

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

3. APRIL LOCKHART V. DAVID MERCADO

PFL20200534

On October 28, 2024, Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC). The OSC was personally served on November 21, 2024.

The parties are ordered to appear for the arraignment.

TENTATIVE RULING #3: THE PARTIES ARE ORDERED TO APPEAR FOR THE ARRAIGNMENT.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

5. JESSICA STEPHENS V. DUSTIN CARELL-STEPHENS

PFL20170100

On October 30, 2024, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on December 2, 2024. The RFO was mail served on November 4th, though there is no indication that the Notice of Posting Tentative Ruling or the CCRC referral form were served.

Neither party appeared for the scheduled CCRC appointment therefore this matter is dropped from calendar.

TENTATIVE RULING #5: 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 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

January 30, 2025

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

6. JOSHUA KHOSHSEFAT V. HEIDI KHOSHSEFAT

24FL0682

On July 16, 2024, Respondent filed a Request for Order (RFO) seeking orders for support and attorney's fees. On August 26th, Petitioner filed an RFO requesting a seek-work order, a vocational evaluation of Respondent, and the imputation of income. The parties appeared before the court on October 17th for hearing on both RFOs. At that time the parties presented the court with a stipulation, which the court adopted, and a review hearing was set for the present date.

Respondent filed an Income and Expense Declaration on January 16, 2025. There is no Proof of Service for this document therefore the court cannot consider it. Neither party has filed a Supplemental Declaration therefore the court surmises that the parties are not requesting any change to the present orders and the review hearing is dropped from calendar.

TENTATIVE RULING #6: THE REVIEW HEARING IS DROPPED FROM CALENDAR AS NEITHER PARTY HAS FILED A SUPPLEMENTAL DECLARATION.

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

January 30, 2025

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

7. KATELYN BOLLINGER V. RYAN BOLLINGER

23FL0365

On October 21, 2024, Petitioner filed a Request for Order (RFO) seeking a move away order. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 20th. The RFO, the CCRC referral, and all other required documents were mail served on October 23rd.

On November 5th, Respondent filed an RFO seeking a 3111 evaluation and custody orders. The RFO and all other required documents were served on November 8th.

Only Petitioner appeared at the CCRC appointment as scheduled therefore a single parent report was prepared and mailed to the parties.

Petitioner filed an Ex Parte Application and Declaration for Orders and Notice on December 16th requesting a re-referral to CCRC as well as attorney's fees. Respondent filed a Responsive Declaration to Request for Order the same day. The parties were re-referred to CCRC and a review hearing was set for the present date.

On January 2, 2025, Respondent filed and served an Income and Expense Declaration and a Declaration of Ryan Bollinger in Opposition to Attorney's Fees Request (Family Code § 2030).

Petitioner filed and served a Responsive Declaration to Request for Order and an Income and Expense Declaration on January 14, 2025.

The parties attended CCRC on December 19th. A report with recommendations was mailed to the parties on January 17th.

Petitioner brings her RFO requesting a move away order which would allow her to permanently move with the minor children to Wasilla, Alaska. She asks that Respondent have only supervised parenting time with the children to take place in Alaska. Finally, she is seeking \$10,000 in attorney's fees and costs.

Respondent is requesting Family Code § 3111 or Evidence Code § 730 evaluation on the move away issue. He also asks that the children reside primarily with him in Reno, NV. He asks that Petitioner only have visitation with the children during school breaks. Respondent opposes the request for attorney's fees as there is no disparity in income, the *Keech* factors support a denial of such an award, and Petitioner's attorney is suspected to be free or low-cost.

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Because the children reside primarily with Petitioner, and because Respondent seems to only be requesting a change in custody if the move away request is granted, the court does not find grounds for Petitioner to undergo a 3111 or 730 evaluation. As such, the request is denied.

Regarding the move away request, “[a] parent entitled to the custody of a child has a right to change the residence of the child, subject to the power of the court to restrain a removal that would prejudice the rights or welfare of the child.” Fam. Code Section 7501(a). In assessing the rights and welfare of the child, each case must be evaluated on its own merits. *In re Marriage of Burgess*, 13 Cal. 4th 25, 37-40 (1996). This is a very fact specific analysis and because move away cases involve “the most serious decisions a family law court is required to make [it] should not be made in haste.” *In re Marriage of Seagondollar*, 139 Cal. App. 4th 1116 (2006).

In keeping with the requirements of the law, and given the fact driven analysis that the court must consider, the court is of the opinion that a full adversarial hearing must precede such a decision. The parties are ordered to appear to choose trial dates.

Finally, Petitioner’s request for attorney’s fees is denied as Petitioner failed to file her Income and Expense Declaration with her moving papers. Even if she had filed the requisite paperwork, the request would still be denied as Petitioner has the majority of the net spendable income post-support orders and while Petitioner states in her declaration she resides with her parents, she has failed to include them on her Income and Expense Declaration as parties contributing to their living expenses.

TENTATIVE RULING #7: THE REQUEST FOR A SECTION 3111 OR 730 EVALUATION IS DENIED. THE REQUEST FOR ATTORNEY’S FEES IS DENIED. THE PARTIES ARE ORDERED TO APPEAR TO SELECT DATES FOR AN EVIDENTIARY HEARING ON THE MOVE AWAY REQUEST.

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

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

8. KAYLA ADDISON ARCHER V. SHAY NORMAN SWINDLE

24FL0024

On January 28, 2025 the parties filed a stipulation which resolved all issues pending before the court for hearing this week. However, the stipulation did not drop the hearing therefore, the court is forced to issue the following tentative ruling.

The court has signed the stipulation and is adopting the agreements contained therein as the orders of the court.

TENTATIVE RULING #8: THE COURT HAS SIGNED THE STIPULATION AND IS ADOPTING THE AGREEMENTS CONTAINED THEREIN AS THE ORDERS OF THE COURT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 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.

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 2025, Monthly	CASE NUMBER:

Input Data	Father	Mother	Guideline (2025)	Cash Flow Analysis	Father	Mother
Number of children	0	2	Nets (adjusted)	Guideline		
% time with Second Parent	1%	0%	Father	6,815	Payment (cost)/benefit	(1,936) 1,936
Filing status	Single	HH/MLA	Mother	6,666	Net spendable income	4,879 8,602
# Federal exemptions	1*	3*	Total	13,481	% combined spendable	36.2% 63.8%
Wages + salary	9,600	8,667	Support		Total taxes	2,785 1,498
401(k) employee contrib	0	0	CS Payor	Father	Comb. net spendable	13,481
Self-employment income	0	0	Presumed	1,936	Proposed	
Other taxable income	0	0	Basic CS	1,936	Payment (cost)/benefit	(1,936) 1,936
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	4,879 8,602
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	0 0
Other gains (and losses)	0	0	Child 1	719	% combined spendable	36.2% 63.8%
Ordinary dividends	0	0	Child 2	1,217	% of saving over gdl	0% 0%
Tax. interest received	0	0	Spousal support	blocked	Total taxes	2,785 1,498
Social Security received	0	0	Total	1,936	Comb. net spendable	13,481
Unemployment compensation	0	0	Proposed, tactic 9		Percent change	0.0%
Operating losses	0	0	CS Payor	Father	Default Case Settings	
Ca. operating loss adj.	0	0	Presumed	1,936		
Roy, partnerships, S corp, trusts	0	0	Basic CS	1,936		
Rental income	0	0	Add-ons	0		
Misc ordinary tax. inc.	0	0	Presumed Per Kid			
Other nontaxable income	0	0	Child 1	719		
New-spouse income	0	0	Child 2	1,217		
SS paid other marriage	0	0	Spousal support	blocked		
CS paid other relationship	0	0	Total	1,936		
Adj. to income (ATI)	0	0	Savings	0		
9.3% elective PTE payment	0	0	Mother	0		
Ptr Support Pd. other P'ships	0	0	Father	0		
Health insurance	0	503	No releases			
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
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	0	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				

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.

Print this form

Save this form

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

10. LORRAINE SEBREN V. ERNEST SEBREN

PFL20200288

On October 17, 2024, this matter came before the court for a hearing on Requests for Orders (RFO) filed by both parties. The court ruled on all issues in its tentative ruling, however the parties called for a hearing to address the issues of attorney's fees and sanctions. The court reserved on those issues until the present date and ordered Petitioner's counsel to prepare and file an itemized billing statement with necessary redactions. The remainder of the tentative ruling was adopted.

On October 15th, Respondent filed an RFO to vacate/modify certain specified portions of the parties' MSA. The RFO was electronically served on October 23rd, however none of the other required documents were served.

On December 6th, Petitioner filed an RFO seeking a variety of orders as stated therein. She filed her Income and Expense Declaration concurrently therewith. The RFO and all other required documents were mail served on December 9th.

Petitioner filed her Responsive Declaration to Request for Order on January 13, 2025. It was served on January 10th. On January 17th, Petitioner filed and served her declaration regarding attorney's fees.

Respondent filed his Responsive Declaration to Request for Order on January 21st, 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 January 16th the last day for filing, therefore, it is late filed and has not been considered by the court.

