

**Amador Superior Court
Friday, May 29, 2020
Andrea Sexton
DEPT 3**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Each matter on calendar will be called and parties are expected to attend. For those matters where the parties are not ordered to appear and either the parties agree or no objection is made at the hearing, the Court routinely adopts the tentative ruling as the ruling in the matter.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>1</u> 17-FCD-06667	XXXX, TREVOR/		XXXX, AMY/ Interested Party: COUNTY OF AMADOR / CSCSA Interested Party:

EVENT: PETITIONER'S OSC/MOTION FOR MODIF.OF CHILD SUPPORT

ACTION: DISSOLUTION W/ MINOR CHILD

EVENT NOTES: PETITIONER'S REQUEST FOR ORDER CHANGE CHILD SUPPORT, SPOUSAL SUPPORT, COURT TO RECONSIDER ORDER MADE 10/7/2019 BASED ON NEW INFORMATION.

Tentative Ruling:

PARTIES ARE REFERRED TO THE COURT'S GENERAL ORDER NO. 20-012, INCLUDING THE FAMILY COURT AND CHILD SUPPORT PROCEDURES FOR THE PERIOD OF MAY 4 – MAY 31, 2020, AVAILABLE AT http://www.amadorcourt.org/newsRelease/2020/GeneralOrder_COVID-19_AdminstrativeOrder_20-006.pdf

There is no tentative ruling. The court shall hear from the parties at the time of hearing. If the moving party does not wish to proceed with the motion, or the motion is no longer at issue, the parties are directed to contact the Agency and the Court.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>2</u> 19-DCS-04165	COUNTY OF AMADOR/ CSCSA		XXXX, ERROL/ MUSGROVE, NICHOLAS Interested Party: XXXX, KACEY

EVENT: FAMILY SUPPORT REVIEW HEARING

ACTION: FAMILY SUPPORT

EVENT NOTES:

Tentative Ruling:

PARTIES ARE REFERRED TO THE COURT'S GENERAL ORDER NO. 20-012, INCLUDING THE FAMILY COURT AND CHILD SUPPORT PROCEDURES FOR THE PERIOD OF MAY 4 – MAY 31, 2020, AVAILABLE AT

http://www.amadorcourt.org/newsRelease/2020/GeneralOrder_COVID-19_AdminstrativeOrder_20-006.pdf

There is no tentative ruling. The Court notes it retained jurisdiction to modify child support retroactive to December 1, 2019.

The Court shall review evidence of child care costs, if any is provided by Mother/Interested Party. The parties shall file with the court and serve updated income and expense declarations (form FL-150) with pay stubs from March 1, 2020 to present attached.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>3</u> 20-DCS-04181	COUNTY OF AMADOR/ CSCSA		XXXX, RYAN/ Interested Party: XXXX, REBECCA

EVENT: MOTION FOR JUDGMENT

ACTION: FAMILY SUPPORT

EVENT NOTES: N/A

Tentative Ruling:

PARTIES ARE REFERRED TO THE COURT'S GENERAL ORDER NO. 20-012, INCLUDING THE FAMILY COURT AND CHILD SUPPORT PROCEDURES FOR THE PERIOD OF MAY 4 – MAY 31, 2020, AVAILABLE AT

http://www.amadorcourt.org/newsRelease/2020/GeneralOrder_COVID-19_AdminstrativeOrder_20-006.pdf

The Court intends to grant the Agency request to enter Judgment. Judgment for parentage, child support and health care coverage will enter as follows:

Judgment for parentage shall enter.

Guideline support for the minor child will be determined at the time of hearing. The parties shall file with the court and serve updated income and expense declarations (form FL-150) with pay stubs from March 1, 2020 to present attached.

The court shall order Respondent to provide health insurance for the minor child if such insurance is available through an employer or otherwise at a reasonable cost. Each party shall pay one-half of uncovered health care costs for the dependent child to the other parent as per Family Code section 4062.

The Other Parent will be added as a party to the case.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>4</u> 16-FCD-06204	XXXX, HEATHER/		XXXX, MARK/ Interested Party: Interested Party: COUNTY OF AMADOR / CSCSA

EVENT: LCSA MISCELLANEOUS MOTION/OSC

ACTION: LEGAL SEPARATION W/ MINOR CHILD

EVENT NOTES: REQUEST FOR ORDER- OTHER: MOTION TO RECONSIDER UNDER CCP 473 (b)

Tentative Ruling:

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There is no tentative ruling. The court shall hear from the parties at the time of hearing.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>5</u> 03-DCS-01339	COUNTY OF AMADOR/ CSCSA		XXXX, JOSHUA/ Interested Party: XXXX , SHELLIE Interested Party: ACTION: FAMILY SUPPORT

EVENT: LCSA MOTION TO MODIFY CHILD SUPPORT

EVENT NOTES: N/A

Tentative Ruling:

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http://www.amadorcourt.org/newsRelease/2020/GeneralOrder_COVID-19_AdminstrativeOrder_20-006.pdf

The Agency filed a motion for modification of child support on February 13, 2020 at the request of Respondent (Father). Current support orders entered on 10/31/2016 set child support at \$591 per month, payable by Respondent (Father). The moving party has the burden of showing changed circumstances since the last support order. Family law minutes indicate sole physical custody of the minor child was temporarily awarded to Father on 1/6/2020.

