19th.

The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on March 17th. They were unable to reach agreements therefore a report with recommendations was prepared on May 2nd.

Petitioner's Reply Declaration and a supporting Declaration were filed and served on March 6th and 7th respectively.

Petitioner is requesting joint physical custody of the minor with either a 2-2-5 or a 2-2-3 parenting schedule and a holiday schedule. He requests guideline child support based on the new timeshare. Finally, he asks that the court order the parties to alternate years in which they claim the child for tax purposes.

Respondent is opposing all of Petitioner's requests. She asks that the current orders remain in place.

After reviewing the filings as outlined above, the court does not find the recommendation for a 2-2-5-5 schedule to be in the best interests of the minor given the minor's young age. Instead, the court is ordering the parties to commence a 2-2-3 schedule forthwith. With the exception of the recommendation for a 2-2-5-5 schedule, the court is adopting the remainder of the recommendations from the May 2, 2025 CCRC report. The court further adopts the terms of the FL-341(C) which was filed concurrently with Petitioner's RFO. The parties are ordered to alternate years in which they claim the minor as a dependent for tax purposes. Respondent shall claim the minor on odd numbered years, Petitioner shall claim the minor for even numbered years.

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

Regarding child support, it appears the Department of Child Support Services is a party to the case, but they were not served with the RFO therefore the request to modify child support is denied.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #2: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE, THE COURT DOES NOT FIND THE RECOMMENDATION FOR A 2-2-5-5 SCHEDULE TO BE IN THE BEST INTERESTS OF THE MINOR GIVEN THE MINOR'S YOUNG AGE. INSTEAD, THE COURT IS ORDERING THE PARTIES TO COMMENCE A 2-2-3 SCHEDULE FORTHWITH. WITH THE EXCEPTION OF THE RECOMMENDATION FOR A 2-2-5-5 SCHEDULE, THE COURT IS ADOPTING THE REMAINDER OF THE RECOMMENDATIONS FROM THE MAY 2, 2025 CCRC REPORT. THE COURT FURTHER ADOPTS THE TERMS OF THE FL-341(C) WHICH WAS FILED CONCURRENTLY WITH PETITIONER'S RFO. THE PARTIES ARE ORDERED TO ALTERNATE YEARS IN WHICH THEY CLAIM THE MINOR AS A DEPENDENT FOR TAX PURPOSES. RESPONDENT SHALL CLAIM THE MINOR ON ODD NUMBERED YEARS, PETITIONER SHALL CLAIM THE MINOR FOR EVEN NUMBERED YEARS.

REGARDING CHILD SUPPORT, IT APPEARS THE DEPARTMENT OF CHILD SUPPORT SERVICES IS A PARTY TO THE CASE BUT THEY WERE NOT SERVED WITH THE RFO THEREFORE THE REQUEST TO MODIFY CHILD SUPPORT IS DENIED.

PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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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May 15, 2025

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

3. WENDEE DELANO V. JASON DELANO

PFL20170123

On March 5, 2025, Respondent filed a Request for Order (RFO) seeking child support orders. He filed his Income and Expense Declaration concurrently therewith. All documents were mail served on April 9th.

This matter is set to be heard on May 22nd to address issues of custody and visitation. In the interests of judicial economy, and because the issues of support and custody are inextricably intertwined, the court continues this matter to join with the hearing on May 22, 2025 at 8:30am in Department 5.

TENTATIVE RULING #3: IN THE INTERESTS OF JUDICIAL ECONOMY, AND BECAUSE THE ISSUES OF SUPPORT AND CUSTODY ARE INEXTRICABLY INTERTWINED, THE COURT CONTINUES THIS MATTER TO JOIN WITH THE HEARING ON MAY 22, 2025 AT 8:30AM IN DEPARTMENT 5.

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

May 15, 2025

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

4. KRISTA HARDWICK V. CHRISTOPHER HARDWICK

24FL0251

On September 10, 2024, the parties appeared before the court for hearing on Domestic Violence Restraining Order (DVRO) requests which were filed by both parties. Respondent stipulated to drop his request. Petitioner's request was granted, and temporary custody and visitation orders were put in place. The parties were referred to Child Custody Recommending Counseling (CCRC) and a review hearing was held on December 12, 2024.

