

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/02/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0000148

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: GAVIN PARADISE

and

RESPONDENT: JESSICA PARADISE

NATURE OF PROCEEDINGS: 1) CASE PROGRESS CONFERENCE
2) REQUEST FOR ORDER – CHILD/SPOUSAL; OTHER: APPORTIONMENT OF CO-PARENTING COUNSELING EXPENSES

RULING

This matter is set for (1) review hearing on custody/visitation regarding the parties' children, Kiana (DOB 3//27/11) and Kaeli (DOB 6/9/15); (2) Respondent/Mother's 2/26/25 Request for Order ("RFO") re: guideline child support, pendente lite spousal support, and apportionment of co-parenting counseling expenses; and (3) Case Progress Conference.

Custody/Visitation

The parties were both interviewed by Family Court Services ("FCS") on 4/7/25 and FCS interviewed the children separately on 4/8/25. FCS filed its Report & Recommendations with the Court on 4/24/25. The parties currently share joint legal and physical custody of the girls on a 2/2/5 schedule. Both parties agreed that each is actively engaged in co-parenting counseling, which is going well. Mother does not feel that the 50/50 timeshare is working; however, Father is more positive about his time with the girls.

After considering the written submissions by the parties, as well as the prior and current FCS reports & recommendations, the Court finds that it is in the best interests of the children to adopt the FCS Recommendations and the parties' agreements, as modified below, as the Court's orders on this matter.

1. All current orders shall remain in effect with the following additions/modifications:

Holidays/Vacations

2. First Day of School: In odd years, both girls shall be with Jessica from 7pm the night before the first day of school until return to school the next morning, and with Gavin in the even years commencing 2026.
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3. Thanksgiving: In even years, the girls shall be with Father from Wednesday at 1:30 p.m. until Thursday at 1:30 p.m. and with Mother from Thursday at 1:30 p.m. until Friday at 1:30 p.m. In the odd years the schedule shall be reversed.
4. February Break/Spring Break: The girls shall remain on their regular custodial schedule during both of these breaks.
5. Summer: During the summer months, the girls shall remain on their regular custodial schedule.

Collateral Issues

6. Both girls shall be in counseling with an agreed upon counselor. Both parents shall follow any recommendations made by the therapists, including any recommendations regarding sessions that include either parent, or any family therapy. It would be best if arrangements could be made for Father and Mother to alternate taking the girls to their counseling appointments.
7. The parents shall continue to participate in co-parent counseling with an agreed upon counselor at the frequency and duration recommended by the counselor.
8. Neither parent shall share any information from this report with either child.
9. Both parents shall keep a reasonable distance from one another at exchanges and will not touch the other parent's vehicle without consent.
10. Neither parent shall travel with the children outside of the United States unless agreed upon by the parents.

11.

Child and Spousal Support

Together with her RFO re child and spousal support, Mother filed an updated Income & Expense Declaration ("I&E"), including paystubs, and lodged the parties' 2022 and 2023 joint income tax returns. Father failed to provide any opposition, responsive documents, or financial documentation as required by Marin County Family Law Local Rule 7.13/

Per Mother's I&E, she is 44 years old and earns gross monthly income of \$3,844.15 as a Library Media Specialist for the Novato School District. She pays monthly union dues of \$50.25 and has a mandatory retirement deduction of \$307.53/month. Mother claims \$3,703.90 in deposit accounts, and stocks, bonds and other assets "TBD." Mother states her monthly expenses are \$8,088.27, and she is paying off a student loan at \$122.90/month.

The Court adopts the XSpouse support calculation with bonus reports submitted on behalf of Mother and filed on 4/25/25, a copy of which is attached hereto as Exhibit "A," which is based on the following assumptions: the parties have an equal timeshare; each will file taxes as Head of

Household with 2 exemptions. Father's gross monthly income is \$9,071, with a monthly 401-k contribution of \$853 and monthly health insurance payment of \$644. Mother's gross income is \$3,844/month, with mandatory retirement contribution of \$308/month and \$50/month deduction for union dues. The XSpouse calculation sets guideline child support of \$1,034/month payable from Father to Mother and pendente lite spousal support of \$370/month for a total payment of \$1,404/month.

Therefore, the Court orders as follows:

Pendente Lite Spousal Support

1. Effective February 26, 2025, Father shall pay to Mother, as and for pendente lite spousal support, the sum of \$370/month, payable on or before the first day of each month.
2. Spousal support shall continue until Mother remarries, either party dies, or further order of the Court.
3. Spousal support is neither taxable to the recipient nor deductible by the payor.
4. Mother is advised that it is the goal of the State of California that each party must make reasonable good-faith efforts to become self-supporting as provided in Family Code § 4320. Failure to make reasonable good-faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support. See, e.g., *In re Marriage of Gavron* (1988) 203 Cal.App.3d 705.

Guideline Child Support

5. Effective February 26, 2025, Father shall pay to Mother, as and for guideline child support, the sum of \$1,034/month (\$358/month for the benefit of Kiana and \$677/month for the benefit of Kaeli). Said support is payable on or before the first day of each month.
6. In addition, Father shall pay bonus child support, calculated in accordance with the Variable Bonus Income report attached in Exhibit "A" hereto, for any month in which his income exceeds \$9,071/month. Father shall notify Wife within 10 days of receiving any bonus income, and shall pay the bonus child support to Wife within 20 days of his receipt of bonus income.
7. Child support shall continue until (1) each child reaches the age of 18, or if still a full-time student in high school at age 18, until the child reaches age 19 or graduates from high school, whichever first occurs; (2) the child dies; or (3) the child is emancipated. The amount of child support is modifiable if there is a material change of circumstances for either party.
8. In addition, the parties shall share, per Family Code § 4061(a) in proportion to their adjusted net incomes (Father paying 65% and Mother paying 35%) all reasonable uninsured medical expenses and dental expenses incurred on behalf of the children, and childcare costs related to either party's employment or reasonably necessary education or training for employment skills.

9. The parties are ordered to comply with the provisions of Family Code § 4063 in seeking reimbursement for uninsured medical and dental expenses, and a copy of the NOTICE OF RIGHTS AND RESPONSIBILITIES – Health-Care Costs and Reimbursement Procedures is attached to the Order After Hearing. These provisions shall apply to reimbursement for childcare expenses, as well. A copy of the NOTICE is attached hereto as Exhibit “B.”

SO ORDERED.

Counsel for Mother to prepare the order after hearing.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at www.marin.courts.ca.gov

The Zoom appearance information is as follows:

May 2025 at 09:00 AM

Join Zoom Meeting

<https://marin-courts-ca-gov.zoomgov.com/j/1601114119?pwd=p6bV9Ef8WHjm1j7jzyTrwjExIV0by4.1>

Meeting ID: 160 111 4119

Passcode: 636308

If you are only able to appear by phone you may dial the phone number below, follow the prompts and enter the meeting ID and passcode.

