

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 12, 2024

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

1. APRIL REVELLE V. JUSTIN REVELLE

24FL0649

On September 11, 2024, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. It was electronically served on September 16th. On October 2nd, Respondent filed a Declaration with an attached letter from his attorney. It was electronically served on October 1st. Respondent filed a Certificate of Completion of a 6-week parenting class on October 15th, though there is no Proof of Service for this document.

Petitioner filed her Responsive Declaration to Request for Order on November 19th. It was electronically served on the 18th.

The parties attended Child Custody Recommending Counseling (CCRC) on October 9th. They were unable to reach any agreements therefore a report with recommendations was prepared on November 25th. It was mailed to the parties on November 26th.

Respondent filed his RFO seeking joint legal and joint physical custody of the parties' minor child. Specifically, he is asking to have parenting time every Saturday at 5:00 pm to Tuesday until 5:00 pm and he asks the court to vacate its prior order restricting his visits to El Dorado County and the City of Folsom only. He asks that exchanges be conducted at the Loomis police station. This is a change from the stipulated custody orders the parties previously agreed to.

According to Petitioner, the parties are participating in co-parenting counseling and Respondent's parenting time has already increased. She states the parties are exchanging the minor in Loomis, CA. She asks that the court order the parties to continue following the recommendations of the coparenting counselor regarding any changes in parenting time.

The court has reviewed the filings as outlined above and finds the recommendations as stated in the November 25, 2024 CCRC report to be in the best interests of the minor. The recommendations are therefore hereby adopted as the orders of the court.

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

TENTATIVE RULING #1: THE COURT HAS REVIEWED THE FILINGS AS OUTLINED ABOVE AND FINDS THE RECOMMENDATIONS AS STATED IN THE NOVEMBER 25, 2024 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR. THE RECOMMENDATIONS ARE THEREFORE HEREBY ADOPTED AS THE ORDERS OF THE COURT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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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.

3. DANIELLE HOPKINS V. JOHN HOPKINS

PFL20170221

Respondent filed a Request for Order (RFO) on September 12, 2024. The Proof of Service states that the RFO was personally served on Petitioner's attorney. However, this is a post-judgment request for modification of custody orders, as such, it was required to be personally served on Petitioner, not her attorney. See Fam. Code § 215.

Despite the defect in service, the parties attended Child Custody Recommending Counseling (CCRC) and were able to reach a full agreement. A report codifying that agreement was prepared on October 11, 2024.

In addition to her appearance at CCRC, Petitioner filed a Responsive Declaration to Request for Order on December 5th. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which 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 November 29th the last day for filing the Responsive Declaration therefore the court cannot consider it.

Because Petitioner appeared at CCRC and because the parties reached a full agreement, the court finds good cause to reach the matter on the merits despite the defect in service of the moving papers.

The court has reviewed the filings as outlined above and finds the agreements reached at CCRC to be in the minor's best interests. The court hereby adopts the agreements stated in the October 11, 2024 CCRC report as the orders of the court.

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

TENTATIVE RULING #3: THE COURT HAS REVIEWED THE FILINGS AS OUTLINED ABOVE AND FINDS THE AGREEMENTS REACHED AT CCRC TO BE IN THE MINOR'S BEST INTERESTS. THE COURT HEREBY ADOPTS THE AGREEMENTS STATED IN THE OCTOBER 11, 2024 CCRC REPORT AS THE ORDERS 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

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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.

4. DANIELLE MARIE HASAN V. TALIB AL HASAN

23FL0370

The parties appeared before the court on October 2, 2024, for hearing on Petitioner's request for a Domestic Violence Restraining Order (DVRO). The DVRO was granted, and the parties were referred to Child Custody Recommending Counseling (CCRC). A review hearing was set for the present date. The issue of attorney's fees was also set to be heard on the present date.

On November 27th, Petitioner filed and served a Declaration of Blanca Espinoza in Support of Request for Attorney Fees, a Declaration of Petitioner Regarding Prevailing Party Attorney's Fees, and an Income and Expense Declaration. Respondent has not filed an Income and Expense Declaration; however the court does have one on file from September 30, 2024.

Petitioner is requesting attorney's fees and costs in the amount of \$30,489.75 pursuant to Family Code § 6344. Section 6344 is the mechanism by which a prevailing party on a DVRO request may recover their attorney's fees and costs. If the prevailing party was the party that filed for the DVRO then, "[a]fter notice and a hearing, a court, upon request *shall issue and order for the payment of attorney's fees and costs.*" Cal. Fam. Code § 6344 (a). However, "[b]efore a court awards attorney's fees and costs pursuant to this section, the court shall first determine pursuant to Section 270 that the party ordered to pay has, or is reasonably likely to have, the ability to pay." *Id.* at (c).

After reviewing Respondent's Income and Expense Declaration, he states his average monthly income is only \$499. The court does not find this to be credible. However, even assuming his current income to be \$499, the court does find that Respondent is reasonably likely to have the ability to pay given his work history and the fact that he is a Certified Public Accountant. As such, the request for attorney's fees is granted. Respondent shall pay \$30,489.75 as and for attorney's fees and costs. Payments are to be made directly to Petitioner's counsel. Payment may be made in one lump sum or in monthly increments of at least \$250 which are due the 15th of each month commencing on December 15th and continuing until paid in full (approximately 122 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

Regarding the CCRC review, the court is not yet in receipt of the CCRC report. Without the report, the court is unable to make orders at this time. This matter is continued to 1/9/2025 at 8:30 AM in department 5 for review of the CCRC report. Parties are ordered to file any Supplemental Declarations no later than 10 days prior to the next hearing date.

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

TENTATIVE RULING #4: THE REQUEST FOR ATTORNEY'S FEES IS GRANTED. RESPONDENT SHALL PAY \$30,489.75 AS AND FOR ATTORNEY'S FEES AND COSTS. PAYMENTS ARE TO BE MADE DIRECTLY TO PETITIONER'S COUNSEL. PAYMENT MAY BE MADE IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF AT LEAST \$250 WHICH ARE DUE THE 15TH OF EACH MONTH COMMENCING ON DECEMBER 15TH AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 122 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

REGARDING THE CCRC REVIEW, THE COURT IS NOT YET IN RECEIPT OF THE CCRC REPORT. WITHOUT THE REPORT, THE COURT IS UNABLE TO MAKE ORDERS AT THIS TIME. THIS MATTER IS CONTINUED TO 1/9/2025 AT 8:30 AM IN DEPARTMENT 5 FOR REVIEW OF THE CCRC REPORT. PARTIES ARE ORDERED TO FILE ANY SUPPLEMENTAL DECLARATIONS NO LATER THAN 10 DAYS PRIOR TO THE NEXT HEARING DATE.

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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5. DAVID STEVEN MERCADO V. APRIL LOCKHART

PFL20180104

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on April 25, 2023. After several continuances, Respondent was found guilty of count #4 of contempt on July 23, 2024. Concurrently with his request for an OSC, Petitioner also requested attorney's fees. The court continued the issue of attorney's fees to the present date. Respondent was ordered to file a complete Income and Expense Declaration.

Petitioner filed another OSC on July 5, 2024. It was personally served on August 26th.

Respondent filed her Income and Expense Declaration on November 8th, it was electronically served on November 11th.

Petitioner filed and served two Reply Declarations on November 14th.

The parties appeared before the court on November 21st for arraignment on the OSC and a hearing on the issue of attorney's fees. The public defender was not present at the hearing therefore, the matter was continued to the present date.

The parties are ordered to appear for the hearing on the issue of attorney's fees and for the arraignment on Petitioner's July 5th OSC.

TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING AND FOR ARRAIGNMENT ON PETITIONER'S JULY 5TH OSC.

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6. DCSS V. CHRISTOPHER SOULE (OTHER PARTY: AMBER ESTEP)

22FL1219

On September 16, 2024, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. Other Party was personally served on September 25th and DCSS was served on September 26th. Other Party filed her Responsive Declaration to Request for Order on October 9th.

Also on October 9th, Other Party filed an RFO seeking attorney's fees and costs. She filed her Income and Expense Declaration concurrently therewith. Both documents were mail served on October 10th.

The parties attended Child Custody Recommending Counseling (CCRC) on October 14th. A report with recommendations was prepared on October 15th, it was mailed to the parties on the 16th.

Respondent filed a Responsive Declaration to Request for Order and his Income and Expense Declaration on November 27th. Both documents were electronically served on November 26th.

Other Party filed and served a Reply Declaration on December 2nd.

Respondent's Reply Declaration to Child Custody Recommending Counseling Report was filed on December 5th. He filed Respondent's Reply Declaration to Responsive Declaration the same day. Both were personally served the same day.