On January 28th, Petitioner filed an Objection to Respondent's Late Filed Responsive Declaration and Request to Strike. For the reasons discussed above, the objection is sustained and the Responsive Declaration has not been read or considered.

In summary of the above, the following requests are on calendar for this week: (1) Petitioner's request for attorney's fees in the amount of \$2,500; (2) Petitioner's request for Section 271 sanctions in the amount of \$3,500; (3) Respondent's request to overturn portions of the MSA relating to splitting the SSI of the adult dependant and Petitioner's

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request to enforce those provisions; (4) Respondent's request to modify the provision of the MSA regarding taking the adult dependant as a tax deduction and Petitioner's request to enforce the same; (5) Petitioner's request that the court enforce its order for Respondent to provide proof of the SSI payments for the adult dependant; (6) Petitioner's request that Respondent be ordered to change the SSI payee to Petitioner rather than Respondent's current wife; (7) Petitioner's request to order Respondent to refinance the Shell Lane home to remove Petitioner within 90 days; and (8) Respondent's request for the court to deem that Petitioner no longer has a security interest in the Shell Lane property.

Attorney's Fees

Pursuant to Petitioner's July 16, 2024, ex parte application, she is requesting \$18,708 in attorney's fees and costs. In her December 6th RFO, she requests an additional \$3,500 in attorney's fees.

The parties are ordered to appear on this issue.

Section 271 Sanctions

The parties are ordered to appear on this issue.

SSI Payments

Respondent asks that the portion of the MSA ordering the parties to equally split the SSI payments of the parties' adult dependant should be vacated as the court has no jurisdiction over the adult child's SSI payments, Respondent is no longer the payee, and Petitioner no longer cares for the adult child.

According to Petitioner, on April 12, 2024, the court reiterated its prior order that the SSI payments be split equally and ordered Respondent to provide proof of the SSI payments. She argues that Respondent has no legal basis for his request. Petitioner now seeks to once again have these orders enforced.

While there is quite clearly a timeliness issue with this motion, the court is concerned over the potential jurisdictional issue. Therefore, the parties are ordered to appear to brief the court on the issue of whether it had jurisdiction over the SSI payments when the order was made.

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Tax Deduction

Respondent asks that the provision regarding taking the adult dependant as a tax deduction be vacated as such a determination should be made under federal tax law. He asks that this order be retroactive to the date of the judgment when Petitioner stopped caring for the dependant 50% of the time.

Petitioner asks the court to enforce its prior order that the parties alternate taking the adult son as a tax deduction.

Respondent's request is denied. "The court may, upon any terms as may be just, relieve a party or his or her legal representative from a judgment, dismissal, order, or other proceeding taken against him or her through his or her mistake, inadvertence, surprise, or excusable neglect." Cal. Civ. Pro. § 473(b). To obtain relief under Section 473(b), the moving party must do so within a reasonable time, but in no case exceeding 6 months after the date of the judgment and must provide a copy of the pleading proposed to be filed. *Id.* Family Code section 2121 also vests the court with the authority to set aside a judgment even after the six-month time limit as set by Civil Procedure section 473. Fam. Code § 2121(a). In matters of actual fraud or perjury, the motion shall be brought within one year of the date the moving party either discovered or should have discovered the fraud or perjury. Fam. Code § 2122 (a) & (b).

Here, the MSA was signed on April 10, 2022 and it was adopted by the court and judgment was entered on April 29, 2022. Respondent's filing of the motion long exceeds the six-month time limit set by Civ. Pro. § 473(b) and even exceeds the one-year time limit as stated in Family Code § 2122. As such, the request is denied as untimely.

Shell Lane

According to Respondent, the Oakleaf property has been sold and Petitioner received her \$100,000 equalizing payment plus interest at 5%, and the SSI money plus interest. \$26,000 of the funds have been reserved in Mr. Dosh's trust account pending a decision on attorney's fees. As such, Respondent requests the court make a ruling that Petitioner no longer has a security interest in the Shell Ln. property.

Petitioner confirms that the equalization payment has been made. She now asks that the court order Respondent to refinance the Shell Lane property within 90 days to remove her name from the mortgage.

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Both of the aforementioned requests are granted. The court finds that Petitioner no longer has a security interest in the Shell Lane property. Respondent is ordered to refinance the property to remove Petitioner's name from the mortgage no later than 90 days from the date of this order. Respondent is ordered to provide Petitioner with evidence of compliance with this order once the refinance is completed.

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

TENTATIVE RULING #10: THE PARTIES ARE ORDERED TO APPEAR ON THE ISSUES OF ATTORNEY'S FEES, SANCTIONS, AND THE SSI PAYMENTS. RESPONDENT'S REQUEST TO VACATE THE PORTION OF THE MSA REGARDING TAKING THE ADULT DEPENDANT AS A TAX WRITE-OFF IS DENIED.

THE COURT FINDS THAT PETITIONER NO LONGER HAS A SECURITY INTEREST IN THE SHELL LANE PROPERTY. RESPONDENT IS ORDERED TO REFINANCE THE MORTGAGE TO THE PROPERTY TO REMOVE PETITIONER'S NAME NO LATER THAN 90 DAYS FROM THE DATE OF THIS ORDER. RESPONDENT IS ORDERED TO PROVIDE PETITIONER WITH EVIDENCE OF COMPLIANCE WITH THIS ORDER ONCE THE REFINANCE IS COMPLETED.

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.

11. RICHARD FETYKO JR. V. MAKYLAH LENZ

23FL0901

Petitioner filed a Request for Order (RFO) on September 10, 2024, seeking parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 10, 2024, and a review hearing on December 5, 2024. Upon review of the court file, there is no Proof of Service for this RFO. Petitioner is seeking parenting time every other weekend.

Respondent filed an RFO, on October 21, 2024, seeking child support, attorney's fees and an order for Petitioner to pay one half of all schooling, day care, and out of pocket medical expenses. Respondent concurrently filed an Income and Expense Declaration. Petitioner was mail served on October 22, 2024.

On November 21, 2024, Respondent filed a Request to Reschedule the December 5, 2024 hearing to be heard concurrently with the hearing on her RFO set for January 30, 2025. The request was granted on November 22, 2024.

Petitioner filed a Responsive Declaration and an Income and Expense Declaration on January 14, 2025. There is no Proof of Service for these documents, and therefore, the court cannot consider them.

Respondent filed a Responsive Declaration on January 14, 2025. Petitioner was electronically served on the same day.

Both parties appeared for CCRC on October 10th. The parties were unable to reach any agreements. A report with recommendations was filed with the court on November 21, 2024, and mailed to the parties on November 26th.

The court finds good cause to proceed with Petitioner's RFO, despite the lack of a filed Proof of Service as Respondent appeared and fully participated in CCRC and Respondent has filed a Responsive Declaration which does not raise lack of service as an issue. Respondent seeks orders for joint legal custody with Respondent to have primary physical custody and Petitioner to have parenting time every other Saturday. Respondent objects to any overnight visitation until Petitioner has secured appropriate beds for the minors. Respondent additionally requests Petitioner not be permitted to transport the minors until he has appropriate car seats for the minors.

The court has read and considered the filings as outlined above. As to Petitioner's RFO, the court finds the recommendations as set forth in the November 21st CCRC report

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are in the best interest of the minors. The court adopts the recommendations with the following addition. Petitioner shall not progress to Step 2, Saturday overnights, until he has provided Respondent with pictures showing he has appropriate beds for the minors.

As to Respondent's RFO, the court finds that it does not have the requisite information before it can make a determination as to child support or attorney's fees. The court orders parties to appear on that issue. Petitioner is ordered to bring a fully completed Income and Expense Declaration with him, including at least two months of paystubs. Respondent is ordered to bring an updated, fully completed Income and Expense Declaration, which includes the amount of expenses being paid by others.

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

TENTATIVE RULING #11: THE COURT ORDERS PARTIES TO APPEAR ON THE REQUESTS FOR CHILD SUPPORT AND ATTORNEY'S FEES. PETITIONER IS ORDERED TO BRING A FULLY COMPLETED INCOME AND EXPENSE DECLARATION WITH HIM, INCLUDING AT LEAST TWO MONTHS OF PAYSTUBS. RESPONDENT IS ORDERED TO BRING AN UPDATED, FULLY COMPLETED INCOME AND EXPENSE DECLARATION, WHICH INCLUDES THE AMOUNT OF EXPENSES BEING PAID BY OTHERS.

THE COURT FINDS GOOD CAUSE TO PROCEED WITH PETITIONER'S RFO, DESPITE THE LACK OF A FILED PROOF OF SERVICE AS RESPONDENT APPEARED AND FULLY PARTICIPATED IN CCRC AND RESPONDENT HAS FILED A RESPONSIVE DECLARATION WHICH DOES NOT RAISE LACK OF SERVICE AS AN ISSUE. THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE NOVEMBER 21ST CCRC REPORT ARE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS WITH THE FOLLOWING ADDITIONS. PETITIONER SHALL NOT PROGRESS TO STEP 2, SATURDAY OVERNIGHTS, UNTIL HE HAS PROVIDED RESPONDENT WITH PICTURES SHOWING HE HAS APPROPRIATE BEDS FOR THE MINORS.

