

**Amador Superior Court
Friday, December 11, 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> 20-FCP-07447	XXXX, VIRGINIA/		XXXX, DYLAN/ Interested Party: COUNTY OF AMADOR/CSCSA

EVENT: LCSA MISCELLANEOUS MOTION/OSC

ACTION: PATERNITY

EVENT NOTES: MOTION FOR RECONSIDERATION PER CCP 1008

Tentative Ruling:

SELF-REPRESENTED PARTIES MAY CALL THE COURT'S FAMILY LAW FACILITATOR [CALL (209) 257-2627] TO OBTAIN THE ZOOM CALL-IN INFORMATION FOR THIS CALENDAR. REPRESENTED PARTIES MAY REQUEST A ZOOM INVITATION THROUGH THE COURT'S JUDICIAL ASSISTANT.

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>3</u> 17-DCS-03938	COUNTY OF AMADOR/ CSCSA		XXXX, GENESSA/ Interested Party: XXXX, ANN

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 November 3, 2020 at its own request. Current support orders entered on 7/7/2017 set child support at \$-0- per month, payable by Respondent to the relative caretaker. The moving party has the burden of showing changed circumstances since the last support order. There is a change of Respondent's income alleged and the initial burden is met.

The court shall hear from the parties at the time of hearing and calculate Guideline support at that time. Respondent is ordered to file an Income and Expense Declaration (form FL-150) with 3 months of paystubs or any other documentation of income attached, or bring the same to court.

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indicating that language in any prior orders which include administrative relief without further order of the court is no longer applicable.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>4</u> 17-DCS-03950	COUNTY OF AMADOR/ CSCSA		XXXX, GERARDO/ Interested Party: XXXX, SAVANNAH

EVENT: LCSA MOTION TO MODIFY CHILD SUPPORT

ACTION: FAMILY SUPPORT

EVENT NOTES: N/A

Tentative Ruling:

SELF-REPRESENTED PARTIES MAY CALL THE COURT'S FAMILY LAW FACILITATOR [CALL (209) 257-2627] TO OBTAIN THE ZOOM CALL-IN INFORMATION FOR THIS CALENDAR. REPRESENTED PARTIES MAY REQUEST A ZOOM INVITATION THROUGH THE COURT'S JUDICIAL ASSISTANT.

The Agency filed a motion for modification of child support on October 20, 2020 at Respondent's request. Current support orders entered on 7/17/2020 set child support at \$655 per month, payable by Respondent. The moving party has the burden of showing changed circumstances since the last support order.

Respondent alleges a change of parenting time with the minor children. It is unclear from the pleadings if the initial burden has been met. The court shall hear from the parties at the time of hearing. If the initial burden is met, the court will calculate Guideline support at that time.

The court notes that even if a higher parenting time percentage is used, it appears that Guideline child support may increase for Respondent/Father. The court will inquire at the time of hearing if Respondent wishes to withdraw his request for modification.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>5</u> 19-FCD-07285	XXXX, STEPHANIE/		XXXX, CHARLES/ Interested Party: COUNTY OF AMADOR/CSCSA

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

ACTION: DISSOLUTION W/ MINOR CHILD

EVENT NOTES: SET IN COURT PER ACS.

Tentative Ruling:

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THE MATTER IS CONTINUED ON THE COURT'S OWN MOTION TO JANUARY 8, 2021 AT 8:30 AM IN DEPARTMENT 3. THE PARTIES ARE NOT REQUIRED TO APPEAR ON DECEMBER 11. THE COURT CONTINUES TO RETAIN JURISDICTION TO MODIFY SUPPORT RETROACTIVE TO NOVEMBER 1, 2020.

Respondent filed a motion for modification of child support on October 9, 2020. Current support orders entered on 12/16/2019 set child support at \$865 per month, payable by Respondent. The court continued the matter from 12/4 to 12/11 due to failure to file a valid proof of service. Petitioner was ordered to file a response and an Income and Expense Declaration ("I&E" or FL-150) with proof of income attached. Petitioner has not filed her I&E. THE PARTIES ARE ORDERED TO FILE THE FOLLOWING BY NO LATER THAN 12/31/2020: (1) Petitioner to file I&E with proof of income since March 2020 to present attached. If self-employment income is reported, Petitioner must submit monthly P&L statements, prior year tax returns, and any other proof of income. (2) Respondent to file an updated I&E with information attached documenting any unemployment benefits received.

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Case Number	Primary Party / Attorney	8:30:00AM Calendar	Secondary Party / Attorney
<u>6</u> 14-DCS-03591	XXXX, TERESA/		XXXX, THOMAS/ SHANNON, ROBERT Interested Party: COUNTY OF AMADOR / CSCSA

EVENT: FAMILY SUPPORT REVIEW HEARING

ACTION: FAMILY SUPPORT

EVENT NOTES: POINTS AND AUTHORITIES AS TO FATHERS VOLUNTARY RETIREMENT, COURT RETAINS JURISDICTION RETRO ACTIVE TO AUGUST 1, 2020

Tentative Ruling:

SELF-REPRESENTED PARTIES MAY CALL THE COURT'S FAMILY LAW FACILITATOR [CALL (209) 257-2627] TO OBTAIN THE ZOOM CALL-IN INFORMATION FOR THIS CALENDAR. REPRESENTED PARTIES MAY REQUEST A ZOOM INVITATION THROUGH THE COURT'S JUDICIAL ASSISTANT.

No appearances necessary. The matter was resolved by stipulation and order filed 12/10/2020 and the matter is removed from the court calendar.

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Primary Party / Attorney

8:30:00AM Calendar

Secondary Party / Attorney

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AB1058 COMMISSIONER