At the review hearing, the parties reached several agreements including an agreement for a re-referral to CCRC and a review hearing set for the present date. Supplemental Declarations were ordered to be filed at least 10 days prior to the hearing date.

Petitioner's Supplemental Declaration was filed and served on May 1, 2025. Respondent's Response to Petitioner's Supplemental Declaration was filed on May 9th. The court finds this to be late filed therefore it has not been considered.

The parties attended Child Custody Recommending Counseling (CCRC) on March 24, 2025. A report with recommendations was prepared on May 2nd, it was mailed to the parties on May 5th.

The DVRO against Respondent was set to expire on March 20th, however Petitioner filed a request to extend it. Trial on the request is set to take place on May 20th.

In the interests of judicial economy this matter is continued to join with the May 20th DVRO trial in Department 8. All prior orders remain in full force and effect pending the trial.

TENTATIVE RULING #4: IN THE INTERESTS OF JUDICIAL ECONOMY THIS MATTER IS CONTINUED TO JOIN WITH THE MAY 20TH DVRO TRIAL IN DEPARTMENT 8. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT PENDING THE TRIAL.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

**THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE
8.05.07.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

5. APRIL LOCKHART V. DAVID MERCADO

PFL20200534

On February 19, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders and an order to remove Minor's Counsel. All required documents were served on March 13th.

Respondent filed a Responsive Declaration to Request for Order on March 12th. It was served on March 20th. On April 4th, Respondent filed a Supplemental Declaration of Respondent, David Mercado in Response to Mediation Per Request from Mediator. It was served on April 7th.

Petitioner filed and served a Declaration on April 16th.

The parties attended Child Custody Recommending Counseling (CCRC) on March 20th. A report with recommendations was prepared on April 30th. It was mailed to the parties on May 5th.

Respondent filed another Supplemental Declaration of David Mercado on May 2nd. It was served on May 5th.

Minor's Counsel has not filed a Statement of Issues and Contentions.

Petitioner is requesting primary physical custody and sole legal custody of the minor, Hunter. She proposes Respondent have visitation every other weekend from Friday after school to Sunday at 6:30pm. She also requests Minor's Counsel be removed from her position.

Respondent asks that the court deny Petitioner's requests to change legal and physical custody. He asks that the court deny the request to remove Minor's Counsel. He is requesting the court affirm the prior order dated August 29, 2024 and that the court preclude both parties from refusing to participate in a co-parenting session. Finally, he requests Section 271 sanctions.

The court is in need of input from Minor's Counsel therefore the parties are ordered to appear for the hearing.

TENTATIVE RULING #5: THE COURT IS IN NEED OF INPUT FROM MINOR'S COUNSEL THEREFORE THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

6. LINDSAY MOFFETT V. PETER MOFFETT

24FL1070

On May 5, 2025, Petitioner filed and served an Application for an Order Shortening Time (OST) and a corresponding Request for Order (RFO). The OST was granted and the RFO was set to be heard on the present date. Respondent filed and served a Responsive Declaration to Request for Order on May 2nd.

Petitioner is requesting the court order Respondent to allow the minors to go on a cruise with Petitioner in June, and to sign any documents necessary to take the children on the cruise.

Respondent consents to the children going on the cruise with Petitioner. He asks that Petitioner be ordered to provide him with the exact dates of the trip and of the cruise itself. He further asks that Petitioner be required to advise Respondent of the identity of individuals going on the trip with Petitioner and the children. Finally, he requests an order permitting Respondent to take the children on a vacation equal in length to the trip in July or August 2025.

Petitioner's request is granted. The children shall be permitted to go on the cruise with Petitioner in June of 2025. Respondent is ordered to sign any documents necessary for the children to go on the cruise. Petitioner shall provide Respondent with all trip itinerary as soon as she has it. This includes, but is not limited to, flight numbers, dates and times, lodging information, contact information, and the names of individuals who will be going on the trip with Petitioner and the children.