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

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

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12. SARAH ZAMBRUNO V. NICK ZAMBRUNO

PFL20210341

On October 16, 2024, Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) alleging Respondent has violated the November 30, 2023 orders for support on 35 separate occasions. Respondent was personally served on October 18, 2024. Respondent's former counsel was mail served on October 22, 2024.

Petitioner filed an Amended OSC on January 24, 2025. There is no Proof of Service showing the Amended OSC was properly served.

The parties are ordered to appear for arraignment.

TENTATIVE RULING #12: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.

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13. SHAWN EVANS V. SHALENE EVANS

24FL0159

Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC) on October 14, 2024, alleging one count of contempt for violation of the Automatic Temporary Restraining Orders (ATROS).

Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

Petitioner filed a Responsive Declaration on January 16, 2025. However, there is no Proof of Service showing Respondent was served with this document.

The court received a letter request to drop the hearing, however, as it was only signed by Respondent, it is an ex parte communication, which the court cannot consider.

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

TENTATIVE RULING #13: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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14. ASHLEY ST. GEORGE V. JOSHUA ST. GEORGE

22FL0919

Respondent filed a Request for Order (RFO) on November 5, 2024, seeking a modification of the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on December 5, 2024, and a review hearing on January 30, 2025. Proof of Service shows Petitioner was not properly served. The Proof of Service is signed by Respondent, which is not permissible. Further, this is a post-judgment request for modification, which requires compliance with Family Code section 215. Although Respondent has checked the box for address verification, there has not been one filed. Additionally, Petitioner was not served with all the necessary documents.

Both parties appeared at the CCRC appointment and were able to reach many agreements. A report with the parties' agreements and additional recommendations was filed with the court on January 17, 2025. Copies were mailed to the parties the same day.

Petitioner has not filed a Responsive Declaration.

The court has read and considered the CCRC report. The court finds good cause to proceed, as Petitioner appeared at CCRC and is aware of Respondent's requests. The court finds the agreements and recommendations as set forth in the January 17th CCRC report to be in the best interests of the minors. The court adopts the agreements and recommendations as its orders, with the following modification. The court finds the CCRC report recommends the parties return for a further CCRC session upon completion of the set-up plan. The court is not setting a further CCRC appointment. Upon completion of the Step-Up plan Respondent may file a new RFO. The court notes that Respondent must demonstrate the Family Code section 3044 presumptions have been overcome prior to the court ordering joint legal and/or joint physical custody. The court finds those presumptions have not been rebutted thus far.

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 #14: THE COURT HAS READ AND CONSIDERED THE CCRC REPORT. THE COURT FINDS GOOD CAUSE TO PROCEED, AS PETITIONER APPEARED AT CCRC AND IS AWARE OF RESPONDENT'S REQUESTS. THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH IN THE JANUARY 17TH CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE AGREEMENTS AND

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RECOMMENDATIONS AS ITS ORDERS. THE COURT FINDS THE CCRC REPORT RECOMMENDS THE PARTIES RETURN FOR A FURTHER CCRC SESSION UPON COMPLETION OF THE SET-UP PLAN. THE COURT IS NOT SETTING A FURTHER CCRC APPOINTMENT. UPON COMPLETION OF THE STEP-UP PLAN RESPONDENT MAY FILE A NEW RFO. THE COURT NOTES THAT RESPONDENT MUST DEMONSTRATE THE FAMILY CODE SECTION 3044 PRESUMPTIONS HAVE BEEN OVERCOME PRIOR TO THE COURT ORDERING JOINT LEGAL AND/OR JOINT PHYSICAL CUSTODY. THE COURT FINDS THOSE PRESUMPTIONS HAVE NOT BEEN REBUTTED THUS FAR. 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 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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15. CLARISSA CRISTALES V. WALTER CRISTALES

22FL0187

Respondent filed a Request for Order (RFO) on August 16, 2024. Concurrently therewith, he filed a Memorandum of Points and Authorities, and a Declaration of Respondent. On August 22nd he filed a Declaration of Elizabeth Palmer. All documents were mail served on September 3rd and electronically served on October 28th. Petitioner filed and served her Responsive Declaration to Request for Order on October 29th.

Respondent brings his RFO requesting the court set aside its May 2, 2024 orders granting Petitioner's request for attorney fees and sanctions. Respondent argues that Petitioner is not in compliance with her disclosure requirements and therefore, the orders should not have been granted in the first place. He further notes the prejudice against him if the court orders stand.

Petitioner is opposing the set aside request and asks that the court's prior orders remain in full force and effect. She argues that Petitioner has unclean hands in that he failed to timely oppose the orders, failed to comply with prior orders compelling discovery, and failed to timely obtain a new attorney and therefore, he should not be allowed relief from the evidentiary and issue sanctions. She also notes several deficiencies in the moving papers. Petitioner further asks that the court reserve jurisdiction to order Respondent to pay Petitioner's attorney's fees as well as Section 271 sanctions. She asks that trial be set for the earliest possible date.

Parties appeared for the hearing on November 14, 2024. After argument, the court ordered the parties to brief the issue and set a briefing schedule.

Respondent filed his opening brief on December 12, 2024. It was electronically served on December 16, 2024.

Petitioner filed her responsive brief on January 2, 2025. It was served on the same day.

Respondent filed his Reply brief on January 9, 2025. It was served the same day.

Petitioner's counsel filed a Declaration re: June 11, 2024 hearing on January 13, 2025. It was served the same day.

The court has read and considered the briefs as outlined above and does not find that the briefs materially change the court's prior tentative ruling which is largely reiterated below.

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Under Civil Procedure § 473(b), “[t]he court may, upon any terms as may be just, relieve a party or his or her legal representative from a judgment, dismissal, order, or other proceeding taken against him or her through his or her mistake, inadvertence, surprise, or excusable neglect.” Cal. Civ. Pro. § 473(b). Generally speaking, an attorney’s conduct falling below the professional standard of care is not grounds to vacate a resulting judgment under Section 473(b). See Carroll v. Abbott Laboratories, Inc., 32 Cal. 3d 892 (1982) (conduct falling below the professional standard of care is generally considered inexcusable); See also Garcia v. Hejmadi, 58 Cal. App. 4th 674, 682 (1997)[“[t]he Legislature did not intend to eliminate attorney malpractice claims by providing an opportunity to correct all the professional mistakes an attorney might make in the course of litigating a case”]. However, “[a]n exception to this rule allows relief where the attorney’s neglect, although inexcusable, was so extreme as to constitute misconduct effectively ending the attorney-client relationship. ‘Abandonment’ may afford a basis for relief, at least where the client is relatively free of fault, but performance which is merely inadequate will not.” Garcia, supra, 58 Cal. App. 4th at 682-683. “For the exception to apply, the attorney’s misconduct must be sufficiently gross to effectively abrogate the attorney-client relationship, thereby leaving the client essentially unrepresented at a critical juncture in the litigation.” *Id.*

In order to determine if relief is warranted under Section 473(b), the court must decide if the conduct of Respondent’s prior attorney constituted total abandonment or simply ineffective representation. If Respondent was abandoned, then the orders may be vacated. Whereas, if prior counsel did not abandon Respondent, but instead committed errors in representation amounting to more than what a reasonably prudent person under the same or similar circumstances would have made, then relief under Section 473(b) would not be proper and Respondent’s recourse would rest squarely with his previous attorney.

Seemingly on point here is the matter of Buckert v. Briggs, 15 Cal. App. 3d 296 (1971) wherein plaintiffs and their attorney failed to appear at trial and judgment was rendered against them. Counsel in that matter stated he was of the belief that the plaintiffs had abandoned their case, however, plaintiffs had not given their attorney any basis for that belief. It took the *Buckert* plaintiffs more than five months to save up the money to retain a new attorney and bring their motion under Section 473(b). The court found that under those circumstances, it was proper to vacate the judgment against plaintiffs under the discretionary provisions of Section 473(b) because the plaintiffs had been wholly

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abandoned by their attorney. Further, because the defendants could not show any prejudice resulting from the delay in bringing the motion, and there was no showing of lack of diligence on the part of plaintiffs, the timeliness of the motion, or lack thereof, was not grounds for its denial.

Similar to *Buckert*, Respondent here appears to have been abandoned by his prior counsel while at a critical juncture in his case. According to Respondent, he intended to comply with discovery and provided all relevant information to his attorney with the belief that his attorney would respond on his behalf. His attorney then failed to comply with the court's order compelling discovery responses. He failed to file a responsive declaration opposing Petitioner's RFO for issue and evidence sanctions. He failed to oppose the tentative ruling or request a hearing on the order. The court finds that all of this, taken together, does show that Respondent was abandoned by his counsel.

Once abandonment is established, the next step in the analysis is whether Respondent acted with reasonable diligence to obtain new counsel. This is the crux of the issue at hand. Petitioner maintains that Respondent's attorney had been failing to make court appearances since as far back as July of 2023 and Respondent was aware of such failures. Petitioner argues that Respondent's failure to obtain new counsel until almost a year later in June of 2024 was unreasonable and therefore, he should not be granted relief from the court's order. The court does not agree, however.