On December 9th, Other Party filed an Objection to Respondent's Reply Declaration to Responsive Declaration Signed 12/5/24 and Respondent's Reply Declaration to Child Custody Recommending Counseling Report Signed 12/4/24. The objection was electronically served and personally served on December 9th.

Respondent filed his RFO requesting sole legal and sole physical custody of the parties' minor children. Petitioner does not consent to full custody, but she would agree to a 2-2-5 parenting plan with a holiday schedule, a right of first refusal, and several other enumerated custody orders. She asks that no person under the age of 18 be allowed to provide childcare and no corporal punishment be committed upon the children, including spanking. She would like an order directing the parties to use Talking Parents and she asks that the minor Kimber be reassigned to her former pediatrician, Dr. DeeJay Miranda. Finally, she asks that the court place her Responsive Declaration in the confidential portion of the court's file.

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The parties were able to reach agreements on some issues at CCRC. The October 15th CCRC report contains a recitation of those agreements, as well as additional recommendations made by the CCRC counselor. Despite the agreements listed in the CCRC report, Respondent maintains that they parties did not reach any agreements, and he is seeking full legal and full physical custody of the children. He argues that Other Party is residing with a convicted felon and therefore, she should not have custody of the children. Other Party objects to this on the basis of hearsay.

Other Party's objection is sustained. The court is not considering the hearsay statements made in Respondent's Reply Declaration regarding Other Party and her alleged involvement with Mr. Hill.

The court has reviewed the filings as outlined above and finds the agreements and recommendations contained therein to be in the best interests of the minors. They are adopted as the orders of the court with the exception of recommendation number 1 under the Supervision section. The court is not adopting the recommendation that the children are not to be left unattended around the stepchildren.

Other Party's request to have her October 9, 2024, Responsive Declaration to Request for Order marked confidential is granted. The clerk of the court is ordered to mark this document as confidential and place it in the confidential portion of the court's file.

Regarding attorney's fees, Other Party is requesting \$5,000 in need based costs and fees; while Respondent is asking that Other Party be ordered to pay his fees in the amount of \$3,500 for having to defend against this motion.

Other Party is making her request for attorney's fees pursuant to Family Code Section 7605(a). The public policy of Family Code section 7605 is to "...ensure that each party has access to legal representation to preserve each party's rights by ordering...one party...to pay to the other party, or the other party's attorney, whatever amount is reasonably necessary for attorney's fees and for the cost of maintaining or defending..." a proceeding for custody or visitation. Cal. Fam. Code § 7605(a). 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 § 7605(b).

In reviewing each party's Income and Expense Declaration, the court does find there to be a disparity in income, however, the court does not find the disparity to be such that

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Respondent can pay for the entirety of his fees as well as the entirety of the attorney fees for Other Party. As such, the court is awarding Other Party \$2,500 as and for attorney's fees and costs. This amount is to be paid directly to Other Party's attorney and may be paid in one lump sum or in monthly increments of \$250 commencing on January 15th and continuing until paid in full (approximately 10 months). If any payment is missed or late the entire amount shall become immediately due and payable.

Other Party shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #6: THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE OCTOBER 15, 2024 CCRC REPORT ARE FOUND TO BE IN THE BEST INTERESTS OF THE MINORS AND ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT WITH THE EXCEPTION OF RECOMMENDATION NUMBER 1 UNDER THE SUPERVISION SECTION. THE COURT IS NOT ADOPTING THE RECOMMENDATION THAT THE CHILDREN NOT BE LEFT UNATTENDED AROUND THE STEPCHILDREN.

OTHER PARTY'S REQUEST TO HAVE HER OCTOBER 9, 2024 RESPONSIVE DECLARATION TO REQUEST FOR ORDER MARKED CONFIDENTIAL IS GRANTED. THE CLERK OF THE COURT IS ORDERED TO MARK THIS DOCUMENT AS CONFIDENTIAL AND PLACE IT IN THE CONFIDENTIAL PORTION OF THE COURT'S FILE.

THE COURT IS AWARDING OTHER PARTY \$2,500 AS AND FOR ATTORNEY'S FEES AND COSTS. THIS AMOUNT IS TO BE PAID DIRECTLY TO OTHER PARTY'S ATTORNEY AND MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$250 COMMENCING ON JANUARY 15TH AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 10 MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

OTHER PARTY SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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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.**

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

7. GERGANA MUDROVA V. PAUL BONDAR

22FL0444

On September 9, 2024, Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC). The OSC was personally served on October 27th.

The parties are ordered to appear for the arraignment.

TENTATIVE RULING #7: THE PARTIES ARE ORDERED TO APPEAR FOR THE ARRAIGNMENT.

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

8. KELLEY SOUSA V. DOUGLAS SOUSA

24FL0371

On September 10, 2024, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. The RFO was personally served on Respondent's attorney on September 12th.

Respondent filed and served his Responsive Declaration to Request for Order on October 9th.

The parties attended Child Custody Recommending Counseling (CCRC) on October 10th and a report with recommendations was prepared on the 17th. The report was mailed to the parties on October 21st.

On December 6th, Respondent filed a Responsive Declaration to Request for Order. It was electronically served the same day. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which 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 November 29th the last day for filing the Responsive Declaration. Therefore, it is late filed and has not been considered by the court.

Petitioner filed her RFO seeking sole legal and sole physical custody of the children. She proposes Respondent have visits on Thursday afternoons from school pick-up to 8pm, Friday afternoons from school pick-up to 8pm and every other Saturday from 10am to 8pm.

Respondent is asking that the court order the parties to share physical custody with Petitioner to have the children from Sunday mornings until Wednesday mornings and then Respondent to have Wednesdays to Sundays. He also requests a right of first refusal.

There is a DVRO in place which triggers the Family Code § 3044 presumption that an award of sole or joint physical or legal custody to an individual who has perpetrated domestic violence is not in the best interest of the child. Fam. Code § 3044(a). "This presumption may only be rebutted by a preponderance of the evidence." *Id.* To overcome the presumption, the perpetrator bears the burden of proving (1) giving sole or joint legal or physical custody to the perpetrator is in the best interest of the child; and (2) a balancing of the factors listed in Section 3044(b)(2) supports the legislative findings in Section 3020. Fam. Code § 3044(b). The majority of the 3044(b) factors are inapplicable to the matter at

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hand with the exceptions of “(E) The perpetrator is restrained by a protective order or restraining order, and has or has not complied with its terms and conditions;” and “(F) The perpetrator of domestic violence has committed further acts of domestic violence.” *Id.*

Here, the DVRO has been in place since June. Petitioner maintains that Respondent continues to send her harassing text messages however, there is no indication that Respondent has engaged in any acts of physical violence since the DVRO. To the contrary, CCRC spoke with the children, and both indicated that they like the current parenting plan wherein Respondent has the children from Thursdays to Sundays. Given that the children expressed they are happy with the current visitation schedule, the court find the Section 3044 presumption has been rebutted and it is in the best interests of the children to adopt the recommendations contained in the October 17, 2024 CCRC report. Respondent is admonished to comply with the Respect Guidelines as stated in the CCRC report, especially number 3. Should Respondent continue to speak poorly of Petitioner to, or within earshot of, the children, or should Respondent to continue sending harassing text messages to Petitioner in violation of the DVRO, the court may find that unsupervised custodial time with him is no longer in the best interests of the children and custody orders may be modified to reflect that.

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

TENTATIVE RULING #8: THE COURT FINDS THE SECTION 3044 PRESUMPTION HAS BEEN REBUTTED AND IT IS IN THE BEST INTERESTS OF THE CHILDREN TO ADOPT THE RECOMMENDATIONS CONTAINED IN THE OCTOBER 17, 2024 CCRC REPORT. RESPONDENT IS ADMONISHED TO COMPLY WITH THE RESPECT GUIDELINES AS STATED IN THE CCRC REPORT, ESPECIALLY NUMBER 3. SHOULD RESPONDENT CONTINUE TO SPEAK POORLY OF PETITIONER TO, OR WITHIN EARSHOT OF, THE CHILDREN, OR SHOULD RESPONDENT TO CONTINUE SENDING HARASSING TEXT MESSAGES TO PETITIONER IN VIOLATION OF THE DVRO, THE COURT MAY FIND THAT UNSUPERVISED CUSTODIAL TIME WITH HIM IS NO LONGER IN THE BEST INTERESTS OF THE CHILDREN AND CUSTODY ORDERS MAY BE MODIFIED TO REFLECT THAT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

9. 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 DVRO 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 set for the present date.