Modified Guideline child support shall be calculated at the time of hearing.

The Court shall hear from the parties and consider an equitable adjustment for the period of December 1, 2019 through February 29, 2020.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>6</u> 12-DCS-03405	COUNTY OF AMADOR/ CSCSA		XXXX, THOMAS/ HEADLEY, FRANCES Interested Party: XXXX, SAMANTHA / TANAKA, RANDALL Interested Party: ACTION: FAMILY SUPPORT

EVENT: LCSA MOTION TO MODIFY CHILD SUPPORT

EVENT NOTES: N/A

Tentative Ruling:

PARTIES ARE REFERRED TO THE COURT'S GENERAL ORDER NO. 20-012, INCLUDING THE FAMILY COURT AND CHILD SUPPORT PROCEDURES FOR THE PERIOD OF MAY 4 – MAY 31, 2020, AVAILABLE AT

http://www.amadorcourt.org/newsRelease/2020/GeneralOrder_COVID-19_AdminstrativeOrder_20-006.pdf

The Agency filed a motion for modification of child support on February 14, 2020 at the request of Other Parent. Current support orders entered on 5/6/2013 set child support at \$359 per month, payable by Respondent (Father). The moving party has the burden of showing changed circumstances since the last support order. It is unclear from the moving papers if the initial burden is met.

The court shall hear from the parties at the time of hearing. Modified Guideline child support shall be calculated at the time of hearing.

The Court intends to adopt new springing language indicating that language in any prior orders which include administrative relief without further order of the court is no longer applicable.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>7</u> 17-DCS-03977	COUNTY OF AMADOR/ CSCSA		XXXX, ADAM/ Interested Party: XXXX, KIA

EVENT: LCSA MOTION TO MODIFY CHILD SUPPORT

ACTION: FAMILY SUPPORT

EVENT NOTES: N/A

Tentative Ruling:

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The Agency filed a motion for modification of child support on February 19, 2020 at the request of Respondent. Current support orders effective 3/1/2009 entered set child support at \$888 per month (\$538 basic child support and \$350 child care add on), payable by Respondent (Father). The moving party has the burden of showing changed circumstances since the last support order. Respondent sets forth a basis of decreased income after leaving his job with CalTrans. The initial burden is met.

Modified Guideline child support shall be calculated at the time of hearing.

The Court intends to adopt new springing language indicating that language in any prior orders which include administrative relief without further order of the court is no longer applicable.

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Case Number	Primary Party / Attorney	8:00:00AM Calendar	Secondary Party / Attorney
<u>9</u> 20-DCS-04181	COUNTY OF AMADOR/ CSCSA		XXXX, RYAN/ Interested Party: XXXX, REBECCA

EVENT: ORIENTATION/FAMILY LAW MISC OSC/ MOTION-RESPONDENT

ACTION: FAMILY SUPPORT

EVENT NOTES: FATHER'S REQUEST FOR ORDER CHILD CUSTODY, VISITATION.

Tentative Ruling:

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There is no tentative ruling on Respondent/Father's request for order filed January 31, 2020. There is no proof of service of the request for order, and no responsive declaration from Interested Party/Mother on file. The court shall hear from the parties at the time of hearing. The parties shall mediate the issue at 8:00 AM with the court mediator and are to report to Department 3 at the conclusion of mediation.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>10</u> 03-DCS-01339	COUNTY OF AMADOR/ CSCSA		XXXX, JOSHUA/ Interested Party: XXXX, SHELLIE Interested Party:

EVENT: LCSA ORDER TO SHOW CAUSE RE CONTEMPT

EVENT NOTES: N/A

ACTION: FAMILY SUPPORT

Tentative Ruling:

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There is no tentative ruling. Unless the obligor's personal presence is excused in advance by the Agency, the obligor (Father) must appear. If represented by counsel, counsel must appear.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>11</u> 14-FCP-05466	XXXX, ALYSSA/		XXXX, ROBERT/ Interested Party: COUNTY OF AMADOR / CSCSA

EVENT: LCSA ORDER TO SHOW CAUSE RE CONTEMPT

ACTION: PATERNITY

EVENT NOTES: N/A

Tentative Ruling:

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There is no tentative ruling. Unless the obligor's personal presence is excused in advance by the Agency, the obligor (Father) must appear. If represented by counsel, counsel must appear.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
	DEPT 3	AB1058 COMMISSIONER	