



Maricopa County Superior Court

Family Court Department

Plan of Improvement Progress Report

**For Year Ending
December 31, 2005**



**Submitted to the
Arizona Supreme Court
February 28, 2006**

The Maricopa Model

**Norman J. Davis
Family Court Presiding Judge
Maricopa County Superior Court**

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I. Introduction

In February 2004 the Arizona Supreme Court commissioned a study of the operations of the Family Court Department of the Maricopa County Superior Court by an independent consultant, Greacen Associates, LLC. The consultant submitted a comprehensive final report to the Supreme Court on August 18, 2004. The report detailed a number of strengths and weaknesses in the Department, and made detailed recommendations for improvement. A complete copy of this report is available at:

<http://www.supreme.state.az.us/nav2/083004FamCourtReport.pdf>

In a letter dated August 20, 2004 to the Presiding Judge of the Maricopa County Superior Court, Chief Justice Charles E. Jones (Attachment 1), after citing a number of exemplary accomplishments of the Maricopa County Superior Court, identified the need for a uniform system of case management in the Department by stating:

The Greacen Associates Report shows, however, that the Family Court Department (Domestic Relations) is not meeting the needs of the litigants and other affected persons in Maricopa County for timely resolution of family cases. The report describes an operation which, over time, has grown into a fragmented system of twenty-five Judges using different calendaring and case management approaches, separate ancillary services (four in number) which function without adequate coordination, and a Court with many different, often duplicative, processes. Litigants as well as counsel report frustrations with delay, extensive paperwork requirements, and confusing processes. By reason of these important considerations with Arizona's justice system, I request that efforts to improve case management in the Maricopa County Family Court Department be accelerated and implemented promptly. These should be pursued in accordance with recommendations contained in the Greacen Associates report.

The Greacen Report made extensive recommendations for improvement, and Chief Justice Jones directed that an improvement plan be developed and implemented. Chief Justice Jones specifically identified the need for "early Judicial intervention, 'targeting' (determining whether the need exists for any referral, and then, if indicated, picking the best one) referrals to ancillary services and speedy disposition as priority goals." A revised plan for the operation of Expedited Services was to be included.

Further, recognizing that 88% of family law cases in Maricopa County involve one or more self-represented litigants who "typically do not understand Court procedures at a level sufficient to expect (or require) them to

move their case forward”, Chief Justice Jones directed the Family Court to address “how the Court intends to take control of all cases from the date of filing and setting all future Court dates, including dates for appearances to resolve cases that will be decided by default or by stipulation of the parties.” Directing that “preservation of the family be a clear priority in any plan we adopt”, the Family Court was also asked to address “how to best handle slow and non-moving cases in which the party-litigants remain uncertain as to the future outcome of their particular case.”

Chief Justice Jones directed the Family Court to submit quarterly progress reports. (Attachment 2). Previous reports have been more summary in nature than this report to allow the Family Court to focus its primary efforts and time on implementation of the improvement plan. This report is more extensive and we believe demonstrates the dramatic and comprehensive improvement that has occurred in the Family Court in Maricopa County over the last year and a half.

II. Summary of Initiatives & Progress

The Maricopa County Family Court submitted a specific Preliminary Plan of Enhancement to the Arizona Supreme Court on October 7, 2004. After further refinement a Final Plan of Enhancement dated December 7, 2004 (Attachment 3) was submitted to the Supreme Court. Under this Plan the Family Court Department committed to implement 29 separate initiatives detailed therein to significantly improve the Family Court in Maricopa County. We have now completed 23 of these 29 initiatives. Of the remaining 6 initiatives, five are awaiting the availability of additional computer programming resources to complete, and one is projected to be completed in conjunction with action required by the Supreme Court. Specifically, two of the remaining initiatives (Initiatives 13 & 14) have been submitted to our Computer Technical Services (CTS) department to complete the computer programming needed to generate the statistical data and reports, two more (Initiatives 21 & 22) are partially complete and require further development by CTS, one (Initiative 27) is awaiting completion of the eCourt project to commence the second phase to develop eDecree projected later this year, and the final initiative (Initiative 28) will be developed in cooperation with the Supreme Court to define boundaries between legal information and legal advice in a format usable by the public.

The major portion of this report provides detailed narrative and statistical information on each of the programs and initiatives referenced in the Final Plan of Enhancement. For convenient reference, a brief summary of our progress on each initiative grouped within 8 general categories is included here. With respect to each initiative, we summarize our progress on these initiatives as follows:

A. Contested Family Court Cases

A significant portion of our improvement initiatives focused on processes and procedures to employ early active judicial management, emphasis on final resolution, required litigant preparation for conferences, targeted use of ancillary referrals, early firm trial dates, and user-friendly processes in contested family law cases.

Initiative 1 focused on our efforts to adopt a Uniform Case Management Plan throughout the Family Court Department. This has now been accomplished with the systematic implementation of a uniform system of case management over the last 18 months, culminating in the formal adoption of a written Uniform Case Management Plan by the Department on September 21, 2005.

Our current Uniform Case Management Plan is a differentiated case management model with procedures and processes customized to manage the unique characteristics of each category of cases in the system. The assigned Judge directly manages each contested case with attorney

representation with procedures tested in a pilot project conducted at the Northwest Regional Court over the last several years. These procedures have been further refined and streamlined and are now incorporated within and authorized by the new *Arizona Rules of Family Law Procedure*. Early judicial management occurs in these cases primarily at a Resolution Management Conference (RMC) scheduled in principally every case upon any request for action by the parties. Several judicial divisions are currently piloting a procedure to intervene earlier in the case by scheduling the RMC automatically when the case becomes contested with the filing of a response.

Initiative 2 has now been fully implemented with the creation of our Early Resolution Triage Program to intervene without action of the parties when a response is filed in any case conducted by two self-represented litigants. Our policy is to schedule an Early Resolution Conference (ERC) in these cases as soon as possible (usually within 30 days) with an Attorney Case Manager. At the ERC the Attorney Case Manager conducts a settlement conference, and assists the parties to memorialize any agreements and schedule further events to finalize the case. Every ERC that is conducted is concluded in one of 3 ways: 1) The parties reach full agreement on the issues, a Consent Decree is prepared and signed by the parties, and the parties are referred immediately to the Decree on Demand program to finalize their case so that they leave the Court on the day of the ERC with a copy of a final Consent Decree; 2) The parties reach partial agreement that is memorialized in a Partial Agreement form signed by the parties to resolve those agreed issues, and a trial date is set with the assigned Judge with a Notice of Trial Date form delivered to both parties at the time of the ERC with further written instructions for trial preparation; or 3) The parties reach no agreements and they leave with a written Notice of a Trial Date scheduling their trial and trial preparation instructions.

Initiative 3 has been completed by fully incorporating the presumption that a trial date or other specific terminating event be scheduled in every pre decree case at the Resolution Management Conference. Each judicial officer of course must, use sound judicial discretion to manage each case as its unique facts and characteristics require, but there has been wide spread acceptance of the concept that early firm trial dates result in earlier completion of cases with resulting benefits to the public and the Court.

Initiative 4 has also been completed with the adoption of a firm trial continuance policy as part of our Uniform Case Management Plan.

Initiative 5 is complete. The procedural delay in the system that previously occurred to obtain a new judicial assignment when the parties filed a Notice of Change of Judge or a Judge recused from participation in the case has been eliminated. Such reassessments are now made the same day that the notice or recusal is communicated to the Family Court Presiding Judge, and any scheduled hearing, trial or conference date is affirmed with the newly assigned

division. We will continue to explore ways to prevent such reassessments from delaying calendar events when the newly assigned Judge cannot accommodate the transferred event due to calendar conflicts.

Initiative 6 has likewise been completed with provisions in our Uniform Case Management Plan to eliminate extensions on the inactive calendar without Judicial management occurring. Our Plan now directs each division that intends to grant a motion to extend a dismissal date schedule a Resolution Management Conference and grant the extension only to the day of the RMC. At that time the case can be appropriately managed, or, if one or both parties fail to appear, dismissed or defaulted as the circumstances require.

Initiative 7 sets a goal to maintain uniformity in case management between the various regional Court centers operating in Maricopa County. This initiative is complete. We have designated an Associate Presiding Judge at each regional site, and have established a JA Trainer position to assist in the training and support of judicial assistants in each division and region. Brown bag luncheon discussions are regularly conducted at each center, and e-mail discussion of management topics is frequent and meaningful. More can always be done to improve consistent case management, and we will continue to explore additional and/or better management techniques.

Initiative 15 is also completed as we have now evaluated Greacen's recommendation to overset trials. For the reasons stated in this report we have concluded that the benefits derived from this practice in the Civil and Criminal Courts would not currently be present in the Family Court. While we will revisit this concept as we explore managing cases with a team approach in the future, we determined that this concept would work in opposition to the goals of our current Uniform Case Management Plan. Guaranteeing firm trial dates and avoiding the need to continue some trials due to oversetting were seen to outweigh any efficiencies than may be derived from this practice at the present time.

B. Reporting and Statistics

In Initiatives 8, 9 and 10 we identified a basic problem that was occurring in our reporting and statistical analysis by allowing cases to appear as being active when no further action was either necessary or permitted. Cases involving orders of protection, and paternity issues routinely remained on our active aging statistics when all issues pled by the parties had been heard and resolved with final orders. Cases with petitions filed to convert a legal separation to a dissolution of marriage were often reopened and tracked from the date the original petition for legal separation was filed even though a Decree of Legal Separation may have been entered years earlier. These problems have now been resolved and Initiatives 8, 9 and 10 are complete.

Initiative 11 is complete. Administrative staff and the judicial divisions conducted a major effort to target our oldest cases for prompt termination. This effort greatly reduced our case inventory of older cases as outlined in this report. Terminating older cases is a moving target, but we have successfully reduced the number of older cases in our system. We now consistently terminate significantly more cases each month than are filed, and are averaging case clearance rates in excess of 115% each month. As of February 1, 2006, 703 or 5.3% of our 13,233 open cases were filed more than 12 months previously. Only 237 of these cases (1.8%) had been pending for more than 18 months. These efforts are ongoing but the initial cleanup has been completed.

Initiative 12 calls for us to identify and consolidate multiple filings by the same parties as a precursor to better management of cases that have the potential to generate conflicting and confusing results. We have completed the computer diagnostics and compiled an initial report of these cases. This initiative may be complete but our work in this area is just beginning. We are currently evaluating how to best consolidate and manage these multiple cases, filed at different times and sometimes with additional parties involved.

Initiatives 13 and 14 are directed at better statistical standards and reporting. On March 7, 2005, Judge Davis submitted a memorandum detailing a "Proposed Family Court Statistical Model" to Computer Technical Services (CTS) to identify and capture detailed case processing information and data in a comprehensive and consistent manner. This model provides for detailed statistical reporting for use by the Supreme Court, Judicial and administrative leadership as well as individual programs, agencies and judicial divisions. It also would replace the Court's current cumbersome "Cal-Acti" report detailing every case assigned to a division with more user-friendly "Exception Reports" that would identify every case outside of case management standards. The demand for technology development throughout the Court, and the utilization of CTS resources to complete other Family Court projects has delayed the development of this model. We hope that computer resources are available to complete both of these initiatives in the next few months.

C. Uncontested Cases

Approximately 50% of Family Court's entire caseload is terminated by entry of a Decree or Judgment by default or consent. It is, therefore, essential to any efficient case management system that these matters be handled efficiently and fairly. We have completed a model program known collectively as "Decree on Demand" that resolves all of these cases in a timely manner at the convenience of the public.

Initiative 16 of our plan was completed on August 2, 2004, when we initiated a “default on demand” procedure at the downtown Court complex. Initially, default litigants were instructed to call a dedicated phone line to schedule a default hearing once service was complete, a default filed, and the statutory 60-day waiting period had expired. A brief telephone interview was conducted to preliminarily determine whether the requisite legal requirements had been satisfied, and the litigant then was allowed to select a date for the hearing at his or her convenience, as soon as the next judicial day. A file review was conducted and the litigants were assisted in the “default room” when they appeared for the hearing to ensure all necessary paper work and child support calculations had been properly completed. This program expanded to the Northwest Regional Court Center in Surprise on February 1, 2005, to the Southeast Regional Court Center on April 4, 2005, and to the Northeast Regional Court Center on November 3, 2005.

Initiative 17 is likewise complete. We have analyzed our default process and determined that it is in fact sufficiently understood and simplified for use by all attorney-represented and self-represented litigants. Our statistics demonstrate that self-represented litigants are able to navigate the default system as quickly as those represented by attorneys. Self-represented litigants request and conduct default hearings, effect service of process, file applications for default and finalize their default cases within time periods that are statistically indistinguishable from the time periods that attorneys take to accomplish the same steps in the default process.

With the eCourt prompted form system developed and described in Initiative 26, litigants are assisted to prepare forms customized to their individual case and circumstances. Instructions in the Self Service Center are provided to assist the petitioner to serve the documents, and file an affidavit of default at the appropriate time. All that remains is for the petitioner to call the default telephone line or log onto the Court website to obtain a default hearing on a convenient date, and access the assistance available when they appear at the Court.

Initiative 18 expanded the default on demand process to include the entry of Consent Decrees in a similar manner. This Initiative is also complete and its name has been changed to “Decree on Demand” effective March 1, 2005 at the Downtown and Northwest complexes, April 4, 2005 at Southeast, and November 3, 2005 at Northeast. The entire process for entry of default and consent decrees has been further enhanced with the initial interview process now being available online at:

<http://eCourt.maricopa.gov/DOD/060101.asp>

Decree on Demand has been enormously successful in reducing default and consent decree processing from weeks or months to days, is

extremely popular with the public, and was the recipient of the National Association of Counties "NACo" award in August 2005.

D. Dismissed Cases

Initiative 19 determined to evaluate our dismissed cases to determine if any significant numbers are dismissed because of frustration or complexity of the system as opposed to reconciliation of the parties or other voluntary dismissal. This initiative has been completed. We have concluded that there are several reasons that the vast majority are voluntary dismissals.

First, we completed a detailed analysis of 938 random dismissed cases. There were 590 cases dismissed for lack of prosecution and 348 dismissed for lack of service. The bulk of the cases that were dismissed for lack of service were filed by the State Attorney General's Office thereby indicating sufficient legal expertise to navigate the system. Of the 590 cases dismissed for lack of prosecution, 272 cases (46%) were filed by attorneys or document preparers. This indicates that attorney-filed cases are almost as likely to end in dismissal as self-represented cases. Of the remaining 318 cases filed by self-represented litigants that were dismissed for lack of prosecution 269 were served. Responses were filed in 14 of the unserved cases. Of the 49 cases not served 39 were dismissed through voluntary action of the parties, and there was virtually no objective evidence in the files that any party had abandoned a case in frustration or communicated frustration or complexity to the Court. It was much more common to see notification from the parties that they had reconciled.

Secondly, our case management systems have been significantly revised and simplified to give clear and concise direction to self-represented litigants in most instances. Simplified forms, both in Interactive and written formats are available online and at our Self Service Center to assist self-represented litigants commence the process. Default and Consent Decree procedures have been greatly simplified and provide meaningful assistance in our Decree on Demand program. Contested cases involving two self-represented litigants are now scheduled and managed without further action of the parties.

Finally, we have analyzed our statistics from the Decree on Demand program as referenced in Initiatives 16, 17 & 18. These statistics demonstrate that the time required for self-represented litigants to effect service, file affidavits of default, schedule a default hearing, and obtain a final Decree or Judgment under our present system are comparable, and in some cases faster, than the times those same steps are completed by attorney-represented cases.

E. Post Decree / Post-Judgment Cases

Initiative 20 has been completed with the establishment of our Post Decree Child Support Court on November 1, 2005 at all Court locations. This substantially changed the procedure for obtaining a modification of a prior child support order, and replaced cumbersome processes in Expedited Services that had been in place to process these requests previously. Long fact-finding conferences with an Expedited Services conference officer, detailed written reports, objection periods and objection hearings, and the time delays they occasion have all been replaced with a simple modification process that takes only 2 hours. Parties are now ordered to appear for a brief conference. If an agreement can be reached, the conference officer drafts a stipulation that is immediately signed by the assigned Commissioner. Any remaining contested issues are immediately determined by a judicial officer.

Initiatives 21 and 22 have commenced but are not yet completed pending availability of CTS programming resources. Post decree petition tracking software has been developed that should allow Initiative 21 to be completed in the near future. Similarly, the reallocation of post decree cases more equitably among divisions should also be forthcoming in the near future to complete Initiative 22. We are monitoring post decree petition assignments and the current numbers of post decree petitions assigned to each division are similar.

Initiative 23 that provided for us to request extension of Rule 53(k), *Arizona Rules of Civil Procedure*, and Rules 6.9(c) and 6.14, *Local Rules of Practice for the Superior Court, Maricopa County*, is complete with prior extensions of these rules granted, the expiration of these rules on January 31, 2006, and the adoption of the new *Arizona Rules of Family Law Procedure* effective January 1, 2006.

Initiative 24 is deemed complete because we have consistently and persistently advocated for the creation of a web-based, real time arrearage calculator for child support payments by the Department of Child Support Enforcement (DCSE) for the last two years. We will continue to advocate for the calculator and assist in its creation. This is a combined initiative with efforts by AOC, the Arizona Legislature, Maricopa County Family Court, and DCSE. A federal grant has been obtained, the initial design work completed, and now the responsibility lies with DCSE to complete this project. They have indicated that the projected completion date is July 31, 2006.

F. Integrated Family Court Cases

Initiative 25 is complete with the completion of our detailed assessment of our Integrated Family Court (IFC) Pilot Project and the adoption of Administrative Order 2001-020 that substantially restructures and streamlines IFC cases. A cumbersome IFC process has been replaced with a system to resolve custody issues only through the dependency proceedings in Juvenile Court and allow all remaining issues to proceed without further delay in the Court in which they were filed. The custody resolution made by the Juvenile Court Judge will now benefit from the vast array of services, attorneys, and other professionals available to the Juvenile Court Judge to craft an appropriate custody order upon termination of the dependency case that will survive and form the basis for further action in the Family or Probate Courts.

G. Legal Information To Litigants

Initiative 26 was completed in October 2004, when eCourt became operational and began supplying the initial Family Court interactive, online electronic and prompted forms to the public. We have recently completed an interactive online child support calculator that greatly simplifies these calculations for those not familiar with the legal requirements. We anticipate the basic forms to complete a pre decree case will all be completed by April 2006. We can then turn our attention to post decree forms and forms within other subject areas currently being provided in written format by our Self Service Center.

Initiative 27 envisions the creation of an eDecree computer system to augment the eCourt process. When parties reach partial agreements with any agency or judicial officer anywhere within the Court system, the partial agreements will be immediately memorialized through the eDecree system. The eDecree system will use uniform language that should reduce controversy and focus the remaining issues for resolution. As indicated this initiative awaits the substantial completion of the eCourt project and the availability of sufficient computer programming resources.

Initiative 28 is partially complete with the significant enhancement of information available on the Court's website at:

<http://www.superiorCourt.maricopa.gov/familyCourt/index.asp>

Maricopa County Superior Court has also partnered with the Clerk of the Superior Court and provided informational training on this topic. The Supreme Court has indicated that it would provide guidance and direction on this initiative so that we can properly, legally and ethically provide the public with usable legal information without crossing the line into taking sides in the legal

dispute with the giving of legal advice. We look forward to working with the Arizona Supreme Court to fully complete this initiative.

Initiative 29 is complete with the change in the Clerk of Court's change of address procedures in April 2005. Previously, the ability to change a litigant's addresses was limited to selected personnel. It is not uncommon for litigants to inform the Court of a new address during a hearing. However, the Courtroom Clerk's did not have the authority to enter the change so a permanent change in the Court's notification system was not made. Under the new procedures Courtroom Clerks and judicial staff can make the appropriate changes when they become known. Appropriately, changes that will redirect the payment of Court ordered payments still require written verification from the party whose address is to be changed.

H. Other Initiatives

Judge Davis recognized the need for a simplified electronic calculator several years ago and created an interactive electronic child support calculator using Microsoft Excel. This calculator has enabled the Family Court to implement many other initiatives.

Although not identified as a specific initiative, we have completed an initial review of the procedures in place to process Title IV-D cases. We have identified a number of concerns as listed in this report, completed work on a collaborative IV-D Procedures Committee in the summer of 2005, and are now assessing the need for modifications of the current procedures in place in Title IV-D cases.

The Court has also looked at the manner that judicial rotations are made to Family Court. A committee was formed and a final recommendation submitted to then Presiding Judge Campbell on December 14, 2004. The recommendation called for each Judge to serve a 4 to 5-year rotation in Family Court divided into 2 separate assignments, with one rotation normally occurring within the first and one within the last 10 years of the Judge's career. In furtherance of this policy, eight senior and experienced Judges were assigned to Family Court in the annual rotation that occurred September 2005.

III. Results

A. Overall Results

As you can see from the detail in this report the Maricopa County Family Court has substantially completed its Plan of Enhancement with only a few initiatives remaining to be completed.

A comprehensive Uniform Case Management Plan has been fully developed and implemented that is designed to promptly and fairly resolve each case with a specific case management process designed for that case and all others with similar characteristics.

The manner and methods by which we track and gather statistical information on cases has become significantly more accurate and meaningful.

All uncontested cases are now resolved quickly and efficiently by the Decree on Demand program at the convenience of the public.

When the parties reconcile or otherwise voluntarily abandon their case, the cases are dismissed from the system in a timely manner.

Self-represented litigants with contested cases can now expect court intervention and resolution in every contested case with the highly successful Early Resolution Triage Program.

Judicial management of all cases has greatly improved with early active judicial intervention, emphasis on final resolution, better litigant preparation for court conferences, targeted use of ancillary services, early firm trial dates, and prompt case reassessments.

The written forms at the Self Service Center have been augmented with the eCourt electronic interactive forms program, and general user satisfaction by parties and attorneys has improved.

Virtually all court processes have been or soon will be reviewed and reengineered. Significant improvement in all phases of case processing and management is present.

To highlight a few specific areas where improvement is statistically measurable, we are providing the following information.

B. Time To Disposition Standards

In our December 7, 2004 Final Plan of Enhancement Report (Attachment 3) we proposed the following goals for termination of all pre decree and pre-judgment cases, excluding Order of Protection cases and those few cases assigned to the Integrated Family Court:

| | Percentage of Cases Projected To Terminate Within | | |
|--------------------|---|--|-----------|
| Time Period Ending | 7 Months | 12 Months | 18 Months |
| December 2004 | 50% | Remove All Terminated Cases From Reports | |
| December 2005 | 70% | 90% | 95% |
| December 2006 | 80% | 95% | 100% |

In December 2004 we terminated 52.8% of our cases within 6 months, and had accomplished the initial cleanup of cases to meet that objective. This statistic was based upon 6 months, rather than 7 months, because we had previously tracked cases within that time period. Because Rule 38.1, *Arizona Rules of Civil Procedure*, and new Rule 46(B) *Arizona Rules of Family Law Procedure* both make it impossible to terminate any case for lack of prosecution until a minimum of 180 days has passed, we proposed use of the 7-month time period in the future to accommodate these rules.

For the month ending December 2005, we were able to terminate 72.4% of our cases within 7 months of filing, 94.3% within 12 months of filing, and 97.9% within 18 months of filing. All of these performance standards are within our proposed time to dispositions standards.

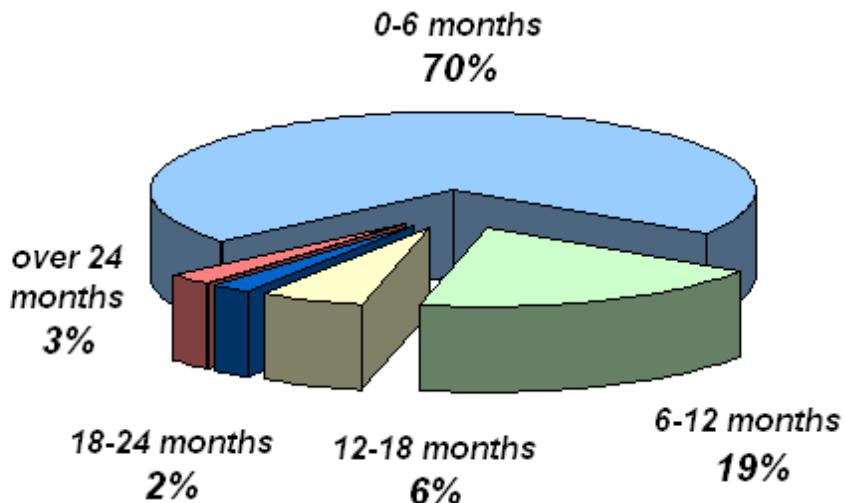
We anticipate some improvement to these numbers in 2006, but we have not yet determined whether it is practically possible to terminate every single case within 18 months of filing. A few cases have enormous complexity, bankruptcy filings that stay cases for months, absent or incompetent parties, parties serving in war zones etc. that simply require delay. We have made significant strides in this area with only 237 cases pending on January 31, 2006 that had been filed more than 18 months previously. This compares to 900 such cases over 18 months in August 2004.

C. Case Aging Statistics

| | |
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**Age of Pending Family Court Cases,
as of September 1, 2004**

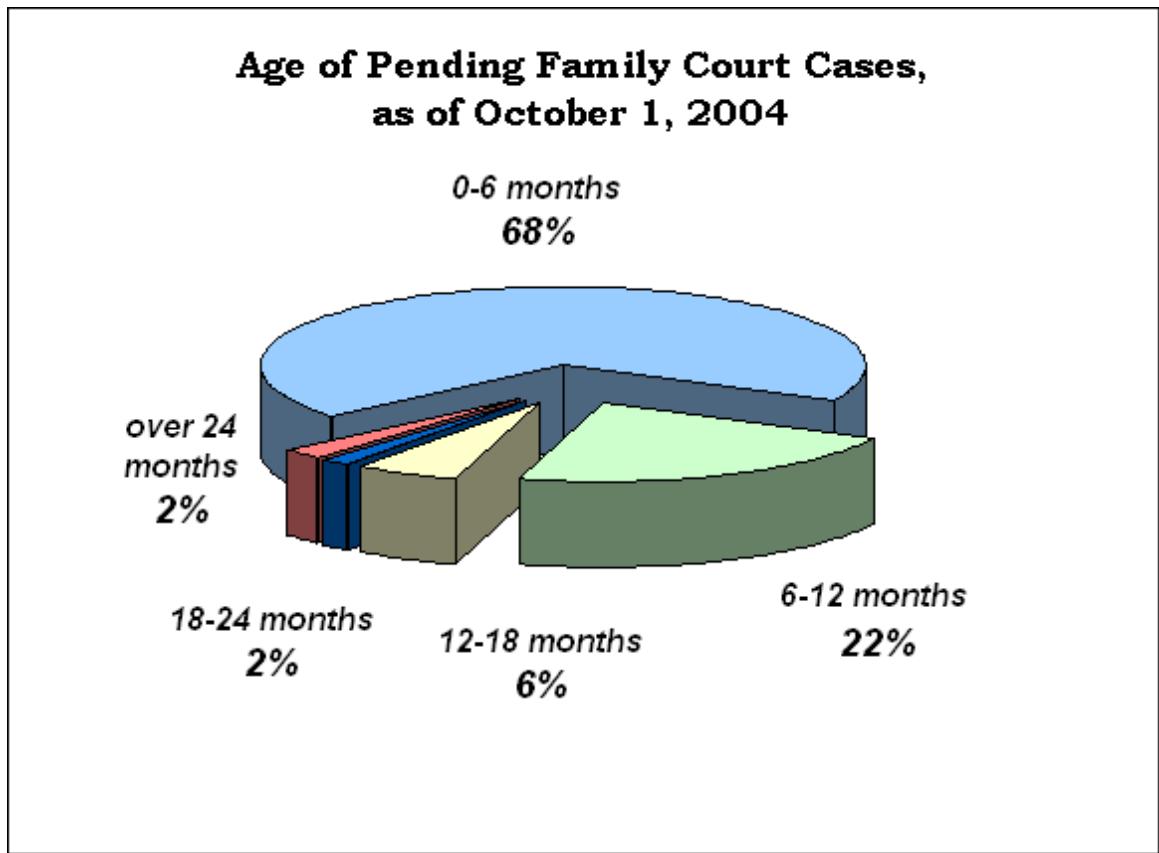


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>August 2004</u> | <u>July 2004</u> | <u>June 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|--------------------|------------------|------------------|--|---|
| within 6 months | 47.5% | 59.2% | 51.8% | 95% | 98% |
| within 12 months | 90.5% | 86.9% | 87.1% | 99% | 100% |
| within 18 months | 97.1% | 94.4% | 95.0% | | |
| within 24 months | 98.5% | 97.0% | 97.6% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).

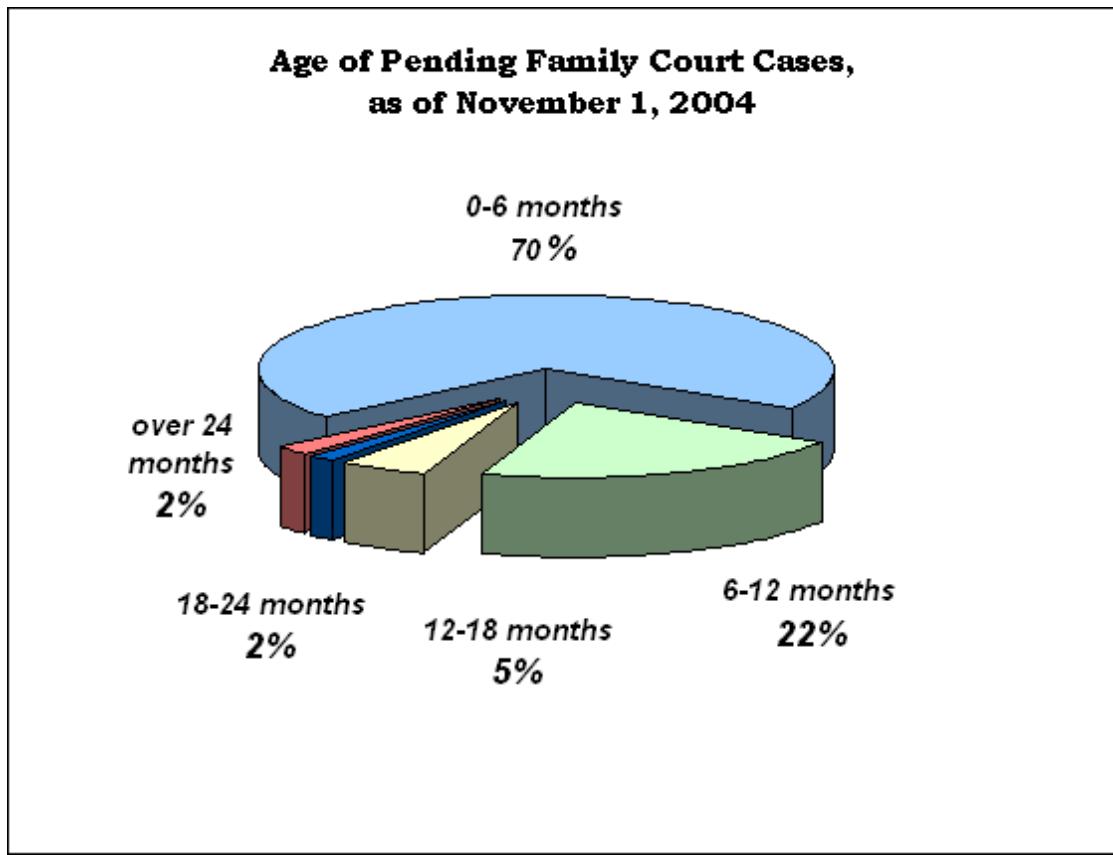


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Sept 2004</u> | <u>August 2004</u> | <u>July 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|------------------|--------------------|------------------|--|---|
| within 6 months | 53.5% | 47.5% | 59.2% | 95% | 98% |
| within 12 months | 83.3% | 90.5% | 86.9% | 99% | 100% |
| within 18 months | 92.4% | 97.1% | 94.4% | | |
| within 24 months | 96.2% | 98.5% | 97.0% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).



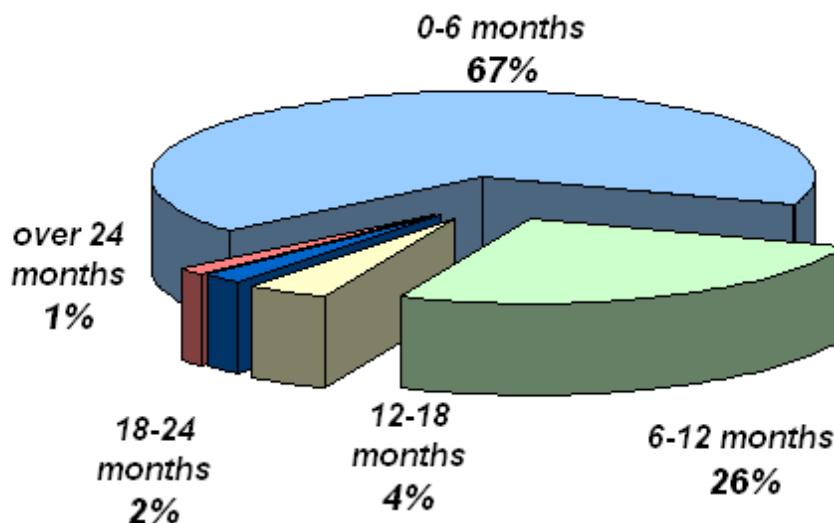
Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Oct 2004</u> | <u>Sept 2004</u> | <u>August 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|-----------------|------------------|--------------------|--|---|
| within 6 months | 46.1% | 53.5% | 47.5% | 95% | 98% |
| within 12 months | 83.5% | 83.3% | 90.5% | 99% | 100% |
| within 18 months | 94.1% | 92.4% | 97.1% | | |
| within 24 months | 96.9% | 96.2% | 98.5% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).

**Age of Pending Family Court Cases,
as of December 1, 2004**

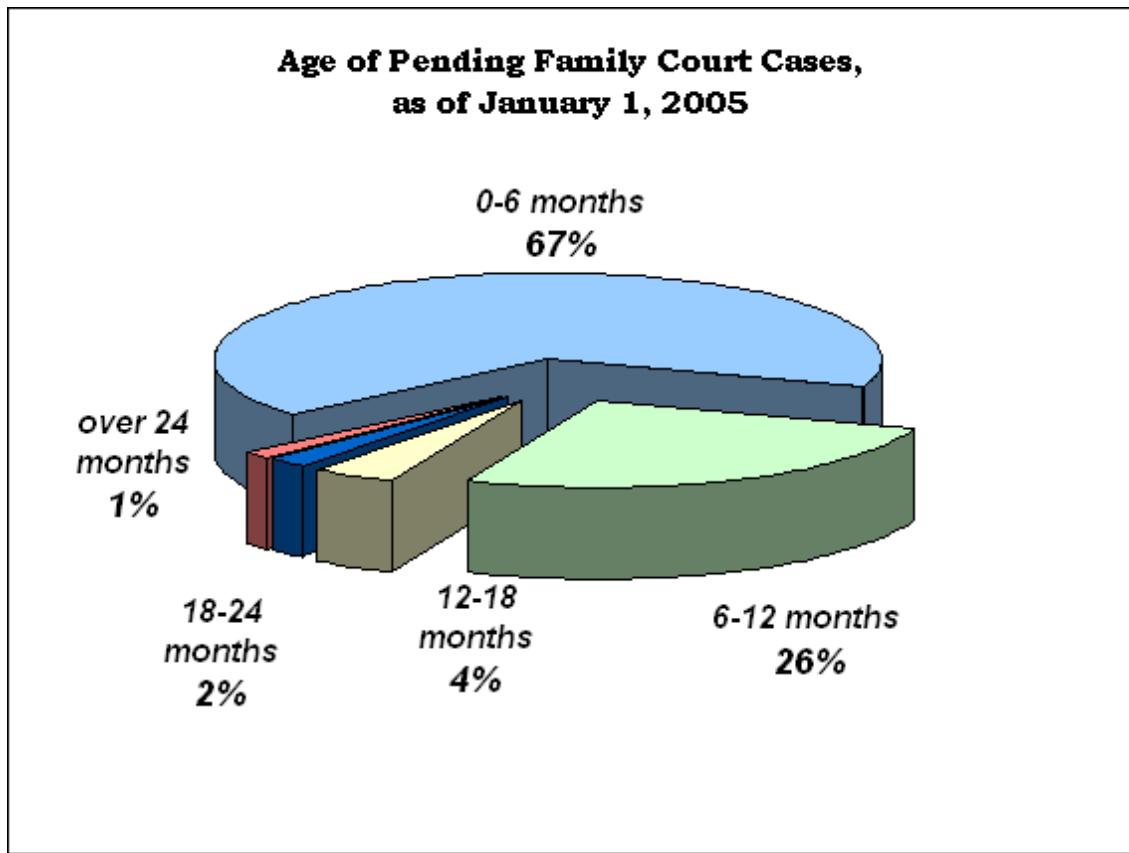


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Nov 2004</u> | <u>Oct 2004</u> | <u>Sept 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|-----------------|-----------------|------------------|--|---|
| within 6 months | 61.1% | 46.1% | 53.5% | 95% | 98% |
| within 12 months | 85.0% | 83.5% | 83.3% | 99% | 100% |
| within 18 months | 91.6% | 94.1% | 92.4% | | |
| within 24 months | 93.1% | 96.9% | 96.2% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).

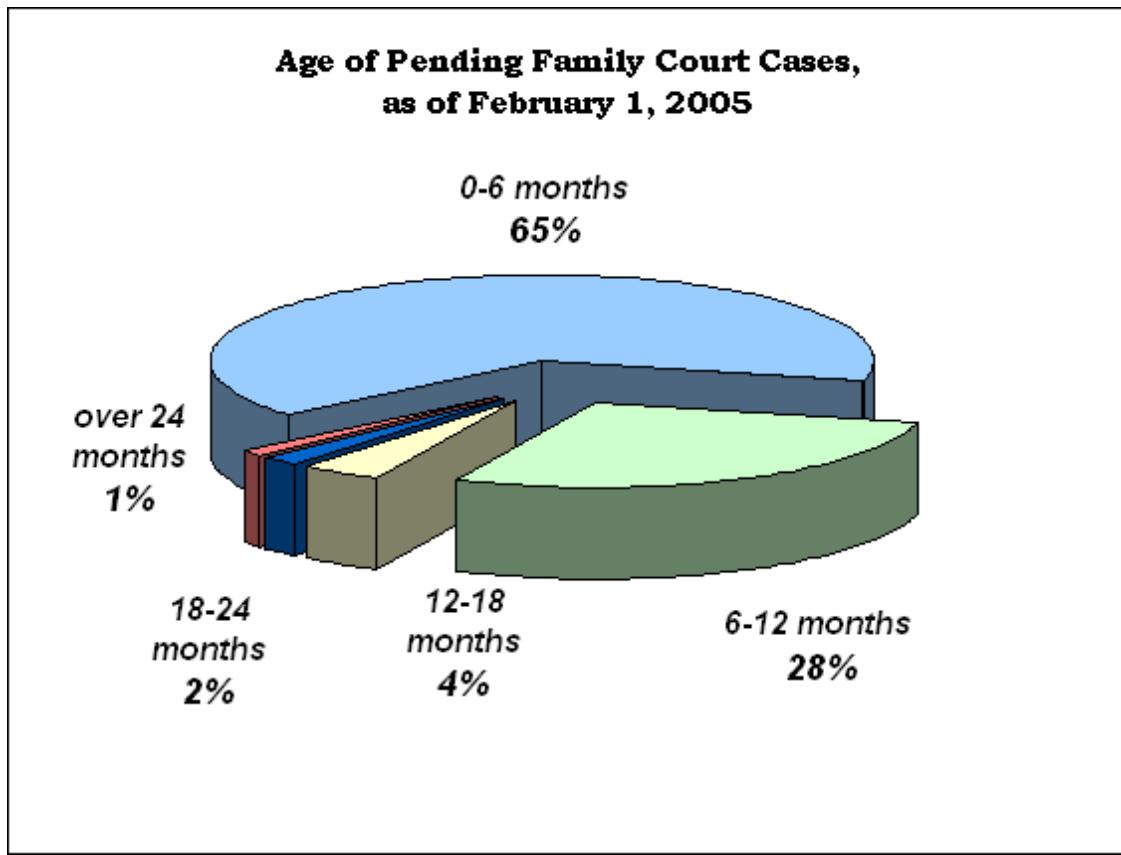


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Dec 2004</u> | <u>Nov 2004</u> | <u>Oct 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|-----------------|-----------------|-----------------|--|---|
| within 6 months | 52.8% | 61.1% | 46.1% | 95% | 98% |
| within 12 months | 91.3% | 85.0% | 83.5% | 99% | 100% |
| within 18 months | 96.3% | 91.6% | 94.1% | | |
| within 24 months | 98.6% | 93.1% | 96.9% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).

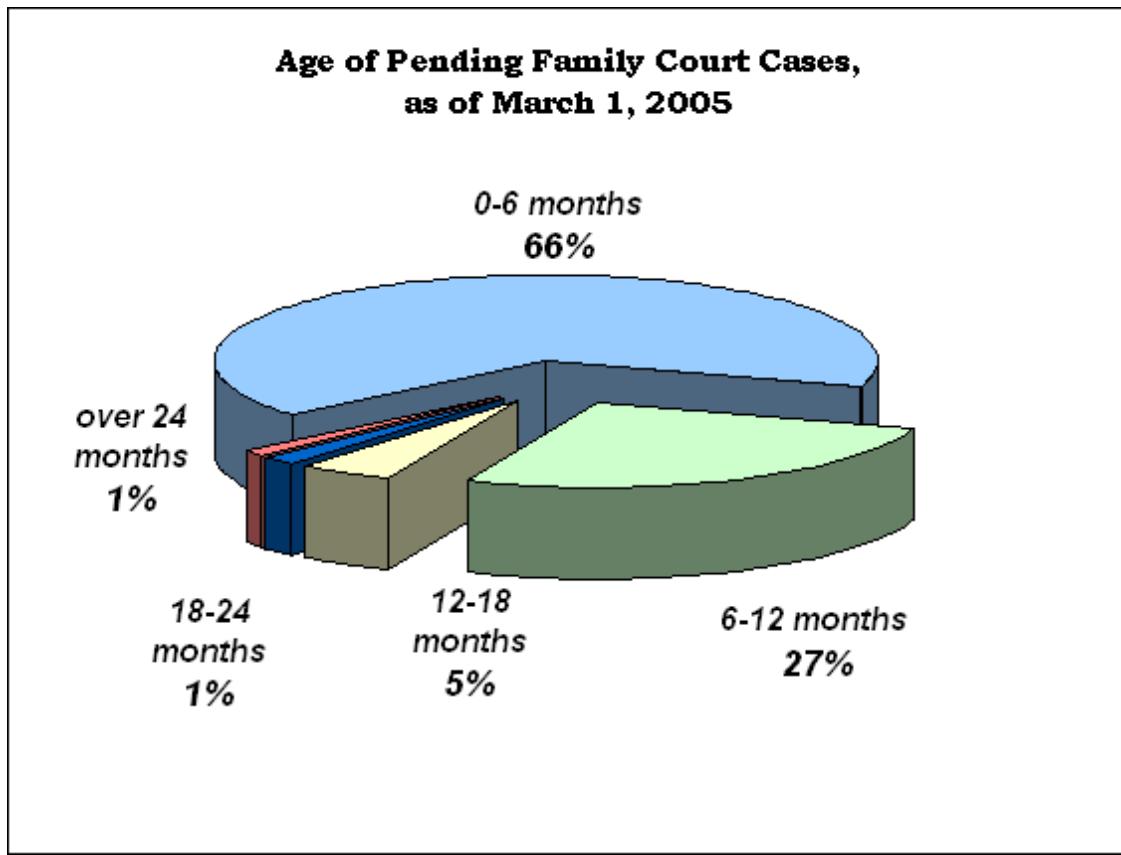


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Jan 2005</u> | <u>Dec 2004</u> | <u>Nov 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|-----------------|-----------------|-----------------|--|---|
| within 6 months | 59.6% | 52.8% | 61.1% | 95% | 98% |
| within 12 months | 87.5% | 91.3% | 85.0% | 99% | 100% |
| within 18 months | 94.2% | 96.3% | 91.6% | | |
| within 24 months | 97.8% | 98.6% | 93.1% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).

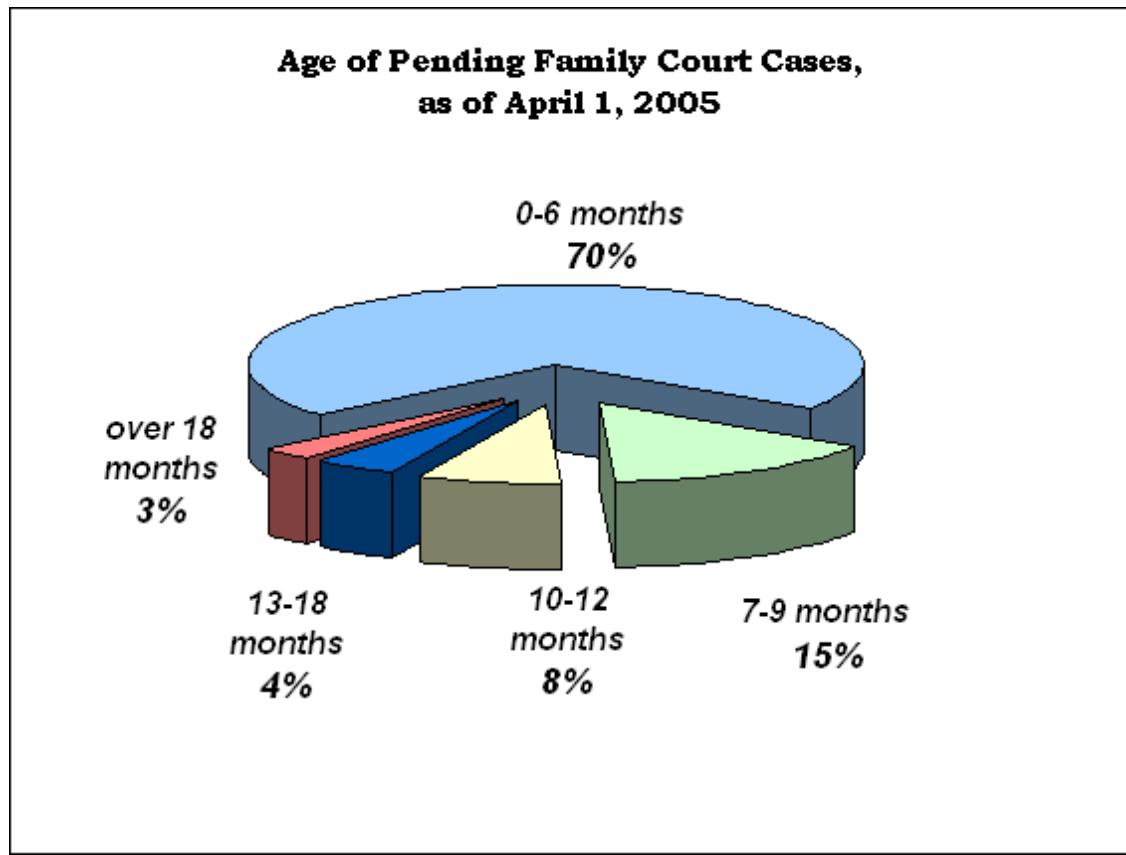


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Feb 2005</u> | <u>Jan 2005</u> | <u>Dec 2004</u> | Arizona Supreme Court Standards ^a | American Bar Association Standards ^b |
|-------------------------|-----------------|-----------------|-----------------|--|---|
| within 6 months | 46.3% | 59.6% | 52.8% | 95% | 98% |
| within 12 months | 90.8% | 87.5% | 91.3% | 99% | 100% |
| within 18 months | 96.6% | 94.2% | 96.3% | | |
| within 24 months | 98.6% | 97.8% | 98.6% | | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

^b American Bar Association Standards relating to Trial Courts - Domestic Relations (adopted February 1992).

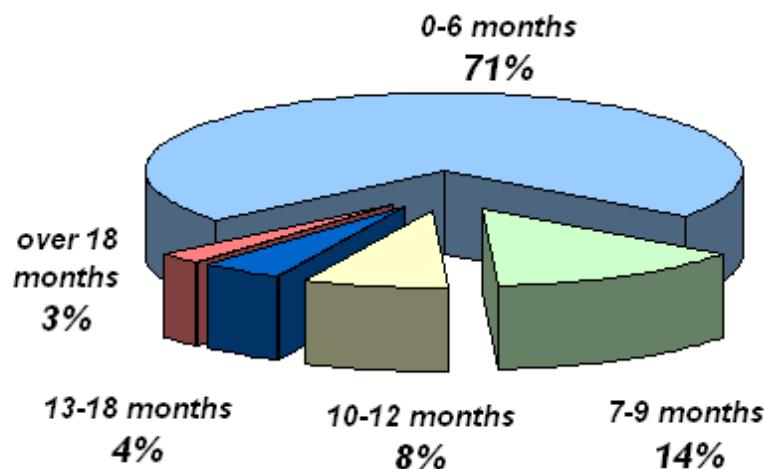


Age of Terminated Family Court Cases vs. Standards

| Cases Terminated | March 2005 | Feb 2005 | Jan 2005 | Superior Court Interim Goals | | Arizona Supreme Court Standards^a |
|-------------------------|-----------------------|---------------------|---------------------|---|--------------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 6 months | 48.5% | 46.3% | 59.6% | 70% | 80% | 95% |
| within 9 months | 71.4% | 70.7% | 76.5% | | | 99% |
| within 12 months | 88.8% | 90.8% | 87.5% | 90% | 95% | |
| within 18 months | 97.3% | 96.6% | 94.2% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

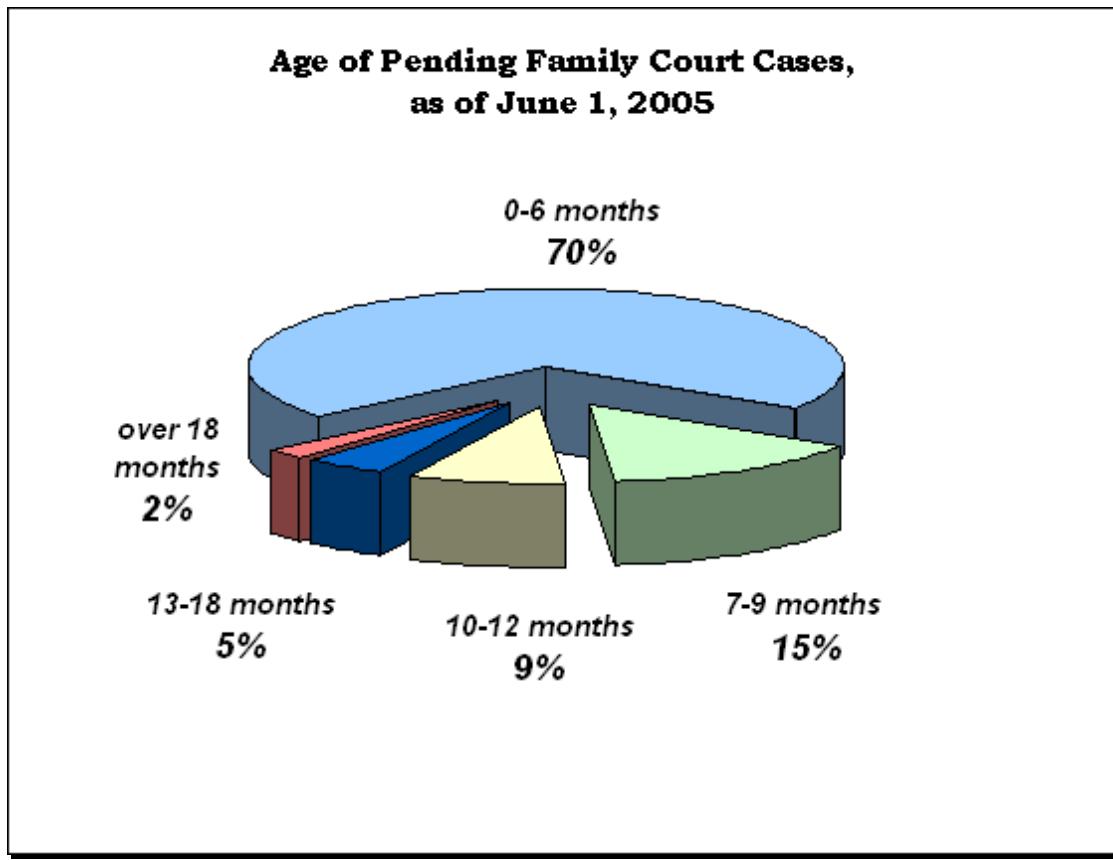
**Age of Pending Family Court Cases,
as of May 1, 2005**



Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | April <u>2005</u> | March <u>2005</u> | Feb <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|----------------------|----------------------|--------------------|---------------------------------|-------------------|--|
| | | | | Dec- <u>05</u> | Dec- <u>06</u> | |
| within 6 months | 59.6% | 48.5% | 46.3% | 70% | 80% | 95% |
| within 9 months | 74.5% | 71.4% | 70.7% | | | 99% |
| within 12 months | 89.8% | 88.8% | 90.8% | 90% | 95% | |
| within 18 months | 96.2% | 97.3% | 96.6% | 95% | 100% | |

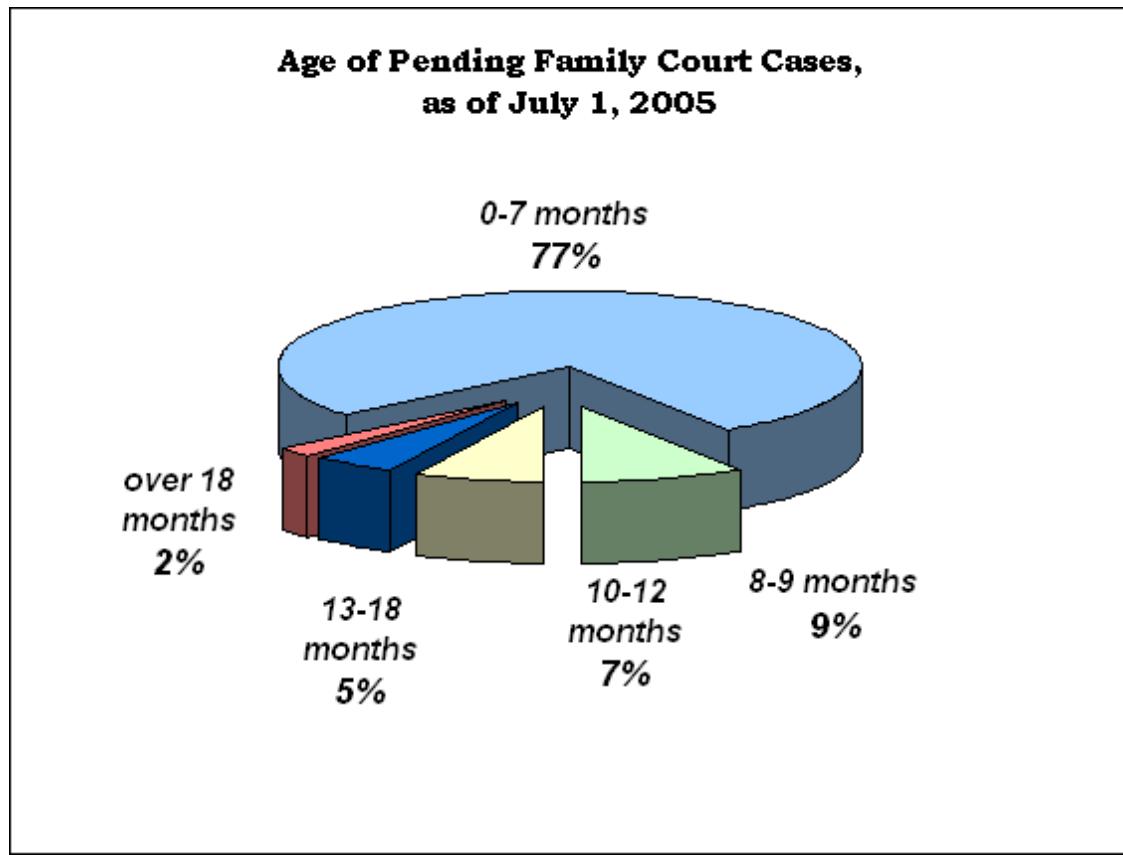
^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).



Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | May <u>2005</u> | April <u>2005</u> | March <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|--------------------|----------------------|----------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 6 months | 66.4% | 59.6% | 48.5% | 70% | 80% | 95% |
| within 9 months | 80.8% | 74.5% | 71.4% | | | 99% |
| within 12 months | 88.6% | 89.8% | 88.8% | 90% | 95% | |
| within 18 months | 95.8% | 96.2% | 97.3% | 95% | 100% | |

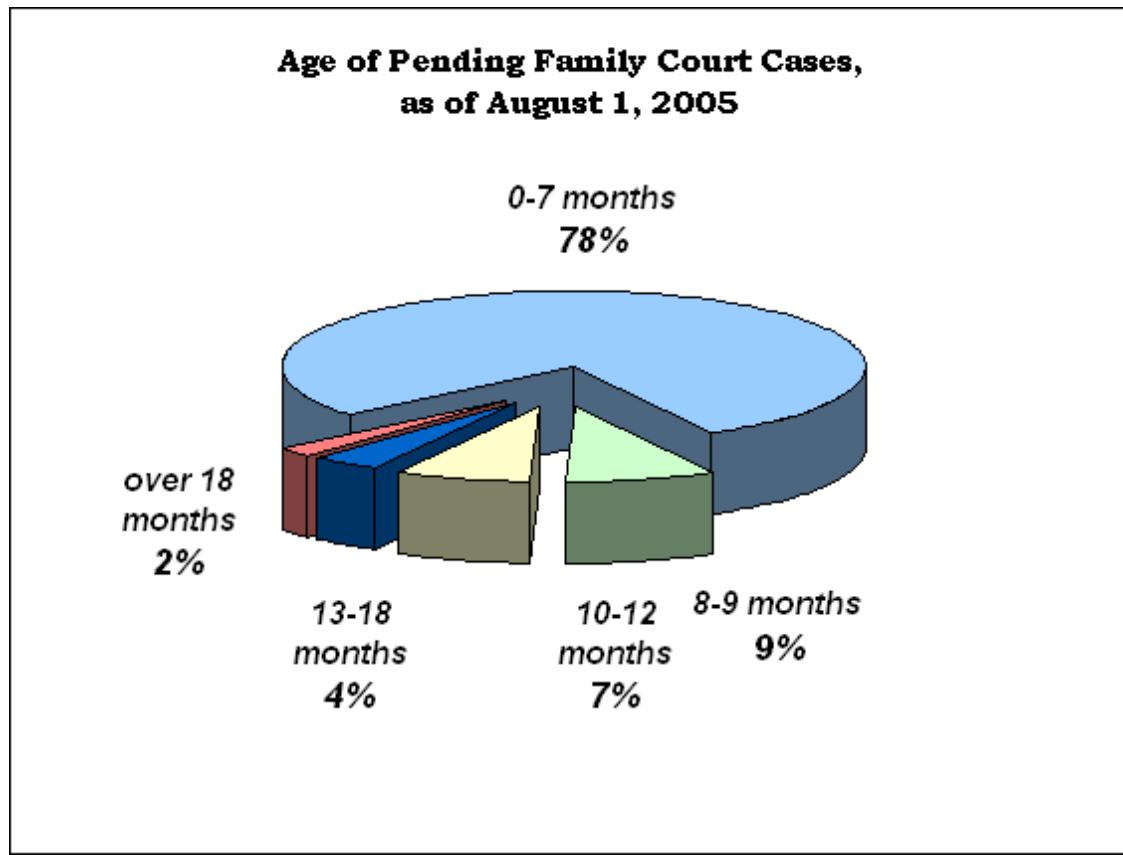
^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).



Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | June <u>2005</u> | May <u>2005</u> | April <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|---------------------|--------------------|----------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 7 months | 68.4% | n.a. | n.a. | 70% | 80% | 95% (6 months) |
| within 9 months | 76.4% | 80.8% | 74.5% | | | 99% |
| within 12 months | 91.2% | 88.6% | 89.8% | 90% | 95% | |
| within 18 months | 96.7% | 95.8% | 96.2% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

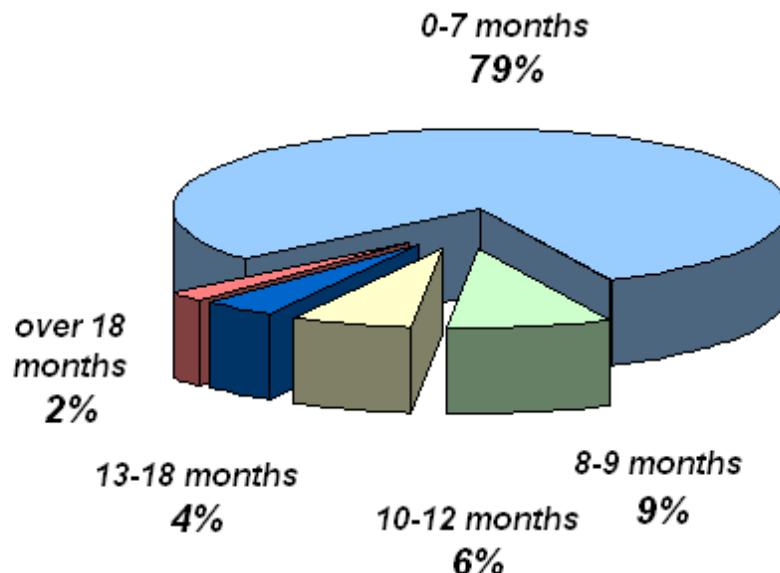


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | July <u>2005</u> | June <u>2005</u> | May <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|---------------------|---------------------|--------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 7 months | 65.1% | 68.4% | n.a. | 70% | 80% | 95% (6 months) |
| within 9 months | 72.4% | 76.4% | 80.8% | | | 99% |
| within 12 months | 88.5% | 91.2% | 88.6% | 90% | 95% | |
| within 18 months | 97.8% | 96.7% | 95.8% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

**Age of Pending Family Court Cases,
as of September 1, 2005**

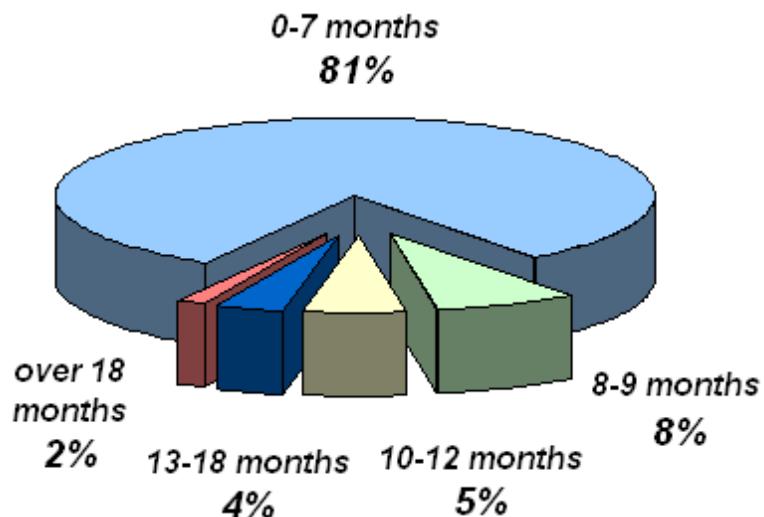


Age of Terminated Family Court Cases vs. Standards

| Cases <u>Terminated</u> | August <u>2005</u> | July <u>2005</u> | June <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|----------------------------|-----------------------|---------------------|---------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 7 months | 67.5% | 65.1% | 68.4% | 70% | 80% | 95% (6 months) |
| within 9 months | 74.7% | 72.4% | 76.4% | | | 99% |
| within 12 months | 92.3% | 88.5% | 91.2% | 90% | 95% | |
| within 18 months | 98.1% | 97.8% | 96.7% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

**Age of Pending Family Court Cases,
as of October 1, 2005**

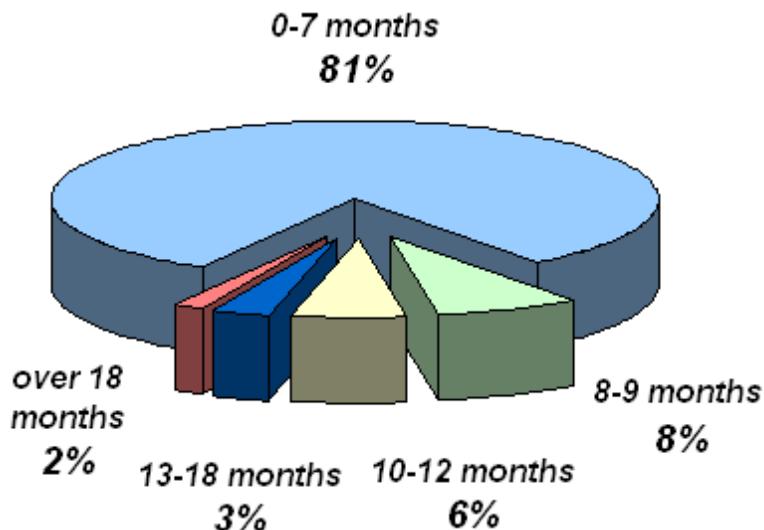


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | <u>Sept 2005</u> | <u>August 2005</u> | <u>July 2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|----------------------|------------------------|----------------------|---------------------------------|--------------------|--|
| | | | | <u>Dec- 05</u> | <u>Dec- 06</u> | |
| within 7 months | 64.4% | 67.5% | 65.1% | 70% | 80% | 95% (6 months) |
| within 9 months | 78.7% | 74.7% | 72.4% | | | 99% |
| within 12 months | 92.3% | 92.3% | 88.5% | 90% | 95% | |
| within 18 months | 97.1% | 98.1% | 97.8% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

**Age of Pending Family Court Cases,
as of November 1, 2005**

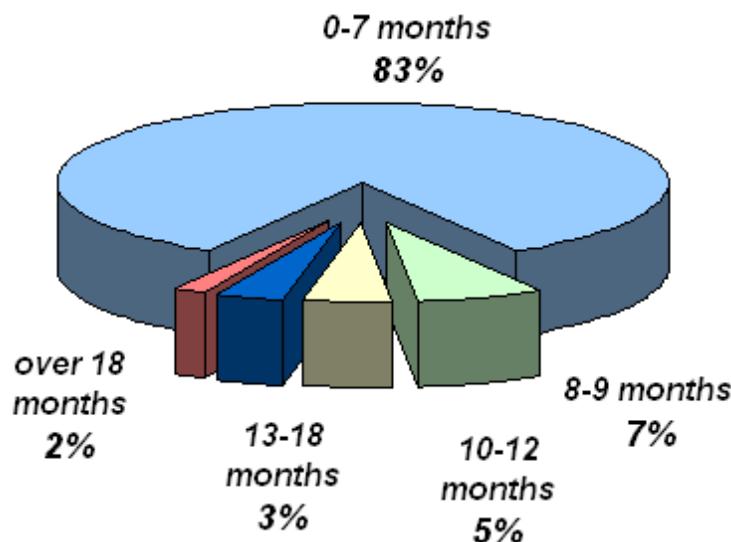


Age of Terminated Family Court Cases vs. Standards

| Cases <u>Terminated</u> | October <u>2005</u> | Sept <u>2005</u> | August <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|----------------------------|------------------------|---------------------|-----------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 7 months | 74.0% | 67.5% | 65.1% | 70% | 80% | 95% (6 months) |
| within 9 months | 84.5% | 74.7% | 72.4% | | | 99% |
| within 12 months | 93.7% | 92.3% | 88.5% | 90% | 95% | |
| within 18 months | 98.0% | 98.1% | 97.8% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

**Age of Pending Family Court Cases,
as of December 1, 2005**

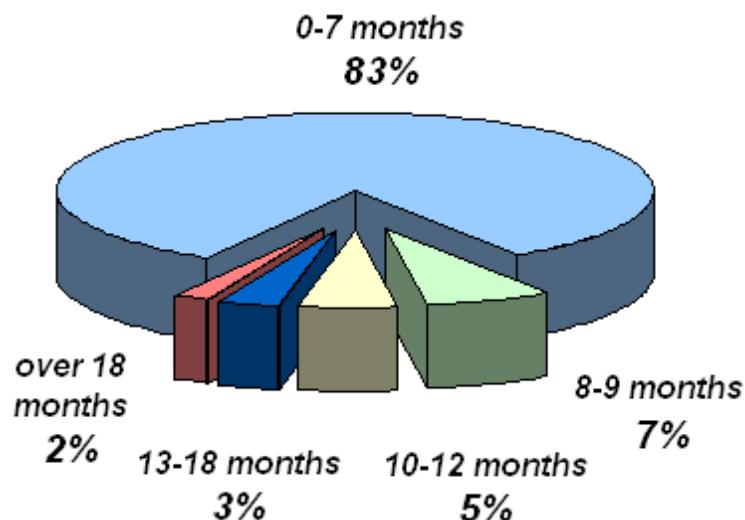


Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | Nov <u>2005</u> | Oct <u>2005</u> | Sept <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|--------------------|--------------------|---------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 7 months | 59.3% | 74.0% | 67.5% | 70% | 80% | 95% (6 months) |
| within 9 months | 76.8% | 84.5% | 74.7% | | | 99% |
| within 12 months | 93.3% | 93.7% | 92.3% | 90% | 95% | |
| within 18 months | 98.2% | 98.0% | 98.1% | 95% | 100% | |

^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

**Age of Pending Family Court Cases,
as of January 1, 2006**



Age of Terminated Family Court Cases vs. Standards

| <u>Cases Terminated</u> | Dec <u>2005</u> | Nov <u>2005</u> | Oct <u>2005</u> | Superior Court Interim Goals | | Arizona Supreme Court Standards ^a |
|-------------------------|--------------------|--------------------|--------------------|---------------------------------|------------|--|
| | | | | Dec- 05 | Dec- 06 | |
| within 7 months | 72.4% | 59.3% | 74.0% | 70% | 80% | 95% (6 months) |
| within 9 months | 87.8% | 76.8% | 84.5% | | | 99% |
| within 12 months | 94.3% | 93.3% | 93.7% | 90% | 95% | |
| within 18 months | 97.9% | 98.2% | 98.0% | 95% | 100% | |

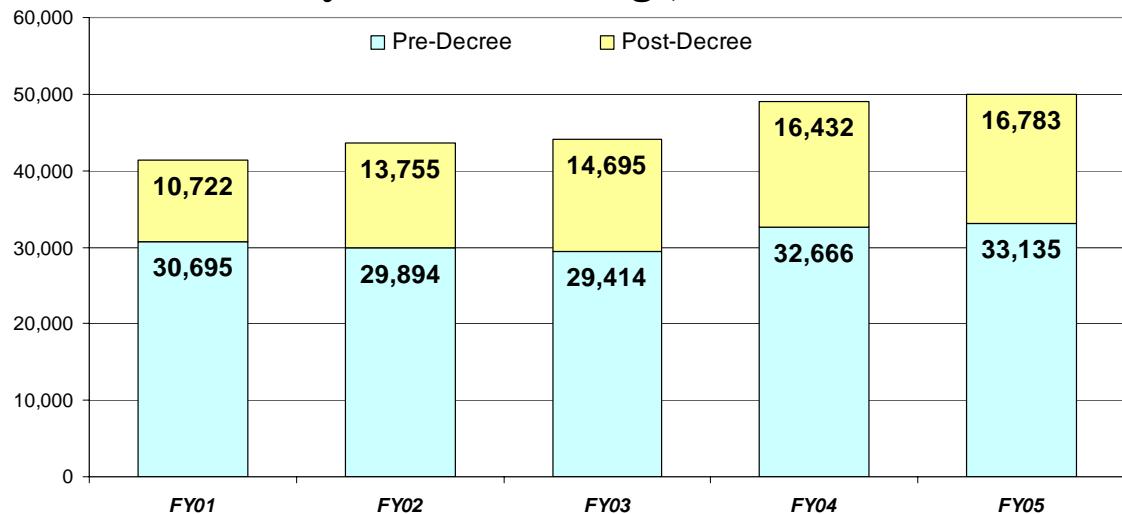
^a Arizona Supreme Court General (Trial Court) Time Standards for Domestic Relations case processing (November 15, 1991).