+1-669-254-5252 US (San Jose)

Meeting ID: 160 111 4119

Passcode: 636308

If a party and/or counsel elects to appear over Zoom they must follow proper Zoom etiquette. This includes joining the call five minutes early, speaking only one at a time, avoiding disruptions, and wearing proper attire appropriate for a court environment. Parties must act and speak in a professional and respectful manner as though they are in an actual courtroom. If a party or counsel is unable to follow proper Zoom etiquette, the court may halt the hearing and order the parties to return in person.

Paradise v. Paradise FL 0000148

2025

Guideline Summary

Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow	
Number of children	0	2	2025		Combined net spendable	10159
Percent time with NCP	49.99%	0.00%			Father	
Filing status	HH/MLA	HH/MLA	Nets (adjusted)		Payment cost/benefit	-1375
Number of exemptions	2	2			Net spendable income	5427
Wages and salary	9071	3844	Father	6831	Federal income tax	668
Self employed income	0	0	Mother	3328	Federal employment tax	694
Other taxable income	0	0	Total	10159	State income tax	134
TANF CS received	0	0	Support		State employment tax	100
Other nontaxable income	0	0	Addons	0	Total taxes	1596
New spouse income	0	0	Guideln CS	1034	Federal filing status	HH/MLA
Employee 401-k contribution	853	0	Marin SS	370	State filing status	HH/MLA
Adjustments to income	0	0	Total	1404		
SS paid prev marriage	0	0			Mother	
CS paid prev marriage	0	0			Payment cost/benefit	1404
Health insurance	644	0			Net spendable income	4732
Other medical expenses	0	0			Federal income tax	-179
Property tax expenses	0	0			Federal employment tax	294
Ded interest expense	0	0			State income tax	0
Contribution deduction	0	0			State employment tax	42
Misc tax deductions	0	0			Total taxes	158
Qualified business income deduction	0	0			Federal filing status	HH/MLA
Required union dues	0	50			State filing status	HH/MLA
Mandatory retirement	0	308				
Hardship deduction	0	0				
Other GDL deductions	0	0				
Child care expenses	0	0				

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		50 - 50	0	0	0 Father	1,034 Father	1,034 Father
	0000-00-00	49 - 51	0	0	0 Father	358 Father	358 Father
	0000-00-00	49 - 51	0	0	0 Father	677 Father	677 Father

Variable Bonus Income (monthly) Father - January

- Cost is an increase in support paid or a decrease in support received by this spouse
- Bonus income may reverse direction of CS and/or SS
- R = recipient of support

Anticipated bonus for Mother: 0
Prior relationship(s): OFF

Additional Cost to Father						
Child Support			Spousal Support			
Father's Bonus	% of bonus	\$	% of bonus	\$	Total CS	Total SS (adjusted)
0	0.0	0	0.0	0	0	0
25	14.5	4	11.7	3	1,038	372
50	14.5	7	11.7	6	1,042	375
75	14.5	11	11.6	9	1,045	378
100	14.5	14	11.4	11	1,049	381
125	14.4	18	11.4	14	1,052	384
150	14.4	22	11.3	17	1,056	386
175	14.4	25	11.3	20	1,060	389
200	14.4	29	11.2	22	1,063	392
225	14.4	32	11.2	25	1,067	395
250	14.4	36	11.2	28	1,070	398
275	14.4	40	11.2	31	1,074	400
300	14.4	43	11.2	34	1,078	403
325	14.4	47	11.2	36	1,081	406
350	14.3	50	11.2	39	1,085	409
375	14.3	54	11.2	42	1,088	411
400	14.3	57	11.2	45	1,092	414
425	14.3	61	11.2	48	1,095	417
450	14.3	64	11.2	50	1,099	420
475	14.3	68	11.2	53	1,102	423
500	14.3	71	11.2	56	1,106	425
525	14.3	75	11.2	59	1,109	428
550	14.3	78	11.2	62	1,113	431
575	14.3	82	11.2	64	1,116	434
600	14.2	85	11.2	67	1,120	437
625	14.2	89	11.2	70	1,123	440
650	14.2	92	11.2	73	1,127	442
675	14.2	96	11.2	76	1,130	445
700	14.2	99	11.2	79	1,134	448
725	14.2	103	11.2	81	1,137	451
750	14.2	106	11.8	89	1,141	458
775	14.2	110	11.8	91	1,144	461
800	14.2	113	11.8	94	1,148	464
825	14.2	117	11.8	97	1,151	467
850	14.1	120	11.8	100	1,155	470
875	14.1	124	11.8	103	1,158	472
900	14.1	127	11.8	106	1,162	475
925	14.1	131	11.8	109	1,165	478
950	14.1	134	11.7	112	1,168	481
975	14.1	137	11.8	115	1,172	484
1,000	14.1	141	11.8	118	1,175	487
1,025	14.1	144	11.8	121	1,179	490
1,050	14.1	148	11.8	124	1,182	493
1,075	14.1	151	11.8	127	1,186	496
1,100	14.1	155	11.8	130	1,189	499

Variable Bonus Income (monthly)

Father - January

- Cost is an increase in support paid or a decrease in support received by this spouse
- Bonus income may reverse direction of CS and/or SS
- R = recipient of support

Anticipated bonus for Mother: 0
Prior relationship(s): OFF

Additional Cost to Father						
Child Support			Spousal Support		Total CS	Total SS
Father's Bonus	% of bonus	\$	% of bonus	\$		(adjusted)
1,125	14.0	158	11.8	133	1,192	502
1,150	14.0	161	11.8	136	1,196	505
1,175	14.0	165	11.8	139	1,199	508
1,200	14.0	168	11.8	142	1,203	512
1,225	14.0	172	11.8	145	1,206	515
1,250	14.0	175	11.9	148	1,209	518
1,275	14.0	178	11.5	147	1,213	516
1,300	14.0	182	11.5	150	1,216	520
1,325	14.0	185	11.6	153	1,219	523
1,350	14.0	188	11.6	156	1,223	526
1,375	13.9	192	11.6	159	1,226	529
1,400	13.9	195	11.6	162	1,230	532
1,425	13.9	198	11.6	165	1,233	535
1,450	13.9	202	11.6	169	1,236	538
1,475	13.9	205	11.6	172	1,240	541
1,500	13.9	209	11.6	175	1,243	544
1,525	13.9	212	11.7	178	1,246	547
1,550	13.9	215	11.7	181	1,250	550
1,575	13.9	219	11.7	184	1,253	553
1,600	13.9	222	11.7	187	1,256	556
1,625	13.9	225	11.7	190	1,260	559
1,650	13.8	228	11.7	193	1,263	562
1,675	13.8	232	11.7	196	1,266	565
1,700	13.8	235	11.7	199	1,270	568
1,725	13.8	238	11.7	202	1,273	571
1,750	13.8	242	11.7	205	1,276	574
1,775	13.8	245	11.7	208	1,279	577
1,800	13.8	248	11.7	211	1,283	580
1,825	13.8	252	11.7	214	1,286	583
1,850	13.8	255	11.7	217	1,289	586
1,875	13.8	258	11.7	220	1,293	589
1,900	13.8	261	11.7	223	1,296	592
1,925	13.8	265	11.7	226	1,299	595
1,950	13.7	268	11.7	229	1,302	598
1,975	13.7	271	11.7	232	1,306	601
2,000	13.7	275	11.8	235	1,309	605
2,025	13.7	278	11.8	238	1,312	608
2,050	13.7	281	11.8	241	1,315	611
2,075	13.7	284	11.8	244	1,319	614
2,100	13.7	288	11.8	247	1,322	617
2,125	13.7	291	11.8	250	1,325	620
2,150	13.7	294	11.8	253	1,328	623
2,175	13.7	297	11.8	256	1,332	626
2,200	13.7	300	11.8	259	1,335	629
2,225	13.6	304	11.8	263	1,338	632