As noted in Respondent's briefing, Respondent has a cognitive disability resulting from a brain aneurysm that materially affects his ability to recall past events. Moreover, and much to the court's concern, Respondent's attorney actively misled him by assuring Respondent that Mr. Ilharreguy would be paying the monetary sanctions, and actively telling him not to appear at the court hearing. The court finds it to be reasonable that a client should be able to rely on the representations of his attorney. And, though an individual without cognitive impairment may have been suspect of the attorney by the time those representations were made, the court does not find that it was negligent of Respondent to rely on his attorney even after the attorney's prior failings to appear. For these reasons, the court does not find that Respondent's actions, or delayed action, rose to a level that would divest him of the protections afforded to him by Section 473(b). As such, the court finds that setting aside the court's May 2, 2024 orders for issue and evidentiary sanctions is warranted under Civil Procedure § 473(b).

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While the court is granting Respondent's request to set aside its May 2nd orders, the statute allows the court to grant such relief "upon any terms as may be just." Cal. Civ. Pro. § 437(b). Such terms may include the imposition of monetary sanctions which are "reasonably proportionate to the other party's prejudice or expense." Kirkwood v. Sup. Ct., 253 Cal. App. 2d 198, 201 (1967).

It is inarguable that Respondent was ultimately abandoned by his counsel. That said, he is not entirely without fault. Problems with his attorney have been ongoing since the summer of 2023. Respondent's failure to diligently obtain new counsel and move this case forward has caused Petitioner to incur significant attorney's fees and costs. As such, the court is affirming its May 2nd order for monetary sanctions against Respondent in the amount of \$2,500. Furthermore, Petitioner's request for additional sanctions under Section 271 sanctions is granted. The court is reserving jurisdiction on the amount of sanctions to be imposed. This issue will be addressed at trial.

In addition to the monetary sanctions, the court is ordering Respondent to provide full and complete verified responses to Family Law Form Interrogatories (which were served on July 11, 2023), without objections no later than March 3, 2025. He is also ordered to serve his full and complete Preliminary Declaration of Disclosure no later than March 3, 2025.

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

TENTATIVE RULING #15: RESPONDENT'S MOTION TO SET ASIDE THE MAY 2, 2024 ORDER IS GRANTED IN PART. THE COURT'S MAY 2, 2024 ORDER FOR MONETARY SANCTIONS IS AFFIRMED. THE COURT'S MAY 2, 2024 ORDERS FOR ISSUE AND EVIDENTIARY SANCTIONS ARE HEREBY SET-ASIDE. RESPONDENT IS ORDERED TO SERVE FULL AND COMPLETE VERIFIED RESPONSES TO FAMILY LAW FORM INTERROGATORIES (WHICH WERE SERVED ON JULY 11, 2023), WITHOUT OBJECTIONS NO LATER THAN MARCH 3, 2025. RESPONDENT IS ORDERED TO SERVE HIS FULL AND COMPLETE PRELIMINARY DECLARATION OF DISCLOSURE NO LATER THAN MARCH 3, 2025. PETITIONER'S REQUEST FOR SECTION 271 SANCTIONS IS GRANTED. THE COURT RESERVES JURISIDCTION OVER THE AMOUNT OF SANCTIONS UNTIL THE TIME OF TRIAL ON THE ISSUE OF PROPERTY DIVISION. 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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16. GARY HARRISS V. KRISTEN BALCITA

23FL0561

Parties appeared for a hearing on December 12, 2024, on Petitioner's Request for Order (RFO). The parties reached several agreements, including setting a further review hearing to address the allocation of the costs for the minor's therapy. Parties were ordered to file Supplemental Declarations at least 10 days prior to the hearing, and were advised that failure to do so would result in the matter being dropped from calendar.

Upon review of the court file, neither party has filed a Supplemental Declaration. As such, the court reasonably infers the current orders remain appropriate and there is no need for further review. The court drops the matter from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #16: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE PARTIES' FAILURE TO FILE SUPPLEMENTAL DECLARATIONS. 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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17. GORDAFARID ZAFARI V. MEHRDAD ABEDI

24FL0845

Petitioner filed a Request for Order (RFO) on September 11, 2024, requesting the court make orders as to child custody and parenting time, child and spousal support, property control, as well attorney's fees. Petitioner concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 9, 2024, and a review hearing on December 12, 2024. Respondent was mail served on September 13, 2024.

Child Custody and Parenting Time

Parties reached a full agreement as to child custody and parenting time. The court signed the parties' stipulation adopting the parties' agreement as its orders on October 14, 2024. Therefore, the court finds these issues to be moot.

Vocational Evaluation

Parties filed additional stipulations on October 31, 2024, including provisions for a vocational evaluation as well as distribution of community funds to Petitioner. Those orders remain in full force and effect.

On November 15, 2024, parties submitted a stipulation to reschedule the December 12, 2024 hearing to January 30, 2025. The court signed the order the same day.

On January 16, 2025, Respondent filed a Responsive Declaration, Memorandum of Points and Authorities, Income and Expense Declaration, as well as the Vocational Evaluation. Petitioner was served electronically on January 16th.

On January 17th, Petitioner filed a Supplemental Declaration, Memorandum of Points and Authorities, as well as an Objection to the court's consideration of the Vocational Evaluation. Respondent was served the same day.

Respondent filed what is titled a Sur-Reply to Petitioner's Objection on January 21, 2025. The court finds this to be a Reply, rather than a Sur-Reply. Petitioner was served on January 21st.

The court sustains the hearsay objection to the vocational evaluation report being considered by the court. Although the parties' stipulated to the court considering hearsay within the report, the parties did not stipulate to the court considering the report itself, which is hearsay.

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Child and Spousal Support

For purposes of calculating guideline child support as well as guideline temporary spousal support, the court has imputed Petitioner with full time minimum wage income at \$20 per hour. The court finds Petitioner has the ability and opportunity to work. Based on the imputed income and the parties' Income and Expense Declarations the court makes the following orders.

The court finds guideline child support for October 1, 2024 through December 31, 2024 to be \$1,939 per month, payable from Respondent to Petitioner. (See attached DissoMaster.) This order is effective October 1, 2024 until December 31, 2024.

The court finds this order results in an arrears balance of \$5,817 payable from Respondent to Petitioner. The court orders Respondent to pay Petitioner \$969.50 per month, as and for arrears, effective March 15, 2025 and payable on the 15th of each month until paid in full (approximately six months.) If any payment is missed or late, the full amount shall become immediately due and owing, with legal interest.

For the period of October 1, 2024 through December 31, 2024, the court finds temporary guideline spousal support, per the Alameda formula to be \$4,662 payable from Respondent to Petitioner. (See attached DissoMaster.) This order is effective October 1, 2024 through December 31, 2024.

The court finds this order results in an arrears balance of \$13,986 payable from Respondent to Petitioner. The court orders Respondent to pay Petitioner \$1,165.50 per month, as and for arrears, effective March 15, 2025, and payable on the 15th of each month until paid in full (approximately 12 months). If any payment is missed or late, the full amount shall become immediately due and owing, with legal interest.

The court finds guideline child support beginning January 1, 2025, to be \$1,082, payable from Respondent to Petitioner. (See attached DissoMaster.) This order is effective January 1, 2025. Payments are due on the 1st of each month until further order of the court or termination by operation of law.

The court is imposing a two-way overtime table as both parties have the ability to earn income over the base salary that the court has utilized for the guideline calculations. Parties are to exchange paystubs by no later than the 15th of each month and true up on any additional income is to be paid by no later than the 20th of each month.

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DEPARTMENT 5

January 30, 2025

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

The court finds this order results in an arrears balance for the month of January of \$1,082. Respondent is ordered to pay Petitioner \$1,082 on or before February 15th.

Using the same figures as set forth above the court finds temporary guideline spousal support to be \$2,120 per month utilizing the Alameda formula, payable from Respondent to Petitioner. (See attached DissoMaster.) This order is effective January 1, 2025. Payments are due on the 1st of each month until further order of the court or termination by operation of law.

The court is imposing a two-way overtime table as both parties have the ability to earn income over the base salary that the court has utilized for the guideline calculations. Parties are to exchange paystubs by no later than the 15th of each month and true up on any additional income is to be paid by no later than the 20th of each month.

The court finds this order results in an arrears balance of \$2,120 for the month of January 2025. Respondent is ordered to pay Petitioner \$2,120 on or before February 15, 2025.

The court reserves jurisdiction to retroactively modify child and spousal support to February 1, 2025.

The court grants Respondent's request for a seek work order for Petitioner. Petitioner shall apply for no less than 10 jobs per month commensurate with her training and experience. Petitioner shall provide proof of applications to Respondent's counsel no later than the 1st of each month. Petitioner is ordered to provide notice to Respondent, through counsel, within 14 days of obtaining employment.