D. Other Statistics

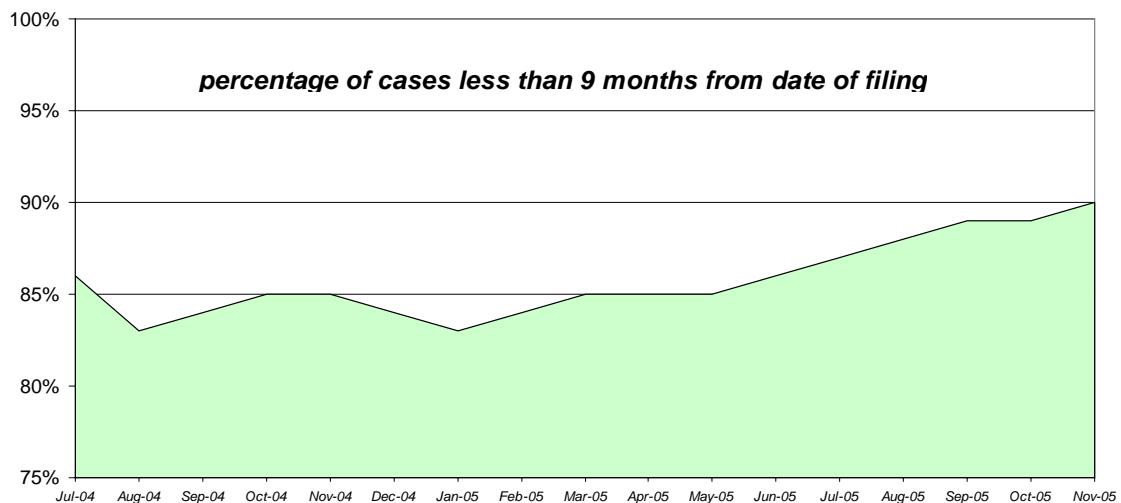
Family Court Case FilingsFY 01 – FY 05
Family Court Case AgingJuly 04 - Nov. 05
Family Court Pending CasesAug. 04 – Nov. 05



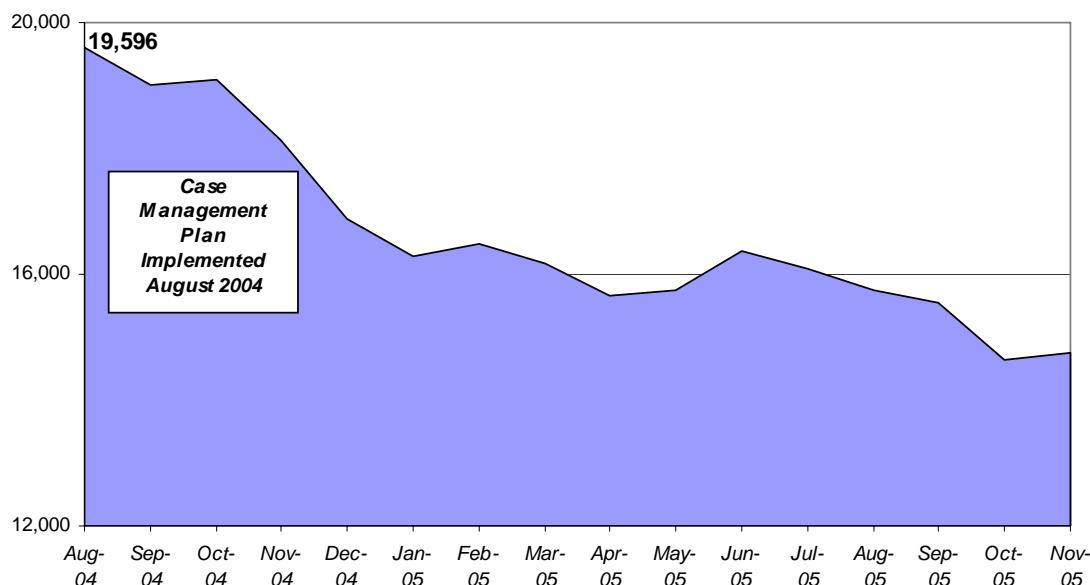
Family Court Case Filings, FY01 - FY05



Family Court Case Aging (pre-decree pending inventory)



Family Court Pending Cases (pre-decree)



E. Recognition/Publicity

The strides made to improve the Family Court in Maricopa County Superior Court have received national, state and local attention. In January 2006, the Court's Uniform Case Management Plan and improvements were featured in an *American Bar Association Journal* article entitled "Arizona Makes Family Courts User-Friendly." (Attachment 4). Norman Davis, Family Court Presiding Judge, and Mary Bucci, former Family Court Administrator, presented the Maricopa Model of Uniform Case Management to the California Family Project Planning Team in San Francisco in August 2005 at that organization's invitation. (Attachment 4).

In January 2006, Norman Davis, Family Court Presiding Judge, was asked to present information on the Maricopa Model to the Hawaii Court Legislative Task Force. At the same time, Diana Hegyi, Special Projects Administrator, provided information on the Maricopa Model to the Hawaii State Coalition Against Domestic Violence. Hawaii is also exploring improvements to its Family Courts through unified procedures.

Mary Sammon, Senior Management Consultant with the National Center for State Courts, has requested a copy of the Maricopa County Model of Uniform Case Management. In June 2006 Diana Hegyi will present a workshop entitled "Innovations in Court Services" at the annual conference of the International Association of Family and Conciliation Courts meeting in Florida that will describe the strides made by Maricopa County's Family Court.

In the fall of 2005, Carolyn Passamonte, Presiding Family Court Commissioner, and Diana Hegyi presented the Maricopa Decree on Demand program to the Yavapai County Superior Court Judges and Administrators at that Court's invitation. In December 2005, the Arizona *Republic* published an article entitled, "Messy Family Court Shows Improvement," describing the Court's innovations. (Attachment 4). In January 2006, Judge Newton, Coconino County Superior Court Presiding Judge, and Judge Randolph Bartlett of the Mohave County Superior Court requested information concerning the Uniform Case Management Plan the Maricopa Family Court has developed. The Gila County Superior Court judicial officers and staff have also asked to meet with Judge Davis regarding the Maricopa County Family Court changes. eCourt is now in operation in 4 Arizona Counties –Maricopa, Yavapai, Mohave, and La Paz.

In August 2004 the *Maricopa Lawyer*, the journal of the Maricopa County Bar Association, published an article regarding the Default on Demand program. (Attachment 4). Family Court Judges and the Family Law Bench discussed the Court's improvements at the meeting of the MCBA's Family Law Section in November 2005. (Attachment 4). In October 2005 Diana Hegyi presented a seminar on the Post Decree Child Support Court to Court staff and users. (Attachment 4). In June 2005, Diana Hegyi provided an overview of the

Decree on Demand program to the Maricopa County Court staff, Family Court practitioners, potential litigants, and document preparers. (Attachment 4).

In the fall 2005, an article explaining the Default on Demand program was published in *The Legal Pad*, the newsletter of the Arizona Courts Association publication. (Attachment 4).

IV. Detailed Initiative Progress

Of the 29 initiatives that we identified for improvement 23 have been fully completed, 5 are awaiting the availability of additional computer programming resources to complete and one is projected to be completed in conjunction with action required by the Supreme Court. With respect to each specific individual initiative identified in our Final Plan of Enhancement submitted to the Arizona Supreme Court on December 7, 2004, we report as follows:

Initiative 1: Immediately implement a uniform case management system patterned after the Northwest Pilot Project model that can be continually refined and improved.

The central objective in improving the Family Court in Maricopa County was to develop a uniform system of case management that included early proactive case management, meaningful hearings, a strict continuance policy, and targeted use of ancillary services to reduce the delay and confusion present in the system. To commence this process, the Family Court bench held a retreat on August 27, 2004, (Attachment 5) and adopted the basics of a new uniform case management system, and approved a number of specific case management proposals set forth in the attached Uniform Case Management proposal dated August 27, 2004 (Attachment 6).

Although the letter from the Arizona Supreme Court directing improvement had only been issued 3 days prior to the retreat, the Family Court was able to accelerate the development of the basic principles of an improved uniform case management system because of the existence of a case management pilot project that had been operating at the Northwest Regional Center of the Court. Commencing with the opening of the Northwest Regional Center in Surprise, Arizona on July 15, 2002, four Judges assigned to Family Court calendars began managing cases within a substantially uniform system. Both the Greacen Report and Chief Justice Jones had cited this Pilot Project as the model upon which to base the new strategy. The concept and details of the Northwest Pilot Project are formalized in the memorandum dated February 28, 2003 to then Presiding Judge Colin Campbell. (Attachment 7).

Our view of a proper uniform case management system is that it must provide efficient and clear procedures to process every case filed in the Family Court system. Accordingly, this initiative to develop a comprehensive uniform case management system necessarily includes the development of all other initiatives, procedures and programs in place or being developed in Family Court. As described elsewhere in this report, much of the last year and a half has been devoted to developing an array of programs and procedures that combine to complete and support a uniform system. With these numerous changes and additions occurring at such a rapid pace, our uniform case

management system went through numerous revisions and evolutions during this time. This process has now solidified sufficiently that the Family Court Department was able to officially memorialize and formally adopt the most current version of the Uniform Case Management Plan at a department meeting held on September 21, 2005. A copy of the current Uniform Case Management Plan is included with this report.

The Uniform Case Management Plan currently in effect in the Maricopa County Family Court is a differentiated case management model that employs early active Judicial management, a focus on final resolution, required litigant preparation for conferences, targeted use of ancillary referrals, early firm trial dates, and user-friendly processes to manage and resolve each category of cases with common characteristics in a uniform manner. While each category may have different characteristics and procedures for resolution, significant effort has been expended to insure that all cases are managed and resolved in a fair and efficient manner. All processes and programs have been designed with deference to the specific goals outlined in the plan. Because our Uniform Case Management Plan is inseparable and comprised in part from all of the other initiatives we committed to implement, we will incorporate the discussion under the other initiatives that follow, rather than further repeat their results here.

Similarly, rather than repeat the various individual components of the adopted Uniform Case Management Plan, we have included a complete copy of the following documents comprising the formal written plan for your review:

Evolution of Uniform Case Management Plan (Attachment 8).
Uniform Case Management Plan Adopted September 21, 2005
(Attachment 9).
Minute Entries and Orders To Appear Forms & Index
(Attachment 10).
Administrative Orders & Index (Attachment 11).
Family Court Administrative Forms & Index (Attachment 12).

Fortunately, development of a Uniform Case Management Plan in Maricopa County coincided with the drafting and adoption of new statewide *Arizona Rules of Family Law Procedure* by the Arizona Supreme Court. Many of us have recognized the need for such rules for many years, and their adoption assisted a more rapid development of the current management system in Maricopa County. The new rules formalized some of the procedures piloted at the Northwest Regional Court, and facilitated improvement in both the new rules and in Maricopa County's Uniform Case Management Plan.

The existence of a written plan does not, of course, guarantee its unerring implementation, but the nature of the plan itself ensures or, at the very least, encourages compliance with the plan. For example, the majority of our cases are uncontested matters that are either terminated through the Decree on

Demand program or administratively dismissed. Individual litigants at their own convenience now schedule default and Consent Decree hearings in the Decree on Demand program electronically on the Court's calendar. This procedure ensures that the Court must be and will be ready to conduct hearings to finalize these cases on the designated dates. Family Court Administration has been given specific directives to terminate abandoned cases, and this process will soon be automated to ensure it happens timely and consistently.

The written plan documents listed above also now form the basis for training all Judges and Commissioners rotating into the Family Court Department. They were first used in their present form to train the last group of judicial officers that rotated into the Family Court Department in September 2005. Change is always difficult, but the new Judges rotating into the department have embraced this uniform plan. The Northwest Regional Center Judges that were part of the formation of the principles in the uniform plan, of course, took no convincing and continue to operate with the newest refinements to the plan. Most of the continuing Judges in the department that were present when the plan was adopted have shifted to the new concepts to the extent necessary in significant part over the last year.

Adoption of the new *Arizona Rules of Family Law Procedure* effective January 1, 2006, also served as a catalyst to transition to the new plan, as old forms and procedures developed under the *Arizona Rules of Civil Procedure* became outmoded. One of the attractions to the bench under the new plan is the central and consistent development and updating of uniform minute entries and orders as rules, statutes and procedures change from time to time. Under a new uniform distribution system all new forms are automatically distributed to each division's Clerk and/or Judicial Assistant within a day or two of their approval.

While it would be inaccurate to state that every Family Court Judge in Maricopa County unerringly follows every concept and procedure in the Uniform Case Management Plan in every case at all times, it is fair to say that substantially all cases in the Maricopa County Family Court are now consistently processed within the principles and procedures outlined in the Plan. In every relevant sense, we have completed what we committed to do—implement a uniform case management system for all cases that will be continually refined and improved, as needed.

Initiative 2: To the extent personnel and resources allow, all self-represented litigants scheduled for an ERC with an Attorney Case Manager will be scheduled for a presumptive 1-hour trial to adjudicate all unresolved issues.

Approximately 26% of all cases are contested cases that require active judicial management and resolution. At any one time approximately 80% to 88% of all filed cases in the Family Court involve one or two self-represented litigants, although a significantly higher percentage of the contested cases have attorney representation.

The Attorney Case Manager (ACM) at the Northwest Regional Court piloted the ERC program for the last 2 years. Approximately 50% of the cases were fully resolved at the conference. The cases that were not fully resolved at the ERC were set on the judge's calendar for a one-hour trial. At trial the judge conducted further discussions with the parties and/or trial activity as indicated to get the case fully resolved. Based upon the success of the pilot project, the court fully instituted the ERC program. Now, all contested cases involving two self-represented litigants are settled or initially managed in an early intervention program known as the Early Resolution Triage Program.

Five attorney case managers who are trained to mediate and conduct settlement conferences in Family Court cases are now conducting Early Resolution Conferences with pro se litigants. Early intervention in these cases is being accomplished when an ERC is scheduled by the Court as soon as the case becomes contested by the filing of a Response. At the time of the ERC, one of three possible outcomes is accomplished: 1) The case is fully resolved with a full Consent Decree that is prepared, signed and forwarded to a Court Commissioner for signature; 2) The parties are able to reach final partial agreement on some of the issues that is memorialized in a written agreement that is filed in the case; or 3) Where one or more contested issues have not been resolved, a trial is scheduled and the parties are handed a Notice of Trial Setting together with a Notice of Trial Requirements that details what is required to prepare for the trial.

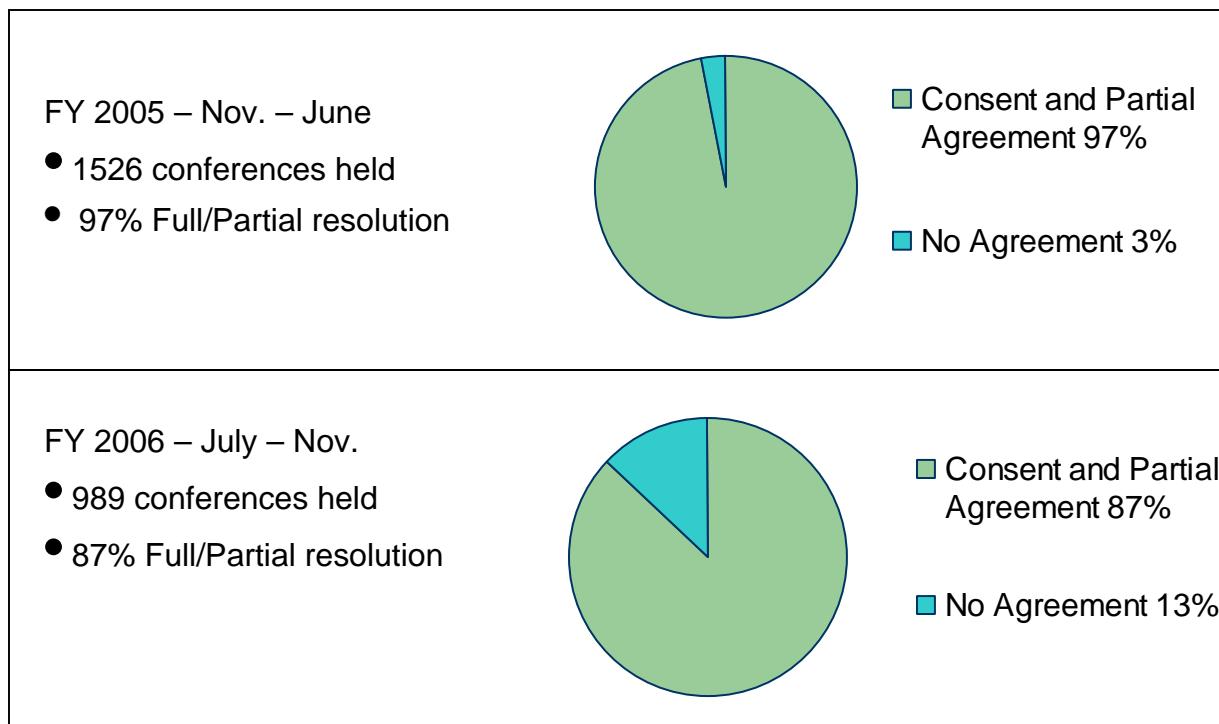
The Early Resolution Triage Program is outlined in Administrative Order No. 2005-045, together with the policy statement and forms. (Attachment 13). The program also involves the services of a Conciliation Services Counselor as needed to mediate the child custody issues or determine whether alleged parental unfitness issues need evaluation.

The parties are ordered to complete a Resolution Statement (M.E. FC691) attached to the Order to Appear, to personally meet and confer to resolve or narrow issues prior to the ERC unless an Order of Protection is in effect, to complete disclosure requirements, and to complete or schedule attendance at a mandatory parent education program prior to the ERC.

The goals of the program are: (1) To obtain full and final settlement of all issues where possible, assist the parties to memorialize all agreements, and facilitate the entry of a Consent Decree if full agreement is reached; and (2) To manage unresolved custody and child support issues, evaluate the need for pre-trial custody and child support services, and initiate referrals and services appropriate to prepare the case for trial. Every case should be finalized with the entry of a Consent Decree or scheduled for a trial or future event to bring closure to all of the issues in the case.

Each judicial division participating in the Early Resolution Triage Program provides 6 trial dates of 1 hour in length each month to Court Administration for use by the Program. Each division also has the option of providing an additional 1 or 2 trial dates each month of 2 hours in length for more complex cases that may require additional time. If the trial dates are not utilized 30 days before the scheduled date, they are released back to the division to utilize as appropriate.

Automation was also needed to ensure that appropriate statistical measures were gathered. The business plan was developed and submitted to the Court's computer team. (Attachment 14).



Initiative 3: The trial divisions would presumptively schedule a trial or other terminating event in every pre decree case at the Resolution Management Conference.

As part of the Department's Uniform Case Management Plan adopted September 21, 2005, a policy was adopted to presumptively schedule trial dates in every pre decree case at the time of the Resolution Management Conference. In those few cases where additional time is required or legal requirements prohibit a trial being conducted, the Court's policy is to schedule a subsequent continued RMC or dismissal date to avoid the case languishing without direction. As stated in paragraph VII(C)(5)(c) of the approved Plan:

c. **Trial Date Set. A trial date should be scheduled in every case (with rare exceptions) at the RMC.** In the event legal impediments are known at the RMC that may prevent a trial from going forward (e.g. a bankruptcy stay), or the complexity or circumstances of the case are such that further management or hearings are required before trial can be scheduled, a subsequent continued RMC or conditional dismissal date should always be ordered to prevent the case from languishing without clear direction (e.g. case will be dismissed on date certain unless bankruptcy stay is lifted, and motion to set filed). The Court should also consider whether reasonable time limits should be imposed on the trial proceedings in accordance with Rule 16(h), *Arizona Rules of Civil Procedure*.

The procedure to presumptively schedule a trial date at the Resolution Management Conference is now authorized by Rules 76 & 77, *Arizona Rules of Family Law Procedure*. Obviously, the scheduling of an appropriate trial date to resolve all contested issues is within the sound discretion of the individual judicial officer, but the department's current policy is designed to schedule a trial date at the time of the Court's first intervention in the case. With the parties and their attorneys present the Court can best assess the length of trial required and when it should be conducted. Legitimate requests for additional time to prepare for trial are discussed and accommodated at the Resolution Management Conference. In those cases when a trial cannot reasonably be scheduled at the first Conference because of unusual complexities or legal requirements, the department's policy is to schedule an additional conference when a trial date can be scheduled.

While it is difficult to empirically assess the result of early firm trial dates in a vacuum without considering the impact of all of the other programs and initiatives, perhaps the best indicator of the success of this change is to monitor the reduction on older cases pending before the Court. In this regard, significantly fewer cases are pending before the Court now than was the case a year and a half ago. The following table compares case aging from July, 2004 with our most recent statistics prepared February 6, 2006:

| Age of Cases Pending | Number of Pre Decree Cases Pending | | Percentage Reduction |
|--------------------------|------------------------------------|---------------|----------------------|
| | July 2004 | January 2006 | |
| Less Than 7 Months* | 14,650 | 10,867 | 25.8 % |
| From 7 to 9 Months** | 2,107 | 947 | 55.1% |
| From 9 to 12 Months | 1,149 | 716 | 37.7% |
| Over 12 Months*** | 1,685 | | 58.3 % |
| From 12 to 18 Months*** | | 466 | |
| More Than 18 Months*** | | 237 | |
| Totals Pre Decree | 19,591 | 13,233 | 32.5% |

* This case aging category for July 2004 includes cases from 0 to 180 days, and 0 to 210 days for January 2006 to reflect change in time to termination goals.

**This category for July 2004 includes cases from 181 to 270 days, and 211 to 270 days for January 2006.

***Case aging over 12 months was further refined into cases 12 to 18 months, and cases over 18 months between the statistical periods.

While case aging was modified slightly during this time to track cases pending less than 7 months, as compared to 6 months previously, to more closely fit our time to disposition goals, the net result is that we reduced our entire case inventory by 32.5% or 6,358 pending pre decree cases, during the last year and a half. This data confirms what we know from experience and intuition, i.e. that a scheduled trial date generates earlier trial preparation and settlement activity than would have otherwise occurred. In harmony with the goals of our Uniform Case Management Plan, this dynamic also reduces the frustration, financial hardship, and trauma to family relationships that is inherent in unnecessarily protracted Family Court litigation.

Initiative 4: Immediately implement a firm trial continuance policy.

The Maricopa County Family Court has now adopted a firm trial continuance policy. As stated in paragraph VI(F)(2) of the adopted Uniform Case Management Plan:

2. **Motions/Stipulations To Continue.**

The Family Court Department has adopted a firm trial continuance policy. The Court should closely follow the standards set by Rule 38.1(h), (i), *Arizona Rules of Civil Procedure*, and Maricopa County Local Rule 3.4. Maricopa County Local Rule 6.8(f) directs that Stipulations to continue trials are simply joint motions to continue and must meet the same requirements of good cause. Undue continuances of trial dates not only cause the parties to experience unnecessary delay, increased expense and frustration, but also create calendar congestion for the Court by multiplying the trial time dedicated to each case, and allowing more intervening process to be generated to temporarily stabilize issues during the delay. Any motion to continue should be in writing and carefully scrutinized.

It has long been known that the granting of liberal trial continuances by the Court, generally delays final resolution of cases, and in the Family Court context, increases stress and the financial burden to families in crisis. Each case is individual and unique, and each judicial officer must exercise his or her best judgment in assessing the circumstances justifying a trial continuance, but to the extent practicable we have now incorporated a firm trial continuance as an integral part of our Uniform Case Management Plan.

Initiative 5: Immediately and uniformly affirm all scheduled trials and hearings when a case is transferred to another division by reason of recusal or a notice of change of Judge.

As the Court is aware, pursuant to Rule 42(f)(1), *Arizona Rules of Civil Procedure* (now adopted in Rule 6, *Arizona Rules of Family Law Procedure*), each party is allowed to change their assigned Judge once as a matter of right if their request is timely filed and the right is not waived. Occasionally Judges are also required to recuse themselves from hearing a case for a variety of reasons. In assessing the process by which a new Judge is reassigned we identified two distinct problems that created undue delay in these cases.

First, the filing of a Notice of Change of Judge or a recusal by the assigned Judge caused all pending matters to be vacated subject to the newly assigned division resetting them. This dynamic encouraged the filing of notices for the purpose of obtaining a continuance, sometimes under circumstances when the assigned division had or would deny a motion to continue. Significant delay is also encountered when a scheduled trial, hearing or conference is vacated and sufficient time must be found to hear the matter on the already crowded calendar in the newly assigned division.

A second problem in the reassignment procedure itself caused additional delay. Historically, when the assigned division received a notice or was required to recuse, that division manually transmitted all pending paperwork to the Family Court Presiding Judge's office. The established process required a new assignment to be made by the Presiding Judge and a minute entry to be generated to make the assignment and notify all parties. If any person in this chain was delayed for any reason, the process could take days, and sometimes weeks to accomplish. The problem was, of course, accentuated if the assigned Judge was assigned at a regional center remote from the Presiding Judge.

To solve this problem, a policy change has occurred in the department to allow these changes to occur in one day, often within an hour of notification of the need to change the Judge. Paragraph VI(F)(1) the Uniform Case Management Plan now provides that:

1. Recusals, Notices & Motions For Change of Judge.

Effective August 10, 2004, an accelerated method to reassign cases arising out of the filing of a timely Notice of Change of Judge or a recusal by the assigned Judge has been implemented. As always when a Notice of change as a matter of right pursuant to Rule 42(f)(1) is received, the assigned Judge decides whether the Notice is timely filed or has been waived.

Taliaferro v. Taliaferro, 186 Ariz. 221, 223, 921 P2d 21, 23 (1996).

If the assigned Judge grants the Notice or recuses from the case, the division's Judicial assistant or bailiff simply provides the division number, the case number, the parties' names, any attorneys' names, and lists any pending matters on an interactive, electronic memo. (Attachment 15). The memo is then e-mailed to the Family Court Presiding Judge's Judicial assistant. Because the memo is interactive the presiding JA, when approved by the Presiding Judge, inserts the division number of the new Judge to be assigned based on a "lose one, get one" formula, and then electronically forwards the revised memo (Attachment 15) reassigning the case both to the noticed division and the newly assigned division. The noticed division then forwards all pending pleadings and documents directly to the newly assigned division. An important change is that all pending conferences, hearings, and trial dates are affirmed with the newly assigned division having responsibility to reset or obtain coverage of the dates if they conflict with other matters.

The new process has been in place since August 2004 and has experienced no significant problems. This initiative is complete. We are now looking to the future and have developed a software enhancement to the iCIS system that will allow this entire process to be completely automated in the near future.

This electronic process has worked extremely efficiently since August 2004. The noticed or recusing division now receives immediate notification of the newly assigned division, allows them to notify all parties and counsel of the new assignment without delay, and results in the prompt delivery of all pending pleadings and documents to the newly assigned division. Pursuant to the policy all parties are notified that any pending trial, hearing or conference is affirmed at the date and time scheduled subject to the newly assigned division resetting if necessary. Accordingly, a party or attorney filing a Notice of Change of Judge merely to accomplish a delay has no assurance that the matter will be continued if it can be accommodated in the newly assigned division.

Initiative 6: Immediately eliminate extensions on the Inactive Calendar in favor of setting a Resolution Management Conference, dismissing the case, or assisting the entry of a default or Consent Decree.

Historically, the Family Court in Maricopa County has received a significant volume of motions from parties and attorneys seeking to continue a case on the inactive calendar. The granting of such a motion merely allowed the case to remain on the inactive calendar and not be dismissed for the designated time ordered. By definition the assigned judicial officer had not met with the parties or managed the case, because under the civil rules no action was required until the parties requested a trial date or conference. Thus, in granting these motions it was generally difficult to determine whether the delay was warranted or merely just delaying action on the case.

To resolve this problem, the Family Court Department adopted a written policy to either deny the motion to continue on the inactive calendar if no continuance was supported, or more often, to schedule the case for a Resolution Management Conference on the Court's own motion. In the later instance, the motion to continue on the inactive calendar is granted with a new dismissal date coinciding with the date of the Conference. Pursuant to paragraph VI(F)(4) of the Uniform Case Management Plan, this policy is stated as follows:

4. Motions To Continue On Inactive Calendar.

The policy of the Family Court Department is to either deny the Motion To Continue On The Inactive Calendar if an extension is not warranted or, if granted, to schedule a Resolution Management Conference (RMC) and continue the case on the inactive calendar only until the day of the scheduled conference. (M.E. FC514). This will facilitate dismissal of the case on that date of the RMC if the parties fail to appear. (M.E. FC516). Once the assigned Judge has ruled on this motion, Court administration defers to the Judge who must track the case to ensure the case is managed or dismissed appropriately.

With the adoption of the new *Arizona Rules of Family Law Procedure*, the concept of an "Inactive Calendar" fostered by Rule 38.1, *Arizona Rules of Civil Procedure* is eliminated. The designation has always been somewhat fictitious in the sense that an inactive calendar case was not placed anywhere—it merely stayed in the system where it was with no action occurring. A significant number of these motions have historically been generated from forms available for this purpose in our Self Service Center. We have eliminated these forms in favor of a request to schedule a Resolution Management Conference with the assigned Judge or, in the case of two self-represented litigants, an Early Resolution Conference with an attorney case manager. With

these internal changes and the adoption of the new rules eliminating the inactive calendar concept, this change is complete.

Perhaps the best way to assess the impact of this change is by reference to our case aging statistics referenced in Initiative 3. It was not uncommon in the past to have multiple motions to continue on the inactive calendar filed and granted, thereby delaying the case for 30 to 90 days or more each time. We do not have precise statistics on the number of Motions to Continue on the Inactive Calendar granted, but strongly believe our new policy has contributed to the overall reduction in our case processing. It would be difficult to resolve most cases within the time frames we currently are achieving and still have any significant volume of cases being regularly continued on the inactive calendar. We anticipate that such motions will disappear entirely over time and be replaced with motions for the Court to schedule a conference or trial and concurrently delay the scheduled dismissal date. This change has the dual impact of not unreasonably dismissing a case prematurely, and establishing Court intervention to settle and/or manage the case to bring it to conclusion.

Initiative 7: Establish management teams for coming regionalization and maintain uniformity where possible.

Greacen Associates recommended the formation of a management committee to formulate and refine a standard case management process and to provide training and structure to the regional teams of Judges.

When the Northeast Regional Center opened, five Family Judges were assigned to it. The problem of maintaining a uniform case management system has become even more difficult than before with the Family Court Department now physically housed in Downtown Phoenix, Mesa, Surprise, and North Phoenix. Implementation of the Greacen recommendations was, consequently, necessary to create a consistent approach to operations, case flow management, and a uniform management structure.

A Family Court Bench Retreat was held in August 2004. At that meeting the Bench discussed a plan to create a uniform management structure before opening the Northeast Regional Center. Associate Presiding Family Court Judges were named for each region as follows:

Judge Colleen McNally, Northwest Facility
Judge John Ditsworth, Southeast Facility
Judge John Rea, Northeast Facility

In addition to adopting a management structure for judicial officers, Family Court restructured its administration staff to a regional management model, placing Family Court Administration staff in each facility and outlining specific responsibilities for each member of the management staff according to a management flowchart. (Attachment 16). The goals were to create consistent Court operations, case flow management, and services.

Finally, on February 25, 2005, the Presiding Judge issued Administrative Order No. 2005 – 032 that established and defined the relationship and authority between the Superior Court Departmental Presiding Judges and the Regional Presiding Judges. (Attachment 17).

Initiative 8: Immediately track and terminate all Order of Protection files separately, and where consolidation occurs, consolidate into the substantive dissolution or paternity case filed by the same parties.

Historically, Family Court statistics included a significant number of Order of Protection files as active cases, even though no further Court action was required. Order of Protection cases are designated as "FC" (Family Court Case With Children) and "FN" (Family Court Case Without Children). Most involve only a Petition for Order of Protection that is either granted or denied the same day it is filed following an ex parte hearing. There are also instances in which the Petitioner abandons the request after filing, and never presents the Petition to a judicial officer. This formerly resulted in an open case file for at least 6 months.

Once an order of protection is issued, the petitioner can serve the order on the respondent within a year of the date the order is issued, pursuant to A.R.S. § 13-3601. The order is effective until one year after the day it was served on the respondent. The respondent can request a hearing on the order of protection any time between the date the order is issued and the date the order expires. This date could, conceivably, be as long as two years after the date the petition for the order of protection was filed. When a request is received, hearings are routinely held within the 5 or 10 day time periods required by A.R.S. §13-3602(l).

Formerly, the case was treated as an open pre decree file for statistical purposes for at least 6 months when the matter terminated. After the case was terminated and when a subsequent request for hearing was filed, it was then treated as an open pre decree file a second time once the request for hearing was filed. This was so despite the fact that the Court could take no action concerning the matter until the petitioner presented himself or herself to a judicial officer at an ex parte hearing, and, once the order of protection was issued, the Court could take no further action until a request for hearing was received from the Respondent. Both decisions were solely in the discretion of the parties in order to provide maximum convenience to these litigants. Treating these files as open for at least 6 months from the time the petition is filed for statistical purposes gave the false impression that the matter had been awaiting determination by the Court for an extended period of time when, in fact, the Court could take no action.

An additional and more significant statistical anomaly resulted when one of the parties to an order of protection proceeding filed a later petition for dissolution or a paternity complaint. These petitions were not infrequently filed several years after the order of protection was dismissed or expired. The subsequent petition was often filed in the original order of protection case file so that judicial officers had as complete a record of the Family Court proceedings between the parties as possible. This again gave the false impression that the

new dissolution or paternity case was years old when in reality it had just been filed. If it was filed as a new case number, but subsequently consolidated into the lower case number as encouraged by Maricopa County Local Rule 2.1(c), it also erroneously appeared that it had been pending for months or years.

To address these issues, the Family Court Department changed its business practices effective November 1, 2004. (Attachment 18). Administrative Order No. 2005-046 ordered Court Administration to dismiss a Petition for Order of Protection that is filed but not presented to the Court for consideration within 30 days. (Attachment 19). In addition, to distinguish cases that are pending and require Court action from those that have been completed, the Court began to separately track all cases where an Order of Protection initiates the case. After the Court grants or denies the ex parte petition, a judicial assistant now enters the hearing event and result into iCIS. A request for hearing by a respondent is now treated as a post decree matter.

Cases in which petitions for orders of protection are filed, but in which the petitioner fails to appear before a judicial officer for an ex parte hearing are now dismissed if no action has occurred for 30 days after filing. Court staff identify these cases from the Cal-Acti report and issue an Order dismissing the case. In the future, these cases will be identified and dismissal orders will be automatically generated.

In those cases where a judicial officer deems it appropriate to consolidate an order of protection case with a substantive dissolution or paternity matter, the Court's policy has changed to presumptively consolidate the order of protection into the substantive case, regardless of which case was filed first. Not only is the Judge assigned to the substantive case more likely to have gained more knowledge of the parties and the controversy than is the Judge assigned the order of protection case (particularly where most of these orders of protection are heard by a Commissioner), but consolidation into the substantive case reduces the chance that the parties will have to reacquaint a newly assigned Judge with the substantive matter, as often happened when matters were consolidated into the lower case number. This policy also prevents a Judge from being unfairly credited with having a two year old case on his or her inventory because an order of protection was filed two years ago, when a petition for dissolution was only recently filed.

In order to accomplish this goal, judicial officers issue a minute entry consolidating into the substantive case (regardless of which case was filed first). Upon receipt of the minute entry, the Clerk of the Court codes iCIS to indicate a consolidation has occurred. Family Court Administration then terminates the order of protection matter and makes appropriate judicial assignment changes.

This initiative is 100% complete. In November 2004, 1164 cases were moved from the “open, active” roster during a review of old order of protection files. These cases represented orders of protection that had been granted, denied or never presented to the Court after being filed. This review has continued with respect to all order of protection matters since November 2004 resulting in an additional dismissal of approximately 15 cases per month. Terminating these matters quickly positively impacts the Court’s time to disposition statistics.

Initiative 9: Immediately track and consider all paternity cases where all pled issues have been adjudicated by entry of an order and nothing new is filed within 30 days as post decree cases.

The characterization of paternity cases for statistical purposes has always created difficulties in the past. Acknowledgements of Paternity are often filed that result in Orders of Paternity being entered. That may be the final resolution of matters between the parties. However, in many cases the parties live together or marry. When they separate, one of the parties may file an action for dissolution, for custody and parenting time, or to establish child support in the same case number. When that happened in the past, it appeared that the Court had allowed a case to languish for many years when the new filing is, in reality, a new matter. In order to track case aging in a meaningful manner, it is important to track the time when issues are first brought to the Court for adjudication until they are terminated.

Under this initiative, when all of the issues pled in a petition or filing (such as an acknowledgment and request to establish paternity, a petition to establish first Court custody and parenting time orders, a petition to establish child support, or a petition to establish paternity) have been adjudicated by a Court order, the case will be tracked as a post-judgment case for statistical purposes. Once statistical compilation is fully automated these cases will be identified and terminated in the Court's computer system upon data entry by judicial staff that a final judgment has been entered.

An administrative policy was issued on October 29, 2004 (Attachment 20) to change the Court's business practices regarding these cases. As a result, Family Court Administration will no longer reinstate a case for case aging purposes when later petitions are filed.

Effective November 1, 2004, Family Court Administration changed its business practices so that once the Court satisfied all initial issues pled in a petition or filing, the case was no longer carried on the Court's open, active roster. As this process has been formalized, it has eliminated old petitions being carried on the active docket when no issues are pending before the Court.

Initiative 10: Immediately track and consider all petitions to convert decrees of legal separation filed more than 30 days after entry of the decree as post decree cases.

Petitions for legal separation are properly tracked and reported as pre decree matters. Once a decree of legal separation is entered, however, the case is concluded and no further judicial action is required or contemplated unless and until one of the parties asks the Court to convert the legal separation to a dissolution of the marriage. Months or years often pass before this occurs, if it ever does.

In order to address this initiative, these cases are now tracked and reported as post-decree matters after the Decree of Legal Separation is entered in the same manner as outlined in Initiative 9.

Effective November 1, 2004, Family Court Administration changed its business practices so that once the Court enters a decree of legal separation, the case is no longer carried on our open, active roster list. This process has been formalized, and has ended the statistically misleading practice of reopening these cases as "pre decree" cases when a petition is filed many months or years later to convert the separation to a dissolution.

Initiative 11: Immediately target our oldest cases for prompt termination as soon as possible.

Family Court Administration assessed the current inventory of pre decree pending cases in each judicial division. Each division then progressively targeted all older cases for prompt termination. All cases that were pending for more than 6 months with no trial or hearing scheduled were scheduled for a Resolution Management Conference ("RMC") as soon as possible or, if appropriate, terminated. Judge McNally, Judge Campbell and Judge Reinstein acted as Special Assignment Judges to try conflicting trials and older cases so that all divisions could transition to a uniform case management system. Family Court administration staff also reviewed Cal-Acti (case aging) Reports and identified and terminated cases.

In December 2004, the judicial officers were given Cal-Acti reports that listed all cases assigned to them that were over 12 months old. The Judicial officer and his/her staff were encouraged to review each individual case and notify Court administration if the case had already been adjudicated so that Court staff could change case codes to show the case as having been terminated or send notices of dismissal to litigants, if appropriate. If the case had not been adjudicated, judicial staff set the case for hearing to determine an appropriate course of action.

Family Court Cal-Acti Reports continue to be generated monthly and given to each division so that each division can effectively track each case. Divisions can now request Cal-Acti reports tailored to their needs. For example, if a judicial officer wants to view all cases on his/her calendar that are 7 months or older, a report is generated and given to him/her.

The Divisions and Court Administration have been working diligently since June 2004 to target the oldest cases, utilize the RMC process and review the case-aging reports. As of September 1, 2004, there were 492 cases over two years old. As of December 1, 2004, there were 239 matters over two years. As of January 1, 2006, there were 237 pending matters over 18 months old.

Currently, only 5% of Family Court's case inventory is over one year old. There has been a dramatic decrease in the number of active, pending cases over 12 months old. In December 2005, the number of cases terminated exceeded the new case filings, which further reduces the active pending case inventory. Also, cases terminated in December 2005 exceeded the interim time standards. With systematic, aggressive case management, we continue to see improvements in time to disposition numbers.

Moreover, this focus on our oldest cases has had a positive effect on the statistics overall: our total active case inventory on July 31, 2004 was 19,591 and in March 30, 2005 the case inventory was down to 15,662. In November 2005, the active pending cases were down to 13,970.

Initiative 12: Periodically identify and consolidate multiple filings by the same parties with appropriate computer diagnostics.

Because many Family Court litigants are not represented by attorneys, it is not uncommon for both parties to file multiple and opposing petitions at various stages in the proceeding. For example, both parties may file competing Petitions for Dissolution of Marriage within days of each other. A misinformed party may file a “post decree” petition to modify or enforce a prior order under a new cause number before their pre decree matter has been resolved. Either or both parties may request orders of protection against the other party without disclosing to staff that there is a prior or ongoing Family Court matter involving the parties. If attorneys are involved, these cases are generally consolidated appropriately, but self-represented litigants may fail to even notify the multiple judicial officers of other pending cases. Delay, confusion and inconsistent results may occur if these multiple filings are not quickly discovered.

This initiative proposes that the Court periodically examine its case inventory using a computer program to identify those cases in which parties appear to have multiple cases pending, or prior closed cases between the parties that are relevant to pending post decree cases. These cases can then be quickly consolidated.

We have submitted a business plan and request to the Court’s information technology team for programming that would identify existing overlapping cases. This initial report was recently generated. Thereafter, it is anticipated that this report can be generated weekly so that all of these matters will be identified on an ongoing basis and consolidated.

The Family Court Presiding Judge has begun to evaluate the number of cases that fall into this category and will decide how to manage the situation. Several case management options have been discussed, including having each regional Family Court Presiding Judge manage these cases at his or her region, having the Family Court Presiding Judge manage all cases that meet this criterion, or assigning these matters to all Family Court Judges according to the current assignment algorithm.

Initiative 13: Establish case management statistical standards, and improve the accuracy and reporting of statistical information.

The Family Court has generally maintained adequate statistics to assess the overall performance of its total caseload and time to disposition rates. More detailed statistical information needed for more effective and efficient case management, however, has not developed as fast as the development of computerized methods to generate such information. In developing this initiative, the Family Court recognized that virtually every decision impacting case managing and processing is impacted by accurate, reliable and timely statistical information. Eliminating, creating or modifying a process or program solely with anecdotal information and broad statistical data simply is not nearly as effective as making such decisions with precise detailed statistics and information capable of tracking and assessing the benefit or detriment of the change.

With this goal in mind the Family Court developed a “Proposed Family Court Statistical Model” to identify and capture detailed case processing information and data in a more comprehensive and consistent manner. The overall model is set forth in a Memorandum dated March 7, 2005, from Judge Davis. (Attachment 21). This statistical model identifies the need for improved statistics in 3 general areas: 1) Summary department statistics to assess the overall performance of the department designed to continue to meet the requirements of the Supreme Court for information; 2) More meaningful department management statistics, primarily for use by judicial leadership and Court Administration to assess and improve uniform case management, as well as individual programs and agencies; and 3) More specific individual case management “Exception Reports” designed primarily for use by assigned judicial officers to identify precise cases that may fall outside pre-determined department standards without the need for a detailed analysis of the entire division’s caseload. More precise detail on the nature and parameters of this enhanced statistical information is set forth in Attachment 21.

Because of the Court-wide demand for technology development and a scarcity of computer programmers over the last year, the necessary computer enhancements have not yet been completed on this initiative. The Family Court has been required to develop significant computer enhancements to initiate and operate other programs described in this report. The Court’s computer web team has been busy over the last year developing the online, electronic, interactive and prompted forms system (eCourt) to enhance and replace forms at the Self Service Center (Initiative 26). An automated electronic Order of Protection system has been enhanced and now operational in a bilingual format. Development of the Decree on Demand program required a web-based program and an iCIS enhancement to augment a telephone call-in process to interview Petitioners and schedule default hearings (Initiative 16). Numerous changes were required to our case management iCIS system to implement scheduling protocols, auto triggers, calendaring matrices and other

programs for the new Early Resolution Triage Program (Initiative 2), to modify statistical reporting (Initiatives 8, 9 & 10), and to reduce redundant and confusing computer codes identified by an iCIS review committee. In addition, the development of a nearly completed computer program to automate changes in division assignments (Initiative 5), and the creation of a Post Decree Tracking system to manage and track post decree matters (Initiative 21), required significant programming resources. With this accelerated demand for additional computer programming time, and recognizing that comprehensive statistical models may be more meaningful when the additional programs they will monitor are operational, the programming for our statistical model was deferred. As these other programs are completed, however, we will return our attention to statistics and will improve our statistical gathering and reporting abilities in 2006.

Initiative 14: As soon as computer resources allow, develop “Exception Reports” to replace the current “Cal-Acti” reporting system to identify delayed cases.

Traditionally, the primary case management report supplied to each judicial division and utilized by Court Administration has been a “Cal-Acti” report. This report lists every case assigned to the division broken into various categories (new case, trial set etc.). While this report can be a useful management tool to ensure each case is properly addressed, it also requires the expenditure of significant blocks of time not always available to judicial officers and Court staff to review hundreds of individual cases on a routine basis and identify those that require action.

As part of the “Proposed Family Court Statistical Model” outlined in Judge Davis’ Memorandum dated March 7, 2005 (Attachment 21), we are working to replace the “Cal-Acti” report with a more dynamic exception reporting system. Although we will retain the ability to print and review every case as needed, we will have the computer do much of the preliminary work by identifying only those cases that fall outside of established department standards on a customized “Exception Report” for each division. In this manner a Judge would be able to determine, for example, all cases that have been pending for more than 7 months that have not been set for trial or scheduled for dismissal on a date certain, or all cases that are over 12 months old for any reason etc. Other reports would be generated for other deviations from case standards as preliminarily identified in the above Memorandum, and each department or agency of the Court would be supplied customized reports with respect to only those cases for which it has responsibility.

While the accuracy of our statistic information has improved over the last year and some individual non-standard exceptions reports have been prepared for discrete projects, routine department-wide exception reports are not yet a reality. This will remain a priority goal to complete in 2006.

Initiative 15: Evaluate Greacen's recommendation to overset trials.

The Greacen Report recommended that the Family Court consider oversetting trials as a case management strategy. The Maricopa County Superior Court has considerable experience with oversetting trials on Civil and Criminal calendars. In that arena oversetting is not only desirable, but essential to effective calendar management. Scheduling 5 Civil trials or 10 Criminal trials each week on each judicial calendar is done with the expectation and the reality that most of the scheduled trials will settle. The assigned Judge will seldom be required to actually conduct more than one trial on the same day, and a case transfer system accommodates those conflicts that do occur.

The case scheduling dynamics that work so well in the Civil and Criminal Courts, however, do not transfer linearly to Family Court. The typical Civil or Criminal calendar has the major portion of most days set aside to hear trials. When trials occur they are typically conducted for 3 to 5 days or longer with a jury. If settlement occurs, the division has significant time available to hear a conflicting case from another division from the case transfer system. Family Court does not fit this mold.

Family Court hearings and trials are typically scheduled anywhere from 15 minutes to $\frac{1}{2}$ day, with multiple hearings and trials set on any one day. The Judge is the trier of fact and required to make detailed findings and rulings in each case. Family Court is very paper intensive and each Judge is required to rule on and process a large volume of motions and requests on a daily basis. Some cases do settle, but a much greater percentage than either civil or criminal cases do not. If a case does settle, it is a rare circumstance when the Judge does not have pressing rulings or other matters to utilize the time. Self-represented litigants, in particular, do not usually know how to prepare the necessary settlement paperwork to vacate a trial, and the Judge is required to meet with them even if their case settles to finalize the matter and assist in preparation of the final documents.

Another difference also occurs in Family Court as a result of the implementation of the early intervention strategies described in this report. Cases involving 2 self-represented litigants that become contested are all seen initially by the Early Resolution Triage Program. After meeting with an Attorney Case Manager in an Early Resolution Conference, the case is either resolved and a decree entered or a trial date set. Because the Early Resolution Conference is a focused settlement conference, the cases coming out of that program that are not settled and must be set for trial on the Judge's calendar, are much less likely to settle. Even if some further settlement is possible on the date of trial, the parties are usually unable to prepare sufficient documentation to finalize their case, and the Court enters the appropriate agreements and orders as a signed minute entry. Similar dynamics occur with contested attorney cases managed by the judicial officer. Under our current Uniform Case Management

Plan, every case set for trial has already been managed by the Judge at a Resolution Management Conference where settlement options are explored.

The concept of oversetting trials has been addressed with the department and has no current support from any Family Court Judge. One Judge rotating to Family Court from a Criminal assignment did express support for the idea because of the positive Criminal experience before actually hearing cases. Within days, however, he abandoned the idea as unworkable because of the crush of hearings, conferences, unscheduled emergency petitions, rulings, motions and written requests consuming his time. It is our current thinking that oversetting trials would more often than not require the conflicting trials to be continued, and frustrate our goals of providing firm trial dates and reduce the time to resolution.

We have not totally abandoned the idea of oversetting trials in the future, but for purposes of this report and this initiative we have evaluated the concept and determined it currently unworkable. Outside of our current plan of improvement submitted to the Supreme Court, we are beginning to discuss a team approach to Family Court that could produce benefits in the use of ancillary services and assist in regionalization of the Court at dispersed Court centers. As part of this concept we will revisit the issue of oversetting trials. In that environment it may be possible to gain some efficiency by designating trial dates for a team, and oversetting a few additional trials. Even in that model, however, it will be critical to assure that the judicial officers have sufficient time available to make timely decisions and enter timely rulings.

Initiative 16: Immediately implement a “default on demand” procedure to allow parties to finalize uncontested cases at a default hearing scheduled at their convenience as soon as the next day.

A significant number of Family Court cases are terminated by entry of a default decree. From April 1 through July 31, 2004, the Family Court terminated 3,291 cases by default. That number represented 30.1% of the Family Court cases terminated during that period, a figure that appears to be consistent with the percentage terminated by default during other periods of time. Consequently, it appeared that simplifying the default process would assist many litigants.

Historically, all requests for default decrees were subjected to a file review procedure to assure compliance with rules and statutes before a default hearing could be scheduled. This process took 6 to 8 weeks for cases in which there were no problems in the paperwork submitted by the litigants. If there were deficiencies, the process took even longer. This delay created much litigant confusion and frustration, and made many litigants come to Court several times before their documents were corrected to the point a judicial officer could sign their decree.

On August 2, 2004 the Court changed this process to a “default on demand” program at its downtown complex. (Attachment 22). This eliminated virtually all delay in obtaining a default decree once waiting periods required by statutes and rules were met.

Under the new program, litigants simply call a dedicated phone line at the Court and request the hearing date they want, including the very next day. A brief telephone interview is conducted for staff to verify that the necessary documents have been filed and critical time periods have expired. The interview is also used to identify cases in which interpreters or hearing transcription services will be needed. (Attachment 23).

If all documents have been filed and statutory and regulatory time periods have been met, the litigant is simply told to report to the “default room” before entering the Courtroom on the day they have chosen. Staff in the default room conduct a file review, review the final paperwork, identify possible deficiencies, assist the litigant in correcting any deficiencies that can be cured with the forms available on the Court’s website, and calculate child support using the Court’s calculator before sending the litigant to the Courtroom for hearing with a Commissioner.

In addition to procedural changes, many internal and external changes were also necessary. For example, a Courtroom had to be redesigned to accommodate the increased numbers of litigants. Staff job descriptions had to be changed, and staff had to be trained to support the project. A new phone

system had to be installed to support the increased number of callers. Planning documents are attached (Attachment 24). File review and scheduling of default hearings had to be automated. (Attachment 25). The Court developed an on line program so litigants can go through the initial screening and schedule a default hearing through the Internet. (Attachment 26).

This program expanded to the Northwest Regional Court Center in Surprise on February 1, 2005, to the Southeast Regional Court Center on April 4, 2005, and to the Northeast Regional Court Center on November 3, 2005. Because of limited demand and staffing, the program is not available at these regional centers every day of the week. With that limitation, litigants still pick the date and time they want to have their hearing.

Currently, litigants can participate in the program telephonically or online as follows:

To schedule a default hearing at any Court location litigants log onto the Court's website or call the Decree on Demand phone number. The litigant schedules a hearing at the time of his or her choosing during the times listed below. If a litigant wants a hearing the next day, s/he must call before noon to allow for file review before the hearing. The website and telephone number are:

Website: www.eCourt.maricopa.gov/dod
Phone: (602) 372-3332

Downtown: Hearings are scheduled Monday through Friday each week with some lesser used language and publication cases scheduled on Wednesdays and Spanish Interpreter cases scheduled on Fridays. Check In: Default Room located at CCB3.

Southeast: Hearings are scheduled Monday, Thursday and Friday each week with lesser used language and publication cases heard one or two Thursday's each month and Spanish Interpreter cases scheduled one Friday each month. Check In: Suite 1300.

Northwest: Hearings are scheduled Tuesday and Thursday afternoons with all interpreter matters and publication matters heard one Friday each month. Check In: Information Center.

Northeast: Hearings are scheduled Monday and Thursdays each week with all interpreter matters heard one Thursday per month and publication cases heard one or two Monday's each month. Check In: Family Court Administration.

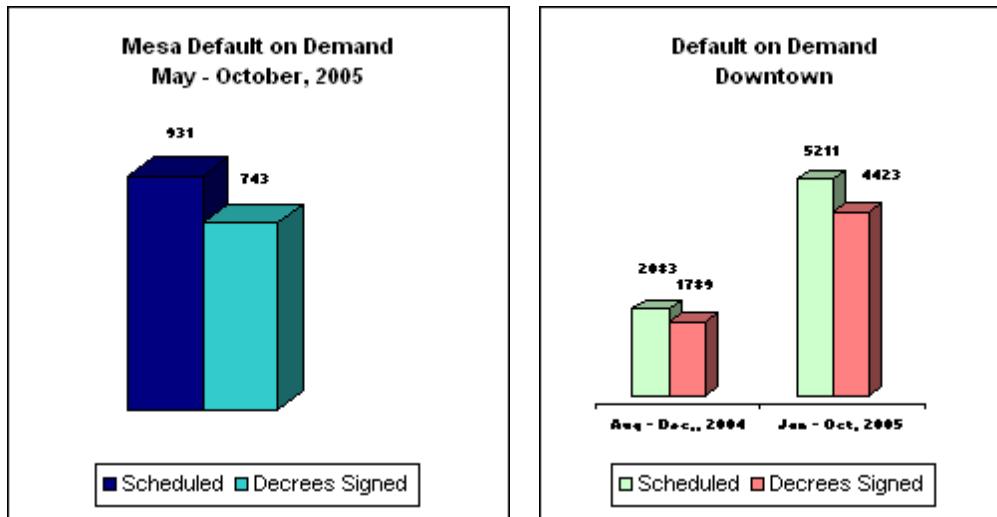
This initiative is 100 percent complete. It is fully operational in all Court locations.

Default on Demand is a dramatic and innovative change that has reduced unnecessary bureaucratic delay at a very stressful time in the lives of 27% of all pre decree litigants from an average of ninety days to one day. It gives people who cannot afford attorneys help in properly filling out the forms that are needed for them to move forward with their lives. It prevents the frustration that resulted from nearly half of all applicants having documents sent back to them through the mail with a demand that they make changes they did not understand and provides a mechanism to clarify the steps they needed to take to get the decree they need. It is an outstanding example of the government responding to the needs of its citizens.

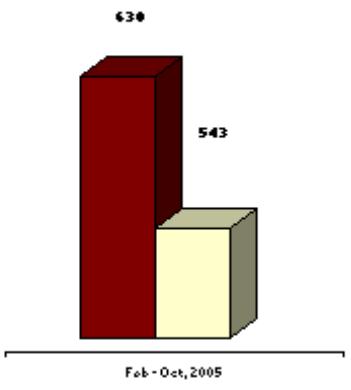
The program has also helped to reduce the overall time it takes the Court to conclude cases. Between August 2004 and October 2005, 8855 default hearings were set and 7498 decrees were signed. A review of 2000 default cases showed that most litigants filed a request for judgment in less than 45 days after the date of service. Once the statutory timeframes passed, half of all litigants who called the Court requested a hearing between one and seven days from the date of their phone call.

The response from the public and the Bar has been very positive, and the morale of Court staff involved in the program has increased considerably. Many self-represented litigants return to thank the staff for their assistance in concluding their case.

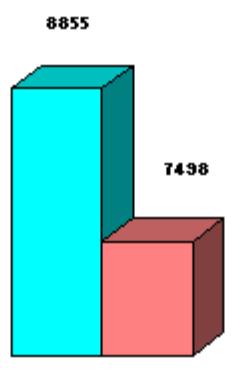
Default on Demand received a 2005 NACo (National Association of Counties) Award in August, 2005 for outstanding achievement (Attachment 27).



Northwest Default on Demand
Feb - Oct, 2005



All Court totals
Aug 2004 - Oct. 2005



Initiative 17: Determine whether the default process is sufficiently understood and simplified for all litigants.

Family Court Administration randomly analyzed 2,473 default files to determine if the process prior to scheduling and conducting the default hearing was easily understood and navigated for all litigants, particularly pro per litigants. Cases in which litigants were represented by attorneys were compared with cases in which litigants represented themselves. The following indices were examined: 1) average time from filing to service of petition; 2) average time from service of petition to filing of an affidavit of default; and 3) average time from filing affidavit of default to request for default hearing and the actual default hearing. The results of this study are summarized below.

These indices indicate no significant disparity between cases in which litigants were represented by attorneys and cases in which litigants represented themselves. Consequently, it appears that self-represented litigants understand the default process and are able to use it expeditiously.

| Days from Request for Hearing to Hearing All Locations | | | | | | |
|---|----------------|---------|-----------------|---------|--------------|---------|
| | <i>Pro Per</i> | | <i>Attorney</i> | | <i>Total</i> | |
| | # | % | # | % | # | % |
| 1-2 days | 618 | 28.19% | 16 | 5.69% | 634 | 25.64% |
| 3-7 days | 753 | 34.35% | 61 | 21.71% | 814 | 32.92% |
| 8-14 days | 376 | 17.15% | 67 | 23.84% | 443 | 17.91% |
| 14+ days | 445 | 20.30% | 137 | 48.75% | 582 | 23.53% |
| Total | 2192 | 100.00% | 281 | 100.00% | 2473 | 100.00% |

| Days from Service to Filing Application for Default All Locations | | | | | | |
|--|----------------|---------|-----------------|---------|--------------|---------|
| | <i>Pro Per</i> | | <i>Attorney</i> | | <i>Total</i> | |
| | # | % | # | % | # | % |
| <45 days | 1184 | 54.01% | 176 | 62.63% | 1360 | 54.99% |
| 45-60 days | 242 | 11.04% | 29 | 10.32% | 271 | 10.96% |
| 61-90 days | 414 | 18.89% | 34 | 12.10% | 448 | 18.12% |
| >90 days | 352 | 16.06% | 42 | 14.95% | 394 | 15.93% |
| Total | 2192 | 100.00% | 281 | 100.00% | 2473 | 100.00% |

| Days from Service to Hearing All Locations | | | | | | |
|---|---------|---------|----------|---------|-------|---------|
| | Pro Per | | Attorney | | Total | |
| | # | % | # | % | # | % |
| <70 days | 690 | 31.48% | 91 | 32.38% | 781 | 31.58% |
| 71-90 days | 564 | 25.73% | 66 | 23.49% | 630 | 25.48% |
| 91-120 days | 371 | 16.93% | 49 | 17.44% | 420 | 16.98% |
| >120 days | 567 | 25.87% | 75 | 26.69% | 642 | 25.96% |
| Total | 2192 | 100.00% | 281 | 100.00% | 2473 | 100.00% |

| Days from Filing Application for Default to Request for Hearing All Locations | | | | | | |
|--|---------|---------|----------|---------|-------|---------|
| | Pro Per | | Attorney | | Total | |
| | # | % | # | % | # | % |
| <20 days | 702 | 32.03% | 106 | 37.72% | 808 | 32.67% |
| 21-30 days | 406 | 18.52% | 71 | 25.27% | 477 | 19.29% |
| 31-60 days | 785 | 35.81% | 53 | 18.86% | 838 | 33.89% |
| >61 days | 299 | 13.64% | 51 | 18.15% | 350 | 14.15% |
| Total | 2192 | 100.00% | 281 | 100.00% | 2473 | 100.00% |

This initiative is 100% complete. It appears the default process has been successfully simplified so that litigants representing themselves are able to navigate the system and obtain a default judgment as quickly as litigants represented by attorneys. It is expected that the Court process will be further simplified as eCOURT continues to develop and expand.

In the event a litigant fails to move their case forward, the Court also automatically sends the litigant a notice that explains the next step. (Attachment 28).

Initiative 18: Implement a process to enter Consent Decrees at the convenience of the public with a process similar to “Default on Demand.”

Consent Decrees and Stipulated Judgments (collectively referred to hereafter as “Consent Decrees”) were targeted because nearly 20% of uncontested pre decree Family Court matters are finalized through this device. In order to effectively manage the Court’s large caseloads, it is essential that cases that can be settled are identified and settled as soon as possible after they are filed. In addition, litigants need and deserve finality as soon as possible so that they can move forward with their lives. If litigants reach agreement, the Court should do its utmost to finalize their agreement expeditiously.

Until recently all Consent Decrees submitted to the Court for approval and signature went through a process of staff review to assure compliance with statutes and rules before signing by a judicial officer. The process often took 6 to 8 weeks. If deficiencies were identified, the process often took longer. This time consuming process created confusion and frustration. Because litigants and attorneys often needed to have decrees signed before the end of the calendar year for tax and other reasons, and because the Court’s process was so time consuming, each year the Court designated a deadline by which litigants were required to submit Consent Decrees if they wanted to ensure signing by December 31.

One of the effects of implementing the Default on Demand program downtown in August was that it placed great pressure on the Family Court staff to ensure that the Consent Decree program did not take a significantly longer period of time than our default divorce did or we knew we would have great public outcry. As a result the entire team kept sharp on Consent Decrees and through our busiest time at the end of the year, we maintained a one-week guarantee turnaround time for finalizing Consent Decrees that were submitted at any of our Courthouse locations.

In December 2004, the Court convened a workgroup comprised of Judges, Commissioners, Administration and staff to study the current procedures by which the Court processes consent decrees. The workgroup’s objective was to identify best practices and problematic issues.

The workgroup identified many positive aspects of the existing method of processing consent decrees. It wanted to ensure that litigants would continue to have the option of mailing their Consent Decrees to the Court for approval and signature. It believed that the time the Court took to review and sign Consent Decrees could be reduced.

Some Consent Decrees result from the Early Resolution Conference held by the Court’s Attorney Case Managers. The Attorney Case Manager conducting the conference assists the parties to prepare the Consent Decree and directs the parties to a Commissioner to review and sign the Decree

on the day the Early Resolution Conference is held. The result is that the litigants attending these conferences negotiate an agreement and obtain a signed decree in just one day. Prior to the implementation of the ERC program, negotiated Consent Decrees that resulted from the DCM program were not submitted to the Commissioner for signature. The workgroup wanted to ensure that litigants who reached a Consent Decree could have it approved and signed by the Commissioner immediately.

Consent Decrees are also sent to the Court by mail or delivery service by litigants and attorneys. Once they reach the Court, these matters are internally routed to Commissioners for approval and signature. In order to decrease the delay in signing these matters, the Court assigned and trained additional staff members and judicial officers to review and sign the documents in each of the Court's locations. In addition, the Court added an option to allow litigants to schedule a hearing at a convenient time to come to the Court to have their Consent Decree signed for litigants for whom immediate processing is a priority.

The workgroup finalized its recommendations and procedures in February, 2005. (Attachment 29). All recommendations and procedures became effective March 1, 2005.

The Default on Demand program changed to include the signing of all Consent Decrees submitted at the Downtown and Northwest Court Centers effective March 1, 2005, at the Southeast Facility on April 4, 2005, and at the Northeast Center effective November 3, 2005. Consent Decrees can now be submitted for regular processing by mail or for expedited processing on demand. Decrees and Judgments submitted by mail are reviewed and returned within one week.

Expedited processing requires the litigant to call the Court to schedule a hearing in the same manner as a default hearing. The hearing is held on the date requested by the litigant and can be set as early as the day following the litigant's call to the Court. At the hearing a Commissioner reviews and signs the decree. An online computer option was added to the program on June 27, 2005 that allows litigants to schedule a hearing entirely online.

The combined Default on Demand and Consent Decree processing programs are now referred to as "Decree on Demand." The telephone number and website for an on demand hearing are the same as those listed above for a default hearing. The mailing addresses to submit a Consent Decree or Stipulated Judgment by mail are:

Downtown: Maricopa County Superior Court
Family Court Administration
201 W. Jefferson, 6th Floor
Phoenix, Arizona 85003

Northeast: Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

Northwest: Maricopa County Superior Court
Northwest Regional Court Center
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Southeast: Maricopa County Superior Court
Southeast Regional Court Center
Family Court Administration, 1st Floor, Suite 1300
222 East Javelina
Mesa, Arizona 85210

Paperwork can also be submitted in person at these locations between 8 a.m. and 5 p.m.

Initiative 19: Establish a procedure to identify, separate and assist cases that are now dismissed due to ignorance or frustration (“failed cases”) from those cases that are now dismissed due to reconciliation or other appropriate reason.

A significant number of cases in Family Court are administratively dismissed due to a failure to serve and/or a failure to prosecute the case. For the 12-month period from January 1, 2005 through December 31, 2005, our statistics show that the following numbers and categories of cases were dismissed without being finalized:

| Reason For Dismissal | Number | Percentage |
|--|---------------|-------------------|
| Administratively Dismissed For Lack of Prosecution | 4610 | 12.9 |
| Dismissed For Lack of Service | 2235 | 6.3 |
| Case Management Terminations | 1352 | 3.8 |
| Dismissed By Judges For Lack of Prosecution | 1086 | 3.0 |
| Totals | 9283 | 26.0 |

We know that many cases in Family Court are voluntarily abandoned by the parties due to reconciliation or other desire not to proceed. Such cases are, of course, properly dismissed and should be removed from the system without delay. This furthers the goal articulated by then Chief Justice Jones to preserve family relationships as a clear priority. Presumably other cases may be dismissed because a party is frustrated or confused with a legal system foreign to them. Distinguishing one group from the other is our challenge without unduly meddling in a case and improperly suggesting an outcome, advocating for either party, or giving legal advice.

Perhaps the most direct way to distinguish litigants that have reconciled from those that don't know how to proceed is to simply ask them. This process is easy to articulate but much more difficult to implement. The Family Court had initially indicated in its Final Plan of Enhancement (Attachment 3) that it would pursue this initiative with a telephone survey. As we also more fully discussed in our Final Plan, direct telephone contact with a petitioner whose case is dismissed can create unintended consequences to the parties or possibly place a petitioner in peril. Personally attempting contact with petitioners whose cases were dismissed for lack of service may place the petitioner at risk if he or she is a victim of domestic violence and the abuser first learns of the filing from this contact. Other contacts from the Court could appear to be encouraging action to be taken, precipitate further stress on a fragile relationship, cause more conflict or anger, or facilitate some other unintended result.

Because of these and other concerns, and because there may be a better way to address these questions, we deferred consideration of a telephone

survey until we had undertaken some empirical analysis of specific dismissed cases. We have now reevaluated the advisability of conducting a telephone survey and determined both that it likely would not produce any more substantive results than review of the Court files, and that the risks outweigh the benefits of such a survey. Telephone solicitation is intrusive and viewed negatively by the public. In addition to the inherent risks involved as identified more fully in our Final Plan, it also appears unseemly for the Court to use such a method to randomly question a stranger about one of the most personal aspects of his or her life—their marriage relationship. Such a process may also have the appearance of encouraging the petitioner to proceed with dissolution of the marriage.

We have also addressed this initiative by greatly reducing the possibility of frustration or delay by providing clear and concise information and assistance to every self-represented litigant at meaningful intervals in the system by: 1) Providing clear and concise forms that are readily available and easy to complete to commence any Family Court action; 2) Implementing a user-friendly default and Consent Decree system to finalize uncontested cases; 3) Taking control and managing all contested self-represented cases that become contested without further action from the parties; 4) Providing clear instructions to parties whose case was scheduled for dismissal as to how to move it forward; and 5) Providing a Family Court Navigator and training other Court personnel to provide information and answer procedural questions at any time.

In addition to markedly improving the simplicity of the entire Family Court process and making it much more user friendly, we have completed an initial review of 938 dismissed cases to determine if reconciled cases could be isolated from “failed” cases. While this is an inexact science and there is always more that can be done to make the system less confusing and better understood by all litigants, we have concluded that our current system has no significant problem of dismissing cases of litigants who desire to finalize their case but cannot because of confusion or complexity. There are undoubtedly isolated anecdotal incidents where such may be the case, and we will continue to improve the nature and quality of information we provide to self-represented litigants in the future, but the current system does not create unreasonable bars to entry or navigation from our analysis. Cases are also only dismissed with advance notice as required by the rules. Cases to be dismissed for lack of service and/or lack of prosecution are sent notices of the impending dismissal with detailed instructions on actions to initiate to proceed with the case.

Under our current Uniform Case Management Plan, once a petitioner serves the respondent and files an affidavit of default, the process is greatly simplified when the litigant simply calls the phone number or logs onto the website for the Decree on Demand program. Detailed instructions, personal information and assistance are provided by trained Court staff to guide the petitioner to the Court and assist in the review and correction of any deficiencies.

Therefore, in conducting our review we were particularly interested in learning whether self-represented litigants were able to navigate through the system to effect service of process and schedule a default hearing. Similarly, once a Response is filed in any case with two self-represented litigants, the case is automatically scheduled for an Early Resolution Conference with an Attorney Case Manager. Under our current Uniform Case Management Plan once the Court schedules its first conference or hearing, all follow-up hearings are scheduled by the Court without any further action of the parties.

We randomly selected for review 938 cases that were dismissed by the Court in the month of February 2005 for inactivity. Of this number, 590 were dismissed for lack of prosecution, and 348 were dismissed for lack of service. The 590 cases dismissed for lack of prosecution were filed with varying degrees of assistance: 37 were filed by the Arizona Attorney General's office under the Title IV-D program, 102 by private attorneys, 133 were prepared and/or filed by document preparers, 276 were submitted by self-represented parties using the Court's Self Service Center forms, and the remaining 42 were unrepresented litigants who obtained forms from unknown locations. We excluded the cases filed by attorneys from analysis because attorneys seldom allow a case to be dismissed in error, and they possess the requisite skill and knowledge to navigate the system regardless of its complexity.

To a lesser degree we made a similar assumption with the 133 cases filed by litigants with the assistance of certified document preparers. While document preparers aren't as familiar with Court rules and procedures as are attorneys, in the narrow scope of the services they provide they are generally successful in filing a case, effecting service of process and scheduling a default hearing. Of the 133 dismissed cases reviewed that were filed with the assistance of a certified document preparer, 116 were served, and 17 had responses filed prior to dismissal. The Court dismissed some of these cases after identifying deficiencies in paperwork or service requirements. The Court has identified this as an area that needs continued monitoring once our statistical model is fully developed.

Of the remaining reviewed cases that were dismissed for lack of prosecution, 318 were filed by self-represented litigants using the Court's Self Service Center forms or forms from other unidentifiable sources. Of 318 petitions filed by self-represented litigants, the self-represented petitioner was able to effect service of process in 269 cases. The remaining 49 petitions were not served, but 14 of these had responses filed prior to service to place the case at issue without service. Additionally, with respect to these 49 cases not served there is direct evidence in the files that 26 litigants notified the Court that they had reconciled. Also of the 49 cases not served 39 were dismissed by the parties themselves, 7 by Court administration and 3 by the assigned judicial officer. Significantly, in all of the 318 self-represented dismissed files we found

no indication that the parties had filed documents or made contact with the Court. We conclude from this that it is unlikely that dismissals by self-represented litigants are the result of frustration or misunderstanding of Court processes.

With respect to the 348 cases dismissed for lack of service in our case review, 344 of the cases dismissed were filed by the State under the Title IV-D program, and only 3 were filed by self-represented litigants. We strongly suspect that this particular statistic is not a representative sample of cases not served, and suspect that this number is due more to isolated administrative action in the month in question than it is representative of dismissal of cases not served. It does, however, identify another problem in Title IV-D case processing that we will address as part of our comprehensive review of IV-D case processing with our Court. We are currently expanding our search of statistic information in this area to obtain more meaningful results with respect to cases dismissed for lack of service.

While our survey of a random but substantial number of dismissed cases is not absolutely determinative, there is strong evidence that most self-represented litigants are able to navigate our Court process at least to the point that our case management procedures take control of the case. Although we need to remain vigilant in this area, our initial review indicates that attorneys and self-represented litigants allow their cases to be dismissed, or actively move to dismiss them primarily due to reconciliations or for reasons other than frustration or complexity of the Court system. As we improve the legal information provided to litigants under joint initiatives with the Supreme Court, we will continue to assess and monitor our systems to determine what may remain too complex or frustrating for self-represented litigants.

Initiative 20: Create a Post Decree Court to hear all child support modifications as soon as possible.

Prior to this initiative, Family Court had a number of different procedures by which child support could be modified. Expedited Services handled the bulk of these requests so that the Judicial Divisions did not hear them. However, the process involved long modification conferences, lengthy written reports and recommendations being submitted to review by a Judicial officer, an objection process, and, if necessary, further evidentiary hearing. The resultant delays seemed inefficient, unnecessary, and frustrating. It appeared that in many cases the process increased the tension and disagreements between the parties failing to provide prompt resolution of the parties' disagreements. The Grecean Report recommended streamlining the Expedited Services process.

It recommended that:

- The Court resolve child support issues promptly,
- The Court reduce the number of times the parties had to physically appear in Court,
- The Court ensure that judicial decisions were made by judicial officers, and
- The Court use its ancillary services more effectively and efficiently.

The Family Court decided that all post decree modification requests should be assigned to a Post Decree Child Support Court. A brief initial conference would be scheduled with an Expedited Services Conference Officer followed by an immediate hearing, if necessary, before a Commissioner. If agreement is reached, a Stipulation and Order could be prepared and the matter concluded by the Commissioner, who could immediately review and sign the Order. If any amount necessary to calculate support is disputed, the Conference Officer could simply save the child support worksheet on a shared computer drive, highlight the number(s) on a worksheet and send the parties to a Commissioner for hearing on the disputed issues without having to prepare a lengthy written report.