Respondent shall be allowed to take the children on a trip of equal duration in July or August of 2025. The parties are to mutually agree upon the dates and location of the trip. Respondent shall provide Petitioner with all trip itinerary as soon as he has it. This includes, but is not limited to, flight numbers, dates and times, lodging information, contact information, and the names of individuals who will be going on the trip with the children.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #6: PETITIONER'S REQUEST IS GRANTED. THE CHILDREN SHALL BE PERMITTED TO GO ON THE CRUISE WITH PETITIONER IN JUNE OF 2025. RESPONDENT IS ORDERED TO SIGN ANY DOCUMENTS NECESSARY FOR THE CHILDREN TO GO ON THE CRUISE. PETITIONER SHALL PROVIDE RESPONDENT WITH ALL TRIP ITINERARY AS SOON AS SHE HAS IT. THIS INCLUDES, BUT IS NOT LIMITED TO, FLIGHT NUMBERS, DATES AND TIMES, LODGING INFORMATION, CONTACT INFORMATION, AND THE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

NAMES OF INDIVIDUALS WHO WILL BE GOING ON THE TRIP WITH PETITIONER AND THE CHILDREN.

RESPONDENT SHALL BE ALLOWED TO TAKE THE CHILDREN ON A TRIP OF EQUAL DURATION IN JULY OR AUGUST OF 2025. THE PARTIES ARE TO MUTUALLY AGREE UPON THE DATES AND LOCATION OF THE TRIP. RESPONDENT SHALL PROVIDE PETITIONER WITH ALL TRIP ITINERARY AS SOON AS HE HAS IT. THIS INCLUDES, BUT IS NOT LIMITED TO FLIGHT NUMBERS, DATES AND TIMES, LODGING INFORMATION, CONTACT INFORMATION, AND THE NAMES OF INDIVIDUALS WHO WILL BE GOING ON THE TRIP WITH THE CHILDREN.

PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

May 15, 2025

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

7. DIANE JANE PILAND V. TERRY JO PILAND

21FL0200

Charlotte L. Keeley, attorney for Petitioner, filed a Notice of Motion and Motion to be Relieved as Counsel and her supporting declaration on March 20, 2025. The motion was mail served on Petitioner on March 27, 2025. Counsel has shown good cause for her withdrawal as the attorney of record for Petitioner. The motion is granted, and the court will sign the proposed Order Granting Attorney's Motion to Be Relieved as Counsel. Withdrawal will be effective as of the date of filing the proof of service of the formal, signed order, upon the client.

TENTATIVE RULING #7: THE MOTION TO BE RELIEVED AS COUNSEL IS GRANTED. THE COURT WILL SIGN THE PROPOSED ORDER GRANTING ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL. WITHDRAWAL WILL BE EFFECTIVE AS OF THE DATE OF FILING PROOF OF SERVICE OF THE FORMAL, SIGNED ORDER, UPON THE CLIENT.

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

May 15, 2025

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

8. KELLY SPENCER V. MATTHEW SPENCER

23FL0529

On March 12, 2025, Petitioner filed a Request for Order (RFO) seeking to compel Respondent's Primary Declaration of Disclosure (PDD), as well as an order for reimbursements and sanctions. There is no Proof of Service for this document therefore, this matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #8: THIS MATTER IS DROPPED FROM CALENDAR DUE TO 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

May 15, 2025

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

9. ANTHONY TATUM V. PETRINA TATUM

23FL1230

This matter is before the court for receipt and review of the 730 Evaluation and to address whether the results of the evaluation warrant a change in custody orders.

The 730 Evaluation was filed with the court on May 5, 2025. Respondent's Supplemental Declaration was filed on May 7, 2025. It was served on May 5th. Petitioner's Supplemental Declaration was filed and served on May 8th. On May 9th Respondent filed a Reply Declaration. Petitioner filed and served an Objection to Respondent's Reply Declaration and Request to Strike Pleading for Noncompliance with CCP § 1005 the same day. Respondent then filed an Objection to Petitioner's Supplemental Declaration for Noncompliance with CCP § 1005.