Respondent's request for a *Gavron* Warning is granted. Petitioner is advised that it is the goal of the State of California that both parties shall become and remain self-supporting to the best of their ability. Petitioner is further advised that, at some future date, should you fail to become self-supporting Respondent may argue that your failure to become self-supporting is a factor which may be considered by the court to modify a spousal support order or terminate the court's jurisdiction to order spousal support. Petitioner is further advised that if you voluntarily terminate employment, the court can impute income to you without application of the ability and opportunity requirement and the court can deny a modification of support. In Re Marriage of Gavron, 203 Cal.App.3d 705 (1988).

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

Family Code section 2030 Attorney's Fees

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

Here, while there is a disparity between the parties in income, each party has equal access to funds. The court, therefore, denies Petitioner's request for attorney's fees.

Property Control

Petitioner's request for property control of the Tesla has been effectuated. The court grants Petitioner's request for temporary exclusive use, possession, and control of the 2016 Tesla X. The court reserves jurisdiction over the final distribution of the vehicle.

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 #17: PARTIES REACHED A FULL AGREEMENT AS TO CHILD CUSTODY AND PARENTING TIME. THE COURT SIGNED THE PARTIES' STIPULATION ADOPTING THE PARTIES' AGREEMENT AS ITS ORDERS ON OCTOBER 14, 2024. THEREFORE, THE COURT FINDS THESE ISSUES TO BE MOOT.

FOR PURPOSES OF CALCULATING GUIDELINE CHILD SUPPORT AS WELL AS GUIDELINE TEMPORARY SPOUSAL SUPPORT, THE COURT HAS IMPUTED PETITIONER

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

WITH FULL TIME MINIMUM WAGE INCOME AT \$20 PER HOUR. THE COURT FINDS PETITIONER HAS THE ABILITY AND OPPORTUNITY TO WORK. BASED ON THE IMPUTED INCOME AND THE PARTIES' INCOME AND EXPENSE DECLARATIONS THE COURT MAKES THE FOLLOWING ORDERS.

THE COURT FINDS GUIDELINE CHILD SUPPORT FOR OCTOBER 1, 2024 THROUGH DECEMBER 31, 2024 TO BE \$1,939 PER MONTH, PAYABLE FROM RESPONDENT TO PETITIONER. (SEE ATTACHED DISSOMASTER.) THIS ORDER IS EFFECTIVE OCTOBER 1, 2024 UNTIL DECEMBER 31, 2024.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE OF \$5,817 PAYABLE FROM RESPONDENT TO PETITIONER. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$969.50 PER MONTH, AS AND FOR ARREARS, EFFECTIVE MARCH 15, 2025 AND PAYABLE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY SIX MONTHS.) IF ANY PAYMENT IS MISSED OR LATE, THE FULL AMOUNT SHALL BECOME IMMEDIATELY DUE AND OWING, WITH LEGAL INTEREST.

FOR THE PERIOD OF OCTOBER 1, 2024 THROUGH DECEMBER 31, 2024, THE COURT FINDS TEMPORARY GUIDELINE SPOUSAL SUPPORT, PER THE ALAMEDA FORMULA TO BE \$4,662 PAYABLE FROM RESPONDENT TO PETITIONER. (SEE ATTACHED DISSOMASTER.) THIS ORDER IS EFFECTIVE OCTOBER 1, 2024 THROUGH DECEMBER 31, 2024.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE OF \$13,986 PAYABLE FROM RESPONDENT TO PETITIONER. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$1,165.50 PER MONTH, AS AND FOR ARREARS, EFFECTIVE MARCH 15, 2025, AND PAYABLE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE FULL AMOUNT SHALL BECOME IMMEDIATELY DUE AND OWING, WITH LEGAL INTEREST.

THE COURT FINDS GUIDELINE CHILD SUPPORT BEGINNING JANUARY 1, 2025, TO BE \$1,082, PAYABLE FROM RESPONDENT TO PETITIONER. (SEE ATTACHED DISSOMASTER.) THIS ORDER IS EFFECTIVE JANUARY 1, 2025. PAYMENTS ARE DUE ON THE 1ST OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT IS IMPOSING A TWO-WAY OVERTIME TABLE AS BOTH PARTIES HAVE THE ABILITY TO EARN INCOME OVER THE BASE SALARY THAT THE COURT HAS

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

UTILIZED FOR THE GUIDELINE CALCULATIONS. PARTIES ARE TO EXCHANGE PAYSTUBS BY NO LATER THAN THE 15TH OF EACH MONTH AND TRUE UP ON ANY ADDITIONAL INCOME IS TO BE PAID BY NO LATER THAN THE 20TH OF EACH MONTH.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE FOR THE MONTH OF JANUARY OF \$1,082. RESPONDENT IS ORDERED TO PAY PETITIONER \$1,082 ON OR BEFORE FEBRUARY 15TH.

USING THE SAME FIGURES AS SET FORTH ABOVE THE COURT FINDS TEMPORARY GUIDELINE SPOUSAL SUPPORT TO BE \$2,120 PER MONTH UTILIZING THE ALAMEDA FORMULA, PAYABLE FROM RESPONDENT TO PETITIONER. (SEE ATTACHED DISSOMASTER.) THIS ORDER IS EFFECTIVE JANUARY 1, 2025. PAYMENTS ARE DUE ON THE 1ST OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT IS IMPOSING A TWO-WAY OVERTIME TABLE AS BOTH PARTIES HAVE THE ABILITY TO EARN INCOME OVER THE BASE SALARY THAT THE COURT HAS UTILIZED FOR THE GUIDELINE CALCULATIONS. PARTIES ARE TO EXCHANGE PAYSTUBS BY NO LATER THAN THE 15TH OF EACH MONTH AND TRUE UP ON ANY ADDITIONAL INCOME IS TO BE PAID BY NO LATER THAN THE 20TH OF EACH MONTH.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE OF \$2,120 FOR THE MONTH OF JANUARY 2025. RESPONDENT IS ORDERED TO PAY PETITIONER \$2,120 ON OR BEFORE FEBRUARY 15, 2025.

THE COURT RESERVES JURISDICTION TO RETROACTIVELY MODIFY CHILD AND SPOUSAL SUPPORT TO FEBRUARY 1, 2025.

THE COURT GRANTS RESPONDENT'S REQUEST FOR A SEEK WORK ORDER FOR PETITIONER. PETITIONER SHALL APPLY FOR NO LESS THAN 10 JOBS PER MONTH COMMENSURATE WITH HER TRAINING AND EXPERIENCE. PETITIONER SHALL PROVIDE PROOF OF APPLICATIONS TO RESPONDENT'S COUNSEL NO LATER THAN THE 1ST OF EACH MONTH. PETITIONER IS ORDERED TO PROVIDE NOTICE TO RESPONDENT, THROUGH COUNSEL, WITHIN 14 DAYS OF OBTAINING EMPLOYMENT.

RESPONDENT'S REQUEST FOR A GAVRON WARNING IS GRANTED. PETITIONER IS ADVISED THAT IT IS THE GOAL OF THE STATE OF CALIFORNIA THAT BOTH PARTIES SHALL BECOME AND REMAIN SELF-SUPPORTING TO THE BEST OF THEIR ABILITY. PETITIONER IS FURTHER ADVISED THAT, AT SOME FUTURE DATE, SHOULD YOU FAIL TO

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

BECOME SELF-SUPPORTING RESPONDENT MAY ARGUE THAT YOUR FAILURE TO BECOME SELF-SUPPORTING IS A FACTOR WHICH MAY BE CONSIDERED BY THE COURT TO MODIFY A SPOUSAL SUPPORT ORDER OR TERMINATE THE COURT'S JURISDICTION TO ORDER SPOUSAL SUPPORT. PETITIONER IS FURTHER ADVISED THAT IF YOU VOLUNTARILY TERMINATE EMPLOYMENT, THE COURT CAN IMPUTE INCOME TO YOU WITHOUT APPLICATION OF THE ABILITY AND OPPORTUNITY REQUIREMENT AND THE COURT CAN DENY A MODIFICATION OF SUPPORT. IN RE MARRIAGE OF GAVRON, 203 CAL.APP.3D 705 (1988).

THE COURT FINDS, EACH PARTY HAS EQUAL ACCESS TO FUNDS. THE COURT, THEREFORE, DENIES PETITIONER'S REQUEST FOR FAMILY CODE SECTION 2030 ATTORNEY'S FEES.

PETITIONER'S REQUEST FOR PROPERTY CONTROL OF THE TESLA HAS BEEN EFFECTUATED. THE COURT GRANTS PETITIONER'S REQUEST FOR TEMPORARY EXCLUSIVE USE, POSSESSION, AND CONTROL OF THE 2016 TESLA X. THE COURT RESERVES JURISDICTION OVER THE FINAL DISTRIBUTION OF THE VEHICLE.

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.

