

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
JULY 08, 2026
8:30 a.m.

1. JEFFREY STEVEN VANHEE V. ASHLEY NICHOLE VANHEE

25FL0526

This matter is before the court for two purposes: Hearing of the Respondent's Request for Orders (RFO) filed June 05, 2026 (which was accompanied by a request for emergency orders) requesting sale of various vehicles to satisfy support arrears allegedly owed by the Petitioner and for hearing on return from a CCRC session prompted by the Respondent's RFO filed April 23, 2026.

The June 05, 2026, RFO was continued by order of the court to coincide with the return of the parties from the CCRC session to promote judicial economy.

Respondent filed opposition to the June 05, 2026, RFO on Jun 15, 2026 (Memo of Points and Authorities) and on June 16, 2026: Responsive Declaration, and Income and Expense Declaration. The Respondent filed a Reply Declaration on June 30, 2026. These documents have been read and considered by the court.

The CCRC report was submitted to the court on June 22, 2026. Copies were sent to the parties and their attorneys on June 23, 2026, according to the Clerk's Certificate of Mailing. No supplemental declarations have been filed in response to the CCRC report.

June 05, 2026, RFO: The evidence is clear that the Petitioner has not been fully paying his child or spousal support obligation. Petitioner asserts that he is not as far in arrears as is claimed by the Respondent. Petitioner further asserts that he is no longer making the amount of income which was the basis for both support orders. However, he has not sought to have the orders modified. He also alleges that the assets that the Petitioner wants to have turned over to her so that they may be sold are not his to turn over.

The court notes that the relief requested by the Respondent would typically be deferred to time of trial of the underlying dissolution action begun by the Petitioner with his Petition filed on June 09, 2025, over a year ago. The court notes that the Respondent filed her Preliminary Declaration of Disclosure (PDD) on April 13, 2026. There is no PDD filed by the Petitioner but there is also no motion by the Respondent to compel Petitioner to comply with Disclosure which would otherwise be well past due.

Because there is dispute as to the ownership of the assets sought to be seized, the court will set an evidentiary hearing.

April 23, 2026, RFO: The court continues to be troubled by the Petitioner's disregard for the negative consequence his consumption of alcohol has on his ability to parent. The court finds, also, that the Respondent is not so far along in her efforts to free herself of alcohol as she has previously represented to the court.

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The court finds that the agreements reached by the parties and the recommendations of the CCRC counsellor found in the June 22, 2026, CCRC report are in the best interests of the children and so adopts them as the orders of the court.

TENTATIVE RULING #1: THE PARTIES ARE ORDERED TO APPEAR TO SELECT A HEARING DATE FOR THE RESPONDENT'S RFO FILED JUNE 05, 2026. THE AGREEMENTS AND RECOMMENDATIONS OF THE JUNE 22, 2026, CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT.

NO HEARING ON THE CUSOTDY/VISITATION ORDERS WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07.

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2. KIMBERLY FROCK V. AUSTIN LAWRIE

24FL1187

This matter is before the court on the Respondent's Request for Order (RFO) to modify Spousal Support filed on May 28, 2026. Along with the RFO, the Respondent filed an Income and Expense Declaration. There is no Proof of Service filed with the court to show that the Petitioner was served with the Respondent's filings.

However, the Petitioner did file a Responsive pleading with the court on June 17, 2025, but since there is no Proof of Service that her Response was served on the Respondent, the court did not consider it.

Respondent's RFO seeks to modify the Spousal Support order found in the parties' judgment of dissolution filed May 08, 2025. As the request is for post-judgment modification, an evidentiary hearing must be set for the court to gather and consider the Family Code Sec. 4320 factors.

The court notes that the Judgment calls for the Respondent's obligation to pay Spousal Support to the Petitioner to end with the payment for July 01, 2026. There is no pending request by the Petitioner to change the terms of the judgment regarding Spousal Support. As the Respondent's RFO was filed in late May, the court can only order a reduction of Spousal Support beginning on May 28, 2026, so the Respondent can only gain non-payment for 3 days of May and June 2026.