Minor's Counsel's Statement was filed on May 13th, it was served on May 12th. The court finds this to be late filed therefore the court cannot consider it.

Respondent is requesting the court return to a 50/50 custody schedule. Alternatively, she requests a step-up plan to incrementally return to 50/50 custody. She asks that the no-contact order be vacated, and that Petitioner be ordered not to interfere with phone contact between Respondent and the minor. If the court is inclined to impose non-professional supervised visits then she provides the names of several proposed supervisors.

Petitioner is requesting permanent sole legal and physical custody of the minor. He asks that the current custody orders remain in place for at least 12 months.

The parties are ordered to appear for the hearing.

TENTATIVE RULING #9: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

10. DANIEL B. WOLFE V. COURTNEY A. WOLFE

24FL1312

This matter is before the court for receipt and review of the Child Custody Recommending Counseling (CCRC) report. The parties attended CCRC on March 27, 2025 and were able to reach agreements on all issues. A report containing those agreements was prepared and mailed to the parties on March 27th. The court has reviewed the CCRC report and finds the agreements contained therein to be in the best interests of the minors. They are hereby adopted as the orders of the court.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #10: THE AGREEMENTS CONTAINED IN THE MARCH 27, 2025 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

May 15, 2025

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

11. ESPERANZA WOOLEVER V. CHRISTOPHER WOOLEVER

PFL20180325

Child Support

On October 22, 2024, Petitioner filed a Request for Order (RFO) seeking orders for custody, visitation, and support. The RFO was originally set to be heard on January 30th but it was continued to April 3rd at which time the court made custody and visitation orders, but the issues of child support and health insurance were once again continued. The matter was set to be heard on the present date and parties were ordered to file and serve updated Income and Expense Declarations.

Respondent filed a Responsive Declaration to Request for Order on January 13, 2025. It was served on January 10th.

Respondent filed another Responsive Declaration to Request for Order on March 5, 2025. It was served on March 10th.

On March 20th, Petitioner filed and served a Declaration in support of her October 22nd RFO.

Petitioner filed her updated Income and Expense Declaration on May 5th along with another Supplemental Declaration in Support of FL-300. Respondent has not filed an updated Income and Expense Declaration.

The parties are ordered to appear for the hearing.

Contempt

On February 19, 2025, Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC). On April 15, 2025, Respondent filed a Declaration regarding his attempts to serve Petitioner.

The parties are ordered to appear for the hearing.

TENTATIVE RULING #11: THE PARTIES ARE ORDERD TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

12. CHARMIN BLAND V. CODY BLAND

23FL0364

On May 30, 2023, Respondent filed and served a Request for Order (RFO) along with a Declaration of Cody A. Bland in Support of Request for Order, a Declaration of Attorney Shannon Ramos in Support of Attorney's Fees Request, and an Income and Expense Declaration.

Petitioner filed her Responsive Declaration to Request for Order and her Income and Expense Declaration on September 21st. Both were electronically served on August 2nd.

Respondent filed his RFO requesting guideline spousal support, attorney's fees in the amount of \$10,000 pursuant to Family Code § 2030, and sanctions in the amount of \$3,000 pursuant to Family Code § 271. Respondent states that he is disabled, and Petitioner is earning substantially more than he is. Given his decreased earning capacity, he argues he is unable to maintain the marital standard of living without assistance and there is a disparity in income leading to unequal access to legal counsel. He bases his request for sanctions on the fact that Petitioner previously filed an RFO for property control orders. He states that the RFO was filed without meeting and conferring and if Petitioner had met and conferred prior to filing he would have agreed to the requested orders.

Petitioner opposes the request for support arguing that Respondent has not provided any evidence regarding his alleged disability and his resulting inability to maintain gainful employment. Petitioner requests the matter be continued to a date after Respondent's discovery responses have been received and reviewed. If the court is inclined to rule on support, she asks that the court base the marital standard of living on the standard set prior to Petitioner's pay increase which only occurred a year and a half prior to separation. Petitioner also requests the court issue a *Gavron* Warning and direct Respondent to undergo a vocational evaluation with Vocational Economic, Inc. Petitioner agrees to pay the costs of the evaluation, subject to reallocation. She further asks that each party be ordered to pay their own attorney's fees and costs and that the court deny Respondent's request for Section 271 sanctions.

