

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address)

TERENCE M. CHUCAS (SBN 74255)
1762 Columbia Street
San Diego, CA 92101

TELEPHONE NO.: 619 234-2266

FAX NO. (optional): 619 234-2645

ATTORNEY FOR (Name): Minor

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS:

MAILING ADDRESS:

1555 Sixth

CITY AND ZIP CODE:

San Diego, CA 92101

BRANCH NAME:

PETITIONER/PLAINTIFF:

MICHELE LALLY

RESPONDENT/DEFENDANT:

CLIFFORD ROEPKE

OTHER:

FILED
Clerk of the Superior Court

APR 27 2010

By: W Deputy

FINDINGS AND ORDER AFTER HEARING

CASE NUMBER:

D 472021

1. This proceeding was heard

on (date): 7-13-09

at (time): 4:00 PM

in Dept.: F1

Room:

by Judge (name): FOSTER

☐ Temporary Judge☒ Petitioner/plaintiff present☒ Respondent/defendant present☐ Other present☒ Attorney present (name): MICHAEL F. ARMSTRONG☐ Attorney present (name):☐ Attorney present (name): TERENCE M. CHUCAS
by (name): for minor

On the order to show cause or motion filed (date):

2. THE COURT ORDERS

3. Custody and visitation:

☒ As attached on form FL-341☐ Not applicable

4. Child support:

☐ As attached on form FL-342☒ Not applicable

5. Spousal or family support:

☐ As attached on form FL-343☒ Not applicable

6. Property orders:

☐ As attached on form FL-344☒ Not applicable

7. Other orders:

☒ As attached☐ Not applicable8. ☐ Attorney fees (specify amount): \$

Payable to (name and address):

Payable ☐ forthwith ☐ other (specify):

9. All other issues are reserved until further order of court.

Date: APR 27 2010

Approved as conforming to court order.

LORNA ALKSNE

JUDICIAL OFFICER

SIGNED PURSUANT TO SECTION 635, C.C.P.
BY THE SUPERVISING JUDGE, FAMILY LAW

SIGNATURE OF ATTORNEY FOR



PETITIONER/PLAINTIFF



RESPONDENT/DEFENDANT

The Court makes the following findings and orders:

Findings Pursuant to Family Code Section 3044:

1. California is the home state for Oliver Lally-Roepke ("Oliver") (DOB 6/30/95).
2. The parties were present in Court on July 13, 2009 and participated in the hearing.
3. The parties were advised that violation of the Court's orders may be punished by civil and/or criminal penalties
4. The USA is the country of habitual residence for Oliver.

Orders:

5. The father shall have sole legal custody as to mental health issues and/or treatment for Oliver. The parties shall have joint legal custody for other issues pertaining to the health, education, and welfare of Oliver. The parties are ordered to meet and confer as to what school Oliver shall attend for school year 2009/2010. If the parties cannot agree on Oliver's school for school year 2009/2010, the matter shall be brought back to the Court. The Court puts both parties on notice that if they cannot agree on Oliver's school, the Court will consider granting sole legal custody as to educational issues to one parent.
6. The existing sharing orders for school and non-school time shall continue to be the operative orders. These orders call for Oliver to spend one-half of school time and one-half of non-school time with each party.
7. The Court finds that the mother needs mental health counseling to deal with her perception of Oliver's relationship with the father. The Court further finds that the mother must learn to understand the importance of Oliver's relationship with the father and that the mother

must learn to be supportive of Oliver's relationship with the father. The mother is ordered into individual therapy with a licensed mental health professional for a period of one year. The mother shall attend therapy with the licensed mental health professional at least one time per month for 12 months. The mother's therapist shall be provided with a copy of minor's counsel's reports.

*NOTE

8. Oliver and the father shall enter into a program of conjoint therapy with Dr. Breffni Barrett. *(on consent of Minor's Counsel, changed to Chris Miller)* Dr. Barrett shall be supplied with a copy of minor's counsel's reports and will also be provided with Dr. Chris Miller's telephone number. The father shall sign any releases necessary to enable Dr. Barrett and Dr. Miller to speak to each other. The father may resume individual therapy for Oliver with Dr. Chris Miller if the father believes that it will be helpful for Oliver.

9. Minor's counsel shall prepare the Findings and Order After Hearing and submit it to Mr. Armstrong for his approval. The father shall be provided with a conformed copy of the order. Upon the filing of the order, minor's counsel shall be relieved.

10. Minor's counsel shall prepare an additional Findings and Order After Hearing from the hearing on July 13, 2009 directing Heritage Escrow to release from escrow the sum of \$5,587.50 to minor's counsel. This additional order shall be submitted directly to the Court. The payment of the aforementioned \$5,587.50 shall pay in full all monies owing by the father to minor's counsel. The Court earlier approved that Heritage Escrow shall release from escrow the sum of \$1,962.50. The payment of \$1,962.50 from escrow shall pay all sums owing by the mother to minor's counsel. The Court shall reserve jurisdiction to reallocate the monies paid by the mother and the father to minor's counsel. The previous order provided that the father was to

pay three-quarters of minor's counsel's fees and the mother was to pay one-quarter of minor's counsel's fees.