The parties attended CCRC as scheduled, and a report was prepared on November 25, 2024. It was mailed to the parties on November 26th. According to CCRC, recommendations could not be made due to the scarcity of information.

On December 2, 2024, Respondent filed a Declaration with attached copies of negative SoberLink tests and a letter from his counselor indicating that he does not have a substance abuse problem. The declaration was electronically served on December 1st.

After reviewing the filings of the parties, the court finds the current orders remain in the best interests of the minors. Therefore, all prior orders remain in full force and effect.

TENTATIVE RULING #9: 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 TELEPHONE 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 TELEPHONE 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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December 12, 2024

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

11. AMBER COOKE V. DAVID WEST

22FL0126

Respondent filed a Request for Order (RFO) on September 19, 2024 requesting modification of child custody and parenting plan orders as well as enforcement of prior orders regarding co-parenting. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 18, 2024, and a review hearing on December 12th. Petitioner was served by mail on September 24, 2024.

Petitioner filed a Responsive Declaration on December 11, 2024. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which 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 November 29th the last day for filing the Responsive Declaration. Therefore, it is late filed and has not been considered by the court.

Both parties attended CCRC and were unable to reach any agreements. A report with recommendations was filed with the court on November 6, 2024. Copies were mailed to the parties the same day.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the November 6th CCRC report to be in the best interest of the minor. The court adopts the recommendations as set forth as its orders.

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

TENTATIVE RULING #11: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE NOVEMBER 6TH CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH AS ITS ORDERS. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER 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 TELEPHONE TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE

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

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 TELEPHONE 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

December 12, 2024

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

12. BRIYANA HAROLD V. JAMES BURDICK

24FL0947

Petitioner filed a Petition to Determine Parental Relationship on September 12, 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 October 11, 2024, and a review hearing on December 12th. On October 9, 2024, the court issued an ex parte minute order vacating the CCRC appointment as paternity had not been established.

Upon review of the court file, there is a Proof of Personal Service of the RFO and the Petition on Joseph Reed, who is also the individual who signed the Proof of Service. There is no Proof of Service showing Respondent was served with the Summons and other necessary documents.

On December 5, 2024, the court adopted its tentative ruling in companion case 24FL0930, whereas to the youngest minor, Luke, there appears to be a dispute as to parentage. The court noted there is a separate case for the minor, case number 24FL0947, which is set to be heard on December 12, 2024, at 1:30 PM in Department 5. The court found good cause to continue Luke's portion of the case to join with the matter currently set on December 12, 2024, at 1:30 PM in Department 5.

TENTATIVE RULING #12: PARTIES ARE ORDERED TO APPEAR.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 12, 2024

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

13. GARY HARRIS V. KRISTEN BALCITA

23FL0561

Petitioner filed a Request for Order (RFO) on September 19, 2024, requesting the court enforce the order for reunification counseling and that the parties share in the costs equally. Petitioner is also seeking an order that Respondent keep Petitioner apprised of her mailing address. Respondent was severed by mail on October 1, 2024.

Respondent filed a Responsive Declaration on November 25, 2024. Petitioner was served on November 25th. Respondent objects to the requests and requests the current orders remain in full force and effect and that Petitioner be responsible for the costs of reunification therapy.

The court has read and considered the filings as outlined above. The court takes judicial notice of the parties' Stipulation and Order form December 14, 2023. The stipulation states Petitioner shall obtain family or reunification counseling for him and the minor through Petitioner's insurance provider, Kaiser. The court finds this remains in the minor's best interest. Respondent is to make the minor available for counseling services. Petitioner is responsible for the cost of family therapy or reunification counseling. The parties are to communicate regarding the services via a co-parenting application, such as Talking Parents. Respondent shall keep Petitioner and the court aware of her current mailing address.

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 #13: THE COURT TAKES JUDICIAL NOTICE OF THE PARTIES' STIPULATION AND ORDER FORM DECEMBER 14, 2023. THE STIPULATION STATES PETITIONER SHALL OBTAIN FAMILY OR REUNIFICATION COUNSELING FOR HIM AND THE MINOR THROUGH PETITIONER'S INSURANCE PROVIDER, KAISER. THE COURT FINDS THIS REMAINS IN THE MINOR'S BEST INTEREST. RESPONDENT IS TO MAKE THE MINOR AVAILABLE FOR COUNSELING SERVICES. PETITIONER IS RESPONSIBLE FOR THE COST OF FAMILY THERAPY OR REUNIFICATION COUNSELING. THE PARTIES ARE TO COMMUNICATE REGARDING THE SERVICES VIA A CO-PARENTING APPLICATION, SUCH AS TALKING PARENTS. RESPONDENT SHALL KEEP PETITIONER AND THE COURT AWARE OF HER CURRENT MAILING ADDRESS. 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.

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December 12, 2024

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 TELEPHONE 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 TELEPHONE 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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December 12, 2024

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

14. IRENE GREEN V. JEREMY GREEN

24FL0549

Petitioner filed a Request for Order (RFO) on September 25, 2024, requesting the court make child support orders. Petitioner concurrently filed an Income and Expense Declaration. Respondent was served on August 20, 2024, which was well before the filing of the RFO. Respondent was served with the notice of the tentative ruling procedure on September 27, 2024. Petitioner appears to be requesting guideline child support.

Respondent filed a Responsive Declaration on November 18, 2024, thereby waiving any defect in notice. Respondent concurrently filed an Income and Expense Declaration. There is no Proof of Service for these documents, and therefore, the court cannot consider them.

Given that service of the RFO was completed almost a month prior to filing, the court is concerned that the copy of the RFO served did not include the hearing date and time. Additionally, by serving the RFO and Income and Expense Declaration in August but not filing the RFO until the end of September, Petitioner's Income and Expense Declaration is now out of date and cannot be used for the purpose of calculating support.

With the aforementioned defects in service the court would generally turn to Respondent to see if he has waived the defects. However, because there is no Proof of Service of Respondent's documents, the court cannot do so. As such, this matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #14: 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 TELEPHONE 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 TELEPHONE 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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December 12, 2024

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

15. JOSHUA SWOBODA V. KRISTEN CABRAL

24FL0280

Respondent filed an ex parte application for emergency orders on October 1, 2024. On October 2, 2024, the court denied the request but referred the parties to an emergency set Child Custody Recommending Counseling (CCRC) appointment on October 8, 2024, and a review hearing on December 12, 2024. Petitioner was personally served on October 2, 2024.

The court notes the family law matter is currently stayed. Therefore, this matter is dropped from calendar.

TENTATIVE RULING #15: THE FAMILY LAW MATTER IS CURRENTLY STAYED. THEREFORE, THIS MATTER IS DROPPED FROM CALENDAR.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE 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 TELEPHONE 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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December 12, 2024

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

16. KARLY GENTRY V. PAUL GENTRY

22FL0745

Respondent filed a Request for Order (RFO) along with an Order Shortening Time (OST) on November 13, 2024. On November 15, 2024, the court granted the OST and set the RFO for a hearing on December 12, 2024. Respondent is requesting bifurcation of status.

Petitioner as not filed a Responsive Declaration.

In dissolution proceedings, the court may bifurcate the issue of the dissolution of the marriage and enter a status only judgment. *Id.* at (c)(7); Fam. Code § 2337. Prior to granting such a request the court must ensure “[a]ll pension plans that have not been divided by court order that require joinder ...” have been joined. Cal. Rule Ct. 5.390(d)(1). A party seeking bifurcation is to submit a completed FL-315 evidencing such. Cal. Rule Ct. 5.390(a).

Upon review of the court file, it appears that a joinder and summons have been issued for the Thrift Savings Plan. Proof of Service shows the plan was served by mail on December 2, 2024. After the benefit plan has been served, it has 30 days to file and serve a responsive document on the requesting party. Cal. Rules of Ct. 5.24(e)(3). As it has not yet been 30 days since the notice of joinder and summons were served on the plan, the court finds the joinder is not complete. As such, the court continues the RFO to January 9, 2025, at 8:30 in Department 5.

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

TENTATIVE RULING #16: JOINDER OF THE PENSION PLAN IS NOT COMPLETE. THEREFORE, THE COURT CONTINUES THE RFO TO JANUARY 9, 2025, AT 8:30 IN DEPARTMENT 5. 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 TELEPHONE 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 TELEPHONE 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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December 12, 2024

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

17. MONIQUE ROYAL V. GREGORY ROYAL

23FL0191

On September 13, 2024, Petitioner filed a Request for Order (RFO) seeking modification of child custody and child support orders. This is a post-judgment request for modification. Petitioner did not concurrently file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 11, 2024, and a review hearing on December 12th. Proof of Service shows Respondent was personally served with the RFO and referral to CCRC on September 18, 2024. Respondent was not served all the necessary documents.