On October 12, 2023, the court adopted its tentative ruling with modifications. The court granted temporary guideline spousal support in the amount of \$776 per month and ordered Respondent to participate in a vocational evaluation and set a review hearing for April 11, 2024.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

On April 1, 2024, parties submitted a Stipulation and Order to continue the April hearing to June 20, 2024.

On June 17, 2024, parties Stipulated to continue the hearing to September 26, 2024.

Respondent filed a Declaration on September 16, 2024. Petitioner was served on the same day. Respondent references the vocational evaluation in his Declaration; however, the vocational evaluation has not been filed with the court. Respondent continues to assert that he is disabled and therefore, unable to work.

Parties appeared for the hearing on September 26, 2024, and agreed to continue the matter to December 19, 2024.

On November 18, 2024, the parties submitted a Stipulation to continue the hearing to February 20, 2025, at 1:30 PM in Department 5.

There have been no new filings since November 18, 2024.

The court finds this RFO to be stale. Neither party has filed or served updated Income and Expense Declarations; the last were filed in 2023. Neither party has filed a Supplemental or updating declaration. As such, the court drops the matter from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #13: THE COURT FINDS THIS RFO TO BE STALE. NEITHER PARTY HAS FILED OR SERVED UPDATED INCOME AND EXPENSE DECLARATIONS; THE LAST WERE FILED IN 2023. NEITHER PARTY HAS FILED A SUPPLEMENTAL OR UPDATING DECLARATION. AS SUCH, THE COURT DROPS THE MATTER FROM CALENDAR. 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.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

13. ANJELIQUE COLLETT V. GARRETT CONE

25FL0120

Petitioner filed a Request for Order (RFO) on February 7, 2025, requesting child custody orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on March 20, 2025, and a review hearing on May 15, 2025. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Only Petitioner appeared for the CCRC appointment on March 20, 2025. As such a single parent report with no recommendations was filed with the court on March 25, 2025. Copies were mailed to the parties the same day.

Petitioner filed a Declaration on March 18th, and two additional Declarations on May 2nd. None of these documents have Proofs of Service showing Respondent was properly served. As such, they have not been considered by the court.

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

TENTATIVE RULING #13: 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

May 15, 2025

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

14. DCSS V. KEVIN CONNER (OTHER PARENT: BROOKE ROSEN) PFS20140211

Respondent filed a Request for Order (RFO) on April 3, 2025, seeking a modification of child custody and parenting plan orders. Respondent also seeks an order prohibiting Lisa Crosby from making co-parenting decisions.

Upon review of the court file, there is no Proof of Service showing the RFO was served on Petitioner and Other Parent.

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

TENTATIVE RULING #14: 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

May 15, 2025

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

15. TAMMY EVANS V. CODY EVANS

23FL0016

Petitioner filed a Request for Order (RFO) on January 9, 2025, requesting the court modify child custody and parenting plan orders, modify child and spousal support orders, make property control orders, as well as a request for attorney's fees and costs. Petitioner concurrently filed an Income and Expense Declaration. The parties were not referred to Child Custody Recommending Counseling (CCRC) as they had previously attended within the prior six months. Respondent was served by mail on February 24, 2025.

Respondent has not filed a Responsive Declaration. Respondent did, however, file an Income and Expense Declaration on February 5, 2025.

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, due to Respondent's failure to file a Responsive Declaration, despite the fact that the RFO was properly and timely served, the court finds he has acquiesced to these requests.

Parties appeared for the hearing on the RFO initially on March 27, 2025. Petitioner requested a continuance on the attorney's fees issue, to allow her the opportunity to file the FL-319 as well as the FL-158. The court granted the request to continue and set a review hearing for May 15, 2025. The court directed the parties to file updated Income and Expense Declarations no later than 10 days prior to the hearing. Additionally, the court directed that any supplemental declarations were to be filed and served at least 10 days prior to the hearing. The court adopted its tentative ruling with the exception of the portion pertaining to attorney's fees.