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 2025, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2025)	Cash Flow Analysis	Father	Mother
Number of children	0	1	Nets (adjusted)	Guideline		
% time with Second Parent	50%	0%	Father	11,806 Payment (cost)/benefit	(3,005)	3,183
Filing status	Single	HH/MLA	Mother	3,280 Net spendable income	8,604	6,483
# Federal exemptions	1*	2*	Total	15,086 % combined spendable	57%	43%
Wages + salary	20,533	3,467	Support (Nondeductible)	Total taxes	6,202	186
401(k) employee contrib	0	0	CS Payor	Father Comb. net spendable	15,086	
Self-employment income	0	0	Presumed	1,082 Proposed		
Other taxable income	0	0	Basic CS	1,082 Payment (cost)/benefit	(3,005)	3,183
Short-term cap. gains	0	0	Add-ons	0 Net spendable income	8,604	6,483
Long-term cap. gains	0	0	Presumed Per Kid	NSI change from gdl	0	0
Other gains (and losses)	0	0	Child 1	1,082 % combined spendable	57%	43%
Ordinary dividends	0	0	SS Payor	Father % of saving over gdl	0%	0%
Tax. interest received	0	0	Alameda	2,120 Total taxes	6,202	186
Social Security received	0	0	Total	3,202 Comb. net spendable	15,086	
Unemployment compensation	0	0	Proposed, tactic 9	Percent change	0.0%	
Operating losses	0	0	CS Payor	Father Default Case Settings		
Ca. operating loss adj.	0	0	Presumed	1,082		
Roy, partnerships, S corp, trusts	0	0	Basic CS	1,082		
Rental income	0	0	Add-ons	0		
Misc ordinary tax. inc.	0	0	Presumed Per Kid			
Other nontaxable income	0	0	Child 1	1,082		
New-spouse income	0	0	SS Payor	Father		
SS paid other marriage	0	0	Alameda	2,120		
CS paid other relationship	0	0	Total	3,202		
Adj. to income (ATI)	0	0	Savings	0		
9.3% elective PTE payment	0	0	Mother	0		
Ptr Support Pd. other P'ships	0	0	Father	0		
Health insurance	676	0	No releases			
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	875	0				
Other medical expenses	0	0				
Property tax expenses	875	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Mandatory retirement	1,849	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 ATTORNEY FOR: Father	TELEPHONE NO: Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2025, Monthly	CASE NUMBER:

Input Data	Father	Mother	Guideline (2025)	Cash Flow Analysis	Father	Mother
Number of children	0	1	Nets (adjusted)	Guideline		
% time with Second Parent	50%	0%	Father	20,535 Payment (cost)/benefit	(6,131)	6,443
Filing status	Single	HH/MLA	Mother	3,141 Net spendable income	13,934	9,743
# Federal exemptions	1*	2*	Total	23,676 % combined spendable	58.9%	41.1%
Wages + salary	36,667	3,467	Support (Nondeductible)	Total taxes	13,606	326
401(k) employee contrib	0	0	CS Payor	Father Comb. net spendable	23,676	
Self-employment income	0	0	Presumed	1,939 Proposed		
Other taxable income	0	0	Basic CS	1,939 Payment (cost)/benefit	(6,131)	6,443
Short-term cap. gains	0	0	Add-ons	0 Net spendable income	13,934	9,743
Long-term cap. gains	0	0	Presumed Per Kid	NSI change from gdl	0	0
Other gains (and losses)	0	0	Child 1	1,939 % combined spendable	58.9%	41.1%
Ordinary dividends	0	0	SS Payor	Father % of saving over gdl	0%	0%
Tax. interest received	0	0	Alameda	4,662 Total taxes	13,606	326
Social Security received	0	0	Total	6,601 Comb. net spendable	23,676	
Unemployment compensation	0	0	Proposed, tactic 9	Percent change	0.0%	
Operating losses	0	0	CS Payor	Father Default Case Settings		
Ca. operating loss adj.	0	0	Presumed	1,939		
Roy, partnerships, S corp, trusts	0	0	Basic CS	1,939		
Rental income	0	0	Add-ons	0		
Misc ordinary tax. inc.	0	0	Presumed Per Kid			
Other nontaxable income	0	0	Child 1	1,939		
New-spouse income	0	0	SS Payor	Father		
SS paid other marriage	0	0	Alameda	4,662		
CS paid other relationship	0	0	Total	6,601		
Adj. to income (ATI)	0	0	Savings	0		
9.3% elective PTE payment	0	0	Mother	0		
Ptr Support Pd. other P'ships	0	0	Father	0		
Health insurance	676	0	No releases			
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	875	0				
Other medical expenses	0	0				
Property tax expenses	875	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Mandatory retirement	1,849	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	CASE NUMBER:	
Two-way Monthly Overtime Wages Report 2025 Monthly		

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	6	12	18	24	30	36	42
100	10	4	2	8	14	20	26	32
200	19	13	7	1	5	11	16	22
300	29	23	17	11	5	1	7	13
400	38	32	26	20	14	8	3	3
500	48	42	36	30	24	18	12	6
600	57	51	45	39	33	27	21	15
700	67	61	55	49	43	37	31	25
800	76	70	64	58	52	46	40	34
900	88	82	76	70	64	58	52	46
1,000	100	94	88	82	75	69	63	57
1,100	111	105	99	93	87	81	75	69
1,200	123	117	111	105	99	93	87	81
1,300	134	128	122	116	110	104	98	92
1,400	146	140	134	128	122	116	110	104
1,500	157	151	145	139	133	127	121	115
1,600	169	162	156	150	144	138	132	126
1,700	180	174	167	161	155	149	143	137
1,800	191	185	179	172	166	160	154	148
1,900	202	195	189	183	177	171	165	159
2,000	212	206	200	194	188	182	175	169



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	47	53	59	65	71	77	83	89	
100	38	44	50	56	61	67	73	79	
200	28	34	40	46	52	58	64	70	
300	19	25	31	37	42	48	54	60	
400	9	15	21	27	33	39	45	51	
500	0	6	12	18	24	30	36	41	
600	9	4	2	8	14	20	26	32	
700	19	13	7	1	5	11	17	23	
800	28	22	16	10	4	2	8	13	
900	40	34	28	22	16	10	4	2	
1,000	51	45	39	33	28	22	16	10	
1,100	63	57	51	45	39	33	27	21	
1,200	75	69	63	57	51	45	39	33	
1,300	86	80	74	68	62	56	50	44	
1,400	97	91	85	79	73	67	61	55	
1,500	109	103	97	91	85	79	73	67	
1,600	120	114	108	102	96	90	84	78	
1,700	131	125	119	113	107	101	95	89	
1,800	142	136	130	124	118	112	106	100	
1,900	153	147	141	134	128	122	116	110	
2,000	163	157	151	145	139	133	127	121	



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	94	100	106	112	118
100	85	91	97	102	108
200	75	81	87	93	99
300	66	72	78	84	90
400	57	63	68	74	80
500	47	53	59	65	71
600	38	44	50	56	62
700	29	35	40	46	52
800	19	25	31	37	43
900	8	14	20	26	32
1,000	<i>4</i>	<i>2</i>	<i>8</i>	<i>14</i>	<i>20</i>
1,100	<i>15</i>	<i>9</i>	<i>3</i>	<i>3</i>	<i>9</i>
1,200	<i>27</i>	<i>21</i>	<i>15</i>	<i>9</i>	<i>3</i>
1,300	<i>38</i>	<i>32</i>	<i>26</i>	<i>20</i>	<i>14</i>
1,400	<i>49</i>	<i>43</i>	<i>37</i>	<i>32</i>	<i>26</i>
1,500	<i>61</i>	<i>55</i>	<i>49</i>	<i>43</i>	<i>37</i>
1,600	<i>72</i>	<i>66</i>	<i>60</i>	<i>54</i>	<i>48</i>
1,700	<i>83</i>	<i>77</i>	<i>71</i>	<i>65</i>	<i>59</i>
1,800	<i>94</i>	<i>88</i>	<i>82</i>	<i>76</i>	<i>70</i>
1,900	<i>104</i>	<i>98</i>	<i>92</i>	<i>86</i>	<i>80</i>
2,000	<i>115</i>	<i>109</i>	<i>103</i>	<i>97</i>	<i>91</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	1,082	1,088	1,094	1,100	1,106	1,112	1,118	1,124
100	1,073	1,079	1,085	1,090	1,096	1,102	1,108	1,114
200	1,063	1,069	1,075	1,081	1,087	1,093	1,099	1,105
300	1,053	1,059	1,065	1,071	1,077	1,083	1,089	1,095
400	1,044	1,050	1,056	1,062	1,068	1,074	1,080	1,086
500	1,034	1,040	1,046	1,052	1,058	1,064	1,070	1,076
600	1,025	1,031	1,037	1,043	1,049	1,055	1,061	1,067
700	1,015	1,021	1,027	1,033	1,039	1,045	1,051	1,057
800	1,006	1,012	1,018	1,024	1,030	1,036	1,042	1,048
900	994	1,000	1,006	1,012	1,018	1,024	1,030	1,036
1,000	983	989	995	1,001	1,007	1,013	1,019	1,025
1,100	971	977	983	989	995	1,001	1,007	1,013
1,200	959	965	971	978	984	990	996	1,002
1,300	948	954	960	966	972	978	984	990
1,400	936	942	948	954	961	967	973	979
1,500	925	931	937	943	949	955	961	967
1,600	914	920	926	932	938	944	950	956
1,700	903	909	915	921	927	933	939	945
1,800	891	898	904	910	916	922	928	934
1,900	881	887	893	899	905	911	917	924
2,000	870	876	882	888	895	901	907	913