Accordingly, the Family Court conducted a pilot project in the Northwest Courthouse from January 12 to June 8, 2005. The results were:

Hearings scheduled: 73

Hearings held: 4

Conferences scheduled: 73

| | |
|-------------------|--------------------|
| Conferences held: | 54 |
| Outcome: | 27 Full Agreements |
| | 13 No Agreements |
| | 14 Unknown |

The Southeast Court conducted a pilot project from June 8 to October 31, 2005. (Attachment 31). The Post Decree Child Support Court was fully implemented on November 1, 2005. The results for that project between July and October were:

| | |
|------------------------|----------------------|
| Hearings scheduled: | 49 |
| Hearings held: | 8 |
| Conferences scheduled: | 49 |
| Conferences held: | 28 |
| Outcome: | 23 Stipulations |
| Total resets: | 5 vacates, 13 resets |

Based on the success of the pilot projects and the recommendations of the committee, the Family Court decided to implement the project throughout the Department. An additional Commissioner position was required to hear these matters, so the Court submitted a proposal to the County Board of Supervisors to fund a Post Decree Commissioner position for the present fiscal year. (Attachment 32). This funding was approved effective July 1, 2005.

A committee evaluated and reviewed the current processes. The full committee met on May 19, 2005, July 21, 2005 and August 18, 2005. (Attachment 30).

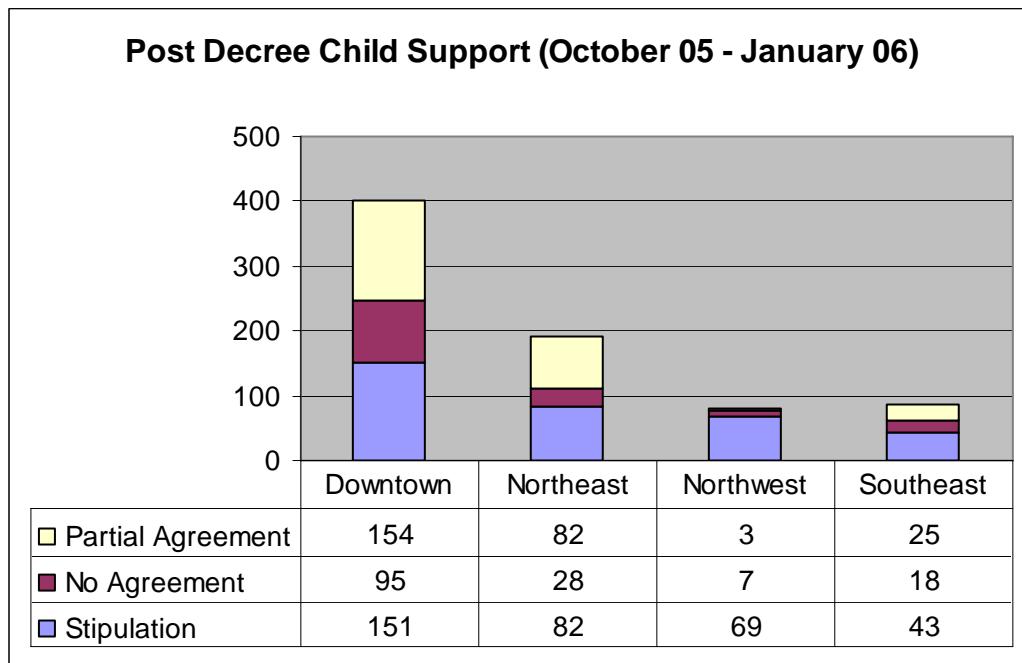
Pursuant to the committee's recommendations, Family Court completely restructured its judicial calendars, administrative processes, Self Service Center instructions and filing packets, conference officer calendars, and automation. All post decree modification requests that also involved child custody and parenting time were referred to the assigned judicial division for decision. This is designed to avoid litigants being referred to a separate conference with Expedited Services for child support calculation once a child custody or parenting time order is entered. Consistent procedures were

developed for each of the four Family Court locations in Downtown Phoenix, Surprise, Mesa, and North Phoenix.

Because it involved major changes for family law attorneys, the Family Court Department held many meetings with the Bar to discuss the impact of the new program, sought feedback, posted an announcement on the Family Court menu located on the Court's website, and emailed notices of the changes to the Family Bar. (Attachment 33).

Final establishment of the Post Decree Child Support Court was effective on September 1, 2005 for Downtown Phoenix, on October 1, 2005 for North Phoenix, and on November 1, 2005 for Mesa and Surprise. (Attachment 34).

This initiative is 100% complete. The Post Decree Child Support Court has dramatically changed the process of post decree child support case processing.



Initiative 21: As soon as possible implement accurate post decree statistics and reporting through the iCIS system.

The Family Court has had a difficult time preparing reliable post decree statistics. Family Court Administration developed business plans and submitted those to the Court's computer team in January 2005 to address this difficulty. (Attachment 35). Thereafter, a pilot project for post decree case tracking began on April 18, 2005. The trial project was conducted by four judicial divisions and Family Court Administration (Attachment 36).

The trial identified some specific issues that need to be resolved. Those issues have been reported to the Court's computer team and we expect that the program enhancements will be fully implemented by March 2006.

Once implemented, the Clerk of the Court will be able to determine electronically what post-decree filings have occurred. This will allow Court Administration and all Family Court judicial assistants to track each post decree action and determine accurate statistics for all post decree cases. The enhancement will highlight all non-adjudicated post decree petitions and allow for better case tracking and reporting of case aging.

At the time of the final enhancement in March 2006, the Family Court Presiding Judge will issue an Administrative Order to dismiss all current non-adjudicated post decree matters filed more than a year before in which no hearing or further action is scheduled. This will clear out thousands of old post decree petitions that have never been formally concluded. Thereafter, the remaining post decree pending petitions will be evaluated for appropriate action. Some litigants will be sent dismissal notices at 120 days with a firm dismissal date after 60 days unless action is taken and some matters will be referred to the assigned judicial officer for more particularized action.

The programming enhancement will ultimately allow for accurate reports of post decree cases and Exception Reports for matters that need attention. Regular post decree reports will be developed and electronically distributed to the judicial officers for appropriate action.

For the first time in the history of the Family Court, both pre and post decree petitions will be tracked and case inventory reports will be regularly provided to each judicial officer. This will ultimately allow for all cases to be managed and decided in a timely and efficient manner.

Initiative 22: As soon as the iCIS system allows, reallocate and assign all post decree cases equitably among divisions.

The Family Court has grown over the years. The presumptive system for assigning post decree matters is that a pre decree case assigned to a particular division will remain with that division when post decree matters are filed. The Court's statistician generated the below report in October, 2005. The report indicated that this system of assigning post decree filings to divisions has resulted in roughly the same number of filings being distributed to each division, except as to newly created divisions. Predictably, these divisions are assigned fewer post decree matters than other divisions.

| <u>CAL</u> | <u>JUDGE</u> | <u>PRE DECREE</u> | | <u>POST DECREE</u> | |
|------------|-------------------------|-------------------|----------------------------|--------------------|-----------------------------|
| | | <u>TOTAL</u> | <u>PRE DECREE AVERAGES</u> | <u>TOTAL</u> | <u>POST DECREE AVERAGES</u> |
| DRJ02 | GARCIA | 473 | 444 | DOWNTOWN | 157 |
| DRJ03 | MROZ | 435 | 463 | SOUTHEAST | 180 |
| DRJ04 | WILLETT | 460 | 520 | NORTHEAST | 212 |
| DRJ06 | DUNCAN | 436 | 459 | NORTHWEST | 176 |
| DRJ07 | SHELDON | 425 | | | 183 |
| DRJ08 | COHEN (SE) | 530 | | | 200 |
| DRJ09 | WILKINSON | 284 | | | 209 |
| DRJ10 | LEE | 454 | | | 204 |
| DRJ11 | BALLINGER (NE) | 446 | | | 149 |
| DRJ12 | DITSWORTH (SE) | 508 | | | 166 |
| DRJ13 | CONTES (SE) | 456 | | | 150 |
| DRJ14 | REA (NE) | 491 | | | 172 |
| DRJ15 | GRANT | 498 | | | 203 |
| DRJ16 | HOTHAM | 419 | | | 131 |
| DRJ17 | MILES (NE) | 532 | | | 152 |
| DRJ18 | BUDOFF | 428 | | | 163 |
| DRJ19 | GENTRY-LEWIS (SE) | 541 | | | 170 |
| DRJ20 | HARRISON (NE) | 476 | | | 156 |
| DRJ21 | MARTIN (NE) | 524 | | | 194 |
| DRJ22 | ANDERSON (SE) | 520 | | | 109 |
| DRJ23 | BUTTRICK | 457 | | | 153 |
| DRJ24 | ARELLANO (SE) | 105 | | | 1 |
| DRJ25 | P. REINSTEIN | 0 | | | |
| DRJ26 | CAMPBELL | 0 | | | |
| NWJ02 | CHAVEZ (NW) | 435 | | | 107 |
| NWJ03 | HEILMAN (NW) | 483 | | | 93 |
| NWJ04 | MCNALLY (NW) | | | | 52 |
| | OTHER CALENDARS (DRJ01) | 8 | | | 49 |
| IV-D | IV-D CASES | <u>3,935</u> | | | |
| TOTALS | | 14,759 | | | 3,891 |

Until the iCIS enhancement is complete, it will be difficult to equalize the number of matters assigned to each division. Once the enhancement is completed, however, the Court will assign all newly filed post decree matters to the division to which the matter was previously assigned if the Judge now assigned to that division has conducted a hearing concerning the case. If not, new post decree petitions will be randomly assigned to promote parity among divisions. Each division should have a similar workload wherever possible, although assignment of cases to regional centers may prevent total equality.

In the future, when a new division is created, post decree matters will be reassigned to equalize the number of post decree cases assigned to each division within a region. All cases with current activity or pending hearings will remain with the judicial officer to which they are then assigned. It appears that cases terminated at least two years ago will be most affected. Cases will be reassigned according to the pre decree algorithm. (Attachment 37).

Family Court currently has three new divisions and post decree matters will be reassigned by region in January 2006. This will equalize post decree matters among all divisions. It may also reduce the overall number of post decree cases assigned to most divisions, which will, in turn, assist the litigants in obtaining prompter hearings.

Initiative 23: Request extension of Civil Rule 53(k), and Maricopa Local Rules 6.9(c) and 6.14, at least until the proposed statewide Family Court rules are adopted to allow an orderly transition of services.

Since 1988 the Expedited Plan required by A.R.S. §§25-326 and 25–412 and authorized under Rule 53(k), *Arizona Rules of Civil Procedure* and *Rules 6.9(c) and 6.14, Local Rules of Practice for the Superior Court, Maricopa County*, was operated by the Clerk of the Court. Following a series of discussions between the Clerk and the Court, operation of Expedited Services was transferred from the Clerk to the Superior Court effective July 1, 2004. With that transfer, the authorization for Court Clerks to be appointed as conference officers to act in a quasi-judicial role was no longer needed.

Following July 1, 2004, the Court significantly restructured the processes in Expedited Services, including the Post Decree Child Support Court procedures described in Initiative 20. Rather than just continue the existing processes in Expedited Services, the Court has made a concerted effort to evaluate each such process, and to modify it or replace it as necessary. For example, a routine procedure in Expedited Services had been to conduct detailed conferences with litigants and to issue an extensive report recommending Court action based on the information provided by litigants at the conference. The Court would then approve, reject or modify the recommendation and the parties would have 25 days to object to the action by requesting a hearing. These procedures routinely required 3 to 6 months to complete. This process for child support modification has now been substantially replaced with a brief conference to encourage agreement and prepare stipulations, followed immediately by a Court hearing to resolve any remaining issues on the same day. Typically, this can now be accomplished within 30 to 45 days.

During this restructuring period the Supreme Court has graciously continued the authority for Expedited Services to operate under the rules set forth in Rule 53(k), *Arizona Rules of Civil Procedure* and *Rules 6.9(c) and 6.14, Local Rules of Practice for the Superior Court, Maricopa County*, to allow time for the new procedures to be implemented and for the new *Arizona Rules of Family Law Procedure* to take effect and provide the necessary continuity of authority to operate. Most recently the Supreme Court extended these rules in effect until January 31, 2006 pursuant to Arizona Supreme Court Orders Nos. R-02-0026 and R-02-0012. At a recent meeting between administrative representatives of the Supreme Court and the Superior Court, it was determined that the Court's adoption of Rule 73, *Arizona Rules of Family Law Procedure* as its Expedited Plan would be sufficient to continue expedited funding until a more formal plan can be formally adopted by the Court. A copy of a letter dated January 20, 2006 detailing these developments is attached. (Attachment 38).

While additional changes are contemplated to reform the expedited process, this initiative is complete with the extension and elimination of the subject rules.

Initiative 24: Continue to urge the creation of a web-based, real time arrearage calculator for child support payments by DCSE.

For a number of years now the State Department of Child Support Enforcement (DCSE) has maintained computerized records of child support payments ordered by Superior Courts throughout the State of Arizona. Subsequent child support enforcement actions filed with the Courts are invariably and unnecessarily delayed until the parties or Expedited Services can manually conduct the research and mathematical calculations necessary to determine any arrearage. Current technology is available to develop a real time, web-based arrearage calculator that would save enormous time, cost and confusion for the parties, the Courts and DCSE itself.

Early in 2004 Judge Davis urged the Automation Funding Workgroup of the Child Support Committee to spearhead the creation of a web-based real time arrearage calculator to be housed at the Department of Child Support Enforcement. The concept is that all users of the child support system could obtain a current status of any child support account paid through the DCSE Clearinghouse much in the same manner that a credit card or bank account can be accessed online. Since that time we have continued to collaborate with DCSE, the Administrative Office of the Courts, the Automation Funding Workgroup, the Legislative and the Child Support Committee to make this project a reality.

During last year's legislative session, legislation was urged and considered by the Arizona legislature to fund the creation of the project and overcome its primary obstacle. Unfortunately, the bill, as an appropriations measure, was defeated.

Through the cooperative efforts of AOC, the Child Support Committee, DCSE, the Maricopa County Family Court and various individuals, a federal grant was sought and obtained from the Administration for Children and Families. (Attachment 39). Since the grant was announced on July 21, 2005, progress has occurred on the web-based calculator. Much of the necessary concept design work has been completed by a design group of legal and computer experts staffed by Megan Hunter at AOC. DCSE is now charged with completing the software programming phase of this project. The project has a projected completion date of July 31, 2006.

Actual completion of this project depends upon the willingness and commitment of DCSE, as the repository of all child support data, to complete the project. We have, however, consistently and persistently pursued the creation and completion of this project and will continue to these efforts. This tool is essential to finishing reforming Expedited Services and allow for a much improved child support collection and enforcement system than currently exists.

Initiative 25: Assess the need to enhance, modify or discontinue the Integrated Family Court and statistically separate these cases for assessment.

By Administrative Order No. 2001-020 (Attachment 40), the Maricopa County Superior Court formally initiated the Integrated Family Court ("IFC") as a pilot project to commence March 19, 2001, and continue for twelve months thereafter. In March 2002 the pilot project was extended through June 28, 2002 pursuant to Administrative Order No. 2002-019. (Attachment 40). On February 25, 2003, the Arizona Supreme Court issued Administrative Order No. 2003-23 and established a broader Integrated Family Court in the Superior Court in Coconino, Maricopa and Pinal Counties. The Supreme Court directed that IFC be established as a pilot project in these three counties for a period not to exceed two years from the date the local Court plan was approved. In furtherance thereof, a detailed Integrated Family Court Project Plan dated December 11, 2003, was submitted to the Arizona Supreme Court. Additional policies and procedures were subsequently adopted by Maricopa County Administrative Order No. 2004-086 to supplement the existing and ongoing pilot in Maricopa County Superior Court. (Attachment 40).

In 2002, the IFC Pilot Project was extensively evaluated by Greacen Associates, LLC, an independent consulting firm. The findings and recommendations of the *Greacen Report* are detailed and extensive, and a fair assessment of them can best be had by a review of the entire report. In large measure, however, it is fair to say that the results of the study were inconclusive due to the minimal numbers of cases within the IFC Pilot Project. The study was able to evaluate only the 62 cases in the project at that time, such that the study rendered "statistically unreliable results." Significantly, the consultant was unable to draw any conclusions as to whether the IFC Pilot Project resulted in a reduction in time to disposition, a reduction in subsequent filings or procedures, or earlier and effective intervention in families in need of services. The consultant also found that the project had not yet achieved its stated objective of a "one team, one family" approach.

In March 2005, the IFC Pilot Project was reevaluated and extensively modified. Our review concluded that: 1) the intended goal of "one-Judge/one family" had not been achieved; 2) that the project did not enjoy broad-based support from the professionals involved in the program; 3) that it worked contrary to achieving delay-reduction in the system; 4) the inclusion of delinquency cases in the project was normally ill-advised; 5) that resolution of issues outside of those normally dealt with respectively in the Family Court and the Juvenile Court was complicated and delayed when addressed by the other Court; 6) calendar management and scheduling was more complex and confusing; and 7) the Family Court proceedings were unnecessarily delayed. A Memorandum dated March 30, 2005 detailing the results of the review conducted by the Family Court and the Juvenile Court is attached. (Attachment 41).

Based upon this review, the IFC Pilot Project was modified by Administrative Order No. 2005 -104 effective July 1, 2005 to reduce the delay in the Family Court proceedings, and focus the expertise of the Juvenile Court, with its wide array of services, on the custody issue. Since that time issues arising from multiple cases filed in Family, Juvenile and/or Probate Juvenile Court are to be normally resolved with the department within its primary focus of expertise. When a dependency case is pending concurrently with a Family Court custody issue, the Juvenile Court proceeds to conclude the dependency in the normal fashion as required by statute. In the event the dependency petition is ultimately dismissed, the Juvenile Judge then is charged with entering a final custody and parenting time order, as appropriate. This custody order will then survive the dismissal of the Juvenile Court dependency action and be subject to future modification or enforcement in the Family Court. In this manner all other Family Court issues can concurrently proceed without further delay or need to determine the custody issue. The current IFC Plan is more fully described in Administrative Order No. 2005 - 104 (Attachment 42).

Initiative 26: As soon as possible implement an online electronic, interactive and prompted forms system to initially supplement, and over the next year, significantly replace Family Court forms at the Self Service Center.

Judge Davis was appointed to Chair the Self Service Center Advisory Committee after he presented the concept of developing a prompted interactive forms system to the Court's Judicial Executive Committee in early 2003. The initial committee was comprised of 4 judicial officers (Judge Davis, Judge McNally, Judge Mahoney, Judge (then Commissioner) Foster, Bob James from the Self Service Center, and 3 members of the Judicial Information Systems (now Computer Technology Services) staff (Andy Cicchillo, Chris Holly, and Rick Napoli). The technical expertise of CTS has been invaluable to further this project. Various other members have been added or cycled thru the committee since its inception.

The first organizational meeting of the committee was held on March 14, 2003, and a detailed plan was developed to undertake the enormous task of converting Court forms to an interactive, prompted, web-based application. The project started slowly due to the allocation of computer resources to other projects. During most of 2003 the legal design team developed a format and solved problems necessary to convert to the computer format. In early 2004, the Court was able to make this project a priority and development has occurred steadily since that time. The committee developed the logo of "eCourt" for the project when it went online in October 2004 with the initial forms. The web address for eCourt is: eCourt.maricopa.gov

The challenge to develop a comprehensive forms system is significant, and has proceeded more slowly than originally projected. The project has been available for use by the public since October 2004, and is becoming more usable and complete. Currently, the eCourt design team has just completed a prompted online child support calculator that is now available on our website. The design team is now focusing on producing a few minor forms to complete the pre decree forms phase of the project, and to modify existing programming to fully conform to the new *Arizona Rules of Family Law Procedure* that took effect on January 1, 2006. As soon as the pre decree phase is complete, we will commence development work on the post decree forms. We project completion of this work during the summer 2006, and will then turn to conversion of other forms.

This online system has been implemented, and is continually becoming more user friendly and comprehensive. Development of new forms and enhancement of existing forms is, of course, work that will require permanent efforts toward continuing maintenance and modification. From the time our website went live in October 2004, until February 8, 2006 we record 5,475 cases having been initiated with the eCourt system. This includes 735 cases in 2004, 4440 cases in 2005, and 300 cases year to date in 2006 (thru February 8, 2006).

We believe this usage rate will significantly increase as the forms available are more comprehensive, and when we initiate the electronic filing of documents in Family Court in the near future.

To give a sense of the nature and quality of the forms generated by the eCourt system, we have included a set of comparative forms for review. Included as Attachment 43 is a set of forms and instructions currently available in our Self Service Center in paper format for a Petition for Dissolution of Marriage With Children, as well as a companion Decree of Dissolution of Marriage packet for the same procedure. The Petition and Decree for the same legal procedure generated by the eCourt system with fictional data is provided for review and comparison as Attachment 44. Obviously, no detailed instructions to complete the eCourt forms are provided or needed because the instructions and information necessary to complete the forms is provided in a prompted format when the user is electronically preparing the forms.

Initiative 27: Upon substantial conversion of existing Self Service Center forms to the eCourt system, develop an electronic eDecree module to memorialize binding agreements and consent decrees whenever and wherever agreement is reached in the Court process.

The next logical step to enhance the eCourt forms system is to develop an electronic module designed to memorialize full and partial agreements reached by the parties anywhere within the system. Judicial officers, attorney case managers, conference officers, and perhaps the parties themselves should have access to these electronic documents to enable a final consent decree to be generated or built one issue at a time as each of the 5 principal issues (custody, child support, spousal maintenance, property division and debt allocation) are resolved. This will prevent multiple litigations and hearings on resolved issues and narrow the focus of hearings and trials to only unresolved issues.

To date we have not had access to sufficient computer or other resources to commence development of this project. In addition, we believe that its development will be of better quality and be more efficient to develop if it is layered upon the completed work of the eCourt program. Learning from our experience with the development of eCourt to date, we hope to begin development of the eDecree project by the end of 2006.

Initiative 28: Develop a legal information manual to supply simple, consistent, and correct answers to common questions for use by all Court personnel and the eCourt system.

Rather than duplicate efforts, Maricopa County's Family Court has kept in close contact with the staff at the Administrative Office of the Courts ("AOC") which is developing statewide resources and training materials. We hope to play an integral role in the formation of these materials, and will disseminate them to all levels of the Court team when they are fully developed.

In the interim, Family Court has developed some strategies to begin to address the concerns implied by this Initiative. We have partnered with the Clerk of Court and provided training to Family Court Administration staff. (Attachment 45). The Family Court website was substantially rewritten with information provided in the form of frequently asked questions for use by Court staff and the public. (Attachment 46).

Our Family Court Navigator regularly assists litigants with procedural questions and answers other questions regarding Family Court matters. For the first two quarters of this fiscal year (July – December, 2005) 1219 litigants contacted the Family Court Navigator by telephone, email or walking in. Over 50% of litigants contact the Family Court Navigator to seek information in regard to existing cases and the process and/or procedures involved in these cases or in regard to post decree issues. Many inquiries are made about modification of an existing Court order and/or the enforcement of these orders and how to find forms, documents, legal advice and/or legal resources. Some inquiries are also made for requests for copies, records and general information. Additionally, inquiries are sometimes related to domestic violence and/or protective orders.

A Judicial Assistant trainer was hired on August 1, 2005. She is responsible for providing a comprehensive program to judicial staff members who are new to Family Court, as well as ongoing training and support to existing judicial staff throughout the year. She will bring consistency in the training provided and act as a liaison between judicial staff, Court administration and Court Technology Information Services. The JA Trainer will also ensure that the departmental Judicial Assistant manuals and training materials are up to date and will routinely distribute all materials.

Initiative 29: As soon as possible review and update the Court's change of address system to promptly and correctly notify all parties of all hearing dates and Court actions taken.

The nature of Family Court cases is that one or both parties, as their marriage or relationship disintegrates, often change their mailing address. Many litigants fail to inform the Court of their current mailing address and as a consequence, litigants do not receive Court notices of hearing dates or rulings timely. This results in a failure to appear for a hearing or in a failure to follow the Court's orders.

The Court had a formalized method to change addresses that, when properly followed, allowed the party to continue receiving notices and rulings from the Court. The Clerk also includes instructions on many minute entries as to how to effect a change of address. Despite these procedures, too many self-represented litigants failed to follow the procedure and consequently did not receive notices or rulings timely.

Many litigants file a motion or responsive document with a correct new address presumably believing that the Court will identify the address as new and make the necessary corrections for mailing. This belief, while somewhat reasonable, requires the Clerk of Court to compare the address on literally millions of filed documents with the docketing system to verify each address.

The Clerk of Court and the Family Court department began discussions in November 2004 on how to resolve this issue. In April 2005, after a series of meetings and development of procedures, the Clerk of Court authorized many more Court and Clerk employees to correct addresses in the computer system whenever and wherever they are identified. For example, Courtroom Clerks now have the authority to change addresses directly when the litigant is present in the Courtroom. Conference officers and other Court staff also are now authorized to change addresses as needed. (Attachment 47).

The Clerk of Court also created a workflow that allowed the Clerk to scan the documents and send to the support maintenance unit and the distribution center which allows both the iCIS system and the Atlas system to be updated simultaneously.

The following describes the address edit process in iCIS for all departments:

There is a new field on the Edit Person – Address screen called “Reason.”

The screenshot shows a Microsoft Internet Explorer window for the Maricopa County Superior Court's iCIS system. The URL in the address bar is <http://icis.maricopa.gov/iCIS/Civil/PersonAddress.asp?userid=220&AppID=148&AppGroupID=106&loginkey=699415446&selectedcaseid=715966&PersonID=3646207&RoleID=922>. The page title is "CV Programmers online". The main content area is titled "Edit Person: Jerrold Feldner CV2002000055 - Pltf: Jerrold Feldner, et.al. - JO: Arbitration 01 - Subcat: 163 - Other - Status: 76 - ARB Case Dismissed". Below this, there are tabs for Personal, Addresses, AKAs, Contact Info, Employment, and Legal Nbrs. The Addresses tab is active. A form for "Enter New Address:" is displayed, including fields for Street, Street 2, City, State, Zip Code, Country, Start Date, and Reason. A red oval highlights the "Reason" dropdown menu. Below the form, it says "There are no existing addresses for this Person." At the bottom are "Save" and "Return" buttons.

When updating the party address information, please be sure to select a ‘reason’ the address was updated. The only reasons available for Judicial or Administrative staff members are: Courtroom, Document filed with COC, in Person with Form, or Initial Response.

REMEMBER: If the party has a Protected Address – Judicial and Administrative staff must send the party to the Clerk of the Court to have the address change in any manner.

This initiative is 100% complete. At each hearing or conference litigants are now asked to update their address by Court staff. The information is immediately added to the Court’s computer database which increases the likelihood that litigants will receive Court documents timely. It is difficult to measure the overall impact of this initiative, however, this change has the potential toward increasing the litigant appearance rate at hearings and

conferences, increasing litigant compliance with Court Orders, and reducing the costs associated with return mail.

Other Initiatives: Although not identified in our Final Plan of Enhancement as specific initiatives, we indicated that we would also be looking at improvements in the Title IV-D program and the manner that Judges are rotated into a Family Court assignment.

I. Child Support Calculator

As each new version of the Arizona Child Support Guidelines has been developed and approved, the calculation of child support in each case has become increasingly more difficult and detailed. This dynamic contributed to create a culture that encouraged attorneys to request, and judges to grant a referral to our Expedited Services agency to perform the calculations. Even small variances in calculations by both sides might be referred to Expedited Services because of the time required to manually complete new calculations. This culture created needless delay, required multiple court processes, and inhibited the early resolution of cases. Electronic child support calculators have existed for some time, but they were either not readily available or usable at the time of a court hearing.

Judge Davis recognized the need for a simplified electronic calculator several years ago and created an interactive electronic child support calculator using Microsoft Excel. The goals were to provide a calculator that was easy to navigate by a Judge or attorney having basic familiarity with legal requirements, that was accessible in a hearing or conference without reliance on internet capability, and that could be easily completed and modified on one page to facilitate quick recalculation as the parties positions and the evidence required without cumbersome screen changes. The Excel calculator Judge Davis created for use with the 2001 Child Support Guidelines had been tested and used by a number of Family Court Judges prior to him becoming the Presiding Family Court Judge in June 2004. When the new 2005 Child Support Guidelines took effect on January 1, 2005, Judge Davis had already updated his Excel calculator for the new guidelines and added automatically generated support documents (child support order, order of assignment, and judgment data sheet).

This new 2005 Child Support Calculator is now in use by a majority of the Family Court bench, and has supported the creation of various other programs that rely on accurate and fast child support calculations. The calculator is now also in use by our attorney case managers, Expedited Service conference officers, Decree on Demand personnel, and the post decree child support court. The basic structure of the calculator was also incorporated in the development of a new interactive and prompted version created through the eCourt project that was recently made available to the public. A copy of the documents generated by the calculator is included as Attachment 48.

The use of this calculator has greatly streamlined the calculation of child support, reduced the chance of error in calculation, and assisted in the

settlement of cases by providing a rapid method to compare the parties' positions on one page. Once agreements are reached or judicial decisions made, the preparation of orders to memorialize the results is easily accomplished.

II. Title IV-D Cases

In January of 2005, the Family Court began to review the procedures in place for processing Title IV-D cases. These cases initially require only that paternity be determined and a child support order entered where paternity is found to exist. As such they should be among the easiest cases to resolve in a timely fashion. Our initial review indicated a number of areas of concern indicating further inquiry, including: 1) The time that Title IV-D cases remained in the system prior to completion or dismissal appeared to be excessive; 2) A significant number of these IV-D cases are filed but not prosecuted to completion; 3) The State had historically been permitted to vacate hearings without prior Court approval and without written motion when they were not ready to proceed; 4) A few anecdotal incidents of Respondents being turned away from Court hearings prematurely by the State without an opportunity to be heard indicated a need to review Court control and oversight of the proceedings; 5) Questions as to whether these cases could be processed more timely with more streamline procedures and fewer procedural steps in the process; 6) Concerns that pre-hearing settlement conferences were being conducted by the state using outdated manual child support calculation processes when computer technology could better address the large volume of calculations required and allow more efficient case processing; 7) Concerns that an excessive number of respondents failed to appear with the resulting entry of large arrearage judgments entered by default against them, and the missed opportunity for them to become involved in parenting the child; 8) The quality of the evidence presented in support of predominately default judgments; and 9) The confusion and delay generated from processing IV-D cases separately from non-IV-D cases filed by one or more of the parents.

Some initial adjustments to this process were explored in early 2005, and met with some resistance from the State. Because of the significant volume of cases filed by the State in IV-D matters, it was determined to review this process in a more comprehensive manner. Accordingly, the Court formed a IV-D Procedures Committee in the summer of 2005 to consider the issues and make recommendations. The Committee was facilitated by Noreen Sharp from the Court who had previously served as a Family Court Administrator, and was comprised of several Judicial officers, Attorney General and DCSE representatives, a private attorney, a Clerk of the Court representative, and several Court administrators. The Committee considered a wide range of topics impacting IV-D case processing, and made a series of recommendations that are currently under consideration by the Court. A number of changes are under

discussion by the Court that are designed to address the concerns identified and give appropriate consideration to the recommendations of the Committee.

III. Judicial Rotations

We also recognized that changes needed to be made with regard to the rotation of judicial officers to the Family Court assignment. In this regard, we are mindful of Chief Justice Jones' directive in his letter of August 20, 2004 that: "The practice of assigning predominately newly appointed Judges to Family Court for brief assignments simply must be balanced with the experience of more senior Judges and Judges serving longer rotations in the assignment." To address this issue then Presiding Judge Campbell formed a Committee on Rotations in Family Court to look at the various options for rotation and make a recommendation.

The Committee on Family Court Rotations met, considered a number of different proposals to change the method of rotation to Family Court, and submitted a formal recommendation to Judge Campbell on December 14, 2004. (Attachment 49). The Committee, in relevant part, recommended that:

Each Judge should serve a 4 to 5-year rotation in Family Court divided into 2 separate assignments—the first rotation being normally 2 to 3 years during the first 10 years of a Judge's career (absent the desire of a Judge to extend for more years), and the second an additional 2 to 3-year rotation during the last 10 years of the career. The exact schedule and timing should accommodate the needs of the Court, the prior experience and suitability of the Judge to serve in the assignment, and the desires of the Judge.

The annual rotation of Judges to Family Court that occurred in September 2005 was a significant departure from the previous practice of assigning primarily new Judges to the Family Court assignment. In furtherance of the new policy, eight senior and experienced Judges were assigned to Family Court at that time including Judge Campbell. The Family Court bench at present is comprised of a mix of senior Judges and Judges with less experience. We anticipate this trend to continue with the current presiding Judge and initial assignments bear this out. These changes have had a marked impact on the morale of the bench. We believe this area has been properly addressed and solved.

IV. Future Goals

As with most things, case management is not static. There remain a few details to be done to fully complete our initial plan of improvement, but we have already launched a new series of projects and ideas beyond the promised initiatives that will continue to impact case management and improve the manner in which we deliver services to the public. To provide some additional information, not as part of commitments made to the Supreme Court as part of a required improvement plan, but rather to further our own desire to improve whenever possible in the best traditions of the Maricopa County Superior Court, we have created a new list of priorities for 2006. These include:

1. Complete the 6 remaining initiatives detailed in the Final Plan of Enhancement:
 - Initiative 13 – Statistical management model
 - Initiative 14 – Development of “Exception Reports”
 - Initiative 21 – Post Decree petition tracking system
 - Initiative 22 – Reallocate post decree cases
 - Initiative 27 – Development of eDecree
 - Initiative 28 – Legal information manual.
2. Design and develop an automated computer process to notice and dismiss cases that are not served with process within the time periods required by Rule 40(l) *Arizona Rules of Family Law Procedure*.
3. Design and develop automated computer process to notice and dismiss cases that are not prosecuted within the time periods required by Rule 46 (B), *Arizona Rules of Family Law Procedure*.
4. Complete an analysis and reformation of Title IV-D case processing, including consistent process for administrative appeals of IV-D issues.
5. Develop systematic consolidation of multiple family court cases filed by the same parties including Title IV-D and non IV-D cases.
6. Develop comprehensive system to manage and track all post decree and post-judgment petitions including:
 - Complete development of post decree petition tracking enhancement in iCIS.
 - Compile list, if possible, of all pending unadjudicated post decree petitions, and/or
 - Dismiss by administrative order all unadjudicated post decree

- petitions that are over 1 year old that have no hearings or events pending pursuant to Rule 91(R), *Arizona Rules of Family Law Procedure*.
- Design and develop automated process to notice and dismiss post decree petitions that are not prosecuted within the times required by Rule 91 (R) *Arizona Rules of Family Law Procedure*.
 - Complete initial cleanup of post decree petitions by dismissing all pending post decree petitions not prosecuted within the times required by Rule 91(R), *Arizona Rules of Family Law Procedure*.
 - Develop or refine statistical model and “Exception Reports” to include post decree petitions.
 - Include a review of miscellaneous motions/documents filed and explore methods to administratively dismiss or terminate.
7. Develop and implement a post decree enforcement court to enforce child support, spousal maintenance and medical bills with brief pre-hearing conferences and immediate hearings with a judicial officer on contested issues.
 8. Explore post decree enforcement court to enforce custody and parenting time orders, possibly in conjunction with ongoing ASU project.
 9. Complete review and reformation of any remaining services conducted by Expedited Services and explore restructuring as an integrated Family Court Services department.
 10. Review Expedited Plan and petition to modify local rule as needed.
 11. Conduct complete review of all Local Rules.
 12. Review and, if needed revise, Clerk functions re expedited child support process (e.g. tracking unit, stop mod process etc.) and ensure process is appropriate and efficient.
 13. Review Conciliation Services referral system, processing and performance standards.
 14. Perform detailed review of every component of family court system.
 15. Develop plan for electronic processing of *Orders of Assignment* to DCSE Clearinghouse and employers.
 16. Develop, implement and add all establishments of child support and all temporary child support orders filed under Rule 47(I), *Arizona Rules of Family Law Procedure* to the Post Decree Child Support Court.

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Letter from Chief Justice Charles E. Jones (retired)
Attachment #1



Supreme Court

STATE OF ARIZONA

FROM THE CHAMBERS OF
CHARLES E. JONES
CHIEF JUSTICE

1501 WEST WASHINGTON STREET
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August 20, 2004

The Honorable Colin Campbell
Presiding Judge
Superior Court in Maricopa County
125 West Washington 5th Floor
Phoenix, Arizona 85003

Dear Judge Campbell:

In response to concerns about the operation of the Family Court Department of the Superior Court in Maricopa County, the Supreme Court in February commissioned a study of the Department's operations by an independent consultant, Greacen Associates, LLC. We have now received that report; leaders in your court have also had an opportunity to review its findings and recommendations.

The Superior Court in Maricopa County enjoys a well deserved reputation for innovation and the establishment of new methods by which to improve the administration of justice. We are pleased to see the report acknowledge accomplishments of the Family Court, including an increase in the number of judges and commissioners, experimenting with a number of ancillary services, implementing the Self Service Center, the Family Violence Center, Family Court Navigator and pilots in various satellite courts. There is no question that the members of your bench, administration and staff are hard working and committed.

The Greacen Associates report shows, however, that the Family Court Department (Domestic Relations) is not meeting the needs of the litigants and other affected persons in Maricopa County for timely resolution of family cases. The report describes an operation which, over time, has grown into a fragmented system of twenty-five judges using different calendaring and case management approaches, separate ancillary services (four in number) which function without adequate coordination, and a court with many different, often duplicative, processes. Litigants as well as counsel report frustrations with delay, extensive paperwork requirements, and confusing processes. By reason of these important considerations within Arizona's justice system, I request that efforts to improve case management in the Maricopa County Family Court

Department be accelerated and implemented promptly. These should be pursued in accordance with recommendations contained in the Greacen Associates report.

While judges and staff are working diligently as individuals, the Department's overall performance in timely resolution of cases is not adequate. By way of comparison, the American Bar Association standards require courts to dispose of 90% of domestic relations cases within three months of filing, 98% within six months, and 100% within twelve months. Your court disposes of only 48% of all cases filed within six months. In fact, it is able to resolve only 53% of default cases within that time.

The Greacen Associates report suggests the AOC develop and the Supreme Court adopt time to disposition standards for domestic relations cases, in light of the realities associated with processing family cases. We will do so. Meanwhile, the above referenced Family Court Department numbers appear unacceptably low to us; the litigants and lawyers in Maricopa County appear to agree. Remedial action to address case delay is therefore necessary.

We also recognize that all too many judicial officers view family court as a less-favorable assignment, resulting in less-experienced judges being assigned to the family court. Unfortunately, few stay longer than an initial two-year assignment and most never return. Not surprisingly, this combination of new and less-experienced judges has hindered effective and efficient case management until the new judge becomes fully trained, only to rotate prematurely to a new assignment shortly thereafter. This dynamic is further compounded by the lack of judges with family court experience on the bench.

The Family Court Department of the Superior Court in Maricopa County is now the largest department in the court, and no superior court judge should realistically expect to avoid serving a significant portion of his or her judicial career on a family court assignment. The practice of assigning predominately newly appointed judges to family court for brief assignments simply must be balanced with the experience of more senior judges and judges serving longer rotations in the assignment.

It also appears that the Family Court Department and its various components are compromised in their pursuit of too many competing goals. The Northwest Pilot Project seems to have adopted a narrow set of goals and appears to be achieving the desired results. I believe you should build on that model.

After conferring with my colleagues on the Supreme Court concerning the state of family law case processing in the Superior Court in Maricopa County, I have concluded that a comprehensive Plan of Improvement is required. In developing such a plan, you should use early judicial intervention, "targeting" (determining whether the need exists for any referral, and then, if indicated, picking the best one) referrals to ancillary services and speedy disposition as priority goals. Even throughout the referral period, the judicial officer must remain in charge of the process and must provide on-going direction such that cases are not allowed to languish. While it is not possible for a court system the size of the Family Court Department of Maricopa County to change case processing systems

and calendaring practices overnight, significant case delay and dissatisfaction with the current system dictate that immediate steps be taken to address the problem.

Accordingly, and pursuant to our discussions, I am directing that you and Judge Davis, working with the judges and administrators of the Family Court Department together with family court practitioners, develop and implement a Plan of Improvement and achieve compliance with case processing time standards according to the following schedule:

- October 7, 2004: Submission of a preliminary Plan of Improvement to the Arizona Judicial Council for review at its October 14th meeting; the Plan should include a proposal for interim time to disposition goals for the Family Court Department to meet during calendar years 2005 and 2006. I encourage you to review the alternative time standards approaches used in other states, included in Appendix E of the Greacen Associates report, and the recommendations contained in the report.
- December, 2004: Submission of a final Plan of Improvement to AJC, taking into account our comments on the preliminary plan and our decision on adequate interim time to disposition goals for the next two calendar years;
- Quarterly Reports: Submission of progress reports including narrative descriptions of actions taken and statistical data required by this Court;
- August 20, 2005: Full implementation of the Plan of Improvement;
- August 20, 2006: Full compliance with the Plan of Improvement and interim time to disposition standards approved by this Court as described above.

In preparing the Plan of Improvement, I urge you to give careful consideration to the recommendations made by Greacen Associates, LLC. They are clear and thoughtful and appear to us to be not only feasible but also worthy of testing and implementation.

The Supreme Court's approval of Rule 53(k) of the Rules of Civil Procedure and of Maricopa County Superior Court Local Rules 6.9(c) and 6.14 will expire in October of this year. The procedures set forth in these rules need revision, as the Court is not inclined to renew them in their current form having non-lawyer staff vested with quasi-judicial decision making authority. Consequently, it will be necessary to revise the Expedited Services plan for Maricopa County as part of the Plan of Improvement. I leave it to you and Judge Davis to modify the Plan, consistent with the law, to provide a viable alternative, an example of which is described in Greacen Associates' report. We stand ready to assist in this process whenever and wherever necessary.

The consultant, Mr. Greacen, has noted that most staff in the Family Court Department have expressed an unnecessarily restrictive view of the amount of information and assistance they may provide to litigants. The Supreme Court, upon the recommendation of the Arizona Judicial Council, is willing to provide written guidance for staff on this matter, including authorization, when necessary, to assist litigants in filling out forms used in these cases. In reading the report, it is obvious that current methods of assisting self-represented litigants are ineffective and contribute to case delay and litigant dissatisfaction.

We further emphasize the consultant's observation that the Family Court Department's process must not place the obligation on self-represented litigants to initiate court proceedings beyond the filing of the initial petition. Self represented litigants typically do not understand court procedures at a level sufficient to expect (or require) them to move their case forward. Eighty-eight percent of the family law cases in Maricopa County involve one or more self-represented litigants. The Plan cannot succeed without addressing how the court intends to take control of all cases from the date of filing and setting all future court dates, including dates for appearances to resolve cases that will be decided by default or by stipulation of the parties.

We understand that among parties filing for dissolution of marriage, substantial numbers of cases are dismissed (anywhere from 18 to 25 per cent) for lack of activity by litigants. Out of that percentage, a certain number do not go forward because the parties either reconcile or pursue reconciliation. A case processing system which in any way "forces" people to fragment families by dissolving the marriage--people who might otherwise reconcile--is not desirable. At the same time, the system cannot delay the immediate needs of those who have made firm decisions solely to accommodate others who desire to move slowly into the process or who may withdraw. It is important that preservation of the family be a clear priority in any plan we adopt. This category of cases which contains petitions filed and served but in which no response is filed, warrants further, careful study. Your Plan of Improvement should include this component, as yet unresolved, in order that we decide how best to handle slow and non-moving cases in which the party-litigants remain uncertain as to the future outcome of their particular case.

We are aware that the Family Court Department has a new Presiding Judge and Court Administrator. We are confident that they, and you, will approach the tasks set forth in this letter conscientiously and construct a plan that will maintain Maricopa County's reputation as having one of the nation's leading and best managed urban trial courts. We are also confident that the judges, commissioners and staff of the Department will cooperate fully in developing and implementing the Plan.

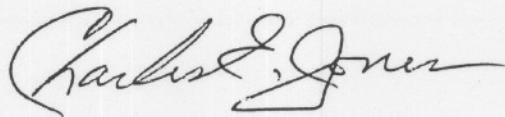
I know accelerating this transition and, in some ways, reinventing the way a court conducts its business is difficult. I also know you have the leadership and administrative talent needed to accomplish the needed changes. You, Judge Davis and the entire Family Court Department have the full support of the members of the Supreme Court in your commitment to improve justice in the Family Court for the citizens of Maricopa County.

County's reputation as having one of the nation's leading and best managed urban trial courts. We are also confident that the judges, commissioners and staff of the Department will cooperate fully in developing and implementing the Plan.

I know accelerating this transition and, in some ways, reinventing the way a court conducts its business is difficult. I also know you have the leadership and administrative talent needed to accomplish the needed changes. You, Judge Davis and the entire Family Court Department have the full support of the members of the Supreme Court in your commitment to improve justice in the Family Court for the citizens of Maricopa County.

Thank you.

Very truly yours,



Charles E. Jones
Chief Justice



Quarterly Reports submitted by the Superior Court
Attachment #2



SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

NORMAN J. DAVIS
Family Court Presiding Judge

CENTRAL COURT BUILDING
201 W. JEFFERSON, SUITE 7C
PHOENIX, AZ 85003-2205
OFFICE (602) 506-5262

April 19, 2005

Charles E. Jones
Chief Justice
Arizona Supreme Court
Washington Street
Phoenix, Arizona

Dear Chief Justice Jones:

Attached please find our 1st Quarter 2005 Report submitted according to your direction. This is a brief report and does not nearly reflect the full progress that we have made to date. We determined on this interim report to not repeat our December report, and not divert our scarce resources from implementation of the Plan to prepare a more comprehensive report that will be provided in future reports. We would, of course, be happy to respond to any request for further detailed information. Generally, all aspects of our Family Court Plan of Enhancement are moving rapidly forward, and we project that we will complete most, if not all, of our Initiatives by year's end. The Bench and Administration are greatly encouraged by the improvements made to date in the department and specifically the progress that we have made in case management.

We continue to experience a significant growth in our filing rate reflective of the growth in the county, but concurrently are continuing to show a decrease in our total active case inventory—it is now down to 15,662 as of March 30, 2005, compared to 19,638 on July 31, 2004. Major reductions have occurred in cases that have been pending in the court for 12 months or longer. On January 1, 2004, we had approximately 2,138 cases pending for 1 year or longer, and as of March 31, 2005, this total has been reduced to 1,116.

We have recently expanded our Default on Demand program (now known as Decree on Demand) to include the entry of Consent Decrees either at a hearing scheduled at the convenience of the parties as soon as the next day, or by routine submission and court review within one week if the attorneys or parties do not wish to come to court for a

hearing. We are currently in the process of implementing a revised and more efficient model of Integrated Family Court that we believe will reduce delay and improve the services delivered to families with multiple cases in various departments of the court. We have completed and are now implementing a new computerized petition-tracking system that will track pre- and post- decree petitions and assist in identifying unresolved issues and cases in a timely manner. Our Attorney Case Manager program is now more robust in the early intervention, resolution, and management of self-represented cases.

We have also recently reached agreement with the Clerk of the Court to immediately implement an improved change of address system that we believe will greatly reduce errors in notifying litigants of conferences, hearings and trials, and preserve the security needed to send child support payments to the correct location through the ATLAS program.

The recently announced rotation to Family Court effective upon the opening of the new Northeast Regional Center in September 2005 will bring eight of our more experienced and senior judges back to family court. This will give us a family court bench with an average of approximately 8 years of judicial experience.

We project a significant transition of all post-decree requests to modify child support from Expedited Service to a Post-Modification Court to occur on or about July 1, 2005. Our eCourt project continues to move forward to convert all of our self-service center family court forms to an interactive, prompted, web-based format, hopefully by the end of the year. We have undertaken a number of other statistical and reporting enhancements with the great support of the Court's IT Department to allow us to better evaluate and diagnose our case management and other court programs.

If there are any questions about this Report or if you would like additional details regarding any of the Initiatives, please don't hesitate to contact me directly.

Sincerely,

Norman J. Davis
Family Court Presiding Judge

Cc: Colin F. Campbell, Presiding Judge
Barbara R. Mundell, Associate Presiding Judge
Marcus Reinkensmeyer, Trial Courts Administrator
Phil Knox, Deputy Court Administrator
Mary A. Bucci, Family Court Administrator

**Maricopa County Superior Court
Family Court Department**

**Plan of Enhancement
1st Quarter Report 2005**

Initiative 1: Immediately implement a uniform case management system patterned after the Northwest Pilot Project model that can be continually refined and improved.

Initiative 2: To the extent personnel and resources allow, all self-represented litigants scheduled for an RMC with an Attorney Case Manager will be scheduled for a presumptive 1-hour trial with the judge to adjudicate all unresolved issues.

Initiative 3: The trial divisions would presumptively schedule a trial or other terminating event in every pre-decree case at the Resolution Management Conference.

1st Quarter Update on Initiatives 1, 2 and 3

As reported in the Final Plan document submitted in December, the RMC process was implemented shortly after the Judicial Retreat in August 2004. We have developed an Administrative Order governing the conferences conducted by the Attorney Case Managers (ACMs) and the policies they use for their work. We've changed the name of the Attorney Case Manager Conferences to Early Resolution Conferences to distinguish from the work of the judicial divisions.

(Attachment 1 contains the Administrative Orders and the Policy Statement for the Early Resolution Conferences.)

The ACM program held 315 conferences in March (excluding NW facility) and the full and partial agreement rate for the team was 64%. We are in the process of working with our IT team to develop statistics to track RMC use and results in the judicial divisions.

Initiative 4: Immediately implement a stiff trial continuance policy.

1st Quarter Update on Initiative 4

We continue to work with the new judicial officers to build this aspect of case and calendar management into their Uniform Case Management systems.

Initiative 5: Immediately and uniformly affirm all scheduled trials and hearings when a case is transferred to another division by reason of recusal or a notice of change of judge.

1st Quarter Update on Initiative 5

As reported in the Final Plan document submitted in December, Initiative 5 was completed in August 2004 with a new Department policy that we implemented. Court Technology Services (CTS) has an enhanced, computerized version nearing completion that will be able to be utilized court-wide.

Initiative 6: Immediately eliminate extensions on the Inactive Calendar in favor of setting a Resolution Management Conference, dismissing the case, or assisting the entry of a default or consent decree.

1st Quarter Update on Initiative 6

We continue to work with the new judicial officers to build this aspect of case and calendar management into their Uniform Case Management systems.

Initiative 7: Establish management teams for coming regionalization and maintain uniformity where possible.

1st Quarter Update on Initiative 7

Greacen Associates recommended the formation of a management committee to formulate and refine a standard case management process and provide training and structure to the regional teams of judges.

Accordingly, the following judges have been named as Associate Presiding Family Court Judges:

Judge Colleen McNally, Northwest Facility

Judge John Ditsworth, Southeast Facility

Judge John Rea, Northeast Facility

Initiative 8: Immediately track and terminate all Order of Protection files separately, and where consolidation occurs, consolidate into the substantive dissolution or paternity case filed by the same parties.

1st Quarter Update on Initiative 8

As reported in the Final Plan document submitted in December, over 1100 cases were moved off the open, active roster during a data clean up of old Order of Protection cases in November. These cases represent Orders of Protection that had been granted, denied or never presented to the Court after being filed. The court in these cases required no action; and they were, therefore, not properly treated as open cases. This procedure will continue with respect to all Order of Protection cases in the future.

Initiative 9: Immediately track and consider all paternity cases where all pled issues have been adjudicated by entry of an order and nothing new is filed within 30 days as post-decree cases.

1st Quarter Update on Initiative 9

As reported in the Final Plan document submitted in December, effective November 1, 2004, Family Court Administration changed its business practices so that once the Court satisfied all initial issues pled in a petition or filing, the case was no longer carried on our open, active roster list. As this process is formalized, it will eliminate old paternity cases being carried on the active docket of the court when no issues are pending before the court.

Initiative 10: Immediately track and consider all petitions to convert decrees of legal separation filed more than 30 days after entry of the decree as post-decree cases.

1st Quarter Update on Initiative 10

As reported in the Final Plan document submitted in December, effective November 1, 2004, Family Court Administration changed its business practices so that once the Court entered a decree of legal separation; the case was no longer carried on our open, active roster list. As this process is formalized, it will eliminate completed legal separation cases being reopened as "pre-decree" cases when the case is subsequently converted to a dissolution. Such matters will be treated as "post-decree" cases and tracked from the date of filing of the Petition to convert.

Initiative 11: Immediately target our oldest cases for prompt termination as soon as possible.

1st Quarter Update on Initiative 11

As reported in the Final Plan document submitted in December, the divisions and Court Administration have been working diligently since June 2004 to target the oldest cases, utilize the RMC process and review the case-aging reports. This has resulted in a 113% increase in our case terminations from this time last year. As of September 1, 2004, there were 492 cases over 2 years old. As of March 30, 2005, there were 158.

This focus on our oldest cases has had a positive effect on the statistics overall: our total active case inventory is now down to 15,662 as of March 30, 2005, compared to 19,638 on July 31, 2004. With systematic, aggressive case management, we expect to continue to see improvements in these numbers.

Initiative 12: Periodically identify and consolidate multiple filings by the same parties with appropriate computer diagnostics.

1st Quarter Update on Initiative 12

We have submitted a request to our IT team for a report that would identify these cases and expect to start managing them in the 2nd quarter of 2005.

Initiative 13: Establish case management statistical standards, and improve the accuracy and reporting of statistical information.

1st Quarter Update on Initiative 13

Judge Davis submitted Family Court's Proposed Statistical Model on February 28, 2005 to Judge Campbell and the Director of Court Technology Services. (See Attachment 2) The Department has been working with our IT programmers and the Court Statistician's office to implement this program.

Initiative 14: As soon as computer resources allow, develop "Exception Reports" to replace the current "Cal-Acti" reporting system to identify delayed cases.

1st Quarter Update on Initiative 14

Judge Davis submitted Family Court's Proposed Statistical Model on February 28, 2005 to Judge Campbell and the Director of the Court Technology Services. (See Attachment 2) The Department has been working with our IT programmers and the Court Statistician's office to implement the Exception Reports section of this document.

Initiative 15: Evaluate Greacen's recommendation to overset trials.

Initiative 16: Immediately implement a "default on demand" procedure to allow parties to finalize uncontested cases at a default hearing scheduled at their convenience as soon as the next day.

1st Quarter Update on Initiative 16

The Default on Demand (DOD) program was implemented downtown in Superior Court in August 2004. The first quarter 2005 report is as follows:

1st Q - NW

Northwest started DOD in February 2005. The Northwest program is fully implemented. NW had 169 matters scheduled, 154 hearings conducted and 144 defaults signed. This equals a 94% termination rate.

1st Q - DT

Downtown The downtown program had 1262 matters scheduled, 1126 hearings conducted and 1069 defaults signed. This equals a 95% termination rate.

Southeast is currently in transition and is on target to be fully implemented in May.

We have been working with our IT team on automation and the web-based hearing scheduler will be operational on May 1, 2005 as will the internal auto-calendar. All of Family Court is still excited about the difference this one program makes to our operation and our customers.

Initiative 17: Determine whether the default process is sufficiently understood and simplified for all litigants.

1st Quarter Update on Initiative 17

See report for Initiative 19 below.

Initiative 18: Implement a process to enter Consent Decrees at the convenience of the public with a process similar to “Default on Demand”.

1st Quarter Update on Initiative 18

One of the effects of implementing the Default on Demand program downtown in August was that it placed great pressure on the Family Court staff to ensure that the Consent Decree program did not take a significantly longer period of time than our default divorce did or we knew we'd have great public outcry. As a result the entire team kept sharp on Consent Decrees and through our busiest time at the end of the year, we maintained a one-week guarantee turnaround time for Consent Decrees that were submitted at any of our courthouse locations.

In March of 2005, we improved on this and implemented our Consent Decree on Demand Program. With this new program, litigants seeking a consensual divorce through the Decree process can call our Decree on Demand number and schedule an appointment for either the next day or any day at their convenience. We've implemented this in our downtown and Northwest facilities and will roll out in Mesa in the next month as we increase our Commissioner capacity in that courthouse.

Initiative 19: Establish a procedure to identify, separate and assist cases that are now dismissed due to ignorance or frustration (“failed cases”) from those cases that are now dismissed due to reconciliation or other appropriate reason.

1st Quarter Update on Initiative 19

A survey of a selected number of approximately 1000 dismissed cases is currently underway in the Department.

Initiative 20: Create a post-decree court to hear all child support modifications as soon as possible.

1st Quarter Update on Initiative 20

The Court has submitted a budget proposal to the County Board of Supervisors to fund a Post Decree Modification Commissioner in the upcoming budget, July 1, 2005. Assuming this is funded, we will create a post-decree court downtown in the 3rd quarter of FY 2005. The Court is moving forward with the post-decree court in the southeast regional facility since resources were recently reallocated to that location. The Northwest Court has been conducting a post-decree modification court for several months, and has seen great success in processing post-decree cases more efficiently.

Initiative 21: As soon as possible implement accurate post-decree statistics and reporting through the iCIS system.

1st Quarter Update on Initiative 21

The pilot project for post decree tracking begins Monday, April 18, 2005. The new programming will allow the Clerk of the Court to specify exactly what is filed and the judicial assistants and Court Administration can then track each distinct petition. Both pre and post decree petitions will be tracked through this enhancement.

The statistical reports of this data should be running by June 30, 2005.

Initiative 22: As soon as the iCIS system allows reallocate and assign all post-decree cases equitably among divisions.

1st Quarter Update on Initiative 22

We have targeted the opening of the new Northeast Courthouse in September to be the date we will have the calendars more properly aligned with both pre and post decree matters.

Initiative 23: Request extension of Civil Rule 53(k), and Maricopa Local Rules 6.9(c) and 6.14, at least until the proposed statewide family court rules are adopted to allow an orderly transition of services.

Initiative 24: Continue to urge the creation of a web-based, real time arrearage calculator for child support payments by DCSE.

1st Quarter Update on Initiative 24

This initiative is ongoing and is a part of all our discussions with state officials, legislators and even child support professionals from the federal government and other state governments.

In April of 2005 DCSE submitted a federal grant to develop this project. Initially only IV-D cases will benefit due to the funding source.

Initiative 25: Assess the need to enhance, modify or discontinue the Integrated Family Court and statistically separate these cases for assessment.

1st Quarter Update on Initiative 25

On March 30, 2005 Judge Davis, Family Court Presiding Judge and Judge Ronan, Juvenile Presiding Judge, submitted a memorandum to Judge Colin Campbell with recommendations on how to proceed with IFC and cases involving children and families whose issues overlap different jurisdictions. (See Attachment 3 for a copy of the memorandum.) After several meetings with the IFC judges and a meeting of the entire Maricopa County IFC Workgroup, it was decided to restructure the IFC in the following ways:

1. *Have the Juvenile Court enter the custody order. The thought is that often the juvenile case has been ongoing for longer and that judicial officer knows more about the family and the best interests of the children than the Family Court judge who has just been assigned the dissolution case.*
2. *Have the Juvenile Court enter a Parenting Time/Custody Order that will survive upon the termination of the juvenile dependency.*
3. *Have the Family Court judge then expeditiously and finally adjudicate all remaining issues in the Family Court case and enter an appropriate Decree, Judgment, or Order. The Probate Court will dismiss or defer any guardianship or custody issues to the Family Court or Juvenile Court as appropriate.*
4. *Initial Child Support orders will be entered either in Juvenile or Family Court after consultation between the judges and based on any existing custody orders entered by the Juvenile Court in the dependency action.*
5. *Family Court will handle all future modifications and enforcements.*
6. *All juvenile delinquency cases, as well as all other overlapping family court, probate court and juvenile court cases excepting juvenile dependency cases provided for above, will be consolidated, severed or handled separately by each department as determined by a joint consultation between the various assigned judges.*

Initiative 26: As soon as possible implement an online electronic, interactive and prompted forms system to initially supplement, and over the next year, significantly replace family court forms at the Self Service Center.

Initiative 27: Upon substantial conversion of existing Self Service Center forms to the eCourt system, develop an electronic eDecree module to memorialize binding agreements and consent decrees whenever and wherever agreement is reached in the court process.

1st Quarter Update on Initiative 26 & 27

These initiatives are ongoing and it is our goal to have all Family Court forms in an electronic format by the end of calendar year 2005.

Initiative 28: Develop a legal information manual to supply simple, consistent, and correct answers to common questions for use by all court personnel and the eCourt system.

1st Quarter Update on Initiative 28

Rather than duplicate efforts in the State, Maricopa County has kept in close contact with staff at the AOC who are working on developing state-wide resources and training materials on legal information. We will be an integral part of the formation of those materials and will take part in disseminating them to all levels of the Court team when they are rolled out.

Initiative 29: As soon as possible review and update the court's change of address system to promptly and correctly notify all parties of all hearing dates and court actions taken.

1st Quarter Update on Initiative 29

Court Administration and the Clerk of the Court have met on an ongoing basis to develop a consensus on a system for Court Administration staff and courtroom clerks to immediately change an address in the Court's database when a litigant is at a conference or hearing in the Court. We have worked out an administrative system whereby the Clerk will be notified of any address change so that ATLAS can be updated for any Family Court litigants paying monies through the Clearinghouse.



**SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA**

NORMAN J. DAVIS
Family Court Presiding Judge

CENTRAL COURT BUILDING
201 W. JEFFERSON, SUITE 7C
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October 17, 2005

Chief Justice Ruth V. McGregor
Arizona Supreme Court
1500 W. Washington Street
Phoenix, Arizona 85007

Re: Maricopa County Family Court Plan of Enhancement

Dear Chief Justice McGregor:

The Family Court Bench and Administration continue to be encouraged by the improvements realized through the Maricopa County Family Court Plan of Enhancement. The following will provide you and the Supreme Court Bench with an update on the activities directed toward achieving the Plan goals since our last report in early August, 2005.

New case filings for fiscal year 2006 are down about four percent from this same time period last fiscal year. Conversely, new post decree petitions filed fiscal year to date are up 12%. Case clearance rate for the year continues well above 100%, which has reduced our active pending pre-decree caseload by 23 percent from last year. Our September 30, 2005 statistics reflect that we currently have 14,652 active pending cases. We terminated 36% more cases in September 2005 than we did in September 2004 and 11% more compared to this same quarter last fiscal year.

Our September 30, 2005 statistic report reflects that we terminated 78.7% of our cases within 9 months, 92.3% within 12 months and 97.1% within 18 months. The age of pending Family Court Cases pending from 0 to 7 months was 81%. We have only 246 pre-decree cases older than 18 months. The Family Court divisions and Court

Chief Justice Ruth McGregor
October 17, 2005
Page 2

Administration continue to make great progress in working toward proposed time standards for case processing.

We presented the final draft of a written Uniform Case Management Plan to the Family Court Bench at our September bench meeting where it was officially adopted. The plan has been under development over the last year and was used during our new judge rotation training in late August. We have recently hired a dedicated Family Court Judicial Assistant Trainer, to assist us in our ongoing efforts to train and support the family court divisions in the new system.

On October 1, 2005, we commenced our Post Decree Child Support Court to handle all post-decree requests to modify child support in an efficient manner with one visit to the courthouse in most cases. Under this program a conference officer meets briefly with litigants to identify contested issues, and to facilitate the preparation and entry of Stipulations when the parties are in agreement. Following the conference, a Court Commissioner either signs the Stipulated Order or conducts an immediate hearing to resolve any contested issues. While we are only two weeks into the program, all feedback from the litigants is very positive. This program is now in place at all of our regional court centers.

Since the court assumed management of Expedited Services from the Clerk of Court last year, the work and function of Expedited Services has changed significantly. We are discussing further initiatives to reengineer Expedited Services, focusing next on the child support establishment process in paternity cases. We have begun the process of rewriting Local Rule 6.14 to reflect the changes made to streamline Expedited Services, and hope to submit a Petition to modify this rule in the near future. We are also working closely with AOC and the Department of Child Support Enforcement to develop a web-based child support arrearage calculator to eliminate the need for Expedited Services to manually perform arrearage calculations and prepare written reports. The courts are urging DSCE to complete this project as soon as possible. The latest projections indicate that it is about one year away from completion. The development of the web-based arrearage calculator will allow us to complete the transformation of the work done at Expedited Services.

Our Decree on Demand program continues to enjoy broad public acceptance and praise. It will be expanded to the newly opened Northeast Regional Court effective November 1, 2005. At that time approximately 50% of our entire pre-decree caseload that represent uncontested cases will be resolved expeditiously on dates selected by the parties.

Chief Justice Ruth McGregor
October 17, 2005
Page 3

The eCourt Design Team is continuing development of an interactive web-based computer system of forms preparation. The goal is to convert all routine family court forms to the interactive format by mid-2006. The completion of this project will be an important step towards allowing and encouraging the e-filing of documents by self-represented litigants projected to start next year. An interactive child support calculator is currently under production as part of the pre-decree document conversion process. We are also supporting use of the system by the other counties. Three counties are actively participating in the use of the forms to date, and others are expressing interest.

Our next progress report to you will be more comprehensive and will detail our progress through the end of this year. If you have any questions about this update or if you would like additional details regarding any of the Initiatives, please don't hesitate to contact me directly.

Sincerely,

Norman J. Davis
Family Court Presiding Judge

Cc: Hon. Barbara R. Mundell, Presiding Judge
Marcus Reinkensmeyer, Trial Courts Administrator
Phil Knox, Deputy Court Administrator
Mary Lou Strehle, Family Court Administrator



Final Plan of Enhancement

Attachment #3

Family Court Department
Maricopa County Superior Court

Final Plan of Enhancement

December 7, 2004

The study of the Family Court Department of the Maricopa County Superior Court conducted by Greacen Associates, LLC identified a number of areas where improvement is needed in the family court. The specific areas that need to be addressed by our court include: 1) Developing a uniform case management system focusing on early judicial intervention; 2) Reducing delay in the processing of family court cases; 3) Utilizing referrals to administrative agencies more selectively; 4) Providing more legal information to self represented litigants to reduce confusion and frustration; and 5) Simplifying family court processes and procedures to provide a higher and more timely level of service to the public.

These issues require a comprehensive look at all of the family court's processes and procedures. Some of the needed changes have already been implemented, some are in the design stage, and others are yet to be developed. The process of improvement is by its nature perpetual, and the Maricopa County Superior Court has always, and will continue to, strive for excellence in developing the best judicial system possible. The initiatives in this Report are, of course, not exhaustive of changes that may need to occur, but represent only our initial analysis of the family court system. We are grateful to John Greacen and the Arizona Supreme Court for focusing our efforts in this regard.

We have begun what will be a long process of self-analysis. The family court bench and family court administration have responded professionally and enthusiastically to needed changes. New ideas from a wide variety of sources are being evaluated virtually on a daily basis, and the plan of improvement that we propose today will certainly be amended and enhanced as we find better and more efficient ways of delivering service to the public. We are acutely aware that everything we do affects children and families in crisis. We are in full accord with Justice Jones' directive that preservation of the family must be a clear priority in any plan we adopt, including diverting couples that wish to reconcile from litigation, and preserving what remains of a family relationship after a decree has been entered for the benefit of children. All of us that have worked in the family court system for any length of time recognize that protracted, acrimonious litigation is destructive to family relationships, is harmful to children, can impoverish the parents, and makes future conflict resolution more difficult.

In assessing the current family court system in place in Maricopa County, we have identified a number of initiatives that have or will be undertaken to promptly and meaningfully address the concerns identified in the Greacen

Report. In doing so, we believe it is helpful to analyze categories of cases that have common characteristics and dynamics. Such groupings are not always accurate and may need further refining, but any large urban court that achieves any level of efficiency is required to departmentalize and group cases that need to be processed in a similar way. In this regard we are commencing initiatives that will address all cases that are currently being handled by the family court and identified them collectively as: 1) Cases that are contested family court cases, i.e. all cases in which a formal Response has been filed; 2) Cases that proceed by default and are finalized without a Response ever having been filed; 3) Cases that are ultimately dismissed from the court docket without a final decree or judgment ever having been entered; 4) Cases identified as IV-D cases that are processed in a unique manner under Title IV-D of the Social Security Act; 5) Post-Decree and Post-Judgment cases filed to modify or enforce prior court orders; and 6) Integrated Family Court cases representing family court cases consolidated with juvenile and/or probate department cases.

Contested Family Court Cases

The largest and most pervasive problem we currently have in the department is the lack of a uniform case management system for contested family court cases. We are committed to replacing the current system of 25 judicial officers independently managing cases in different ways with a uniform case management system modeled after the Northwest Pilot Project. None of us would disagree that each judge has constitutional and legal responsibility to manage cases and do individual justice to each case assigned to that judge. In a large urban court system that is dependent on a wide array of ancillary and support services to address the volume of cases and issues that are unique to families, however, this principle is severely compromised as ancillary agencies struggle to satisfy the needs and desires of each judge operating with a different management style. Out of necessity, the direction for the support structure in the system comes from the agency itself, or at best from one presiding judge. The agencies simply cannot do anything efficiently in 25 different ways.

Of equal concern is the lack of continuity that a “do-it-your-own-way” system engenders. Our strength is, and must always be, the quality of the bench assigned to family court. Under the current model of rotation we have a few senior judges with experience in judging and in family law, a few judges with limited family law experience but some judicial experience, and some who are relatively new to both the bench and family law. The tragedy is that, as each judge gains experience in family court and develops innovative case management techniques, the experienced judges cannot leave much of a legacy for the department after they rotate to a new assignment. Each judge as he or she rotates leaves the assignment with a wealth of information and experience that is not institutionalized for the benefit of those to come because it is not applied to a uniform system of managing cases. The new judge is left to struggle

with which of the 25 case management styles are best, and essentially is condemned to make the same mistakes the experienced judge made in the beginning.

The criminal, civil and juvenile departments all have a uniform system of management that works extremely well. An inexperienced judge rotating to those departments is not only trained by many senior judges applying a uniform system, but is also molded by the established and uniform procedures and rules of the system itself. This not only protects the new judge until he or she is experienced, but also allows the judge to build on the best of a good system that has been refined over the years.

Not only is this diversity difficult for new judges who rotate to the assignment, but also attorneys and litigants can be frustrated or confused by the myriad styles of management. Judicial officers will always have different styles and opinions as they do in every assignment, but if litigants and attorneys faced more uniform expectations and procedures from all divisions, compliance with uniform procedures would be increased and confusion and delay would be reduced. The consensus of the family court bench is to adopt more uniformity in the way we process cases.

Initiative 1: Immediately implement a uniform case management system patterned after the Northwest Pilot Project model that can be continually refined and improved.

The family court bench held a retreat on August 27, 2004, to discuss needed changes, and resolved to implement a uniform case management system. Many of the family court divisions have now adopted the proposed uniform system, in whole or in part, and we hope to report to you in the future that a truly uniform system is present in our court. This initial case management system to handle contested cases is neither a comprehensive nor static solution, but it will give us a foundational structure to build upon. As Greacen recognized, our real strength is a respected and dedicated bench, and we, of course, want to utilize the skills and expertise of the bench in case management to improve the system. Some detailed management solutions will take a little time to develop, but if we can begin by intervening early in each case, requiring the parties to do similar things in preparation for hearings, use uniform titles for hearings, and have a common philosophy of permanently resolving each case as soon as possible, we will have some significant initial improvement, and provide a basic platform to enhance and improve upon as we move forward.

The uniform case management system is patterned after the system recommended by the Greacen Report and utilized at the Northwest Regional Court Center the last couple of years. Attached is a memo describing the Northwest Pilot Project in detail (Attachment 1). The essential features of this uniform case management system are as follows:

1. Upon the filing of a Response by a pro se litigant, or upon the first request for court intervention in any case involving at least one attorney, the matter will immediately be set for a hearing called a Resolution Management Conference (RMC) (Setting orders attached as Attachment 2). The goal is to move the intervention point earlier as we further develop and implement the plan, perhaps incrementally, to intervene first in every self-represented case when the Response is filed, and eventually at a predetermined date after filing (Greacen recommends 75 days). This is what the NW Pilot called a Settlement Management Conference, but the new family law rules now being drafted call it a Resolution Management Conference. Using the latter title is consistent with the new proposed family court rules and should cause less confusion in the future.
2. For cases involving two attorneys, the RMC would be set before a Judge. Pro se cases would be set before an Attorney Case Manager, backed up by ancillary services and a Commissioner in the future as resources are available. Five Attorney Case Managers have undergone initial training, and this process has begun. We will be doing much more in this area as we begin to restructure.
3. Each party would be required, prior to the RMC, to: 1) Meet and confer with the other party (unless an Order of Protection is in place) to discuss settlement, or appear at the courthouse one hour prior to the scheduled RMC to do so; 2) Complete a Resolution Statement similar to the one attached (Attachment 3) for the court and exchange it with the other side prior to the RMC that simply states what the position of each party is and not why they are taking it (again, the new family court rules prescribe this form); and 3) Complete disclosure requirements prior to the RMC.
4. At the scheduled RMC, the positions of the parties are determined, solutions explored, any 80(d) agreements entered, temporary orders resolved by agreement, management is established as needed, and a trial date is set in every case (with rare exceptions). Basically, all management and settlement activity that a judicial officer is going to do is done at this first hearing.