Upon review of the court file, there have been no new filings since the March 23, 2025 hearing which pertain to the request for attorney's fees.

The court finds Petitioner has failed to file and serve the requisite forms, FL-319 and FL-158. As such, the court denies the request for attorney's fees.

All prior orders not in conflict with these orders remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #15: THE COURT FINDS PETITIONER HAS FAILED TO FILE AND SERVE THE REQUISITE FORMS, FL-319 AND FL-158. AS SUCH, THE COURT DENIES THE REQUEST FOR ATTORNEY'S FEES. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

May 15, 2025

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

ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

May 15, 2025

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

16. ANNE MCNELLIS V. FERRIS NUESMEYER

PFL20160411

Petitioner's Request for Order

On January 27, 2025, Petitioner filed a Request for Order (RFO) seeking to compel discovery responses. All documents were mail served and electronically served on March 5th. The matter was initially heard on April 10, 2025. Petitioner requested the matter be continued to perfect service, as the service was sent to Respondent's former address. The court granted the request to continue and set the matter for a further hearing on May 15, 2025.

Proof of Service filed April 10, 2025, shows Respondent was served by mail and electronically on April 10th.

The court finds it is in need of further clarification. Parties are ordered to appear on the motion to compel.

Respondent's Request for Order

Respondent filed a Request for Order (RFO) on February 13, 2025, requesting the modification of child support orders as well as childcare orders. Respondent did not concurrently file an Income and Expense Declaration as required. This is a post-judgment request for modification, and as such, Family Code section 215 applies. Proof of Service shows Petitioner was mail served on February 14th, however, there is no Address Verification, and as such, the court finds the service to be deficient. Additionally, the Department of Child Support Services (DCSS) is a party to the action, and there is no Proof of Service showing they were served.

Petitioner filed a Responsive Declaration as well as two additional Declarations on May 2, 2025. Proof of Service shows they were electronically served on May 2, 2025. Petitioner objects to the court hearing Respondent's RFO as it was not properly served. Further, Petitioner requests attorney's fees pursuant to the parties Stipulation and Order filed April 25, 2022.

The court drops the matter from calendar due to Respondent's failure to properly serve Petitioner as well as the Department of Child Support Services. The matter is also dropped from calendar due to Respondent's failure to file and serve an Income and Expense Declaration contemporaneously with the RFO as required. Petitioner's request for

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attorney's fees as the prevailing party is denied, as the court did not reach the issue on the merits.

Attorney's Fees

On May 6, 2025, following the conclusion of the evidentiary hearing on the Order to Show Cause re: Contempt, the court ordered Respondent to file and serve a complete Income and Expense Declaration by no later than May 9, 2025. Respondent filed an Income and Expense Declaration with paystubs included on May 8, 2025. Petitioner was served the same day. Petitioner filed an attorney declaration regarding fees and costs on May 9, 2025. Respondent was served the same day.

Parties are ordered to appear on the request for attorney's fees.

TENTATIVE RULING #16: PARTIES ARE ORDERED TO APPEAR ON THE MOTION TO COMPEL AND THE REQUEST FOR ATTORNEY'S FEES.

AS TO RESPONDENT'S RFO, THE COURT DROPS THE MATTER FROM CALENDAR DUE TO RESPONDENT'S FAILURE TO PROPERLY SERVE PETITIONER AS WELL AS THE DEPARTMENT OF CHILD SUPPORT SERVICES. THE MATTER IS ALSO DROPPED FROM CALENDAR DUE TO RESPONDENT'S FAILURE TO FILE AND SERVE AN INCOME AND EXPENSE DECLARATION CONTEMPORANEOUSLY WITH THE RFO AS REQUIRED. PETITIONER'S REQUEST FOR ATTORNEY'S FEES AS THE PREVAILING PARTY IS DENIED, AS THE COURT DID NOT REACH THE ISSUE ON THE MERITS.

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.

16. ALEJANDRA ORTIZ V. WELFRED ORTIZ

23FL0131

Both parties filed Requests for Order (RFO) on February 18, 2025. Each is seeking orders for child custody and parenting time. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on March 21, 2025. Upon review of the court file, neither party served the other their respective RFO.