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	1,130	1,136	1,141	1,147	1,153	1,159	1,165	1,171
100	1,120	1,126	1,132	1,138	1,144	1,150	1,155	1,161
200	1,111	1,117	1,122	1,128	1,134	1,140	1,146	1,152
300	1,101	1,107	1,113	1,119	1,125	1,131	1,137	1,142
400	1,092	1,098	1,103	1,109	1,115	1,121	1,127	1,133
500	1,082	1,088	1,094	1,100	1,106	1,112	1,118	1,124
600	1,073	1,079	1,085	1,091	1,097	1,102	1,108	1,114
700	1,063	1,069	1,075	1,081	1,087	1,093	1,099	1,105
800	1,054	1,060	1,066	1,072	1,078	1,084	1,090	1,096
900	1,042	1,048	1,054	1,060	1,066	1,072	1,078	1,084
1,000	1,031	1,037	1,043	1,049	1,055	1,061	1,067	1,073
1,100	1,019	1,025	1,031	1,037	1,043	1,049	1,055	1,061
1,200	1,008	1,014	1,020	1,026	1,032	1,038	1,044	1,050
1,300	996	1,002	1,008	1,014	1,020	1,026	1,032	1,038
1,400	985	991	997	1,003	1,009	1,015	1,021	1,027
1,500	973	979	985	992	998	1,004	1,010	1,016
1,600	962	968	974	980	986	993	999	1,005
1,700	951	957	963	969	975	982	988	994
1,800	940	946	952	958	965	971	977	983
1,900	930	936	942	948	954	960	966	972
2,000	919	925	931	937	943	949	955	961

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	1,177	1,183	1,188	1,194	1,200
100	1,167	1,173	1,179	1,185	1,191
200	1,158	1,164	1,169	1,175	1,181
300	1,148	1,154	1,160	1,166	1,172
400	1,139	1,145	1,151	1,157	1,162
500	1,130	1,135	1,141	1,147	1,153
600	1,120	1,126	1,132	1,138	1,144
700	1,111	1,117	1,123	1,129	1,135
800	1,102	1,108	1,113	1,119	1,125
900	1,090	1,096	1,102	1,108	1,114
1,000	1,079	1,085	1,090	1,096	1,102
1,100	1,067	1,073	1,079	1,085	1,091
1,200	1,056	1,062	1,068	1,073	1,079
1,300	1,044	1,050	1,056	1,062	1,068
1,400	1,033	1,039	1,045	1,051	1,057
1,500	1,022	1,028	1,034	1,039	1,045
1,600	1,011	1,017	1,023	1,029	1,034
1,700	1,000	1,006	1,012	1,018	1,024
1,800	989	995	1,001	1,007	1,013
1,900	978	984	990	996	1,002
2,000	967	973	979	985	991

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	64	80	97	113
100	<i>16</i>	<i>0</i>	16	32	48	64	80	96
200	<i>33</i>	<i>17</i>	<i>0</i>	16	32	48	64	80
300	<i>49</i>	<i>33</i>	<i>17</i>	<i>1</i>	15	31	47	64
400	<i>65</i>	<i>49</i>	<i>33</i>	<i>17</i>	<i>1</i>	15	31	47
500	<i>82</i>	<i>66</i>	<i>50</i>	<i>34</i>	<i>18</i>	<i>1</i>	15	31
600	<i>98</i>	<i>82</i>	<i>66</i>	<i>50</i>	<i>34</i>	<i>18</i>	<i>2</i>	14
700	<i>115</i>	<i>99</i>	<i>83</i>	<i>67</i>	<i>50</i>	<i>34</i>	<i>18</i>	<i>2</i>
800	<i>131</i>	<i>115</i>	<i>99</i>	<i>83</i>	<i>67</i>	<i>51</i>	<i>35</i>	<i>19</i>
900	<i>152</i>	<i>136</i>	<i>120</i>	<i>104</i>	<i>88</i>	<i>72</i>	<i>56</i>	<i>40</i>
1,000	<i>174</i>	<i>158</i>	<i>142</i>	<i>126</i>	<i>110</i>	<i>94</i>	<i>78</i>	<i>62</i>
1,100	<i>195</i>	<i>179</i>	<i>163</i>	<i>147</i>	<i>131</i>	<i>115</i>	<i>98</i>	<i>82</i>
1,200	<i>216</i>	<i>200</i>	<i>184</i>	<i>168</i>	<i>151</i>	<i>135</i>	<i>119</i>	<i>103</i>
1,300	<i>237</i>	<i>221</i>	<i>204</i>	<i>188</i>	<i>172</i>	<i>156</i>	<i>140</i>	<i>123</i>
1,400	<i>257</i>	<i>241</i>	<i>225</i>	<i>209</i>	<i>193</i>	<i>176</i>	<i>160</i>	<i>144</i>
1,500	<i>278</i>	<i>262</i>	<i>246</i>	<i>230</i>	<i>213</i>	<i>197</i>	<i>181</i>	<i>165</i>
1,600	<i>300</i>	<i>283</i>	<i>267</i>	<i>251</i>	<i>235</i>	<i>219</i>	<i>202</i>	<i>186</i>
1,700	<i>321</i>	<i>305</i>	<i>289</i>	<i>272</i>	<i>256</i>	<i>240</i>	<i>224</i>	<i>208</i>
1,800	<i>342</i>	<i>326</i>	<i>310</i>	<i>294</i>	<i>278</i>	<i>261</i>	<i>245</i>	<i>229</i>
1,900	<i>364</i>	<i>348</i>	<i>332</i>	<i>316</i>	<i>300</i>	<i>284</i>	<i>267</i>	<i>251</i>
2,000	<i>387</i>	<i>370</i>	<i>354</i>	<i>338</i>	<i>322</i>	<i>306</i>	<i>290</i>	<i>273</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	129	145	161	177	193	209	226	242	
100	112	129	145	161	177	193	209	225	
200	96	112	128	144	161	177	193	209	
300	80	96	112	128	144	160	176	192	
400	63	79	95	112	128	144	160	176	
500	47	63	79	95	111	127	143	159	
600	30	46	62	79	95	111	127	143	
700	14	30	46	62	78	94	110	126	
800	3	13	29	45	61	78	94	110	
900	24	8	8	24	40	57	73	89	
1,000	45	29	13	3	20	36	52	69	
1,100	66	50	33	17	1	15	32	48	
1,200	86	70	54	38	21	5	11	27	
1,300	107	91	75	58	42	26	10	7	
1,400	128	111	95	79	63	46	30	14	
1,500	149	132	116	100	84	67	51	35	
1,600	170	154	138	121	105	89	73	56	
1,700	191	175	159	143	127	110	94	78	
1,800	213	197	180	164	148	132	116	99	
1,900	235	219	203	186	170	154	138	121	
2,000	257	241	225	209	192	176	160	144	



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	258	274	290	306	322
100	241	258	274	290	306
200	225	241	257	273	290
300	209	225	241	257	273
400	192	208	224	241	257
500	176	192	208	224	240
600	159	175	191	207	224
700	142	159	175	191	207
800	126	142	158	175	191
900	105	122	138	154	171
1,000	85	101	117	134	150
1,100	64	81	97	113	130
1,200	44	60	76	93	109
1,300	23	39	56	72	88
1,400	2	19	35	51	67
1,500	<i>19</i>	<i>2</i>	14	30	47
1,600	<i>40</i>	<i>24</i>	<i>7</i>	9	25
1,700	<i>62</i>	<i>45</i>	<i>29</i>	<i>13</i>	4
1,800	<i>83</i>	<i>67</i>	<i>51</i>	<i>34</i>	<i>18</i>
1,900	<i>105</i>	<i>89</i>	<i>73</i>	<i>56</i>	<i>40</i>
2,000	<i>127</i>	<i>111</i>	<i>95</i>	<i>79</i>	<i>62</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	2,120	2,136	2,152	2,168	2,184	2,200	2,216	2,233
100	2,104	2,120	2,136	2,152	2,168	2,184	2,200	2,216
200	2,087	2,103	2,120	2,136	2,152	2,168	2,184	2,200
300	2,071	2,087	2,103	2,119	2,135	2,151	2,167	2,184
400	2,055	2,071	2,087	2,103	2,119	2,135	2,151	2,167
500	2,038	2,054	2,070	2,086	2,102	2,119	2,135	2,151
600	2,022	2,038	2,054	2,070	2,086	2,102	2,118	2,134
700	2,005	2,021	2,037	2,053	2,069	2,086	2,102	2,118
800	1,989	2,005	2,021	2,037	2,053	2,069	2,085	2,101
900	1,968	1,984	2,000	2,016	2,032	2,048	2,064	2,080
1,000	1,946	1,962	1,978	1,994	2,010	2,026	2,042	2,058
1,100	1,925	1,941	1,957	1,973	1,989	2,005	2,022	2,038
1,200	1,904	1,920	1,936	1,952	1,969	1,985	2,001	2,017
1,300	1,883	1,899	1,916	1,932	1,948	1,964	1,980	1,997
1,400	1,863	1,879	1,895	1,911	1,927	1,944	1,960	1,976
1,500	1,842	1,858	1,874	1,890	1,907	1,923	1,939	1,955
1,600	1,820	1,837	1,853	1,869	1,885	1,901	1,918	1,934
1,700	1,799	1,815	1,831	1,848	1,864	1,880	1,896	1,912
1,800	1,778	1,794	1,810	1,826	1,842	1,858	1,875	1,891
1,900	1,756	1,772	1,788	1,804	1,820	1,836	1,853	1,869
2,000	1,733	1,750	1,766	1,782	1,798	1,814	1,830	1,847