TENTATIVE RULING #2: THE PARTIES ARE ORDERED TO APPEAR TO SELECT A DATE AND TIME FOR AN EVIDENTIARY HEARING TO ESTABLISH THE F.C. SEC. 4320 FACTORS.

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3. DANA BARTH V. SUSAN BARTH

25FL1186

This matter is before the court for hearing on the Petitioner's Request for Oder (RFO) for Property Control filed on June 29, 2026. The RFO was accompanied by a Request for an Order Shortening Time (OST). The court granted the OST and ordered that service of the RFO be accomplished by July 01, 2026, and any Responsive pleading be filed by July 06, 2026.

There is no Proof of Service of the RFO in the file and there is no Responsive pleading in the file.

Due to lack of service, the RFO is dropped from hearing without prejudice.

TENTATIVE RULING #3: DUE TO LACK OF SERVICE, THE PETITIONER'S RFO IS DROPPED WITHOUT PREJUDICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07.

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4. NICOLE COOLEY V. IAN COOLEY

23FL0862

This matter is before the court for a review hearing.

On February 11, 2026, the court set the review hearing for June 24, 2026, regarding a possible shift to a week-on, week-off schedule. The court ordered the parties to file and serve any supplemental declarations on or before June 14, 2026.

On June 10, 2026, the Petitioner filed a timely supplemental declaration, a copy of which was served upon the Respondent via mail that same day according to the proof of service, also filed June 10, 2026. Petitioner opposes modifying parenting to a week-on, week-off schedule at this time. She would like to set up additional holiday scheduling and prepare for the next school year.

On June 15, 2026, Respondent filed supplemental declarations.

On June 23, 2026, the court issued a tentative ruling re-referring the parties to a CCRC session¹. Later that day, Respondent's attorney (who filed a Notice of Limited Scope Representation on June 15, 2026) submitted a timely oral argument request on multiple grounds, including an objection to having a commissioner hear the matter instead of a judge.

At the hearing on June 24, 2026, visiting Commissioner William N. Shepherd sustained Respondent's objection and transferred the matter to Department 5. However, this ruling was made in error because: (1) Respondent's objection to a commissioner hearing the matter was untimely where the case has already been heard by a commissioner for over two years; and (2) Commissioner Shepherd did not have the authority to transfer the case to another department of the court. Later on June 24, 2026, the court's Presiding Judge issued a separate minute order vacating Commissioner Shepherd's ruling and re-setting the matter on July 08, 2026, in Department 12.

Since the events of June 24, 2026, the Respondent filed (on June 30, 2026) a Third Supplemental Declaration. Proof of Service attached to the declaration shows a copy was electronically served on the Petitioner on June 30, 2026.

The court finds that the parties are mostly in agreement on the path forward for parenting their children. The court also finds that it is in the best interests of the children for the court to promote that progress and further encourage that the parties work together to resolve the remaining issues on scheduling and interactions between the parties. Therefore, the court re-refers the parties to CCRC on Wednesday, August 26, 2026, at 9:00 am and sets the matter for review on Wednesday, September 09, 2026, at 8:30 a.m. in Department 12 of the court. The court will issue a new Tentative Ruling by 2:00 p.m. the day prior to the new hearing date. Any supplemental declarations in response to the new CCRC report must be filed and served on or before September 02, 2026. The parties are directed

¹ The court's tentative ruling issued June 23, 2026, incorrectly determined that Respondent's June 15, 2026, declarations were untimely. Those declarations have been read and considered.

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to submit the required CCRC questionnaire (Local Form F-17a, which can be downloaded from the court's website or obtained from the Clerk's Office) at least five days prior to the CCRC session.

TENTATIVE RULING #4: THE PARTIES ARE RE-REFERRED TO CCRC ON AUGUST 26, 2026, AT 9:00 A.M. HEARING ON REVIEW OF CCRC IS SET FOR WEDNESDAY, SEPTEMBER 09, 2026. SUPPLEMENTAL DECLARATIONS ARE ORDERED TO BE FILED AND SERVED NO LATER THAN SEPTEMBER 02, 2026.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL.RULE CT. 3.1308; LOCAL RULE 8.05.07.