Early management of cases not only benefits litigants and family relationships by providing stability and issue-resolution early, but it also greatly reduces the number and length of subsequent proceedings. The Northwest Pilot model is adopted for a number of reasons:

1. These procedures are already authorized by Rule 16(b), Arizona Rules of Civil Procedure, and Maricopa County Local Rule 6.7. In many ways this case management model is simply a name change and enforcement of existing rules.
2. The model is not unduly invasive to existing management styles in the family court department, and should be easy to implement immediately. The initial changes only require each division to begin issuing the same orders and minute entries. Hopefully, all divisions can be persuaded to pursue final settlement at the first hearing, but currently scheduled hearings could continue to be managed as before by each division during the transition period, and concurrently allow each division to become comfortable with early resolution procedures. As we move forward, the foundation is established for more uniform management in the future drawn from best practices.
3. The new Family Court Rules of Procedure, which are currently being drafted by a Supreme Court Committee, contain a proposed rule for a “Resolution Management Conference” (Attachment 4). This rule mirrors the Northwest model. By using that model now, we have time to adjust to the coming changes, to test the rule before it goes into effect, and to suggest improvements.
4. The Greacen Report and the Arizona Supreme Court recommend the Northwest model of case management upon which to build a more uniform system.
5. The Northwest Pilot Project has produced good results, including early termination of cases, fewer referrals to ancillary services, fewer old cases, and more cases terminated.

December Status Report on Initiative 1

The RMC process was implemented by the Family Court department in September immediately following our August department retreat. New forms to schedule the early intervention conference (RMC) have been adopted and distributed for use by the department. The judicial officers who are utilizing the RMC process are providing feedback that they are pleased with the concept and report it to be aiding in the management of their calendars and cases. Individual training for judicial officers and judicial assistants on the new system is ongoing.

Initiative 2: To the extent personnel and resources allow, all self-represented litigants scheduled for an RMC with an Attorney Case Manager will be scheduled for a presumptive 1-hour trial to adjudicate all unresolved issues.

The Attorney Case Manager (ACM) at Northwest has been conducting these conferences for the last 2 years, and approximately 50% of these cases are fully resolved at this conference. Some litigants fail to show due to the notices being sent to the address in the Petition—rather than the address listed by the Respondent in the Response. This notification issue needs to be resolved and is addressed below in Initiative 27. The cases that are not fully resolved at the RMC will need some type of judicial intervention, and will be presumptively set on the judge's calendar for a one-hour trial, or shorter time recommended by the ACM. At "trial" the judge could then conduct further discussions with the parties and/or trial activity as indicated to get the case fully resolved. The Northwest Regional Court Center has also instituted an enhanced pilot project to evaluate setting the RMC for self-represented litigants in the morning and their trial in the afternoon.

December Status Report on Initiative 2

Five attorney case managers are now actively conducting Resolution Management Conferences with pro se litigants. Early intervention in these cases is being accomplished with a RMC being scheduled by the court as soon as the case becomes contested by the filing of a Response. At the time of the RMC, one of three possible outcomes is accomplished: 1) The case is fully resolved with a full Consent Decree that is prepared, signed and forwarded to a Court Commissioner for signature; 2) The parties are able to reach final partial agreement on some of the issues that is memorialized in a written agreement that is filed in the case; or 3) Where one or more contested issues have not been resolved, a trial is scheduled and the parties are handed a Notice of Trial Setting together with a Notice of Trial Requirements that details what is required to prepare for the trial. During the last six weeks the attorney case managers have experienced a 30% full agreement rate and a 30% partial agreement rate. For being newly hired and still in training, we feel the attorneys are making a significant contribution to our case processing initiatives.

Initiative 3: The trial divisions would presumptively schedule a trial or other terminating event in every pre-decree case at the Resolution Management Conference.

In all attorney cases where the RMC is held before a judge, a firm trial date would presumptively be scheduled at the conclusion of the Conference. The division's calendar, complexity of the case, and needs of the parties would dictate the length and time of trial, but the goal would be to set each case for trial at the earliest possible date. In a very few complex cases or in any case that might not be appropriate to schedule a trial, the division would at least schedule a continued RMC to allow scheduling a trial as soon as possible. In this regard, most of the divisions are currently setting trials in almost every case at the first hearing held with the parties. This would simply articulate a department policy that all litigants and new judges to the department could accommodate.

We all know trial settings encourage settlement and keep cases from being lost or delayed. The Motion to Set rule is an antiquated rule in family court and has become meaningless in all but a very few cases. The firm trial date, of course, could be set in accordance with the needs of the particular case with adequate time for preparation. In those few cases where a trial might not be appropriate (e.g. the parties that "probably" have reconciled but want to go to marriage counseling for 3 months to make sure before dismissing the case) would always be set for a final terminating event (e.g. scheduled for dismissal on a date certain, unless request is made for further hearing prior to that date.)

Initiative 4: Immediately implement a stiff trial continuance policy.

The Greacen Report confirms what is obvious—trial continuances delay cases, create more intervening process, and multiply the court time dedicated to that case. Any effective case management system must set firm trial dates and limit trial continuances. Such policies have achieved dramatic results in both the civil and criminal departments to reduce delay. Trial continuances should be limited whenever possible, and with consistent action by the department, the culture in the community can be changed.

Initiative 5: Immediately and uniformly affirm all scheduled trials and hearings when a case is transferred to another division by reason of recusal or a notice of change of judge.

This change has already been accomplished by a change in department policy effective August 10, 2004. The previous procedure to transfer a case to a new judge upon receipt of a Notice of Change of Judge pursuant to Rule 42(f)(1), or recusal by the trial judge was done manually and required from 3 to 30 days to accomplish. Often these changes occurred with a trial or hearing scheduled, and the delay in reassignment, combined with a full calendar already set in the new division, usually required a continuance of the trial or hearing. Under the current

procedure, the reassignment request is transmitted electronically to the department presiding judge who reassigns the case the same date, and affirms any scheduled trial or hearing. In the event the new division already has matters scheduled in conflict with the trial or hearing, the Presiding Judge at the Northwest Regional Center has agreed in the short-term to hear double-booked trials arising from these conflicts. This may not be a long-term solution, but will get us started. Long-term maybe a floating commissioner could handle these matters as a judge pro tem in addition to other duties.

Initiative 6: Immediately eliminate extensions on the Inactive Calendar in favor of setting a Resolution Management Conference, dismissing the case, or assisting the entry of a default or consent decree.

Any motion to continue a case on the inactive calendar is made after a case has been pending for 6 to 8 months or more. Generally no court action has occurred in the case or there would be no need to continue the case on the inactive calendar. Because parties can now enter defaults the next day, extending a case to allow a default to be entered is unnecessary. There, of course, may be rare circumstances where an extension may be appropriate to conclude a case, but if it is simply languishing, the case should be dismissed or set for further action at an RMC.

Initiative 7: Establish management teams for coming regionalization and maintain uniformity where possible.

When the Northeast Regional Center opens next year, six family court judges are slated to be assigned to Scottsdale. The problem of maintaining a basic case management system will be more difficult with the department scattered in 5 physical locations. We need to fully explore Greacen's recommendations to implement a true team approach to management, and a governance structure. We will need to develop a comprehensive plan to adopt an appropriate management structure prior to opening the Northeast Regional Center.

Reporting and Statistics

The Greacen Report identified a number of areas where case processing in family court is delayed unnecessarily. This Report was, of necessity, based upon our own statistics and reports. In reviewing those reports and statistics, however, it is apparent that our current method of measuring and reporting case aging is inadequate. Currently, most of our case aging statistics and reports are negatively skewed by a significant number of matters that should be treated as post-decree matters being reopened or that are erroneously added back into our pre-decree statistics. This is particularly evident with paternity cases, Orders of

Protection, and legal separation cases later reopened to pursue a dissolution of marriage.

Any accurate and equitable method of assessing case aging should evaluate each case from the time a litigant first files a petition for relief until all of the issues raised in the request have been adjudicated by the entry of a court order, decree or judgment. Therefore, as soon as the computer resources are available, we intend to correct this deficiency to track all pre-decree cases from the time the first petition or complaint is filed until a final order, decree or judgment is entered that adjudicates fully all requests for relief in the first petition or complaint. If a subsequent petition or motion is filed to reopen the case more than 30 days after the entry of the order, decree or judgment such that personal service is again required pursuant to Rule 5(c)(2), Arizona Rules of Civil Procedure, the case will be tracked and reported as a post-decree or post-judgment matter. This general principle will guide our future case classifications. There are several areas where this problem is evident as described in the following initiatives:

Initiative 8: Immediately track and terminate all Order of Protection files separately, and where consolidation occurs, consolidate into the substantive dissolution or paternity case filed by the same parties.

We currently carry in our pre-decree case statistics, a significant number of Order of Protection cases designated as “FC” (Family Court Case With Children) and “FN” (Family Court Case Without Children) cases for which no action is required. The vast majority of these cases involve solely a Petition for Order of Protection that is either granted or denied the same day it is filed. A few additional Petitions are filed, and the Petitioner, for whatever reason, decides to abandon the request and never presents it to a judicial officer—resulting in an open petition. Often, when a request for hearing is filed sometime within the 1-year life of the Petition, the case is again treated as a pre-decree case, although the court can take no action until the request for hearing is received. When a request is received, hearings are routinely set within the 5-day or 10-day time periods required by A.R.S. §13-3602(l). Measuring the time one of these files is “open” from filing to entry of a second order after hearing is artificial when the court can take no action until a request for hearing is received.

Another, more significant, anomaly results when one of the parties to an Order of Protection files a subsequent petition for dissolution or paternity complaint—often months or years later. If the subsequent case is filed in the original Order of Protection file, the new dissolution or paternity case appears that it is months or years old when in reality it was just filed. If it is filed as a new case number, but then subsequently consolidated into the lower case number as encouraged by Maricopa County Local Rule 2.1(c), it also erroneously appears that it has been pending for months or years.

To more accurately separate those cases that are pending and require action from those that have been completed and await further filings, we will separately track all files involving Orders of Protection only. They will become “post-decree” cases when an Order is entered either granting or denying the petition. The cases that are filed and abandoned will be dismissed after no action has occurred for 30 days after filing.

In those cases where a judicial officer deems it appropriate to consolidate an Order of Protection case with a substantive dissolution or paternity matter, our policy will be to presumptively consolidate the Order of Protection into the substantive case, regardless of which case was filed first. Not only is the judge assigned to the substantive case more likely to have gained more knowledge of the parties and the controversy than is the judge assigned the Order of Protection case (particularly where most of these Orders of Protection are heard by a Commissioner), but consolidation into the substantive case reduces the chance that the parties will have to start over with a new judge assigned to the lower case number. This policy also prevents a judge being unfairly charged with a 2-year old case on his or her inventory because an Order of Protection was filed a couple of years ago, when the dissolution was just filed yesterday.

December Status Report on Initiative 8

In November, 1164 cases were moved off the open, active roster during a data clean up of old Order of Protection cases. These cases represent Orders of Protection that had been granted, denied or never presented to the Court after being filed. The court in these cases required no action; and they were, therefore, not properly treated as open cases. This procedure will continue with respect to all Order of Protection cases in the future.

Initiative 9: Immediately track and consider all paternity cases where all pled issues have been adjudicated by entry of an order and nothing new is filed within 30 days as post-decree cases.

We have struggled for years with how to characterize paternity cases in various stages of completion. We often see Acknowledgements of Paternity filed that result in Orders of Paternity being entered, and the files then laying dormant for many months or years thereafter. Maybe the parties just wanted to make dad the dad, they live together, or got married. Years later, one of the parties may then file for dissolution, for custody or parenting time, or to establish child support in the same case number. Once again, it appears that we have allowed a case to languish for years in some instances when it is, in reality, a brand new case. If we are accurately going to age our cases, it is important to measure a case from the time the issues for adjudication were first brought to the court until they are terminated.

Under this initiative, when all of the issues pled in a petition or filing (Acknowledgment & Request for Paternity, Petition to Establish First Court Order, Petition To Establish Child Support, Paternity Complaint) have been adjudicated by a court order, the case will become a post-judgment case.

December Status Report on Initiative 9

Effective November 1, 2004, Family Court Administration changed its business practices so that once the Court satisfied all initial issues pled in a petition or filing, the case was no longer carried on our open, active roster list. As this process is formalized, it will eliminate old paternity cases being carried on the active docket of the court when no issues are pending before the court.

Initiative 10: Immediately track and consider all petitions to convert decrees of legal separation filed more than 30 days after entry of the decree as post-decree cases.

Initial Petitions for Legal Separation are, of course, properly tracked and reported as pre-decree matters when they are originally filed. Once a Decree of Legal Separation of Marriage is entered, however, the case is concluded and no further judicial action is required or contemplated unless and until one of the parties files to convert the legal separation into a dissolution of marriage. Again, months or years may pass before this occurs—if it ever occurs. These cases should be tracked and reported as post-decree matters after the Decree of Legal Separation is entered.

December Status Report on Initiative 10

Effective November 1, 2004, Family Court Administration changed its business practices so that once the Court entered a decree of legal separation, the case was no longer carried on our open, active roster list. As this process is formalized, it will eliminate completed legal separation cases being reopened as “pre-decree” cases when the case is subsequently converted to a dissolution. Such matters will be treated as “post-decree” cases and tracked from the date of filing of the Petition to convert.

Initiative 11: Immediately target our oldest cases for prompt termination as soon as possible.

As a starting point we need to assess our current inventory of cases and progressively target—from oldest to newest—all older cases for prompt termination. All cases that have been pending for more than 6 months with no trial or hearing scheduled should be scheduled for a Resolution Management Conference or terminated as soon as possible. Judge McNally at Northwest has agreed to act as a Special Assignment Judge to try conflicting trials and older cases to assist transition to a uniform case management system. The department will also utilize administration staff, as available, to assist in reviewing Cal-Acti Reports and identifying cases that may be subject to termination.

December Status Report on Initiative 11

The divisions and Court Administration have been working diligently since June 2004 to target the oldest cases, utilize the RMC process and review the case-aging reports. This has resulted in a 113% increase in our case terminations from this time last year. As of September 1, 2004, there were 492 cases over 2 years old. As of December 1, 2004, there were 239. Currently 7% of Family Court's case inventory is over one year old. With systematic, aggressive case management, we expect to see improvements in these numbers.

Initiative 12: Periodically identify and consolidate multiple filings by the same parties with appropriate computer diagnostics.

It is the nature of family court that both parties often file multiple and opposing petitions at various stages in the proceeding. Both parties may file competing Petitions for Dissolution of Marriage within days of each other. A misinformed party may file a “post-decree” petition to modify or enforce a prior order in a separate cause number at the same time that the pre-decree case is pending. Other examples abound where self-represented litigants, failing to understand legal and procedural requirements, file multiple petitions that may be pending before various judicial officers. Where attorneys are involved in these cases, they are generally consolidated appropriately and without much difficulty, but self-represented litigants may fail to even notify the multiple judicial officers of other pending cases. Delay, confusion and possibly inconsistent results can occur if these cases are not soon discovered.

This initiative proposes that we perform periodic computer runs of our case inventory to identify those cases where the same parties appear to have multiple cases pending, or prior closed cases that are relevant to the other pending post-decree cases. These cases can then be appropriately and more expeditiously consolidated to reduce the delay and confusion inherent in multiple cases addressing the same issues.

Initiative 13: Establish case management statistical standards and improve the accuracy and reporting of statistical information.

Over the last several years our court has been converting to a modern docketing and information system known as iCIS (Integrated Court Information System). This system is capable of tracking an enormous amount of information and reporting it in a wide array of useful ways. We are not currently fully utilizing this new management tool, and we simply need a comprehensive review of how we enter and retrieve information in this system for management purposes. This starts with a complete review of our iCIS codes. There are literally hundreds of codes that cause confusion and non-uniform entry among the divisions. The same event or outcome can be recorded a number of different ways. The impact on meaningful statistics in some areas is obvious. We need to develop default codes that cover all possibilities with simplicity and uniformity. For example, we have discovered that we are carrying a number of older cases in our inventory that have been completed, but not properly terminated in iCIS. These types of errors further hinder an accurate assessment of our case aging.

To properly evaluate how long our cases remain in the system, we need to accurately capture case aging statistics similar to what we have now. We also need to evaluate average time to termination of our cases and the percentage of cases terminated within incremental time periods to monitor and track how we are improving. We must generate accurate pre-decree and post-decree statistics. We also need to look at each segment of our system and track how it is doing over time and to evaluate it against the last fiscal year ending June 30, 2004. These segments should at least include statistics by department, by division, default cases, consent decree cases, dismissed cases, pro se cases, one attorney cases, two attorney cases, IV-D cases, dissolutions with children, dissolutions without children, paternity cases, and IFC cases.

December Status Report on Initiative 13

Judge Colleen McNally, Presiding Northwest Judge, has agreed to chair a Committee to review iCIS codes. The Committee will be comprised of judicial officers, judicial assistants, court administration and Clerk of Court personnel active in Family Court. The Committee will convene its work in January 2005. In addition, on December 1, 2004 Family Court Administration submitted a request and proposal to the Court's IT Group to track post-decree petitions and to change our system of monitoring petitions overall.

Initiative 14: As soon as computer resources allow, develop “Exception Reports” to replace the current “Cal-Acti” reporting system to identify delayed cases.

The current system of tracking and reporting cases in the family court is primarily focused on a “Cal-Acti” Report provided to each division on a monthly basis that simply lists all 800 or so cases assigned to a division divided into numerous categories. Given the volume of information provided to the divisions, and the time required to effectively manage a family court calendar, it is difficult for a judge or division staff to review every case on a monthly basis. In addition, most cases are proceeding timely and need no further intervention. Valuable time required for the divisions to separate these cases manually from those needing attention is now wasted. We intend to replace this reporting system with one that provides each division with monthly “Exception Reports” that identify a smaller number of cases that are outside, or in danger of becoming outside, of case management standards. We have not yet had sufficient time to gather input from judicial officers as to the exact nature of these reports, but we envision that such reports could provide information such as:

1. All cases filed for 7 months or more that have not been set for trial or dismissed.
2. All cases involving 1 or 2 self-represented litigants with a Response filed that have not been scheduled for a Resolution Management Conference with an Attorney Case Manager.
3. All cases involving 2 self-represented litigants with a Response filed that have had a Resolution Management Conference held, but no trial is currently set to finalize the case.
4. All petitions that have not been served 4 months after filing that are not scheduled for dismissal.
5. All cases with trial conducted and no Decree or Judgment entered within 30 days after trial.
6. All cases settled that do not have a Decree or Judgment entered within 30 days after settlement announced.
7. All cases over 12 months old not otherwise identified for action.
8. Trial continuances granted.
9. Motions to continue on the inactive calendar granted.
10. Cases terminated without a Decree or Judgment having been entered resolving all issues.

Initiative 15: Evaluate Greacen’s recommendation to overset trials.

While the department has little difficulty embracing most of the Greacen Report’s recommendations for change, the recommendation to overset trials has not met with initial acceptance. Many of our judges have experience with civil and criminal calendars where oversetting of trials is not only desirable, but is essential to effective calendar management. The dynamics of a family court calendar, however, do not necessarily dictate a similar assumption for family court cases. The typical civil or criminal trial is scheduled for 3 to 5 days with a

jury. Most cases settle or plead before trial, and many divisions would be dark if only one trial were set per day.

Family court hearings and trials, on the other hand, are usually scheduled anywhere from 15 minutes to $\frac{1}{2}$ day, with multiple hearings and trials set on any one day. The judge is the trier of fact and required to make detailed findings and rulings in each case, in addition to a mountain of motions and requests that require rulings. Some cases do settle, but a much greater percentage than either civil or criminal cases do not. If a case does settle, it is a rare circumstance when the judge does not have pressing rulings or other matters to utilize the time. Self-represented litigants, in particular, do not usually know how to prepare the necessary settlement paperwork to vacate a trial, and the judge is required to meet with them even if their case settles to finalize the matter.

The implementation of a uniform case management system will also make significant demands on the family court divisions as they redouble their efforts to terminate older cases now in the system and simultaneously begin early judicial management of newer cases. Initially, we intend to encourage the family court divisions to experiment with oversetting trials on a voluntary basis only. We will, however, continue to evaluate this recommendation, and consider it further as we complete other initiatives.

Uncontested Cases

Initiative 16: Immediately implement a “default on demand” procedure to allow parties to finalize uncontested cases at a default hearing scheduled at their convenience as soon as the next day.

For the four-month period from April 1 through July 31, 2004, the family court terminated 3,291 cases by default, or 30.1% of the cases terminated during that period. On August 1, 2004, the court commenced a “default on demand” program to finalize all uncontested cases filed at the downtown complex of the superior court. This has eliminated a 4 to 6 week wait that previously existed to finalize these cases. Under this procedure, Petitioners simply call the court and request a hearing date of their own selection as soon as the next day. A brief telephonic interview is conducted to verify necessary documents have been filed and critical time periods have expired. Upon arrival at the court, court staff review each party’s documents, verify or assist in calculating child support, and provide form documents that may be needed to conclude the case. The response from the public and the bar has been extremely positive, and the morale of court staff in the program has increased considerably. Many self-represented litigants return to thank the court staff for their assistance in concluding their case.

For the first full month that this program has been in operation (August 2004), we had 534 default hearings scheduled, 476 actually appeared, and 453 Decrees were approved, with only 23 rejected. The second month we held 382 default hearings and approved 377, with only 5 rejected. Our initial statistics indicate that 16.8% of people requesting hearings requested a hearing the day following the request, 13.9% wanted a hearing more than 2 weeks away, and the remaining 69.3% scheduled a hearing from 2 days to 2 weeks after the request. We are now able to set hearings in every default case at the downtown court complex on any judicial day the Petitioner requests. Plans to extend this program to the existing Northwest Regional Court in the near future and to the Northeast Regional Court projected to open Summer 2005 are in process. Space limitations prevent expansion to the Southeast Regional Center immediately, but we propose expanding to that facility as soon as resources and space allow. In addition, a computer enhancement to the program has been initiated that will allow all computer-literate petitioners an online alternative method to conduct the interview and schedule their hearing.

December Status Report on Initiative 16

Since August 2, 2004 we have had 1493 defaults scheduled and 1436 defaults signed at our downtown Courthouse. We are making progress toward adjudicating more cases within six months with this new program. In September we terminated 53% of our cases at six months, in November we terminated 61% at six months. Northwest will implement the program February 1, 2005 and the Southeast will start up in May 2005. The Court's IT Department has received the request for online scheduling and will schedule the work for early 2005.

Initiative 17: Determine whether the default process is sufficiently understood and simplified for all litigants.

While we believe that allowing any Petitioner to schedule a default hearing at his or her convenience as soon as the next day is extremely efficient and provides exceptional service to the public, we will analyze whether the process prior to scheduling and conducting the default hearing is easily understood and navigated. We plan to look at several areas to assess this question. First, we will perform some computer analysis to compare attorney-represented cases and self-represented cases to determine: 1) The average time from filing to service of a petition; 2) The average time from service to filing of an affidavit of default; and 3) The average time from filing an affidavit of default to the request for or holding of a default hearing. If there is a significant disparity between cases represented by attorneys and self-represented litigants, it may indicate that self-represented litigants do not understand the service or default process adequately and/or do not get prompt access to process servers. Any problems identified will be addressed.

Initiative 18: Implement a process to enter Consent Decrees at the convenience of the public with a process similar to “Default on Demand”.

For the four-month period from April 1, 2004 through July 31, 2004, the family court terminated 2,543 cases, or 23.3% of all cases terminated, by stipulation, principally Consent Decrees or Judgments approved by both parties. Currently, parties submit a Consent Decree to the court for review and the decree is either signed and entered or returned to correct any defects. In the past this process may have taken as long as 2 months to accomplish. Obviously, if the decree is defective, the time delay is increased. At the present time there is no significant backlog in the entry of Consent Decrees at the Central Court Complex, but this is due largely to the renewed emphasis on the Default on Demand program, rather than a permanent enhancement of this process.

We are currently discussing adding Consent Decrees to the Default on Demand process such that Consent Decrees can be entered, or mistakes identified, on a “next-day” basis similar to the Default on Demand process. We hope to add this enhancement within the next 30 days at the Central Court Complex and to the Regional Centers as soon as resources and space will allow.

It is worth noting that Consent Decrees are entered in a number of different ways. We are continuing to enhance our ability to memorialize agreements when they are reached at the court. The uniform case management system currently being implemented is designed to encourage full settlement early in the case such that Consent Decrees will also be entered, and sometimes drafted, by the judicial officers, or referred from the Attorney Case Managers to the appropriate judicial officer for entry. The proposed statewide rules also contain a simpler form of Consent Decree that should assist to streamline the process further.

December Status Report on Initiative 18

Since filing this Preliminary Report to the Supreme Court, we have been current within one week of signing consent decrees presented to the Court. We expect to formalize a process similar to “Default on Demand” to better serve litigants at the downtown complex in January 2005, and at the regional centers in the latter part of the 1st Quarter of 2005.

Dismissed Cases

Initiative 19: Establish a procedure to identify, separate and assist cases that are now dismissed due to ignorance or frustration (“failed cases”) from those cases that are now dismissed due to reconciliation or other appropriate reason.

According to Greacen's Report, approximately 26% of cases terminated in family court cases are dismissed without being finalized. I believe Greacen's number of 26% was based only upon statistics for one selected month. Our statistics for the four-month time period from April 1, 2004 through July 31, 2004, show that the following numbers and categories of cases were dismissed without ever being finalized:

| Reason For Dismissal | Number | Percentage |
|--|---------------|-------------------|
| Administratively Dismissed For Lack of Prosecution | 637 | 5.8 % |
| Dismissed For Lack of Service | 558 | 5.1% |
| Case Management Terminations | 459 | 4.2% |
| Dismissed By Judges For Lack of Prosecution | 375 | 3.4% |
| Totals | 2,029 | 18.5% |
| Annualized Total (x 3) | 6,087 | 18.5% |

Whether the correct number is 26% or 18.5%, the dismissed cases represent a significant number of cases. Many of these cases are dismissed because the parties reconcile or abandon the case. Presumably others are terminated when the dismissed parties still want to proceed but are frustrated by a complex and confusing system, or by lack of information to move their case forward. The cases involving reconciled parties are, of course, properly dismissed and we should get them out of the system without delay. This furthers the goal articulated by Chief Justice Jones to preserve family relationships as a clear priority. Those that wish to proceed can be better assisted with information and legal referrals within ethical limits. Unfortunately, we currently have no way of distinguishing one group from the other. We need to attempt to do so.

There is some inherent danger, however, in the family court intervening in any stagnant case that will be eventually dismissed. Clearly, in many instances the case represents a family in conflict or uncertain as to how to proceed. A family court, by its very nature and statutory authority, is designed to resolve conflict and adjudicate legal rights of the parties upon their request. Unfortunately, that court intervention, and inevitable conflict resolution, leads to resolution of conflict in dissolution cases at least by dissolution of the marriage. The last thing that any of us want to do is push an indecisive party over the edge to dissolve their marriage when such would not have been the case if the parties had been allowed sufficient time to seek another avenue (e.g. counseling, forgiveness, or simply maturity).

The problem of intervening in cases that will be dismissed is further compounded when the case has not even progressed to the point of service upon the Respondent. Because no service has occurred in these cases, the Respondent may know nothing of the pending action, and the Respondent legally

can't appear in the case. An attempted contact by the court that may reach the Respondent raises a number of significant issues, including:

- 1) A Petitioner filing a Petition may well be the victim of domestic violence who has found the courage to file a petition, but not to serve it upon the abuser. If the court, even inadvertently, notifies the Respondent of any pending court action by the victim, it may place the Petitioner at significant risk of physical or emotional harm. We have similar concerns currently when a document preparation or legal service provider mails solicitations to the Respondent before service has been accomplished.
- 2) The Petitioner may have "false started" as a result of a family fight or other event, filed the petition in anger, had a change of heart, and intentionally does not want to proceed. Others are waiting to see how the filing changes their spouse's actions. Court intervention could precipitate further stress on the relationship, cause more conflict or anger, and facilitate an unintended result.
- 3) The Code of Judicial Conduct prohibits a judge from initiating or considering ex parte communications. Ex parte communications are allowed for scheduling and administrative purposes, but only if the judge reasonably believes that no party will be given a procedural or tactical advantage and the other side is promptly notified and given a chance to respond. Where no service has occurred, there is no effective and consistent way to notify a non-appearing Respondent of any contact with the other side, and any contact by definition would probably have the effect of advantaging a Petitioner procedurally—if not tactically.

If a petition has been served, but no Response or default has been filed, the above concerns are still present. The court would then have a better address for the Respondent at which service was affected, but intervention may inadvertently transform the case into a contested case by forcing an appearance by the Respondent. Can the Respondent appear at a hearing and participate without paying a filing fee? Without filing a formal Response as required by the rules? If so, why would any Respondent bother to pay a filing fee and file a Response? If not, what kind of hearing do we conduct? If we have the contact made by administrative staff, is it really appropriate to call or write one party or both and suggest procedural ways to press their position and finalize their case? Can this information be given in the specific context of a petition filed, a Respondent served, and no default entered without knowing something of the facts and dynamics of the case? Perhaps the parties have an informal "agreement" not to proceed with the divorce. The court's contact may make the

Petitioner feel that he or she must continue with the case, further creating division and conflict in the marriage, and with the Respondent feeling betrayed and that the court sided with the opposing party—with some justification. Overlaying this whole area of providing information to self-represented litigants is the daily phenomenon we now experience of the court telling a self-represented litigant one thing and the litigant hearing another.

If a petition has been served and a response filed, it is much easier to contact both litigants without ex parte concerns. The concerns expressed above of pushing these litigants toward a dissolution of their marriage, however, are still present. Given these unique problems of contacting parties whose case will eventually be dismissed, the family court believes its choices are somewhat limited in these cases. Therefore, the court intends to pursue the following plan of action to assist in identifying how best to assist each of these cases:

1. The family court will conduct a telephone survey of appearing parties in dismissed cases to attempt to identify the reasons for the dismissal in each case. Once the case has been dismissed, neither party can gain a procedural or tactical advantage, and there is no pending proceeding. It would be helpful if the Supreme Court is in agreement that such contacts do not involve an ex parte contact in an “impending proceeding” as defined by Canon 3(B)(7) of the Code of Judicial Conduct. The concern here, of course, is that these cases are dismissed without prejudice and may be refiled—does that mean they are “impending” within the meaning of the Canon. Patterns and frequencies may help identify a solution on how to proceed.

2. The family court is in the process of introducing a prompted, interactive, online forms and information system known as “eCourt” as more fully addressed in Initiative 24. This system will supplement, and eventually largely replace, the paper forms system at the Self Service Center. This system will provide concise information on how to proceed for both parties and allow them to prepare streamlined, customized forms. For a case that has characteristics that will lead to its dismissal (no service, no Response, no default, no hearing requested), simple instructions on how to serve, how and when to file a request for default, and how to get a default hearing through the Default on Demand program should be sufficient if the parties truly wish to proceed. If a Response is filed, we will automatically set a Resolution Management Conference with both parties.

3. Cases in which one or both of the parties have filed a bankruptcy action preventing the parties from proceeding until the automatic stay is lifted, will be scheduled for dismissal as allowed by Rule 38.1, and the parties given direction to ask the U.S. Bankruptcy Court to lift the stay to allow the case to proceed.

December Status Report on Initiative 19

Our E-Court project was implemented online on December 1, 2004. Currently we have Petition and Decree paperwork and have a schedule with our IT Department to fold in the remaining Family Court forms during the first part of 2005. This new service was highlighted in the Arizona Republic the day before it was implemented and has been discussed in other media forums. We've received feedback from members of the community who are starting to utilize it and it will be highlighted at this month's Family Advisory Council.

Title IV-D Cases

All cases filed by the State of Arizona under the Title IV-D program have common characteristics and should be handled in a differentiated manner similar to that currently in existence. Currently, the vast majority of Title IV-D cases are assigned to individual judges, but are actually heard by IV-D Commissioners in a specialized court proceeding. Accordingly, these cases should be assigned, tracked and reported by the appropriate Commissioner to evaluate how efficiently they move through the system.

The Greacen Report has identified a number of issues that need to be addressed and we will do so. This process will require meeting with the Attorney General, the IV-D Commissioners, public stakeholders through the Family Court Advisory Council, and court staff to develop a strategy to insure these cases are handled expeditiously and efficiently. We hope to identify more specific initiatives in future reports as a result of this process.

Post-Decree / Post-Judgment Cases

Initiative 20: Create a post-decree court to hear all child support modifications as soon as possible.

We currently have a number of different ways in which child support is modified post-decree. While Expedited Services handles the bulk of these requests and screens them from ever reaching the divisions, the process in place is not the most efficient. All post-decree modification requests should be assigned to a post-decree modification court and scheduled for an initial conference with an Expedited Services Conference Officer followed by an immediate hearing, if necessary, with a Commissioner. If agreement is reached, a Stipulation and Order could be prepared and the matter concluded by the on-site Commissioner reviewing and signing the Order. If any number in the child support worksheet is disputed, the conference officer, without the need to

prepare a lengthy report, could simply highlight the number(s) on the worksheet and send the parties into the commissioner for hearing on the disputed issues. The current process of longer modification conferences, lengthy written reports and recommendations being submitted to review by a judicial officer, an objection process, and further evidentiary hearing would be eliminated. This is, of course, dependent upon the availability of resources to fund a Commissioner position.

December Status Report on Initiative 20

The Northwest Regional Center will implement a post decree court in January 2005. We continue to brainstorm funding alternatives to start this up downtown and are hoping to be successful before the second half of 2005.

Initiative 21: As soon as possible implement accurate post-decree statistics and reporting through the iCIS system.

The family court has struggled to prepare accurate and meaningful post-decree statistics. A computer enhancement is currently awaiting action that will generate accurate statistics for each division on all post-decree cases. The enhancement will be designed to highlight all current and unresolved post-decree petitions and allow for better tracking and reporting. Accurate reports of cases and Exception Reports for matters that need attention can then be developed.

December Status Report on Initiative 21

The request for post decree statistics and reporting has been submitted to the iCIS team as of the first of this month. We expect this to be fully operational in the first quarter of 2005.

Initiative 22: As soon as the iCIS system allows, reallocate and assign all post-decree cases equitably among divisions.

The family court has grown over the years and additional divisions have been added to hear family court cases. The presumptive system for post-decrees is that a pre-decree case assigned to a particular division will remain with that division when post-decree matters are filed. While some newly created divisions have been assigned post-decree matters, the distribution of post-decree cases may not be, and probably is not, equitable in all cases. Until the iCIS enhancement is complete, it is difficult to determine this issue with any degree of accuracy. At that time, the goal will be to keep all newly filed post-decree matters with the same division if the particular judge assigned to the division has heard anything in the case previously. If not, all new post-decree petitions should be randomly assigned to promote parity among the divisions. Each

division should have a similar workload wherever possible, although some assignments of cases to regional centers may prevent total parity.

Initiative 23: Request extension of Civil Rule 53(k), and Maricopa Local Rules 6.9(c) and 6.14, at least until the proposed statewide family court rules are adopted to allow an orderly transition of services.

The Supreme Court has indicated that its approval of Rule 53(k) of the Rules of Civil Procedure and Maricopa County Superior Court Local Rules 6.9(c) and 6.14 will expire this month. As you know, Expedited Services is now supervised by the court effective July 1, 2004, such that authorization for court clerks to be appointed as conference officers in a quasi-judicial role is no longer needed. We are in the process of evaluating and, where necessary, restructuring Expedited Services to provide more efficient service to the public. The current structure has existed since it was established with the clerk of the court in 1988, and its functions provide a valuable service to the public. Significant changes are under way within the family court department that will transform the services provided by Expedited Services, including the post-decree modification court described in Initiative 20. We do believe, however, that Expedited Services conference officers should continue to provide valuable services to the court under appropriate court supervision in the areas of child support calculation, arrearage calculations, parenting time enforcement, and, perhaps in the future parenting time establishment in Title IV-D cases.

To allow us to complete our evaluation of services provided by Expedited Services, and provide continuity of services until necessary changes can be made, we recommend that the Supreme Court modify the above enabling rules to delete authorization for clerk personnel to act in these roles, but allow such authorization for these conference officers to continue to act under the supervision of the court at least until the proposed statewide family court rules are adopted. A proposed form of amended Maricopa County Local Rule 6.14, and the proposed ruled replacement for Civil Rule 53(k), currently being considered by the Domestic Relations Rules Committee, are both attached hereto for your consideration as Attachment 5.

Initiative 24: Continue to urge the creation of a web-based, real time arrearage calculator for child support payments by DCSE.

For a number of years now the state Department of Child Support Enforcement (DCSE) has maintained computerized records of child support payments ordered by superior courts throughout the State of Arizona. Subsequent child support enforcement actions filed with the courts are invariably and unnecessarily delayed until the parties or Expedited Services can manually do the research and mathematical calculations necessary to determine any arrearage. DCSE has developed a rudimentary computer program to calculate child support payments and arrearages, but currently limits the use of those

calculations to Title IV-D cases only. Discussions are under way and initial agreement reached with DCSE to make this arrearage calculator program available to non-Title IV-D cases in the near future. These calculations, however, only provide computations that are current through the end of the last calendar month. A payment history for the intervening days is also provided.

Even with this improvement, current technology is available to develop a real time, web-based arrearage calculator that would save enormous time, cost and confusion for the parties, the courts and DCSE itself. DCSE has recently acquired computer web capability, and this technology should be made available to the parties, and the courts to obtain an up-to-the-minute calculation of child support and spousal maintenance payments. The courts are currently working with DCSE in a cooperative manner to seek the development of a real time arrearage calculator to provide current information similar to what any modern financial institution provides its customers. The family court is enthusiastic about these developments, and will cooperate in every possible way to make this improvement a reality.

Integrated Family Court Cases

Initiative 25: Assess the need to enhance, modify or discontinue the Integrated Family Court and statistically separate these cases for assessment.

The family court is currently participating in an Integrated Family Court project to identify those cases that have multiple proceedings pending in the family court and the juvenile and/or probate court. The latest Greacen study of the IFC was unable to determine with any degree of accuracy whether this program was beneficial to families and the court due to the insufficient number of cases assigned to the program. The recommendation has been made to expand the program, but we will need to determine whether this program should be continued, modified, or discontinued entirely within the next year or so.

The Greacen Report properly identified the goal of the Integrated Family Court of having one judge and one family to be in tension with the speedy disposition of cases. IFC matters, with multiple cases and issues pending, simply take significantly longer to process, particularly with the extensive and ongoing services provided by juvenile court. The family court in this regard is caught in a dilemma. If the court is mandated to participate in the IFC program, but also required to provide more prompt disposition of cases, the court may only be able to achieve one of these goals with these cases. For this reason, and to give the IFC every chance to succeed and be assessed on its merits, we recommend that statistics for IFC cases should be separately reported and assessed.

December Status Report on Initiative 25

We continue to streamline and improve the IFC operations. As of December 1st we've identified one judicial officer in each of our locations and we currently have 88 active IFC cases in those divisions.

Legal Information Versus Legal Advice

Initiative 26: As soon as possible implement an online electronic, interactive and prompted forms system to initially supplement, and over the next year, significantly replace family court forms at the Self Service Center.

During the last year, the Self Service Center Committee has been developing an interactive, prompted forms system that has become known as "eCourt". The design team is projecting that the first modules of this system will be placed on computers in the Self Service Center on October 12, 2004. After a break-in period to identify needed corrections, the team projects the system will go online approximately one month later. The initial module will allow preparation of dissolution and separation petitions and decrees, as well as petitions for conciliation on the court website. It will take some additional months to convert the remaining forms to this format.

This prompt system will allow for the preparation of customized and concise forms, and will supplement written forms and instructions now used in the Self Service Center. The current written forms are somewhat bulky and confusing by necessity because they must address every situation that is presented. The electronic format will prepare brief petitions unique to the facts and circumstances of each case, and generate simplified instructions on how to proceed. The computer prompted system will also be able to convey much legal information and provide links to outside services at the critical point of inquiry.

Initiative 27: Upon substantial conversion of existing Self Service Center forms to the eCourt system, develop an electronic eDecree module to memorialize binding agreements and consent decrees whenever and wherever agreement is reached in the court process.

A significant problem faced by any family court is to memorialize agreements in an emotional and acrimonious setting. Many family court cases pursue unnecessary litigation simply because agreements once reached are not memorialized and evaporate when memories fade or new issues are created. The development of the eCourt electronic forms system will create an electronic library of documents and paragraphs to memorialize agreements commonly reached by most self-represented litigants.

The next logical step is to enhance this forms system to include an electronic module designed to memorialize full and partial agreements reached by the parties anywhere within the system. Judicial officers, attorney case managers, conference officers, and the parties themselves will have access to these electronic documents to enable a final consent decree to be generated or built one issue at a time as each of the 5 principal issues (custody, child support, spousal maintenance, property division and debt allocation) are resolved. This will prevent multiple litigations and hearings on resolved issues and narrow the focus of hearings and trials to those unresolved issues.

Initiative 28: Develop a legal information manual to supply simple, consistent, and correct answers to common questions for use by all court personnel and the eCourt system.

We understand that the Supreme Court is currently addressing the issue of where the ethical line lies between the court providing prohibited legal advice and permissible legal information to self-represented litigants. Within the parameters of the Supreme Court's direction, we propose identifying, with the assistance of the Court Navigator and Self Service Center personnel, the most common areas of confusion and delay caused to self-represented litigants by inadequate or erroneous information. An information manual should then be developed in response to these areas and made available to all family court personnel that interface with the public to assist them in supplying simple, consistent and correct information within ethical limits to any member of the public.

Initiative 29: As soon as possible review and update the court's change of address system to promptly and correctly notify all parties of all hearing dates and court actions taken.

The nature of family court cases is that one or both parties, as their marriage or relationship disintegrates, often change their mailing address. The court does have a formalized method to change addresses that, when properly followed, generally allows the party to continue receiving notices and rulings from the court. The clerk also does an admirable job of including instructions on many minute entries as to how to effect a change of address. Despite these procedures, too many self-represented litigants fail to follow the procedure and consequently don't receive some notices or rulings in a timely manner. Many will file a motion or responsive document in the court file with a correct new address presumably believing that the court will identify the address as new and make the necessary corrections for mailing. This belief, while somewhat reasonable, would require in its accomplishment the rather onerous task of the clerk or court comparing the address on literally millions of filed documents with the docketing system to verify each address.

One corrective action that we believe needs to occur is to authorize many more court and clerk employees to correct addresses in the computer system whenever and wherever they are identified. For example, courtroom clerks do not currently have the authority to change addresses directly, even when the litigant is present and states his new address under oath on the record. The security risk of an address being improperly changed is small in comparison with the numbers that are not receiving proper notices from the court at the present time. We will work with the Clerk of the Court on this issue.

Judicial Rotations

We also recognize that changes should be made with regard to the rotation of judicial officers to the family court assignment. In this regard, we are mindful of Justice Jones' directive in his letter of August 20, 2004 that: "The practice of assigning predominately newly appointed judges to family court for brief assignments simply must be balanced with the experience of more senior judges and judges serving longer rotations in the assignment." Judge Campbell has recently formed a Committee on Rotations in Family Court to look at the various options for rotation and make a recommendation. He has directed that this work be completed in the next six months.

December Status Report on Judicial Rotations

The Presiding Judge has formed a Committee on Judicial Rotations to make recommendations on rotations to the family court. The Committee held a preliminary meeting in November and will likely finalize their recommendations to Judge Campbell the week of December 13, 2004.

Time To Disposition Standards

The Supreme Court has directed that we propose interim time to disposition goals for the Family Court Department for calendar years 2005 and 2006. This is a difficult task but we will do so. Initially, our competitive nature and commitment to excellence compels us without further thought to simply look at standards developed throughout the country and suggest that we can beat all of them by terminating 100% of our cases within a short time period. It is sobering, however, to realize that not one of the courts identified by the Greacen Report, or any other court to our knowledge, actually meets developed standards—most don't even come very close. It is worth a discussion, therefore, to assess whether we simply wish to set goals that are facially competitive with any in the country as compared with realistic goals that might be attainable.

In this regard we are required to face some limiting realities. A.R.S. §25-329 statutorily prohibits us from holding a trial or hearing to enter a dissolution or

legal separation for 60 days after service upon the Respondent has been accomplished. While we can supply more assistance and information on how to accomplish service to a Petitioner, the service function is largely outside of our control. At the extreme we are simply limited to dismissing the case if this action is not taken after 120 days pursuant to Rule 4(i) of the Civil Rules of Procedure.

More significantly, Rule 38.1 of the Civil Rules of Procedure, and Maricopa County Local Rule 6.8(g), basically require that a case cannot be dismissed for inactivity for at least 8 months after filing. Under these rules, the parties are allowed 6 months to file a Motion to Set and Certificate of Readiness, and failing to do so, the case is to be placed on the inactive calendar and ultimately dismissed after another 2 months has passed with no action. Allowing some reasonable time to accommodate receipt and docketing of documents forwarded to the court near the dismissal deadline, and for court personnel to react, this process can reasonably take 9 months.

While these rules do not prevent the court from taking more aggressive action in contested or some default cases, they do create a severe limiting factor for the estimated 18.5% of cases are ultimately dismissed. A more simple process guided with correct and early information and assistance may reduce this number, perhaps significantly, but any 6-month goal of terminating 90%+ of an entire case inventory is severely compromised if not rendered empirically impossible. Rule 38.1 does allow the 6-month initial time period to be shortened to 120 days by local rule or administrative order, and we are recommending this time limit be shortened to 120 days. Even with this change, however, a realistic time period to dismiss these inactive cases is perhaps 7 months.

After we have worked with our new systems for a while we will have a better idea of what is possible. In proposing interim goals, we also assume that we will be able to shorten the time the Rule 38.1 initial time period to 120 days. For the present, however, we would propose the following goals for termination of all pre-decree and pre-judgment cases, excluding Order of Protection cases and those few cases assigned to the Integrated Family Court:

| | Percentage of Cases Projected To Terminate Within | | |
|--------------------|---|--|-----------|
| Time Period Ending | 7 Months | 12 Months | 18 Months |
| December 2004 | 50% | Remove All Terminated Cases From Reports | |
| December 2005 | 70% | 90% | 95% |
| December 2006 | 80% | 95% | 100% |

December Status Report on Time Standards

Since submitting our Preliminary Plan, we have not engaged in substantial dialogue with the Supreme Court on this subject. We continue to work towards

our Plan to improve the time standards of our pre-decree cases and look forward to further dialogue about realistic and reasonable standards for Maricopa County and the other Family Court Departments in Arizona.

The Maricopa County Superior Court has long sought excellence, and embraced innovation and progress. We will continue to do so, and are committed to providing the best possible judicial system to the citizens of Maricopa County. We look forward to working with the entire court family to improve wherever possible. If this plan generates any questions, concerns or suggested improvements, please contact us at any time.



Recognition/Publicity
Attachment #4

ARIZONA MAKES FAMILY COURTS USER-FRIENDLY

Published by: The American Bar Association Journal

Arizona is making a monumental shift in the way family law cases are handled. In January 2006, the state begins using specialized rules of procedure in family court to become more user-friendly for the 80 percent of family litigants who appear without lawyers.

"There was a recognition that the traditional rules used in civil litigation are not good in the family law setting. They are divisive and put too much emphasis on procedure rather than the best interests of the family—the parties and the children," says Norman Davis, presiding judge of the Maricopa County family court.

Among the changes: Courts will accept unverified copies of documents such as school report cards, billing statements for school and medical fees, and similar items. Either party can invoke the full rules at any time, but unless parties object, the looser rules will apply.

Maricopa County, which includes the city of Phoenix and is the state's largest jurisdiction, was one of the first jurisdictions in the country to establish a self-help center where pro se litigants can get court forms and simple instructions for filling them out. The service was always popular among family law litigants, despite certain misgivings from some members of the bar.

"Sometimes, it becomes a real problem when you've got a judge helping a party get the forms right during the course of a hearing," says Nicole Lasiter, who practices family law in Phoenix. "Some people just don't know how to do the forms or they actually have cases that are more complicated than they realize."

Still, Lasiter thinks the codification of simplified procedures—which has long been a de facto practice in family court—is a good idea. "Most of these things are unlikely to be tampered documents. This just keeps the system moving," she says. "As long as everyone stays aware of the need to make sure due process is served, it's fine."

Davis believes the shift to a public service focus is likely to accelerate.

Maricopa County now requires all family law litigants to participate in a resolution- management conference within 30 days of filing a petition or a motion. There is no waiting until the end of long discovery or answer deadlines before the courts attempt to resolve the case, Davis says.

Next, Maricopa is moving to an online filing system that leads litigants through a series of questions and provides them with printable forms with all the proper information filled in.

For default or uncontested cases, litigants are already allowed to request a "decree on demand." Litigants simply go online and ask for a hearing date, which could be scheduled as soon as the next business day. When the litigant appears, a judge can review his or her documents and then sign the decree.

Madelynn Herman, knowledge management analyst for the National Center for State Courts, says she is not aware of any other jurisdictions that have simplified family law to the degree that Maricopa County has. But there is a clear trend to make courts more accessible to the public, she says. Most states provide some written materials to help pro se litigants navigate the legal system. And more and more states are staffing help desks with volunteer lawyers.

Davis acknowledges that the loss of the adversarial tradition in divorce cases may harm some litigants. But, he says, the fact remains that most family court litigants in his county already do not hire lawyers.

"It would be wonderful if every litigant had a well-qualified attorney, but that's just not the case," Davis says. "What we're doing here reflects the reality of 2005."

THE FACT

In studies by nine states, only a very small percentage of the legal problems experienced by low-income people—one in five or less—were addressed with the help of either a private attorney or a legal aid lawyer.

Source: "Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans," Legal Services Corp., Sept. 2005

—Margaret Graham Tebo



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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RONALD M. GEORGE
Chief Justice of California
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WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

August 30, 2005

DIANE NUNN
*Director, Center for Families,
Children & the Courts*

Honorable Norman J. Davis
Presiding Family Court Judge
Maricopa County Superior Court
201 West Jefferson
Phoenix, Arizona 85003-2243

Dear Judge Davis:

I want to personally thank both you and Mary Bucci for taking the time to come to San Francisco and talk to our Family Law Caseflow Management planning team about Maricopa County's family law system.

I have gotten very positive feedback from a number of attendees who felt that the information you provided will be invaluable to our own planning process here in California.

On the Tuesday immediately following the planning team meeting, Deborah Chase presented a detailed report about the Maricopa County family law system, and showed your PowerPoint presentation. The way you have streamlined your default and uncontested matters is truly impressive, as is your use of case management attorneys to handle contested matters involving pro se litigants.

We are also finding the Uniform Case Management Plan manual that you generously left with Deborah to be extremely informative.

Again, thank you so much for your contribution to our family law caseflow management project.

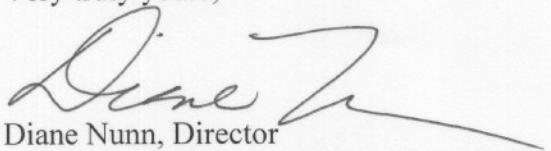
Hon. Norman J. Davis

August 30, 2005

Page 2

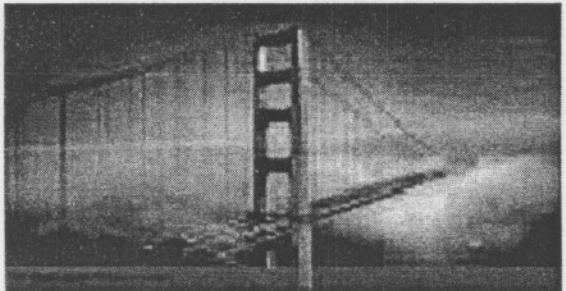
If there is ever anything we can do to reciprocate, do not hesitate to let me know.

Very truly yours,



Diane Nunn, Director
Center for Families, Children & the Courts

DN/DC/pc



EAST MEETS WEST FOR CONFERENCE ON EFFECTIVE PRACTICES IN CASEFLOW MANAGEMENT

By: Jason Brevic

The California Administrative Office of the Courts recently invited representatives from the states of New Jersey and Arizona to participate in their third Project Planning Team meeting on August 15, 2005. The Project Planning Team is currently developing effective Practices in Family Caseflow Management as part of the larger unification process. Hosted in San Francisco at the AOC offices on Golden Gate Avenue by Deborah Chase, Senior Attorney and Project Manager, and facilitated by John M. Greacen, Greacen Associates, LLC, guests had the opportunity to share both the history and philosophy of our state unification process as well as our continuing emerging best practices.

Presiding Judge Michael K. Diamond and Family Division Manager Cindy Thomson, both from the Passaic Vicinage, conducted a presentation to members of the Judicial Council of California, the Center for Families, Children and the Courts, as well as AOC staffers and attorneys. The presentation highlighted the New Jersey Family Division organizational model, key measures of calendar performance, family case time standards and goals, and the essentials of monitoring and information systems. The presentation concluded with the New Jersey Family Division five year backlog report demonstrating successful statewide court supervision of case progress across all dockets.

Presiding Judge Norman J. Davis and Mary A. Bucci, Family Court Administrator and Director of Conciliation Services, both from Maricopa County, Arizona, also conducted a presentation specific to Maricopa County's Uniform Case Management Plan. The presentation included an overview of Maricopa County's case management model that employs early active judicial management, a focus on final resolution, required litigant preparation for conferences, targeted use of ancillary referrals, early firm trial dates, and user friendly processes to manage and resolve each category of case with common characteristics in a uniform manner.

The Project Planning Team meeting forum allowed all participants an opportunity to exchange ideas on judicial leadership, various organizational models, and emerging practices for the pro se litigant. As California progresses in their efforts toward unification, representatives in attendance at the third Project Planning Team meeting anticipate ongoing communications with presenters as all participants continue to inform one another on emerging best practices in their home states.



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August 18, 2005

Honorable Norman J. Davis
Presiding Family Court Judge
Maricopa County Superior Court
201 West Jefferson
Phoenix, Arizona 85003-2243

Dear Norm:

Thank you very, very much for the presentation that you and Mary Bucci made to the Project Planning Team for the Developing Effective Practices in Family Caseflow Management project in San Francisco this week.

The PowerPoint and accompanying materials were professional and informative. The presentation itself was stimulating and inspiring. The thirty members of the Project Planning Team in attendance were thoroughly engaged in the presentation and in the discussion with you and Mary.

I am personally proud of the steps that the Family Court Department has made over the past year. I feel that Greacen Associates' work on the study of the court's operations was very worthwhile and that you, Mary and your colleagues have taken our ideas, expanded on them, and made the court much more user friendly and efficient – in a very short period of time and with no additional resources at your disposal.

I also appreciate your willingness to make this sort of professional contribution to court improvement activities in another state. This cross-fertilization contributes significantly to the spread of knowledge within the courts. More importantly it serves to spread excitement and hope – if Maricopa can accomplish all that in the span of one year, so can we.

I wish you well in your continuing efforts to improve the administration of family cases in Maricopa County. The whole country should be watching.

Yours truly,

A handwritten signature in black ink, appearing to read "John M. Greacen".

cc: Honorable Barbara R. Mundell, Presiding Judge
Marcus W. Reinkensmeyer, Court Administrator
Mary A. Bucci, Family Court Administrator and Director of Conciliation Service

Today's clips contain 9 stories:

Messy Family Court shows improvement

Push to speed process, reduce backlog working

(Judge Colin Campbell, Judge Norman Davis, Judge Michael Wilkinson)

Michael Kiefer

The Arizona Republic

Dec. 22, 2005 12:00 AM

In late August 2004, the Arizona Supreme Court handed down an ultimatum to **Colin Campbell**, then presiding judge of Maricopa County Superior Court.

Clean up Family Court.

Family Court, a department of the Superior Court, is the unhappy place where couples go to get divorced, to fight over child custody, alimony, child support and shared debts.

"The joke among judges is that Family Court is the only assignment where both parties leave and they both think they've lost," Campbell said.

A 2004 study commissioned by the high court found that barely half of the cases in Family Court were resolved within six months. On average there was a five- to six-month wait to go to trial, even in divorces where couples were in complete agreement.

There was little hope for those who couldn't afford lawyers.

The Supreme Court justices didn't expect to turn it into a happy place, but they did think people could be moved through more quickly to get on with their lives.

Sixteen months later, Family Court has changed.

- New computer software helps people who can't afford lawyers fill out the complex legal forms.
- Uncontested or default divorce cases can be finalized within 24 hours of completing legal requirements.
- A regional facility opened in northeast Phoenix gives people more access to the court. Regional courts already existed in Mesa and Surprise; a fourth is planned for the southeast valley.
- Experienced judges from the civil and criminal benches have been moved to Family Court to counterbalance a preponderance of new judges there.
- A standardized case-management system makes sure every judge treats cases in the same manner. It streamlined the rules of gathering evidence to make it more specific to Family Court.

The Supreme Court went one step further to standardize the rules for Family Courts across the state.

Some changes worked right away. A nine-month backlog of default and uncontested cases was wiped out in a month.

Some changes came a bit harder. When experienced judges began to be rotated to Family Court, several retired or

quit rather than take the new assignment.

The intent is to make the legal system user-friendlier. And faster.

When the Supreme Court issued its order in 2004, only 48 percent of Family Court cases were resolved within six months. A year later, in August, that percentage had increased to 65 in seven months. And, as of October, the number of cases resolved within seven months had climbed to 74 percent.

"The goal is not to speed through a divorce," said **Judge Norman Davis**, who presides over Family Court. "Our objective is to reduce trauma to families."

'Difficult assignments'

Recently, a divorced couple and their lawyers faced off in a courtroom. The topic was money.

The ex-husband smirked as he gave evasive one-word answers to the ex-wife's attorney, who was shuffling through a 3-inch-thick chronicle of properties, tax returns and every last purchase of the man's new wife.

The judge's face was frozen; the blood drained from the faces of the few spectators in the tiny courtroom. Tension and ill will sucked all the available oxygen out of the room.

Welcome to Family Court, the largest department of Superior Court, where the judges handle more than a third of the court's caseload.

About 30,000 new cases were filed here last year, and an additional 20,000 previously resolved cases came back for tinkering, bickering and badgering.

No one wants to end up there, including many judges, some of whom refer to it ironically as "Love Court."

"Family Court is, by anybody's definition, the most difficult assignment on the court," Judge Davis said.

It has the most emotion and acrimony, a fair share of mental illness, a ton of paperwork, and the most people trying to navigate the legal system without attorneys.

"A couple of child-custody cases were as memorable as death penalty cases I've had," retired Judge Frank Galati said of his stint in Family Court years ago.

It has the most courtroom fights or threats against judges and the most frustration. "We think a problem's solved, and we think we've done some good for a family," Davis said, "and the next week they're back with exactly the same problem." It's hard on everyone.

"The people struggle with the legal system, and the judges struggle with the people who come before them without lawyers," family practice attorney Helen Davis said.

Do-it-yourself litigants

Not long ago, Phyllis Anne Smith-Cooper sat at a computer in the court's self-service center downtown, tapping out a divorce petition.

"I've had seven unsuccessful marriages and seven successful divorces," she said.

Every other time, the 53-year-old Phoenix resident said, she paid a lawyer to work out the details. This time, she is filing on her own behalf.

In December 2004, Family Court debuted an E-court program that allows couples to fill out petitions in an interactive computer program structured like the popular *TurboTax* software for preparing tax returns.

Applications have long been available in the court's self-service center for do-it-yourself litigants. But if the papers weren't done correctly, it would send couples back to the starting point.

The E-court programs help them over that stumbling block because they will not allow the forms to be printed if they are incomplete.

Jamal Brown, 32, of Phoenix, was at the self-service center to pick up forms to establish paternity and request custody of his two children.

He has looked into getting a lawyer, but he said they wanted \$3,500 to \$5,000 retainers up front.

"I can't afford that," he said.

Instead, Brown filled out the forms himself and paid \$35 per half-hour to have them checked by lawyers provided by a court program called the Family Lawyers Assistance Project.

According to Judge Davis, perhaps as many as 85 percent of the litigants in Family Court choose not to hire lawyers or just can't afford them.

These "pro pers," short for the Latin legal term "in propria persona," often stumble over procedure. And without attorneys to keep them reined in, court hearings can run wild.

"Many times the pro pers would come in, and all they would do is vent on how much they hated the other person and that they were having an affair with someone else and on and on and on, and I didn't get the facts I needed to make a decision on sole custody or joint custody or spousal maintenance," said Barbara Rodriguez Mundell, presiding judge of Superior Court. "They wouldn't bring in all their debts, they wouldn't bring in proof of what they were earning. It was all so hit and miss."

The E-court programs and the legal assistance were intended to make the system more understandable for the pro pers, but lawyers still worry that they may not get all the assistance they need.

Gloria Cales, an attorney with 25 years of experience in family law, has mixed feelings about people who brave the courts without lawyers.

"I think that they're giving people a false sense of security that they can represent themselves adequately, especially in cases where there are minor children," she said. "The reality is none of our lives are check-the-box lives and no one's divorce is a check-the-box divorce."

Lawyers, she says, not only help the clients sidestep unseen problems but can give support to a spouse who does not have equal footing in the relationship with the ex.

"There is criticism that there shouldn't be two systems. One system of justice for people who can afford lawyers and another system for people who can't," Helen Davis said.

But too often, with lawyers involved or not, the system moves too slowly.

Kathi Cork's divorce proceedings lasted twice as long as her marriage.

Cork, of Phoenix, married in 1992, filed for divorce in 1995 and signed the final papers in 2001.

Court hearings were often months apart, and judges rotated in and out of the court.

It was hard to explain the dispute in a 20-minute audience.

"You don't get much time in front of a judge," she said.

Mundell, who served on Family Court in the late 1990s, said couples would have to make appointments three months in advance to get temporary orders about kids and property, then wait another six months for a final court date to resolve the case.

"My calendar was such that I couldn't have a trial in my courtroom for nine months because I was booked out that far," she said. "It was almost like making a reservation in a restaurant."

Getting involved

In September, Family Court formally adopted a new case-management system it had been developing over the past year.

Among other things, it requires judges to get involved at the outset of a case rather than at the end to help families "get on with their lives and get the kids stabilized," Mundell said.

"If you have an organized system wherein the families are getting results and they're getting these important decisions settled early on, you have litigants who are less acrimonious and less hostile," Mundell said.

"They're already unhappy with the person they're married to and maybe with the children from that marriage. But then to have a system that is so unmanageable that now they're mad at the judge, too. That's not healthy."

To take it one step further, in October, the Arizona Supreme Court set new rules to standardize family courts across the state, which go into effect in January.

The new rules, for example, streamline the "discovery" process, which can be lengthy in a civil case. But in a family case, the two parties already know plenty about each other.

'Decree on demand'

A year ago, Judge Davis initiated "decree on demand" to eliminate backlogs in uncontested divorces or defaults, when one of the parties named in the suit does not respond.

Under the new program, couples who file their documents correctly and wait the requisite 60 days can have their cases finalized within 24 hours.

Few judges stay

The Supreme Court study also found that few judges remained in Family Court for longer than two years and that judges tended to view it as an unfavorable assignment.

"In my time here as presiding judge, not one judge volunteered to go on family assignment," Campbell said.

And so Campbell assigned five top criminal judges and one civil judge to Family Court (two more went to Juvenile Court), causing much grumbling, even talk of punishment and vendettas.

"We simply went back and looked at which judges had never served on Family Court or it had been 10 or more years since they served on Family Court," Mundell said. "And so those were the more seasoned judges."

"There is no vendetta," she said. "All we're doing is asking judges to do their jobs."

Two of the judges reassigned to Family Court retired before moving into the assignment; neither said the new assignment was the impetus.

Other judges took the assignment stoically.

'Important assignment'

"Is it my favorite assignment?" **Judge Michael Wilkinson said.** "No. Is it an important assignment? Yes."

Campbell, trying to deflect criticism, even appointed himself to Family Court.

"If other judges are upset about serving this assignment, I have no sympathy for them," he said, "because this is one of the most important assignments the court does."

"Most people's impression of us as judges are based on their divorce. If people aren't willing to do it, they shouldn't be a judge."

MARICOPA Lawyer

www.maricopabar.org

August 2004

Hon. Hugh E. Hegyi
22 E. Javelina Ste. 3-E
Mesa AZ 85210



Volume 24, Number 7 ■ Official Publication of the Maricopa County Bar Association

Are you leader material?

The MCBA is establishing a new Leadership Institute for attorneys gain leadership skills. **Page 3.**

New 'Default on Demand' project will change family court practices

By J. W. Brown
Maricopa Lawyer

Over the next few weeks, family law attorneys will be introduced to a new Default on Demand system that will allow litigants to more quickly resolve family court cases pending in Maricopa County Superior Court.

"Default on Demand represents a significant step forward in how the courts respond to the needs of the public and the bar," explained Family Court Presiding Judge Norman Davis. "Litigants, who have been used to waiting several weeks to have their case heard at an available time provided by the court, and who may need to take time off from work or travel for the hearing, should welcome the ability to select hearing dates convenient to their own schedule, even as early as the next day."

"With the many competing demands for their time, attorneys should also benefit from the flexibility to set hearings at the convenience of their clients and to accommodate their own heavy schedules," he added.

A large portion of family law matters are resolved during uncontested hearings after one party fails to respond or when the parties reach agreement on all the issues in the case.

The idea of implementing default on demand is to simplify, streamline and make the court process more "user friendly" for litigants seeking judgments and orders by default.

"The new program will allow any litigant or a litigant's attorney to schedule a default hearing by calling a dedicated phone line to schedule the hearing at

- See **Default** on page 3

MCBA will host Maricopa County Attorney debate

By Kathleen Brieske
Maricopa Lawyer

The Maricopa County Bar Association and its Criminal Law Section will hold a debate for Maricopa County Attorney candidates at 7 p.m. on Thursday, Sept. 2, at the Board of Supervisors Auditorium, 205 West Jefferson, in Phoenix. The moderator of the event will be José Cardenas, host of *Horizonte* on KAET-Channel 8. Both attorneys and journalists will act as questioners. Each candidate will have the opportunity to respond to pertinent issues. The debate, which is free and open to the public, will take place right before the county attorney primary election on Sept. 7.

All but one of the candidates vying for the position will participate in the debate. Those present will be Mike Bailey, Donald Harris, Jonathan Warshaw, Tom McCauley, Andrew Pacheco, Jerry Landau and Rick Poster. Andrew Thomas will not attend due to an already scheduled engagement.

County Attorney Rick Romley is currently serving his fourth and final election term in office, making this the first time in 16 years that a new County Attorney will be elected. The new race includes eight candidates, of which two are Democrats and six are Republican.

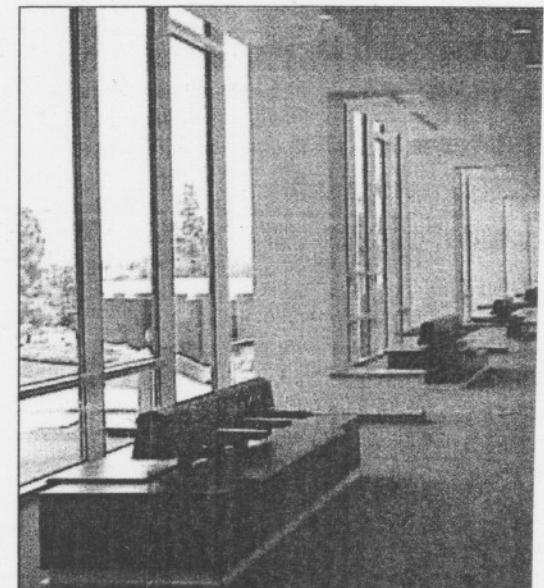
The role of the county attorney is to prosecute those who commit crimes within the county as well as to implement crime reduction programs. According to Maricopa County Bar Association President Jerome Elwell, this upcoming debate is especially important to the

local legal community because the County Attorney's Office serves as the prosecuting body for Maricopa County.

It is important to take the time to understand the candidates' positions on issues spe-

cific to and the so," Elwell said. "To learn to turn to

New hall of



The hallway of the new 263,000 square foot courthouse stands ready for its first visitors just before its completion. The construction project provides 12 courtrooms and a large lobby area, along with technology and amenities.

Trial misconduct leads to sanctions against prosecutor

By Daniel P. Schaack
Maricopa Lawyer

In opinions filed within weeks of each other, trial misconduct has resulted in severe sanctions for two experienced prosecutors in Pima County. One, who challenged psychiatric evidence without any evidence basis, was

He was sentenced to life for the murder, and a total of 184 years for the other crimes. The Arizona Supreme Court reversed his conviction based on Zawada's misconduct during the trial.

With all experts agreeing that Hughes was mentally ill, Zawada set about to attack the credibility of those who testified. Through his questions while cross-examining one expert,



MCBA establishes Leadership Institute

By Kathleen Brieske
Maricopa Lawyer

In the fall of 2004, the Maricopa County Bar Association will lend a hand in producing some of the county's — and state's — best community leaders. Functioning as a "vehicle of service for the benefit of its members, the legal profession, the judicial system and the public," the Maricopa County Bar Association is excited to announce a program that will not only advance the organization's mission, but will also develop and enhance its members' personal leadership potential. The MCBA Leadership Institute Program will train mem-

bers for leadership roles not only at the bar itself, but also within the legal profession and the community.

Still in the development stages, the MCBA Leadership Institute is set to present a two-session leadership development CLE that will amount to a total of four continuing legal education hours. The seminars will bring together experts focusing on matters such as financial oversight, volunteer management, governance, meeting management, fiduciary responsibility and leadership styles.

Superior Court Commissioner Glenn Davis, Sam Coppersmith, senior partner at Coppersmith Gordon Schermer Owens &

Nelson, and Larry Rosenfeld, partner at Greenberg Traurig and co-chair of the firm's national labor and employment practice, are all key figures in the implementation of this innovative program. Each brings unique insight and ideas to the table.

"This new program is obviously experimental but I genuinely think this could serve as an excellent way to make members not only better attorneys but also better citizens," said Coppersmith. "It is a chance for lawyers, particularly young lawyers, to grow not just as attorneys but as leaders in the community."

The program is expected to build a core of legal professionals to lead the MCBA, resulting in raising the standards of section, division and board leadership. When the effectiveness of the organization increases, so will its fundamental value to its members. Furthermore, the program will enhance the public image of the MCBA and legal professionals, along with their contributions to the community. Additionally, it will provide community leadership by offering non-profits and other associations the opportunity to attend the sessions as well.

For the MCBA's board, sections and divisions members, the Leadership Institute's worth goes beyond CLE credits. Whether developing or strengthening leadership skills, members will be able to further their careers with what they learn in the program.

The MCBA Leadership Institute will be offered this fall to members interested in serving leadership roles at the Bar as well as in the outside community. More information, including in-depth information on topics and faculty, will follow in next month's *Maricopa Lawyer*. ■

held on the third floor of the Central Court Building, 201 W. Jefferson. The hearings are set for a morning or afternoon calendar, Monday through Friday. Morning hearings are intended for parties who requested their hearing further out than the next day. Afternoon hearings are anticipated to be set for people who request a next-day hearing, which will allow the court to access the file in time for the hearing.

A schedule of back-up judges has been established through November to provide for overflow hearings.

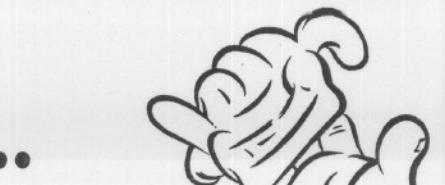
Litigants, or their lawyers, are expected to call on the morning of the day before they want a next-day hearing. Each caller will be interviewed with standard questions about dates of filing, serving, etc., and to determine eligibility for a default hearing.

The review process is expected to be accelerated significantly because basic information can be gathered by court staff when a lawyer or litigant calls the dedicated phone number to set a hearing. Deficiencies can be identified and addressed during the phone contact. Staff will review the file on the day of the hearing, which also is expected to improve the review process.

"The courts belong to the citizens and we should do everything possible to accommodate their needs for prompt and efficient justice," Davis said.

► J.W. Brown is communications director for trial courts in Maricopa County. ■

Hearings under the new procedure are



If It
Doesn't Fit...

ARE YOU NURSING NEGLECT ABUSE?

Nursing home residents are neglected and abused more often than we think. Poor outcomes in the care of the elderly may be a signal of neglect or abuse. However, the investigation and analysis of liability

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OWENS & PERKINS, P.C.

Attorneys at Law

C. D. Owens, Jr.
Michelle J. Perkins

Christopher D. Lonn
Sonya E. Underwood
Erin O. Gallagher

November 9, 2005

The Honorable Norman J. Davis
JUDGE OF THE SUPERIOR COURT
201 W. Jefferson #703
Phoenix, Arizona 85003

RE: MCBA Family Law Section Meeting
November 2, 2005

Dear Norm:

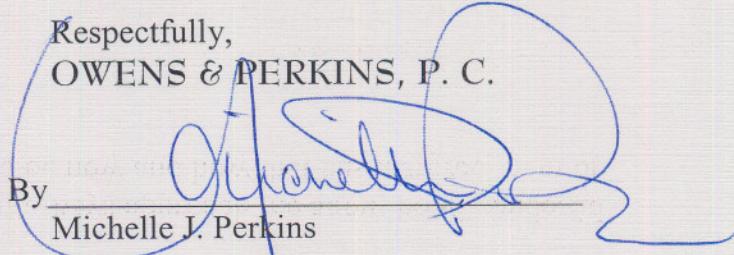
I just wanted to take another opportunity to thank each of you for attending the meeting last week. It was quite apparent that there has been a tremendous shift on the bench about the domestic relations assignment and that attitude obviously affects each of us that appear before you.

