

**List of Citations for Presentation:
CASE LAW & LEGISLATIVE UPDATE**

CASE LAW UPDATE

Child Support

1. ***In re Marriage of Cady and Gamick (2024) 105 Cal.App.5th 379***
(Adult child support)
2. ***In re Marriage of Saraye (2024) 106 Cal.App.5th 348***
(Termination of wage assignment and application of laches and Family Code section 3653(d) on claim for overpaid support.)
3. ***Mercado v. Superior Court of Orange County (2024) 106 Cal.App 5th 1143***
(Vocational evaluations under Family Code section 4058)
4. ***Pateras v. Armenta (Feb. 27, 2025, B336065), opn. ordered nonpub. May, 28, 2025, S290364.***
(Payments received from Indian tribe's general welfare program income for calculating child support.)

Parentage

1. ***C.C. v. L.B. (2024) 106 Cal. App.5th 1323***
(Standing to bring parentage action after donor agreement and adoption.)
2. ***Mamer v. Weingarten (2025) 108 Cal. App.5th 169***
(Reimbursement of IVF costs under Family Code section 7637.)
3. ***Miles v. Gerstein (2025) 110 Cal.App.5th 88***
(Enforceability of oral surrogacy agreement.)

Spousal Support

1. ***In re Marriage of Freeman (2025) 110 Cal.App.5th 406***
(Family court's discretion in fashioning spousal support orders and the acceptable use of a computer program to assist in the determination of permanent spousal support.)

Other Cases of Interest:

1. ***People v. Lozano* (2024) 101 Cal. App.5th 366**
(Discusses spontaneous statement exception to hearsay.)
2. ***Bailey v Murray* (2024) 102 Cal.App.5th 677**
(Trial court eliciting testimony.)
3. ***Cardona v. Soto* (2024) 105 Cal.App.5th 141**
(In camera testimony of child as percipient witness.)
4. ***In re Marriage of McIntyre & Shayan* (2024) 106 Cal.App.5th 76**
(Judgment for attorneys' fees enforceable until paid in full – renewal not required.)
5. ***In re Marriage of Diamond* (2024) 106 Cal.App.5th 550**
(Defines lack of mental capacity for motion to set aside under Family Code section 2122.)
6. ***In re Marriage of Goldman* (2025) 107 Cal.App.5th 1258**
(Laches applies to nonsupport portion of judgment.)

LEGISLATIVE UPDATE

2025 Chaptered and Pending Legislation:

[AB 515](#) (Pacheco) Trial: statement of decision.

Summary: Requires a request for a statement of decision in all trials by court to be made in writing, or orally if there is an official record of the proceeding being transcribed, before the matter is submitted for decision. Authorizes the court, if a statement of decision is not timely requested, to announce its ruling on all relief sought without a statement of decision. or to issue a written statement of decision without a request from a party. Authorizes the court to order a party or parties to prepare a draft statement of decision and permits a party to make objections to a statement of decision, as specified. Timeframes for each stage of the process are set forth and can be extended by the court in all cases. For cases under the Family Code the court may shorten the time frame with a written order and statement of good cause. Requires the Judicial Council to adopt or amend all rules of court necessary to implement these provisions, and to prepare a form that a party may use to request a statement of decision and an accompanying information sheet.

Status: Senate Floor

AB 1134 (Bains) Coerced marriage.

Summary: Beginning January 1, 2027, the bill will allow a court to grant permission for annulment petitions filed beyond the current statutory limit if the party's consent was obtained by force and the court finds good cause to grant the nullity. Additionally amends the existing coerced marriage statute to make it gender neutral and specifies that it applies regardless of the age of the victim of a forced marriage.

Status: Senate Floor

AB 1297 (Stefani) Automatic temporary restraining orders.

Summary: Starting January 1, 2027, adds to the temporary restraining order entered in a proceeding for nullification or dissolution of a marriage, or legal separation, a prohibition on allowing insurance coverage to lapse for nonpayment of premiums or failure to renew, when the policy is for the benefit of parties to the marriage or minor children for whom support may be ordered.

Status: CHAPTERED, Ch. 48.

AB 1363 (Stefani) Protective orders: Wyland's Law.

Summary: Authorizes, subject to an appropriation by the Legislature, the Department of Justice to establish, or contract with a vendor to establish, an automated protected person information and notification system to provide a petitioner or a protected person in a protective order case with automated access to information about their case, as specified. Provides that a record demonstrating whether the superior court has fulfilled its transmission obligations or a record demonstrating receipt of information about a protective order that the department is required to maintain to be open to public inspection and copying.

Status: Senate Floor

AB 1375 (Hoover) Consideration when determining child custody: human trafficking.

Summary: Requires the court, when making a determination of the best interests of a child in a child custody matter to consider any relevant, admissible evidence that a parent has caused human trafficking of the child or other parent.

Status: Enrolled

AB 1521 (Committee on Judiciary) Committee on Judiciary: judiciary omnibus.

Summary: Among other provisions, requires representatives of a decedent's estate to notify the Director of the Department of Child Support Services if the general personal representative or estate attorney knows or has reason to believe the decedent had a child support obligation under an order issued by a court of competent jurisdiction. The local child support agency providing services may assert a claim no later than four months after receiving notice. This provision only applies to estates for which letters are issued on and after January 1, 2026.

Status: Senate Floor

SB 85 (Umberg) Civil actions: service of summons.

Summary: Authorizes a court, upon motion, to direct service of the summons by electronic means, if such service is reasonably calculated to give actual notice. The bill would require a plaintiff seeking to establish reasonable diligence under this section to set forth facts that detail, as specified, the attempts to effect service pursuant to the methods prescribed by statute. Provides that these provisions do not apply to actions against public entities or agents or employees of public entities sued in their official capacity.

Status: Senate Floor