Both parties appeared for the CCRC appointment on March 21st. They were unable to reach any agreements. A report with recommendations was filed with the court on April 28, 2025. Copies were mailed to the parties the same day.

The court has read and considered the filings as outlined above. The court finds good cause to proceed with reaching the matter on the merits, as both parties appeared for CCRC and fully participated. The court finds the recommendations as set forth in the April 28th CCRC report to be in the best interest of minors. The court adopts the recommendations as set forth.

Petitioner shall prepare and file the Findings and Orders After hearing.

TENTATIVE RULING #16: THE COURT FINDS GOOD CAUSE TO PROCEED WITH REACHING THE MATTER ON THE MERITS, AS BOTH PARTIES APPEARED FOR CCRC AND FULLY PARTICIPATED. THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE APRIL 28TH CCRC REPORT TO BE IN THE BEST INTEREST OF MINORS. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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.

17. LEVI LOUTENSOCK V. AUNDREA SCHINDLER

22FL1159

Respondent filed a Request for Order (RFO) on March 11, 2025, seeking an order that Petitioner refinance the vehicle awarded to him in the judgment, to remove Respondent from the loan. Petitioner was personally served in accordance with Family Code section 215, as this is a post-judgement request for modification.

Petitioner filed a Responsive Declaration on May 1, 2025. Respondent was personally served on May 1, 2025. Petitioner objects to the requested orders.

Respondent filed a Declaration on May 5, 2025. There is no Proof of Service for this document, therefore, the court cannot consider it.

The court has read and considered the filings as outlined above, as well as the parties' judgment filed on June 15, 2023. The court finds the judgement awards each party a vehicle. Further, that each party would register the vehicle solely in their name thereby confirming each vehicle as the respective party's separate property. The court finds Petitioner failed to make payments on the vehicle in his name. While Petitioner asserts the payments have now been brought current, the court finds Respondent's request to be meritorious. The request for Petitioner to refinance the vehicle to remove Respondent's name from the loan is granted. Petitioner is ordered to refinance the vehicle, removing Respondent from the loan by no later than August 15, 2025.

All prior orders remain in full force and effect. Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #17: THE REQUEST FOR PETITIONER TO REFINANCE THE VEHICLE TO REMOVE RESPONDENT'S NAME FROM THE LOAN IS GRANTED. PETITIONER IS ORDERED TO REFINANCE THE VEHICLE REMOVING RESPONDENT FROM THE LOAN BY NO LATER THAN AUGUST 15, 2025. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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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.

19.MARY SIMONE V. UMBERTO TINO SIMONE

24FL0273

Petitioner filed a Request for Order (RFO) on March 12, 2025, seeking an order compelling Respondent's preliminary declaration of disclosure. Respondent was mail served on March 12, 2025.

Respondent filed a Responsive Declaration along with a Declaration regarding service of his preliminary declaration of disclosure on March 25, 2025. The Declaration shows the preliminary declaration of disclosure was personally served on June 3, 2024. Additionally, Respondent included an email which included the preliminary declaration of disclosure on June 3, 2024 and again on December 15, 2024.

The court finds the RFO to be moot as the preliminary declaration of disclosure has been provided to Petitioner. The matter is therefore, dropped from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #19: THE COURT FINDS THE RFO TO BE MOOT AS THE PRELIMINARY DECLARATION OF DISCLOSURE HAS BEEN PROVIDED TO PETITIONER. THE MATTER IS THEREFORE, DROPPED FROM CALENDAR. 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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May 15, 2025

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

20. KAYLA TRUJILLO V. GUNNER SEXTON

25FL0153

Petitioner filed a Request for Order (RFO) on February 20, 2025, seeking child custody and parenting plan orders, as well as an order for the parties to participate in co-parenting counseling. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on March 20, 2025, and a review hearing on May 15, 2025. Proof of Service shows Respondent was personally served on March 1, 2025; however, it does not show Respondent was served with the referral to CCRC or the Notice of Tentative Ruling.