Variable Bonus Income (monthly)

Father - January

- Cost is an increase in support paid or a decrease in support received by this spouse
- Bonus Income may reverse direction of CS and/or SS
- R = recipient of support

Anticipated bonus for Mother: 0
Prior relationship(s): OFF

Additional Cost to Father						
Child Support			Spousal Support		Total CS	Total SS (adjusted)
Father's Bonus	% of bonus	\$	% of bonus	\$		
2,250	13.6	307	11.8	266	1,341	635
2,275	13.6	310	11.8	269	1,345	638
2,300	13.6	313	11.8	272	1,348	641
2,325	13.6	317	11.8	275	1,351	644
2,350	13.6	320	11.8	278	1,354	647
2,375	13.6	323	11.8	281	1,357	651
2,400	13.6	326	11.8	284	1,361	654
2,425	13.6	329	11.8	287	1,364	657
2,450	13.6	333	11.9	290	1,367	660
2,475	13.6	336	11.9	293	1,370	663
2,500	13.6	339	11.9	297	1,373	666
2,525	13.5	342	11.9	300	1,377	669
2,550	13.5	345	11.9	303	1,380	672
2,575	13.5	348	11.9	306	1,383	675
2,600	13.5	352	11.9	309	1,386	679
2,625	13.5	355	11.9	312	1,389	682
2,650	13.5	358	11.9	315	1,392	685
2,675	13.5	361	11.9	318	1,396	688
2,700	13.5	364	11.9	322	1,399	691
2,725	13.5	367	11.9	325	1,402	694
2,750	13.5	371	11.9	328	1,405	697
2,775	13.5	374	11.9	331	1,408	700
2,800	13.5	377	11.9	334	1,411	704
2,825	13.5	380	11.9	337	1,414	707
2,850	13.4	383	11.9	340	1,418	710
2,875	13.4	386	11.9	344	1,421	713
2,900	13.4	389	12.0	347	1,424	716
2,925	13.4	393	12.0	350	1,427	719
2,950	13.4	396	12.0	353	1,430	722
2,975	13.4	399	12.0	356	1,433	726
3,000	13.4	402	12.0	359	1,436	729
3,025	13.4	405	12.0	362	1,440	732
3,050	13.4	408	12.0	366	1,443	735
3,075	13.4	411	12.0	369	1,446	738
3,100	13.4	414	12.0	372	1,449	741
3,125	13.4	418	12.0	375	1,452	745
3,150	13.4	421	12.0	378	1,455	748
3,175	13.3	424	12.0	382	1,458	751
3,200	13.3	427	12.0	385	1,461	754
3,225	13.3	430	12.0	388	1,464	757
3,250	13.3	433	12.0	391	1,467	761
3,275	13.3	436	12.0	394	1,470	764
3,300	13.3	439	12.0	397	1,474	767
3,325	13.3	442	12.0	401	1,477	770
3,350	13.3	445	12.1	404	1,480	773

Variable Bonus Income (monthly)
Father - January

- Cost is an increase in support paid or a decrease in support received by this spouse
- Bonus Income may reverse direction of CS and/or SS
- R = recipient of support

Anticipated bonus for Mother: 0
Prior relationship(s): OFF

Additional Cost to Father

Father's Bonus	Child Support		Spousal Support		Total CS	Total SS (adjusted)
	% of bonus	\$	% of bonus	\$		
3,375	13.3	448	12.1	407	1,483	777
3,400	13.3	451	12.1	410	1,486	780
3,425	13.3	455	12.1	413	1,489	783
3,450	13.3	458	12.1	417	1,492	786
3,475	13.3	461	12.1	420	1,495	789
3,500	13.2	464	12.1	423	1,498	793
3,525	13.2	467	12.1	426	1,501	796
3,550	13.2	470	12.1	430	1,504	799
3,575	13.2	473	12.1	433	1,507	802
3,600	13.2	476	12.1	436	1,510	805
3,625	13.2	479	12.1	439	1,513	809
3,650	13.2	482	12.1	442	1,516	812
3,675	13.2	485	12.1	446	1,519	815
3,700	13.2	488	12.1	449	1,522	818
3,725	13.2	491	12.1	452	1,525	822
3,750	13.2	494	12.1	455	1,529	825
3,775	13.2	497	12.1	459	1,532	828
3,800	13.2	500	12.2	462	1,535	831
3,825	13.2	503	12.2	465	1,538	835
3,850	13.1	506	12.2	468	1,541	838
3,875	13.1	509	12.2	472	1,544	841
3,900	13.1	512	12.2	475	1,547	844
3,925	13.1	515	12.2	478	1,550	848
3,950	13.1	518	12.2	481	1,553	851
3,975	13.1	521	12.2	485	1,556	854
4,000	13.1	524	12.2	488	1,559	857
4,025	13.1	527	12.2	491	1,562	861
4,050	13.1	530	12.2	494	1,565	864
4,075	13.1	533	12.2	498	1,568	867
4,100	13.1	536	12.2	501	1,571	870
4,125	13.1	539	12.2	504	1,574	874
4,150	13.1	542	12.2	508	1,577	877
4,175	13.1	545	12.2	511	1,580	880
4,200	13.0	548	12.2	514	1,582	884
4,225	13.0	551	12.2	517	1,585	887
4,250	13.0	554	12.3	521	1,588	890
4,275	13.0	557	12.3	524	1,591	893
4,300	13.0	560	12.3	527	1,594	897
4,325	13.0	563	12.3	531	1,597	900
4,350	13.0	566	12.3	534	1,600	903
4,375	13.0	569	12.3	537	1,603	907
4,400	13.0	572	12.3	540	1,606	910
4,425	13.0	575	12.3	544	1,609	913
4,450	13.0	578	12.3	547	1,612	917
4,475	13.0	581	12.3	550	1,615	920

Variable Bonus Income (monthly)

Father - January

- Cost is an increase in support paid or a decrease in support received by this spouse
- Bonus income may reverse direction of CS and/or SS
- R = recipient of support