Since the meeting I have had several attorneys approach me about how wonderful the meeting was, how different things seem to be now and how that has inspired them on what to look forward to.

The attorneys that practice in this area obviously do so because they feel they make a difference in the lives of so many. We are not "assigned" to this area of the law. I just can't tell you the difference that the meeting had on those that have contacted me.

Thank you for your time and for sharing who you are with all of us.

And, one obligatory plug I have to put in, the Judge's Reception is Wednesday, December 2, 2005 at 5:30 p.m. at the University Club. There will be food and beverages, as always. I look forward to seeing you there.

Respectfully,
OWENS & PERKINS, P. C.
By 
Michelle J. Perkins

MJP:tls

Law Office Plaza
7322 East Thomas Road, Scottsdale, Arizona 85251-7216
Telephone: (480) 994-8824 ♦ Facsimile: (480) 941-2215



Superior Court of Arizona in Maricopa County

Getting to Know Family Court

Attorney case managers at the Superior Court of Arizona in Maricopa County have created several seminars to help Family Court customers better understand the Court process.

In an area of law where many litigants are self-represented, Superior Court is finding new ways to make the court process as accessible and understandable as possible. As Superior Court continues to identify litigant's needs, the many services it offers will continue to change and evolve.

The Court encourages you to take advantage of these seminars to learn about some of the Court's new and existing programs and to help ease any confusion or intimidation you may have about Family Court.

Early Resolution Conferences

10 a.m. - 11 a.m., Aug. 5, 2005 — Court staff will provide information on a new program designed to help parties resolve their divorce, legal separation and paternity cases without judicial intervention.

5

Friday
August

| | |
|-------|-------------------------|
| 9:30 | |
| 10:00 | <i>Early Resolution</i> |
| 10:30 | <i>Conferences</i> |
| 11:00 | <i>Session</i> |

Expedited Services

10 a.m. - 11 a.m., Sept. 2, 2005 — Court staff will provide information about enforcement of child support, parenting time, medical coverage and spousal maintenance.

2

Friday
September

| | |
|-------|------------------|
| 9:30 | |
| 10:00 | <i>Expedited</i> |
| 10:30 | <i>Services</i> |
| 11:00 | <i>Session</i> |

Post Decree Child Support Court

10 a.m. - 11 a.m., Oct. 7, 2005 — Court staff will provide information about a new program designed to assist litigants with simplified modifications of child support and other Family Court services.

7

Friday
October

| | |
|-------|----------------------------|
| 9:30 | |
| 10:00 | <i>Post Decree</i> |
| 10:30 | <i>Child Support Court</i> |
| 11:00 | <i>Session</i> |

Clerk of the Court

10 a.m. - 11 a.m., Nov. 4, 2005 — Court staff will provide information regarding services provided by the Clerk of the Court, including family support and court records information management.

4

Friday
November

| | |
|-------|------------------|
| 9:30 | |
| 10:00 | <i>Clerk of</i> |
| 10:30 | <i>the Court</i> |
| 11:00 | <i>Session</i> |

All sessions will be held in the Jury Assembly Room, on the first floor of the Superior Court Southeast Facility in Mesa

222 E. Javelina Dr.

Mesa, AZ., 85210

If you have an impairment or are disabled and need reasonable accommodations, please contact Court Administration at 602.506.3070.



Superior Court of Arizona in Maricopa County

Getting to Know Family Court

Attorney case managers at the Superior Court of Arizona in Maricopa County have created several seminars to help Family Court customers better understand the Court process.

In an area of law where many litigants are self-represented, Superior Court is finding new ways to make the court process as accessible and understandable as possible. As Superior Court continues to identify litigant's needs, the many services it offers will continue to change and evolve.

The Court encourages you to take advantage of these seminars to learn about some of the Court's new and existing programs and to help ease any confusion or intimidation you may have about Family Court.

Decree on Demand

10 a.m. - 11 a.m., Jun. 3, 2005 — Court staff will provide information on the new Decree on Demand program, including how and when to request a default or consent decree hearing via the Internet or phone.

3

Friday June

9:30
10:00 *Decree on*
10:30 *Demand*
11:00 *Session*

Getting to know Family Drug Court

10 a.m. - 11 a.m., Jul. 8, 2005 — Court staff will provide information about Family Drug Court, a special program for families struggling with substance abuse problems in divorce, child custody or juvenile dependency cases.

8

Friday July

9:30
10:00 *Getting to Know*
10:30 *Family Drug Court*
11:00 *Session*

All sessions will be held in the Jury Assembly Room, on the first floor of the Superior Court Southeast Facility in Mesa 222 E. Javelina Dr.

If you have an impairment or are disabled and need reasonable accommodations, please contact Court Administration at 602.506.3070.



Family Court Bench Retreat Agenda

Attachment #5

Family Court Bench Retreat



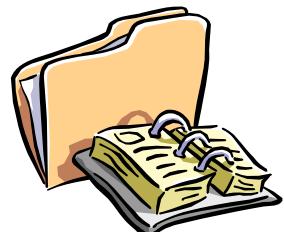
Friday, August 27, 2004

9:00 a.m. – 4:00 p.m.

ASU Downtown/Mercado

502 E. Monroe St., Rooms C368/C370

- 9:00 a.m. Continental Breakfast
- 9:30 a.m. Chief Justice Jones, View from the Supreme Court
- 9:45 a.m. John Greacen, Family Court Review
- 11:00 a.m. Break
- 11:15 a.m. Family Court Review (continued)
- 12:00 (noon) Working Lunch, Discussion with Honorable Stephen Smith,
 Presiding Family Court Judge and Administrator, Chuck
 Short, Clark County, Nevada, Superior Court
- 1:30 p.m. Judge Norman Davis, Family Court Case and Calendar
 Management Proposal
- 2:30 p.m. Break
- 2:45 p.m. Case Management Proposal (continued)
- 3:30 p.m. Judge Colin Campbell, Conclusion





Uniform Case Management Proposal

Attachment #6

Maricopa County Superior Court Family Court Retreat

August 27, 2004

Uniform Case Management

The Maricopa County Superior Court has always strived to be the best trial court in the country, and in many areas has succeeded. The recent extensive review and report prepared by Greacen Associates, LLC, confirms what many of us have known for some time—the family court department has many islands of excellence, but is badly in need of a comprehensive review to address problems of delay and confusion inherent in the existing system. The fact that the system has worked as well as it has in the past with non-coordinated styles of judicial management is a testament to the dedication and expertise of many dedicated professionals in the department.

The problems will not be fixed in a one-day retreat, but we can begin today to address each of the issues identified by the Greacen study and others we know to exist and are yet to be identified.

In my opinion, the largest and most pervasive problem we currently have in the department is the lack of a uniform case management system. Consider the consequences of 25 judicial officers independently managing cases in different ways. None of us would disagree that each judge has constitutional and legal responsibilities to manage cases and do justice to each of the cases that are assigned to us. Each judge should and must be able to direct the management of each case assigned to him or her in a manner that does justice to the parties. In a large urban court system that is dependent on a wide array of ancillary and support services to address the volume and issues that are unique to families, however, this principle is severely compromised as ancillary agencies struggle to satisfy the needs and desires of each judge operating with a different management style. Out of necessity, the direction for the support structure in the system comes from the agency itself, or at best from one presiding judge. The agencies simply cannot do anything efficiently in 25 different ways.

Of equal concern is the lack of continuity that a “do-it-your-own-way” system engenders. Our strength is, and must always be, the quality of the bench assigned to family court. Under the current model of rotation we have a few senior judges with experience in judging and in family law, a few judges with limited family law experience but some judicial experience, and some who are relatively new to both the bench and family law. The tragedy is that as each judge gains experience in family court and develops innovative case management techniques, the experienced judges cannot leave much of a legacy for the department after they rotate to a new assignment. Each judge as he or she rotates leaves the assignment with a wealth of information and experience that is not institutionalized for the benefit of those to come because it is not applied to a uniform system of managing cases. The new judge is left to struggle with which of the 25 case management styles are best, and essentially is condemned to

make the same mistakes the experienced judge made in the beginning. For a few it is easier to take the course of least resistance and wait out the assignment rather than strive for excellence in the assignment.

The criminal, civil and juvenile departments all have a uniform system of management that works extremely well. An inexperienced judge rotating to those departments is not only trained by many senior judges applying a uniform system, but is also molded by the established and uniform procedures and rules of the system itself. This not only protects the new judge until he or she is experienced, but also allows the judge to build on the best of a good system that has been refined over the years. The irony that has developed in family court is that the department with fewer experienced judges has the least structure to process cases.

Not only is this diversity difficult for new judges to acclimate to the assignment, but, if nothing else Greacen's study makes it clear that attorneys and litigants are frustrated and confused by the myriad styles of management. Judicial officers will always have different styles and opinions as they do in every assignment, but if litigants and attorneys faced more uniform expectations and procedures from all divisions, compliance with uniform procedures would be increased and confusion and delay would be reduced. In talking with the bench, I hear no one defending the current system of little uniformity, and I believe there is a consensus for change. In fact, in talking with many of you, I believe we have much (what's the anti-trust term) conscious parallelism in the department already with most of us coming independently to similar conclusions and doing things in somewhat similar ways. Some of what we need may be as simple as articulating in a written case management plan some of those best practices that already exist.

The Greacen Report speaks for itself with respect to a number of additional issues that need to be addressed, but generally the Report focuses on the delay and confusion that exists in the current system. Although I found small areas of variance, I found that I agreed with much of what Greacen found in the family court—both good and bad. The Report also describes a family court system with all of the essential elements that, properly utilized, will allow us to be one of the finest family courts in the country. It is time to change the fundamental way that we address family court cases. For every problem there is a solution. To start the discussion and to initiate some action, I would like to propose that we implement a number of corrective measures. The following list is, of course, not exhaustive, all may not be implemented, but we've talked about the problems for long enough—let's fix them. Some of the solutions have already begun, others we can implement immediately, and still others may take some time and additional resources to accomplish.

A Beginning

Proposal 1: Immediately implement a uniform case management system patterned after the Northwest Pilot Project model that can be continually refined and improved.

This is not a comprehensive, nor a permanent solution, but it will give us a foundational structure to build upon. The detailed management solutions will take a little time to develop, but if we can begin requiring the parties to do similar things in preparation for our hearings, use uniform titles for our hearings, and have a common philosophy of permanently resolving each case as soon as possible, we will have some initial improvement, and provide a basic platform to enhance and improve as we move forward. Attached is a memo describing the Northwest Pilot Project in some detail. We easily could all begin a more uniform system by doing the following:

1. Upon the filing of a Response by a pro se, or upon the first request for court intervention in any case represented by at least one attorney, the parties would immediately be set for a hearing called a Resolution Management Conference (RMC). The goal would be to move the intervention point backward as we further develop and implement the plan, perhaps incrementally, to intervene first in every case when the Response is filed, and eventually at a predetermined date after filing (Greacen recommends 75 days). This is what the NW Pilot called a Settlement Management Conference, but the new family law rules being drafted now call it a Resolution Management Conference, so for future consistency with the new rules we should call it an RMC.
2. For cases involving attorneys, the RMC would be set before a Judge. Pro se cases would be set before an Attorney Case Manager, backed up by a Commissioner and ancillary services in the future as resources are available. We will be doing much more in this area as we evaluate Greacen's recommendation and begin to restructure.
3. Each party would be required prior to the RMC to: 1) Meet and confer with the other party (unless an Order of Protection is in place) to discuss settlement, or appear at the courthouse one hour prior to the scheduled RMC to do so; 2) Complete a Resolution Statement similar to the one attached for the court and exchange it with the other side prior to the RMC that simply states what the position of each party is and not why they are taking it (again, the new family court rules proscribe this form); and 3) Complete disclosure requirements prior to the RMC.
4. At the scheduled RMC, the positions of the parties are determined, solutions explored, any 80(d) agreements entered, temporary orders resolved by agreement, management is established as needed, and a trial date is set in every case (with rare exceptions). Basically, all

management and settlement activity that a judicial officer is going to do is done at this hearing.

The best family courts in the country are managed by some type of active and early judicial management that intervenes in all cases before they become polarized and more difficult to manage. Early management of cases not only benefits litigants and family relationships by providing stability and issue-resolution early, but it also greatly reduces the number and length of subsequent proceedings. I am recommending the Northwest Pilot model as a starting point for a number of reasons:

1. These procedures are already authorized by Rule 16(b), Arizona Rules of Civil Procedure, and local Rule 6.7. In many ways this case management model is simply a name change and enforcement of existing rules.
2. The model is not unduly invasive to existing management styles already in existence in the family court department, and we could begin immediately. All it would take to begin would be for all of us to begin issuing the same orders and minute entries. I would hope to persuade any division that does not push final settlement at the first hearing to do so, but this plan would not interfere with any division's ability to conduct the hearing and manage the case in any manner it desires. Change is difficult and many may stay with the management style that they have learned and that may have worked for them. As we move forward, however, the foundation is established for more uniform management in the future drawn from best practices.
3. The new Family Court Rules of Procedure currently being drafted by a Supreme Court Committee, contains a proposed rule for a "Resolution Management Conference" that mirrors the Northwest Pilot Project model. By using that model now, we have time to adjust to the coming changes, and we also have time to test the rule before it goes into effect and suggest improvements.
4. The Greacen Report and the Arizona Supreme Court recommends the Northwest model of case management upon which to build a more uniform system.
5. The Northwest Pilot Project has produced good results, including early termination of cases, fewer referrals to ancillary services, fewer old cases, and more total cases terminated.

Proposal 2: To the extent personnel and resources allow, schedule all processes for an RMC with an Attorney Case Manager and, to be followed up with a presumptive 1 hour trial with the judge for all unresolved issues.

This would be a good first step to a team management concept recommended by Greacen. The Attorney Case Manager at Northwest has been conducting these conferences for the last 2 years, and reports that approximately 50% of these cases are fully resolved at this conference. Some litigants fail to show due to the notices being sent to the address in the Petition—rather than the address listed by the Respondent in the Response. We'll need to work with the Clerk to get this resolved. The remaining cases simply will need some type of judicial intervention, and could be set on the judge's calendar for a one-hour trial, or shorter time recommended by the ACM. At "trial" the judge could then conduct settlement discussions and/or trial activity as indicated to get the case fully resolved.

This process is already in place at Northwest, and is partially in place at Downtown and Southeast. Although not perfect, this could be the start of an early team triage system similar to what Greacen recommends.

Proposal 3: Immediately and uniformly presumptively schedule a trial in every pre-decree case at the Resolution Management Conference.

This is not much of a stretch. Most of us are setting trials in almost every case at the first hearing we hold with the parties. This would simply articulate a department policy that all litigants and new judges to the department could accommodate. We all know trial settings encourage settlement and keep cases from being lost or delayed. The Motion to Set rule is an antiquated rule in family court and has become meaningless in all but a very few cases. The trial date, of course, could be set in accordance with the needs of the particular case with adequate time for preparation. In those few cases where a trial might not be appropriate (e.g. the parties that "probably" have reconciled but want to go to marriage counseling for 3 months to make sure before dismissing the case) would always be set for a final terminating event (e.g. scheduled for dismissal on November 28, 2004, unless request is made for further hearing.)

Proposal 4: Immediately implement a stiff trial continuance policy.

The Greacen Report confirms what is obvious—trial continuances delay cases, create more intervening process, and multiply the court time dedicated to that case. I have yet to see an effective case management system that does not limit trial continuances. Such policies have achieved dramatic results in both the civil and criminal departments to reduce delay. No one is suggesting a mandatory continuance panel, but I would hope we could all agree to limit trial continuances wherever possible. If we act together in doing so, the culture can be changed. Greacen is recommending

that we overset, or double-book trials, and whether we implement that procedure or not, we are going the other direction if we use two or three trial dates to conduct one trial.

Proposal 5: Immediately and uniformly affirm all scheduled trials and hearings when a case is transferred to another division by reason of recusal or a notice of change of judge.

I believe we have essentially accomplished this with the changes made to the Change of Judge process distributed on August 10, 2004. If we can eliminate the incentive to change a judge simply to get a “cheap continuance”, we can improve the number of judges assigned to any one case slightly. These cases will also not be delayed if the original trial dates can be maintained. In this regard, Judge McNally at the Northwest Regional Center has agreed to hear double-booked trials arising from these conflicts. This may not be a long-term solution, but will get us started. Long-term maybe a floating commissioner could handle these matters as a judge pro tem in addition to other duties.

Proposal 6: Immediately consolidate all Order of Protection only files into a substantive dissolution or paternity case filed by the same parties.

Judge Sheldon recently brought to our attention that we have differing ways of dealing with consolidation of Order of Protection and substantive cases. The local rule (2.1(c)) says we should normally consolidate into the lower number “unless the court shall otherwise order.” Under most circumstances it probably doesn’t make a lot of difference whether the consolidation is into the lower or higher number, as long as we are all uniform—all things work out over time. I would, however, like to propose that we uniformly consolidate the Order of Protection into the substantive case, regardless of which case was filed first for at least 2 reasons: 1) The judge with the substantive file is more likely to have gained more knowledge of their parties and the controversy, than is the judge assigned the Order of Protection. Order of Protection files are usually complete prior to the consolidation, and greater continuity occurs if the judge with the larger case continues on with it after the consolidation. 2) It will become increasingly more important to maintain accurate statistics, and consolidating a new dissolution or paternity case into an old Order of Protection file gives an incorrect picture of our timeliness in these cases. I don’t believe any judge wants to carry a 2-year old case on his or her inventory because an OP was filed a couple of years ago, when the dissolution was just filed yesterday.

Proposal 7: Immediately track and consider all paternity cases where all pled issues have been adjudicated by entry of an order and nothing new is filed within 30 days as post-decree cases.

We have struggled for years with how to characterize paternity cases in various stages of completion. We often see an Acknowledgement of Paternity filed and Order of Paternity entered with the file then laying dormant for many months or years. Maybe the parties just wanted to make dad the dad, and they live together—or got married. Years later, one of the parties may then file for custody/parenting time or to establish child support in the same case number, and once again, it appears that we have allowed a case to languish for years in some instances when it is, in reality, a brand new case. If we are accurately going to age our cases, it is important to measure a case from the time the issues for adjudication were first brought to the court. Under this proposal, when all of the issues plead in a petition or filing (Acknowledgment & Request for Paternity, Petition to Establish First Court Order, Petition To Establish Child Support, Paternity Complaint) have been adjudicated by a court order, and the 30-day time for appeal or filing subsequent pleadings without re-serving under Rule 5(c)(2) has expired, the case will become a post-judgment case. This will also allow us to treat as pre-judgment those cases where an acknowledgement of paternity is filed and a few days later the Attorney General files to establish child support. There is currently a legislative proposal to accomplish this, but whether it passes or not, I believe we can do this.

Proposal 8: Immediately eliminate extensions on the Inactive Calendar in favor of setting a Resolution Management Conference, dismissing the case, or assisting the entry of a default/consent decree.

Any motion to continue a case on the inactive calendar is made after a case has been pending for 4 to 6 months or more. Generally nothing has occurred in the case or there would be no need to continue the case on the inactive calendar. Since parties can now enter defaults the next day, extending a case to allow a default to be entered is unnecessary. There, of course, may be circumstances where an extension may be appropriate to finish up a case, but if it is simply languishing, the case should be dismissed or set for further action at an RMC.

Proposal 9: Immediately target our oldest cases for prompt termination as soon as possible.

As a starting point we need to assess our current inventory of cases and progressively target—from oldest to newest—all older cases for prompt termination. Judge McNally at Northwest has agreed to act as a Special Assignment Judge to try conflicting trials and the oldest cases to assist transition to a uniform case management system focused on early judicial management. The department will also assess the availability of administration staff to review Cal-Acti Reports and identify cases that may be subject to termination.

Proposal 10: Implement a Walk-in Consent Decree program downtown in coordination with the existing Default on Demand program no later than October 1, 2004, and explore expanding the full program to SEJD and NW as soon as possible.

The Default on Demand program has a tremendously positive impact on our case management and the public perception of the department. It also has greatly improved employee morale. Fifty percent of our cases are resolved by default or consent, and we should move to have these cases heard and resolved as soon as possible. This program also needs to be enhanced with a web-based interview enhancement to allow parties to be interviewed and to schedule a hearing on-line. With this process we need to evaluate whether Rule 55(b)(1) motions should be eliminated, discouraged, or incorporated into the default process for signature.

Proposal 11: Establish case management statistical standards, and improve the accuracy and reporting of statistical information.

We need a comprehensive review of our statistical and reporting information. The Supreme Court will evaluate us against case management standards to be developed with our input. We obviously must evaluate our progress. This starts with a complete review of our ICIS codes. There are literally hundreds of codes that cause great confusion and non-uniform entry among the divisions. The same event or outcome can be recorded a number of different ways. The impact on meaningful statistics in some areas is obvious. We need to develop default codes that cover all possibilities with simplicity and uniformity. For example, many motions are now simply just entered as a "document".

Since the supreme court will be evaluating how long our cases remain in the system, we need to capture not only case aging statistics similar to what we have now, but we need average time to termination of our cases and the percentage of cases terminated within incremental time periods to monitor and track how we are improving. Pre-decree and post-decree statistics must be accurately generated. We also need to look at each segment of our system and track how each segment is doing over time and to evaluate it against the last fiscal year ending June 30, 2004. These segments should at least include statistics by department, by division, default cases, consent decree cases, dismissed cases, pro se cases, one attorney cases, two attorney cases, IV-D cases, dissolutions with children, dissolutions without children, paternity cases, and IFC cases.

We need to develop meaningful reporting centered on Exception Reports that indicate a limited number of cases that need specific action based upon criteria we develop. It may not matter much how many new cases were filed last week and assigned to a division, but the division should be concerned if a number of cases remain pending that are over a certain time period with no action having occurred.

Proposal 12: Establish management teams for coming regionalization and maintain uniformity where possible.

When the Northeast Regional Center opens next year, six family court judges are slated to be reassigned to Scottsdale. The problem of maintaining a basic case management system will be more difficult with the department scattered in 5 physical locations. We need to fully explore Greacen's recommendations to implement a true team approach to management, and a governance structure. We will need to develop a comprehensive plan to address a broad management scheme within the directives of the Supreme Court as soon as possible.

Proposal 13: Conduct a pilot project to evaluate Greacen's recommendation to overset trials.

At first glance it appears onerous to overset or double book trials in family court when about 25% of our cases do go to trial, compared with a much smaller number in civil and criminal divisions. But, who knows, it works in civil and criminal and is an essential part of their case plans, and might work with family court cases—let's pilot it with a division or two, or a management team acting cooperatively, and find out. Also I hear a number of complaints about attorneys not following the rules, not doing joint pre-trials and the like. Perhaps the higher incidence of trials in family court is related to non-compliance? If the rules were enforced, would attorneys meet and confer more often, compile meaningful joint pre-trial statements, and in the process settle more often? We don't know, but we can find out.

Proposal 14: Evaluate all of our information services to process in light of the Greacen findings to reduce delay and confusion and simplify wherever possible.

It's time for a comprehensive review of the Self Service Center and the information process we provide to litigants. This has already begun with the e-forms project, but much needs to be done. The initial paperwork to file a case needs to be streamlined or combined into fewer documents, more information and guidance needs to be provided, and we need to generally reassess how we help people thru the system. Our court navigator will be essential in undertaking this review.

Proposal 15: Assess the advisability of implementing a post-decree court to hear all child support modifications as soon as possible.

We currently have a number of different ways in which child support is modified post-decree. While Expedited Services handles the bulk of these requests and screens them from ever reaching the divisions, the process in place may or may not be the most efficient. We need to explore funneling all post-decree modifications to a post-decree modification court for an initial conference with an Expedited Services Conference Officer followed by a hearing, if necessary, with a Commissioner. If agreement is reached, a Stipulation and Order could be prepared and the matter

concluded by the on-site Commissioner reviewing and signing the Order. If any number in the child support worksheet is disputed, the conference officer, without the need to prepare a lengthy report, could simply highlight the number(s) on the worksheet and send the parties into the commissioner for hearing on the disputed issues. Once determined the matter would be concluded without further delay. This is, of course, dependent upon the availability of resources, but we need to plan for what works and then work to get the resources wherever possible.

Proposal 16: Establish a procedure to identify, separate and assist cases that are now dismissed due to ignorance or frustration (“failed cases”) from those cases that are now dismissed due to reconciliation or other appropriate reason.

According to Greacen’s Report, approximately 26% of cases terminated in family court cases are dismissed without being finalized. I believe his numbers were based upon one month and our April thru July 2004 statistics put this number at closer to 18.5%, but either way it’s still a large number of cases. Some parties whose case is terminated want to proceed but are frustrated by a complex and confusing system, or lack information to move their case forward. Others are dismissed because the parties reconcile or abandon the case. The former group of cases needs to be better assisted with information and legal referrals within ethical limits. The latter are properly dismissed and we should get them out of the system without delay. Unfortunately, we currently have no way of distinguishing one group from the other. We need to do so.

Proposal 17: Seriously evaluate each of the recommendations made in the Greacen Report, and other appropriate procedures, to develop a comprehensive plan of uniform case management designed to process cases fairly, in the best interests of children and families, and within established case management standards that fully comply with the Supreme Court’s directives.

Honorable Norman J. Davis
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Uniform Case Management Pilot Project Memorandum

Attachment #7



SUPERIOR COURT OF ARIZONA

IN MARICOPA COUNTY

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To: Colin Campbell, Presiding Judge
Mark Armstrong, Family Court Presiding Judge
All Family Court Judges and Commissioners

From: Northwest Regional Court Judges

Date: February 28, 2003

Subject: Family Court Pilot Project

It is a daunting task for most Family Court litigants to navigate their case through a complex system during one of the most difficult and emotional times of their life. Most have little, if any, understanding of the various statutes and rules that must be satisfied to complete their case. Even so, they are required to competently draft legally sufficient pleadings and documents that exceed in scope and number those of other routine court filings. After filing, they are beset, sometimes at their own request and sometimes on the court's initiative, by a bewildering array of procedures and court services, including those provided by Conciliation Services (Counseling, Parenting Classes, Mediation, Dispute Assessment, Custody Evaluations, Early Post-Decree Conferences), Expedited Services (Custody/Parenting Time Enforcement, Parenting Classes, Child Support Simplified Modification, Child Support Enforcement, Temporary Orders Support), Family Support Center (Arrearage Calculations), Differentiated Case Management, and Alternative Dispute Resolution (Settlement Conferences). Some handle the stress better than others. Eventually many release a mountain of bottled-up emotion upon the court, in written and oral form, that requires resolution by a judicial officer.

In examining our current Family Court system, the judges at the Northwest Judicial Court Center believe that most family court cases can be handled with greater efficiency and less intervention by court services than is common under the current system. Any efficient Family Court system should accommodate and

manage the characteristics and emotions that are unique to Family Court litigants. Most judicial officers recognize that Family Court cases have several distinctive characteristics that distinguish them from other civil cases including:

- 1) Most Family Court cases (especially pro se cases) require little, if any, discovery and disclosure, and are ready to settle at, or shortly after, filing. The few exceptions can be managed more like civil cases, but under the present system, driven by the current civil rules, many cases are needlessly delayed during the discovery and disclosure phase.
- 2) Family Court cases are emotionally driven and, if the family conflict is left unresolved and unmanaged, it often is intensified and expands into additional issues which could have been avoided with early management.
- 3) Lack of early management increases the parties' stress levels, encourages litigants to play games, and proliferates a barrage of accusatory pleadings and motions.
- 4) Virtually every Family Court case lends itself to a problem-solving, settlement-oriented process designed to give **both** parties what the law requires without the need to prove liability, guilt or damages.
- 5) If Family Court litigants are required to take positions early without offending the opposing party with "why" the position is correct, there is generally greater agreement on issues, the remaining contested issues are better focused, and the case becomes easier to manage and resolve.

Goals

After receiving Judge Campbell's go ahead to experiment with a Family Court Pilot Project at the Northwest, we discussed some common goals that we agreed should apply to family court proceedings:

1. The guiding principle should be to "Do No Harm" to the family relationship.
2. The family court system should allow for easy exit upon the parties' reconciliation and for prompt diversion to counseling to repair family relationships if the parties are so inclined.
3. The proceeding should be completed within a reasonable time frame with the least number of trips to the courthouse by the litigants. An unnecessarily protracted litigation process in itself can cause financial distress and be destructive to family relationships.

4. The system should have easily understood rules and procedures to allow efficient and common sense navigation through the process.
5. The Court should encourage the filing of simplified pleadings, forms and documents, and eliminate all forms and documents that are not needed.
6. All cases should be managed and assessed early by the assigned judicial officer with a view toward final settlement and appropriate management before court services are utilized. All unnecessary steps and procedures should be deleted or minimized.
7. All progress in resolution of conflict should be memorialized with Rule 80(d) agreements at every step of the proceeding to avoid repeating steps in the process.
8. The process should be designed to avoid “burnout” of judicial officers by encouraging an efficient and timely resolution of cases in a manner that will allow the judicial officer to feel that he or she is making a difference.

Plan

We believe that 3 things are necessary to significantly improve the present Family Court system:

1. **Statewide Family Court Rules.** A set of statewide family court rules that materially change the way we deal with families in conflict should be adopted by the Arizona Supreme Court. These rules should be focused on solving problems of families in conflict, rather than promoting litigation between adversaries (recognizing that a minor civil litigation component must be maintained for the few complex cases). Significant changes should be made to discovery and disclosure rules, temporary orders, mediation and settlement requirements, the trial-setting process and post-decree matters.
2. **Forms Revision.** Memorializing agreements whenever and wherever agreement is reached will significantly reduce the litigants' frustrations, avoid repeating steps in the process, and improve the efficient operation of the court. Under Judge Campbell's direction, the Self Service Judicial Advisory Committee is undertaking a project to improve the quality and manner of preparation of forms generated by the Self Service Center. The project is focused on an interactive computer model that could be made available in the Self Service Centers, on-line, at public libraries, and on the bench. Litigants would review legal requirements on screen, complete a series of questions

on multiple screens, and provide all required information before printing is allowed. Once complete, a neatly printed, concise form would be printed with all extraneous information deleted. It is envisioned that a short hand version would be accessible on the bench to correct defective Decrees etc. Until this is complete, we are drafting a Consent Decree/Agreement form that has options for the parties to agree to the resolution of one issue on one page. If all issues are agreed, the document becomes a Consent Decree. If less than all issues are resolved, the cover sheet is exchanged for an “Agreements” page so all resolved issues (pages) can be filed as an 80(d) written agreement without further court action.

3. Pilot Project. It is, of course, necessary to experiment and test any ideas for improvement, and we have started a pilot project at Northwest to do just that.

Northwest Family Court Pilot Project

The Northwest Family Court Pilot Project is in transition as we experiment with better ways to improve service to the community. Currently, we have made, or are in the process of making, the following changes:

Consent Decrees. All submitted Consent Decrees that are rejected by the reviewing officer (Attorney Case Manager at Northwest), are reviewed by the assigned judicial officer to determine if the Decree should be rejected, or if a brief hearing should be set to cure a minor defect. For example, if a Consent Decree is rejected because the Respondent has not satisfied the Parental Education Program (“PEP”) requirements, we may want to approve the Decree or order compliance with PEP as a condition to filing a future petition to modify or enforce the Decree.

Contested Cases. Almost all cases can be fully resolved in one, two or at most, three hearings—a **Settlement Management Conference**, a **Continued Settlement Management Conference/Trial** (as appropriate), and a **Trial**.

1. **At Time Response Is Filed**. The Family Court Attorney Case Manager reviews the Cal-Acti Report and identifies all non-attorney cases in which a Response has been filed. If an Order of Protection is currently in effect, she refers the case to the assigned judge for a Settlement Management Conference. If no Order of Protection has been issued, the Case Manager notifies the parties and conducts a Settlement Conference. With improved forms, all agreements will be memorialized as 80(d) agreements or Consent Decrees before the parties leave the courthouse. The current practice of requiring attendance at an Expedited Services Conference for a child support calculation on temporary orders only will be terminated in favor of a global

Settlement Conference with the Case Manager or a Settlement Management Conference with the assigned judge.

2. **Settlement Management Conference**. Whenever the parties file for **any** type of **pre-decree** judicial intervention (emergency orders, temporary orders, management conference, enforcement, contempt, hearing on Order of Protection, trial etc.), they are set for a **Settlement Management Conference** with the assigned judge. This is the first time that they are coming to the court after filing, and could be the last. We are finding a large percentage of cases are fully resolved at this first conference.
 - a. **Time Required**. The Settlement Management Conference is typically set for 30 to 60 minutes depending on the issues. Some last 15 minutes, a few 90 minutes. This is not a full Settlement Conference that could take an afternoon. The parties are expected to state reasonable positions and propose solutions. Compromise is briefly explored, and a judgment is made whether the dispute could be better solved with a 1 to 2 hour trial. Each case is different and requires the correct mix of settlement and trial activity.
 - b. **Preparation**. In the minute entry or Order to Appear setting the Settlement Management Conference, the parties are ordered to do 3 things: 1) Personally meet and confer (unless an OP is in place) to settle the case or narrow the issues themselves before the SMC or come one hour early to the SMC to meet in our jury room if the settlement meeting hasn't taken place previously; 2) Complete all 26.1 disclosure by the time of the Settlement Management Conference (which may not be extended without good cause); and 3) Complete the court's form "Position Statement" that requires parties to take a position without detailed explanation. (Attached are several forms used by different judges to set the Settlement Management Conference.)
 - c. **Settlement**. The Settlement Management Conference is neither a full settlement conference, nor solely a comprehensive pre-trial conference, but has elements of both. At the Settlement Management Conference, the parties are typically told: 1) Your case could be over today if you reach agreement on all issues; 2) You are required to take reasonable positions or §25-324 attorney's fees can be assessed; and 3) We want to know what your position is, and do not want to know why you are taking it-- that's for trial and is counter-productive to settlement. It won't always happen, but when you subsequently limit the name-calling they'll know why and won't think you're not interested in their reasons—that's for trial. To the extent possible, the judge mediates common ground, memorializes any 80(d) agreements, and signs a form Decree or minute entry as a Decree if possible.

- d. **Management.** To the extent that contested issues remain after brief settlement and mediation discussions, the Court then has enough information to effectively assess and order needed services and to enter any temporary orders if permanent orders can't be entered. If further hearing is still requested or required on temporary orders, absent extraordinary circumstances, the evidentiary hearing is merged with a trial to provide a permanent solution and avoid repetitive hearings.
 - e. **Further Hearings.** If the case has not been fully resolved at the Settlement Management Conference, one of two outcomes will be evident:
 - i. **Reset SMC.** The case may need Conciliation Services, a private custody evaluation, further discovery, or just need some time for a variety of reasons, such that a trial may not be the appropriate next step. For example, if the parties will probably agree to the custody evaluator's recommendation, having them concurrently prepare to do battle at trial may be divisive and counterproductive to settlement. These cases would usually be set for a continued SMC or a combined SMC/Trial (Any remaining disputes would be heard with testimony if not settled.)
 - ii. **Trial.** In some cases trial is the only option. It may also be the most efficient proceeding if the issues can be tried in less time than the parties will argue about them.
3. **Review After 6 Months.** The Cal-Acti Report is reviewed monthly and any cases that have been pending for 6 months or longer are identified. Typically, these should be limited to: (1) attorney cases where no court intervention has been previously sought, (2) uncontested cases where no default decree has been approved, and (3) inactive cases. If they are not currently set on the court's calendar for hearing (SMC or Trial), they are resolved in one of 3 ways:
- a. **Response Filed.** If a Response has been filed and the Court has not intervened earlier, the case is automatically scheduled for a Settlement Management Conference with a standard minute entry. (These should be rare.)
 - b. **Consent Decree Rejected.** If the parties have previously submitted a Consent Decree that was rejected, and it appears that the parties want to proceed, the case is placed on the Inactive Calendar for Dismissal in 60-90 days. If appropriate, a brief hearing is scheduled for 15 minutes on the dismissal date to allow the parties to complete the deficits and

meet with the Court to finalize their case. The case is then dismissed or finalized at the time set for hearing.

- c. **All Others**. All other cases that remain unresolved after 6 months are placed on the Inactive Calendar for dismissal in 60 days unless they request further court hearing. If requested, a Settlement Management Conference is set.

The primary component of our pilot project is to concentrate our limited resources on early settlement and management at the front end of a family court conflict. We are finding that a large number of cases are ready to be fully resolved whenever we intervene, and the others are much easier to settle or try after the issues have been narrowed and focused by early management. The more aggressive the litigants and the more emotional the issues, the more important it is to settle or manage the case early. Even in those cases that are so emotionally driven that settlement may never occur, an early trial will lessen the turmoil to the family, reduce the expense to the litigants, require fewer court services, and minimize the number of stressful hearings for everyone. We have not yet addressed post-decree proceedings, but similar solutions may be appropriate for those cases as well.



Evolution of Uniform Case Management Plan

Attachment #8

Maricopa County Superior Court

Family Court Department

Evolution of Uniform Case Management Plan

I. Introduction.

In February 2004 the Arizona Supreme Court commissioned a study of the operations of the Family Court Department of the Maricopa County Superior Court by an independent consultant, Greacen Associates, LLC. The consultant submitted a comprehensive final report to the Supreme Court on August 18, 2004. The report detailed a number of strengths and weaknesses in the Department, and made detailed recommendations for improvement. A complete copy of this report is available at:

<http://www.supreme.state.az.us/nav2/083004FamCourtReport.pdf>

In a letter dated August 20, 2004 to the Presiding Judge of the Maricopa County Superior Court, Chief Justice Charles E. Jones (Attachment 1), after citing a number of exemplary accomplishments of the Family Court, identified the need for a uniform system of case management in the Department by stating:

The Greacen Associated Report shows, however, that the Family Court Department (Domestic Relations) is not meeting the needs of the litigants and other affected persons in Maricopa County for timely resolution of family cases. The report describes an operation which, over time, has grown into a fragmented system of twenty-five judges using different calendaring and case management approaches, separate ancillary services (four in number) which function without adequate coordination, and a court with many different, often duplicative, processes. Litigants as well as counsel report frustrations with delay, extensive paperwork requirements, and confusing processes. By reason of these important considerations with Arizona's justice system, I request that efforts to improve case management in the Maricopa County Family Court Department be accelerated and implemented promptly. These should be pursued in accordance with recommendations contained in the Greacen Associates report.

The Greacen Report and Justice Jones made extensive recommendations and direction for improvement including the need for a comprehensive early intervention strategy to expeditiously and fairly resolve all pre-decree cases. It was apparent from the direction given by the Arizona Supreme Court that a uniform system of case management that included early proactive case

management, meaningful hearings, a strict continuance policy, and targeted use of ancillary services was needed to reduce the delay and confusion present in the current system. Both the Greacen Report and Justice Jones cited the Family Court Pilot Project being conducted at the Northwest Regional Center since July 2002 as the model upon which to base the new strategy.

II. The Northwest Regional Center Pilot Project.

Commencing with the opening of the Northwest Regional Center in Surprise, Arizona on July 15, 2002, and formalized in a memorandum to Judge Colin Campbell on February 28, 2003 (Attachment 2), four judges handling family court cases at that center began managing cases within a substantially uniform system. The Northwest Pilot Project was based upon the following principles:

1. Uncontested Cases--A More Helpful Attitude. Recognizing that all Consent Decrees submitted to the court involved two parties that essentially agreed to the terms of disposition of their case, the assigned judges began reviewing all Consent Decrees that would previously be rejected by the established administrative process. The purpose was to determine whether additional approvals could be granted, and where defects remained, to schedule brief hearings to assist the parties in curing minor the problem. This process recognized that many, largely self-represented litigants, were unfamiliar with complex legal processes, but could successfully resolve their conflict with the assistance at the court without additional conflict and damage to the family relationship. This concept of providing more assistance to the public also guided a number of other areas where litigants merely lacked information with which the court could ethically provide.

2. Contested Cases. All contested cases at Northwest were essentially differentiated into two categories—those litigants represented by attorneys and those that were self-represented. The goal was to have all cases resolved in one, two or at most, three trips to the courthouse by all litigants. Early and active intervention in all cases was essential.

a. Self-Represented Litigants. A staff attorney known as an Attorney Case Manager (ACM) was tasked with identifying all contested self-represented cases with no attorneys involved in which a response had been filed. Those involving Orders of Protection or domestic violence deemed inappropriate for meeting with the ACM in a settlement setting were referred to the assigned judge. All remaining cases were scheduled for a “Settlement Management Conference” (SMC) as soon as possible after the filing of a Response—usually within 30 days.

b. Attorney Cases. All self-represented cases referred from the ACM were scheduled for a Settlement Management Conference with the assigned judge. All cases involving attorneys were also scheduled for a SMC at

the first request for any court action or intervention (emergency orders, temporary orders, Rule 16 conference, enforcement, contempt, hearing on Order of Protection, motion to set, etc.).

3. Settlement Management Conferences. The purpose and focus of every SMC, whether conducted an a staff attorney or assigned judge, was to promote final settlement of the case if possible, generate written agreements of all settled issues, manage all unresolved issues, and schedule a trial date. The parties were expected to have met and conferred prior the SMC, to complete a Position Statement on how all issues could be resolved, to have completed all disclosure requirements, to take reasonable positions, to propose final resolution of issues, and to be prepared to discuss further management of the case. All cases were presumptively scheduled for trial if not resolved at the SMC, with a few re-scheduled for a continued SMC.

4. Inactive Calendar Review At 6 Months. All cases that were pending for 6 months or longer were identified and reviewed monthly. From this review, appropriate action was taken to schedule a Settlement Management Conference, to set a brief hearing to finalize an uncontested case, or to schedule the case for dismissal.

This brief information on the Northwest Pilot Project is provided for historical perspective only on the evolution of our current uniform case management system. Further detail is set forth in the attached Memorandum dated February 28, 2003 to Judge Campbell.

III. Family Court Department Uniform Case Management Plan.

In response to the Greacen Report and the Arizona Supreme Court's directive for improvement the Family Court Department held a retreat and August 27, 2004, adopted a new uniform case management system patterned after the Northwest Pilot Project, and approved a number of specific case management proposals set forth in the attached Uniform Case Management proposal dated August 27, 2004 (Attachment 3).

Thereafter, as required by the Arizona Supreme Court, a more specific Preliminary Plan of Enhancement was submitted Supreme Court on October 7, 2004. After further refinements a Final Plan of Enhancement dated December 7, 2004 (Attachment 4) has been submitted to the Supreme Court. It is this Final Plan that forms the basis of our current Uniform Case Management system. Under this Plan the Family Court Department has committed to complete 29 separate initiatives detailed therein to enhance case management, to improve the Department's time-to-disposition performance, to address judicial rotations to the Family Court Department, and to develop future initiatives to insure cases filed under the Title IV-D program are handle expeditiously and efficiently.



Uniform Case Management Plan Adopted September 21, 2005
Attachment #9

**Maricopa County Superior Court
Family Court Department**

Uniform Case Management Plan

August 29, 2005

Norman J. Davis
Family Court Presiding Judge

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I. Introduction.

The Uniform Case Management Plan currently in effect in the Maricopa County Family Court is a differentiated case management model that employs early active judicial management, a focus on final resolution, required litigant preparation for conferences, targeted use of ancillary referrals, early firm trial dates, and user-friendly processes to manage and resolve each category of cases with common characteristics in a uniform manner. While each category may have different characteristics and procedures for resolution, significant effort has been expended to insure that all cases are managed and resolved in a fair and efficient manner. All processes and programs have been designed with the following goals in mind:

1. Do No Harm. The overall guiding principle should be to “Do No Harm” to the family relationship.
2. Preservation of Family Relationships. The family court system should allow for easy exit upon the parties’ reconciliation, and for prompt diversion to counseling to repair family relationships if the parties are so inclined. This is in accordance with Justice Jones’ directive that: “It is important that preservation of the family be a clear priority in any plan we adopt.”
3. Prompt Action. The proceeding should be completed within a reasonable time with the least number of trips to the courthouse for the litigants. This goal recognizes that unnecessarily protracted litigation in itself can cause financial and emotional distress that is destructive to family relationships.
4. Early Judicial Management. All cases should be managed and assessed proactively early in the process with a view toward final resolution of all issues and appropriate early management of unresolved issues. All unnecessary steps and procedures should be deleted.
5. Targeted Ancillary Services. The use of ancillary services to manage and prepare each case for trial should be sparingly utilized with a clearly targeted objective after considering all other available options. All services should be applied in a manner that will minimize the cost and delay to bring final resolution of each case.
6. Easily Understood Procedures. The system should have easily understood rules and procedures to allow efficient and common sense navigation through the process scheduled, whenever possible, at the convenience of the public.

7. Simplified Forms & Documents. The court should encourage and facilitate the filing of simplified pleadings, forms and documents. All redundant and unnecessary forms and documents should be eliminated.
8. Written Agreements. All progress in resolution of conflict and issues should be memorialized with written agreement at every step of the proceeding to avoid repeating steps in the process.
9. Uniform Procedure But Individual Justice. All case management procedures and programs should be applied uniformly and consistently wherever possible to promote consistency and predictability without interfering with the independent judicial discretion needed to do justice in every case.

The most obvious differentiation of cases occurs in distinguishing, as we have for many years, between pre-decree and post-decree cases. Within each of these case types, however, are significant sub-categories of cases that have general characteristics in common and should be handled differently. It is also important for accurate tracking and statistical accuracy to clearly define when a pre-decree case ends and a post-decree matter begins.

II. Pre-Decree v. Post-Decree Cases.

The most obvious definition of a pre-decree case is a case that is pending (not finalized or dismissed) calculated from the date of filing of the initial petition in the case until a final Decree or Judgment is filed (entered) by the clerk. Everything filed thereafter in the case would be post-decree. In addition, the guiding principle that logically should be used for statistical accuracy in determining the pre-decree time period, is to count the number of days from and after the date an initial petition is filed **that the court should, or even could, take some action to finalize the case**, continuing until the day a final Decree or Judgment is entered to finalize all of the issues in the case. Under this approach, time during which the case was dismissed or inactive by reason of the termination of a prior petition would be excluded.

The court has indicated to the Arizona Supreme Court under Initiatives 8, 9 & 10 to the Final Plan of Enhancement that these principles will currently be utilized in at least 3 circumstances in determining the Family Court's time-to-disposition calculations for statistical purposes. In all probability, a small number of additional unique situations will require application of a similar approach as they are discovered. At the present time pre-decree cases will be tracked as pre-decree from the date of filing of the initial petition when the case was first filed and the initial case number assigned until a final decree or judgment is filed

(entered) that resolves all issues raised in the initial petition, with the following exceptions and clarifications:

1. **Order of Protection Cases.** Not infrequently a Petition for Dissolution, a Petition for Legal Separation, or a Petition for Paternity will be filed in (or consolidated into) a pending case file established originally by the filing of a Petition for Order of Protection some days, weeks, months or years earlier. Under this circumstance it would be extremely inaccurate to assess the timeliness of resolving the second petition from the original filing date of the Petition for Order of Protection. A further problem exists if an Order of Protection case is not dismissed or terminated in a routine way. We will track cases involving an Order of Protection in three ways:
 - a. **Order of Protection Only.** We will separately track all files involving only a Petition for Order of Protection. They will become “post-decree” cases when an Order is entered either granting or denying the Petition. Pursuant to **Administrative Order No. 2005-046**, cases in which a Petition for Order of Protection is filed and abandoned will be dismissed after no action has occurred for 30 days after filing.
 - b. **Consolidated/Combined Filings.** In those cases where a judicial officer deems it appropriate to consolidate an Order of Protection case with a substantive dissolution, separation or paternity matter, our policy will be to presumptively consolidate the Order of Protection case into the substantive case, regardless of which case was filed first. Not only is this more statistically accurate, but will normally allow the judicial officer with the greater knowledge gained in handling the more substantive case to continue with the case.
 - c. **Subsequent Filings.** When a Petition for Dissolution, a Petition for Legal Separation, or Complaint in Paternity is filed in an existing Order of Protection only file the subsequent substantive petition will be tracked as a “Post-Decree” case with its time-to-disposition calculated from the date the substantive petition was filed until the Decree or Judgment is filed (entered).
2. **Paternity Cases With Multiple Filings.** It is not uncommon for paternity cases, particularly Title IV-D cases to be filed in a piecemeal fashion. By their nature Title IV-D cases usually seek to establish paternity and child support, but do not address the

custody issue. On occasion only an Acknowledgement of Paternity will be filed with no requests to adjudicate custody or child support. When the omitted issues are later addressed by subsequent filings it appears that the case has languished when in reality no issues were pending for adjudication during the time the case was dormant. To address this problem we will consider the first filed petition or request in any case to be the only pre-decree petition. After all issues raised in this first petition have been adjudicated with a formal written judgment or order, any subsequent filings to address other issues will be treated statistically as post-decree petitions.

3. Petitions To Convert Legal Separations To Dissolution. Initial Petitions for Legal Separation are, of course, properly tracked and reported as pre-decree matters when they are originally filed. Once a Decree of Legal Separation is entered, however, the case is concluded and no further judicial action is required or contemplated unless and until one of the parties files a petition to convert the legal separation into a dissolution of marriage. The intervening time period should be excluded for accurate reporting. These cases will be tracked and reported as post-decree after a formal Decree of Legal Separation is filed (entered).

III. Pre-Decree Cases.

Within the broad category of pre-decree family court cases, we have established policies and procedures for essentially 6 subcategories of cases that have obvious common characteristics: 1) Cases terminated by entry of a **Default Decree or Judgment**; 2) Cases terminated by the entry of a **Consent Decree**; 3) Cases **dismissed for lack of service**; 4) Cases **dismissed for lack of prosecution**; 5) **Contested cases involving two self-represented litigants**; and 6) **Contested cases with one or more attorneys**. Court Administration and the court's Attorney Case Managers involved in the Early Resolution Triage Program have significant responsibility for the first five categories of cases. The assigned judicial officer has ultimate responsibility and oversight for all assigned cases, but has primary responsibility for contested cases involving attorneys. The percentages of total cases terminated set forth below is based upon an analysis of all cases terminated from January 1, 2005 to June 30, 2005.

All pre-decree cases are randomly assigned to each division of the family court within a geographic region (Downtown, Northwest, Northeast or Southeast) by a computer-generated algorithm. Each region is comprised of the area bounded by a number of postal zip codes designated by Administrative Order of the Presiding Judge in accordance with Local Rule 10 (**Administrative Order No. 078**). All parties are required to file their case at the regional court center determined by the zip code of the attorney or self-represented party filing the case as designated by the appropriate Administrative Order. Cases assigned to regional courts other than the downtown court are assigned a case number with a numerical prefix to designate the region. The prefixes assigned to each regional court, and Administrative Orders included in the Appendix specifying the zip codes comprising each region are as follows:

| <u>Prefix</u> | <u>Region</u> |
|---------------|-----------------------------|
| 5 | = Northeast Regional Center |
| 7 | = Northwest Regional Center |
| 9 | = Southeast Regional Center |
| All Others | = Downtown |

IV. Uncontested Pre-Decree Cases.

Uncontested pre-decree cases are categorized into four general groups: 1) Those cases that are terminated by the entry of a default Decree or Judgment after a Respondent is served and fails to appear; 2) Cases that are terminated by the entry of a Consent Decree or Judgment by agreement of both parties; 3) Cases that are dismissed for failure to service the Respondent after the required time; and 4) Cases that are dismissed for failure to prosecute the case to completion in a timely manner. A small number of dismissed cases may technically be contested cases that are dismissed for inaction or by sanction, but all dismissed cases are grouped here because they are handled in a uniform manner and no contested activity usually occurs after the case is on track for dismissal.

A. Defaults & Consent Decrees (Decree on Demand).

Approximately 27% of all pre-decree cases are terminated by default. An additional 20% are terminated with the entry of a Consent Decree or Stipulated Judgment. Until August 2004, all default and consent decrees and judgments were submitted for file review to assure compliance with rules and statutes prior to the scheduling of a default hearing or approval of a consent decree. This process typically took 6 to 8 weeks or longer if deficiencies were identified in the submitted paperwork. This delay created some confusion and frustration, and required the court designate a "cut-off" date in the last month or two of each year to insure decrees that needed to be entered for tax reasons before December 31 could be signed.

On August 2, 2004, the Family Court began the "Default on Demand" program at the downtown courthouse. Once the statutory 60-day waiting period had passed, this program allowed the petitioner to call a dedicated phone line at the court to schedule a default hearing at their convenience and as early as the next court day. During the phone call the litigant is interviewed by court staff using a computer worksheet to verify that all legal requirements appear to have been satisfied. If so, the litigant selects a hearing date and is instructed to report to the "default room" prior to entering the courtroom on that date. Publication and interpreter cases are also identified in this phone call. Staff in the default room conduct a final file review, review final paperwork, allow the litigant to correct any deficiencies that can be cured with available forms, and calculate child support prior to sending the litigant to the courtroom for hearing with a Court Commissioner. This program expanded to the Northwest Regional Court Center in Surprise on February 1, 2005, to the Southeast Regional Court Center on April 4, 2005, and will be available at the Northeast Regional Court Center when it opens in September 2005.

The program subsequently evolved to include all Consent Decrees and Stipulated Judgments submitted downtown and at the northwest center effective

March 1, 2005, and at southeast on April 4, 2005. Consent Decrees and Stipulated Judgments can now be submitted for regular processing by mail or for expedited processing on demand. Decrees and Judgments submitted by mail are reviewed and returned within one week. Expedited processing requires the litigant to schedule a hearing at his or her convenience in the same manner as a default hearing when a commissioner will review and sign the decree or judgment. The entire program is now known as "**Decree on Demand**". To reduce the massive phone call traffic generated by this program, an online computer interview was added to the program on June 27, 2005 that allows litigants to have their case initially reviewed and schedule a hearing entirely online.

Currently, litigants can participate in the Decree on Demand program telephonically or online as follows:

1. Defaults. To schedule a default hearing at any location, litigants are instructed to log onto the court website, or call the Decree on Demand phone number if the online option is unavailable. All hearings are scheduled at the available times listed below at the convenience of the public with the only limitation being that a hearing scheduled the next day must be scheduled before noon of the day prior. This allows time for file review prior to the hearing. The website and telephone number are:

Website: www.ecourt.maricopa.gov/dod

Phone: (602) 372-3332

Downtown: Hearings are scheduled Monday through Friday each week with some lesser used language and publications cases scheduled on Wednesdays, and Spanish Interpreter cases scheduled on Fridays.

Check In: Default Room located at CCB3.

Hearings: CCB 3.

Southeast: Hearings are scheduled Monday, Wednesday and Friday each week with lesser used language and publication cases heard on the 2nd and 4th Wednesday of each month, and Spanish Interpreter cases scheduled one Friday each month.

Check In: Suite 1300.

Hearings: Courtrooms 301 & 305.

Northwest: Hearings are scheduled Tuesday and Thursday afternoons each week with all interpreter and publication cases heard one Friday each month.

Check In: Information Center.

Hearings: Courtroom 123.

Northeast:

Check In: Family Court Administration.
Hearings: Courtrooms 101 & 103.

2. Consent Decrees. Consent Decrees and Stipulated Judgments can either be submitted by mail (or in person) or at an “on demand” hearing. The phone number and website for an on demand hearing are the same as those listed above for a default hearing. The mailing addresses to submit a Consent Decree or Stipulated Judgment by mail are:

Downtown: Maricopa County Superior Court
Family Court Administration
201 W. Jefferson, 6th Floor
Phoenix, Arizona 85003

Northeast: Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

Northwest: Maricopa County Superior Court
Northwest Regional Court Center
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Southeast: Maricopa County Superior Court
Southeast Regional Court Center
Family Court Administration, 1st Floor, Suite 1300
222 East Javalina
Mesa, Arizona 85210

Paperwork can also be submitted in person at these locations between 8 a.m. and 5 p.m.

B. Dismissals For Lack of Service & Lack of Prosecution.

Approximately 23% of pre-decree family court cases are terminated by dismissal for lack of service or for lack of prosecution.

1. Lack of Service. Rule 4(i), *Arizona Rules of Civil Procedure*, requires that the court, after notice to the Petitioner, dismiss all cases not served upon the Respondent within 120 days after filing. Court administration is charged with generating a computerized Notice of Failure To Serve and Intent To Dismiss Your Court Case (**Admin. Form**) when an affidavit of service has not been filed with the court within 120 days after the case is filed. The Notice

instructs the Petitioner that the case will be dismissed without prejudice and without further notice 60 days after the date of the Notice unless proof of service is filed with the court, an order continuing the time to serve is granted by the judge, or the case is voluntarily dismissed by the party. If the requirements of the notice are not met, court administration insures that the case is in fact dismissed with an electronically signed written Order Dismissing Case Without Prejudice For Lack of Service (**Admin. Form**). The original Order is filed in the court file, *but currently a copy is not mailed to the Petitioner.*

In the event the Petitioner files a Motion To Extend The Time For Service, the assigned judge rules on the motion. If the motion is denied the judge dismisses the case with a signed order (**M.E. FC518**) if the time to serve has expired. If the motion is granted, the time to serve is extended to a date certain with notice that the case will be dismissed if service is not accomplished (**M.E. FC517**). Once the judge has acted to grant the motion, court administration is no longer authorized to dismiss the case, and the assigned judge needs to track the case to insure the case is completed or dismissed with a signed written Order of Dismissal (**M.E. FC516**) if service is not accomplished within the extension.

2. Lack of Prosecution. Rules 38.1(d) & (e), *Arizona Rules of Civil Procedure*, directs the clerk of the court or court administration to place cases on the inactive calendar for dismissal two months after such written notice if a Motion to Set has not been filed within 9 months after commencement of the case. Rule 38.1 allow the presiding judge to shorten this 9-month time period to not less than 120 days by local rule or administrative order. Maricopa County Local Rule 6.8(g) reduces this time period to six months. Effective April 1, 2005, this time period was further reduced to 120 days pursuant to **Administrative Order No. 2005-043**. If a Motion to Set is not filed within 120 days after the filing of a family law case, court administration is responsible for placing the case on the inactive calendar for dismissal 60 days thereafter by sending the parties a Notice of Placement of Case on the Inactive Calendar and of Intent To Dismiss Your Court Case (**Admin. Form**). The Notice informs the parties that their case will be dismissed in 60 days in accordance with **Administrative Order No. 2005-043** unless a final Decree is signed, a Motion to Set is served in a contested case, or the court grants a Motion to Continue on the Inactive Calendar prior to the dismissal date. If none of these actions are taken to move the case forward, court administration then dismisses the case with an electronically signed formal Order Dismissing Case Without Prejudice After Placement on Inactive Calendar (**Admin. Form**). The original dismissal order is filed in the court file, *but copies are not mailed to the parties* pursuant to **Administrative Order No. 98-012**.

In the event a party files a Motion To Continue On The Inactive Calendar, the assigned judge rules on the motion. The policy of the Family Court Department is to deny the Motion if an extension is not warranted (**M.E. FC515**) or, if granted, to schedule a Resolution Management Conference (RMC) and continue the case on the inactive calendar only until the day of the scheduled

conference (**M.E. FC514**) to facilitate dismissal of the case on that date if the parties fail to appear (**M.E. FC516**).

Once a Motion To Continue On The Inactive Calendar or any other substantive Motion is filed, court administration no longer will send a Notice of Intent To Dismiss, and the assigned judge is responsible to rule on the motion and then track the case thereafter to insure that the case is completed or dismissed, as appropriate. The assigned division rules on the Motion, and if the motion is denied, Court Administration will continue to monitor and dismiss the case if appropriate action is not taken. If the motion is granted, the assigned division will need to insure that the case is appropriately scheduled for a future meaningful event designed to finalize or terminate the case (Resolution Management Conference, trial date, or dismissal date).

V. **Contested Self-Represented Cases.** **(Attorney Case Managers)**

Approximately 26% of all terminated cases are contested cases that require active judicial management and resolution. At any one time approximately 80% to 88% of all filed cases in the Family Court involve one or two self-represented litigants, although a significantly higher percentage of the contested cases have attorney representation. All contested cases involving two self-represented litigants are settled or initially managed in an early intervention program known as the Early Resolution Triage Program.

It is necessary for each division participating in the Early Resolution Triage Program to provide 6 trial dates of 1 hour in length each month to court administration for use by the Program. Court administration will contact each division at least annually to obtain trial dates for the coming year on the department form. (**Admin. Form**). Each division also has the option of providing an additional 1 or 2 trial dates each month of 2 hours in length for more complex cases that may additional time. If the longer dates are not provided the division will be contacted to obtain instructions from the division when a more complex case arises. If the trial dates are not utilized 30 days before the scheduled date, they are released back to the division to utilize as appropriate.

The details of the Early Resolution Triage Program are outlined in **Administrative Order No. 2005-045**, together with the policy statement and forms attached thereto. The program is directed by attorneys, known as Attorney Case Managers (ACMs) that are trained to mediate and conduct settlement conferences in family court cases. The program also involves the services of a Conciliation Services Conference Officer, if appropriate, as well as the assistance of an Expedited Services Conference Office on occasion. All contested self-represented cases (with the exception of cases involving a DOC inmate) in which a response is filed are scheduled for an Early Resolution Conference with an ACM by issuance of an Order To Appear (**Admin. Form**) at the earliest possible date. The parties are provided and ordered to complete a form Resolution Statement (**M.E. FCFC691**) attached to the Order to Appear, to personally meet and confer to resolve or narrow issues prior to the ERC unless an Order of Protection is in effect, to complete disclosure requirements, and to complete or schedule attendance at a mandatory parent education program prior to the ERC. The goals of the program are: (1) To obtain full and final settlement of all issues where possible, assist the parties to memorialize all agreements, and facilitate the entry of a Consent Decree if full agreement is reached; and (2) To manage unresolved custody and child support issues, evaluate the need for pre-trial custody and child support services, and initiate referrals and services appropriate to prepare the case for trial. Every case should be finalized with the entry of a Consent Decree or scheduled for a trial or future event to bring closure to all of the issues in the case. In this regard, the Attorney Case Managers are directed to take the following actions:

1. **Full & Final Settlement.** If the parties are able to reach full and final agreement on all issues in the case, the ACM assists the parties to complete and sign an appropriate form of Consent Decree, Consent Judgment, or stipulated Order that incorporates either an Agreement Between The Parties Pursuant To A.R.C.P. Rule 80(D) (Divorce) Without Children (**Admin. Form**), an Agreement Between The Parties Pursuant To A.R.C.P. Rule 80(D) (Divorce) With Children (**Admin. Form**), or an Agreement Between The Parties Pursuant To A.R.C.P. Rule 80(D) Paternity/Custody (**Admin. Form**). The parties are then directed to the Decree on Demand program to facilitate review and entry of the Consent Decree by a court commissioner on the same day utilizing the expedited processing procedure. If for any reason full agreement is reached, but the case is not terminated with the entry of a final Decree, Judgment or Order on the date of the ERC, a trial of 15 minutes in duration is scheduled on the assigned judge's calendar to insure submission of the final documents, and to resolve any minor disagreements on wording if necessary.

2. **Partial or No Settlement.** In those cases where the ERC results in partial settlement, the assigned attorney assists the parties to complete the appropriate agreement form (**Admin. Forms**) as a partial agreement pursuant to Rule 80(d), *Arizona Rules of Civil Procedure*, file the original in the court file, and provide a copy to the assigned division and both parties. In these partial settlement cases and in those cases where no agreements are reached, the ACM also completes a Notice of Trial Date (**Admin. Form**) scheduling a trial for not more than one hour on the assigned judge's calendar, obtains the signature of both parties on the Notice to verify that both received a copy of their trial date and a separate Notice of Trial Requirements document (**Admin. Form**). The original Notice of Trial Date is filed so that the assigned judge will know the parties actually knew of the trial date and the pre-trial requirements.

3. **Complex Issues.** In the event the Attorney Case Manager determines that the case may require additional trial time, or involves more complex issues that may involve judicial management, the Attorney Case Manager is encouraged to contact the assigned judicial officer for discussion and direction. If attorneys appear in a case after an ERC is scheduled for the previously self-represented parties, the Attorney Case Manager may conduct the conference or have the attorneys complete a Stipulation or Motion To Schedule a Resolution Management Conference for filing and submission to the assigned judicial officer for further action.

4. **Continuances.** The assigned Attorney Case Manager is allowed to permit one continuance of a scheduled ERC for good cause shown provided the ERC is rescheduled and both parties notified of the new date. Any further requests to continue must be made to the assigned judge.

5. **Failures To Appear.** In the event both parties fail to appear at the ERC after notice, the case will be scheduled for automatic dismissal by court administration on a day certain thirty (30) days following the ERC. If only one party fails to appear at the ERC after notice, the ACM will contact the assigned judge to determine if the judge is available to conduct a default hearing on that date. If so, the ACM will send the appearing party to the courtroom with a completed Default Decree as directed by the judge. If the judge is unable to hear the case on that date, the case will be set for a combined default and/or trial date with the assigned judicial officer to allow the court discretion on how to proceed at the time of the scheduled default hearing/trial using a form Notice of Trial/Default Date (**Admin. Form**). The ACM is directed to have the appearing party sign the original Notice and file it in the court file, deliver a copy to the appearing party, and mail a copy to the non-appearing party.

The assigned judge's responsibilities under this program include: 1) Periodically, as requested by court administration (usually annually), provide at least six (6) trial dates each month of one (1) hour in length each to allow trials to be scheduled by the ACM for unresolved cases; 2) Conduct trials on issues not resolved by the early resolution program; 3) Monitor case management and Exception Reports to insure all cases are properly and timely managed; and 4) Give appropriate direction to the assigned Attorney Case Manager when requested.

VI. Contested Pre-Decree Cases.

The final category within the approximate 26% of Family Court cases that are contested are grouped into contested cases that have attorneys representing one or both parties. They are directly managed and resolved by the assigned judicial officer. The assigned judge is ultimately responsible for all case assigned to him or her, hears all motions, petitions for temporary orders, petitions for emergency orders, conducts trials not resolved by the Early Resolution Triage Program, and determines all other matters and issues not resolved elsewhere as indicated herein.

As referenced in the *Evolution of Uniform Case Management Plan (Admin. Memo)*, on August 27, 2004, the Maricopa County Superior Court Family Court Department adopted a uniform case management system to address all of these contested cases. The success of the case management plan depends upon early intervention and active management of every case.

The concept of the Family Court Uniform Case Management Plan requires judicial officer to intervene early in every case to conduct a meaningful conference with the parties to settle as many issues as possible on a final basis, to manage all necessary pre-trial activity, to enter or schedule hearings on temporary orders, and to schedule a trial date in every case. All but the most complex cases require no more than two court appearances for the parties. The first court involvement is a comprehensive resolution and management conference, and, the second time, if necessary, is a trial. The essential elements of the Family Court Department Uniform Case Management Plan for contested pre-decree cases are as follows:

A. Temporary Orders.

Requests for temporary orders are processed by one of three different methods:

1. Temporary Child Support Administrative Process. Effective June 1, 1999, the Family Court established an administrative process to establish child support in all dissolution of marriage and separation of marriage cases involving minor children. Initially this process was mandatory but was made voluntary effective January 20, 2005. This process is detailed in **Administrative Order No. 2005-008**, but essentially allows the petitioner to file a Child Support Information form at the time of filing the dissolution or separation containing information sufficient to calculate child support under the guidelines. If unopposed, a child support order is expeditiously entered by a court commissioner. If opposed, a hearing or para-judicial conference is held with Expedited Services to obtain agreements or make recommendations to the court for appropriate orders.

2. Temporary Orders By Agreement At RMC. The initial objective of a Resolution Management Conference is to obtain final agreements on as many issues as possible and focus any remaining disputed issues for trial. When full agreement of all issues is not reached after discussion, the court normally will have enough information to discuss the contents of temporary orders in a meaningful way. The court should facilitate the entry of temporary orders by agreement at the RMC whenever they are requested.

3. Hearing on Motions For Temporary Orders. When a request for temporary orders is pending, the RMC should be scheduled as soon as possible after filing of the petition for temporary orders using **M.E. FC580** if both sides have appeared or **OTA FC585** if the Respondent has not yet been served. Absent agreement of the parties at the RMC on temporary orders, the court is required to schedule an evidentiary hearing to hear evidence and enter appropriate temporary orders. Many of these can be heard in 30 to 45 minutes. The court also has the option in appropriate cases to convert the RMC to an evidentiary hearing on temporary orders or a combined RMC/evidentiary hearing on temporary orders with advance notice to the parties. If temporary orders are not entered by agreement at the RMC, a brief evidentiary hearing should be scheduled as soon as possible thereafter to enter temporary orders. To efficiently use scarce court time and encourage out-of-court resolution whenever possible, the court should require the parties to comply with all pre-trial management orders, including the requirement to meet and confer, comply with disclosure requirement, and exchange position statements.

B. Emergency Orders.

The Family Court routinely receives Motions for Emergency Orders typically seeking a change in custody, parenting time or decision making authority. A smaller number of requests for emergency orders regarding property or other financial are also filed. Generally, these Motions are submitted *ex parte* with little or no real notice to the adverse party, although attorneys may make some efforts to contact the opposing side before filing. These requests must be carefully reviewed to determine if they meet the applicable statutory requirements and the standard of Rule 65(d), *Arizona Rules of Civil Procedure*. If the emergency request is granted, the court may sign the appropriate order submitted to the court by the parties, along with an appropriate notice of hearing to be served. If the Motion is procedurally or legally inadequate, the court may reject the submitted documents without prejudice to be resubmitted when corrected or may simply deny the Motion. Form minute entries outlining a number of options are included as **M.E. FC300** and **M.E. FC301**.

C. Resolution Management Conferences.

1. Authority. The Resolution Management Conference has elements of a Comprehensive Pretrial Conference pursuant to Rule 16(a), *Arizona Rules of Civil Procedure*, and a Local Rule 6.7 Return Conference. The framework for a Resolution Management Conference is also authorized by the newly proposed Arizona Rules of Family Law (Rule 76) that we anticipate to be approved by the Arizona Supreme Court effective January 1, 2006.

2. Timing of Court Intervention. The current management standard is for each family court division to schedule a Resolution Management Conference (RMC) as soon as possible after the parties file any motion or request any other action from the division in any contested case. The pending motion is also concurrently scheduled for oral argument, if appropriate, at the date and time of the RMC. The RMC is normally scheduled for 15 to 30 minutes in length, depending on the likelihood of additional time being needed to effect full settlement. Currently under consideration by the department is a proposal to intervene even earlier in every contested case by scheduling a Resolution Management Conference in the assigned division as soon as a Response is filed.

3. Minute Entry or Order To Appear. The Resolution Management Conference is scheduled either by minute entry (**M.E. FC580**), or an Order to Appear (**Order FC585**). If the Respondent has been served in the case, a minute entry should be used to notify both parties. The parties are ordered to complete a form Resolution Statement, and this form is automatically mailed to both parties by the Clerk's office. If the division receives a Motion for Temporary Orders with a proposed form of Order To Appear before Respondent has been served, an Order To Appear should be issued together with a copy of the Resolution Statement for each party. Unless the parties submit the department approved form of Order To Appear at the RMC, however, the division should issue its own Order To Appear in proper form for two reasons. First, for the RMC to be most effective, it is important that the parties be ordered to complete all pre-conference requirements. Secondly, it is more efficient and less time-consuming for division staff to enter the names of the parties, case number, and date of the hearing in the computer form Order to Appear and print 3 copies, than it is to handwrite the same information 3 times on the original and 2 copies.

4. Pre-Conference Requirements. A very important element of the RMC process is the court order requiring the parties to: 1) Meet and confer with the other party (unless an Order of Protection is in place) to discuss settlement in advance of the RMC, or alternatively, to appear at the courthouse one hour prior to the scheduled RMC to do so; 2) Complete a Resolution Statement in the court-approved form (**M.E. FC 691**) to submit to the court and exchange a copy with the opposing party prior to the RMC that simply states the position of each party

on each issue without supporting arguments or reasons in support of the position. By requiring the parties to take reasonable positions early in the case without inflammatory comments and argument, the issues are better framed for resolution, and the prospects for early settlement are improved. We also expect the parties and their attorneys to go as far as they can toward resolution themselves by meeting and conferring prior to court intervention. Requiring disclosure requirements to be completed prior the RMC also fosters settlements because both parties should have the information to enter into informed agreements, and the court can proceed at the RMC facilitate settlements without the parties needing continuances to simply complete disclosure requirements.