Both parties attended CCRC and the minor was interviewed as well. The parties were unable to reach any agreements. A report with recommendations was filed with the court on October 16, 2024. Copies were mailed to the parties on October 22, 2024.

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

The court finds good cause to proceed with the custody portion of the RFO, as both parties attended and fully participated in CCRC. The court finds the recommendations as set forth in the October 16th CCRC report to be in the best interests of the minor. The court adopts the recommendations as its orders.

The court finds the request for child support is not properly before the court. Petitioner failed to concurrently file an Income and Expense Declaration with the RFO as required. Further, Respondent was not served with Petitioner's Income and Expense Declaration or other required documents. Therefore, the court drops the request for child support from calendar.

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 #17: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE CUSTODY PORTION OF THE RFO, AS BOTH PARTIES ATTENDED AND FULLY PARTICIPATED IN CCRC. THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE OCTOBER 16TH CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS ITS ORDERS. THE COURT FINDS THE REQUEST FOR CHILD SUPPORT IS NOT PROPERLY BEFORE THE COURT. THEREFORE, THE COURT DROPS THE REQUEST FOR CHILD SUPPORT FROM CALENDAR. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN

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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 TELEPHONE 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 TELEPHONE 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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December 12, 2024

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

18. SARAH LESTER V. JASON LESTER

23FL1169

Petitioner filed a Request for Order (RFO) and an Order Shortening Time (OST) on October 10, 2024. Petitioner concurrently filed an Income and Expense Declaration. The court granted the OST on October 11, 2024. Respondent was served on October 11, 2024. Petitioner is seeking guideline child and temporary spousal support. Petitioner is also seeking the appointment of Minors' Counsel as well as an Evidence Code section 730 evaluation. Petitioner is also seeking Family Code section 2030 attorney's fees.

Respondent filed a Responsive Declaration as well as an Income and Expense Declaration on November 25, 2024. Petitioner was electronically served the same day. Respondent agrees to the request for guideline child support, however, requests the court utilize the actual timeshare being practiced and impute Petitioner with additional income. Respondent opposes temporary guideline spousal support, due to Petitioner's relocation out of state. Respondent consents to the appointment of Minors' Counsel, however, requests Petitioner be solely responsible for the costs. Likewise, it appears Respondent has no opposition to participating in the Evidence Code section 730 evaluation, but requests Petitioner be solely responsible for the costs. Respondent objects to Petitioner's request for Family Code section 2030 attorney's fees. Respondent asserts he is unable to pay for his attorney, as well as Petitioner's, as he is paying all community debts at this time.

Petitioner filed a Reply Declaration and an Income and Expense Declaration on November 27, 2024. Respondent was served by mail the same day. Petitioner disputes Respondent's claims regarding the timeshare of the minors. Petitioner reiterates her requests as set forth in the RFO.

The court has read and considered the filings as outlined above. The court first takes up the issue of guideline child support.

The court is utilizing Petitioner's hourly pay rate and an average of 31.5 hours per week. The court declines to impute Petitioner with additional income at a higher hourly rate. Respondent has failed to set forth adequate grounds upon which the court could do so. The court finds based on the parties filing taxes married filing jointly, and a 50% timeshare, guideline child support is \$1,839 per month (see attached DissoMaster). The court orders Respondent to pay Petitioner \$1,839 per month as and for guideline child support. This order is effective October 15, 2024 and support is payable on the 15th of each month until further order of the court or termination by operation of law.

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The court finds this order results in an arrears balance of \$3,678 for the months of October and November inclusive. Respondent is ordered to pay Petitioner \$459.75 per month as and for arrears beginning January 1, 2025, and payable on the first of each month until paid in full (approximately eight months). If any payment is missed or late, the full amount shall become immediately due and owing with legal interest.

For the same reasons as set forth above, the court declines to impute Petitioner with additional income. Based on the Alameda formula, utilizing the same figures as set forth above, the court finds temporary guideline spousal support to be \$1,606 per month (see attached DissoMaster). The court orders Respondent to pay Petitioner \$1,606 as and for temporary guideline spousal support effective October 15, 2024, and payable on the 15th of each month until further order of the court or termination by operation of law.

The court finds this order results in an arrears balance of \$3,212 for the months of October and November inclusive. The court orders Respondent to pay Petitioner \$401.50 per month as and for arrears effective January 1, 2025, and payable on the first of each month until paid in full (approximately eight months). If any payment is missed or late, the entire amount shall become immediately due and payable with legal interest.

The court is also including a two-way overtime table for the parties. The court finds each party can earn income over what the court has utilized for calculating support. The court directs the parties to true up any overtime or additional income earned monthly.

Regarding the request for attorney's fees, the public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." In re Marriage of Keech, 75 Cal. App. 4th 860, 866 (1999). This assures each party has access to legal representation to preserve each party's rights. 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. "In determining what is just and reasonable under the relative circumstances, the court shall take into consideration the need for the award to enable each party, to the extent practical, to have sufficient financial resources to present the party's case adequately." *Id.* at (b). Financial resources are only one factor to be considered though. *Id.* In addition to the parties'

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financial resources, the court may consider the parties' trial tactics. In re Marriage of Falcone & Fyke, 203 Cal. App. 4th 964; 975 (2012).

The court finds that with the support orders made above, Respondent's ability to pay both for his attorney as well as for Petitioner's attorney is significantly reduced. The court further finds that with the award of spousal support, that while there is still a disparity in income between the parties, it has been reduced significantly. As such, the court denies Petitioner's request for Family Code section 2030 attorney's fees.

The court grants the request for the appointment of Minors' Counsel. Rebecca Esty-Burke is appointed to represent the minors. The cost of Minors' Counsel is to be shared equally by the parties subject to reallocation. The court directs the clerk of the court to provide notice to Minors' Counsel by way of minute order and a copy of the tentative ruling.

The court grants Petitioner's request for an Evidence Code 730 evaluation. As Respondent has lodged no objection to Petitioner's proposed evaluator, the court appoints Dr. Eugene Roder to conduct the evaluation. The parties shall share in the cost equally, subject to reallocation.

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 #18: THE COURT IS UTILIZING PETITIONER'S HOURLY PAY RATE AND AN AVERAGE OF 31.5 HOURS PER WEEK. THE COURT DECLINES TO IMPUTE PETITIONER WITH ADDITIONAL INCOME AT A HIGHER HOURLY RATE. RESPONDENT HAS FAILED TO SET FORTH ADEQUATE GROUNDS UPON WHICH THE COURT COULD DO SO. THE COURT FINDS BASED ON THE PARTIES FILING TAXES MARRIED FILING JOINTLY, AND A 50% TIMESHARE, GUIDELINE CHILD SUPPORT IS \$1,839 PER MONTH (SEE ATTACHED DISSOMASTER). THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$1,839 PER MONTH AS AND FOR GUIDELINE CHILD SUPPORT. THIS ORDER IS EFFECTIVE OCTOBER 15, 2024 AND SUPPORT IS PAYABLE ON THE 15TH OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE OF \$3,678 FOR THE MONTHS OF OCTOBER AND NOVEMBER INCLUSIVE. RESPONDENT IS ORDERED TO PAY PETITIONER \$459.75 PER MONTH AS AND FOR ARREARS BEGINNING JANUARY 1, 2025, AND PAYABLE ON THE FIRST OF EACH MONTH UNTIL PAID IN FULL

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(APPROXIMATELY EIGHT MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE FULL AMOUNT SHALL BECOME IMMEDIATELY DUE AND OWING WITH LEGAL INTEREST.

FOR THE SAME REASONS AS SET FORTH ABOVE, THE COURT DECLINES TO IMPUTE PETITIONER WITH ADDITIONAL INCOME. BASED ON THE ALAMEDA FORMULA, UTILIZING THE SAME FIGURES AS SET FORTH ABOVE, THE COURT FINDS TEMPORARY GUIDELINE SPOUSAL SUPPORT TO BE \$1,606 PER MONTH (SEE ATTACHED DISSOMASTER). THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$1,606 AS AND FOR TEMPORARY GUIDELINE SPOUSAL SUPPORT EFFECTIVE OCTOBER 15, 2024, AND PAYABLE ON THE 15TH OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE OF \$3,212 FOR THE MONTHS OF OCTOBER AND NOVEMBER INCLUSIVE. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$401.50 PER MONTH AS AND FOR ARREARS EFFECTIVE JANUARY 1, 2025, AND PAYABLE ON THE FIRST OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY EIGHT MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

THE COURT IS ALSO INCLUDING A TWO-WAY OVERTIME TABLE FOR THE PARTIES. THE COURT FINDS EACH PARTY CAN EARN INCOME OVER WHAT THE COURT HAS UTILIZED FOR CALCULATING SUPPORT. THE COURT DIRECTS THE PARTIES TO TRUE UP ANY OVERTIME OR ADDITIONAL INCOME EARNED MONTHLY.