Anticipated bonus for Mother: 0
Prior relationship(s): OFF

Additional Cost to Father						
Child Support			Spousal Support		Total CS	Total SS
Father's Bonus	% of bonus	\$	% of bonus	\$		(adjusted)
4,500	13.0	584	12.3	554	1,618	923
4,525	13.0	586	12.3	557	1,621	926
4,550	13.0	589	12.3	560	1,624	930
4,575	12.9	592	12.3	564	1,627	933
4,600	12.9	595	12.3	567	1,630	936
4,625	12.9	598	12.3	570	1,633	940
4,650	12.9	601	12.3	574	1,636	943
4,675	12.9	604	12.3	577	1,639	946
4,700	12.9	607	12.3	580	1,641	950
4,725	12.9	610	12.3	583	1,644	953
4,750	12.9	613	12.4	587	1,647	956
4,775	12.9	616	12.4	590	1,650	960
4,800	12.9	619	12.4	593	1,653	963
4,825	12.9	622	12.4	597	1,656	966
4,850	12.9	624	12.4	600	1,659	970
4,875	12.9	627	12.4	603	1,662	973
4,900	12.9	630	12.4	607	1,665	976
4,925	12.9	633	12.4	610	1,668	980
4,950	12.9	636	12.4	614	1,671	983
4,975	12.8	639	12.4	617	1,673	986
5,000	12.8	642	12.4	620	1,676	990
5,100	12.8	653	12.4	634	1,688	1,003
5,200	12.8	665	12.4	647	1,699	1,017
5,300	12.8	676	12.5	661	1,711	1,030
5,400	12.7	688	12.5	674	1,722	1,044
5,500	12.7	699	12.5	688	1,734	1,057
5,600	12.7	711	12.5	701	1,745	1,071
5,700	12.7	722	12.5	715	1,756	1,084
5,800	12.6	733	12.6	728	1,768	1,098
5,900	12.6	744	12.6	742	1,779	1,112
6,000	12.6	756	12.6	756	1,790	1,125
6,100	12.6	767	12.6	769	1,801	1,139
6,200	12.5	778	12.6	783	1,812	1,153
6,300	12.5	789	12.7	797	1,824	1,166
6,400	12.5	800	12.7	811	1,835	1,180
6,500	12.5	811	12.7	825	1,846	1,194
6,600	12.5	822	12.7	838	1,857	1,208
6,700	12.4	833	12.7	852	1,868	1,222
6,800	12.4	844	12.7	866	1,879	1,236
6,900	12.4	855	12.8	880	1,890	1,250
7,000	12.4	866	12.8	894	1,900	1,264
7,100	12.3	877	12.8	908	1,911	1,278
7,200	12.3	888	12.8	922	1,922	1,292
7,300	12.3	898	12.8	936	1,933	1,306
7,400	12.3	909	12.8	950	1,944	1,320

Variable Bonus Income (monthly)

Father - January

- Cost is an increase in support paid or a decrease in support received by this spouse
- Bonus income may reverse direction of CS and/or SS
- R = recipient of support

Anticipated bonus for Mother: 0
Prior relationship(s): OFF

Additional Cost to Father						
Child Support			Spousal Support		Total CS	Total SS
Father's Bonus	% of bonus	\$	% of bonus	\$		(adjusted)
7,500	12.3	920	12.9	964	1,954	1,334
7,600	12.2	931	12.9	978	1,965	1,348
7,700	12.2	941	12.9	992	1,976	1,362
7,800	12.2	952	12.9	1,007	1,987	1,376
7,900	12.2	963	12.9	1,021	1,997	1,390
8,000	12.2	974	12.9	1,034	2,009	1,404
8,100	12.2	986	12.9	1,048	2,020	1,417
8,200	12.2	997	12.9	1,062	2,032	1,431
8,300	12.2	1,009	13.0	1,075	2,043	1,445
8,400	12.1	1,020	13.0	1,089	2,054	1,459
8,500	12.1	1,031	13.0	1,103	2,066	1,473
8,600	12.1	1,043	13.0	1,117	2,077	1,487
8,700	12.1	1,054	13.0	1,131	2,088	1,501
8,800	12.1	1,065	13.0	1,145	2,100	1,515
8,900	12.1	1,076	13.0	1,159	2,111	1,528
9,000	11.8	1,066	12.7	1,146	2,100	1,515
9,100	11.8	1,077	12.7	1,160	2,111	1,529
9,200	11.8	1,088	12.8	1,174	2,122	1,543
9,300	11.8	1,099	12.8	1,188	2,134	1,557
9,400	11.8	1,110	12.8	1,202	2,145	1,571
9,500	11.8	1,122	12.8	1,216	2,156	1,585
9,600	11.8	1,133	12.8	1,230	2,167	1,599
9,700	11.8	1,144	12.8	1,244	2,178	1,613
9,800	11.8	1,155	12.8	1,258	2,189	1,627
9,900	11.8	1,166	12.8	1,272	2,201	1,641
10,000	11.8	1,177	12.9	1,286	2,212	1,656

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/02/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0000272

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: ESTELA ARZATE

and

RESPONDENT: ADORAL FAUSTO MEJIA
VICENTE

NATURE OF PROCEEDINGS: REVIEW OF REPORTS HEARING – CHILD
CUSTODY/VISITATION; RE FCS REPORT

RULING

Per the Court's 11/15/25 Findings and Order After Hearing, this matter is set for review hearing with respect to custody/visitation regarding the parties' children, Joseph (DOB 8/21/13) and Johnny (DOB 9/14/19).

Mother was interviewed by Family Court Services ("FCS") on 4/3/25. Father did not attend the appointment or make contact with FCS. However, the Court notes the file in this matter indicates the FCS letters to both parties sent via certified mail were returned to the Court on 4/14/25 and 4/16/24 as "unclaimed and unable to forward." Therefore, it is not clear that Father ever received notice of the FCS appointment.

The FCS Report & Recommendations were filed with the Court on 4/21/25. The parties have been using a 2-2-3 schedule for the boys. Mother reports that Joseph is visiting with her more regularly now, and she and Father are getting along better.

Having reviewed the history of the case and the FCS Report & Recommendations, the Court finds that it is in the best interests of the children to adopt the FCS Recommendations as modified below:

The current orders shall remain in effect with the following additions/modifications:

1. Both children shall continue to live with both parents on either a 2-2-5 or 2-2-3 schedule, as agreed upon.
2. Joseph and Mother shall participate in family therapy together.

If Father wishes to be heard by FCS, he should contact them at (415) 444-7090 to schedule an appointment. If he does so, the Court will put the matter back on calendar for receipt of an updated report from FCS.

SO ORDERED.

The Court will prepare the order per Rule 5.125, California Rules of Court.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at www.marin.courts.ca.gov

The Zoom appearance information is as follows:

*May 2025 at 09:00 AM
Join Zoom Meeting*

*<https://marin-courts-ca-gov.zoomgov.com/j/1601114119?pwd=p6bV9Ef8WHjm1j7jzyTrwjExIV0by4.1>
Meeting ID: 160 111 4119
Passcode: 636308*

If you are only able to appear by phone you may dial the phone number below, follow the prompts and enter the meeting ID and passcode.