5. Conducting a Resolution Management Conference.

a. Full Agreement. At the scheduled RMC, the positions of the parties are first determined, solutions explored, and binding 80(d) agreements memorialized on the record to facilitate full and final resolution of all issues where possible. Where full agreement is reached, the court makes the necessary jurisdictional findings on the record pursuant to A.R.S. §§ 25-301, -312, -313, -317, -808 and/or -1031, and makes provisions for entry of a final Decree or Order. The court can, and in all cases involving self-represented litigants should, sign a minute entry Decree of Dissolution of Marriage (**M.E. FC710**) or Paternity Judgment (**M.E. FC1230**) to finalize the case. In more complex cases involving attorneys, the agreement is memorialized within the requirements of Rule 80(d), *Arizona Rules of Civil Procedure* to make it binding, and an attorney is specifically designated to submit the Decree or Order by a date certain approved by both parties and counsel. (**M.E. FC606**).

b. Partial Agreement & Temporary Orders. In the event final agreement is reached at the RMC on some, but not all of the issues, the partial agreements are memorialized on the record pursuant to Rule 80(d) (**M.E. FC615**), the focus of the RMC then shifts to pre-trial management and, if requested, the resolution of temporary orders. In many cases where the court has become familiar with the circumstances of the case through the resolution phase of the conference, appropriate agreements for temporary orders can be reached. If agreement on temporary orders cannot be reached, a brief hearing on temporary orders must be scheduled as soon as possible. **M.E. FC615** is the department approved trial setting form minute entry to reference agreements made on the record at the RMC, enter management orders, and schedule a trial date.

c. Trial Date Set. **A trial date should be scheduled in every case (with rare exceptions) at the RMC.** In the event legal impediments are known at the RMC that may prevent a trial from going forward (e.g. a bankruptcy stay), or the complexity or circumstances of the case are such that further management or hearings are required before trial can be scheduled, a subsequent continued RMC or conditional dismissal date should always be

ordered to prevent the case from languishing without clear direction (e.g. case will be dismissed on date certain unless bankruptcy stay is lifted, and motion to set filed). The court should also consider whether reasonable time limits should be imposed on the trial proceedings in accordance with Rule 16(h), *Arizona Rules of Civil Procedure*.

d. Pre-trial Management. The department-approved trial setting minute entry (**M.E. FC615**) provides a template of management activity that may be required at the RMC. With this minute entry the court should enter pre-trial management orders regarding discovery, disclosure, temporary orders, joint pre-trial statements, exhibits, and others as required. The court should also carefully evaluate and consider at the RMC the need to make referrals to available ancillary services, if appropriate.

6. Targeted Referrals. The parties may stipulate or request, or the court may need to independently consider a referral to an ancillary court service or private expert prior to trial. Such referrals can generate valuable evidence to assist the parties and the court in the case. Most of these referrals, however, also require significant periods of time to complete, and can unduly delay final resolution of the case if not used appropriately. Private referrals also generally involve substantial expense to the parties. Court services are generally provided at no cost, but are limited. Excess referrals to court services can cause delivery of these services to be unreasonably delayed to all users. For these reasons it is important to carefully evaluate the need for any referral, and weigh the potential benefit to the court and parties against the cost to the parties, the delay in resolution, and added burden to limited court resources.

Although the court, on occasion may have the need for a variety of targeted and specialized assessments or services, the most common pre-trial service referrals are for private custody evaluations, private mediations, conciliation services, settlement conferences, expedited services, and drug testing.

a. Private Custody Evaluation/Preliminary Screening. A.R.S. §25-406(A) authorizes the court in a contested custody proceeding to order an investigation and report concerning custodial arrangements for a minor child to be performed by a “private person”. This full custody evaluation is done by agreement of the parties and the cost divided between the parties in a reasonable proportion. The court maintains a current list of mental health providers that are available to provide private evaluations in various geographic areas in Maricopa County. The parties will generally agree to the appointment of a specific evaluator or stipulate that the court may select an appropriate evaluator from the list or a predetermined number of selections made by the parties from the list. The parties may submit a stipulated order of appointment to the court, or the court may initiate the appointment by minute entry order. (**M.E.**

FC635). The Mental Health Provider list can be found on the court's "S-Drive", as well as at:

<http://www.superiorcourt.maricopa.gov/familycourt/misc/rosters.asp>

The court can alternatively order the private evaluator to perform an abbreviated evaluation called a Preliminary Screening at a reduced cost to the parties. **(M.E. FC636)**. A Preliminary Screening is intended to provide the court with useful information relevant to the best interests of a child in a timely and concise manner, but it does not normally address ultimate questions and make a recommendation as to custody.

b. Private Mediation. Maricopa County Local Rule 6.10(c) allows the parties to select by agreement an independent mediator outside the court at their own expense. Rule 6.10(c) provides that: "If independent mediation is not concluded by the time set for trial or hearing, the parties may be ordered to Conciliation Services for mediation or open negotiation." A mediator is prohibited from conducting "any subsequent family assessment or evaluation in the same case" unless the parties file a written stipulation otherwise. MCLR 6.10(b)(1).

c. Conciliation Services. Conciliation Services provides a number of conflict resolution, evaluation and educational services to the parties. Maricopa County Local Rule 6.10 directs that all cases "that involve a controversy over child custody or parenting time (also called visitation or parent-child access) shall be subject to mediation or open negotiation regarding those issues." Mediation must be held in private, and all communications, verbal or written, are confidential. Maricopa County Local Rule 6.10(b)(2) defines Open Negotiation as "a process of negotiations between the parties conducted by a Conciliation Services negotiator. All information presented or gathered is not confidential, and may be used by Conciliation Services, or any court-appointed evaluator, for any subsequent family assessment or evaluation."

The nature and type of referral conducted by Conciliation Services has evolved over time to meet the demands and circumstances generated by ever-increasing case filings. At the present time referrals to Conciliation Services consist primarily of combined referrals for Mediation, if appropriate, and for a Parenting Conference if the Mediation is unsuccessful **(M.E. FC631)**. A Parenting Conference essentially starts with an open negotiation, and progresses to an evaluation if agreement is not reached. The Conciliation evaluator first attempts to negotiate settlement of the custody and parenting time issues. If full settlement is not reached, the evaluator prepares a written report to the court with recommendations for custody and parenting time. Many cases that do not involve fitness issues may not need any referral to Conciliation Services and can be either settled or tried on the facts.

Many referrals require 3 to 6 months to complete, and the detriment inherent in this delay should be carefully balanced against the benefits of whatever clearly defined goal the referral is targeted to reach. Conciliation Services has limited resources and indiscriminate referrals will only create further backlog and delay. Based upon referrals to Conciliation Services for the 1-year time period from July 1, 2004, through June 30, 2005, Conciliation Services conducted 1,434 Mediations and completed 1,947 Parenting Conferences during that time. With 26 family court divisions currently in the department, Conciliation Services has the capacity to handle approximately 4 to 6 referrals each month for each type of referral. Mediations are concluded in 3 to 5 hours, and Parenting Conferences involve significant additional time (approximately 20 hours) for observations, interviews, assessments, obtaining collateral information, staffing, and report writing.

When a referral to Conciliation Services is indicated, a referral for a Parenting Conference is generally preferred because it will generate either an agreement or a recommendation in most cases. Also if the case is resolved in the initial open negotiation phase, no additional time or effort is required to conduct the evaluation. Care should be taken not to send the same case for more than one type of referral.

Conciliation Services is required to conduct reconciliation counseling upon the filing of a petition in the Conciliation Court pursuant to A.R.S. §25-381.09. For 60 days after the filing of a petition for conciliation the parties are prohibited from commencing or continuing any action for annulment, dissolution or legal separation. The Conciliation Court notifies the parties of the stay upon filing of a Petition For Conciliation by the parties or upon referral from the assigned division (**Admin. Forms**). All existing orders in the case remain in effect unless modified or vacated by the judge of the conciliation court. A.R.S. §§25-381.17, –381.18. The judicial officer assigned to the case should insure that no action is taken in violation of the statutory stay during the 60-day period unless the stay lifted prior to the end of the 60-day period. This is done by Conciliation Court issuing a Notice of Termination of Conciliation Counseling Proceedings. (**Admin. Form**).

A Parent Conflict Resolution (PCR) class is also conducted by Conciliation Services. Normally parents engaged in high conflict, including those with a history of re-litigation or parental alienation, are referred to this 4-hour course by the assigned judicial officer.

d. ADR (Settlement Conferences). Upon the request of any party the court is required to direct the parties to participate in a settlement conference. The court may also schedule a settlement conference on its own motion. (**M.E. FC665**). Rule 16.1(a), *Arizona Rules of Civil Procedure*; Maricopa County Local Rule 3.11(a). The need for a settlement conference should be determined at the RMC, and any appropriate referral made in the trial setting minute entry. (**M.E. FC615**).

e. Expedited Services. Expedited Services was established to process post-decree modification and enforcement requests, and it is therefore generally inappropriate to make a referral to Expedited Services for pre-decree modification or enforcement action. In addition, because most requests to modify child support will be initially directed to the Post-Modification Child Support Court (discussed hereafter) scheduled to commence on September 1, 2005, there will no longer be any reason to refer any case to Expedited Services for modification of child support.

f. Drug & Alcohol Testing. If allegations of drug or alcohol abuse exist at the RMC, it may be necessary to order drug and/or alcohol testing. Usually substance abuse testing is ordered through the Treatment Assessment Screening Center, Inc. (TASC). TASC has testing facilities in Central Phoenix, Glendale, Mesa, Kingman, Cottonwood, Lake Havasu City, Prescott and Tucson. Substance abuse testing is accomplished by entering the appropriate minute entry order for Father (**M.E. FC645**) or Mother (**M.E. FC646**) to undergo the appropriate testing, and delivering a referral form (**Admin. Form**) to the person to be tested that has been properly completed by staff. Be sure to designate the type of test required and the frequency of testing on the order and the referral form. The person being tested will need to take the form to TASC for testing and pay the required fee. The various testing fees are listed on the referral form.

g. Guardians Ad Litem. Maricopa County Local Rule 6.13 allows the court to appoint a guardian ad litem to protect a child's best interest if: 1) There is an allegation of abuse or neglect of a child; 2) The parents are persistently in conflict with one another; 3) There is a history of parental alienation, substance abuse by either parent, or family violence; 4) There are serious concerns about the mental health or behavior of either parent; 5) The children include infants or toddlers; or 6) A child has special needs.

The court may appoint a guardian ad litem through the volunteer GAL Program by completing the Volunteer GAL Program Form (**Admin. Form**). Alternatively, the court may appoint a GAL through the Office of Court Appointed Counsel (OCAC) (**Admin. Form**), but **only if the court believes that a dependency action may be appropriate**. A form minute entry for Appointment of Guardian Ad Litem For Child(ren) is included as **M.E. FC637**.

D. Failures To Appear.

Not infrequently parties will fail to appear at a scheduled conference or trial. In addition a significant number of family court cases and issues are resolved by settlement prior to a conference or trial. In both cases the scheduled conference or trial will be abbreviated, but it is extremely important to enter appropriate orders that will terminate the case in a timely fashion. Virtually all

dismissals in Family Court are done without prejudice to the party re-filing the case, although dismissal of the case will terminate any temporary orders and may have other consequences to the parties.

When both parties fail to appear without justification, the court will need to determine whether it is appropriate to dismiss the case without further notice or to place the case on the inactive calendar for dismissal on a date certain pursuant to Rules 16(f) & 37(b)(2), *Arizona Rules of Civil Procedure*, or Maricopa County Local Rules 6.2(e) or 6.9(k). If the case is to be dismissed without further notice, a signed minute entry (**M.E. FC600**) should be used to formally dismiss the case and allow for any appeal. If the case is to be scheduled for dismissal, a date certain for dismissal should be provided in the minute entry (**M.E. FC600**) so everyone will be clear what the date is and what must be done to reactivate the case prior to that date. It is also important to tickle the case to the dismissal date and enter a formal signed Order of Dismissal (**M.E. FC608**) if no action is taken to remove the case from the system.

If only one party fails to appear, the court will need to determine whether it is appropriate to proceed by default, to set a default hearing to allow the absent party a final opportunity to appear, or to impose other sanctions. A sample minute entry contains some possible options is included as **M.E. FC601**.

E. Settlements.

Settlements in Family Court usually are brought to the attention of the court in one of three ways: 1) The parties notify the court prior to a scheduled conference or trial, typically by phone, that settlement is reached; 2) The parties are in court proceeding and reach agreement on one or more issues, often with the assistance of the court; and 3) The parties submit a written Stipulation and Order or Consent Decree that resolves the case. The emotional nature of family court proceedings causes many settlements to disintegrate, and care must be taken to avoid setting multiple trials or conference dates because the settlement was not approved.

1. Settlements Prior To Scheduled Trial or Conference. In the event the court is notified of settlement of all issues in writing or by phone prior to a conference or trial without the court receiving the final written Consent Decree or Judgment, it is extremely important to insure that the final documents are in fact timely submitted to terminate the case. Because of the unstable nature of family court settlements, and because the ultimate penalty of dismissal must be without prejudice, many promised settlements never materialize. When this happens a great deal of judicial time is wasted in rescheduling trials and managing the case. For these reasons, it is the best practice to require that the parties provide the final written settlement documents to the court prior to the trial, or at least appear at the time of trial and place the settlement on the record. If the court is notified

of settlement prior to a Resolution Management Conference, and is persuaded that this shorter conference should be continued to allow the parties to submit the final Decree, the court should follow Rule 5.1(c), Arizona Rule of Civil Procedure and Maricopa County Local Rule 3.6(c) by placing the case on the inactive calendar for dismissal after 30 days on a date certain to allow the documents to be presented. (**M.E. FC605**). The court should then tickle the case to the dismissal date to enter a formal Order of Dismissal as required. (**M.E. FC608**).

2. Settlements At Court. If settlement is reached while the parties are at the court for any reason, it is important to swear the parties in and recite, or have the parties or their attorneys recite, the terms of their agreement on the record. The court should then make the necessary statutory findings (A.R.S. §25-312, -313, -317) on the record approving the agreement, and set a date certain for a designated attorney to submit to the court the formal Decree approved by all parties and their attorneys. (**M.E. FC606**). If both parties are self-represented, it is unlikely that a proper Decree will ever be presented, and the court should simply structure the minute entry containing the parties' agreements as a formal Decree to be signed and entered. A sample form of Decree of Dissolution is provided as **M.E. FC710**, and a sample Paternity Judgment is included as **M.E. FC1230**.

3. Written Settlements. Obviously, if settlement is reached through the submission of a formal written Consent Decree or Judgment resolving all issues prior to the trial or conference, the Decree or Judgment can be entered and the trial or conference vacated. Any deficiencies in the paperwork can be addressed at the scheduled court date in an abbreviated fashion.

F. Motions & Stipulations.

Because of the preponderance of self-represented litigants, the Family Court routinely receives a significant volume of motions and stipulations that are not in full compliance with statutory and/or procedural requirements. Of course, a determination must be made on every motion or stipulation submitted. When motions or stipulations are granted, the parties generally submit an order for signature that can be signed or modified and signed. Reasons to reject or deny a motion or stipulation are unique to the facts and circumstances of each case, but a sampling of possible reasons to reject or deny a motion are included in **M.E. FC500**. Possible reasons to reject or deny a stipulation are included in **M.E. FC501** and **M.E. FC502**.

While it is, of course, possible for any type of motion filed in a civil case to be filed in a family law case, there are a limited number of motions that are routinely filed in family law cases that can significantly impact the timely management of the case. Department policies have been developed for: 1) Recusals, Notices & Motions For Change of Judge; 2) Motions or Stipulations to

Continue Trial; 3) Motion To Extend Time For Service; 4) Motions To Continue on The Inactive Calendar; 5) Motions to Set; and 6) Bankruptcy Filings.

1. Recusals, Notices & Motions For Change of Judge.

Effective August 10, 2004, an accelerated method to reassign cases arising out of the filing of a timely Notice of Change of Judge or a recusal by the assigned judge has been implemented. As always when a Notice of change as a matter of right pursuant to Rule 42(f)(1) is received, the assigned judge decides whether the Notice is timely filed or has been waived. *Taliaferro v. Taliaferro*, 186 Ariz. 221, 223, 921 P2d 21, 23 (1996).

If the assigned judge grants the Notice or recuses from the case, the division's judicial assistant or bailiff simply provides the division number, the case number, the parties' names, any attorneys names, and lists any pending matters on an interactive, electronic memo. (**Admin. Form**). The memo is then e-mailed to the Family Court Presiding Judge's judicial assistant. Because the memo is interactive the presiding JA, when approved by the Presiding Judge, inserts the division number of the new judge to be assigned based on a "lose one, get one" formula, and then electronically forwards the revised memo (**Admin. Form**) reassigning the case both to the noticed division and the newly assigned division. The noticed division then forwards all pending pleadings and documents directly to the newly assigned division. An important change is that all pending conference, hearings, and trial dates are affirmed with the newly assigned division having responsibility to reset or obtain coverage of the dates if they conflict with other matters. Currently, a minute entry is still used to memorialize the change (**M.E. FC122**), but this electronic process allows the case to be reassigned the same day (usually within an hour), and avoids the historic delay that had occurred with reassignments. There is also pending a software enhancement to the iCIS system that will allow this entire process to be completely automated.

Motions to Change a Judge based on cause are forwarded to the Family Court Presiding Judge for ruling as required by Rule 42(f)(2), *Arizona Rules of Civil Procedure*, and A.R.S. §12-409.

2. Motions/Stipulations To Continue.

The Family Court Department has adopted a stiff trial continuance policy. The court should closely follow the standards set by Rule 38.1(h), (i), *Arizona Rules of Civil Procedure*, and Maricopa County Local Rule 3.4. Maricopa County Local Rule 6.8(f) directs that Stipulations to continue trials are simply joint motions to continue and must meet the same requirements of good cause. Undue continuances of trial dates not only cause the parties to experience unnecessary delay, increased expense and frustration, but also create calendar congestion for the court by multiplying the trial time dedicated to each case, and

allowing more intervening process to be generated to temporarily stabilize issues during the delay. Any motion to continue should be in writing and carefully scrutinized.

3. Motions To Extend Time For Service.

Court administration is charged with issuing a Notice of Failure To Serve and Intent To Dismiss Your Court Case (**Admin. Form**), when an affidavit of service has not been filed with the court within 120 days after the case was filed. This time period coincides with the 120-day time period allowed before the case is dismissed for lack of prosecution. If a Motion To Extend Time For Service is granted, sufficient time should be allowed to permit service and to file a Motion to Set or request a Resolution Management Conference with the court. The Order should continue the case on the inactive calendar for dismissal on a date certain if an affidavit of service and a request for further action have not been filed. **(M.E. FC517).**

4. Motions To Continue On Inactive Calendar.

The policy of the Family Court Department is to either deny the Motion To Continue On The Inactive Calendar if an extension is not warranted or, if granted, to schedule a Resolution Management Conference (RMC) and continue the case on the inactive calendar only until the day of the scheduled conference. **(M.E. FC514).** This will facilitate dismissal of the case on that date of the RMC if the parties fail to appear. **(M.E. FC516).** Once the assigned judge has ruled on this motion, court administration defers to the judge who must track the case to insure the case is managed or dismissed appropriately.

5. Motions To Set.

Although the formal process to schedule a trial with a Motion to Set and Certificate of Readiness outlined by Rule 38.1, *Arizona Rules of Civil Procedure* applies to family court cases, the vast majority of trials in family court are scheduled directed at the Resolution Management Conference without the filing of a formal Motion to Set. Even when a formal Motion to Set is filed, the department policy is to routinely schedule a Resolution Management Conference to resolve issues, manage the case, and set an appropriate trial with knowledge of the issues to be tried. This procedure is authorized by Rule 16(c)(11), *Arizona Rules of Civil Procedures*, and will be included in the new family court rules proposed to be adopted effective January 1, 2006. The culture and practice in family court is to schedule trials as soon as possible, after considering the time needed for the parties to complete disclosure and discovery requirements and prepare for trial. Upon receipt of a Motion to Set or any other request for judicial action, it is generally appropriate to schedule a Resolution Management Conference. **(M.E. FC580).**

6. Bankruptcy Filings. The filing of a bankruptcy petition establishes an “automatic stay” against enforcement of various obligations. The stay halts the commencement or continuation of judicial actions or proceedings against the debtor. Federal law provides a few exceptions to the automatic stay, but detailed reasons supported by law for not doing so, the case should ordinarily be stayed and placed on the inactive calendar for dismissal on a date certain unless specified action is taken to lift or terminate the stay as outlined in the department’s form minute entry. (**M.E. FC150**).

7. Always Schedule Specific Terminating Event.

It is important that no ruling of the court leaves the case without a follow-up or terminating event. If time is allowed for the parties to accomplish a certain task, a new court date or dismissal date should always be scheduled. Even when the court may be prohibited from proceeding due to circumstances or legal requirements, a date certain should be established for a subsequent hearing or deadline requiring the parties to take the indicated action or risk the case being dismissed.

G. Trials.

Trials are scheduled to resolve **all** issues in a case. It is almost never appropriate to refer a case to Conciliation Services, Expedited Services or any other administrative agency at the conclusion of a trial to assist with or make further recommendations for a determination of any issue in a case. Such referrals would essentially bifurcate the trial and make subsequent proceedings necessary, delay entry of a Decree or Judgment, and encourage additional requests and motions for resolution or enforcement of issues where no final orders have been entered.

The Family Court Department has approved a trial setting minute entry for use in scheduling a trial and setting forth all pre-trial requirements. (**M.E. FC615**). Orders that have no application to a particular case should, of course, be deleted, and additional matters may need to be included or modified as required.

1. Time Limits. After discussion with the parties, the court should consider imposing reasonable time limits on the trial proceedings as authorized by Rule 16(h), *Arizona Rules of Civil Procedure*, and Rule 611, *Arizona Rules of Evidence*. The department’s trial setting minute entry contains appropriate language to notify the parties the time that they will be charged. (**M.E. FC615**).

2. Settlements. Care must be taken to insure that no more than one trial date is utilized when a trial is vacated due to a settlement being announced. See Section VI(C)(2), *Settlements*, above.

3. Decrees & Judgments. A family court case is not final and properly terminated until all issues have been adjudicated, and a proper Decree or Judgment has been **entered** (filed) with the Clerk. A.R.S. §25-312 generally requires that all the statutory findings and orders be included in a formal Decree of Dissolution of Marriage before it is entered. See, e.g., *Brighton v. Superior Court*, 22 Ariz. App. 291, 526 P.2d 1089 (App. 1974); *Porter v. Estate of Pigg*, 175 Ariz. 194, 854 P.2d 1180 (App. 1993). An exception to this rule occurs when the court lacks personal jurisdiction over one of the parties. In these circumstances, the court can exercise its limited jurisdiction to enter a decree dissolving the marriage. *Taylor v. Jarrett*, 191 Ariz. 550, 959 P.2d 807 (App. 1998).

If both parties are self-represented, the court should normally include the necessary findings and orders in its minute entry ruling and sign it as a formal decree. Included are a sample form Decree of Dissolution of Marriage (**M.E. FC710**), and a sample form Paternity Judgment (**M.E. FC1230**). Self-represented parties generally do not have the knowledge or ability to prepare a proper Decree, and the court and parties will be frustrated waiting for the case to be finalized. If attorneys are to prepare the decree, the attorney responsible to do so and a date certain for the decree to be received should be clearly specified. (**M.E. FC606**).

4. Objections To Decrees. When Objections to a lodged decree or judgment are received the court should rule promptly on the objections and enter a decree or judgment. Various option for ruling on objections are set forth in **M.E. FC724**.

VII. Post-Decree Cases.

A substantial portion of cases heard by the family court department arises out of post-decree and post-judgment petitions to modify or enforce previous orders. If a family court judge has previously conducted any prior proceedings in a case and if the family court judge is currently assigned to a family court division, any post-decree petition in that case is assigned to that judge. All other post-decree and post-judgment petitions are randomly assigned to each family court division on an equal basis, taking into account other petitions assigned because of prior proceedings conducted by that judge.

Effective July 25, 2005, the Family Court Department is operating a new petition-tracking software system in iCIS. This system is designed to identify all petitions filed and designate issues within each petition that must be resolved before the petition is properly terminated. If utilized properly this software should be of significant benefit to each division to assure that each post-decree and post-judgment petition assigned to the division is properly and timely resolved.

It is important to insure that all post-decree matters are addressed with the filing of a proper post-decree or post-judgment petition, and not indiscriminately set as a result of an oral or informal request that results in no one really understanding the scope and nature of the proceeding being conducted.

A rule often overlooked in post-decree petitions is Rule 5(c)(2), *Arizona Rules of Civil Procedure* that generally requires all post-decree and post-judgment petitions filed more than 30 days after the entry of a Decree or Judgment be personally served (not mailed) upon the other party. Following this rule will insure that all parties have proper notice, prevent injustices arising from orders entered without the adverse party being present, and conserve valuable court time when hearings and orders must be revisited when the lack-of-notice issue is subsequently raised.

As a general proposition all post-decree and post-judgment hearings are filed with an Order To Appear for a post-decree or post-judgment management conference generally referred to as a return hearing. This conference serves the same purposes as the Resolution Management Conference with the pre-decree petition. The post-decree or post-judgment petition is typically limited to seeking modification or enforcement of one or two orders in the original decree or judgment. The return hearing should be used to explore final settlement of the issues, manage the case, make targeted referrals to ancillary services, if necessary, and schedule an appropriate evidentiary hearing to conclude the matter. As with pre-decree petitions, the court should conduct all activity that is necessary at one return hearing to prevent the cost and frustration to the parties inherent in conducting unnecessary additional hearings. The general procedure for most post-decree and post-judgment petitions is set forth in Maricopa County Local Rule 6.9.

Settlements in post-decree or post-judgment proceedings should be monitored in similar manner to pre-decree and pre-judgment matters to insure all issues are resolved and appropriate final orders entered. Form minute entries to insure entry of post-decree and post-judgment orders are included as **M.E. FC 610**, **M.E. FC611**, and **M.E. FC612** and **M.E. FC613**.

A. Expedited Services.

Expedited Services was established in early 1988 under management of the Clerk of the Court to provide an expedited process outlined by Maricopa County Local Rules 6.9(c) and 6.14 to establish, modify and enforce child support, establish paternity, enforce spousal maintenance, and enforce custody and parenting time. Effective July 1, 2004, administrative oversight of Expedited Services was transferred to the court by cooperative agreement of the clerk and court. Maricopa County Local Rules 6.9(c) and 6.14 are experimental rules currently scheduled to expire on January 31, 2006. It is anticipated that most Expedited Services processes will be reviewed and restructured by that date.

The Supreme Court has directed that we take a close look at non-judicial personnel making discretionary decisions acting in a quasi-judicial role. Under the current process, when a request for simplified petition to modify child support is filed and served or if the issue is referred to Expedited Services from the assigned judicial officer, a 2- to 3-hour conference is conducted with an Expedited Services conference officer. Following the conference, a detailed Report, Recommendation & Order (RR&O) is prepared and submitted to the division assigned to the case to accept, modify, reject or set hearing on the recommendation of the conference officer. (**Admin. Form**). Upon approval by the assigned judge, the recommendation becomes an interim order and the parties are allowed 25 days to object to the order. If objection is made, a hearing must be scheduled to hear the objection. If no objection is received the order becomes final after the objection period. In a few cases, the conference officer is unable to make a recommendation and simply makes a recommendation for judicial intervention. (**Admin. Form**).

B. Modifications of Child Support or Spousal Maintenance.

Pursuant to A.R.S. §25-503 and 25-327, either parent or the state (in a title IV-D case) may ask the court to modify a child support order upon a showing of **a substantial and continuing change of circumstances**. Petitions to modify child support, including medical insurance coverage, medical or dental cost reimbursement, and allocations of tax deductions for minor children are generally filed with the court in one of two ways. The bulk of petitions to modify child support are filed under what are known as the "Expedited" or "Simplified" modification procedures outlined in Maricopa County Local Rules 6.9(c) & 6.14,

and Guideline 22 of the Arizona Child Support Guidelines. These requests to modify are largely processed by Expedited Services utilizing an administrative conference that results in a Report, Recommendation and Order being forwarded to the assigned judge as outlined above.

The second method of hearing petitions to modify child support and petitions to modify spousal maintenance requires the requesting party to present a post-decree or post-judgment petition to the assigned division. An Order To Appear is presumptively issued for a 45-minute evidentiary hearing by the assigned division. A form Order To Appear for Petitions To Modify Child Support is included at **M.E. FC620**. A form minute entry with various options to schedule an Evidentiary Hearing on modification petitions is included at **M.E. FC623**. When the division grants a child support modification request, a formal Child Support Order must be entered. A summary Child Support Order without any detailed findings is included with the Department's Excel Child Support Calculator. A form suitable to make more detailed findings and orders after an evidentiary hearing is included as **M.E. FC1030**. The division should also have the division Clerk prepare an appropriate Order of Assignment. If the request is denied, some sample minute entry language is included in **M.E. FC1035**.

Effective September 1, 2005, the court is scheduled to fully implement a Post-Decree Child Support Modification Court that will presumptively hear all petitions that request only a modification of child support (including medical insurance coverage, medical or dental cost reimbursement, and allocations of tax deductions for minor children). This procedure has been in place at the Northwest Regional Center since January 1, 2005, and started at the Southeast Regional Center on April 1, 2005.

Under the new procedure all parties are ordered to appear at the post-modification court at a date and time certain and bring the necessary documents to calculate child support. (**Admin. Form**). Initially, the parties meet with a court conference officer trained in child support calculation. If the parties are in full agreement, a written stipulation and order is prepared by the conference officer reflecting the agreement and forwarded immediately to the assigned court commissioner for signature. If full agreement is not reached, a child support worksheet containing any numbers that are not in dispute will be electronically forwarded to the commissioner and an immediate hearing conducted. The new process requires only one trip to the courthouse for the parties, and a new child support order is entered the same day. In unusually complex cases, the parties have the option of filing a motion with the assigned division to manage and hear the matter in a more traditional manner.

All other calculations of child support arising out of pre-decree petitions are heard and decided by the assigned judge at the time of trial, if prior agreement on the issue cannot be reached. Calculations of child support arising out of post-decree petitions to modify custody or parenting time are also heard

and decided by the assigned judge after the custody and/or parenting time issues have been resolved.

C. Enforcement of Child Support or Spousal Maintenance.

Post-decree and post-judgment petitions seeking to enforce child support or spousal maintenance are also currently processed in one of two ways. Many enforcement petitions are filed under the “Expedited” process outlined in Maricopa County Local Rule 6.14. Expedited Services conducts an administrative conference on theses, obtains the payments history and records from the Department of Child Support Enforcement (DCSE) Clearinghouse that is responsible for processing all child support payments in Arizona, makes a detailed calculation of any arrearages of principal and interest, and submits a Report, Recommendation and Order to the assigned division. The assigned judge accepts, modifies, rejects or sets a hearing on the recommendation, and the parties then have 25 days to object to the interim order signed by the judge. If timely objections are filed, the assigned division conducts a hearing and rules on the objections.

The Family Court Department has experimented with one division hearing all contempt and enforcement hearings referred by Expedited Services with some success. This procedure may be formalized in the future but until such time, each division is responsible for hearing all enforcement and contempt petitions assigned to that division.

The second method of enforcement requires a party to file a petition for contempt or enforcement with the assigned division as outlined in Maricopa County Local Rule 6.9. The court issues an appropriate Order To Appear for a 15-minute return hearing or evidentiary hearing, and determines the issues. A form Order To Appear for Petitions To Enforce Child Support is located at **M.E. FC620**, and a form minute entry with various options to schedule an Evidentiary Hearing for enforcement petitions is included at **M.E. FC626**. After hearing, various contempt and enforcement options are set forth in **M.E. FC1115**.

Because of the complexity and time required to calculate child support principal and interest arrearages accrued over an extended period of time, it is often appropriate to refer the case to Expedited Services for an arrearage calculation and recommendation. **M.E. FC655**.

D. Modifications of Custody or Parenting Time.

All post-decree and post-judgment Petitions to Modify Custody and/or Parenting Time are filed and presented to and heard by the assigned division in accordance with Maricopa County Local Rule 6.9. Most of these petitions also

seek a change in child support based upon the change in custody or parenting time, and the assigned division also resolves the child support issue at the time of the evidentiary hearing in these petitions.

Unless the court determines that the issues could best be heard with a brief evidentiary hearing, an Order To Appear is normally issued for a 15-minute return hearing designed to determine the parties' position, evaluate the proper jurisdiction to hear the issue, facilitate settlement of the issues, conduct necessary management of the case, and schedule an appropriate evidentiary hearing on the issues. A form Order To Appear for Petitions To Modify Custody and/or Parenting Time is included as **M.E. FC621**. In this respect the return hearing serves essentially the same purpose as the pre-decree Resolution Management Conference. In Petitions to Modify Custody that require a determination of "adequate cause for hearing" pursuant to A.R.S. §25-411, this decision should be made at the return hearing before proceeding, unless previously determined by an *in camera* screening. A form minute entry with various options to schedule an Evidentiary Hearing on modification petitions following a return hearing is included as **M.E. FC625**.

E. Enforcement of Custody or Parenting Time.

Post-decree and post-judgment Petitions To Enforce Custody and/or Parenting Time by contempt or otherwise are currently processed in one of two ways. Some parties seeking enforcement file a Request to Enforce and Order to Appear under Expedited Services under the process outlined in Maricopa County Local Rule 6.14. Expedited Services conducts an administrative conference on these requests, and submits a Report, Recommendation and Order to the assigned division. The assigned judge accepts, modifies, rejects or sets a hearing on the recommendation, and the parties then have 25 days to object to the interim order signed by the judge. If any objections are received the assigned judicial officers hears and rules on the objections.

The second method of enforcement requires a party to file a post-decree or post-judgment Petition to Enforce Custody and/or Parenting Time to the assigned division as outlined in Maricopa County Local Rule 6.9. Counter-petitions to modify custody or parenting time are not an uncommon response to enforcement petitions. Unless the court determines that the issues can best be heard in a brief evidentiary hearing, an Order To Appear is normally issued for a 15-minute return hearing designed to determine the parties' positions, facilitate settlement of the issues, conduct necessary management of the case, and schedule an appropriate evidentiary hearing on the issues. A form Order To Appear for Petitions To Enforce Custody and/or Parenting Time is included as **M.E. FC620**. In this respect the return hearing serves essentially the same purpose as the pre-decree Resolution Management Conference. A form minute

entry with various options to schedule an Evidentiary Hearing on enforcement petitions following a return hearing is included as **M.E. FC626**.

On occasion a party will file a Petition For Warrant For Immediate Production requesting an order for immediate turn over of custody of a minor child in accordance with A.R.S. §§25-1058 & -1061. If the Petition is granted the court may need to issue a *Warrant For Immediate Production* included as **Order FC901**.

F. Family Court Advisors/Parenting Coordinators.

In some difficult post-decree cases it may be appropriate to appoint a Family Court Advisor (known as a “Parenting Coordinator” in the new proposed *Arizona Rules of Family Law Procedure*) to assist with implementation of court orders, make limited decisions as specified by the court, and make recommendations to the court to implement, clarify, modify or enforce custody or parenting time orders. Maricopa County Local Rule authorizes such appointments in cases where: “1) The parents are persistently in conflict with one another; 2) There is a history of parental alienation, substance abuse by either parent, or family violence; 3) There are serious concerns about the mental health or behavior of either parent; 4) The children include infants or toddlers; 5) A child has special needs; or 6) It would otherwise be in the children’s best interest to do so.” The Family Court Advisor (“FCA”) cannot legally be appointed with authority to make any decisions that change legal custody or substantially change physical custody. A Family Court Advisor can be a licensed attorney, a board certified psychiatrist, a licensed psychologist, or a certified social worker, counselor, marriage and family therapist, or substance abuse counselor. Qualified persons who have agreed to serve as a Family Court Advisor are listed in the Mental Health Provider list that can be found on the court’s “S-Drive”, or at:

<http://www.superiorcourt.maricopa.gov/familycourt/misc/rosters.asp>

The department approved minute entry order to appoint a Family Court Advisor is included as **M.E. FC740**. To insure the recommendations of the FCA are properly entered as interim orders and that the parties are notified of the order, the court should enter an Interim Order approving the recommendations (**M.E. FC741**), or take other appropriate action to deny or set hearing on the recommendations (**M.E. FC742**).

G. Family Drug Court.

It may be appropriate to refer parties with substance abuse issues to the Family Drug Court for additional monitoring and management. The Family Drug Court uses a reward and punishment system to encourage abstinence from

drugs and sober interaction with children. When a referral is made to Family Drug Court, the sending court should be careful to confer appropriate authority to the Drug Court judge to enter appropriate enforcement orders. A form of order for referral is included as **M.E. FC648**.

H. Other Post-Decree Petitions.

Because A.R.S. §25-327 directs that “provisions as to property disposition may not be revoked or modified”, most Post-Decree and Post-Judgment Petitions seek modification or enforcement of custody, child support or spousal maintenance orders as outlined above. On occasion, however, Post-Decree or Post-Judgment Petitions are filed that ask for other relief. Probably the most common Petitions in this category seek enforcement of orders dividing community property or allocating payment of community debt. Subsequent actions are also not uncommon to resolve disputes that have arisen in division of a pension or profit sharing plan. When potential disputes may occur in these areas, it is generally prudent to include in the final Decree, Judgment or Order an order to the effect that:

“IT IS ORDERED reserving jurisdiction to resolve any disputes that may arise in the future with respect to the entry of this order.”

Or in the case of an order dividing a pension or profit sharing plan:

“IT IS ORDERED reserving jurisdiction to enter an appropriate Qualified Domestic Relations Order (QDRO), or to resolve any disputes that may arise in the future with respect to the entry of this order.”

In other cases involving the ordered sale of real estate, it may be necessary to appoint a Real Estate Commissioner to oversee and enforce the actual sale of the property in accordance with the court order. This is particularly true when one or both parties are blocking or hindering the sale of the property. In such cases, the department approved minute entry order to appoint a Real Estate Commissioner is included as **M.E. FC750**.

VIII. Paternity Cases.

Pursuant to A.R.S. §25-807(C), “on its own motion, or on motion of any party” the Family Court may be required to order DNA, blood or genetic testing to determine a disputed paternity issue. **Administrative Order No. 99-023**, directs that a standard order be issued upon the filing of a Response denying paternity when there is no presumptive father. A minute entry order requiring the parties and child to submit to paternity testing is included as **M.E. FC1200**.

A sample for Paternity Judgment is also included as **M.E. FC1230**.

IX. Title IV-D Cases.

A significant number of family court cases are filed under Title IV-D of the Social Security Act, 42 U.S.C. §651 et. seq. (“IV-D cases”). These cases are filed by The State of Arizona, *ex rel.*, Department of Economic Security, as the authorized IV-D agency in Arizona, and the State’s interest is represented by the Arizona Attorney General’s Office, Child Support Enforcement Section. IV-D cases principally arise out of petitions to establish paternity, and to establish, enforce or modify child support. A few petitions may also seek to enforce spousal support. The State is not authorized and does not participate in custody or parenting time disputes. The bulk of these cases are heard and resolved by the “IV-D Commissioners”.

In simplest terms, IV-D cases involve two general categories of cases: 1) Non-cash assistance cases; and 2) Cash assistance cases. In non-cash assistance cases, the IV-D participant will directly receive the benefit of child support orders. In cash assistance cases where IV-D recipients have received TANF assistance, the recipient’s right to receive child support payments is assigned to the State to the extent of the assistance. It is because of this interest that the State has a right to be heard, not only in cases filed by the State as IV-D cases, but in other family court cases with child support issues that involve a party who has received cash assistance.

The IV-D process is currently under review but currently the assigned judge is responsible to manage and hear cases filed by the parties in which the State may have an interest. Generally this requires notifying the State of any trial or hearing dates in those cases where the State has entered an appearance indicating their interest, or in those cases where the IV-D case filed by the State is consolidated with another family court case filed by the parties.

X. Integrated Family Court Cases.

Maricopa County Superior Court initiated an Integrated Family Court (“IFC”) pilot project on March 19, 2001. This project was modified and expanded over the next several years. After extensive evaluation by an independent consulting firm and the participating court departments, the court’s Integrated Family Court Management Plan was restructured effective July 1, 2005 by **Administrative Order No. 2005-104**.

Essentially, the current IFC plan involves only juvenile dependency cases filed concurrently with a family court or probate case involving custody or guardianship issues of a minor child. In such cases the juvenile court will assume jurisdiction of the custody issue, enter necessary custody orders during the dependency proceeding, and upon termination of the dependency proceeding, enter a final comprehensive custody order that satisfies the requirements of A.R.S. §25-401 to –415 that will survive the dismissal of the juvenile dependency case.

The juvenile court custody order will be filed in any existing family court case that involves the same parties, or if none exists, the Clerk will file the order in a newly created family court case number. This preserves the confidential nature of the juvenile proceeding and allows the custody determination to be preserved in the public family court file.

XI. Exception Reports & Case Management.

In February 2004 the Arizona Supreme Court commissioned an independent study of the operations of the Family Court Department in Maricopa County. As a result of that study the Court directed the Maricopa County Family Court to submit a plan of improvement to, *inter alia*, improve the timeliness of case processing and develop a uniform case management plan. A brief history of the evolution of our Uniform Case Management Plan, and the Arizona Supreme Court's letter of direction are included. (**Admin. Memo**). Our Final Plan of Enhancement dated December 7, 2004 can be viewed at the Arizona Supreme Court's website: www.supreme.state.az.us (Click on link to "Publications & Reports").

The Arizona Supreme Court General (Trial Court) Time Standards for processing family court cases require that 95% of all cases should be terminated within 6 months of filing, and that 99% of all cases be terminated within 12 months of filing. While it is yet to be determined whether these standards are realistic or achievable, the Maricopa County Family Court proposed a set of interim goals to the Supreme Court in December 2004 in response to the directives from the Court to improve the timeliness of case processing. These interim goals for termination of all pre-decree and pre-judgment cases, excluding Orders of Protection are as follows:

| Time Period Ending | Percentage of Cases Projected To Terminate Within | | |
|---------------------------|--|--|------------------|
| | 7 Months | 12 Months | 18 Months |
| December 2004 | 50% | Remove All Terminated Cases From Reports | |
| December 2005 | 70% | 90% | 95% |
| December 2006 | 80% | 95% | 100% |

The Family Court statistics for the month ending June 2005, indicate that we are essentially in compliance with the termination goals projected for December 2005. For the month of June 2005, the Family Court terminated 68.4% of all cases within 7 months, 91.2% within 12 months, and 96.7% within 18 months.

Currently, each division is provided a "Cal Acti" Report listing all active pre-decree and pre-judgment cases assigned to that division that have been pending for 6 months or longer. It is important for each division to develop a consistent and detailed procedure to review its case inventory to insure that every case is promptly resolved and/or terminated. We are currently in the process of developing a series of "Exception Reports" to identify in a much more concise way those cases that fall outside of case management standards. A copy of the statistical enhancement proposal awaiting action by the Court Technology Services is included at Tab 1.

Each division should insure that no case is forgotten or not receiving proper attention. While it is important to manage all cases, as a starting point, every case that was filed more than 6 months previously should be scheduled either for a Resolution Management Conference or Trial, or be on the inactive calendar with a date certain scheduled for its dismissal. With the passage of 6 months, sufficient time has elapsed for a case to be served, for a default or consent decree or judgment to be entered (or at least scheduled), for all self-represented cases to be resolved or set for trial by the Early Resolution Triage Program, for court administration to schedule cases for dismissal that have not been served or prosecuted, and for all contested cases to be scheduled for Trial or a Resolution Management Conference. Included as **M.E. FC695**, **ME. FC696** & **M.E. FC697** are several minute entries to assist in managing these older cases.



Minute Entries and Orders to Appear Forms & Index
Attachment #10

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Minute Entries / Orders to Appear Forms

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| FC150 | Bankruptcy Filing – Case to Inactive Calendar |

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| FC300 | Motion For Temporary Orders Without Notice (Short Form) |
| FC301 | Motion For Temporary Orders Without Notice (Long Form) |

Motions and Stipulations

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| FC501 | Stipulation to Modify Custody Rejected |
| FC502 | Stipulation to Modify Child Support Rejected |
| FC514 | Motion to Extend Dismissal Date--Granted Until RMC |
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Pre-Trial and Pre-Hearing Management

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| FC601 | One Party Appears at RMC/Trial/Return/Hearing--Case Not Settled |
| FC605 | Court Notified of Settlement Before RMC/Trial |
| FC606 | Case Settled at RMC/Trial – Decree Entered / To Come |
| FC608 | Order of Dismissal For Lack of Prosecution |
| FC610 | Court Notified of Settlement Before Evidentiary Hearing |
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| FC612 | Order Not Received As Ordered |
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| FC620 | Order to Appear on Post-Decree Petition |
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| FC636 | Appoint Expert for Private Preliminary Screening |
| FC637 | Appoint Best Interests Attorney |
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| FC645 | Drug Test Order for Father |
| FC646 | Drug Test Order for Mother |
| FC648 | Post-Decree Referral To Family Drug Court |
| FC655 | Expedited Services Referral |
| FC665 | Appointment of Judge Pro Temp for Settlement Conference |
| FC691 | Resolution Statement |
| FC695 | Case Older Than 6 Months—Schedule for Dismissal |
| FC696 | Case Older Than 6 Months--With Rejected Consent Decree |
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| FC724 | Objections to Form of Decree/Order – Options |
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| FC742 | Order Deferring/Denying Approval of PC Recommendations |
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Post-Decree

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| FC901 | Warrant to Take Physical Custody of Child(ren) |
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| FC1115 | Order Re: Contempt/Judgment/Sanctions/Incarceration |
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| FC1230 | Paternity Judgment |

JUDGE REASSIGNMENT
(Notice of Change)

This case was previously assigned to the Honorable _____. Petitioner/Respondent has filed a timely Notice of Change of Judge and it appears that said party's right to a change of judge has not been previously exercised or waived pursuant to Rule 6, *Arizona Rules of Family Law Procedure*. The case has been transferred to the Presiding Judge for reassignment.

IT IS ORDERED assigning the above-entitled cause to Family Court Calendar DRJ_____, the Honorable _____ for all further proceedings.

IT IS ORDERED affirming _____ set _____, 20_____, pending review by the newly assigned Judge.

The following matters are pending:

BANKRUPTCY FILING

The Court has received notification that a petition under the Bankruptcy Code has been filed in the United State Bankruptcy Court, District of Arizona, by _____ in case number _____.

In compliance with 11 U.S.C. §362(a), the financial components of this judicial proceeding are stayed, subject to the exceptions provided in the Bankruptcy Code.

IT IS ORDERED scheduling this case on the Inactive Calendar for dismissal without further notice on (90 days), unless, prior to that time, either party petitions this court to reset this matter for hearing or further continue this matter on the Inactive Calendar for one or more of the following reasons:

1. The automatic stay is no longer in effect by reason of a valid order in the Bankruptcy Court lifting the stay, dismissing the petition in bankruptcy, entering a discharge in bankruptcy, or confirming a plan under Chapter 11 of the Bankruptcy Code which terminates the stay; or
2. A party has moved to lift the stay in the Bankruptcy Court but the request has not been ruled upon or has been denied; or
3. Other reasonable cause exists to further continue this matter on the Inactive Calendar.

-----[Option]-----

IT IS ORDERED vacating _____ set _____, 20____, at _____ __.m.

The Court is presented with a copy of a pleading denominated "_____" submitted by _____ that the Court will not grant on an emergency ex parte basis for the following reasons:

- The verified pleadings and/or affidavits filed in support of the Motion do not show irreparable injury, loss or damage that will result before the adverse party can be heard as required by A.R.S. §25-315(D) and Rule 48(A)(1), ARFLP.
- The applicant has not certified in writing the efforts, if any, made to give notice to the adverse party or give reasons why the notice should not be required per Rule 48(A)(2), ARFLP.

IT IS ORDERED denying the "_____" on an emergency ex parte basis.

The Court is presented with a copy of a pleading denominated "_____" filed by _____ on _____, 20____, which the Court will not grant on an emergency ex parte basis for the following reasons:

-----[Options]-----

1. Not Filed.

- There is no evidence that the original Petition/Motion has been filed with the Clerk of the Court in accordance with Rule 43(D)(1),(E), *Arizona Rules of Family Law Procedure*, and Local Rules 2.11(b) & 2.19.

2. No Faxes.

- The Court cannot act on a faxed pleading without proof that the original Motion has been filed with the Clerk of the Court in accordance with Rule 43(D)(1),(E), ARFLP and Local Rules 2.11(b) and 2.19.

3. No Registered or Certified Copy.

- There is no showing that a certified copy of the foreign custody Decree/Judgment/Order sought to be modified has been registered or filed with the Clerk of the Court as required by A.R.S. §§25-1055 or 12-1702.

4. Not Verified.

- The Motion in support of a temporary order without notice is not verified or supported by Affidavits in accordance with A.R.S. §§25-315(D), 12-1803(A),(B) and Rule 48(A), *Arizona Rules of Family Law Procedure*.

5. No Permanent Petition In Post-Decree Matter.

- Applicant has not filed an initial Petition for permanent modification to be effective after the time any temporary order without notice has expired as required by Rule 47(A), *Arizona Rules of Family Law Procedure*.

6. Improper Form of/No Order.

- The applicant has not submitted an appropriate Temporary Order Without Notice that complies with the requirements of Rule 48(B), *Arizona Rules of Family Law Procedure*.

7. Not Submitted By Attorney.

- Applicant is currently represented by counsel who is responsible for all matters filed in this action pursuant to Rule 9(A), *Arizona Rules of Family Law Procedure*, and the pleading has not been signed or submitted by said counsel.

8. No Compliance With A.R.S. §25-1039(A).

- Applicant has failed to provide verified information of the child[ren]'s addresses and custodians for the last 5 years and other information required by A.R.S. §25-1039(A).

9. Non-Parent Custody Motion Not Valid As *In Loco Parentis*.

- This Motion is submitted by a person other than a parent of the child[ren] who is/are the subject of the Motion, such that the Court cannot grant the relief requested pursuant to A.R.S. §25-401(B), and the Motion contains inadequate information for the court to consider it as a proper *in loco parentis* petition under A.R.S. §415.

10. Not Proper Visitation Party & Insufficient *In Loco Parentis* Information.

- This Motion is submitted by a person other than a parent, grandparent or great-grandparent of the child[ren] who is/are the subject of the Motion such that the Court cannot grant the relief requested pursuant to A.R.S. §25-408 or 25-409, and the Motion contains inadequate information for the court to consider it as a proper *in loco parentis* petition under A.R.S. §415.

11. No Jurisdiction.

- The Motion attempts to modify a foreign Decree/Judgment/Order of custody and there is insufficient showing that Arizona has jurisdiction to modify the Decree/Judgment/Order.

12. No Service.

- Applicant has not effected personal service upon the adverse party in accordance with Rule 41, 42 or 43(c)(2), *Arizona Rules of Family Law Procedure*, or certified in writing why notice should not be required per Rule 48(A)(2), *Arizona Rules of Family Law Procedure*.

13. Paternity Not Established.

- Paternity has not been established in this case and sufficient information has not been presented to allow the court to enter a temporary order pursuant to A.R.S. §25-817(A), such that Petitioner/Respondent is not entitled to the requested relief at this time.

14. No Irreparable Harm.

- The verified pleadings and/or affidavits filed in support of the Motion do not show immediate or irreparable injury, loss or damage which will result before the adverse party can be heard as required by A.R.S. §25-315(D) and Rule 48(A)(1), *Arizona Rules of Family Law Procedure*.

15. No Reason Why No Notice.

- The applicant has not certified in writing the efforts, if any, made to give notice to the adverse party or give reasons why the notice should not be required per Rule 48(A)(2), *Arizona Rules of Family Law Procedure*.

16. Too Late To Set Hearing Re: Holiday.

- The substance of the Motion seeks to modify an existing parenting time order that defines the rights of the parties for the Christmas/_____ holiday. Applicant has submitted this Motion too late for the matter to be placed on the Court's calendar before the issue is rendered moot by the passing of the holiday.

17. Too Early To Modify Sole Custody.

- The Motion is filed within one year of the entry of the prior custody Decree or Order and applicant has not filed affidavits giving sufficient reason to believe that the child[ren]'s present environment may seriously endanger the child[ren]'s physical, mental, moral or emotional health as required by A.R.S. §25-411(A).

18. Too Early To Modify Joint Custody.

- The Motion is filed within six months of the entry of the prior order of joint custody, and applicant has not filed affidavits verifying the failure of the other parent to comply with the provisions of the order, or alleged that domestic violence, spousal abuse or child abuse has occurred since the entry of the joint custody order as required by A.R.S. §25-411(A).

19. Too Early To Modify Custody--Not Sure If Prior Order Sole or Joint.

- Sufficient time has not elapsed for the court to consider a change of custody on a non-emergency basis and applicant has not submitted affidavits verifying an emergency exists in accordance with A.R.S. §25-411(A) and Rule 48(A), *Arizona Rules of Family Law Procedure*.

20. Previously Denied.

- It appears that applicant has previously submitted this ex parte matter to Judge/Commissioner _____ who denied the motion. Applicant has failed to make full disclosure of the denial to this court as required by Local Rule 2.12.

22. Move-away Allowed by Custodial or Primary Residential Parent.

- Pursuant to previous orders of this Court _____ is a parent with sole custody / joint custody and primary physical custody of the minor child[ren] such that A.R.S. §25-408(G) allows her/him to relocate pending ruling on a petition to enjoin the relocation after giving notice pursuant to A.R.S. §25-408(C). This ruling does not constitute a determination that _____ has complied with the requirements of A.R.S. §25-408 or that the relocation is in the best interests of the moving parent or the child on either a temporary or permanent basis. The Court will schedule a hearing to determine whether the relocation will be permitted pursuant to A.R.S. §25-408.

-----[Options]-----

Deny

IT IS ORDERED denying the "_____ " on an emergency ex parte basis.

Set Hearing

IT IS ORDERED setting hearing on the "_____ " on _____, 20____ at _____ .m. (minutes allowed) in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Applicant shall serve the adverse party with copies of all pleadings, including notice of the hearing date and time, and bring proof of service to the hearing.

Issue Order To Appear

IT IS ORDERED setting hearing on the "_____" in accordance with an Order To Appear which is issued this date and placed in this Court's "out box" for pickup and service. Applicant shall serve the adverse party with copies of all pleadings, including a copy of the Order to Appear with the date and time of hearing, and bring proof of service to the hearing.

The Court has before it a letter dated _____ / motion/document entitled _____ from _____, that the Court cannot consider for the following reasons:

-----[Options]-----

1. Ex Parte Communication.

- There is no indication on the letter/document that a copy has been personally served upon / mailed to Petitioner/Respondent/ 's Attorney of record as required by Rules 43, *Arizona Rules of Family Law Procedure*. The Court cannot consider an ex parte communication of this nature, nor can it give legal advice. CJC 3(B).

2. No Personal Service.

- The time for appeal from the last judgment in this case has expired, and Petitioner/Respondent has not effected personal service upon the adverse party as required by Rule 43(c)(2), *Arizona Rules of Family Law Procedure*.

3. Not A Party.

- This motion/document is submitted by a person other than a party to this action, and has not been signed by a party or attorney of record, such that the Court cannot consider the relief requested pursuant to Rule 31, *Arizona Rules of Family Law Procedure*.

4. No Relief Requested.

- The letter/document does not indicate the precise nature of the relief requested or the legal basis in support thereof as required by Rule 35(A), *Arizona Rules of Family Law Procedure*.

5. No Pending Proceeding / OSC Required.

- There is no active petition or proceeding pending in this cause, and the relief requested in this letter/document can only be considered by proper Petition filed in accordance with law and heard pursuant to an Order to Appear issued by the Court in accordance with Rule 91, *Arizona Rules of Family Law Procedure*.

6. Not Submitted By Attorney.

- Applicant is currently represented by counsel who is responsible for all matters filed in this action pursuant to Rules 9(A) and 31(A), *Arizona Rules of Family Law Procedure*, and the letter/document has not been signed or submitted by said counsel.

7. Not Signed.

- The letter/document has not been signed by a party or an attorney of record as required by Rule 31(A), *Arizona Rules of Family Law Procedure*.

8. Not Filed.

- There is no evidence that the original letter/document has been filed with the Clerk of the Court in accordance with Rule 43(D)(1) & (E), *Arizona Rules of Family Law Procedure* and Local Rule 2.19.

9. No Faxes.

- The Court cannot act on a faxed pleading without proof that the original letter/document has been filed with the Clerk of the Court in accordance with Rule 43(D)(1) & (E), *Arizona Rules of Family Law Procedure* and Local Rules 2.11(b) & 2.19.

10. No Caption.

- The letter/document does not contain a proper caption setting forth the name of the court, title of the action, file number and proper designation of a Motion or request for relief as required by Rule 30(A), *Arizona Rules of Family Law Procedure*.

11. Case Previously Dismissed.

- An Order was entered on or about ____, 20____ that formally dismissed this case. The Court cannot consider any further pleadings in this matter unless good cause exists to set aside the order of dismissal granted upon Motion properly filed and served upon the adverse party in accordance with Rule 43(c)(2), *Arizona Rules of Family Law Procedure*.

For the foregoing reasons,

Reject

IT IS ORDERED rejecting the letter dated / document entitled. The Clerk of the Court is directed to return the letter/document to attached to a copy of this minute entry / file the letter/document in the Court file with no action taken.

Quit It

IT IS FURTHER ORDERED that /both parties shall not file any other communication with this Court without serving the other party with a copy of such communication.

Set Hearing

IT IS ORDERED setting hearing on the "____", on ____, 20____ at _____.m. (minutes allowed).in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Applicant shall personally serve copies of all pleadings, including notice of the hearing date and time (including a copy of this minute entry) upon the adverse party, and bring proof of service to the hearing.

Issue Order To Appear

IT IS ORDERED setting hearing on the "_____" in accordance with an Order To Appear which is issued this date and placed in this Court's "out box" for pickup and service.

Refer For Legal Assistance

_____ should seek the advice of counsel. If _____ cannot afford to do so, _____ should contact the following who may be able to provide legal assistance:

(1) Self Service Center, 101 West Jefferson, East Courts Building, Phoenix, AZ. Automated telephone number: (602) 506-SELF. Website: ecourt.Maricopa.gov (Provides a variety of forms and instructions.)

(2) Lawyer Referral Service, 303 E. Palm Lane, Phoenix, AZ 85004 (Phone: (602) 257-4434). (This organization will refer you to a lawyer that meets your needs in your part of town. There is a \$35 charge for the first 30-minute conference. Any fees thereafter are set by the particular attorney.)

(3) Community Legal Service, 305 S. 2nd Ave. P.O. Box 21538, Phoenix, AZ 85036-1538 (Phone: (602) 258-3434). (Composed of Legal Aid Society and volunteer lawyers. The availability of service depends on your income level.)

(4) Family Law Assistance Program (Phone: (602) 506-7948).

The Court has before it a Stipulation To Modify Custody that the Court cannot accept for the following reasons:

-----[Options Re: Custody & Visitation]-----

1. Stipulation To Substantially Change Custody Not Notarized.

- The Stipulation/Agreement must be notarized because it would substantially change the terms of a custody or parenting time order. Rules 14(A) & 91(T), *Arizona Rules of Family Law Procedure*.

2. Custody Not Designated/Vague.

- The Stipulation is sufficiently vague that the Court cannot determine whether the parties intend to modify custody to a sole or joint custody arrangement. If sole custody is intended, the parties will need to set forth the custodial parent and the parenting time rights to be awarded to the non-custodial parent or any restrictions thereto in accordance with A.R.S. §25-408. If joint custody is intended, the parties will need to submit a proposed parenting plan in accordance with A.R.S. §25-403.02.

3. No Parenting Time (Visitation) Provided.

- The Stipulation does not provide for reasonable parenting time rights to the non-custodial parent or sufficient justification to restrict such parenting time rights pursuant to A.R.S. §25-408.

4. No Parenting Plan (Joint Custody).

- The parties have not submitted a written parenting plan in support of their Stipulation for joint custody that includes the requirements of A.R.S. §25-403.02(A).

5. Parenting Plan Incomplete (Joint Custody).

- The terms of the written parenting plan submitted with the Stipulation are incomplete and fail to meet the requirements of A.R.S. §25-403.02. Specifically, the written parenting plan does not set forth:

- Each parent's rights and responsibilities for the personal care of the child[ren] and for decisions in areas such as education, health care and religious training.
- A schedule of the physical residence of the child[ren], including holidays and school vacations.
- A procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of conciliation services or private counseling.

- A procedure for periodic review of the plan's terms by the parents.
- A statement that the parties understand that joint custody does not necessarily mean equal parenting time.

6. Significant Domestic Violence (Joint Custody).

- The entire file in this case discloses the possibility that significant domestic violence has occurred in this case which may preclude the Court from approving an award of joint custody pursuant to A.R.S. §25-403.03. The Court will schedule a hearing on this issue prior to approving or rejecting the Stipulation.

7. No Redetermination of Child Support.

- The Stipulation provides for significant modification of the existing custody or access schedule of the parties, but does not address how such changes may affect the existing child support order as required by A.R.S. §25-403.09.

8. No Jurisdiction To Modify Foreign Custody Order.

- The parties are attempting to modify a previous custody order entered in the State of _____. Petitioner/Respondent and the minor child[ren] currently reside[s] in that State such that the continuing exclusive jurisdiction to modify the custody order remains in that State pursuant to the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act (A.R.S. §§25-1001 to -1067). This Court cannot divest another state of continuing exclusive jurisdiction or assume jurisdiction to modify the previous custody order even if both parties agree to do so.

9. Temporary Custody Order In Final Order.

- The parties are attempting to modify a final custody and/or parenting time order with a **temporary** order. The Court lacks statutory authority to include temporary custody and parenting time orders in a final order. *Hunt v. Hunt*, 22 Ariz. App. 554, 529 P.2d 708 (1975). The Stipulation will need to be redrafted as a final (NOT temporary) order.
-

Reject

IT IS ORDERED rejecting the Stipulation To Modify Custody without prejudice to the parties to resubmit an appropriate Stipulation that corrects the above-referenced defects. The Stipulation will be placed in the Court's "out" box to be picked up by the parties.

Hold For Compliance

IT IS ORDERED rejecting the Stipulation To Modify Custody at this time. The Court will hold the documents submitted until (3 weeks) to allow the parties to submit the appropriate documentation to correct the above-referenced defects. After said date, the Court will place the rejected documents in this Court's "out" box to be picked up by the parties if the referenced defects have not been cured.

Deny

IT IS ORDERED denying the Stipulation To Modify Custody for lack of jurisdiction.

Set Hearing

IT IS ORDERED setting hearing to consider the Stipulation To Modify Custody, on , 20 at .m. (minutes allowed) in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Both parties shall be present at this hearing.

The Court has before it a Stipulation To Modify Child Support that the Court cannot accept because/for the following reasons:

-----[Options]-----

1. No Jurisdiction To Modify UIFSA Child Support Order.

• The parties are attempting to modify a previous child support order entered in the State of _____ that has adopted the provisions of the Uniform Interstate Family Support Act (UIFSA). Petitioner/Respondent/and the minor child[ren] currently reside[s] in that State such that the continuing exclusive jurisdiction to modify the child support order remains in that State pursuant to the provisions of UIFSA (A.R.S. §§25-621 to -656). This Court cannot divest another state of its continuing exclusive jurisdiction or assume jurisdiction to modify the previous child support order even if both parties agree to do so.

2. Missing Child Support Documents.

• The Stipulation requests a modification of child support but is submitted without a signed and sworn Parent's Worksheet for Child Support Amount, a current Order of Assignment, and a current Judgment Data Sheet supporting the requested modification of child support.

3. Deviation Not Supported by Complete Parent's Worksheet.

• The parties have failed to provide a complete Parent's Worksheet for Child Support Amount with sufficient information for the Court to determine whether a deviation from the Statewide Child Support Guidelines is appropriate.

4. Child Support/Deviations Do Not Meet Guidelines.

• The amount of child support agreed to by the parties does not comply with the statewide child support guidelines currently in effect, and the Court cannot find that the requested deviation from the guidelines is appropriate, just or in the best interests of the minor child[ren] based upon the information provided.

5. No Child Support Requested (Affidavit Required).

• The Stipulation provides that no child support will be paid by either party. The Court will not accept the Stipulation without an Affidavit from both parties verifying: 1) that the parties can support any minor children without assistance from the State or any public agency; 2) that neither party is currently receiving AFDC or other public assistance benefits; and 3) that the State of Arizona has no interest in this case by reason of a prior assignment of benefits or otherwise. If the State has such an interest, the Stipulation cannot be entered without the consent of the State or an opportunity for the State to be heard after notice and hearing.

6. No Child Support Requested (Parent-Child Termination Proposed).

• The stated reason for requiring no child support by the non-custodial parent is that said parent has consented to a termination of parental rights. Even if the non-custodial parents rights were terminated by Court order, the obligation to pay child support is not correspondingly terminated pursuant to A.R.S. §8-539.

7. Stipulation For Direct Payment (No Wage Assignment).

• The parties have stipulated that no Wage Assignment be issued in this case for payment of child support which the Court cannot accept. A.R.S. §25-504(A) requires this Court to enforce child support orders by Wage Assignment. The issuance of an Order of Wage Assignment does not relieve Petitioner/Respondent of the obligation to insure that all child support payments are timely and fully paid to Respondent/Petitioner through the Clerk of the Superior Court.

For the foregoing reasons,

Reject

IT IS ORDERED rejecting the Stipulation To Modify Child Support without prejudice to the parties to resubmit an appropriate Stipulation that corrects the above-referenced defects. The Stipulation will be placed in this Court's "out" box to be picked up by the parties.

Hold For Compliance

IT IS ORDERED rejecting the Stipulation To Modify Custody at this time. The Court will hold the documents submitted until (3 weeks) to allow the parties to submit the appropriate documentation to correct the above-referenced defects. After said date, the Court will place the rejected documents in this Court's "out" box to be picked up by the parties if the referenced defects have not been cured.

Set Hearing

IT IS ORDERED setting hearing to consider the Stipulation To Modify Custody, on , 20 at .m. (minutes allowed) in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Both parties shall be present at this hearing.

Deny

IT IS ORDERED denying the Stipulation To Modify Custody for lack of jurisdiction.

RESOLUTION MANAGEMENT CONFERENCE SET

This court is in receipt of a Motion to Extend Dismissal Date filed by _____ on _____. The Court having considered the Motion and Response / there being no response or objection thereto, and good cause appearing,

IT IS ORDERED granting Motion to Extend Dismissal Date, and extending the current dismissal date until the date of the Resolution Management Conference scheduled herein.

IT IS ORDERED setting a **Resolution Management Conference** on _____, 20_____, at _____ .m. (30 minutes allowed) in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ____,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Both parties, together with their counsel, if represented, **shall appear in person**, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. **IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.**

Mandatory Resolution Statement.

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), *Arizona Rules of Family Law Procedure*, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.

Pre-Conference Settlement Meeting.

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), *Arizona Rules of Family Law Procedure*.

Disclosure.

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, *Arizona Rules of Family Law Procedure* (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

Parent Education Program.

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

-----[Option]-----

ORDER OF DISMISSAL

The Court has before it a Motion To Extend Dismissal Date filed by Petitioner.

This case was filed on ____, 20____, and has not been actively prosecuted since that time. The Court file indicates that the parties have had sufficient opportunity to settle this case or file a proper Motion to Set in accordance with Rule 77(A), *Arizona Rules of Family Law Procedure*. This has not occurred, and there are no motions pending seeking summary judgment, judgment on the pleadings, or related to genetic testing, and good cause has not been shown to further continue this case on the inactive calendar. Accordingly,

IT IS ORDERED denying the Motion to Extend Dismissal Date.

-----[Options]-----

Dismiss Now

IT IS FURTHER ORDERED dismissing this cause without prejudice for lack of prosecution.

Dismiss On Original Date

IT IS FURTHER ORDERED allowing this cause to remain scheduled for dismissal on ____ without further notice as previously ordered unless prior to said date a Consent Decree is entered or a proper Motion to Set is filed.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

ORDER OF DISMISSAL

The Court having previously granted/denied a Motion To Extend Time For Service / Motion To Extend Dismissal Date and the parties having been previously notified that this case would be dismissed on ____ 20____, without further notice unless specific action was taken. No such action having occurred,

IT IS ORDERED dismissing this cause without prejudice for lack of service / lack of prosecution.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This court is in receipt of a Motion to Extend Time For Service filed by _____ on _____ requesting additional time to effect service upon the Respondent. Good cause appearing,

IT IS ORDERED granting Motion to Extend Time For Service and scheduling this case for dismissal on _____, without further notice unless, prior to that date, a proper Affidavit of Service is filed with the court.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

-----[Option If Time To Serve Passed]-----

ORDER OF DISMISSAL

This court is in receipt of a Motion to Extend Time For Service filed by _____ on _____ requesting additional time to effect service upon the Respondent, that does not demonstrate good cause for the failure to serve as required by Rule 40(I), *Arizona Rules of Family Law Procedure*. Accordingly,

IT IS ORDERED denying Motion to Extend Time For Service.

-----[Option If Dismissed]-----

IT IS FURTHER ORDERED dismissing this cause without prejudice for lack of timely service.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

RESOLUTION MANAGEMENT CONFERENCE SET

The Court is in receipt of a _____ filed by _____ on _____, 20_____. / The Court having conducted a review of this case, and it appearing that judicial intervention is appropriate.

IT IS ORDERED setting a **Resolution Management Conference** on _____, 20_____, at _____ .m. (30 minutes allowed) in this Division, at:

Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ____,
Phoenix, Arizona 85003

Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374

Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210

Both parties, together with their counsel, if represented, **shall appear in person**, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. **IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.**

Mandatory Resolution Statement.

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), *Arizona Rules of Family Law Procedure*, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each

party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.

Pre-Conference Settlement Meeting.

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), *Arizona Rules of Family Law Procedure*.

Disclosure.

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, *Arizona Rules of Family Law Procedure* (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

Parent Education Program.

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of: _____)
_____, _____)
Petitioner _____)
and _____)
_____, _____)
Respondent. _____)
NO. _____
**ORDER TO APPEAR
RE MOTION FOR
TEMPORARY ORDERS**

IT IS ORDERED that Petitioner, _____, and Respondent, _____, shall appear in person at a **Resolution Management Conference (RMC)** on _____, 20____, at _____.m. (30 minutes allowed) in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

YOU DO NOT NEED TO BRING WITNESSES TO THIS CONFERENCE. NO TESTIMONY WILL BE PRESENTED AT THIS TIME.

THE MOVING PARTY MUST SERVE COPIES OF THE MOTION AND ALL RELATED DOCUMENTS, INCLUDING THIS ORDER, UPON THE RESPONDING PARTY AT IN ACCORDANCE WITH RULES 40, 41, 42 and 47, ARIZONA RULES OF FAMILY LAW PROCEDURE.

Both parties, together with their counsel, if represented, **shall appear in person**, and be prepared to discuss the final resolution and, if necessary, pre-hearing management of all pending petitions in this case. **IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.**

Mandatory Resolution Statement.

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), *Arizona Rules of Family Law Procedure*, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.

Pre-Conference Settlement Meeting.

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), *Arizona Rules of Family Law Procedure*.

Disclosure.

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, *Arizona Rules of Family Law Procedure* (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

Parent Education Program.

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

DONE IN OPEN COURT THIS _____ DAY OF _____, 200___.

Judge of the Superior Court

Source: Rules 47, 49, 50, 65(C) & 76, *Arizona Rules of Family Law Procedure*.
Resolution Statement (FC691).

This is the time set for a Resolution Management Conference/Trial / a Post-Decree Return Hearing/Evidentiary Hearing on a Petition To filed by _____ on _____, 20____ in this case. No one appears and no good cause appearing for their nonappearance,

-----[Pre-Decree Options]-----

Dismiss Case

IT IS ORDERED dismissing this case without prejudice for lack of prosecution.

Dismiss Case In 30 Days

IT IS ORDERED scheduling this case for dismissal on (30 days), without further notice unless prior to that time a proper Decree or Judgment is entered, or a proper Motion To Set or written request for further court action is filed with the Court. A copy of any such Motion or written request must be provided to this Division and to any opposing party who has appeared.

Vacate Trial

IT IS FURTHER ORDERED vacating the trial date currently set for _____, 20____, at _____ .m.

-----[Post-Decree Options]-----

Dismiss Petition

IT IS ORDERED dismissing the Petition To _____, filed by _____ on _____, 20____ for lack of prosecution.

Dismiss Petition In 30 Days

IT IS ORDERED scheduling the Petition To _____ filed by _____ on _____, 20____, for dismissal on (30 days), without further notice unless prior to that time a Motion To Reset this matter for hearing is filed.

Vacate Evidentiary Hearing

IT IS FURTHER ORDERED vacating the evidentiary hearing currently set for _____, 20____, at _____ .m.

-----[Signature]-----

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This is the time set for a Resolution Management Conference/Trial/a Return Hearing/Evidentiary Hearing on a Petition To _____ filed by _____ on _____, 20____ in this case. Petitioner is/is not present and represented by counsel. Respondent is/is not present and represented by counsel.

_____ is sworn.

Petitioner/Respondent has failed to appear this date without good cause shown. If further appears that Petitioner/Respondent, has not participated in good faith in the preparation or filing of a Joint Pre-Trial/Pre-Hearing Statement as required by prior orders of this court, Local Rule 6.8(b), and Rule 76(C), *Arizona Rules of Family Law Procedure*. [State other reasons for sanctions].

Accordingly, for good cause shown,

-----[Options]-----

Set Default Hearing

IT IS ORDERED striking _____'s pleadings filed herein and entering default against _____ in accordance with Rule 76(D), *Arizona Rules of Family Law Procedure*, and Local Rules 6.8(b) and 6.2(e). This default shall only be set aside in accordance with Rule 44(c) and 85(c), *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED setting this matter for default hearing on _____, 20____, at _____ .m. (minutes allowed) in this Division.