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	2,249	2,265	2,281	2,297	2,313	2,329	2,345	2,362	
100	2,232	2,248	2,265	2,281	2,297	2,313	2,329	2,345	
200	2,216	2,232	2,248	2,264	2,280	2,297	2,313	2,329	
300	2,200	2,216	2,232	2,248	2,264	2,280	2,296	2,312	
400	2,183	2,199	2,215	2,231	2,248	2,264	2,280	2,296	
500	2,167	2,183	2,199	2,215	2,231	2,247	2,263	2,279	
600	2,150	2,166	2,182	2,198	2,215	2,231	2,247	2,263	
700	2,134	2,150	2,166	2,182	2,198	2,214	2,230	2,246	
800	2,117	2,133	2,149	2,165	2,181	2,198	2,214	2,230	
900	2,096	2,112	2,128	2,144	2,160	2,176	2,193	2,209	
1,000	2,075	2,091	2,107	2,123	2,140	2,156	2,172	2,189	
1,100	2,054	2,070	2,087	2,103	2,119	2,135	2,152	2,168	
1,200	2,034	2,050	2,066	2,082	2,099	2,115	2,131	2,147	
1,300	2,013	2,029	2,045	2,062	2,078	2,094	2,110	2,127	
1,400	1,992	2,008	2,025	2,041	2,057	2,073	2,090	2,106	
1,500	1,971	1,988	2,004	2,020	2,036	2,053	2,069	2,085	
1,600	1,950	1,966	1,982	1,999	2,015	2,031	2,047	2,064	
1,700	1,929	1,945	1,961	1,977	1,993	2,010	2,026	2,042	
1,800	1,907	1,923	1,940	1,956	1,972	1,988	2,004	2,021	
1,900	1,885	1,901	1,917	1,934	1,950	1,966	1,982	1,999	
2,000	1,863	1,879	1,895	1,911	1,928	1,944	1,960	1,976	



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	2,378	2,394	2,410	2,426	2,442
100	2,361	2,378	2,394	2,410	2,426
200	2,345	2,361	2,377	2,393	2,410
300	2,329	2,345	2,361	2,377	2,393
400	2,312	2,328	2,344	2,360	2,377
500	2,296	2,312	2,328	2,344	2,360
600	2,279	2,295	2,311	2,327	2,344
700	2,262	2,279	2,295	2,311	2,327
800	2,246	2,262	2,278	2,295	2,311
900	2,225	2,242	2,258	2,274	2,291
1,000	2,205	2,221	2,237	2,254	2,270
1,100	2,184	2,201	2,217	2,233	2,249
1,200	2,164	2,180	2,196	2,213	2,229
1,300	2,143	2,159	2,176	2,192	2,208
1,400	2,122	2,139	2,155	2,171	2,187
1,500	2,101	2,118	2,134	2,150	2,167
1,600	2,080	2,096	2,112	2,129	2,145
1,700	2,058	2,075	2,091	2,107	2,124
1,800	2,037	2,053	2,069	2,086	2,102
1,900	2,015	2,031	2,047	2,064	2,080
2,000	1,993	2,009	2,025	2,041	2,058



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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DEPARTMENT 5

January 30, 2025

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

18. JENNIFER JACKSON V. D'ANGELO JACKSON

23FL0216

On December 5, 2024, the court adopted its tentative ruling, setting forth the following, in part.

Petitioner filed a Request for Order (RFO) on September 3, 2024, requesting waiver of Respondent's Preliminary and Final Declarations of Disclosure as well as bifurcation. Petitioner is seeking monetary sanctions for Respondent's failure to comply with the disclosure requirements. Respondent was mail served on September 5, 2024.

Petitioner brings her RFOs requesting an order waiving Respondent's preliminary and final financial disclosures; sanctions pursuant to Family Code § 2107 in the amount of \$1,464.50; Family Code section 271 sanctions in the amount of \$1,000; and bifurcation and termination of marital status.

Respondent has not filed a Responsive Declaration.

Family Code sections 2104 and 2105 impose on each party the obligation of making preliminary and final disclosures of assets within specified timeframes. Where a party fails to comply with their disclosure requirements, the complying party may, among other things, file a motion to compel and seek sanctions against the noncomplying party. Fam. Code § 2107(b)(1). "...[T]he court *shall*...impose monetary sanctions against the noncomplying party. Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and *shall* include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." Fam. Code § 2107(c).

In a leading treatise on family law, the authors state: "Section 2104 is cast in mandatory terms. Fam. C. § 2104(a) ('... each party *shall* serve on the other party ...'). The statute contains no exceptions and, therefore, the preliminary declaration of disclosure requirement is implicitly *nonwaivable*. Fam. C. § 2104(a) Indeed, even if the final declaration is waived as allowed by the statutes ..., a preliminary declaration is still required. [Fam. C. §§ 2105(c)(1), 2110 ...]." (Hogoboom & King, Cal. Practice Guide: Family Law (The Rutter Group 1997) ¶ 11:66, p. 11–14 (rev. #1, 2000), original italics.)

Petitioner filed an Updating Declaration along with an Income and Expense Declaration on January 16, 2024. Respondent was served the same day. Petitioner sets forth that while Respondent did serve her counsel with a partially completed Schedule of

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DEPARTMENT 5

January 30, 2025

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

Assets and Debts by email on December 12, 2024, it is deficient. Further, Respondent has failed to file and serve an Income and Expense Declaration, with the requisite documentation attached. Respondent has failed to comply with the court's December 5, 2024 orders regarding sanctions.

Here, Petitioner has established her compliance with Section 2104 as well as Respondent's failure to do the same. Respondent has not submitted an explanation for his failure to comply with his disclosure obligations therefore, the court cannot find that he acted with substantial justification. The court further finds that Respondent has failed to comply with the December 5, 2024 orders. As such, the court grants Petitioner's request to waive Respondent's Preliminary and Final Declarations of Disclosure.

Petitioner also makes a request for sanctions pursuant to Family Code § 271 which states, in pertinent part, "...the court may base an award of attorney's fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation of the parties and attorneys. An award of attorney's fees and costs pursuant to this section is in the nature of a sanction." Fam. Code § 271(a). While the purpose of Section 271 is to impose a punitive sanction, the court is not to impose a sanction that would create an "unreasonable financial burden on the party against whom the sanction is imposed." *Id.*

Once again, the court finds it does not have an Income and Expense Declaration from Respondent and therefore, is unable to determine if Family Code section 271 sanctions would create an "unreasonable financial burden" on Respondent. As such, the court continues to reserve on the request.

In dissolution proceedings, the court may bifurcate the issue of the dissolution of the marriage and enter a status only judgment. 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). Parties are ordered to appear for the bifurcations of status.

All prior orders remain in full force and effect.

TENTATIVE RULING #18: PARTIES ARE ORDERED TO APPEAR FOR THE BIFURCATION OF STATUS HEARING.

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THE COURT GRANTS PETITIONER'S REQUEST TO WAIVE RESPONDENT'S PRELIMINARY AND FINAL DECLARATIONS OF DISCLOSURE. THE COURT CONTINUES TO RESERVE ON THE REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS.

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

January 30, 2025

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

19. TINA SCHAFFER V. JAMES GOFF

PFL20100724

Petitioner filed an ex parte application for emergency orders on September 5, 2024. On September 10, 2024, the court denied the request due to Petitioner's failure to serve Respondent. The court referred the parties to Child Custody Recommending Counseling (CCRC) with an appointment on October 10, 2024, and set a review hearing for December 5th. The court further directed Respondent to refrain from transporting the minor with any measurable amount of alcohol or other intoxicating substance in his system. Further Respondent was directed to comply with the criminal court orders as well as DMV provisions for having a valid driver's license and proof of insurance prior to transporting the minor.

Petitioner filed a Request for Order (RFO) on September 10, 2024, making the same requests as set forth in the ex parte application. 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 October 10th. As such, a single parent report, with no recommendations, was filed with the court on October 10th. Copies were mailed to the parties the same day.

Respondent has not filed a Responsive Declaration.

Petitioner appeared for the hearing on December 5, 2024, and requested the matter be continued to allow additional time to effectuate service on Respondent. The court granted Petitioner's request and stayed its tentative ruling, pending a further hearing on January 30, 2024.

Upon review of the court file, Petitioner has not filed a Proof of Service showing Respondent has been properly served with the RFO and continued hearing date.

The matter is dropped from the court's calendar due to Petitioner's failure to properly serve Respondent.

All prior orders remain in full force and effect.

TENTATIVE RULING #19: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 30, 2025

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

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.