*+1-669-254-5252 US (San Jose)
Meeting ID: 160 111 4119
Passcode: 636308*

If a party and/or counsel elects to appear over Zoom they must follow proper Zoom etiquette. This includes joining the call five minutes early, speaking only one at a time, avoiding disruptions, and wearing proper attire appropriate for a court environment. Parties must act and speak in a professional and respectful manner as though they are in an actual courtroom. If a party or counsel is unable to follow proper Zoom etiquette, the court may halt the hearing and order the parties to return in person.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/02/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0000637

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: BELLA FRANZI

and

RESPONDENT: PAOLO FRANZI

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD SUPPORT

RULING

This matter is set for review hearing on child support for the benefit of the parties' son, Renato (DOB 5/2/20) and for temporary spousal support. The Court's last Findings and Order After Hearing ("FOAH") on support issued 1/13/25 set guideline child support payable by Respondent/Father to Petitioner/Mother for different periods of time: 2/1/24 – 8/31/24, 9/1/24 – 11/30/24; commencing 12/1/24. Due to uncertainty regarding Father's actual 2024 income, the Court's support calculations for all of the referenced periods assumed his income to be \$20,000/month, but reserved jurisdiction to modify support once there was more complete information regarding Father's 2024 income. That information is now available, so retroactive modification is appropriate.

Petitioner/Mother filed an updated Income & Expense Declaration ("I&E") on 4/25/25, together with her Declaration re Child Support and Temporary Spousal Support, Support Calculations, and Declaration of Mother's forensic accountant, Alex Spaete, CPA-ABV, CITP.

Father filed his Review Hearing Statement on 4/28/25, together with an updated Income & Expense Declaration ("I&E"), Declaration of Father's forensic accountant, Lucy Chung, CPA, and Declaration of Jason Shane, Esq.

Mother's most current I&E indicates she was earning \$28/hour for an average of \$3,234/month, but as of March 31, 2025, she will be able to work 32 hours/week, which increases her earnings to \$3,883/month. (The Court notes that the paystubs attached to Mother's I&E are illegible.), Mother is also receiving \$2,271/month in spousal support, and indicates she has real property assets of \$500,000. She reports her monthly living expenses at \$6,177 and outstanding debts, including attorneys' fees and personal loans of \$73,981.

Fathers I&E states that he has self-employment earnings of \$15,329/month. He pays \$1,000/month in support for a child from a different relationship and \$1,450/month for health insurance. Father claims \$310,673 in cash and deposit accounts, \$75,000 in stocks and other

assets he could easily sell, and \$186,586 in real and personal property. His monthly living expenses are listed at \$15,287; however, he has no outstanding debts.

With regard to father's 2024 income, on behalf of Mother, Alex Spaete proposes using a 5-year average, which would include the 2022 extraordinary income of \$664,313 - \$280,000 higher than the next highest year, which was 2021 at \$358,304. On the other hand, Ms. Chung proposes using a weighted average over 5 years, with no weight given to her calculated income for 2020 to 2022 but equal weight given to her net income numbers for 2023 and 2024, with 2023 being the lowest income of only \$91,130 - approximately 3 times less than 2024 income.

Since we now have more definitive income figures for 2024, the Court is not persuaded there is any reason to use averages. Mr. Spaete reports, after discretionary add-backs are included, Father's 2024 income available for support is \$298,376. Ms. Chung reports, after discretionary add-backs are included, Father's 2024 income available for support is \$276,766. The Court finds Mr. Spaete's list of add-backs is more comprehensive; therefore, the Court finds Father's 2024 net income for purposes of support is \$298,376, or \$24,865/month.

While Mother argues that Father's "prudent reserve" of 9 months of operating expenses is solely an attempt to reduce his support obligations, Mother has produced no evidence substantiating that a 9-month reserve of operating expenses for a construction business such as Father's is either unusual or excessive.

Moreover, the Court previously found that Father's timeshare with Renato is 35%; the Court finds that has no changed¹.

After reviewing and considering all of the submissions by the parties, the Court, using 2024 monthly income, retroactively modifies child and spousal support based on the support calculations attached to the Court's 1/31/25 FOAH as Exhibits "A" (for the period from 4/1/24 through 8/31/24) "B" (for the period from 9/1/24 – 11/30/24) and "C" (for the period commencing 12/1/24-3/31/25), with all other assumptions in each of those calculations to remain unchanged. The Court has also added an Exhibit "D," which sets support for the period commencing April 1, 2024. The previous calculations are replaced with the following.

1. **2/1/24-8/31/24.** Attached hereto as Exhibit "A" is an Xspouse report adjusted to the pre-9/1/24 legislative changes to support calculations. With Father's increased income, monthly guideline child support payable from Father to Mother is \$2,030, and temporary spousal support is \$3,469, for a total of \$5,499/month.
 - a. For this period of time, Father had been paying \$1,692/month in child support and \$2,590/month in spousal support, for a total of \$4,282. Father owes Mother \$1,211/month for 7 months, for a total of \$8,477.

¹ Mother's calculation of 111 days fails to include the ½ days on each of the Fridays on Father's three weekends/month, and a ½ day for each of the four 5th weekends of the year, which together add an additional 20 days/year.

2. **9/1/24-11/30/14.** Attached hereto s Exhibit “B” is an Xspouse report which incorporates the 9/1/24 legislative changes to support calculations. With Father’s increased income, monthly guideline child support payable from Father to Mother is \$2,337, and temporary spousal support is \$3,352, for a total of \$5,688/month.
 - a. For this period of time, Father had been paying \$1,994/month in child support and \$2,442/month in spousal support, for a total of \$4,436/month. Father owes Mother \$1,252/month for 3 months, for a total of \$3,756.
3. **12/1/24 – 3/31/24.** Attached hereto as Exhibit “C” is an Xspouse report for this period. With Father’s increased income, monthly guideline child support payable from Father to Mother is \$2,259/month, and temporary spousal support is \$3,189, for a total of \$5,448/month.
 - a. For this period of time, Father had been paying \$1,892/month in child support and \$2,267/month in spousal support, for a total of \$4,159/month. Father owes Mother \$1,289/month for 5 months, for a total of \$6,445.
 - a. **4/1/25 – forward.** Attached hereto as Exhibit “D” is an Xspouse report effective 4/1/25. Father’s income shall continue to be set at \$24,865/month; Mother’s income is increased to \$3,883/month. Monthly guideline child support payable from Father to Mother is \$2,106, and temporary spousal support is \$2,852, for a total of \$4,958/month. For the month of April, Father owes Mother the difference between the \$4,958 and the \$4,159 he paid, which is \$799.
4. The total amount owing to Mother for retroactive modification of support from 2/1/24 – 4/30/25 is \$17,462. Said sum shall be paid to Mother no later than May 15, 2025.
5. Hereafter, to the extent Father’s earnings exceed \$24,865/month, he shall pay bonus child support and spousal support per the Xspouse variable bonus report (to be run and provided with the Court’s final order).
 - a. Bonus support shall be trued up each year as agreed by the parties.
6. Spousal support shall continue until Mother remarries, either party dies, or further order of the Court.
7. Spousal support is neither taxable to the recipient nor deductible by the payor.
8. Child support shall continue until (1) the child reaches the age of 18, or if still a full-time student in high school at age 18, until the child reaches age 19 or graduates from high school, whichever first occurs; (2) the child dies; or (3) the child is emancipated. The amount of child support is modifiable if there is a material change of circumstances for either party.
9. In addition, the parties shall share, per Family Code §§ 4061(b) and 4062, in proportion to their adjusted net incomes (with Father paying 80% and Mother paying

20%) of all reasonable uninsured medical expenses and dental expenses incurred on behalf of their child, and childcare costs related to either party's employment or reasonably necessary education or training for employment skills. The parties are ordered to comply with the provisions of Family Code § 4063 in seeking reimbursement for uninsured medical and dental expenses, and a copy of the NOTICE OF RIGHTS AND RESPONSIBILITIES – Health-Care Costs and Reimbursement Procedures is attached to the Order After Hearing.