Proceed By Default

IT IS ORDERED striking _____'s pleadings filed herein, and entering _____'s default.

IT IS FURTHER ORDERED waiving the time requirements for a default hearing, and allowing _____ to proceed this date by default in accordance with Maricopa County Local Rule 3.7(d).

_____ testifies and provides jurisdictional testimony.

THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for more than 90 days immediately preceding the filing of the Petition; that the conciliation provisions of A.R.S. § 25-381.09 and the domestic relations education provisions of A.R.S. §25-351 *et seq.* either do not apply or have been met; and that the marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

To the extent it has jurisdiction to do so, the Court has considered and made provisions for maintenance and disposition of property, and, where applicable, support, custody and visitation.

IT IS ORDERED that the marriage heretofore existing between the parties is dissolved, and each party is returned to the status of a single person in accordance with the formal written Decree which is signed by the Court and filed (entered) by the Clerk on _____, 20____/ effective upon the signing and entry of the Decree.

Decree To Be Lodged

IT IS FURTHER ORDERED that counsel for _____ shall prepare, and submit to this Court by (3 weeks), a formal Decree of Dissolution of Marriage with the appropriate findings and orders in accordance the relief requested on the record this date, together with a Parent's Worksheet, a current Order of Assignment, and a current Judgment Data Sheet.

Limit Evidence At Future Hearing

IT IS ORDERED setting trial/evidentiary hearing on the Petition To _____ on _____, 20____, at _____ .m. (____ minutes allowed) At the trial/hearing _____ shall not be allowed to [oppose claim that / introduce evidence that etc.]

Dismiss Petition

IT IS ORDERED dismissing the Petition To _____, filed by _____ on _____, 20____.

Attorney's Fees

As a/an additional sanction for _____'s nonappearance and noncompliance,

IT IS ORDERED awarding _____ attorney's fees against _____ in the sum of \$_____. _____ shall pay said sum to _____ on or before _____, 20____.

Sanctions To Clerk

THE COURT FURTHER FINDS no substantial justification for _____'s noncompliance such that further sanctions are appropriate pursuant to Rule 76(D), *Arizona Rules of Family Law Procedure*, and Local Rules 6.8(b) and 6.2(e).

IT IS ORDERED that _____ is assessed as a sanction in this case the sum of \$_____ which _____ shall pay to the Clerk of this Court on or before _____, 20____.

OSC Re Contempt/Sanctions

IT IS ORDERED that _____ shall appear in this Court on _____, 20____, at _____ .m. to show cause why he/she should not be held in contempt of court for failure to obey prior orders of this Court and why appropriate sanctions should not be imposed against him/her in accordance with Rules 76(D) and 91(Q), *Arizona Rules of Family Law Procedure*, and Local Rules 6.8(b) and 6.2(e).

Decree/Order

Having considered the evidence and arguments presented, the Court makes the following findings and orders:

[See FC710]

Vacate Trial/Hearing

IT IS FURTHER ORDERED vacating trial/evidentiary hearing date currently set for _____, 20____, at _____.m.

Signed Order

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This is the time set for a Resolution Management Conference/Trial in this case. No one appears, but this Court's staff has been advised by counsel for both parties that this matter has been settled.

IT IS ORDERED scheduling this case for dismissal on (46 days), without further notice unless prior to that date a proper Consent Decree, including all required documents, prepared in accordance with Rule 45, *Arizona Rules of Family Law Procedure*, is received by the Court.

-----[Option]-----

IT IS FURTHER ORDERED vacating the trial date currently set for _____, 20____, at _____.m.

This is the time set for Resolution Management Conference / Trial in this case. Petitioner is present with above-named counsel. Respondent is present with above-named counsel.

This proceeding is recorded electronically. / by Court Reporter.

Petitioner and Respondent are sworn.

The Court is advised that the parties have reached an agreement on all of the issues, which is set forth in a formal written Decree/Order presented by the parties this date / dictated into the record in the presence of both parties and counsel / and which can generally be summarized as follows:

_____ testifies and provides jurisdictional testimony.

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated into the record, and that this is, in fact, their agreement.

THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for more than 90 days immediately preceding the filing of the Petition; that the conciliation provisions of A.R.S. § 25-381.09, and the domestic relations education provisions of A.R.S. §25-352 either do not apply or have been met; that the marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

To the extent it has jurisdiction to do so, the Court has considered and made provisions for maintenance and disposition of property, and, where applicable, support, custody and visitation.

-----[Paternity Option]-----

THE COURT FINDS that Arizona is the home state of the child pursuant to A.R.S. §25-1031(A)(1); and that this Court has jurisdiction over the parties and issues presented as authorized by law.

To the extent it has jurisdiction to do so, the Court has considered and made provisions for the parentage and support of the child[ren], and, where applicable, past support, costs of pregnancy, childbirth, genetic testing and other related costs.

THE COURT FURTHER FINDS that the agreement entered into between the parties is not unfair,/and is reasonable and in the best interests of the parties' minor child[ren]. The Court hereby approves the same as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*.

IT IS ORDERED that the marriage heretofore existing between the parties is dissolved, and each party is returned to the status of a single person in accordance with the formal written Decree which is signed by the Court and filed (entered) by the Clerk on _____, 20____/ effective upon the signing and entry of the Decree.

-----[Option]-----

IT IS FURTHER ORDERED that counsel for _____ shall prepare, and submit to this Court by (3 weeks), a formal Decree of Dissolution of Marriage/Judgment, approved as to form by both parties, and incorporating all of the terms of the parties' agreement, and the appropriate findings and orders in accordance with this order, together with a Parent's Worksheet, a current Order of Assignment, and a current Judgment Data Sheet.

Source: ARS §25-312, -313, -317(D), -351, -381.09, -801, -809, -1031.
Rule 69, *Arizona Rules of Family Law Procedure*.

ORDER OF DISMISSAL

The Court having previously notified the parties that this case would be dismissed on ____ 20____, without further notice unless specific action was taken prior to said date. No such action having occurred,

IT IS ORDERED dismissing this cause without prejudice for lack of prosecution.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This is the time set for a Return / an Evidentiary Hearing on a Petition To filed by _____ on _____, 20____ in this case. No one appears, but this Court's staff has been advised by counsel for Petitioner/both parties that this matter has been settled.

IT IS ORDERED scheduling the Petition To filed by _____ on _____, 20____ for dismissal on (46 days), without further notice unless prior to that date a proper Stipulation and Order, together with a Parent's Worksheet, a current Order of Assignment, and a current Judgment Data Sheet are received by the Court.

-----[Option]-----

IT IS FURTHER ORDERED vacating evidentiary hearing currently set for _____, 20____, at _____ .m.

This is the time set for a Return / an Evidentiary Hearing on a Petition For filed by _____ on _____, 20_____. Petitioner is present with above-named counsel. Respondent is present with above-named counsel.

This proceeding is recorded electronically. / by Court Reporter _____.

Petitioner and Respondent are sworn.

After discussion the parties advise the Court that they have reached agreement on all of the issues, which is dictated into the record in the presence of both parties and counsel / and which can generally be summarized as follows:

- 1.
- 2.

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated into the record, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair,/and is reasonable and in the best interests of the parties' minor child[ren].

IT IS ORDERED approving the agreement of the parties as dictated into the record this date as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED that counsel for _____ shall prepare, and submit to this Court by (3 Weeks), a formal written Order, approved as to form by both parties, and incorporating all of the terms of the parties' agreement, and the appropriate findings and orders in accordance with this order, together with an Order Stopping Order of Assignment / a Parent's Worksheet, a current Order of Assignment, and a current Judgment Data Sheet.

-----[Option]-----

Pursuant to the parties agreement,

IT IS ORDERED as follows:

- 1.
- 2.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

**Hon. _____
Judge of the Superior Court**

Counsel for Petitioner/Respondent having previously been ordered to submit a formal written Stipulation, Order and supporting documentation to the Court by _____, 20____, and the same having not been received by the Court as ordered,

IT IS ORDERED scheduling the Petition To _____ filed by _____ on _____, 20____, for dismissal on (30 days), without further notice unless prior to that time a proper Stipulation, Order and supporting documentation are received by the Court.

-----[Option]-----

IT IS ORDERED extending the time for counsel for Petitioner/Respondent to submit a formal written Stipulation, Order, and any necessary supporting documentation to the Court to [3 weeks]. If said documents are not submitted by said date, counsel for Respondent/Petitioner shall submit a formal written Order and any supporting documentation to the Court by [5 weeks], together with an Affidavit of Attorney's Fees for such submittal to be assessed against Petitioner/Respondent for failing to submit the Order as previously ordered. In such event the Order shall include the following provision for the Court to insert a reasonable award of attorney's fees:

IT IS FURTHER ORDERED awarding Judgment in favor _____ of Respondent / Petitioner and against counsel for Petitioner / Respondent in the sum of \$_____ as and for attorney's fees incurred for failure to submit a formal written Order as ordered by the Court.

DISMISSAL OF PETITION

The Court having previously notified the parties that the Petition To _____, filed by Petitioner / Respondent on _____, 20____, would be dismissed without further notice on _____, 20____, unless specific action was taken prior to said date. No such action having occurred,

IT IS ORDERED dismissing the Petition To _____ filed by _____ on _____, 20____, without prejudice for lack of prosecution.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Civil Procedure.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This is the time set for a Resolution Management Conference in this case. Petitioner is present with above-named counsel. Respondent is present with above-named counsel.

Court Reporter, _____, is present. / This proceeding is digitally recorded via FTY or JAVS in lieu of a court reporter.

Petitioner and Respondent are sworn.

ISSUES SETTLED.

After discussion both parties advise the Court that they have reached partial agreement on the issues, which agreement is more fully set forth on the record and can be generally summarized as follows:

-
-

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated in the record / orally stated in open court, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair, and is reasonable, and is in the best interests of the parties' minor child[ren].

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*, to be included in the final Decree entered herein.

PRE-TRIAL PROCEDURES.

Mediation [FC630]

Conciliation Services Mediation / Parenting Conference [FC 631]

Parent Education [FC632]

Private Family Assessment [FC 635]

Private Preliminary Screening [FC 636]

Sexual Abuse Evaluation [FC640]

Drug Testing [FC645—Father] or [FC646—Mother]

Expedited Services [FC655]

Appointment of Judge Pro Temp For Settlement Conference [FC665]

DISCLOSURE/DISCOVERY.

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, *Arizona Rules of Family Law Procedure*, including an exchange of all relevant information, documents and exhibits on or before _____, **20_____.**
2. All depositions and discovery contemplated by Rules 49 through 65, *Arizona Rules of Family Law Procedure*, shall be completed and any motions regarding discovery shall be filed no later than _____, **20_____.**
3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

TRIAL DATE.

Both parties agree that a trial of _____ hours/day is sufficient to resolve all of the remaining issues in this case.

IT IS ORDERED setting Trial to the Court on _____, **20_____, at _____ .m.**
(_____ minutes/hour[s]/day[s] allowed) in this Division at:

**Central Court Complex
201 West Jefferson, Courtroom 703
Phoenix, Arizona 85003**

Pursuant to Rule 77(C)(5), *Arizona Rules of Family Law Procedure*, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the trial in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to trial setting forth good cause to extend the time and specifically including a list of each and every

witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

JOINT PRE-TRIAL STATEMENT.

IT IS ORDERED that the parties shall file and provide this Division with a copy of a **Joint** Pretrial Statement pursuant to Rule 76, *Arizona Rules of Family Law Procedure*, no later than **20 days prior to trial**.

IT IS FURTHER ORDERED that the Joint Pretrial Statement shall include:

1. A current Affidavit of Financial Circumstances completed by each party.
2. If there are disputed custody, access or visitation issues, a specific proposal for custody and parenting time.
3. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
5. If there are disputed issues regarding division of property, a current and detailed Inventory of Property and Debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.
6. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
7. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).
8. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of Rule 78(D), *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), *Arizona Rules of Family*

Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

EXHIBITS.

IT IS ORDERED that, if either party has more than 5 exhibits to be marked, arrangements shall be made with the Clerk of this Division **at least five (5)** days prior to trial to schedule a time to deliver said exhibits to the Clerk. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

FINDINGS OF FACT.

IT IS FURTHER ORDERED that any party filing a request for findings of fact and conclusions of law pursuant to Rule 82, *Arizona Rules of Family Law Procedure*, **shall submit proposed findings of fact and conclusions of law to this Division no later than 30 days prior to trial.** Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

SETTLEMENT.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, *Arizona Rules of Family Law Procedure*.

POSTPONEMENTS AND SCHEDULE CHANGES

Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

Source: Rule 76, *Arizona Rules of Family Law Procedure*;
 Rule 6.8, Superior Court Local Rules-Maricopa County.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:)
_____,)
Petitioner,) NO.
and) ORDER TO APPEAR RE:
_____,) PETITION TO _____
Respondent.)

YOU, ____, ARE ORDERED TO APPEAR IN PERSON AT THE ORAL ARGUMENT AND RETURN HEARING ON THE ____ SET BEFORE JUDGE ____, MARICOPA COUNTY SUPERIOR COURT, CENTRAL COURT COMPLEX, 201 WEST JEFFERSON, COURTROOM 703, PHOENIX, ARIZONA, ON ____ AT ____ O'CLOCK __.M. (TIME LIMIT: 15 MINUTES.)

YOU DO NOT NEED TO BRING WITNESSES TO THIS HEARING. NO TESTIMONY WILL BE PRESENTED AT THIS TIME.

THE MOVING PARTY MUST SERVE COPIES OF THE PETITION AND ALL RELATED DOCUMENTS, INCLUDING THIS ORDER, UPON THE RESPONDING PARTY IN ACCORDANCE WITH RULES 40, 41, 42 AND 91, *ARIZONA RULES OF FAMILY LAW PROCEDURE*.

THE RESPONDING PARTY MAY FILE A RESPONSE IN ACCORDANCE WITH RULE 91, *ARIZONA RULES OF FAMILY LAW PROCEDURE*. COPIES OF THE RESPONSE AND ALL RELATED DOCUMENTS MUST BE SERVED ON THE MOVING PARTY OR MOVING PARTY'S ATTORNEY IN ACCORDANCE WITH RULE 43, *ARIZONA RULES OF FAMILY LAW PROCEDURE*.

FAILURE OF THE MOVING PARTY TO APPEAR AT THE TIME REQUIRED, MAY RESULT IN AN ORDER DISMISSING THE PETITION. FAILURE OF THE RESPONDING PARTY TO APPEAR MAY RESULT IN AN ORDER GRANTING ALL RELIEF REQUESTED IN THE PETITION AND MAY CAUSE A CIVIL ARREST WARRANT OR CHILD SUPPORT ARREST WARRANT TO ISSUE FOR THE RESPONDING PARTY'S ARREST.

DONE IN OPEN COURT THIS ____ DAY OF ____ , 20__ .

Hon. ____
JUDGE OF THE SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

FC621
8-1-05

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:)
)
)
_____,) NO.
)
Petitioner,) ORDER TO APPEAR
)
 (A.R.S. §25-411)
and)
)
_____,)
)
Respondent.)
_____)

PETITIONER, , AND RESPONDENT, , ARE ORDERED TO APPEAR IN PERSON AT THE ORAL ARGUMENT AND PREHEARING CONFERENCE ON THE AND SET BEFORE JUDGE _____, MARICOPA COUNTY SUPERIOR COURT, CENTRAL COURT COMPLEX, 201 WEST JEFFERSON, COURTROOM _____, PHOENIX, ARIZONA, ON AT O'CLOCK .M. (TIME LIMIT: 15 MINUTES.)

YOU DO NOT NEED TO BRING WITNESSES TO THIS HEARING. ONLY ORAL ARGUMENT AND BRIEF TESTIMONY WILL BE PRESENTED AT THIS TIME.

THE MOVING PARTY MUST SERVE COPIES OF ALL PETITIONS, AFFIDAVITS AND RELATED DOCUMENTS, INCLUDING THIS NOTICE, UPON THE RESPONDING PARTY IN ACCORDANCE WITH RULE 4, 4.1 AND 4.2, ARIZONA RULES OF CIVIL PROCEDURE, BY .

THE RESPONDING PARTY MAY FILE A RESPONSE AND OPPOSING AFFIDAVITS BY _____. COPIES OF THE RESPONSE AND OPPOSING AFFIDAVITS MUST BE SERVED ON THE MOVING PARTY OR MOVING PARTY'S ATTORNEY IN ACCORDANCE WITH RULE 5, ARIZONA RULES OF CIVIL PROCEDURE.

FAILURE OF THE MOVING PARTY TO APPEAR AT THE TIME REQUIRED, MAY RESULT IN AN ORDER DISMISSING THE PETITION(S). FAILURE OF THE RESPONDING PARTY TO APPEAR MAY RESULT IN AN ORDER GRANTING ALL RELIEF REQUESTED IN THE PETITION(S) OR MAY CAUSE A CIVIL ARREST WARRANT TO ISSUE FOR THE RESPONDING PARTY'S ARREST.

DONE IN OPEN COURT THIS ____ DAY OF _____, 20__.

HON. _____
JUDGE OF THE SUPERIOR COURT

Order To Comply With Rule 91(D), ARFLP

FC622
1-26-06

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of: _____

, _____
Petitioner, _____
and _____
, _____
Respondent. _____

NO.

**ORDER TO FOLLOW
POST-DECREE MODIFICATION
OF CUSTODY REQUIREMENTS
OF RULE 91(D), ARFLP**

The Court has reviewed the Petition for _____, filed by Petitioner/Respondent on _____, 20_____. From that review, the Court finds that in substantial part, the Petition seeks to change the type of custody previously ordered in this case. As such, the filing party is required to comply with Rule 91(D), *Arizona Rules of Family Law Procedure (ARFLP)* and with A.R.S. §25-411(E) before the Court can properly consider the Petition or schedule further hearing. Further, if the Petition or separate Motion requests the granting of Temporary Orders, the Court finds that the requirement for compliance with Rule 91(D) and A.R.S. §25-411(E) is good cause to extend the time for hearing such request pursuant to Rule 47(D), *ARFLP*. Accordingly,

IT IS ORDERED as follows:

1. The Petition and a Notice of Filing Petition for Modification of Child Custody prepared in accordance with Rule 91(D), *ARFLP* and A.R.S. §25-411, together with a copy of this Order, shall be served upon the other party and any other persons entitled to notice (A.R.S. §25-1035(A)).

2. The other party shall then file a detailed Response and controverting affidavits (if any) no later than twenty (20) days after being served with the Petition, Notice and this Order.

3. No sooner than five (5) days after the expiration of the time for Response, either party may then file and deliver a copy to this division of a Request For Order Granting or Denying Custody Hearing ("Request for Ruling"). The requesting party shall also deliver a copy of the Petition and a copy of any Response filed to this division with the Request for Ruling.

4. To the extent that the Petition seeks other relief beyond a change in the type of custody, the court will schedule a hearing on those additional issues at the time a Request for Ruling is timely received by this division as ordered above. If no such Request is received within 120 days after the Petition is filed, the Petition will be deemed abandoned, no further hearings will be set, and the Petition will be subject to dismissal without further notice as provided in Rule 91(R), *ARFLP*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of: _____,)
Petitioner, _____,) NO. _____
and _____,)
Respondent. _____)

YOU, _____, ARE ORDERED TO APPEAR IN PERSON FOR A HEARING ON THE PETITION RE _____ SET BEFORE JUDGE _____, MARICOPA COUNTY SUPERIOR COURT, CENTRAL COURT COMPLEX, 201 WEST JEFFERSON, COURTROOM ____, PHOENIX, ARIZONA, ON , 20____ AT _____ O'CLOCK _____.M.

THE MOVING PARTY MUST SERVE COPIES OF THE PETITION, AFFIDAVIT AND ALL RELATED DOCUMENTS, INCLUDING THIS NOTICE, UPON THE RESPONDING PARTY IN ACCORDANCE WITH RULE 4, 4.1 AND 4.2, ARIZONA RULES OF CIVIL PROCEDURE.

THE RESPONDING PARTY MAY FILE A RESPONSE AND OPPOSING AFFIDAVIT. COPIES OF THE RESPONSE AND OPPOSING AFFIDAVIT MUST BE SERVED ON THE MOVING PARTY OR MOVING PARTY'S ATTORNEY IN ACCORDANCE WITH RULE 5, ARIZONA RULES OF CIVIL PROCEDURE.

IT IS FURTHER ORDERED THAT BOTH PARTIES SHALL BRING THE FOLLOWING DOCUMENTATION FOR THE HEARING:

1. THAT PARTY'S MOST RECENTLY FILED FEDERAL AND STATE INCOME TAX RETURN, WITH ALL SCHEDULES;
2. THAT PARTY'S FOUR MOST RECENT CONSECUTIVE WAGE STATEMENTS FROM ALL EMPLOYMENT;
3. THAT PARTY'S MOST RECENT FEDERAL TAX W-2, 1099, AND K-1 FORMS, AS APPLICABLE; AND
4. IN MODIFICATION OF CHILD SUPPORT PROCEEDINGS, AN EMPLOYER PROVIDED STATEMENT OF THE COST OF MEDICAL AND DENTAL INSURANCE COVERAGE FOR THE PARTIES' MINOR CHILD(REN).

FAILURE OF THE MOVING PARTY TO APPEAR AT THE TIME REQUIRED, MAY RESULT IN AN ORDER DISMISSING THE PETITION. FAILURE OF THE RESPONDING PARTY TO APPEAR MAY RESULT IN AN ORDER GRANTING ALL RELIEF REQUESTED IN THE PETITION AND MAY CAUSE A CIVIL ARREST WARRANT OR CHILD SUPPORT ARREST WARRANT TO ISSUE FOR THE RESPONDING PARTY'S ARREST.

DONE IN OPEN COURT THIS _____ DAY OF _____, 20____.

JUDGE OF THE SUPERIOR COURT

This is the time set for oral argument and Return Hearing on a Petition To Modify Custody/Child Support filed by _____ on _____, 20_____. Petitioner is present with above-named counsel. Respondent is present with above-named counsel.

This proceeding is recorded electronically / by Court Reporter _____.

Oral argument is presented to the Court.

A.R.S. §25-411 DETERMINATION.

The Court having considered the verified pleadings and affidavits filed by the parties and the arguments of counsel,

THE COURT FINDS that adequate cause is/is not established by the pleadings and affidavits in support thereof to set an evidentiary hearing on the requested modification in accordance with A.R.S. §25-411.

-----[Options]-----

IT IS ORDERED deferring a determination under A.R.S. §25-411 until the time of the continued Comprehensive Pre-Hearing Conference set herein / , 20_____.

The Petition seeks a modification or clarification of visitation or parenting time, and does not seek a change of joint custody, joint legal custody, joint physical custody or sole custody such that the provisions of A.R.S. §25-411(A) are not applicable. A.R.S. §25-411(B).

ISSUES SETTLED.

After discussion both parties advise the Court that the following issues have been settled:

1. Both parties agree that _____
2. _____

-----[Options]-----

After discussion both parties advise the Court that they have reached partial agreement on the issues, which agreement is more fully set forth on the record, and can be generally summarized as follows:

•

•

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated in the record / orally stated in open court, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair, and is reasonable, and is in the best interests of the parties' minor child[ren].

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*, to be included in the final Order entered herein.

TEMPORARY ORDERS.

Pursuant to agreement of the parties,

Temporary Custody.

IT IS ORDERED awarding _____ temporary custody of the parties' minor child[ren], *pendente lite*.

IT IS FURTHER ORDERED that _____ shall have visitation / access with the minor child[ren] as follows:

- 1.
- 2.

Stop Child Support Pending Further Court Order.

IT IS FURTHER ORDERED terminating/suspending _____'s obligation for child support and stopping any outstanding Order of Assignment previously issued herein pending further court order. All child support payment currently held or received hereafter shall be paid/returned to _____.

Emergency Temporary Custody Jurisdiction (No Permanent Jurisdiction).

THE COURT FINDS that Arizona does not currently have subject matter jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act to permanently modify the prior child custody order entered in the State of _____ because the State of _____ is the "home state" in this case and retains exclusive continuing jurisdiction to modify the Order. The State of Arizona does, however, does have temporary emergency jurisdiction pursuant to A.R.S. §25-1034(A) because the parties' minor child is present in this state and it is necessary to protect the child because the child has been subjected to or threatened with mistreatment or abuse. Accordingly,

IT IS ORDERED awarding the temporary emergency custody of the parties minor child, _____, to _____ until _____, 20____ / this matter can be heard in the State of _____ / this Court can communicate with the _____ Court pursuant to A.R.S. §25-1010 to determine whether that Court will assume jurisdiction or defer jurisdiction to Arizona.

PRE-HEARING PROCEDURES.

Mediation / Open Negotiation

This case involves a controversy over custody / parenting time / access/visitation such that mandatory mediation / open negotiation is appropriate pursuant to Rule 66, *Arizona Rules of Family Law Procedure*.

IT IS ORDERED referring the parties to Conciliation Services for mandatory mediation / open negotiation of the custody and/or access/visitation issues in this case. Both parties shall appear and fully cooperate in the mediation process as directed by Conciliation Services.

Conciliation Services Mediation / Family Assessment

[FC630--Mediation/Assessment As Needed]

[FC631--Mediation/Assessment Required]

Parent Education

[FC632]

Family Assessment

This case involves a controversy over custody and/or access/visitation and further mediation proceedings do not appear to be appropriate. Pursuant to stipulation of the parties,

[FC 635]

Sexual Abuse Evaluation

[FC640]

Drug Testing

There are allegations in this case that _____ is/are involved in the use and abuse of illegal substances. Pursuant to stipulation of the parties/motion of _____,

[FC645]

Expert Witnesses By Deposition

Pursuant to stipulation of the parties,

IT IS ORDERED that the testimony of any expert witnesses to be called by either party shall be submitted by deposition. The original deposition transcript shall be submitted to the Court at the time of hearing, and the Court will consider the deposition in lieu of the appearance of the expert at the evidentiary hearing.

DISCLOSURE/DISCOVERY.

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall exchange updated disclosure statements required by Rules 49 and 50, *Arizona Rules of Family Law Procedure*, including an exchange of all relevant information, documents and exhibits on or before _____, 20____.

2. All depositions and discovery contemplated by Rules 49 through 65, *Arizona Rules of Family Law Procedure*, shall be completed and any motions regarding discovery shall be filed no later than _____, 20____.

3. Counsel and both parties shall personally meet, face to face, on or before _____, 20____ to conduct settlement discussions, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

4. Both parties shall provide all documentation concerning _____ to respective counsel no later than _____, 20____.

5. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution / company or business / medical or health care provider / employer possessing any relevant information.

-----[Option]-----

POST-DECREE CONFERENCE.

IT IS ORDERED setting Post-Decree Conference on _____, 20____, at _____ .m. (15 minutes allowed) in this Division at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

to review the status of this case and set an appropriate evidentiary hearing date as required. Counsel for both parties may appear telephonically for this hearing by initiating a conference call to this Division (602-506-5262) at the time of hearing.

EVIDENTIARY HEARING DATE.

Both parties agree that a hearing of _____ hours/day is sufficient to resolve all of the remaining issues in this case.

IT IS ORDERED setting Evidentiary Hearing to the Court on _____, 20____, at _____ .m. (_____ minutes/hour[s]/day[s] allowed) in this Division, at

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Pursuant to Rule 77(C)(5), *Arizona Rules of Family Law Procedure*, each party will be allowed 1/2 of the available time / minutes to present all direct, cross, redirect examination and any argument.

-----[Option]-----

The parties are expected to complete the hearing in the allotted time, and the time will not be extended absent a motion granted by the Court and filed prior to _____, **20** setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

JOINT PRE-HEARING STATEMENT

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a **Joint** Pre-hearing Statement pursuant to Rule 6.8, Local Rules of Practice--Maricopa County (Family Court Cases), no later than **5 days prior to the hearing**.

IT IS FURTHER ORDERED that the Joint Pre-hearing Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances.
2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation by each party.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), *Arizona Rules of Family Law Procedure* and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

EXHIBITS

IT IS ORDERED that, if either party has more than 10 exhibits to be marked, arrangements shall be made with the Clerk of this Division at least three days prior to hearing to schedule a time to deliver said exhibits to the Clerk. Duplicate exhibits shall not be

presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

SETTLEMENT.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, *Arizona Rules of Family Law Procedure*.

-----[Option]-----

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This is the time set for a Return Hearing on a Petition To/For filed by _____ on _____, 20_____. Petitioner is present with above-named counsel. Respondent is present with above-named counsel.

This proceeding is recorded electronically. / by Court Reporter _____.

Petitioner and Respondent are sworn.

ISSUES SETTLED.

After discussion both parties advise the Court that the following issues have been settled:

1. Both parties agree that _____
2. _____

-----[Options]-----

After discussion both parties advise the Court that they have reached partial agreement on the issues, which agreement is more fully set forth on the record and can be generally summarized as follows:

1. Both parties agree that _____
2. _____

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated in the record / orally stated in open court, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair, and is reasonable, and is in the best interests of the parties' minor child[ren].

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*, to be included in the final Order entered herein.

CONTESTED ISSUES.

The parties indicate that the following issues have not been resolved:

1. _____
2. _____

TEMPORARY ORDERS.

Pursuant to agreement of the parties,

IT IS ORDERED that _____ shall pay the sum of \$_____ per month in addition to the current child support payment toward the child support arrearage pending further Court order.

IT IS FURTHER ORDERED : Order of Assignment now.
Parenting time at set times.
Authority to temporarily move out of state.

PREHEARING PROCEDURES.

Mediation / Open Negotiation

This case involves a controversy over custody / parenting time / access / visitation such that mandatory mediation / open negotiation is appropriate pursuant to Maricopa County Local Rule 6.10.

IT IS ORDERED referring the parties to Conciliation Services for mandatory mediation / open negotiation of the custody and/or access/visitation issues in this case. Both parties shall appear and fully cooperate in the mediation process as directed by Conciliation Services.

Conciliation Services Mediation / Family Assessment

[FC630--Mediation/Assessment As Needed]
[FC631--Mediation/Assessment Required]

Parent Education

[FC632]

Family Assessment

[FC 635]

Sexual Abuse Evaluation

[FC640]

Drug Testing

There are allegations in this case that _____ is/are involved in the use and abuse of illegal substances. Pursuant to stipulation of the parties/motion of _____,

[FC645]

Expert Witnesses By Deposition

Pursuant to stipulation of the parties,

IT IS ORDERED that the testimony of any expert witnesses to be called by either party shall be submitted by deposition. The original deposition transcript shall be submitted to the Court at the time of hearing, and the Court will consider the deposition in lieu of the appearance of the expert at the evidentiary hearing.

DISCLOSURE/DISCOVERY.

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rule 49 and 50, *Arizona Rules of Family Law Procedure*, including an exchange of all relevant information, documents and exhibits on or before _____, **20_____.**
2. All depositions and discovery contemplated by Rules 49 through 65, *Arizona Rules of Family Law Procedure*, shall be completed and any motions regarding discovery shall be filed no later than _____, **20_____.**
3. Counsel and both parties shall personally meet, face to face, on or before _____, **20_____.** to conduct settlement discussions, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. Both parties shall provide all documentation concerning _____ to respective counsel no later than _____, **20_____.**
5. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution / company or business / medical or health care provider / employer possessing any relevant information.

-----[Option]-----

POST-DECREE CONFERENCE.

IT IS ORDERED setting Post-Decree Conference on _____, 20____, at _____
_____.m. (15 minutes allowed) in this Division at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

to review the status of this case and set an appropriate evidentiary hearing date as required.
Counsel for both parties may appear telephonically for this hearing by initiating a conference call to this Division (602- -) at the time of hearing.

EVIDENTIARY HEARING DATE.

Both parties agree that a hearing of _____ hours/day is sufficient to resolve all of the remaining issues in this case.

IT IS ORDERED setting Evidentiary Hearing to the Court on _____, 20____, at ______.m. (_____minutes/hour[s]/day[s] allowed) in this Division at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center**

**18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Pursuant to Rule 77(C)(5), *Arizona Rules of Family Law Procedure*, each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument.

-----[Option]-----

The parties are expected to complete the hearing in the allotted time, and the time will not be extended absent a motion granted by the Court and filed prior to _____, **20** setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

JOINT PRE-HEARING STATEMENT

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a **Joint** Pre-hearing Statement pursuant to Rule 6.8, *Local Rules of Practice--Maricopa County (Family Court Cases)*, no later than **5 days prior to hearing**.

IT IS FURTHER ORDERED that the Joint Pre-hearing Statement shall include the following:

1. A statement of the uncontested and contested issues of fact or law to be presented to the Court. With respect to each contested issue, each party shall set forth a **brief** statement of that party's position on the issue, and a proposal on how it should be resolved by the Court.
2. A statement that counsel and the parties have in good faith discussed settlement of the issues to be presented at the hearing.
3. A statement that each party has received a copy of the Joint Pre-hearing Statement and exchanged a true and correct copy of all exhibits to be used at the hearing.

-----[Arrearage Claimed]-----

IT IS FURTHER ORDERED with respect to all child support arrearage claimed in this case, that the parties shall set forth an agreed statement of calculations containing the following detailed information:

1. A calculation of the amount ordered to be paid by all prior orders of support for which an arrearage is claimed from the commencement of the order through the date of the statement.
2. A statement of the payments the parties agree should be credited to this amount owed that have been paid through the Clearinghouse (and Clerk of the Court).
3. A statement of the payments the parties agree should be credited to the amount owed that the parties agree have been paid outside of the Clearinghouse (and Clerk of the Court).
4. A statement of the items which are disputed with a copy of each and every document evidencing proof of payment or nonpayment of each of the disputed items.
5. A calculation of all interest due under prior orders which the parties agree is owing, together with a separate interest calculation for each item in dispute, sufficient for the Court to include or exclude the disputed interest at the hearing. If such interest calculations are not included, the Court will exclude all interest in any judgment awarded herein.

-----[Medical Bills Option]-----

IT IS FURTHER ORDERED with respect to all medical bills claimed in this case, the parties shall set forth an agreed statement of calculations containing the following detailed information:

1. A detailed summary of all medical bills the parties agree were incurred for the benefit of the minor child[ren] from the date of the last order.
2. A detailed summary of all insurance and third-party payments the parties agree should be credited to reduce the medical bills incurred.
3. A statement of the pro rata responsibility of each party for the uninsured bills and all payments made by each party on the agreed uninsured medical bills which the parties agree should be credited to each party.

4. A statement of all disputed bills and payments with a copy of each and every document evidencing proof of payment or nonpayment, or specific reference to the documents if they are extensive.

[Contempt Option]

IT IS FURTHER ORDERED that any party alleged to be in contempt shall also file with the Court at the time of the hearing a current Affidavit of Financial Circumstances, and shall bring to the hearing:

1. Obligor's Federal and State income tax returns for the past year;
 2. Wage statement for all employment for at least the past six months; and
 3. Any other documents that may be relevant to prove the information set forth in the Affidavit or the issues before the Court.
-

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), *Arizona Rules of Family Law Procedure* and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party. FAILURE OF EITHER PARTY TO APPEAR AT THIS HEARING MAY CAUSE A CIVIL ARREST WARRANT OR CHILD SUPPORT ARREST WARRANT TO ISSUE FOR THE ARREST OF THE PARTY WHO FAILS TO APPEAR.

EXHIBITS.

IT IS ORDERED that, if either party has more than 10 exhibits to be marked, arrangements shall be made with the Clerk of this Division at least three days prior to hearing to schedule a time to deliver said exhibits to the Clerk. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

SETTLEMENT.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, *Arizona Rules of Family Law Procedure*.

-----[Option]-----

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

**Hon. _____
Judge of the Superior Court**

IT IS ORDERED the parties are referred to Conciliation Services:

1. For Mediation of child custody and/or parenting-time issues, if appropriate;
2. For Parenting Conference if necessary;
3. Or for any other service(s) deemed advisable by Conciliation Services.

The parties shall comply with all instructions and directives issued by Conciliation Services.

IT IS FURTHER ORDERED that each party is directed to immediately go to Conciliation Services and complete necessary forms following this hearing. This Court has contacted Conciliation Services and set the Mediation for [ENTER DATE] and [ENTER TIME] in Conciliation Services.

WARNING

YOU WILL HAVE TO PAY A \$200 FEE IF YOU DO NOT ATTEND THE MEDIATION SESSION. IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.

IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE MEDIATION SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE.

APPOINTMENT OF A PRIVATE CUSTODY EVALUATOR

IT IS ORDERED appointing the following evaluator to examine the parties and their minor child[ren]:

Phone: (602) _____

IT IS FURTHER ORDERED that the examination shall be conducted on the following basis:

1. Scope. The evaluator shall conduct a full/limited examination and evaluation sufficient for the evaluator to render a written report and opinions as to

-----[Current Custody/Visitation Option]-----

the current custody and parenting time/visitation plan that would be in the best interests of the parties minor child[ren] after considering all relevant factors including those set forth in A.R.S. §25-403.

-----[Move-away Option]-----

whether it would be in the best interests of the parties' minor child[ren] to move and relocate as proposed by the current custodial parent after considering all relevant factors including those set forth in A.R.S. §25-408.

-----[Supervised Visitation Option]-----

whether, and to what extent, unrestricted visitation with the non-custodial parent would currently endanger seriously the child[ren]'s physical, mental, moral or emotional health, together with any recommendations that the Court should consider prior to allowing unrestricted parenting time by the non-custodial parent.

-----[Grandparent Visitation Option]-----

whether, and to what extent, visitation by the maternal/paternal grand[parents/mother/father] would be in the best interests of the minor child[ren].

The evaluator may make any other recommendations he or she determines the Court should consider to promote the physical, mental, moral or emotional health of the child[ren]. The evaluator may also assist the parties to resolve their dispute amicably if possible.

2. Timely Written Report. The evaluator shall prepare a written report not later than 14 days prior to the next scheduled hearing. The report shall be delivered to the Court and counsel, or the parties if pro se, unless the evaluator asserts extraordinary circumstances, such as imminent life threat or the potential for serious harm to a person related to the case. In that event, the Court shall make a ruling regarding dissemination of the report. The acceptance of this appointment by the evaluator indicates a capability of completing a written report in a timely manner and the ability to appear and testify in court upon reasonable notice.

3. Initial Contact. Counsel for both parties, or the parties if pro se, shall make the initial contact with the evaluator through a joint conference or conference call within 10 days of receipt of this order and thereafter shall arrange for the appointments of the persons to be examined. The initial conference with the evaluator shall be used to summarize the issues present in this case, to arrange for the initial appointments of the persons the evaluator wishes to examine, and to allow the evaluator to request information he or she believes to be pertinent.

4. Authority of Evaluator/Cooperation By Parties/Waiver of Confidentiality. The evaluator shall have the following authority with regard to the minor child(ren) and family members:

- a. The evaluator shall serve as an expert for the court in order to provide data and opinions relevant to the care of, custody of and access to the minor child in this case pursuant to applicable Arizona statutes and case law.
- b. The evaluator shall have reasonable access to the child(ren) and family members with reasonable notice; and shall have reasonable notice of any and all judicial proceedings including requests for any examination affecting the child(ren) and shall be provided copies of all minute entries, orders and pleadings filed in this case.
- c. The evaluator shall also have access to:
 - i. All therapists of the child(ren) and parties;
 - ii. All school and medical records of the child(ren) and parties;
 - iii. Any and all psychological testing or evaluations performed on the child(ren) or the parties;
 - iv. Any and all teachers/child care providers for the child(ren).

- d. At the request of the evaluator, each party shall execute any and all releases or consents necessary to authorize the evaluator's access to the information described herein. No other clinicians (i.e., therapists, psychologists, social workers etc.) are to work on this case during the course of the evaluation without the consent or authorization of the evaluator, unless otherwise authorized by court order.
- e. The parties are informed that the Court is the identified client of the evaluator in this case. The evaluator serves the Court in this case; therefore, neither the parties nor their child(ren) are patients of the evaluator. There is no confidentiality relating to the parties' communications with or to the evaluator or concerning the evaluator's activities or recommendations. The evaluator may engage in written or verbal communication with any person he or she perceives capable of providing information relevant to the care and welfare of the child.
- f. The evaluator may request that the parties and/or child(ren) participate in adjunct services, to be provided by third parties, including but not limited to physical or psychological examinations, assessment, psychotherapy, co-parenting work, or alcohol and drug monitoring/testing. The Court shall allocate between the parties the cost of any adjunct service.
- g. The evaluator shall be promptly provided all records, reports, and documents requested and shall receive the cooperation of all parties and counsel involved to ensure that the report is submitted by the date requested. This Order shall act as a release by the parties of all information requested by the evaluator and shall further obligate the parties for any costs associated with the production of those records to the evaluator. Any such costs shall be paid promptly.

5. **No Ex-Parte Contact**. The parties and counsel shall not have substantive ex-parté discussions with the evaluator, but shall conduct all communication through conference calls or conferences, unless agreed upon otherwise by all parties and counsel. Copies of any documentation provided by counsel or the parties to the evaluator shall concurrently be sent by the providing person to the other side. Copies shall be sent to counsel if the other side is represented by counsel. The evaluator may have ex-parté contact with the Court regarding scheduling matters.

6. **Fees**. The evaluator's fee and costs shall be paid _____% **by Father**, and _____% **by Mother** subject to other and further orders of the Court. Fees shall be payable at the time of the first appointment and costs shall be paid as directed by the evaluator. In the event any person (including a child) fails to appear at the time of an appointment, the person responsible for the missed appointment shall be obligated to pay any cost associated with the missed appointment.

7. Evidence. The written report of the evaluator may be received in evidence without the necessity of any foundation and without any objection to hearsay statements contained therein or any other objection.

8. Testimony. Each party shall have the right to call the evaluator as a witness. If only one party believes that the evaluator's live testimony is necessary in addition to the written report, that party shall be responsible for 100% of the costs incurred in connection with the evaluator testifying at the court hearing.

9. Immunity. The evaluator acts as a quasi-judicial officer in his or her capacity pursuant to this Order, and as such, the evaluator has limited immunity consistent with the Arizona case law applicable to quasi-judicial officers of the Court as to all actions undertaken pursuant to the Court appointment and this Order. Any alleged impropriety or unethical conduct by the evaluator **shall** be brought to the attention of the Court in writing.

-----[Option]-----

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

**APPOINTMENT OF MENTAL HEALTH EXPERT FOR COURT ORDERED
PRELIMINARY SCREENING**

The Court has received a request for a Preliminary Screening. The purpose of the screening is to provide the Court with useful information relevant to the best interests of the child(ren) in a timely and concise manner. While screening does not normally address ultimate questions, its review of issues and questions can be very helpful to judges and provide information which would otherwise be unavailable to the Court in making important decisions regarding the child(ren)'s best interests. In most instances, it is anticipated that the screening will be considered by the Court and parties to make preliminary decisions in the case. In those instances in which the Family Court Services Provider (Provider) identifies issues which may require further investigation and/or review by the Court, the Provider shall identify those issues and make a recommendation for further study/investigation/review.

IT IS ORDERED appointing the following Family Court Services Provider to interview the parties and their minor child(ren):

_____, _____, phone number: _____ .

IT IS FURTHER ORDERED that the Provider shall notify the Court and counsel, or the parties if not represented by counsel, immediately upon receipt of this order if he or she will not accept this appointment. Acceptance of the appointment indicates the capability of complying with the terms of this order.

IT IS FURTHER ORDERED that the screening shall be conducted on the following basis:

1. Scope. The screening shall primarily consist of recommendations without the detailed psychosocial summary often found in more exhaustive reports. The Provider may make any recommendations he or she determines the Court should consider to promote the physical, mental or emotional health of the child. In performing the screening, a problem list can be generated with a goal list and an action plan. If possible, the Provider may also assist the parties in amicably resolving their custody/parenting time dispute.

The scope of the screening is to be more limited than a custody evaluation and in compliance both with the time period for submitting the report and the limitation placed on cost, all set forth below. The screening will not include psychological testing, personality inventories or extensive investigation. The methodology may include evaluating the family, and collecting educational,

psychosocial, medical, psychological, legal and collateral data relevant to the needs of the child.

2. Written Report.

a. The Provider shall prepare a written report not later than 45 days after the Initial Conference (see below), which shall be submitted to the Court and the parties. The Court requests that the report be as brief as possible. No required format is adopted. The use of the Court Approved Screening Tool may be utilized to complete and report the screening but should include "comments" where necessary to fully explain the results of the screening.

b. The acceptance of this appointment by the Provider indicates the ability and willingness to complete a written report in a timely manner and the ability to appear and testify in court upon reasonable notice if necessary. (In most instances, the appearance, with the agreement of the parties, will be by telephone.)

c. The Court anticipates that the Provider may address statutory issues set forth in A.R.S. § 25-403 such as: wishes of the child, wishes of the parents, use of coercion, willingness to allow frequent and continual access, mental and physical health, interaction, primary caretaker, and adjustment of the child to his/her community and home. The Court requests that the Provider consider addressing the following matters in the report, in addition to all other matters deemed relevant by the Provider:

1. Outline of the positions of the parties, including any relevant background, significant criminal history, drug/alcohol abuse, domestic violence, etc.

2. Brief psychological history of the parents, incorporating the results of their interviews and any collateral data.*

3. Description of child(ren), with emphasis on any special needs identified and the results of any interviews.

4. Listing of very specific questions and suggestions the Court may wish to consider when determining custody and related issues.

5. Suggestions for further evaluation if indicated, with a clear rationale for why it is needed

* if a party declined an interview with the appointed expert, the report will nevertheless be submitted and reviewed by the Court without that party's input and with a notation that the party refused the interview.

3. Initial Contact. The parties, or if represented by counsel, their attorneys, shall make the initial contact with the Provider through a conference call within 10 days of receipt of this order and, thereafter, shall arrange for the appointments of the persons to be interviewed. The initial conference with the Provider shall be used to summarize the issues in the case, to arrange for the initial appointments of the

persons the Provider wishes to examine, and to allow the Provider to request information he or she believes to be pertinent.

4. Authority of Family Services Provider/Cooperation by Parties/Waiver of Confidentiality. The Provider shall have the following authority with regard to the minor child(ren) and family members:

In order to provide data and opinions relevant to the care of, custody of and access to the minor child(ren) pursuant to applicable Arizona statutes and case law, including A.R.S. § 25-406, the Provider shall serve as an expert for the court (Arizona Rule of Evidence 706). The Provider shall have: (a) Reasonable access to the child(ren) and family members with reasonable notice; and (b) Reasonable notice of all judicial proceedings, including requests for any examination affecting the child(ren), and shall be provided copies of all minute entries, orders and pleadings filed in the case.

The Provider shall also have access to:

1. all therapists of the child(ren) and parties;
2. all school and medical records of the child(ren) and parties;
3. all psychological testing or evaluations performed on the child(ren) or the parties;
4. all teachers/child care providers for the child(ren).
5. Any other records the Provider reasonably deems necessary to complete the assigned task.

At the request of the Provider, each party shall execute any release or consent necessary to authorize the Provider's access to the information described herein. No other clinicians (i.e., therapists, psychologists, social workers, etc.) are to work on this case during the course of the screening without the knowledge of the Provider, unless otherwise authorized by court order.

The Provider serves the Court in this case. Therefore, neither the parties nor their child(ren) will be considered patients of the Provider. There is no confidentiality relating to the parties' communications with/to the Provider or concerning the Provider's activities or recommendations. The Provider may engage in written or verbal communication with any person he or she perceives capable of providing information relevant to the care and welfare of the child(ren).

The Provider shall be promptly provided all records, reports, and documents requested and shall receive the cooperation of all parties and counsel to ensure that the report is submitted by the date requested. This order shall act as a release by the parties of all information requested by the Provider and shall further obligate the parties for any costs associated with the production of those records to the Provider. Any such costs shall be paid promptly.

5. No Ex-Parte Contact. The parties and/or counsel shall not have substantive ex parte contact with the Provider, but shall conduct all communication through conference call or conferences, unless otherwise agreed upon by all parties and counsel. Copies of any documentation submitted to Provider by counsel or a party shall concurrently be provided to the other side.

The Provider may have ex parte contact with the Court regarding scheduling matters.

6. Cost. The cost of the screening shall be in accordance with the proposed cost submitted by the Provider at the time of application to the Court for inclusion on the Mental Health Roster "menu of services" for Preliminary Screenings, or as adjusted after written notification to the parties/lawyers and Court. The Roster indicates that the cost of the screening charged by the above Provider is \$_____. The parties shall be advised immediately if the Provider's charge has changed prior to the commencement of the screening.

The Provider's fees and costs shall be paid ____% by Mother and ____% by Father subject to further orders of the Court. Fees shall be payable at the time of the first appointment or as directed by the Provider. Any costs shall also be paid as directed by the Provider. In the event any person (including child(ren)) fails to appear at the time of an appointment, the person responsible for the missed appointment shall be obligated to pay the full cost associated with the missed appointment.

Finally, it is recognized both by the parties and the Court that, on occasion, the Provider may make recommendations regarding other services which cannot be completed within the cost estimates of the screening. In those instances, the Provider shall make recommendations for other reasonably necessary services, tests, or examinations.

7. Evidence. The written report of the Provider may be received in evidence without the necessity of any foundation and without any objection to hearsay statements contained therein.

8. Testimony. Each party shall have the right to call the Provider as a witness.

9. Immunity. The Provider has immunity in accordance with Arizona law as to all acts undertaken pursuant to and consistent with the appointment order of the Court.

Any alleged impropriety or unethical conduct by the Provider shall be brought to the attention of the Court in writing within 7 days after that party has determined that such conduct has occurred. Failure to advise the Court as required above may

result in contempt proceedings being initiated against the complaining party and that party's attorney.

Accordingly,

IT IS ORDERED that a Preliminary Screening be conducted.

Source:

APPOINTMENT OF BEST INTERESTS ATTORNEY FOR CHILD(REN)

THE COURT FINDS pursuant to Rule 10(A)(2), *Arizona Rules of Family Law Procedure* that

there is an allegation of abuse or neglect of a child in this case.
the parents in this case are persistently in significant conflict with one another.
there is a history of substance abuse by father/mother in this case.
there is a history of family violence in this case.
there are serious concerns about the mental health or behavior of father/mother in this case.
the child in this case is an infant or toddler.
the child in this case has special needs .

IT IS ORDERED appointing _____ as a Best Interests Attorney to represent the best interests of the child(ren) in this case in accordance with Rule 10, *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED that this appointment shall continue until the entry of a Decree, Order or Judgment that fully adjudicates all pending custody and parenting time issues unless the Best Interests Attorney is earlier released by the Court.

IT IS FURTHER ORDERED that the Best Interests Attorney shall have authority to:

- a) Meet with the child(ren);
- b) Meet and interview the parents, spouses, significant others, and all adults living in the household;
- c) Visit the home(s) of the parents to determine if the environments are appropriate for the child(ren);
- d) Investigate and review both parents', their spouses' and significant others' backgrounds with regard to criminal arrests and convictions;
- e) Determine if drug testing by either or both parents is needed;
- f) Review the child(ren)'s school/daycare records, psychological evaluations, and counseling records;
- g) Visit and interview the child(ren)'s daycare provider; and

h) Review law enforcement, court, or Child Protective Services reports concerning the child(ren).

IT IS ORDERED that any and all day care, schools, school districts and personnel thereof shall fully cooperate with the Best Interests Attorney representing the child(ren) in this action by allowing access to all educational records of the child(ren), including but not limited to records pertaining to day care/school attendance, behavior, academic progress, and psychological evaluations, and shall discuss the contents and meaning thereof with him/her.

IT IS FURTHER ORDERED that any and all hospitals, doctors' offices and personnel thereof shall fully cooperate with the Best Interests Attorney representing the child(ren) in this matter by allowing access to all medical/dental records of the child(ren), including but not limited to records pertaining to diagnosis, treatment, and prognosis, and shall discuss the contents and meaning thereof with him/her.

IT IS FURTHER ORDERED that any and all police department, sheriffs' department, law enforcement agencies, and personnel thereof shall fully cooperate with the Best Interests Attorney representing the child(ren) in this matter by allowing access to all police/sheriff/law enforcement records and reports of the child(ren)s parents, stepparents, or significant others of the parents, including but not limited to records pertaining to arrests, convictions, and narrative reports.

IT IS FURTHER ORDERED that Child Protective Services, the Department of Economic Security, the Department of Health services and personnel thereof shall fully cooperate with the Best Interests Attorney representing the child(ren) in this matter by allowing access to all records and reports of the child(ren), child(ren)'s parents, stepparents, or significant others of the parents, including but not limited to records pertaining to sexual abuse, parenting skills, behavior, psychological/psychiatric evaluations, and allegations of child abuse, sexual abuse and neglect.

The Best Interests Attorney shall attend all court hearings concerning the children unless excused by the Court upon written motion, and shall participate in the conduct of the litigation to the extent authorized by Rule 10, *Arizona Rules of Family Law Procedure*.

The Best Interests Attorney has limited immunity consistent with Arizona case law applicable to Officers of the Court as to all actions undertaken pursuant to the Court appointment and this Order. Any alleged impropriety or unethical conduct by the Best Interests Attorney shall be brought to the attention of the Court in writing.

Source: A.R.S. 25-405 and 406;
Rule 10, Arizona Rules of Family Law Procedure.

Drug Testing.

IT IS ORDERED that _____ ("Father") shall undergo random drug testing on the following basis:

A. Agency. Father's random drug testing shall be conducted at the following testing agency:

**TASC, Inc.
2234 N. 7th Street
Phoenix, Arizona
Phone: (602) 254-7328**

-----[Options]-----
**TASC, Inc.
5955 W. Myrtle Avenue, Suites 2-4
Glendale, Arizona 85301
Phone: (623) 842-4535**

**TASC, Inc.
423 N. Country Club Drive, Suite 19
Mesa, Arizona 85201
Phone: (480) 898-1849**

**TASC, Inc.
609 West Gurley
Prescott, Arizona 86305
Phone: (928) 445-6844**

**TASC, Inc.
2364 Kingman Avenue
Kingman, Arizona 86401
Phone: (928) 753-9678**

**TASC, Inc.
1731 Mesquite Ave., Unit #2
Lake Havasu City, Arizona 86403
Phone: (928) 453-8003**

**TASC, Inc.
675 E. Highway 89A
Cottonwood, Arizona 86326
Phone: (928) 649-1312**

TASC, Inc.
112 N. Sacaton Street
Casa Grande, Arizona 85222
Phone: (520) 836-4238

TASC, Inc.
244 West Drachman
Tucson, Arizona 85705
Phone: (520) 903-2525

B. First Test. Father shall report to TASC no later than 5:00 p.m. today / [10 days], 20 for his first test.

C. Scope. Father shall undergo a full spectrum substance and drug test (Screen "A") for each test ordered herein.

D. Cooperation. Father shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:

1. Father shall provide such samples as are reasonably required by the testing agency to comply with this order.
2. Father shall timely report for testing and provide
3. Father shall present photo identification to the testing agency at the time of each test, along with any prescription medications currently being taken.
4. Father shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

E. Cost. Father shall pay the cost of his testing (\$20.00 per test) in cash, money order or cashier's check at the time of testing.

F. Frequency & Duration. Father shall be randomly tested not less than once per week until he has obtained 6 consecutive weekly negative tests. Thereafter, he shall be randomly tested twice monthly until he has obtained 6 additional negative tests (3 months). Thereafter, he shall be randomly tested once per month until he has obtained 3 further negative tests (3 months). Testing shall then be complete.

G. Positive/Diluted/Missed Test. In the event that Father tests positive on any test, misses a random test, or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above, shall be started again with weekly tests.

All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child.

H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a copy of each test result / a Monthly Drug Test Summary Report / a Cumulative Drug Test Summary Report on [1 week prior to next scheduled hearing].

Endorse: TASC
Address Listed Above

Drug Testing.

IT IS ORDERED that _____ ("Mother") shall undergo random drug testing on the following basis:

A. Agency. Mother's random drug testing shall be conducted at the following testing agency:

TASC, Inc.
2234 N. 7th Street
Phoenix, Arizona
Phone: (602) 254-7328

-----[Options]-----
TASC, Inc.
5955 W. Myrtle Avenue, Suites 2-4
Glendale, Arizona 85301
Phone: (623) 842-4535

TASC, Inc.
423 N. Country Club Drive, Suite 19
Mesa, Arizona 85201
Phone: (480) 898-1849

TASC, Inc.
609 West Gurley
Prescott, Arizona 86305
Phone: (928) 445-6844

TASC, Inc.
2364 Kingman Avenue
Kingman, Arizona 86401
Phone: (928) 753-9678

TASC, Inc.
1731 Mesquite Ave., Unit #2
Lake Havasu City, Arizona 86403
Phone: (928) 453-8003

TASC, Inc.
675 E. Highway 89A
Cottonwood, Arizona 86326
Phone: (928) 649-1312

TASC, Inc.
112 N. Sacaton Street
Casa Grande, Arizona 85222
Phone: (520) 836-4238

TASC, Inc.
244 West Drachman
Tucson, Arizona 85705
Phone: (520) 903-2525

B. First Test. Mother shall report to TASC no later than 5:00 p.m. today / [10 days], 20 for her first test.

C. Scope. Mother shall undergo a full spectrum substance and drug test (Screen "A") for each test ordered herein.

D. Cooperation. Mother shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:

1. Mother shall provide such samples as are reasonably required by the testing agency to comply with this order.
2. Mother shall timely report for testing and provide
3. Mother shall present photo identification to the testing agency at the time of each test, along with any prescription medications currently being taken.
4. Mother shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

E. Cost. Mother shall pay the cost of her testing (\$20.00 per test) in cash, money order or cashier's check at the time of testing.

F. Frequency & Duration. Mother shall be randomly tested not less than once per week until she has obtained 6 consecutive weekly negative tests. Thereafter, she shall be randomly tested twice monthly until she has obtained 6 additional negative tests (3 months). Thereafter, she shall be randomly tested once per month until she has obtained 3 further negative tests (3 months). Testing shall then be complete.

G. Positive/Diluted/Missed Test. In the event that Mother tests positive on any test, misses a random test, or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above, shall be started again with weekly tests.

All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child.

H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a copy of each test result / a Monthly Drug Test Summary Report / a Cumulative Drug Test Summary Report on [1 week prior to next scheduled hearing].

Endorse: TASC
Address Listed Above

FAMILY DRUG COURT SCREENING REFERRAL

Pursuant to the information provided to the Court on the record this date,

IT IS ORDERED directing all parties to make contact today with the Family Drug Court Staff at (602) 506-8899 to screen for participation in the Family Drug Court.

IT IS FURTHER ORDERED that all parties will comply with all instructions and directives given by the Family Drug Court Staff, who will screen the parties for services within the Family Drug Court necessary and appropriate to assist this Court in addressing the issues of custody and/or parenting time.

IT IS FURTHER ORDERED that if the parties are deemed eligible for participation in the Family Drug Court, they will cooperate in and complete the program as directed by Judge Mroz and the Family Drug Court team.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

REFERRAL TO EXPEDITED SERVICES

IT IS FURTHER ORDERED referring this matter to Expedited Services for:

- termination or an Order of Assignment.
- enforcement of child support.
- enforcement of spousal support.
- enforcement of arrearage only.
- enforcement of medical insurance coverage.
- enforcement of custody.
- enforcement of parent/child access visitation).
- supervised parent/child access (visitation).
- supervised exchange.
- substance abuse testing and monitoring.
- arrearage calculation.
- (or any combination of above).

IT IS FURTHER ORDERED that the parties shall comply with all orders and instructions of Expedited Services.

Upon stipulation of the parties, /On the court's own motion, and pursuant to Rule 67(D), Arizona Rules of Family Law Procedure,

IT IS ORDERED referring this matter to the Court's Alternate Dispute Resolution Office for the appointment of a Judge Pro Tempore to conduct a Settlement Conference and to enter stipulated orders in this matter. Counsel and/or the parties will be contacted by ADR to coordinate the setting of the Settlement Conference, and will subsequently receive all additional and necessary Settlement Conference information from ADR.

IT IS FURTHER ORDERED that the Settlement Conference shall be held prior to the trial date scheduled herein / within days of today on a date and time scheduled by the Family Court Settlement Conference Coordinator at the location designated by the Family Court Settlement Conference Coordinator.

IT IS FURTHER ORDERED that all parties and their counsel (if parties are represented) shall appear in person at the Settlement Conference. All Settlement Conference participants should expect to attend the Settlement Conference for at least two hours, and docket their calendars accordingly.

IT IS FURTHER ORDERED that each party shall furnish the Judge *Pro Tempore* with a separate Settlement Conference Memorandum at least seven days prior to the scheduled Settlement Conference. The Settlement Conference memorandum shall include the following information:

1. A general description of the issues in the lawsuit, and each party's position with respect to each issue;
2. A description of the evidence each party intends to present, with respect to each issue;
3. A summary of any and all settlement negotiations that have previously occurred;
4. A current Affidavit of Financial Information.
5. An inventory of major community or joint assets, including dates of acquisition, amounts of encumbrance, and present value.
6. A list of outstanding debts and the party responsible for each debt.
7. Any other information the party believes would be helpful to the settlement process.

This memorandum SHALL NOT be filed with the Clerk of the Court. The parties shall not exchange this memorandum with each other. If Joint or Separate Pretrial Statements have been filed with the court, you must forward a copy to the assigned Judge *Pro Tempore* and submission of a separate Settlement Conference Memoranda is optional.

IT IS FURTHER ORDERED that all motions to continue the scheduled Settlement Conference shall be brought before the assigned Judge *Pro Tempore*. Any other pre-trial motions shall be brought before the judge permanently assigned to the case.

IT IS FURTHER ORDERED that any agreement the parties enter into, which is memorialized by the Judge *Pro Tempore*, shall be considered a binding agreement, in accordance with Rule 69, *Arizona Rules of Family Law Procedure*.

Pursuant to Rules 76(D) & 71, *Arizona Rules of Family Law Procedure*, failure to comply with this Court Order may result in the imposition of court sanctions, including, but not limited to:

- 1) An Order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting that party from introducing designated matters in evidence;
- 2) An Order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the action or proceeding or any part thereof, or rendering a judgment by default against the disobedient party; and
- 3) Treating as contempt of court the failure to obey any orders except an order to submit to a physical or mental examination.

Submitted: Family Court Settlement Conference Request Sheet (FC665A) to ADR.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**IN AND FOR THE COUNTY OF MARICOPA**

In Re the Marriage of: _____)

Petitioner _____) NO. _____

and _____)

Respondent. _____)
_____)
RESOLUTION STATEMENT OF:
[] HUSBAND
[] WIFE

The undersigned party provides the following specific positions on each of the issues in this case (**BE SPECIFIC**):

1. **Custody**. My spouse and I have the following natural or adopted children in common:

Child's NameDate of BirthAge

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I want the child[ren] to live primarily with _____ and have parenting time with the other parent as follows (check all that apply): FATHER/MOTHER

_____ Generally in accordance with Maricopa County Guidelines for reasonable parenting time.

_____ Every other weekend from _____ at _____ m. to
Day of Week Time a/p

_____ at _____ m.
Day of Week Time a/p

_____ One-half of the holidays on an alternating basis.

_____ For _____ weeks in the summer.

_____ Spring Break from school.

_____ Other: _____

This custody arrangement should be: _____ sole custody
(Check one)

_____ joint custody

- 2. Child Support.** My position on the financial factors necessary to calculate child support under the statewide child support guidelines is as follows (complete in full):

Father's Gross Monthly Income: \$_____

Mother's Gross Monthly Income: \$_____

Father has _____ Other Children **not** listed above.
No.

Mother has _____ Other Children **not** listed above.
No.

Medical Insurance Should Be Paid By _____ and its monthly cost is \$_____.
Father or Mother

Monthly Child Care Costs for _____ child[ren] is \$_____.
No.

I believe the court should add the following **Extra Education Expenses** or **Extraordinary Child Adjustments** to the child support calculation (leave blank if none claimed):

| <u>Description</u> | <u>Monthly Amount</u> |
|--------------------|-----------------------|
| _____ | \$_____ |
| _____ | \$_____ |

Uninsured Medical Expenses should be paid (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____% paid by Father and _____% paid by Mother.

Tax Exemptions for the child[ren] should be divided (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____

- 3. Spousal Maintenance.** My position on spousal maintenance is (check one and complete):

- No spousal maintenance need be paid by either me or my spouse.
 I should **pay** my spouse \$_____ per month for _____ months.
 I should **receive** from my spouse \$_____ per month for _____ months.

- 4. Separate Property.** I believe the following property is my sole and separate property (describe):

5. Community Liens In Separate Property. I believe I have a community interest in the following sole and separate property of my spouse:

6. Community Property. I want to divide all of the community property (except tangible personal property) as follows: Directions: Column 1: List short description of each item or real and personal property.

Column 2: List your estimate of the fair market value of each item of property, and if the property is subject to a lien or encumbrance list the amount of the lien as a reduction () to fair market value on the line directly below its value.

Column 3: List the amount of net value of each item you propose for Husband.

Column 4: List the amount of net value of each item you propose for Wife.

7. Tangible Personal Property. I believe that the value of the tangible personal property (household furniture, furnishings, jewelry etc.) in the possession of each party is as follows:

Husband has tangible personal property in his possession valued at approximately \$ _____.

Wife has tangible personal property in her possession valued at approximately \$ _____.

My preference to divide the tangible personal property is to (List your order of preferences as 1,2,3 & 4):

Each party should keep the tangible personal property currently in their possession with the exception
(1,2,3 or 4) that I want the following items from my spouse:

An equalization payment/credit should be made based upon the above values so each of us gets the same value.
(1,2,3 or 4)

We should make a list of all the tangible personal property and alternately select items from the list until all the property is divided.
(1,2,3 or 4)

_____ One of us should make 2 lists of tangible personal property both equal in value, and the other one be awarded all property on the list of his or her choice.
(1,2,3 or 4)

Other: _____

8. Debts. The community debts should be divided as follows (complete in detail):

_____ All of the debt should be paid _____% by Husband and _____% by Wife; or

_____ Each of us should pay the following debts and amounts:

_____ \$ _____ \$ _____ \$ _____

Totals

\$ _____ \$ _____ \$ _____

9. Attorney's Fees. If the case is settled today, I want the court to order (choose one):

Each of us to pay our own attorney's fees.

My spouse to pay \$ _____ of my attorney's fees within _____ days.
(Use specific sum) (No.)

Me to pay \$ _____ to my spouse for attorney's fees within _____ days.
(Use specific sum) (No.)

10. Name Change. I want to be restored to my former name of _____.
(List full name you want restored)

11. Other Issues. Briefly state the other issues which you believe must be resolved to fully settle this case:

12. Settlement. I verify that the above statements are true upon my best information and belief and I am willing to settle and resolve this case based upon the information provided above.

Dated: _____

Signature of Husband/Wife

The Court has conducted an internal review of this case and determined that it has been pending for more than six (6) months without a formal Decree or Judgment having been entered to finalize this case, or a proper Motion to Set having been filed as required by Rule 46(B), *Arizona Rules of Family Law Procedure*. Accordingly,

IT IS ORDERED scheduling this case for dismissal on [30 Days] without further notice unless, prior to that date, a proper Decree or Judgment is entered, or a proper Motion to Set or written request for further action is filed with the Court. A copy of any such Motion or written request must be provided to this Division and to any opposing party who has appeared.

The Court has conducted an internal review of this case and determined that it has been pending for more than six (6) months without a formal Decree or Judgment having been entered to finalize this case, or a proper Motion to Set having been filed as required by Rule 46(B), *Arizona Rules of Family Law Procedure*.

IT IS ORDERED scheduling this case for dismissal on [Insert Date of Status Conference] without further notice unless, prior to that date, a proper Decree or Judgment is entered, or a proper Motion to Set or written request for further action is filed with the Court. A copy of any such Motion or written request must be provided to this Division and to any opposing party who has appeared.

It further appears that a Consent Decree/Judgment was previously submitted to and rejected by the Court due to legal deficiencies that appear to be correctable at or prior to a court hearing. Accordingly,

IT IS ORDERED setting a Status Conference on _____, 20____, at _____.m.
(15 minutes allowed) in this Division, at

Maricopa County Superior Court

**Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

to provide the parties an opportunity to appear and finalize this matter. You should bring all original and revised documents necessary to finalize this matter to this hearing. If neither party appears at this hearing, the Court will dismiss this case at that time.

The Court has conducted an internal review of this case and determined that it has been pending for more than six (6) months without a formal Decree or Judgment having been entered to finalize this case, or a proper Motion to Set having been filed as required by Rule 46(B), *Arizona Rules of Family Law Procedure*. Accordingly,

IT IS ORDERED setting a Resolution Management Conference on _____, 20____, at _____ .m. (15 minutes allowed) in this Division, at

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

Both parties, together with their counsel, if represented, **shall appear in person**, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. **IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.**

Mandatory Resolution Statement.

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), *Arizona Rules of Family Law Procedure*, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each

party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.

Pre-Conference Settlement Meeting.

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), *Arizona Rules of Family Law Procedure*.

Disclosure.

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, *Arizona Rules of Family Law Procedure* (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

Parent Education Program.

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

DECREE OF DISSOLUTION OF MARRIAGE

This is the time set for a Comprehensive Pre-Trial Conference/Trial in this case. Petitioner is/is not present and represented by counsel. Respondent is/is not present and represented by counsel.

This proceeding is recorded electronically. / by Court Reporter.

-----[Settlement Option]-----

Petitioner and Respondent are sworn.

After discussion the parties reach an agreement on all of the issues, which is dictated into the record in the presence of both parties.

_____ testifies and provides jurisdictional testimony.

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated into the record, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is not unfair,/and is reasonable and in the best interests of the parties' minor child[ren]. The Court hereby approves the same as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*.

-----[Default Option]-----

_____ is sworn and testifies.

Petitioner/Respondent has failed to appear this date without good cause shown, and has not participated in good faith in the preparation or filing of a Joint Pre-Conference/Trial Statement as required by prior orders of this court and Rule 76(C), *Arizona Rules of Family Law Procedure*. Accordingly, for good cause shown,

IT IS ORDERED striking _____'s pleadings filed herein and entering default against _____ in accordance with Rule 76(D), *Arizona Rules of Family Law Procedure*.

IT IS FURTHER ORDERED waiving the time requirements for a default hearing, and allowing _____ to proceed this date by default in accordance with Maricopa County Local Rule 3.7(d).

_____ testifies and provides jurisdictional testimony.

Based upon the testimony presented, the court makes the following additional findings and orders:

I. DISSOLUTION OF MARRIAGE.

THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for more than 90 days immediately preceding the filing of the Petition; that the conciliation provisions of A.R.S. § 25-381.09, and the domestic relations education provisions of A.R.S. §25-352 either do not apply or have been met; that the marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

To the extent it has jurisdiction to do so, the Court has considered and made provisions for maintenance and disposition of property, and, where applicable, support, custody and visitation.

IT IS ORDERED that the marriage heretofore existing between the parties is dissolved, and each party is returned to the status of a single person effective upon the signing and entry of this Decree.

II. CUSTODY AND PARENTING TIME.

THE COURT FINDS that the minor child[ren] who is/are the subject of this action lived in Arizona with a parent, or a person acting as a parent, for at least six consecutive months or more prior to the commencement of this action, or at least from the time of birth of the child until this action was commenced, such that Arizona is the home state of the child[ren] vested with jurisdiction to make a child custody determination pursuant to A.R.S. §25-1031(A)(1).

-----[Sole Custody Option]-----

THE COURT FINDS that it is in the best interests of the parties' minor child to award custody of the minor child to _____.

IT IS ORDERED awarding _____ sole custody of the parties' minor child, _____, born on _____, 20 _____.

IT IS ORDERED that _____ shall have reasonable parenting time rights with the minor child in accordance with the Maricopa County Guidelines.

-----[Supervised Parenting Time Option]-----

THE COURT FINDS that unrestricted parenting time with _____ would endanger seriously the child's physical, mental, moral, or emotional health. Accordingly,

IT IS ORDERED that all parenting time by _____ shall be supervised in the presence of _____ until further order of the Court. So long as parenting time is supervised, such parenting time shall be in reasonable in accordance with the Maricopa County Guidelines.

-----[Joint Custody Agreement]
(Both Agree--A.R.S. §25-403.01)-----

THE COURT FINDS that the parties have reached an agreement for joint legal custody in this case which is more fully set forth on the record / in the Joint Custody Agreement and Parenting Plan dated/filed herein on _____, 20_____.

THE COURT FURTHER FINDS that the agreement of the parties is not unfair, is reasonable, and is in the best interests of the parties' minor child[ren].

THE COURT FURTHER FINDS based upon the evidence presented that neither parent has committed an act of domestic violence sufficient to preclude an award of joint custody in this matter pursuant to A.R.S. §25-403.03.

-----[DV Option]-----

THE COURT FURTHER FINDS based upon the evidence presented that an Order of Protection has previously been issued against Father/Mother, but both parties agree that an award of joint custody in this case is in the child[ren]'s best interest, there is no recent evidence presented of domestic violence, and Father/Mother has successfully rebutted the presumption pursuant to A.R.S. §25-403.03(D) to allow an order of joint custody.

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*, and awarding the parties joint legal custody of their minor child[ren], _____, born _____, 20_____; and _____, born _____, 20_____, with Mother/Father designated as the primary physical custodian in accordance with the agreements dictated on the record at the time of hearing / as set forth in the Joint Custody Agreement and Parenting Plan dated/filed herein on _____, 20_____. To the extent that the written Joint Custody Agreement and Parenting Plan is inconsistent with the agreements set forth on the record at the time of hearing, the differences shall be resolved in favor of the agreements set forth on the record at the time of hearing.