THE COURT FINDS THAT WITH THE SUPPORT ORDERS MADE ABOVE, RESPONDENT'S ABILITY TO PAY BOTH FOR HIS ATTORNEY AS WELL AS FOR PETITIONER'S ATTORNEY IS SIGNIFICANTLY REDUCED. THE COURT FURTHER FINDS THAT WITH THE AWARD OF SPOUSAL SUPPORT, THAT WHILE THERE IS STILL A DISPARITY IN INCOME BETWEEN THE PARTIES, IT HAS BEEN REDUCED SIGNIFICANTLY. AS SUCH, THE COURT DENIES PETITIONER'S REQUEST FOR FAMILY CODE SECTION 2030 ATTORNEY'S FEES.

THE COURT GRANTS THE REQUEST FOR THE APPOINTMENT OF MINORS' COUNSEL. REBECCA ESTY-BURK IS APPOINTED TO REPRESENT THE MINORS. THE COST OF MINORS' COUNSEL IS TO BE SHARED EQUALLY BY THE PARTIES SUBJECT TO REALLOCATION. THE COURT DIRECTS THE CLERK OF THE COURT TO PROVIDE NOTICE

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TO MINORS' COUNSEL BY WAY OF MINUTE ORDER AND A COPY OF THE TENTATIVE RULING.

THE COURT GRANTS PETITIONER'S REQUEST FOR AN EVIDENCE CODE 730 EVALUATION. AS RESPONDENT HAS LODGED NO OBJECTION TO PETITIONER'S PROPOSED EVALUATOR, THE COURT APPOINTS DR. EUGENE RODER TO CONDUCT THE EVALUATION. THE PARTIES SHALL SHARE IN THE COST EQUALLY, SUBJECT TO REALLOCATION.

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 TELEPHONE 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 TELEPHONE 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.

ATTORNEY (NAME AND ADDRESS): California ATTORNEY FOR: Father	TELEPHONE NO: Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2024, Monthly	CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	2	Nets (adjusted)	Guideline		
% time with Second Parent	50%	0%	Father	10,751	Payment (cost)/benefit	(3,446) 3,446
Filing status	MFJ->	<-MFJ	Mother	2,297	Net spendable income	7,305 5,743
# Federal exemptions	1*	3*	Total	13,048	% combined spendable	56% 44%
Wages + salary	13,993	3,856	Support (Nondeductible)		Total taxes	3,867 957
401(k) employee contrib	347	0	CS Payor	Father	Comb. net spendable	13,048
Self-employment income	0	0	Presumed	1,839	Proposed	
Other taxable income	1,523	0	Basic CS	1,839	Payment (cost)/benefit	(3,446) 3,446
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	7,305 5,743
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	0 0
Other gains (and losses)	0	0	Child 1	700	% combined spendable	56% 44%
Ordinary dividends	0	0	Child 2	1,139	% of saving over gdl	0% 0%
Tax. interest received	0	0	SS Payor	Father	Total taxes	3,867 957
Social Security received	0	0	Alameda	1,606	Comb. net spendable	13,048
Unemployment compensation	0	0	Total	3,445	Percent change	0.0%
Operating losses	0	0	Proposed, tactic 9		Default Case Settings	
Ca. operating loss adj.	0	0	CS Payor	Father		
Roy, partnerships, S corp, trusts	0	0	Presumed	1,839		
Rental income	0	0	Basic CS	1,839		
Misc ordinary tax. inc.	1,523	0	Add-ons	0		
Other nontaxable income	0	0	Presumed Per Kid			
New-spouse income	0	0	Child 1	700		
SS paid other marriage	0	0	Child 2	1,139		
CS paid other relationship	0	0	SS Payor	Father		
Adj. to income (ATI)	0	0	Alameda	1,606		
9.3% elective PTE payment	0	0	Total	3,445		
Ptr Support Pd. other P'ships	0	0	Savings	0		
Health insurance	0	603	Mother	0		
Qual. Bus. Inc. Ded.	0	0	Father	0		
Itemized deductions	0	0	No releases			
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	898	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father	Two-way Monthly Overtime Wages Report 2024 Monthly	
		CASE NUMBER:

Change in Child Support

Blue is a cost to Father. Red italic is a cost to Mother

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	0	12	24	37	49	61	74	86
100	21	9	4	16	29	41	53	65
200	41	29	17	4	8	21	33	45
300	62	50	37	24	12	0	13	25
400	82	70	57	45	32	20	7	5
500	102	90	77	65	52	40	27	15
600	122	110	97	85	72	60	47	35
700	142	130	117	105	92	80	67	55
800	162	150	137	124	112	99	87	74
900	182	169	157	144	131	119	106	94
1,000	201	189	176	164	151	138	126	113
1,100	221	209	196	183	170	158	145	132
1,200	240	228	215	202	190	177	164	152
1,300	260	247	234	222	209	196	183	171
1,400	279	266	254	241	228	215	202	190
1,500	298	286	273	260	247	234	221	208
1,600	317	305	292	279	266	253	240	227
1,700	336	323	310	297	284	272	259	246
1,800	355	342	329	316	303	290	277	264
1,900	373	361	348	335	322	309	296	283
2,000	392	379	366	353	340	327	314	301



PETITIONER: RESPONDENT:	CASE NUMBER:
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Change in Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	
0	98	110	122	134	146	158	170	182	
100	78	90	102	114	126	138	150	161	
200	57	69	82	94	106	118	130	142	
300	37	49	61	74	86	98	110	122	
400	17	29	42	54	66	78	90	102	
500	<i>3</i>	<i>9</i>	<i>22</i>	<i>34</i>	<i>46</i>	<i>58</i>	<i>70</i>	<i>82</i>	
600	<i>23</i>	<i>10</i>	<i>2</i>	<i>14</i>	<i>26</i>	<i>39</i>	<i>51</i>	<i>63</i>	
700	<i>42</i>	<i>30</i>	<i>18</i>	<i>5</i>	<i>7</i>	<i>19</i>	<i>31</i>	<i>44</i>	
800	<i>62</i>	<i>49</i>	<i>37</i>	<i>25</i>	<i>12</i>	<i>0</i>	<i>12</i>	<i>24</i>	
900	<i>81</i>	<i>69</i>	<i>56</i>	<i>44</i>	<i>32</i>	<i>19</i>	<i>7</i>	<i>5</i>	
1,000	<i>101</i>	<i>88</i>	<i>76</i>	<i>63</i>	<i>51</i>	<i>39</i>	<i>26</i>	<i>14</i>	
1,100	<i>120</i>	<i>107</i>	<i>95</i>	<i>82</i>	<i>70</i>	<i>58</i>	<i>45</i>	<i>33</i>	
1,200	<i>139</i>	<i>126</i>	<i>114</i>	<i>101</i>	<i>89</i>	<i>76</i>	<i>64</i>	<i>52</i>	
1,300	<i>158</i>	<i>145</i>	<i>133</i>	<i>120</i>	<i>108</i>	<i>95</i>	<i>83</i>	<i>70</i>	
1,400	<i>177</i>	<i>164</i>	<i>152</i>	<i>139</i>	<i>127</i>	<i>114</i>	<i>102</i>	<i>89</i>	
1,500	<i>196</i>	<i>183</i>	<i>170</i>	<i>158</i>	<i>145</i>	<i>133</i>	<i>120</i>	<i>108</i>	
1,600	<i>214</i>	<i>202</i>	<i>189</i>	<i>176</i>	<i>164</i>	<i>151</i>	<i>139</i>	<i>126</i>	
1,700	<i>233</i>	<i>220</i>	<i>208</i>	<i>195</i>	<i>182</i>	<i>170</i>	<i>157</i>	<i>145</i>	
1,800	<i>252</i>	<i>239</i>	<i>226</i>	<i>213</i>	<i>201</i>	<i>188</i>	<i>176</i>	<i>163</i>	
1,900	<i>270</i>	<i>257</i>	<i>244</i>	<i>232</i>	<i>219</i>	<i>206</i>	<i>194</i>	<i>181</i>	
2,000	<i>288</i>	<i>276</i>	<i>263</i>	<i>250</i>	<i>237</i>	<i>225</i>	<i>212</i>	<i>199</i>	