Only Petitioner appeared at CCRC. As such, a single parent report was filed with the court on April 16, 2025. Copies were mailed to the parties the same day.

Respondent filed a Responsive Declaration on April 25, 2025. Petitioner was personally served on April 26, 2025. Respondent consents to Petitioner's requested orders.

The court has read and considered the filings as outlined above. The court finds Petitioner's requested orders to be in the minor's best interest. The parties shall share joint legal and physical custody. Petitioner shall have parenting time from Saturday at 6:30 PM until Wednesday at 6:30 PM. Respondent shall have parenting time from Wednesday at 6:30 PM until Saturday at 6:30 PM. Every other weekend, Respondent shall have parenting time until Sunday at 10:00 AM. Respondent's first extended weekend shall include Sunday May 19th and shall continue at every other weekend thereafter. The parties are ordered to enroll and participate in co-parenting counseling. The parties are to share in the cost equally. Parties are to attend at a frequency and duration as recommended by the co-parenting counselor.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #20: THE COURT FINDS PETITIONER'S REQUESTED ORDERS TO BE IN THE MINOR'S BEST INTEREST. THE PARTIES SHALL SHARE JOINT LEGAL AND PHYSICAL CUSTODY. PETITIONER SHALL HAVE PARENTING TIME FROM SATURDAY AT 6:30 PM UNTIL WEDNESDAY AT 6:30 PM. RESPONDENT SHALL HAVE PARENTING TIME FROM WEDNESDAY AT 6:30 PM UNTIL SATURDAY AT 6:30 PM. EVERY OTHER WEEKEND, RESPONDENT SHALL HAVE PARENTING TIME UNTIL SUNDAY AT 10:00 AM. RESPONDENT'S FIRST EXTENDED WEEKEND SHALL INCLUDE SUNDAY MAY 19TH AND SHALL CONTINUE AT EVERY OTHER WEEKEND THEREAFTER. THE PARTIES ARE

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DEPARTMENT 5

May 15, 2025

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

ORDERED TO ENROLL AND PARTICIPATE IN CO-PARENTING COUNSELING. THE PARTIES ARE TO SHARE IN THE COST EQUALLY. PARTIES ARE TO ATTEND AT A FREQUENCY AND DURATION AS RECOMMENDED BY THE CO-PARENTING COUNSELOR. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

May 15, 2025

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

21. KEVIN YOUNG V. JASMINE GIBSON

24FL1136

Petitioner filed a Petition to Establish a Parental Relationship on November 1, 2024. A Summons was issued the same day. Petitioner concurrently filed a Request for Order (RFO) requesting the court make child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 22, 2024 and a review hearing on January 16, 2025. Proof of Service shows Respondent was personally served all the necessary documents on November 5, 2024.

Respondent filed a Response on November 15, 2024. Respondent confirms Petitioner is the parent of the minor, there was a Voluntary Declaration of Paternity, and Petitioner appears on the minor's birth certificate.

Both parties appeared for the CCRC appointment and reached many agreements. A report containing the parties' agreements as well as additional recommendations was filed with the court on December 2, 2024. Copies were mailed to the parties the same day.

Respondent filed a Responsive Declaration on December 16, 2024. Petitioner was personally served on December 17, 2024. Respondent states in her declaration she agrees with the recommendations as set forth in the December 2nd CCRC report.

On January 16, 2025, the parties appeared for the hearing. The parties requested to be referred back to CCRC. The court granted the request and rereferred the parties to CCRC with an appointment on March 27, 2025. The court set a further review hearing for May 15th. The court adopted its tentative ruling as to parentage.

Both parties attended CCRC on March 27th and were able to reach many agreements. A report with the parties' agreements and further recommendations was filed with the court on March 27th. Copies were mailed to the parties the same day. Neither party has filed a Supplemental Declaration.

The court has read and considered the March 27th CCRC report and finds the agreements and recommendations to be in the best interest of the minor. The court adopts the agreements and recommendations as set forth in the March 27th CCRC report.

All prior orders not in conflict with this order remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #21: THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT

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DEPARTMENT 5

May 15, 2025

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

ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH IN THE MARCH 27TH CCRC REPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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.