SO ORDERED.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

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2024

Xspouse 2025-1-CA

Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow		
			2024		Guideline Proposed		
Number of children	0	1			Combined net spendable	16740	16740
Percent time with NCP	35.00%	0.00%			Percent change	0%	0%
Filing status	SINGLE HH/MLA		GUIDELINE				
Number of exemptions	1	2	Nets (adjusted)		Father		
Wages and salary	0	0	Father	14979	Payment cost/benefit	-5176	-5176
Self employed income	24865	1314	Mother	1761	Net spendable income	9480	9480
Other taxable income	0	0	Total	16740	Change from guideline	0	0
TANF CS received	0	0	Support		% of combined spendable	57%	57%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	2030	Total taxes	7065	7065
Employee 401-k contribution	0	0	Marin SS	3469	Dep. exemption value	0	0
Adjustments to income	0	0	Total	5499	# withholding allowances	0	0
SS paid prev marriage	0	0			Net wage paycheck	0	0
CS paid prev marriage	1000	0			Mother		
Health insurance	1821	0	Settings changed		Payment cost/benefit	5499	5499
Other medical expenses	0	0	Proposed		Net spendable income	7260	7260
Property tax expenses	1548	0	Tactic 9		Change from guideline	0	0
Ded interest expense	3724	0	CS	2030	% of combined spendable	43%	43%
Contribution deduction	0	0	SS	3469	% of saving over guideline	0%	0%
Misc tax deductions	0	0	Total	5499	Total taxes	-447	-447
Qualified business income deduction	0	0	Saving	0	Dep. exemption value	0	0
Required union dues	0	0	Releases	0	# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	0	0
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		35 - 65	0	0	0 Father	2,030 Father	2,030 Father
Renato	2020-05-02	35 - 65	0	0	0 Father	2,030 Father	2,030 Father

Superior Court of California
County of Marin

Exhibit "A"

New Case

Franzi v Franzi FL0000637

9/1/24 - 11/30/24

2024

Xspouse 2025-1-CA

Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow	
Number of children	0	1	2024		Guideline	Proposed
Percent time with NCP	35.00%	0.00%	GUIDELINE		16633	16633
Filing status	SINGLE HH/MLA		Nets (adjusted)		Percent change	0%
Number of exemptions	1	2	Support		0%	0%
Wages and salary	0	0	Father	14968	Father	
Self employed income	24865	1314	Mother	1664	Payment cost/benefit	-5377
Other taxable income	0	0	Total	16632	Net spendable income	9280
TANF CS received	0	0	Support		Change from guideline	0
Other nontaxable income	0	0	Addons	0	% of combined spendable	56%
New spouse income	0	0	Guideln CS	2337	% of saving over guideline	0%
Employee 401-k contribution	0	0	Marin SS	3352	Total taxes	7076
Adjustments to income	0	0	Total	5688	Dep. exemption value	0
SS paid prev marriage	0	0	Proposed		# withholding allowances	0
CS paid prev marriage	1000	0	Tactic 9		Net wage paycheck	0
Health insurance	1821	0	CS	2337	Mother	
Other medical expenses	0	0	SS	3352	Payment cost/benefit	5688
Property tax expenses	1548	0	Total	5688	Net spendable income	7353
Ded interest expense	3724	0	Saving	0	Change from guideline	0
Contribution deduction	0	0	Releases	0	% of combined spendable	44%
Misc tax deductions	0	0	-		% of saving over guideline	0%
Qualified business income deduction	0	0	Proposed		Total taxes	-350
Required union dues	0	0	Tactic 9		Dep. exemption value	0
Mandatory retirement	0	0	-		# withholding allowances	0
Hardship deduction	0	0	Proposed		Net wage paycheck	0
Other GDL deductions	0	0	Tactic 9			
Child care expenses	0	0	-			

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		35 - 65	0	0	0 Father	2,337 Father	2,337 Father
	0000-00-00	35 - 65	0	0	0 Father	2,337 Father	2,337 Father

Superior Court of California
County of Marin

Exhibit "B"

2025

FL0000637

Xspouse 2025-1-CA

Monthly Figures

12/1/24 - 3/31/25

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow		
Number of children	0	1	2025			Guideline	Proposed
Percent time with NCP	35.00%	0.00%			Combined net spendable	17553	17553
Filing status	SINGLE HH/MLA		GUIDELINE		Percent change	0%	0%
Number of exemptions	1	2	Nets (adjusted)		Father		
Wages and salary	0	2074	Father	15169	Payment cost/benefit	-5152	-5152
Self employed income	24865	0	Mother	2384	Net spendable income	9721	9721
Other taxable income	0	0	Total	17553	Change from guideline	0	0
TANF CS received	0	0	Support		% of combined spendable	55%	55%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	2259	Total taxes	7246	7246
Employee 401-k contribution	0	0	Marin SS	3189	Dep. exemption value	0	0
Adjustments to income	0	0	Total	5448	# withholding allowances	0	0
SS paid prev marriage	0	0	-		Net wage paycheck	0	0
CS paid prev marriage	1000	0	Proposed		Mother		
Health insurance	1450	0	Tactic 9		Payment cost/benefit	5442	5442
Other medical expenses	0	0	CS	2259	Net spendable income	7832	7832
Property tax expenses	1548	0	SS	3189	Change from guideline	0	0
Ded interest expense	3724	0	Total	5448	% of combined spendable	45%	45%
Contribution deduction	0	0	Saving	0	% of saving over guideline	0%	0%
Misc tax deductions	0	0	Releases	0	Total taxes	-310	-310
Qualified business income deduction	0	0			Dep. exemption value	0	0
Required union dues	0	0			# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	1799	1799
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		35 - 65	0	0	0 Father	2,259 Father	2,259 Father
	0000-00-00	35 - 65	0	0	0 Father	2,259 Father	2,259 Father

Superior Court of California
County of Marin

Exhibit "C"

