

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIFTH APPELLATE DISTRICT

ELIZABETH A. CODONI,

Plaintiff and Respondent,

v.

ROBERT R. CODONI,

Defendant and Respondent;

COUNTY OF STANISLAUS,

Appellant.

F038692

(Super. Ct. No. 115321)

**MODIFICATION OF OPINION UPON  
DENIAL OF REHEARING  
[NO CHANGE IN JUDGMENT]**

**DENIAL OF REQUEST TO  
DEPUBLISH OPINION**

THE COURT:

It is ordered that the opinion filed herein on October 25, 2002 (\_\_\_ Cal.App.4th \_\_\_), is modified in the following respects:

1. On page 4, footnote 3 of the typewritten opinion, add the following as an additional paragraph within the footnote:

In its petition for rehearing, appellant attempts to distinguish *Ferguson, supra*, 94 Cal.App.3d 549, on the basis that subsequent to that opinion the Judicial Council promulgated mandatory forms for use in support enforcement proceedings and the applicable form (Judicial Council

rule 1285.60) does not permit “[a]dditional language . . . because of the dissatisfaction of an individual court or defense counsel with the content of the form.” The Judicial Council form is a generic form for use in a wide variety of circumstances: as stated on the form, “Family Law - Domestic Violence Prevention - Uniform Parentage - Governmental.” The form does not cover all of the necessary allegations for all of its potential uses. Paragraph 8(d), however, provides space for “other material facts.” No provision of the form forbids the petitioning entity, not shown in the caption of the document to be a party to the case, to allege the facts that give it standing to seek the contempt order.

2. On page 7, line 5 of the typewritten opinion, add the following new footnote 4 at the end of the paragraph:

While it is somewhat unclear whether the format of federal form UIFSA-1 has been changed since the time the judgment was registered in this case, the current version of the form requires the requesting party to provide all of the information necessary to establish standing under the federal and California support enforcement laws. The party requesting registration is required to state whether the case involves public assistance, whether the party is requesting enforcement, modification, or some other service concerning the foreign judgment, and the contact person and agency (if applicable) requesting the services. Although no such form was offered in evidence in the present case, it appears this document would sufficiently establish the statutory basis for a family support agency’s standing to pursue a contempt order.

In the present case, by contrast, the deputy district attorney specifically agreed with the trial court’s statement that there was “nothing in the file whatsoever suggesting that the ex Mrs. Codoni was ever on

public assistance or made any oral or written assignment” of benefits.  
Accordingly, we reject appellant’s contention in its petition for rehearing that there was substantial evidence in the file before the trial court to establish standing based on Idaho’s status as payor of public assistance.

This modification does not effect a change in the judgment.

Appellant’s petition for rehearing is denied.

Appellant’s request that this court depublish the opinion is denied.

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VARTABEDIAN, Acting P. J.

WE CONCUR:

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CORNELL, J.

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GOMES, J.