PETITIONER: RESPONDENT:	CASE NUMBER:
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Change in Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	193	205	217	229	240
100	173	185	197	209	221
200	153	165	177	189	201
300	134	146	158	169	181
400	114	126	138	150	162
500	94	107	119	130	142
600	75	87	99	111	123
700	56	68	80	92	104
800	36	49	61	73	85
900	17	30	42	54	66
1,000	<i>2</i>	<i>11</i>	<i>23</i>	<i>35</i>	<i>47</i>
1,100	<i>21</i>	<i>8</i>	<i>4</i>	<i>16</i>	<i>28</i>
1,200	<i>39</i>	<i>27</i>	<i>15</i>	<i>3</i>	<i>10</i>
1,300	<i>58</i>	<i>46</i>	<i>34</i>	<i>21</i>	<i>9</i>
1,400	<i>77</i>	<i>64</i>	<i>52</i>	<i>40</i>	<i>28</i>
1,500	<i>95</i>	<i>83</i>	<i>71</i>	<i>58</i>	<i>46</i>
1,600	<i>114</i>	<i>101</i>	<i>89</i>	<i>77</i>	<i>64</i>
1,700	<i>132</i>	<i>120</i>	<i>107</i>	<i>95</i>	<i>83</i>
1,800	<i>151</i>	<i>138</i>	<i>126</i>	<i>113</i>	<i>101</i>
1,900	<i>169</i>	<i>156</i>	<i>144</i>	<i>131</i>	<i>119</i>
2,000	<i>187</i>	<i>174</i>	<i>162</i>	<i>149</i>	<i>137</i>



PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Child Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	1,839	1,851	1,864	1,876	1,888	1,901	1,913	1,925
100	1,819	1,831	1,843	1,855	1,868	1,880	1,893	1,905
200	1,798	1,810	1,823	1,835	1,848	1,860	1,872	1,885
300	1,778	1,790	1,802	1,815	1,827	1,840	1,852	1,864
400	1,758	1,770	1,782	1,795	1,807	1,820	1,832	1,844
500	1,737	1,749	1,762	1,775	1,787	1,800	1,812	1,824
600	1,717	1,729	1,742	1,755	1,767	1,780	1,792	1,804
700	1,697	1,710	1,722	1,735	1,747	1,760	1,772	1,785
800	1,678	1,690	1,702	1,715	1,728	1,740	1,753	1,765
900	1,658	1,670	1,683	1,695	1,708	1,721	1,733	1,746
1,000	1,638	1,650	1,663	1,676	1,688	1,701	1,714	1,726
1,100	1,619	1,631	1,644	1,656	1,669	1,682	1,694	1,707
1,200	1,599	1,611	1,624	1,637	1,650	1,662	1,675	1,688
1,300	1,580	1,592	1,605	1,618	1,631	1,643	1,656	1,669
1,400	1,561	1,573	1,586	1,599	1,611	1,624	1,637	1,650
1,500	1,541	1,554	1,567	1,580	1,592	1,605	1,618	1,631
1,600	1,522	1,535	1,548	1,561	1,574	1,586	1,599	1,612
1,700	1,503	1,516	1,529	1,542	1,555	1,568	1,581	1,593
1,800	1,485	1,497	1,510	1,523	1,536	1,549	1,562	1,575
1,900	1,466	1,478	1,492	1,505	1,518	1,531	1,544	1,556
2,000	1,447	1,460	1,473	1,486	1,499	1,512	1,525	1,538

PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	
0	<i>1,937</i>	<i>1,949</i>	<i>1,961</i>	<i>1,973</i>	<i>1,985</i>	<i>1,997</i>	<i>2,009</i>	<i>2,021</i>	
100	<i>1,917</i>	<i>1,929</i>	<i>1,941</i>	<i>1,953</i>	<i>1,965</i>	<i>1,977</i>	<i>1,989</i>	<i>2,001</i>	
200	<i>1,897</i>	<i>1,909</i>	<i>1,921</i>	<i>1,933</i>	<i>1,945</i>	<i>1,957</i>	<i>1,969</i>	<i>1,981</i>	
300	<i>1,877</i>	<i>1,889</i>	<i>1,901</i>	<i>1,913</i>	<i>1,925</i>	<i>1,937</i>	<i>1,949</i>	<i>1,961</i>	
400	<i>1,856</i>	<i>1,869</i>	<i>1,881</i>	<i>1,893</i>	<i>1,905</i>	<i>1,917</i>	<i>1,929</i>	<i>1,941</i>	
500	<i>1,837</i>	<i>1,849</i>	<i>1,861</i>	<i>1,873</i>	<i>1,885</i>	<i>1,898</i>	<i>1,910</i>	<i>1,922</i>	
600	<i>1,817</i>	<i>1,829</i>	<i>1,841</i>	<i>1,854</i>	<i>1,866</i>	<i>1,878</i>	<i>1,890</i>	<i>1,902</i>	
700	<i>1,797</i>	<i>1,809</i>	<i>1,822</i>	<i>1,834</i>	<i>1,846</i>	<i>1,859</i>	<i>1,871</i>	<i>1,883</i>	
800	<i>1,778</i>	<i>1,790</i>	<i>1,802</i>	<i>1,815</i>	<i>1,827</i>	<i>1,839</i>	<i>1,851</i>	<i>1,864</i>	
900	<i>1,758</i>	<i>1,771</i>	<i>1,783</i>	<i>1,795</i>	<i>1,808</i>	<i>1,820</i>	<i>1,832</i>	<i>1,844</i>	
1,000	<i>1,739</i>	<i>1,751</i>	<i>1,764</i>	<i>1,776</i>	<i>1,788</i>	<i>1,801</i>	<i>1,813</i>	<i>1,825</i>	
1,100	<i>1,719</i>	<i>1,732</i>	<i>1,745</i>	<i>1,757</i>	<i>1,769</i>	<i>1,782</i>	<i>1,794</i>	<i>1,806</i>	
1,200	<i>1,700</i>	<i>1,713</i>	<i>1,725</i>	<i>1,738</i>	<i>1,750</i>	<i>1,763</i>	<i>1,775</i>	<i>1,788</i>	
1,300	<i>1,681</i>	<i>1,694</i>	<i>1,707</i>	<i>1,719</i>	<i>1,732</i>	<i>1,744</i>	<i>1,756</i>	<i>1,769</i>	
1,400	<i>1,662</i>	<i>1,675</i>	<i>1,688</i>	<i>1,700</i>	<i>1,713</i>	<i>1,725</i>	<i>1,738</i>	<i>1,750</i>	
1,500	<i>1,644</i>	<i>1,656</i>	<i>1,669</i>	<i>1,682</i>	<i>1,694</i>	<i>1,707</i>	<i>1,719</i>	<i>1,732</i>	
1,600	<i>1,625</i>	<i>1,638</i>	<i>1,650</i>	<i>1,663</i>	<i>1,676</i>	<i>1,688</i>	<i>1,701</i>	<i>1,713</i>	
1,700	<i>1,606</i>	<i>1,619</i>	<i>1,632</i>	<i>1,644</i>	<i>1,657</i>	<i>1,670</i>	<i>1,682</i>	<i>1,695</i>	
1,800	<i>1,588</i>	<i>1,601</i>	<i>1,613</i>	<i>1,626</i>	<i>1,639</i>	<i>1,651</i>	<i>1,664</i>	<i>1,676</i>	
1,900	<i>1,569</i>	<i>1,582</i>	<i>1,595</i>	<i>1,608</i>	<i>1,620</i>	<i>1,633</i>	<i>1,646</i>	<i>1,658</i>	
2,000	<i>1,551</i>	<i>1,564</i>	<i>1,577</i>	<i>1,589</i>	<i>1,602</i>	<i>1,615</i>	<i>1,627</i>	<i>1,640</i>	

PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Child Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	2,033	2,044	2,056	2,068	2,080
100	2,013	2,025	2,036	2,048	2,060
200	1,993	2,005	2,017	2,028	2,040
300	1,973	1,985	1,997	2,009	2,021
400	1,953	1,965	1,977	1,989	2,001
500	1,934	1,946	1,958	1,970	1,982
600	1,914	1,926	1,938	1,951	1,962
700	1,895	1,907	1,919	1,931	1,943
800	1,876	1,888	1,900	1,912	1,924
900	1,857	1,869	1,881	1,893	1,905
1,000	1,838	1,850	1,862	1,874	1,886
1,100	1,819	1,831	1,843	1,855	1,868
1,200	1,800	1,812	1,825	1,837	1,849
1,300	1,781	1,794	1,806	1,818	1,830
1,400	1,763	1,775	1,787	1,799	1,812
1,500	1,744	1,756	1,769	1,781	1,793
1,600	1,726	1,738	1,750	1,763	1,775
1,700	1,707	1,720	1,732	1,744	1,757
1,800	1,689	1,701	1,714	1,726	1,738
1,900	1,671	1,683	1,696	1,708	1,720
2,000	1,652	1,665	1,677	1,690	1,702