Xspouse 2025-1-CA

Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow		
Number of children	0	1	2025			Guideline	Proposed
Percent time with NCP	35.00%	0.00%			Combined net spendable	18614	18614
Filing status	SINGLE HH/MLA		GUIDELINE		Percent change	0%	0%
Number of exemptions	1	2	Nets (adjusted)		Father		
Wages and salary	0	3883	Father	15138	Payment cost/benefit	-4693	-4693
Self employed income	24865	0	Mother	3477	Net spendable income	10179	10179
Other taxable income	0	0	Total	18615	Change from guideline	0	0
TANF CS received	0	0	Support		% of combined spendable	55%	55%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	2106	Total taxes	7277	7277
Employee 401-k contribution	0	0	Marin SS	2852	Dep. exemption value	0	0
Adjustments to income	0	0	Total	4959	# withholding allowances	0	0
SS paid prev marriage	0	0	Proposed		Net wage paycheck	0	0
CS paid prev marriage	1000	0	Tactic 9		Mother		
Health insurance	1450	0	CS	2106	Payment cost/benefit	4891	4891
Other medical expenses	0	0	SS	2852	Net spendable income	8435	8435
Property tax expenses	1548	0	Total	4959	Change from guideline	0	0
Ded interest expense	3724	0	Saving	0	% of combined spendable	45%	45%
Contribution deduction	0	0	Releases	0	% of saving over guideline	0%	0%
Misc tax deductions	0	0			Total taxes	406	406
Qualified business income deduction	0	0			Dep. exemption value	0	0
Required union dues	0	0			# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	3195	3195
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		35 - 65	0	0	0 Father	2,106 Father	2,106 Father
	0000-00-00	35 - 65	0	0	0 Father	2,106 Father	2,106 Father

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/02/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001156

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: RICHARD F.
MUNZINGER

and

RESPONDENT: KEABNESH MUNZINGER

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – OTHER: SALE OF REAL
PROPERTY

RULING

This matter is set for hearing on Petitioner/Father's 3/27/25 Request for Order ("RFO") re sale of the marital residence at 467 Cedar Hill Drive, San Rafael, CA. Despite his efforts, Father has been unable to secure a Home Equity Line of Credit ("HELOC") and is facing a potential IRS seizure of property due to a significant outstanding tax bill. Father has no means to pay the outstanding debts, except through sale of the marital residence.

Respondent/Mother filed a Responsive Declaration on 4/21/2025. She opposes sale of the home and suggests it is premature and other options should be considered.

The Court finds Mother's position to be both unrealistic and unreasonable, particularly since she appears to be making no financial contribution to the family's expenses. The Court finds nothing coercive about Father's requests. While it certainly would have been preferable for Father to secure a HELOC against the residence, that is something over which he has limited control, and is no longer an option. Moreover, Mother has no ability to buy out Father's interest in the property. What Father earned in 2023 has little relevance to this issue.

For the foregoing reasons, the Court orders as follows:

1. Mother shall have until May 31, 2025 to vacate the 467 Cedar Hill Drive property in San Rafael, CA, after which the home shall be repaired, cleaned and listed for sale.
2. Once Mother vacates the home, Father shall have equal access to the property until it is sold.
3. Father shall pay Mother's moving costs, without waiving any reimbursement rights he may have.

4. If Mother agrees, the parties shall use Alex Clark listing agent for the sale. If Mother does not agree, no later than May 15, 2025, she shall provide to the Court the names of up to 2 real estate agents with whom she would like to work and who are available to take the listing, and the Court shall designate the realtor to be used.
5. If the parties cannot agree on necessary repairs and/or sales price, they shall defer to the recommendations of the listing agent.
6. The parties shall meet and confer with regard to any offers made for purchase of the property. If they cannot agree, the issue may be submitted to the Court for resolution.

SO ORDERED.

Counsel for Mother shall prepare the order.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at www.marin.courts.ca.gov

The Zoom appearance information is as follows:

*May 2025 at 09:00 AM
Join Zoom Meeting*

*<https://marin-courts-ca-gov.zoomgov.com/j/1601114119?pwd=p6bV9Ef8WHjm1j7jzyTrwjExIV0by4.1>
Meeting ID: 160 111 4119
Passcode: 636308*

If you are only able to appear by phone you may dial the phone number below, follow the prompts and enter the meeting ID and passcode.

+1-669-254-5252 US (San Jose)

Meeting ID: 160 111 4119

Passcode: 636308

If a party and/or counsel elects to appear over Zoom they must follow proper Zoom etiquette. This includes joining the call five minutes early, speaking only one at a time, avoiding disruptions, and wearing proper attire appropriate for a court environment. Parties must act and speak in a professional and respectful manner as though they are in an actual courtroom. If a party or counsel is unable to follow proper Zoom etiquette, the court may halt the hearing and order the parties to return in person.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/02/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001215

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: ALYSSA R. COYNE

and

RESPONDENT: EDMUND J. COYNE

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – CHILD SUPPORT
2) REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

This matter is set for review hearing on (1) custody/visitation with respect to the parties' son, River (DOB 8/29/22) and (2) hearing on Petitioner/Mother's 3/20/25 Request for Order("RFO") for guideline child support for the benefit of River. Together with her RFO, Mother filed an Income and Expense Declaration ("I&E") and a Declaration regarding support calculations. Mother filed a Reply Declaration on 4/25/25. Respondent/Father filed a Responsive Declaration on 4/21/25, with an I&E and Support Calculations.

Custody/Visitation

On 3/28/25, Father filed a Status Update Statement regarding custody and visitation. He reports that he is doing well, having completed another 30 day in-patient program at Align Recovery Center in Sonoma. As of 3/28/25, he had been sober for 50 days, was attending SMART recovery, in-person AA meetings, and has an AA sponsor. Father has continued with Soberlink testing and with supervised visits with River. Having reviewed the Supervisor reports, the Court agrees with Father that his visits with River appear to be going well.

Mother is less positive about Father's progress with his substance abuse issues and raises concerns about his failure to participate in River's parent/teacher conference, missed calls and visits with River, his failure to provide clothing, diapers, drinks and/or snacks for his visits with River, etc.

Spousal and Child Support

Mother requests an order for guideline child support, and that Father pay his proportionate share of add-on expenses. Mother has been unemployed since 10/2024, but with assistance from her parents, is able to cover her household expenses. She is receiving unemployment insurance of \$1,900/month. Her average monthly income from dividends/interest is \$2,054, and she receives assistance from her family, including \$2,000 month for her expenses, as well as money for

River's childcare. Mother states that the money from her parents is a stopgap measure and could stop at any time. She believes Father can more than afford to pay child support and his share of childcare expenses and has ready access to money. Mother's Income and Expense Declaration ("I&E") states she has \$10,200 in deposit accounts, \$1.1 million in stocks, bonds and other assets she could easily sell, and \$1,570,900 in real property. She claims \$12,463 in monthly expenses, less \$3,725 paid by her parents, for total monthly expenses of \$8,738.

Father states that he continues to receive \$7,000/month as an advance on profits from the family real estate investment/property management business. Per his I&E, he also receives dividend/interest income of \$874/month. Father claims monthly expenses of \$11,832 and installment payments and debts totaling \$39,218. He calculates guideline child support at \$1,837/month. He asks the Court to consider deviating from guideline based on the fact that Mother's parents are contributing \$3,725/month toward her monthly expenses, she does not have a mortgage or rent expenses, and Father is paying \$1,350/week for supervised visitation.

While Mother claims Father has significant access to funds beyond \$7,000/month, the Court cannot simply rely upon that representation. Neither party has provided all of the financial documentation and information required by Marin County Local Family Court Rules 7.13 for support.

Based on the information provided, the Court has prepared an Xspouse calculation, attached hereto as Exhibit "A" based on the following assumptions, most of which are reflected in both parties' proposed support calculations. Father's timeshare with River is currently 1%. Mother shall file taxes as Head of Household with 2 exemptions, and Father shall file as Single. Father receives \$7000/month in nontaxable income and \$874/month in dividends. Mother receives \$1950/month in unemployment compensation and \$2,054/month in dividends and has a monthly property tax deduction of \$660/month. Based on these assumptions, guideline child support payable from Father to Mother is \$1,777/month. In consideration of Father's need to pay for supervised visitation, and the importance of River's having continuing and frequent contact with Father, for the Court will order that add-on expenses be shared equally by the parties. The Court reserves the right to adjust the apportionment in the future.

Therefore, the Court orders as follows:

1. Effective 3/20/25, Father shall pay to Mother, as and for guideline child support for the benefit of River, the sum of \$1,777/month, payable on or before the first day of each month.
2. Child support shall continue until (1) each child reaches the age of 18, or if still a full-time student in high school at age 18, until the child reaches age 19 or graduates from high school, whichever first occurs; (2) the child dies; or (3) the child is emancipated. The amount of child support is modifiable if there is a material change of circumstances for either party.
3. In addition, the parties shall share equally all reasonable uninsured medical expenses and dental expenses incurred on behalf of their child, and childcare costs related to either party's employment or reasonably necessary education or training for

employment skills. The parties are ordered to comply with the provisions of Family Code § 4063 in seeking reimbursement for uninsured medical and dental expenses, and a copy of the NOTICE OF RIGHTS AND RESPONSIBILITIES – Health-Care Costs and Reimbursement Procedures is attached to the Order After Hearing. These provisions shall apply to reimbursement for childcare expenses, as well.

SO ORDERED.

Counsel for Mother to prepare the order.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at www.marin.courts.ca.gov

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*May 2025 at 09:00 AM
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Meeting ID: 160 111 4119
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Meeting ID: 160 111 4119

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New Case

Coyne v. Coyne FL 0001215

Effective 3/20/2025

2025

Xspouse 2025-1-CA

Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow		
Number of children	0	1	2025			Guideline	Proposed
Percent time with NCP	1.00%	0.00%			Combined net spendable	11818	11818
Filing status	SINGLE HH/MLA		GUIDELINE		Percent change	0%	0%
Number of exemptions	1	2	Nets (adjusted)		Father		
Wages and salary	0	0	Father	7874	Payment cost/benefit	-1777	-1777
Self employed income	0	0	Mother	3944	Net spendable income	6097	6097
Other taxable income	874	4004	Total	11818	Change from guideline	0	0
TANF CS received	0	0	Support		% of combined spendable	52%	52%
Other nontaxable income	7000	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	1777	Total taxes	0	0
Employee 401-k contribution	0	0	Marin SS	0	Dep. exemption value	0	0
Adjustments to income	0	0	Total	1777	# withholding allowances	0	0
SS paid prev marriage	0	0	-		Net wage paycheck	0	0
CS paid prev marriage	0	0	Settings changed		Mother		
Health insurance	0	0	Proposed		Payment cost/benefit	1777	1777
Other medical expenses	0	0	Tactic 9		Net spendable income	5720	5720
Property tax expenses	0	660	CS	1777	Change from guideline	0	0
Ded interest expense	0	0	SS	0	% of combined spendable	48%	48%
Contribution deduction	0	0	Total	1777	% of saving over guideline	0%	0%
Misc tax deductions	0	0	Saving	0	Total taxes	60	60
Qualified business income deduction	0	0	Releases	0	Dep. exemption value	0	0
Required union dues	0	0			# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	0	0
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Proposed CS

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		1 - 99	0	0	0 Father	1,777 Father	1,777 Father
	0000-00-00	1 - 99	0	0	0 Father	1,777 Father	1,777 Father

Superior Court of California
County of Marin

"Exhibit A"

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 05/02/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001366

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: CESAR AUGUSTO CHON
MEJIA

and

RESPONDENT: NEYVA MARIZA ORTIZ
MEJIA

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD
CUSTODY/VISITATION; OTHER: ADJUDICATE PARENTAGE

RULING

This matter is set for hearing on Respondent/Mother 3/26/25 Request for Order (“RFO”) re: (1) child custody/ visitation regarding the parties’ daughter, Kimberly (DOB 4/30/2021); and (2) adjudication of parentage.

Mother requests full custody of Kimberly, stating she has always been solely responsible for Kimberly, and wishes to continue to do so. She doesn’t want Petitioner/Father involved in Kimberly’s life. She references a serious incident with allegations of sexual abuse regarding Mother’s older daughter and sister, both of whom were minors. Mother confirmed that Kimberly loves Father and would like to visit with him more frequently.

The matter was referred to Family Court Services (“FCS”). Father did not file a Responsive Declaration; however, the Court notes that the FCS letter to Father advising him of the FCS appointment was returned to the Court on 4/22/25 “not delivered as addressed; unable to forward,” so it is not clear that Father ever received notice of the FCS appointment. The Court further notes that the Father appears to have misspelled the word “Tarra” in the street address he provided to the Court on the Petition for Parentage. The correct spelling is Tara (one r, not two) 2853 Tarra Hills Drive, San Pablo CA 91806. Nor is it clear that Mother’s RFO was received by Father.

Mother was interviewed by FCS, and FCS filed its Report & Recommendation on 4/18/25. After reviewing and considering all of the information provided, the Court finds that it is in the best interests of Kimberly to adopt the FCS Recommendations, as modified below, and orders as follows:

1. Mother shall have sole legal and physical custody of Kimberly.
2. Father shall only have professionally supervised visits with Kimberly. Until further court order, Father's visits shall be limited to once a month for a period of one hour per visit. If Father wishes to visit with Kimberly, he shall provide sufficient notice to Mother so that a professional supervisor can be secured for the visit.
3. Mother shall not circumvent court orders for Father to have professionally supervised visits with Kimberly by allowing him to have unsupervised contact with Kimberly. Violations of this order shall result in a child abuse referral to Marin County CFS for failure to protect/general neglect on the part of Mother.
4. Mother shall either take a class or shall participate in counseling/therapy to learn about the impact of sexual abuse on children and to educate herself on how to protect children in her care from sexual abuse.

Adjudication of Parentage

Petitioner/Father filed a Petition to Determine Parental Relationship on 10/16/24. On 3/12/25, Respondent/Mother filed a Response to Petition to Determine Parental Relationship affirming that Petitioner/Father is Kimberly's parent, and she is Kimberly's mother. The Court will prepare a Judgment of Parentage.

SO ORDERED.

The Court will prepare the order per Rule 5.125, CA Rules of Court.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

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