PETITIONER: RESPONDENT:	CASE NUMBER:
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Change in Alameda Spousal Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	0	16	32	48	65	81	98	114
100	<i>16</i>	<i>1</i>	16	32	48	65	81	98
200	<i>33</i>	<i>17</i>	<i>1</i>	16	32	48	65	81
300	<i>49</i>	<i>33</i>	<i>17</i>	<i>1</i>	16	32	48	64
400	<i>65</i>	<i>50</i>	<i>33</i>	<i>17</i>	<i>1</i>	15	31	48
500	<i>82</i>	<i>66</i>	<i>50</i>	<i>34</i>	<i>17</i>	<i>1</i>	15	31
600	<i>98</i>	<i>83</i>	<i>66</i>	<i>50</i>	<i>34</i>	<i>18</i>	<i>2</i>	14
700	<i>114</i>	<i>99</i>	<i>83</i>	<i>67</i>	<i>51</i>	<i>35</i>	<i>19</i>	<i>2</i>
800	<i>131</i>	<i>116</i>	<i>100</i>	<i>83</i>	<i>67</i>	<i>51</i>	<i>35</i>	<i>19</i>
900	<i>148</i>	<i>132</i>	<i>116</i>	<i>100</i>	<i>84</i>	<i>68</i>	<i>52</i>	<i>36</i>
1,000	<i>164</i>	<i>149</i>	<i>133</i>	<i>117</i>	<i>101</i>	<i>85</i>	<i>69</i>	<i>52</i>
1,100	<i>181</i>	<i>166</i>	<i>150</i>	<i>133</i>	<i>117</i>	<i>101</i>	<i>85</i>	<i>69</i>
1,200	<i>198</i>	<i>182</i>	<i>166</i>	<i>150</i>	<i>134</i>	<i>118</i>	<i>102</i>	<i>86</i>
1,300	<i>214</i>	<i>199</i>	<i>183</i>	<i>167</i>	<i>151</i>	<i>135</i>	<i>119</i>	<i>103</i>
1,400	<i>231</i>	<i>216</i>	<i>200</i>	<i>183</i>	<i>167</i>	<i>151</i>	<i>135</i>	<i>119</i>
1,500	<i>248</i>	<i>232</i>	<i>216</i>	<i>200</i>	<i>184</i>	<i>168</i>	<i>152</i>	<i>136</i>
1,600	<i>264</i>	<i>249</i>	<i>233</i>	<i>217</i>	<i>201</i>	<i>185</i>	<i>169</i>	<i>153</i>
1,700	<i>281</i>	<i>266</i>	<i>250</i>	<i>233</i>	<i>217</i>	<i>201</i>	<i>185</i>	<i>169</i>
1,800	<i>298</i>	<i>282</i>	<i>266</i>	<i>250</i>	<i>234</i>	<i>218</i>	<i>202</i>	<i>186</i>
1,900	<i>314</i>	<i>299</i>	<i>283</i>	<i>267</i>	<i>251</i>	<i>235</i>	<i>219</i>	<i>203</i>
2,000	<i>331</i>	<i>316</i>	<i>300</i>	<i>283</i>	<i>267</i>	<i>251</i>	<i>235</i>	<i>219</i>

PETITIONER: RESPONDENT:	CASE NUMBER:
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Change in Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages									
	800	900	1,000	1,100	1,200	1,300	1,400	1,500	
0	130	146	163	179	195	211	227	243	
100	114	130	146	162	178	194	210	226	
200	97	113	129	145	161	178	194	210	
300	80	96	113	129	145	161	177	193	
400	64	80	96	112	128	144	160	176	
500	47	63	79	95	111	127	144	160	
600	30	46	63	79	95	111	127	143	
700	14	30	46	62	78	94	110	126	
800	3	13	29	45	61	77	94	110	
900	<i>20</i>	<i>4</i>	12	29	45	61	77	93	
1,000	<i>36</i>	<i>20</i>	<i>4</i>	12	28	44	60	76	
1,100	<i>53</i>	<i>37</i>	<i>21</i>	<i>5</i>	11	27	43	60	
1,200	<i>70</i>	<i>54</i>	<i>38</i>	<i>22</i>	<i>5</i>	11	27	43	
1,300	<i>86</i>	<i>70</i>	<i>54</i>	<i>38</i>	<i>22</i>	<i>6</i>	10	26	
1,400	<i>103</i>	<i>87</i>	<i>71</i>	<i>55</i>	<i>39</i>	<i>23</i>	<i>7</i>	9	
1,500	<i>120</i>	<i>104</i>	<i>88</i>	<i>72</i>	<i>56</i>	<i>39</i>	<i>23</i>	<i>7</i>	
1,600	<i>136</i>	<i>120</i>	<i>104</i>	<i>88</i>	<i>72</i>	<i>56</i>	<i>40</i>	<i>24</i>	
1,700	<i>153</i>	<i>137</i>	<i>121</i>	<i>105</i>	<i>89</i>	<i>73</i>	<i>57</i>	<i>41</i>	
1,800	<i>170</i>	<i>154</i>	<i>138</i>	<i>122</i>	<i>106</i>	<i>90</i>	<i>74</i>	<i>58</i>	
1,900	<i>187</i>	<i>170</i>	<i>154</i>	<i>138</i>	<i>122</i>	<i>106</i>	<i>90</i>	<i>75</i>	
2,000	<i>203</i>	<i>187</i>	<i>171</i>	<i>155</i>	<i>139</i>	<i>123</i>	<i>107</i>	<i>91</i>	



PETITIONER: RESPONDENT:	CASE NUMBER:
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Change in Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	259	275	292	308	324
100	243	259	275	291	307
200	226	242	258	274	290
300	209	225	241	258	274
400	193	209	225	241	257
500	176	192	208	224	240
600	159	175	191	207	224
700	142	159	175	191	207
800	126	142	158	174	190
900	109	125	141	157	173
1,000	92	108	125	141	157
1,100	76	92	108	124	140
1,200	59	75	91	107	123
1,300	42	58	74	90	106
1,400	25	41	57	73	89
1,500	9	25	41	57	73
1,600	<i>8</i>	<i>8</i>	<i>24</i>	<i>40</i>	<i>56</i>
1,700	<i>25</i>	<i>9</i>	<i>7</i>	<i>23</i>	<i>39</i>
1,800	<i>42</i>	<i>26</i>	<i>10</i>	<i>6</i>	<i>22</i>
1,900	<i>59</i>	<i>43</i>	<i>27</i>	<i>11</i>	<i>5</i>
2,000	<i>75</i>	<i>59</i>	<i>43</i>	<i>27</i>	<i>11</i>



PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Alameda Spousal Support

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages	Father's Gross Overtime Wages							
	0	100	200	300	400	500	600	700
0	1,606	1,622	1,638	1,655	1,671	1,688	1,704	1,720
100	1,590	1,606	1,622	1,638	1,655	1,671	1,688	1,704
200	1,574	1,589	1,606	1,622	1,639	1,655	1,671	1,687
300	1,557	1,573	1,589	1,606	1,622	1,638	1,655	1,671
400	1,541	1,557	1,573	1,589	1,606	1,622	1,638	1,654
500	1,525	1,540	1,557	1,573	1,589	1,605	1,621	1,637
600	1,508	1,524	1,540	1,556	1,572	1,588	1,605	1,621
700	1,492	1,507	1,524	1,540	1,556	1,572	1,588	1,604
800	1,476	1,491	1,507	1,523	1,539	1,555	1,571	1,587
900	1,459	1,474	1,490	1,506	1,522	1,538	1,555	1,571
1,000	1,442	1,457	1,474	1,490	1,506	1,522	1,538	1,554
1,100	1,426	1,441	1,457	1,473	1,489	1,505	1,521	1,537
1,200	1,409	1,424	1,440	1,456	1,472	1,488	1,505	1,521
1,300	1,392	1,408	1,424	1,440	1,456	1,472	1,488	1,504
1,400	1,376	1,391	1,407	1,423	1,439	1,455	1,471	1,487
1,500	1,359	1,374	1,390	1,406	1,422	1,438	1,454	1,471
1,600	1,342	1,358	1,374	1,390	1,406	1,422	1,438	1,454
1,700	1,326	1,341	1,357	1,373	1,389	1,405	1,421	1,437
1,800	1,309	1,324	1,340	1,356	1,372	1,388	1,404	1,421
1,900	1,292	1,308	1,324	1,340	1,356	1,372	1,388	1,404
2,000	1,276	1,291	1,307	1,323	1,339	1,355	1,371	1,387



PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages								
	800	900	1,000	1,100	1,200	1,300	1,400	1,500
0	<i>1,737</i>	<i>1,753</i>	<i>1,769</i>	<i>1,785</i>	<i>1,801</i>	<i>1,817</i>	<i>1,833</i>	<i>1,850</i>
100	<i>1,720</i>	<i>1,736</i>	<i>1,752</i>	<i>1,768</i>	<i>1,785</i>	<i>1,801</i>	<i>1,817</i>	<i>1,833</i>
200	<i>1,703</i>	<i>1,720</i>	<i>1,736</i>	<i>1,752</i>	<i>1,768</i>	<i>1,784</i>	<i>1,800</i>	<i>1,816</i>
300	<i>1,687</i>	<i>1,703</i>	<i>1,719</i>	<i>1,735</i>	<i>1,751</i>	<i>1,767</i>	<i>1,783</i>	<i>1,800</i>
400	<i>1,670</i>	<i>1,686</i>	<i>1,702</i>	<i>1,718</i>	<i>1,735</i>	<i>1,751</i>	<i>1,767</i>	<i>1,783</i>
500	<i>1,653</i>	<i>1,670</i>	<i>1,686</i>	<i>1,702</i>	<i>1,718</i>	<i>1,734</i>	<i>1,750</i>	<i>1,766</i>
600	<i>1,637</i>	<i>1,653</i>	<i>1,669</i>	<i>1,685</i>	<i>1,701</i>	<i>1,717</i>	<i>1,733</i>	<i>1,749</i>
700	<i>1,620</i>	<i>1,636</i>	<i>1,652</i>	<i>1,668</i>	<i>1,684</i>	<i>1,701</i>	<i>1,717</i>	<i>1,733</i>
800	<i>1,603</i>	<i>1,619</i>	<i>1,636</i>	<i>1,652</i>	<i>1,668</i>	<i>1,684</i>	<i>1,700</i>	<i>1,716</i>
900	<i>1,587</i>	<i>1,603</i>	<i>1,619</i>	<i>1,635</i>	<i>1,651</i>	<i>1,667</i>	<i>1,683</i>	<i>1,699</i>
1,000	<i>1,570</i>	<i>1,586</i>	<i>1,602</i>	<i>1,618</i>	<i>1,634</i>	<i>1,650</i>	<i>1,667</i>	<i>1,683</i>
1,100	<i>1,553</i>	<i>1,569</i>	<i>1,586</i>	<i>1,602</i>	<i>1,618</i>	<i>1,634</i>	<i>1,650</i>	<i>1,666</i>
1,200	<i>1,537</i>	<i>1,553</i>	<i>1,569</i>	<i>1,585</i>	<i>1,601</i>	<i>1,617</i>	<i>1,633</i>	<i>1,649</i>
1,300	<i>1,520</i>	<i>1,536</i>	<i>1,552</i>	<i>1,568</i>	<i>1,584</i>	<i>1,600</i>	<i>1,616</i>	<i>1,633</i>
1,400	<i>1,503</i>	<i>1,519</i>	<i>1,535</i>	<i>1,552</i>	<i>1,568</i>	<i>1,584</i>	<i>1,600</i>	<i>1,616</i>
1,500	<i>1,487</i>	<i>1,503</i>	<i>1,519</i>	<i>1,535</i>	<i>1,551</i>	<i>1,567</i>	<i>1,583</i>	<i>1,599</i>
1,600	<i>1,470</i>	<i>1,486</i>	<i>1,502</i>	<i>1,518</i>	<i>1,534</i>	<i>1,550</i>	<i>1,566</i>	<i>1,582</i>
1,700	<i>1,453</i>	<i>1,469</i>	<i>1,485</i>	<i>1,501</i>	<i>1,518</i>	<i>1,534</i>	<i>1,550</i>	<i>1,566</i>
1,800	<i>1,437</i>	<i>1,453</i>	<i>1,469</i>	<i>1,485</i>	<i>1,501</i>	<i>1,517</i>	<i>1,533</i>	<i>1,549</i>
1,900	<i>1,420</i>	<i>1,436</i>	<i>1,452</i>	<i>1,468</i>	<i>1,484</i>	<i>1,500</i>	<i>1,516</i>	<i>1,532</i>
2,000	<i>1,403</i>	<i>1,419</i>	<i>1,435</i>	<i>1,451</i>	<i>1,467</i>	<i>1,483</i>	<i>1,499</i>	<i>1,515</i>

PETITIONER: RESPONDENT:	CASE NUMBER:
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Total Alameda Spousal Support, cont'd

Blue is a cost to Father. *Red italic is a cost to Mother*

Mother's Gross Overtime Wages					
	1,600	1,700	1,800	1,900	2,000
0	1,866	1,882	1,898	1,914	1,930
100	1,849	1,865	1,881	1,897	1,914
200	1,832	1,848	1,865	1,881	1,897
300	1,816	1,832	1,848	1,864	1,880
400	1,799	1,815	1,831	1,847	1,863
500	1,782	1,798	1,814	1,831	1,847
600	1,766	1,782	1,798	1,814	1,830
700	1,749	1,765	1,781	1,797	1,813
800	1,732	1,748	1,764	1,780	1,797
900	1,715	1,732	1,748	1,764	1,780
1,000	1,699	1,715	1,731	1,747	1,763
1,100	1,682	1,698	1,714	1,730	1,746
1,200	1,665	1,681	1,698	1,713	1,729
1,300	1,649	1,665	1,681	1,697	1,713
1,400	1,632	1,648	1,664	1,680	1,696
1,500	1,615	1,631	1,647	1,663	1,679
1,600	1,598	1,614	1,630	1,646	1,662
1,700	1,581	1,597	1,613	1,629	1,645
1,800	1,565	1,581	1,597	1,613	1,629
1,900	1,548	1,564	1,580	1,596	1,612
2,000	1,531	1,547	1,563	1,579	1,595

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 12, 2024

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

19. TRACY ROSS V. RYAN NORMAN

PFL20140291

Petitioner filed a Request for Order (RFO) on September 25, 2024, requesting modification of child custody and child support orders. Petitioner did not concurrently file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 18, 2024 and a review hearing on December 12th. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Both parties appeared for the CCRC appointment and reached a full agreement. A report memorializing the parties' agreement was filed with the court on October 18th and mailed to the parties the same day.

Respondent filed a Responsive Declaration and an Income and Expense Declaration. There is no Proof of Service for these documents, therefore, the court cannot consider them.

The court finds good cause to proceed with the custody portion of the request. As both parties appeared and reached an agreement. The court adopts the parties' agreement as its order, as the agreement is in the best interest of the minor. The agreement contains a provision for the parties to return to CCRC in late February. The court sets a further CCRC appointment for 2/27/2025 at 9:00 AM with Rebecca Nelson and a review hearing on 4/24/2025 at 1:30 PM in Department 5.

The court drops the request to modify the current child support orders from calendar. Petitioner failed to concurrently file an Income and Expense Declaration as required. Petitioner failed to file a Proof of Service for the RFO and other necessary documents. Additionally, the parties have agreed to maintain the current orders as to child custody, therefore, there has been no change to warrant a modification of child support.

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 #19: THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE CUSTODY PORTION OF THE REQUEST. AS BOTH PARTIES APPEARED AND REACHED AN AGREEMENT. THE COURT ADOPTS THE PARTIES' AGREEMENT AS ITS ORDER, AS THE AGREEMENT IS IN THE BEST INTEREST OF THE MINOR. THE AGREEMENT CONTAINS A PROVISION FOR THE PARTIES TO RETURN TO CCRC IN LATE FEBRUARY. THE COURT SETS A FURTHER CCRC APPOINTMENT FOR 2/27/2025 AT 9:00 AM WITH REBECCA

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 12, 2024

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

NELSON AND A REVIEW HEARING ON 4/24/2025 AT 1:30 PM IN DEPARTMENT 5. THE COURT DROPS THE REQUEST TO MODIFY THE CURRENT CHILD SUPPORT ORDERS FROM CALENDAR. 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.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE 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 TELEPHONE 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

December 12, 2024

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

20. BRIYANA HAROLD V. JUSTIN HAROLD

24FL0930

On December 5, 2024, the court adopted its tentative ruling continuing the case as to the youngest minor, Luke, there appears to be a dispute as to parentage. The court found good cause to continue Luke's portion of the case to join with the matter currently set on December 12, 2024, at 1:30 PM in Department 5.

Parties are ordered to appear for the hearing.

TENTATIVE RULING 20: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.