IT IS FURTHER ORDERED that the Joint Custody Agreement and Parenting Plan dated/filed herein on _____, 20_____, is hereby merged and fully incorporated by reference as

though the same reappeared herein, and the parties shall abide and perform the terms thereof as if the same were fully set forth herein.

-----[Formal Judgment Option]-----

IT IS FURTHER ORDERED that the parties shall include all of the provisions of their agreement in the formal written Judgment to be submitted herein.

-----[Joint Custody]-----

[One or Both Agree To Joint Custody--A.R.S. §25-403.01, -403.02]

THE COURT FINDS [Written findings why joint custody is in child[ren]'s best interest per A.R.S. §25-403.01(B)]:

- **Agreement or lack of agreement regarding joint custody;**
- **Lack of agreement unreasonable or is influenced by issue not related to the best interests of the child;**
- **Past, present & future abilities of the parents to cooperate in decision-making;**
- **Whether joint custody arrangement is logically possible.]**

THE COURT FURTHER FINDS based upon the evidence presented that neither parent has committed an act of domestic violence sufficient to preclude an award of joint custody in this matter pursuant to A.R.S. §25-403.03.

-----[DV Option]-----

THE COURT FURTHER FINDS based upon the evidence presented that an Order of Protection has previously been issued against Father/Mother, but both parties agree that an award of joint custody in this case is in the child[ren]'s best interest, there is no recent evidence presented of domestic violence, and Father/Mother has successfully rebutted the presumption pursuant to A.R.S. §25-403.03(D) to allow an order of joint custody.

THE COURT FURTHER FINDS that joint legal custody is in the best interest of the parties minor child[ren].

IT IS ORDERED awarding the parties joint legal custody of their minor child[ren], _____, born ____, 20____; and _____, born ____, 20____, subject to the following provisions:

- A. Mother / Father / Neither party is designated as the primary physical custodian and the minor child[ren] shall reside with Mother/Father at all times except for access time specifically provided to Father/Mother herein.
- B. Father/Mother shall have access with the minor child[ren] at the following times:
 1. Alternating Weekends. Alternating weekends from Friday at 5:30 p.m. to Sunday at 6:00 p.m. In the absence of agreement, the alternating pattern shall be redesignated after each holiday weekend with the weekend following each holiday weekend designated to the parent who did not have the holiday weekend.
 2. Midweek. One mid-week evening each week / in alternate weeks from 5:30 p.m. to 8:00 p.m. during an evening / 8:00 a.m. the following day on days mutually agreeable to the parties. In the absence of agreement, this evening shall be every Wednesday / on alternating Wednesday evenings.
 3. Holidays. The holiday schedule shall supersede all other non-holiday visitation/access and shall be alternated between the parties as follows:

Father's Holidays In Even-Numbered Years
Mother's Holidays In Odd-Numbered Years

- i. Martin Luther King Day Weekend (January—From Friday at 5:30 p.m. to Monday at 6:00 p.m.)
- ii. Easter Weekend (April--From Friday at 5:30 p.m. to Monday at 6:00 p.m.)
- iii. Spring Break (All weekdays plus normal weekend)
- iv. Labor Day Weekend (September--From Friday at 5:30 to Monday at 6:00 p.m.)
- v. Veteran's Day (November--From 9:00 a.m. to 6:00 p.m. PLUS the weekend if Veteran's Day is Friday or Monday)
- vi. First One-half of Christmas/Winter Break (From day school out at 5:30 p.m. to mid-point day at 5:30 p.m.)

Father's Holidays In Odd-Numbered Years
Mother's Holidays In Even-Numbered Years

- i. President's Day Weekend (February--From Friday at 5:30 p.m. to Monday at 6:00 p.m.)

- ii. Memorial Day Weekend (May--From Friday at 5:30 p.m. to Monday at 6:00 p.m.)
 - iii. 4th of July (July--From July 4th at 9:00 a.m. to July 5th at 9:00 a.m. PLUS the weekend if July 4 is Friday or Monday)
 - iv. Columbus Day Weekend (October--From Friday at 5:30 to Monday at 6:00 p.m.)
 - v. Thanksgiving Holiday (November--From Thursday at 9:00 a.m. to Sunday at 6:00 p.m.)
 - vi. Second One-half of Christmas/Winter Break (From mid-point day at 5:30 p.m. to day prior to school resumption at 5:30 p.m.)
4. Father's/Mother's Day. The child[ren] shall be with Father on Father's Day and with Mother on Mother's Day.
5. Summer. Father/Mother shall also have 2 weeks of continuous uninterrupted parenting time during the summer commencing on a date designated by Father/Mother at least 30 days in advance of the access; provided, however, that summer access shall end no later than one week prior to the start of school.
- C. The parties shall confer with respect to all significant decisions affecting the child[ren]'s education, health care and religious training and attempt to reach a consensus decision, but, in the absence of agreement, Mother/Father's decision shall be controlling.
- D. The parties shall use the services of a private counselor or Conciliation Services of this Court to resolve any disputes, problems or proposed changes regarding this child custody order prior to seeking further relief from the Court.

III. CHILD SUPPORT ORDER.

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheet / Parent's Worksheet For Child Support Amount submitted by / Child Support Order signed concurrently with this Decree which the Court hereby incorporates and adopts as its findings with respect to child support.

-----[Child Support Options]-----
Deviation.

THE COURT FURTHER FINDS that a strict application of the child support guidelines in this case is inappropriate or unjust and that the Court has considered the best interests of the child[ren] in determining that a deviation of \$_____ per month from the amount

determined under the guidelines is appropriate to reduce _____'s child support obligation to \$_____.

No Support (After Self Support Reserve Test).

IT IS ORDERED, after considering the Self Support Reserve Test, that _____ shall currently have no obligation for the payment of child support.

IT IS ORDERED that _____ shall pay to _____ as and for child support the sum of \$_____ per month, payable through the Support Payment Clearinghouse on the 1st day of each month commencing _____, 20____ by Wage Assignment.

IT IS FURTHER ORDERED approving and settling formal written Order of Assignment signed by the Court on _____, 20____ / that _____ shall submit a formal written Order of Assignment with a Current Employer Information Form to the this Court on or before _____, 20____.

IT IS FURTHER ORDERED that at any time an Order of Assignment is not paying the child support obligation in full, _____ shall make full and timely payments directly to the Support Payment Clearinghouse in accordance with the "Instructions for Making Support Payments Through the Clearinghouse" attached hereto.

IT IS FURTHER ORDERED that _____ shall provide medical insurance for the benefit of the parties' minor child[ren], and shall provide an insurance card and claim filing information/forms to the other parent. All medical, dental and orthodontia expenses incurred for the health and protection of the child[ren] not covered by insurance shall be paid _____% **by Father** and _____% **by Mother**.

-----[Options]-----

Tax Exemption To Custodian.

IT IS FURTHER ORDERED that _____ shall be entitled to utilize the federal tax exemption[s] applicable to the parties' child[ren] for all federal and state income tax purposes each year hereafter.

Tax Exemption To Father [Reverse For Mother].

IT IS FURTHER ORDERED that Father shall be entitled to utilize the federal tax exemptions applicable to the parties' child for all federal and state income tax purposes in each year in which he is current in the payment of all court ordered child support obligations for the current calendar year and any court ordered arrearage payments due during that calendar year by December 31 of each year. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Tax Exemption Split [Reverse If Mother Is Noncustodial Payor].

IT IS FURTHER ORDERED that the federal tax exemptions applicable to the parties' child[ren] shall be divided between the parties as follows:

Father. Father is entitled to utilize the exemptions for the child in all odd/even / 1/2 out of 3/4 calendar years commencing 20____ and 20____ and continuing in like manner thereafter provided he is current in the payment of all current child support and child support arrearage payments due by December 31 of the year applicable to the exemption. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Mother. In addition to any exemptions which Father is not eligible to utilize as set forth above, Mother is entitled to utilize the exemptions for the child in all even/odd / 1/2 out of 3/4 calendar years commencing 20____ and 20____ and continuing in like manner thereafter.

Financial Information Exchanged.

IT IS FURTHER ORDERED that every 12 / 24 months hereafter, the parties shall exchange financial information, including tax returns, spousal affidavits and earnings statements.

IV. SPOUSAL MAINTENANCE.

THE COURT FINDS that neither party seeks an order of spousal maintenance or meets the criteria set forth in A.R.S. §25-319(A) for an award of spousal maintenance. Accordingly,

IT IS ORDERED that spousal maintenance is not awarded to either party.

V. PROPERTY DIVISION.

IT IS FURTHER ORDERED awarding to Husband as his sole and separate property, subject to any liens or encumbrances thereon, all vehicles, household furniture, furnishings and appliances, and other personal property currently in his possession.

IT IS FURTHER ORDERED awarding to Wife as her sole and separate property, subject to any liens or encumbrances thereon, all vehicles, household furniture, furnishings and appliances, and other personal property currently in her possession.

-----[Real Property Option]-----

IT IS FURTHER ORDERED awarding to _____ as his/her sole and separate property, subject to any liens or encumbrances thereon, the residence and real property located at _____, Arizona, and more specifically described as follows:

[Legal Description Required By A.R.S. §25-318(C).]

VI. COMMUNITY DEBTS.

IT IS FURTHER ORDERED that Husband shall pay and hold Wife harmless from the debts owing to _____.

IT IS FURTHER ORDERED that Wife shall pay and hold Husband harmless from the debts owing to _____.

IT IS FURTHER ORDERED that each party shall pay any debt incurred by him or her respectively since the date of the parties' separation.

VII. RESTORATION OF NAME.

Upon request of Wife,

IT IS ORDERED restoring Wife to her former name of _____.

VIII. ATTORNEY'S FEES.

The Court has considered the financial resources of both parties in accordance with A.R.S. §25-324, and good cause appearing,

IT IS ORDERED awarding reasonable attorney's fees and costs to _____, and entering Judgment in favor of _____ and against _____ in the sum of \$_____.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

Source: A.R.S. §§25-312, -318, -319, -320, -325, -352, -381.09.

The Court is in receipt of a formal written Decree of Dissolution of Marriage / Order lodged by _____, Petitioner's / Respondent's Objection(s) To Form of Decree/Order / and Respondent's / Petitioner's Response thereto. The Court will rule on the objections without oral argument pursuant to Rules 35(C)(2) and 81(C)(2), Arizona Rules of Family Law Procedure.

-----[Deny Objections]-----

The written form of Decree/Order submitted by _____ substantially conforms to this Court's minute entry rulings dated _____, 20_____. Accordingly,

IT IS ORDERED denying Objection(s) To Form of Decree/Order submitted by _____.

IT IS FURTHER ORDERED approving and settling _____'s formal written Decree of Dissolution of Marriage / Order signed by the Court on _____, 20_____, and filed (entered) by the Clerk on _____, 20_____.

-----[Self-Correction]-----

The objections submitted by _____ are now moot as this Court has received an amended Decree of Dissolution of Marriage / Order that properly satisfies the objections and is approved as to form by counsel for both parties. Accordingly,

IT IS FURTHER ORDERED approving and settling _____'s formal written Decree of Dissolution of Marriage / Order signed by the Court on _____, 20_____, and filed (entered) by the Clerk on _____, 20_____.

-----[Grant Objection]-----

For the reasons set forth in the Petitioner/Respondent's Objections, the written form of Decree/Order submitted by _____ does not substantially conform to this Court's minute entry ruling dated _____, 20_____. in the following respects:

IT IS ORDERED granting _____'s Objection(s) To Form of Decree/Order.

IT IS FURTHER ORDERED rejecting the proposed form of Decree/Order submitted by _____. Counsel for _____ shall prepare a revised form of Decree/Order in accordance with this ruling and submit the same to this Division on or before [3 weeks].

-----[Rulings on Individual Objections]-----

The individual objections are resolved by reference to the objection as numbered in Petitioner's/Respondent's Objections To Form of Decree/Order as follows:

1. Objection number 1 is _____.
2. Respondent's first objection is to _____.
3. Respondent's objection with regard to _____ is well taken, and the court will insert the following wording on page ___, line __ of the Decree:
"_____"

IT IS ORDERED rejecting the proposed form of Decree/Order submitted by _____. Counsel for _____ shall prepare a revised form of Decree/Order in accordance with the above rulings and submit the same to this Division on or before [3 weeks].

OR

IT IS FURTHER ORDERED approving and settling _____'s formal written Decree of Dissolution of Marriage / Order signed by the Court on _____, 20____, as corrected by interlineation, and filed (entered) by the Clerk on _____, 20____.

-----[Objection To Agreement of Record]-----

_____ has made various objections to the form of Decree/Order lodged by _____ that generally oppose certain provisions in the Decree/Order relating to the parties' agreement previously dictated into the record. The Court cannot resolve these objections without a copy of the transcript containing the parties' agreements that neither party has provided. Accordingly,

IT IS FURTHER ORDERED rejecting the proposed form of Decree/Order submitted by _____.

IT IS ORDERED that counsel for [Party That Submitted Decree] shall, after consultation with opposing counsel, prepare a revised Decree of Dissolution of Marriage / Order and submit the same to this Division on or before [3 weeks], **approved as to form by both counsel**.

IT IS FURTHER ORDERED that if counsel for both parties are unable to confer and agree upon a form of Decree/Order for any reason, counsel for **both** parties shall each prepare a separate form of Decree/Order and simultaneously lodge the same with this Division on or before [4 weeks], utilizing the following procedure:

1. All findings and orders specifically set forth in minute entry rulings of this Court shall be included in a form that counsel for both parties mutually agree. In the

absence of agreement, the exact wording of the minute entry rulings shall be included in its entirety without modification.

2. All disputes with regard to agreements placed on the record shall be resolved by reference to the record. Each party shall obtain a copy of the transcript of the record agreement. The Decree/Order submitted by each party shall recite as closely as possible the exact agreement dictated into the record as reflected by the transcript. In this regard, the Court will not accept additions, deletions or modifications to the record agreement, and language not specifically agreed to by the parties shall not be included.
3. Counsel for [Party Objecting] shall submit a copy of the transcript of the parties' record agreement with that party's form of Decree/Order for the Court to resolve any further objections.
4. Each party shall have the time allowed by Rule 81(C), *Arizona Rules of Family Law Procedure*, to object to the form of Decree/Order submitted by the adverse party.
5. The Court will likely assess attorney's fees pursuant to A.R.S. §25-324 against a party interposing unreasonable objections to an agreement previously reached by the parties. Any request for attorney's fees shall be submitted with the proposed form of Decree/Order with an appropriate China Doll affidavit and a separate form of Order for attorney's fees with a "blank" for the Court to complete if attorney's fees are awarded.

ORDER OF APPOINTMENT OF PARENTING COORDINATOR**(1) APPOINTMENT OF PARENTING COORDINATOR**

The Court has considered [prompt for these options: (*sua sponte*) (the Motion for) (the stipulation for)] the Appointment of a Parenting Coordinator. The Court finds that the issues involving parenting plans involve complex family dynamics problems within the meaning of Rule 10, *Arizona Rules of Family Law Procedure*. These issues often require speedy resolution and involve the consideration of mental health and economic issues crucial to the protection of the best interest of the minor child(ren).

IT IS ORDERED pursuant to A.R.S. §§25-405, -410, and Rule 10, *Arizona Rules of Family Law Procedure* appointing [**enter name of Parenting Coordinator**] as the Parenting Coordinator in this case, with authority as provided in this Order.

The Parenting Coordinator is appointed for a term of 12 months subject to (1) reappointment at the expiration thereof upon the Court's own motion, the request of the Parenting Coordinator or motion of either party; or (2) earlier removal by court order based upon motion showing good cause, stipulation of the parties, or resignation by the Parenting Coordinator.

(2) PARENTING COORDINATOR AUTHORITY

IT IS FURTHER ORDERED that the Parenting Coordinator is authorized, subject to the provisions of paragraph 6 of this Order, to make recommendations regarding implementation, clarification, modification and enforcement of any temporary or permanent custody or parenting time/visitation orders of the Court, and to make recommendations on the day-to-day issues experienced by the parties in these areas. The Parenting Coordinator is not authorized, to make recommendations affecting child support, a change of custody, or a substantial change in parenting time. In the event the Parenting Coordinator determines parenting or family issues or circumstances exist that are significantly detrimental to the welfare of the child(ren) and that a change in custody or a substantial change in parenting time is warranted, the Parenting Coordinator may submit the Parenting Coordinator's concerns in writing to the parties and the court.

The scope of the authority of the Parenting Coordinator shall be:

- (a) to make recommendations to the Court regarding all current and future disputes arising under or as a result of the custody or parenting time/visitation order as to the minor children, including by way of example only, disputes over: schooling,

daycare or babysitting, medical and/or psychological care, activities of the child, discipline, daily routine, transportation, visitation exchanges, vacation and holiday scheduling or any other "parenting-type" issues, and any issue as the Court may from time to time direct; and/or

(b) resolve/decide any issue within the scope of authority of the Parenting Coordinator by any dispute-resolution method that may be agreed to by the parties.

The Parenting Coordinator shall formulate recommendations based upon what is in the children's best interest.

The Parenting Coordinator may interview all members of the immediate or extended family or household of both parties and the child(ren) at the discretion of the Parenting Coordinator.

The Parenting Coordinator may interview and request the participation of any and all persons who the Parenting Coordinator deems to have relevant information or to be useful participants.

The Parenting Coordinator may recommend that the Court order the parties and/or children to participate in ancillary services, to be provided by the court or third parties, including but not limited to physical or psychological examinations and assessments, psychotherapy, counseling, and alcohol or drug monitoring and testing. The Court shall allocate between the parties the cost of any ancillary service ordered.

Time Sensitive Issue Authority and Procedure:

The Court recognizes that occasionally circumstances and parenting issues may arise that may require immediate decision for the welfare of the children and parties.

When a short-term, emerging, and time sensitive situation or dispute within the scope or authority of the Parenting Coordinator arises that requires an immediate decision for the welfare of the child(ren) and parties, a Parenting Coordinator may make a binding temporary decision. This interim decision shall be made without prejudice and shall not be regarded as precedent as to any future action or procedure for any other dispute. The decision shall be submitted to the assigned judge with a copy to the parties (or counsel, if represented) in a written report that shall document all substantive issues addressed and the basis for the decision for review and entry of any appropriate orders at the judge's earliest opportunity. In such an instance, and within the purview of the scope of authority of the Parenting Coordinator, the Parenting Coordinator may communicate with the assigned judge in writing with a copy to the parents (or counsel, if represented), his or her recommendations to the Court, and if the Court determines that interim orders may be entered sufficient to resolve the immediate dispute, and if the Court makes

such an interim order, the Parenting Coordinator has authority to immediately communicate the same to the parties on the Court's behalf. Thereafter, the procedures set forth in Paragraph 6(c) hereof shall apply.

For purposes of example only, and not by limitation, such time-sensitive, emergent situations might be:

Temporarily changing of exchange day, time or place;

Attendance at or participation in a special event or occasion by the child or a parent;

Responsibility for care of a sick child or accompaniment to medical treatment;

A special non-recurring need of the child or a parent.

The Parenting Coordinator report shall document all substantive issues addressed and the basis for the recommendations made to the Court.

The foregoing authority and procedure is implemented as an exception to the procedures set forth in Section (5) of this Order, based upon the best interests of the child/children covered by this Order.

(3) AUTHORITY OF PARENTING COORDINATOR RE: THE CHILDREN

The Parenting Coordinator shall have the following rights and authority with regard to the minor children:

- (a)** Reasonable access to the children with reasonable notice;
- (b)** Reasonable notice of any and all judicial proceedings including requests for any examination affecting the children, and shall be provided copies of all orders and pleadings filed in this case;
- (c)** The Parenting Coordinator shall have access to:
 - [i]** all therapists of the children, and parents;
 - [ii]** all school and medical records of the children and parents;
 - [iii]** any and all mental health records including but not limited to psychological testing or evaluations performed on the children or the parents;
 - [iv]** any and all teachers/child care provider for the children.

(d) The Parenting Coordinator is authorized to interview the parties or child in any combination, whether initiated by the Parenting Coordinator or either party. If either party contacts in writing the Parenting Coordinator, the documentation or writing given to the Parenting Coordinator shall be provided to the opposing party and counsel (if any) simultaneous to providing it to the Parenting Coordinator.

(e) At the request of the Parenting Coordinator, each party shall execute any and all releases or consents necessary so as to authorize the Parenting Coordinator's access to the information contemplated herein above.

(4) CONFIDENTIALITY

There is **no confidentiality** relating to the parties' communications with/to the Parenting Coordinator or concerning the Parenting Coordinator's activities or recommendations.

(5) PROCEDURE

IT IS FURTHER ORDERED that proceedings before the Parenting Coordinator shall be conducted in accordance with the following procedures:

(a) Either party, the Parenting Coordinator or the Court may initiate proceedings before the Parenting Coordinator. Both parties **shall** participate in the dispute resolution processes defined by the Parenting Coordinator.

(b) Once proceedings are initiated under (a) above, the Parenting Coordinator shall determine, at his/her discretion, the sequence and frequency of meetings and who shall participate in any sessions/meetings. Notice may be made by mail to the last known address supplied to the Court or, if circumstances demand, the Parenting Coordinator may notify the parties orally and make a notation of the date and time of the notification. The Parenting Coordinator shall proceed with all reasonable diligence. If a party fails to appear at a time and place appointed, the Parenting Coordinator may proceed at that time, or at the Parenting Coordinator's discretion, continue the meeting to a future day with notice to the absent party.

(c) If either party fails to participate as requested by the Parenting Coordinator, then in addition to all other remedies available under law, the Parenting Coordinator may proceed and make recommendations regarding the dispute, if necessary, without the participation of such party.

(d) The Parenting Coordinator is not required to make a record of the proceedings, however, any party, at their option and expense and upon reasonable notice, may make a record of any information offered. The Parenting Coordinator, may, in his or her discretion, tape record or video record or otherwise preserve any information presented to the Parenting Coordinator.

(e) The Parenting Coordinator or the parties may request that the Court procure the attendance of witnesses for any proceedings conducted by the Parenting Coordinator.

(f) The Parenting Coordinator may request, with notice to the parties, the Court to issue subpoenas to require the appearance of any person within the jurisdiction of this Court and/or require the production of any documents within the jurisdiction of this Court or under the control of either party or their agents.

(g) If either or both parties are represented by counsel, there shall be no ex parte communications between the Parenting Coordinator and counsel except if such communication relates solely to scheduling matters.

(h) Additional rules applicable to the Parenting Coordinator may be ordered by the Court from time to time.

(6) RECOMMENDATIONS AND OBJECTIONS

(a) Recommendations by the Parenting Coordinator must be made or confirmed in a written report to the court and parties in substantially the same format as set forth in Form 9 of Rule 97, *Arizona Rules of Family Law Procedure*, which shall be submitted to the court no later than five (5) days after an oral determination or receipt of all information necessary to make a recommendation. A copy of the report will be mailed or transmitted to the parties or their counsel on the date of submission. The report may be transmitted by fax or email to the parties at a fax number or email address provided by the parties to the Parenting Coordinator.

(b) The Parenting Coordinator may, in his or her discretion, submit draft recommendations to the parties or their counsel for the purpose of receiving their suggestions. The Parenting Coordinator may, at his or her discretion, require the parties or their counsel to submit proposed draft recommendations to the Parenting Coordinator.

(c) The court, upon receipt of a report and recommendation from a Parenting Coordinator, may:

[i] approve the recommendation and adopt it as an interim order of the court, subject to either party objecting or requesting a hearing within ten (10) days from the date the report and recommendation is submitted to the court;

[ii] modify the recommendation and adopt the modified recommendation as an interim order of the court, subject to either party objecting or requesting a hearing within ten (10) days from the date the report and recommendation is submitted to the court;

[iii] reject the recommendation report in whole or in part and affirm the current order, subject to either party objecting or requesting a hearing within ten (10) days from the date the report and recommendation is submitted to the court; or

[iv] set a hearing on the assigned judicial officer's calendar.

(d) A party who objects shall clearly state in writing the objection to the recommendation, the basis for the objection, a proposed solution, and whether a hearing is requested. The judicial officer will set a hearing if requested. By agreement of the parties or if the court so orders, the recommendations of the Parenting Coordinator will remain in effect during this objection period and process unless and until it is affected by a further order of the court.

(7) APPEARANCES

(a) The Parenting Coordinator may appear and shall be available to testify at any court hearing upon reasonable notice to the Parenting Coordinator, the Court and the opposing party regarding any issue addressed by the Parenting Coordinator.

(b) If transcripts, tape recordings or videotapes have been made of any portions of the Parenting Coordinator proceedings, they shall be submitted to the Court.

(8) DISCLOSURES

The parties shall keep the Parenting Coordinator advised of their and the child(ren)'s addresses, telephone numbers for home, work and school, mailing address if different than the living address, as well as any other pertinent information. This information shall be immediately communicated in writing to the Parenting Coordinator.

(9) IMMUNITY

The Parenting Coordinator has immunity in accordance with Arizona law as to all acts undertaken pursuant to and consistent with the appointment order of the court.

Any alleged impropriety or unethical conduct by the Parenting Coordinator **shall** be brought to the attention of the Court in writing.

(10) FEES

IT IS FURTHER ORDERED the **Petitioner** shall be responsible for and pay **50%** of the Parenting Coordinator's fees, and the **Respondent** shall be responsible for and pay **50%** of the Parenting Coordinator's fees, until further order of the Court.

All fees shall be paid in advance as determined by the Parenting Coordinator. The Parenting Coordinator shall keep accurate records of services rendered and fees paid by each party.

IT IS FURTHER ORDERED that should the Parenting Coordinator determine that one of the parties is using his/her services unnecessarily and is thereby causing greater expense for the other party as a result thereof, the Parenting Coordinator may recommend to the Court a different allocation for payment of fees.

IT IS FURTHER ORDERED that should the Parenting Coordinator find any party is acting in bad faith, and/or not complying with the Court's orders, the Parenting Coordinator may recommend that the party acting in bad faith pay or reimburse the other party's costs of services provided by the Parenting Coordinator necessitated by the party acting in bad faith, and the Parenting Coordinator may recommend additional sanctions which may include modifications of access and/or contempt proceedings.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

Source: A.R.S. §25-405(B); Rule 74, *Arizona Rules of Family Law Procedure*.

INTERIM ORDER

The Court is in receipt of a written report and recommendations dated ____, 20____ submitted by the Parenting Coordinator, _____. The Court having reviewed the report and recommendations, and good cause appearing,

THE COURT FINDS that sufficient circumstances exist which require the immediate entry of an interim order addressing disputes arising under a custody and parenting time/visitation Order of this Court. To the full extent that the report of the Parenting Coordinator makes definitive recommendations which are within the jurisdiction of this Court to enter and compel compliance,

IT IS ORDERED adopting and approving the written report and recommendations of the Parenting Coordinator, as the Interim Order of this Court, to become a final order automatically on **[11th Day After Report Submitted]** unless prior to that date Objections to this Order are filed with the Court.

-----[Specific Orders Option]-----

Pursuant to the report and recommendations of the Parenting Coordinator,

IT IS ORDERED as the Interim Order of this Court as follows:

- 1.
- 2.

IT IS FURTHER ORDERED that this Interim Order shall become final automatically on **[11th Day After Report Submitted]** unless prior to that date Objections to this Order are filed with the Court.

IT IS FURTHER ORDERED that the parties shall comply with said Interim Order immediately/from and after [11th Day After Report Submitted] until further order of this Court.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

Source: A.R.S. §25-405(B); Rule 74, *Arizona Rules of Family Law Procedure*.

The Court is in receipt of a written report and recommendations dated ____, 20____ submitted by the Parenting Coordinator, _____. The Court having reviewed the report and recommendations, and good cause appearing,

The Court does not approve or adopt portions of the report and recommendations of the Parenting Coordinator at this time because of the following concerns:

- The report makes recommendations with respect to _____, who is not a party to this action. Accordingly, this Court currently has no personal jurisdiction over said person to order or compel compliance without said person's agreement. The Court adopts such recommendations as advisory only.
- The report of the Parenting Coordinator recommends a modification of custody that is not within the authority of the Parenting Coordinator to recommend pursuant to Rule 74, *Arizona Rules of Family Law Procedure*, and which cannot occur without a party filing a Petition in compliance with A.R.S. §25-411.
- The recommendations of the Parenting Coordinator are sufficiently vague and indefinite that this Court must request the Parenting Coordinator to clarify the recommendations in the following areas:
 -
 -

-----[Refer Back To PC]-----

IT IS ORDERED that the Parenting Coordinator shall prepare a supplemental report and recommendation addressing the above concerns and submit the same to this Court by ____, 20____.

IT IS ORDERED adopting and approving the remaining portions of the written report and recommendations of the Parenting Coordinator except as set forth above, as the Interim Order of this Court, to become final automatically on [11th Day After Report Submitted] unless prior to that date Objections to this Order are filed with the Court.

-----[Deny Recommendations]-----

IT IS ORDERED denying the recommendations of the Parenting Coordinator.

-----[Set Hearing]-----

IT IS ORDERED setting hearing on the report and recommendations of the Parenting Coordinator on _____, **20____ (30 minutes allowed)** in this Division, at:

**Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003**

**Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032**

**Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374**

**Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210**

IT IS FURTHER ORDERED THAT THE PARTIES AND THE PARENTING COORDINATOR SHALL BE PRESENT AT SAID HEARING. FAILURE OF EITHER PARTY TO APPEAR MAY RESULT IN AN ORDER GRANTING ALL RELIEF REQUESTED BY THE APPEARING PARTY WITH RESPECT TO THE REPORT AND RECOMMENDATIONS OF THE PARENTING COORDINATOR AND MAY CAUSE A CIVIL ARREST WARRANT TO ISSUE FOR THE ARREST OF THE PARTY WHO FAILS TO APPEAR.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

**Hon. _____
Judge of the Superior Court**

ORDER FOR APPOINTMENT OF SPECIAL COMMISSIONER
FOR SALE OF REAL PROPERTY

The Court has before it a Stipulation / Motion for _____ filed by _____ on _____, 20_____, a Response and Reply / and there being no Response thereto,

THE COURT FINDS that the parties have an interest in real property, which property must be sold in conjunction with proceedings now before the Court.

Good cause appearing,

IT IS ORDERED:

1. Appointment. _____ is appointed Special Commissioner for Sale of Real Property (hereinafter Special Commissioner). The Special Commissioner shall market and sell the real property at: **[Street Address of Property]**, and more particularly described as:

[Legal Description]

2. Insurance. The Special Commissioner shall maintain a policy of Errors and Omissions Insurance consistent with the amount the Special Commissioner was required to have in place when he or she was authorized to act as a Special Commissioner plus the amount of any increases ordered by the Presiding Court by Administrative Order issued from time to time.

3. Cooperation and Access. The parties and their attorneys shall cooperate in good faith in providing access to the property by the Special Commissioner. The party in possession of the premises shall provide the Special Commissioner with a key to the property within 48 hours after a request by the Special Commissioner. The Special Commissioner shall attempt to give reasonable notice to the parties before gaining access to the premises at reasonable times.

4. Market Analysis and Appraisal. The Special Commissioner shall, within ten days of being granted access to the premises, cause a market analysis of said property to be made, and shall deliver copies of said market analysis to the parties and (if applicable) to the parties' attorneys. Within ten days after receipt of the market analysis, either party may provide written comments about the market analysis to the Special Commissioner, and either party or the Special Commissioner may request an appraisal. The cost of the appraisal shall be paid by the requesting party or parties upon demand. The

Special Commissioner shall have no obligation to obtain an appraisal unless the parties advance the appraisal fee except in those cases when the Special Commissioner is requesting the appraisal. In such cases, the Special Commissioner shall advance the appraisal fee to be reimbursed from the proceeds of sale after close of escrow. The Special Commissioner shall select any appraiser agreed to by both parties except that if the parties are unable to agree, the Special Commissioner shall select an independent appraiser.

5. Listing. The subject real property shall be listed for sale in a commercially reasonable manner at the value estimated by the market analysis or, if applicable, at the appraised value. The parties shall execute and deliver a listing agreement substantially consistent with the current model listing agreement approved by Arizona Association of Realtors, and shall so deliver said listing agreement within three (3) days of presentation by the Special Commissioner. As used in this Order, the term "commercially reasonable manner" includes, but it not limited to [a] listing the property on the Multiple Listing Service (hereinafter, MLS), [b] stating a fair description of the properties' features, and [c] a statement of terms the sellers and the Special Commissioner will, and (as appropriate) will not, consider. If either party fails or refuses to execute the listing agreement as presented, the Special Commissioner may sign for them. The listing shall contain a provision that "the sale is subject to court approval."

6. Reports. The Special Commissioner shall upon request by either party or the Court report, in writing, the efforts made to sell the property. The Special Commissioner shall deliver copies of said report to both parties and (if applicable) their counsel, every 30 days. Said report shall include recommendations, if any, for changes to the offering terms. The report shall not be filed directly with the Court, however, either party may submit any or all reports for the Court's consideration in further proceedings.

7. Offers. The parties shall consider all written offers for purchase of the subject real property. Approval of terms of offer shall not be unreasonably withheld; approval, rejection, or counter-offer shall be made timely and in the manner necessary to consummate an arms-length real property transaction.

8. Changes. The Special Commissioner shall determine if reasonable changes are necessary to the terms of listing the property for sale if, after a period of not less than 90 days from the date of first publication in the MLS, the property remains unsold. As applied herein, "unsold" means the parties have not accepted a written offer for sale. The Special Commissioner shall make a recommendation in writing to the parties, and, if applicable, to their attorneys. If either party fails, neglects, or refuses to deliver a written approval to/of changes to the terms of listing recommended by the Special Commissioner, the Special Commissioner or either party may petition the Court for hearing. Pending hearing, changes to the terms of listing suggested by the Special Commissioner shall be the terms which the property is offered for sale; the MLS listing shall note stated terms under these conditions to be "subject to Court approval". If neither party has requested a hearing within ten (10) days of mailing to their last known address or delivery of notice of the change recommended by the Special Commissioner, the recommendation shall be deemed accepted by the parties, and the phrase "subject to Court approval" may be removed from the MLS.

9. Court Approval. If the Special Commissioner receives a written offer to purchase the subject real property that the parties, or either of them, reject, the Special Commissioner may petition the Court for an accelerated hearing and for acceptance of the offer. If, after accelerated hearing, the Court determines the offer should be accepted, the Court may direct the Special Commissioner or the Clerk of Court, pursuant to Rule 89, *Arizona Rules of Family Law Procedure*, to make, execute and deliver the appropriate documents for consummation of sale. The Court shall impose sanctions against the party having unreasonably withheld approval of sale.

10. Proceeds. Net proceeds of sale shall be impounded by the title company engaged by the Special Commissioner, pending written agreement of the parties or Order of the Court.

11. Commission. Upon close of escrow, the Special Commissioner and the selling broker shall be paid a commission consistent with the reasonable and customary fees paid to Realtors in similar transactions in Maricopa County, Arizona.

12. Purchase By Party. In the event either party wishes to purchase the subject real property, the purchasing party shall submit an offer to the other party in writing and provide a copy to the Special Commissioner. No party shall reject an offer unless that party can make a factual showing as to a reasonable basis for the rejection. All such offers that are rejected may be submitted to the Court for approval. In the event of an owner purchase or property withdrawal from sale based upon an agreement of the parties, Special Commissioner compensation shall be paid as follows:

a. Offers made and accepted prior to an executed listing agreement that are approved by the Court or agreed to by the parties shall result in a reasonable fee for the time expended, including preparation of the market analysis.

b. Agreements to sell by the parties or agreements approved by the Court after the listing agreement shall subject the offering owner to payment of a fee to the Special Commissioner. The fee shall be the greater of one percent (1%) of the total selling price or a reasonable hourly fee for the efforts expended by the Special Commissioner based upon reasonable hourly rates to be approved by the Court. In all such cases, the out-of-pocket expenses of the Special Commissioner shall be paid directly by the purchasing owner. All such fees and costs shall be paid from the proceeds of sale. In the event the proceeds of sale are insufficient to pay the Special Commissioner costs and fees, those fees shall be paid by the purchasing owner prior to close of escrow.

c. If, after receipt by the Special Commissioner of a bona fide offer to purchase the real property from a third party, either owner makes a written offer to purchase the real property, which offer is approved by the Court, the purchasing owner shall pay a commission to the Special Commissioner in the amount of three and one-half percent (3.5%) of the total selling price. A bona fide offer means an offer from a qualified purchaser presenting

commercially reasonable terms. Payment of the Special Commissioner's fee shall be part of the Court's Order of approval requiring the payment as a contingency to the close of escrow.

13. Sanctions. The Court may impose additional sanctions for a party's unreasonable behavior under this order, including, but not limited to, adding an additional one percent (1%) of the selling price as compensation for services rendered as Special Commissioner, over and above the reasonable and customary fees paid for similar services not involving a Special Commissioner within Maricopa County. Other sanctions may include contempt, an award of attorney's fees, or removal from the premises.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at:
<http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

Name of Petitioner _____

CASE NUMBER _____

Name of Respondent _____

**WARRANT TO TAKE PHYSICAL CUSTODY
OF CHILD(REN)**

TO THE SHERIFF OF MARICOPA COUNTY OR ANY OTHER ARIZONA LAW ENFORCEMENT OFFICER

THE COURT FINDS: A verified "Petition to Enforce a Child Custody Determination" has been filed herein pursuant to A.R.S. 25-1061 and is supported by the following facts:

1. That the minor child(ren) named _____ is/are being unlawfully and illegally held in custody, confinement or restraint by the following person(s) named: _____; AND
2. That the minor child(ren) is immediately likely to suffer serious physical injury OR be removed from the State.

THE COURT ORDERS:

A. **WARRANT TO TAKE PHYSICAL CUSTODY OF CHILD(REN):** That the Sheriff of Maricopa County or any other Arizona law enforcement officer take possession of the minor child(ren) named above, and deliver him/her/them to:

The parent entitled to actual physical custody of the child(ren) pursuant to court order, and that such parent is further ordered to bring the child(ren) before the Honorable _____, Judge of the Superior Court of Maricopa County, Family Court Division located at 101/201 W. Jefferson St., Phoenix, Arizona on _____ (month/day/year) at _____ o'clock a.m. p.m. The name of the parent entitled to actual physical custody of the child(ren) pursuant to court order is _____.

Child Protective Services of the Arizona Department of Economic Security, and that Child Protective Services is further ordered to bring the child(ren) before the Honorable _____, Judge of the Superior Court of Maricopa County, Family Court Division located at 101/201 W. Jefferson St., Phoenix, Arizona on _____ (month/day/year) at _____ o'clock a.m. p.m. The Court has found, pursuant to A.R.S. 25-403(Y), that the child(ren) may be the victim of child abuse or neglect as defined in A.R.S. 8-201.

B. Pursuant to A.R.S. § 25-1061E, the Court finds that less intrusive remedies would not be effective. IT IS THEREFORE ORDERED that the law enforcement officers executing this warrant may enter private property to take physical custody of the child(ren) named above.

C. Pursuant to A.R.S. § 25-1061E, the Court finds that exigent circumstances exist. IT IS THEREORE ORDERED that the law enforcement officers executing this warrant may make forcible entry on private property at any hour.

DONE IN OPEN COURT: _____

JUDGE OF THE SUPERIOR COURT

This is the time set for hearing on a Request To Modify Child Support Pursuant To Guidelines' Simplified Procedure / Petition To Modify Child Support filed by _____ on _____, 20_____. Petitioner is _____. Respondent is _____.

This proceeding is recorded electronically. / by Court Reporter _____. Petitioner ("Father/Mother") is sworn and testifies. Respondent ("Mother/Father") is sworn and testifies.

CHILD SUPPORT ORDER

This matter having been under advisement / Based upon the testimony and evidence presented at the hearing, the Court makes the following findings and orders:

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet attached hereto and incorporated herein by reference.

THE COURT FINDS that there is a substantial and continuing change of circumstances warranting modification of the child support order in this case.

-----[Optional Findings]-----

Deviation.

THE COURT FURTHER FINDS that a strict application of the child support guidelines in this case is inappropriate or unjust and that the Court has considered the best interests of the child[ren] in determining that a deviation of \$_____ per month from the amount determined under the guidelines is appropriate to reduce _____'s child support obligation to \$_____.

Effective Date Delay.

THE COURT FURTHER FINDS in accordance with A.R.S. §25-327(A) that good cause exists to delay the effective date of the modification until _____, 20___.

CHILD SUPPORT

IT IS ORDERED modifying the child support order in this case. _____ shall pay to _____ as and for child support the sum of \$_____ per month, payable through the Support Payment Clearinghouse on the 1st day of each month effective _____, 20____ by wage assignment.

WAGE ASSIGNMENT

IT IS FURTHER ORDERED that at any time an Order of Assignment is not paying the child support obligation in full, _____ shall make full and timely payments directly to the Clearinghouse in accordance with the "Instructions for Making Support Payments Through the Clearinghouse" attached hereto.

-----[Options]-----

No Child Support Paid (After Self Support Reserve Test).

IT IS ORDERED, after considering the Self Support Reserve Test, that _____ shall currently have no obligation for the payment of child support.

Terminate Prior Order.

IT IS ORDERED terminating _____'s obligation for child support effective _____, 20____.

ARREARAGE PAYMENT

IT IS FURTHER ORDERED that _____ shall also pay the sum of \$_____ per month in addition to the current child support payment toward the child support arrearage in this case until the arrearage has been paid in full.

MEDICAL & DENTAL

IT IS FURTHER ORDERED that _____ shall provide medical insurance for the benefit of the parties' minor child[ren]. All medical, dental, orthodontia, and vision expenses of the child[ren] not covered by insurance shall be paid _____% **by Father** and _____% **by Mother**.

-----[Options]-----

TAX EXEMPTIONS

Tax Exemption To Custodian.

IT IS FURTHER ORDERED that _____ shall be entitled to utilize the federal tax exemption[s] applicable to the parties' child[ren] for all federal and state income tax purposes each year hereafter.

Tax Exemption To Father [Reverse For Mother].

IT IS FURTHER ORDERED that Father shall be entitled to utilize the federal tax exemptions applicable to the parties' child[ren] for all federal and state income tax purposes in each year in which he is current in the payment of all court ordered child support obligations for the current calendar year and any court ordered arrearage payments due during that

calendar year by December 31 of each year. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Tax Exemption Split [Reverse If Mother Is Non-custodial Payor].

IT IS FURTHER ORDERED that the federal tax exemptions applicable to the parties' child[ren] shall be divided between the parties as follows:

Father. Father is entitled to utilize the exemptions for the youngest / oldest child[ren] in all odd/even / 1/2/3 out of 3/4/5/6 calendar years commencing 20 and 20 and continuing in like manner thereafter provided he is current in the payment of all current child support and child support arrearage payments due by December 31 of the year applicable to the exemption. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Mother. In addition to any exemptions which Father is not eligible to utilize as set forth above, Mother is entitled to utilize the exemptions for the oldest / youngest child[ren] in all even/odd / 1/2/3 out of 3/4/5/6 calendar years commencing 20 and 20 and continuing in like manner thereafter.

TRANSPORTATION COSTS

Transportation Costs Split.

IT IS FURTHER ORDERED that the costs of visitation related travel shall be paid _____% by Father and _____% by Mother.

One Pay For Pick up and Drop Off.

IT IS FURTHER ORDERED that _____ shall pick up and drop off the minor child[ren] for purposes of visitation and pay all costs associated therewith.

Split Travel Responsibilities/Costs.

IT IS FURTHER ORDERED _____ shall pick up/drop off the child[ren] at the start of each visitation and pay all costs associated therewith, and _____ shall drop off/pick up the child[ren] at the conclusion of each visitation and pay all costs associated therewith.

FINANCIAL INFORMATION EXCHANGED

IT IS FURTHER ORDERED that every 12 / 24 months hereafter, the parties shall exchange financial information, including tax returns, spousal affidavits and earnings statements.

ATTORNEY'S FEES

The Court has considered the financial resources of both parties and the reasonableness of the positions each party has taken throughout this proceeding pursuant to A.R.S. §25-324, and whether either party is the prevailing party pursuant to A.R.S. §25-503(E).

IT IS ORDERED awarding Petitioner/Respondent reasonable attorney's fees in this action of \$_____. Respondent/Petitioner shall pay said fees directly to Petitioner/Respondent or her/his attorney on or before _____, 20___.

-----[Option]-----

IT IS ORDERED that counsel for _____ may file an Application, Affidavit and proposed form of Order in support of the amount requested for attorney's fees on or before _____, 20___. _____ shall have until _____, 20___ to file a Response, and this matter shall be deemed submitted at that time.

FORMAL ORDER

IT IS FURTHER ORDERED that counsel for _____ shall prepare a formal Child Support Order, a current Order of Assignment, and a current Judgment Data Sheet in accordance with this minute entry, and submit the same to this Division by [3 weeks].

OR

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

This is the time set for hearing on a Request To Modify Child Support Pursuant To Guidelines' Simplified Procedure / Petition To Modify Child Support filed by _____ on _____, 20_____. Petitioner is _____. Respondent is _____.

This proceeding is recorded electronically. by Court Reporter _____.
Petitioner ("Father/Mother") is sworn and testifies.
Respondent ("Mother/Father") is sworn and testifies.

This matter having been under advisement / Based upon the testimony and evidence presented at the hearing, the Court makes the following findings and orders:

CHILD SUPPORT MODIFICATION

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet attached hereto and incorporated herein by reference.

The existing child support order requires _____ to pay child support of \$_____ per month. The current application of the child support guidelines as set forth above results in an increase / a decrease of only \$_____ which is less than a 15% variation from the existing order. The Court does not find that there is evidence of a substantial and continuing change of circumstances to modify child support in this case.

IT IS ORDERED denying _____'s Request / Petition To Modify Child Support and affirming the terms of the existing child support order in this case.

ATTORNEY'S FEES

The Court has considered the financial resources of both parties and the reasonableness of the positions each party has taken throughout this proceedings pursuant to A.R.S. §25-324, and whether either party is the prevailing party pursuant to A.R.S. §25-503(E).

IT IS ORDERED awarding Petitioner/Respondent reasonable attorney's fees in this action of \$_____. Respondent/Petitioner shall pay said fees directly to Petitioner/Respondent or her/his attorney on or before _____, 20_____.

-----[Option]-----

IT IS ORDERED that counsel for _____ may file an Application, Affidavit and proposed form of Order in support of the amount requested for attorney's fees on or before _____, 20_____. _____ shall have until _____, 20____ to file a Response, and this matter shall be deemed submitted at that time.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

Based upon the evidence and arguments presented, the Court makes the following findings and orders:

THE COURT FINDS that Respondent/Petitioner:

1. Was ordered to pay support pursuant to a valid order of support previously filed in this action;
2. Was served with the order of support or otherwise had knowledge of the order at the time it was made;
3. Is in arrears in the payment of support in the sum of \$_____ through _____, 20____;
4. Had the ability to pay all or a substantial amount of the support as the same became due, but has willfully failed and refused to pay. Accordingly,

IT IS ORDERED granting judgment in favor of _____ and against _____ in the sum of \$_____, together with interest thereon as provided by law for all support arrearages through _____, 20_____. Said judgment consolidates all previous judgments for support.

IT IS FURTHER ORDERED that _____ is found in contempt of court for failure to pay support. As a sanction,

-----[Incarceration]-----

IT IS FURTHER ORDERED that _____ shall be incarcerated in the Maricopa County Jail for an indefinite period of time until _____ shall have paid the sum of \$_____ cash through the Clerk of the Superior Court or by deposit with the Sheriff to purge the contempt, at which time _____ shall be conditionally released from custody. Any purge payment paid to the Clerk or the Sheriff shall be applied to the child support and/or arrearages established herein, and the Sheriff shall transmit all such sums to the Clerk as soon as possible.

-----[Self-Surrender]-----

IT IS FURTHER ORDERED that _____ has until _____, 20_____, to purge the contempt by cash payment of \$_____ to the Clerk of the Superior Court. If _____ fails to pay said sum by that date, he/she shall report to this Division by 3:00 p.m. on [Next Day], and pick up the necessary paperwork to self-surrender at the Maricopa County Jail.

IT IS FURTHER ORDERED that should _____ not pay the purge amount or self-surrender as ordered above, a Child Support Arrest Warrant shall issue for the arrest of

_____. Upon arrest, _____ shall be incarcerated in the Maricopa County Jail for an indefinite period of time until _____ shall have paid the sum of \$_____ cash through the Clerk of the Superior Court or by deposit with the Sheriff, at which time he/she shall be conditionally released from custody. Any purge payment paid to the Clerk or the Sheriff shall be applied to the child support and/or arrearages established herein, and the Sheriff shall transmit all such sums to the Clerk as soon as possible.

-----[Work Furlough Option]-----

IT IS FURTHER ORDERED that if found eligible _____ shall participate in the Work Furlough Program administered by the Adult Probation Department so long as he/she complies with the Rules and Regulations of the Work Furlough Program. Work Furlough fees of \$7.00 per day (\$49.00 per week) shall be deducted from the Respondent/Petitioner's paycheck, as well as \$_____ per month for child support (\$_____ current + \$_____ arrearage), and forwarded to the Clerk of the Court. In addition, the following amounts shall be deducted from the paycheck to be turned over to the Clerk's office and applied first to the arrearage payment of \$_____ per month and the balance to current child support of \$_____ per month:

1. If paid weekly, 23% of both the monthly arrearage and monthly child support obligation.

2. If paid every two weeks, 46.5% of both the monthly arrearage and monthly child support obligation.

3. If paid twice per month, 50% of both the monthly arrearage and monthly child support obligation.

Any sums applied to the arrearage shall reduce the purge payment of \$_____ ordered herein.

-----[Work Release Option]-----

IT IS FURTHER ORDERED with respect to this cause only that _____ shall be released from incarceration for work **every day/week** from _____ .m. to _____ .m., **Monday thru Friday**.

IT IS FURTHER ORDERED that _____ shall remain current in all child support obligations as previously ordered, and shall pay in addition to the current obligation, the sum of \$_____ each month towards the remaining arrearage until the arrearage is paid in full.

IT IS FURTHER ORDERED that an Order of Assignment shall issue to _____ 's employer for the amount of current child support of \$_____ per month and the additional sum of \$_____ per month on the arrearages, for a total Order of Assignment of \$_____ per month.

-----[Affidavit of Noncompliance]-----

IT IS FURTHER ORDERED that in the event _____ does not remain current in paying all child support obligations, including all payments ordered on any arrearage herein, this Court will accept an **Affidavit of Noncompliance** from _____, at which time an Order will issue for _____ to appear and show cause why he/she should not be incarcerated in accordance with the Court's finding of contempt. Should _____ fail to appear on an Order to Appear mailed to _____'s last known address, according to this Division's records, a warrant will issue for _____'s arrest.

-----[Future Direct Payments Are Gifts]-----

IT IS FURTHER ORDERED that all future payments of child support shall be made to the Clerk of the Superior Court. The Court specifically advises _____ that credit will no longer be given towards his/her child support obligation for any money paid directly to _____. Any such direct payments are gifts and are not child support.

-----[Review Hearing Set]-----

IT IS FURTHER ORDERED setting this matter for Review Hearing on _____, 20_____, at _____ .m. (15 minutes allowed) in this Division, at:

Maricopa County Superior Court
Central Courts Building, ____ Floor
201 West Jefferson, Suite ___,
Phoenix, Arizona 85003

Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

Maricopa County Superior Court
Northwest Regional Court Center
14264 W. Tierra Buena
Surprise, Arizona 85374

Maricopa County Superior Court
Southeast Regional Court Center
222 East Javalina
Mesa, Arizona 85210

-----[ESE Monitor For Compliance]-----

IT IS FURTHER ORDERED that Expedited Services shall continue to monitor this case for compliance with all support orders for a period of six (6) / twelve (12) months and make appropriate recommendations to the Court as appropriate.

-----[Signature Option]-----

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

ORDER TO SUBMIT TO PATERNITY TESTING

The Court has before it a Motion To filed by _____, on _____, 20____, a Response and Reply thereto / there being no Response thereto, and good cause appearing,

IT IS ORDERED that [Mother], [Putative Father], and the minor child, [Child], shall submit to the drawing of blood specimens and the taking of deoxyribonucleic acid probe samples, or both, for paternity testing on the following basis:

1. Testing Facility. The testing shall be conducted by [Testing Facility Listed In Administrative Order No. 99-0231], an approved and accredited laboratory.

2. Procedure. Fluid samples shall be drawn and tests performed in a manner prescribed by the testing facility. The type and number of tests to determine inherited characteristics, including but not limited to blood and tissue type, shall be at the discretion of the testing facility. Both parties shall cooperate fully with the identification and testing procedures as directed by the testing facility.

3. Initial Contact. Petitioner/Plaintiff and Respondent/Defendant shall each contact the testing facility on or before _____, 19____ by telephone or otherwise and make arrangements with the testing facility for paternity testing for each of them and the aforementioned minor child. Testing shall be conducted prior to _____, 20____.

4. Fees. The cost of testing shall initially be paid ____% by Respondent/Defendant and ____% by Petitioner/Plaintiff as required by the testing facility, subject to reallocation in further proceedings.

5. Results. The testing facility shall submit written test results directly to the Court, along with certified copies of documents verifying testing procedures employed, degree of reliability, and chain of custody of testing samples. Copies of said documents shall be mailed to the parties or their counsel, if represented. The testing facility shall send the original tests to the court at:

Honorable _____
Central Court Building, Suite _____
201 West Jefferson
Phoenix, AZ 85003

6. Evidence. The written report and conclusion of the expert will be admitted at the trial in this cause without further foundation.

7. Testimony. Each party shall have the right to call the expert as a witness. If only one party believes that the expert's live testimony is necessary in addition to the written report, that party shall be responsible for payment of 100% of the costs incurred in connection with the expert testifying at trial.

DONE IN OPEN COURT this date: _____

Hon. _____
Judge of the Superior Court

PATERNITY JUDGMENT

This is the time set for Trial to the Court / Comprehensive Pre-Trial Conference. Petitioner is / is not present with above-named counsel. Respondent is / is not present with above-named counsel.

This proceeding is recorded electronically / by Court Reporter.

_____ is / and _____ are both sworn and testifies/testify.

Based upon the testimony and evidence presented, the Court makes the following findings and orders:

I. JURISDICTION.

THE COURT FINDS that this Court has jurisdiction over the parties and issues presented as authorized by law; and that the minor child who is the subject of this action lived in Arizona with a parent, or a person acting as a parent, for at least six consecutive months or more prior to the commencement of this action, or at least from the time of birth of the child until this action was commenced, such that Arizona is the home state of the child pursuant to A.R.S. §25-1031(A)(1).

II. PARENT EDUCATION PROGRAM.

THE COURT FURTHER FINDS that the domestic relations education provisions of A.R.S. §25-352 have been satisfied / not been fully satisfied, but will be ordered herein.

-----[Options When PEP Not Completed]-----

It appears that both parties / Father / Mother has/have not completed the Parent Education Program requirements of A.R.S. §25-352, and presented proof thereof as required. Accordingly, and as a reasonable sanction pursuant to A.R.S. §25-353,

IT IS ORDERED that both parties / Father / Mother shall complete an approved Parent Education Program and file proof of completion thereof with the Clerk of this Court on or before [60 Days].

IT IS FURTHER ORDERED that any party who has not completed the Parent Education Program requirements of A.R.S. §25-352 as ordered, is subject to being held in contempt of court, and shall not file any subsequent pleadings to modify or enforce any provisions of this Judgment until he or she has filed proof of completion of the Parent Education Program.

To assist the parties in completing the requirements of the Parental Education Program, a "Parent Information Program Notice" that details the procedures and requirements of the program, and includes a list of approved parent information classes, is available to the parties at the Self Service Center, the Family Court filing counter or at this Division / attached to each copy of this minute entry.

III. PATERNITY.

Pursuant to stipulation of the parties, / Pursuant to an Order of Paternity previously entered herein on _____, 20____, / Based upon the testimony and evidence presented,

THE COURT FINDS that _____, is the natural father of the minor child, _____, born on _____, 20____ to _____.

IT IS ORDERED declaring _____, is the natural father of the minor child, _____, born on _____, 20____ to _____.

IV. CHILD'S NAME.

THE COURT FURTHER FINDS that it is in the best interests of the minor child to be known by the name of _____.

IT IS ORDERED that the name of [Child's Birth Name] be, and the same is hereby changed to [Child's New Name].

V. BIRTH CERTIFICATE.

IT IS FURTHER ORDERED that a new amended or supplemented birth certificate for the minor child shall be prepared and issued to reflect the true paternity of the child if the name of the natural father does not now appear on the original certificate, and to reflect the true name of the minor child if the child's true name does not now appear on the original certificate.

IT IS FURTHER ORDERED that the parties shall take all necessary steps to have the birth certificate of the minor child amended in accordance with this order if the correct information does not now appear on the original certificate. Information for amendment of an Arizona birth certificate may be obtained from the Office of Vital Records, Department of Health Services, 2727 W. Glendale, Phoenix, Arizona 85051; Phone (602) 364-1300. A certified copy of this minute order may be obtained after ten days of receipt of same, and shall then be provided, together with all other required documents and fees, to the Office of Vital Records, so that the birth certificate can be amended or supplemented as ordered herein.

VI. CUSTODY & PARENTING TIME.

THE COURT FINDS that it is in the best interests of the parties' minor child to award sole custody of the minor child to _____.

IT IS ORDERED awarding _____ sole custody of the parties' minor child, _____, born on _____, 20_____.

IT IS ORDERED that _____ shall have reasonable parenting time rights with the minor child in accordance with the Maricopa County Guidelines.

-----[Options]-----

Supervised Visitation.

THE COURT FINDS that unrestricted parenting time with _____ would endanger seriously the child's physical, mental, moral, or emotional health. Accordingly,

IT IS ORDERED that all parenting time by _____ shall be supervised in the presence of _____ until further order of the Court. So long as such parenting time is supervised, such parenting time shall be in reasonable in accordance with the Maricopa County Guidelines.

Joint Custody (Both Agree--A.R.S. §25-403.01)

THE COURT FINDS that the parties have reached an agreement for joint legal custody in this case which is more fully set forth on the record / in the Joint Custody Agreement and Parenting Plan dated/filed herein on _____, 20_____.

THE COURT FURTHER FINDS that the agreement of the parties is not unfair, is reasonable, and is in the best interests of the parties' minor child[ren].

IT IS ORDERED approving the agreement of the parties as a binding agreement pursuant to Rule 69, *Arizona Rules of Family Law Procedure*, and awarding the parties joint legal custody of their minor child[ren], _____, born _____, 20_____; and _____, born _____, 20_____, with Mother/Father designated as the primary physical custodian in accordance with the agreements dictated on the record at the time of hearing / as set forth in the Joint Custody Agreement and Parenting Plan dated/filed herein on _____, 20_____. To the extent that the written Joint Custody Agreement and Parenting Plan is inconsistent with the agreements set forth on the record at the time of hearing, the differences shall be resolved in favor of the agreements set forth on the record at the time of hearing.

IT IS FURTHER ORDERED that the parties shall include all of the provisions of their agreement in the formal written Judgment to be submitted herein.

Joint Custody (Merger Option)

IT IS FURTHER ORDERED that the Joint Custody Agreement and Parenting Plan dated/filed herein on ___, 20___, is hereby merged and fully incorporated by reference as though the same reappeared herein, and the parties shall abide and perform the terms thereof as if the same were fully set forth herein.

Joint Custody (Non-Merger Option)

IT IS FURTHER ORDERED that the Joint Custody Agreement and Parenting Plan entered into by and between the parties on ___, 20___, and entered into evidence / filed herein which is incorporated herein by reference, be and the same is hereby approved, and the parties shall abide and perform the terms thereof, but said Joint Custody Agreement and Parenting Plan is not merged into this Decree of Dissolution of Marriage and shall survive the entry thereof as a separate and binding contractual agreement between the parties thereto.

Joint Custody (One or Both Agree To Joint Custody—A.R.S. §25-430.01)

[Written findings why joint custody is in child[ren]'s best interest per A.R.S. § 25-403.01(B) including:

- **Agreement or lack of agreement regarding joint custody;**
- **Lack of agreement unreasonable or is influenced by issue not related to the best interests of the child;**
- **Past, present & future abilities of the parents to cooperate in decision-making;**
- **Whether joint custody arrangement is logically possible.]**

THE COURT FURTHER FINDS that joint legal custody is in the best interest of the parties minor child[ren].

IT IS ORDERED awarding the parties joint legal custody of their minor child[ren], ___, born ___, 20___; and ___, born ___, 20___, subject to the following provisions:

- A. Mother / Father / Neither party is designated as the primary physical custodian and the minor child[ren] shall reside with Mother/Father at all times except for access time specifically provided to Father/Mother herein.
- B. Father/Mother shall have access with the minor child[ren] at the following times:

[FC 714]

- C. The parties shall confer with respect to all significant decisions affecting the child[ren]'s education, health care and religious training and attempt to reach a consensus decision, but, in the absence of agreement, Mother/Father's decision shall be controlling.
- D. The parties shall use the services of a private counselor or Conciliation Services of this Court to resolve any disputes, problems or proposed changes regarding this child custody order prior to seeking further relief from the Court.
-

VII. CURRENT CHILD SUPPORT ORDER.

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheet / Parent's Worksheet For Child Support Amount submitted by / Child Support Order signed concurrently with this Judgment which the Court hereby incorporates and adopts as its findings with respect to child support.

IT IS ORDERED that _____ shall pay to _____ as and for child support the sum of \$_____ per month, payable through the Support Payment Clearinghouse on the 1st day of each month commencing _____, 20____ by Wage Assignment.

-----[Child Support Options]-----

Deviation.

THE COURT FURTHER FINDS that a strict application of the child support guidelines in this case is inappropriate or unjust and that the Court has considered the best interests of the child[ren] in determining that a deviation of \$_____ per month from the amount determined under the guidelines is appropriate to reduce _____'s child support obligation to \$_____.

No Support (After Self Support Reserve Test).

IT IS ORDERED, after considering the Self Support Reserve Test, that _____ shall currently have no obligation for the payment of child support.

IT IS FURTHER ORDERED approving and settling formal written Order of Assignment signed by the Court on _____, 20____ / that _____ shall submit a formal written Order of Assignment with a Current Employer Information Form to the this Court on or before _____, 20____.

IT IS FURTHER ORDERED that at any time an Order of Assignment is not paying the child support obligation in full, _____ shall make full and timely payments directly to

the Support Payment Clearinghouse in accordance with the "Instructions for Making Support Payments Through the Clearinghouse" attached hereto.

IT IS FURTHER ORDERED that _____ shall provide medical insurance for the benefit of the parties' minor child[ren], and shall provide an insurance card and claim filing information/forms to the other parent. All medical, dental and orthodontia expenses incurred for the health and protection of the child[ren] not covered by insurance shall be paid _____% by Father and _____% by Mother.

-----[Options]-----

Tax Exemption To Custodian.

IT IS FURTHER ORDERED that _____ shall be entitled to utilize the federal tax exemption[s] applicable to the parties' child[ren] for all federal and state income tax purposes each year hereafter.

Tax Exemption To Father [Reverse For Mother].

IT IS FURTHER ORDERED that Father shall be entitled to utilize the federal tax exemptions applicable to the parties' child for all federal and state income tax purposes in each year in which he is current in the payment of all court ordered child support obligations for the current calendar year and any court ordered arrearage payments due during that calendar year by December 31 of each year. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Tax Exemption Split [Reverse If Mother Is Noncustodial Payor].

IT IS FURTHER ORDERED that the federal tax exemptions applicable to the parties' child[ren] shall be divided between the parties as follows:

Father. Father is entitled to utilize the exemptions for the child in all odd/even / 1/2 out of 3/4 calendar years commencing 20____ and 20____ and continuing in like manner thereafter provided he is current in the payment of all current child support and child support arrearage payments due by December 31 of the year applicable to the exemption. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Mother. In addition to any exemptions which Father is not eligible to utilize as set forth above, Mother is entitled to utilize the exemptions for the child in all even/odd / 1/2 out of 3/4 calendar years commencing 20____ and 20____ and continuing in like manner thereafter.

Financial Information Exchanged.

IT IS FURTHER ORDERED that every 12 / 24 months hereafter, the parties shall exchange financial information, including tax returns, spousal affidavits and earnings statements.

VIII. PAST CHILD SUPPORT.

Plaintiff/Defendant requests that child support commence , 20 . Based upon the evidence presented, and A.R.S. §25-809(A) & (B), it is appropriate to apply the current child support guidelines retroactively for the period , 20 , through , 20 . As stated above, Defendant/Plaintiff's child support obligation is \$ per month for this period of months, thereby creating a total past child support obligation of \$ (x \$). During this proceeding, Defendant/Plaintiff has paid through the Support Payment Clearinghouse and directly to Plaintiff/Defendant a total of \$ in child support which is properly credited to the past child support obligation. The total child support arrearage is therefore \$.

IT IS ORDERED awarding judgment in favor of Plaintiff/Defendant, , and against Defendant/Plaintiff, in the sum of \$, representing child support due for the period , 20 through , 20 .

IT IS FURTHER ORDERED that shall also pay the sum of \$ per month in addition to the current child support payment toward the child support arrearage, and childbirth expenses awarded hereafter, in this case until these sums have been paid in full.

IX. CHILDBIRTH EXPENSES.

THE COURT FURTHER FINDS that has provided sufficient billing statements and other documentation to support actual costs of her pregnancy, childbirth, genetic testing, and other related costs in the amount of \$ pursuant to A.R.S. §25-809(C).

IT IS ORDERED awarding judgment in favor of Mother and against Father, , in the sum of \$, representing Mother's pregnancy, childbirth and genetic testing costs.

X. ATTORNEY'S FEES.

The Court has considered the financial resources of both parties and the reasonableness of the positions each party has taken throughout the proceeding, in accordance with A.R.S. §25-809(G), and good cause appearing,

IT IS ORDERED allowing Petitioner/Respondent to file an Application For Attorney's Fees with an appropriate Affidavit of Attorney's Fees, and provide a copy to this Division, on or before , 20 . Any Response or Objection thereto shall be filed on or before [20 Days] and any Reply by [15 Days].

XI. DOCUMENTATION.

IT IS FURTHER ORDERED that counsel for _____ shall prepare a written Paternity Judgment incorporating the findings and orders contained herein, approved as to form by both parties, together with an Order of Assignment and Judgment Data Sheet, and submit the same to the Court on or before _____, 20_____.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

DONE IN OPEN COURT this date: _____

**Hon. _____
Judge of the Superior Court**

ATTACHMENT FOR MAILING: Instructions for Making Payments through the Support Payment Clearinghouse.



Administrative Orders & Index

Attachment #11

Index **Administrative Orders**

- | | |
|----------------------|---|
| Admin Order 98-012 | Notices/Orders of Dismissal for Lack of Service/Lack of Prosecution |
| Admin Order 99-023 | Automatic Order for Paternity Testing |
| Admin Order 2005-008 | Establishment of Temporary Child Support |
| Admin Order 2005-043 | Placement on IAC 120 Days After Filing |
| Admin Order 2005-045 | Management Procedures for Self-Represented Litigants by Attorney Case Managers |
| Admin Order 2005-046 | Dismissing Petitions for Orders of Protection that are Abandoned |
| Admin Order 2005-078 | Establishing Boundaries for Cases Assigned Within Judicial Districts of Maricopa County (Downtown, Southeast, Northwest, Northeast) |
| Admin Order 2005-104 | Integrated Family Court Management Plan |

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF NOTICES AND ORDERS OF) Administrative Order
DISMISSAL FOR LACK OF SERVICE AND LACK) No. 98 - 012
OF PROSECUTION IN DOMESTIC RELATIONS)
CASES -- CORRECTION OF ERRORS)
)

This Administrative Order is issued to correct typographical and other errors contained in Administrative Order 97-053. That Order is rescinded and replaced with this Order.

Arizona Rule of Civil Procedure 4(i) requires that if service of summons and complaint is not made upon a defendant within 120 days after filing the complaint, and the party on whose behalf service is required cannot show good cause why such service was not made within that time, the action shall be dismissed as to the defendant not served without prejudice, upon motion or upon the court=s initiative after notice to the party.

FURTHER, Superior Court, Maricopa County, Local Rule 6.2(e) requires that all cases in which a Motion to Set and Certificate of Readiness has not been filed within 6 months after commencement of the case shall be placed on the Inactive Calendar, and all cases remaining on the inactive calendar for two months shall be dismissed without prejudice for lack of prosecution in accordance with Rule V(e), Uniform Rules of Practice.

FURTHER, Rule V(e), Uniform Rules of Practice requires an action may be dismissed unless prior to the expiration of the two months a proper Motion to Set and Certificate of Readiness is filed, or the court orders for good cause that the case may be continued on the inactive calendar for a specified period of time without dismissal.

Rule V(f), Uniform Rules of Practice of the Superior Court in Arizona requires the court to notify counsel or parties in writing of the placement of cases on the inactive calender, and that no further notice is required prior to dismissal.

Based on the above rules, and in the interests of effective and efficient caseflow and case management, and good cause appearing, IT IS ORDERED AS FOLLOWS:

1. Notice of Failure to Serve and Intent to Dismiss, and Order of Dismissal

If a respondent is not served within 120 days from the date a petition is filed and summons is issued, and if time for service is not extended by order of the court, and if the Court sent a Notice OF Failure to Serve and Intent to Dismiss, the court may dismiss the case without prejudice *without further notice* to the party(ies) other than the Notice of Intent to Dismiss.

The Order of Dismissal without Prejudice shall be entered no earlier than 120 days after the action was filed and the summons issued. An electronic signature may be used for the Order of Dismissal.

This procedure shall also apply to failure to serve a Petition or Request for Simplified

Modification of Child Support, to Stop or Modify an Order of Wage Assignment, and for Expedited Judgment for Arrears, provided Notice of Failure to Serve and Intent to Dismiss is sent.

2. Notice of Placement on Inactive Calendar Intent to Dismiss, and Order of Dismissal

If a Motion to Set and Certificate of Readiness or pursuant to DCM Guidelines a Statement of Agreement/Disagreement is not filed within six months from the date an action is filed, and if time for filing the Motion or Statement is not extended by order of the court, and if the Court sent a Notice of Placement on the Inactive Calendar and Notice of Intent to Dismiss, the court may dismiss the case without prejudice *and without further notice* to the party(ies) two months following the Notice of Intent to Dismiss.

The Order of Dismissal without Prejudice shall be entered no earlier than 250 days after the date the action was filed and the summons issued. An electronic signature may be used for the Order of Dismissal.

3. Electronic Signatures for Orders of Dismissal

An electronic signature may be used for an Order of Dismissal arising from either the Notice of Intent to Dismiss For Lack of Service or the Notice of Intent to Dismiss Following Placement on the Inactive Calendar. The assigned judge, commissioner, other judicial officer, or the Judicial Administrator for the Domestic Relations Department as Special Commissioner, shall review documentation from the Department insuring that the file was reviewed electronically or otherwise prior to the entry of the Order of Dismissal, that there was no record of action taken by the party(ies) sufficient to avoid the entry of the Order of Dismissal Without Prejudice, and that an electronic record was made in the file to show that the review occurred.

4. Record of Notices and Orders

Notices of Intent to Dismiss shall be mailed or delivered to the parties or counsel and shall be duly noted on the Court=s Automated Calendar System, but shall not be filed by hard copy in the court file.

Orders of Dismissal Without Prejudice issued pursuant to this Administrative Order shall be electronically or otherwise signed and filed by hard copy in the court file, and entry shall be duly noted on the Court=s Automated Calendar System. The Orders shall not be mailed to the parties or counsel.

DATED this 3rd day of March, 1998

/s/

Honorable Barry C. Schneider
Presiding Domestic Relations Judge

Original: Clerk of the Superior Court

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF THE)
AUTOMATIC ORDER FOR) ADMINISTRATIVE ORDER
PATERNITY TESTING) NO. 99-023
)

)

A.R.S. § 25-814 sets forth presumptions of paternity. Only clear and convincing evidence to the contrary or a court decree establishing paternity of the child by another man can rebut the presumptions. This Administrative Order is drafted to address those cases in which there is no presumption under the Statute.

IT IS ORDERED that following the filing of any Response denying paternity and where there is no presumptive father as enumerated under § 25-814, an Order To Submit To Paternity Testing shall automatically be issued in the attached form.

ORDERED that the testing shall be conducted by an agreed on provider that has and maintains American Association of Blood Bank (AABB) paternity testing laboratory accreditation and licenses. If no provider can be agreed on then the Family Court Officer shall make the determination as to testing facility.

The Court has found the following facilities to conform with AABB accreditation and licensure:

Blood Systems Laboratory
2424 W. Erie Drive
Tempe, Arizona 85282
(602) 675-7010

DNA Genelex
2203 Airport Way South
Seattle, WA 98103
1(800) 523-6487

Identigene Inc.
7400 Fannin, Suite 1250
Houston, Texas 77054
1(800) 362-8973

DNA Diagnostic Center
205 Corporate Court
Fairfield, OH 45014
1(888) 362-2875

Genescreen-DNA Identity Testing
7237 E. Southgate, Suite E
Sacramento, CA 95823
1(800) 362-8378

Lab Express Inc.
505 W. McDowell, Bldg.A
Phoenix, AZ 85003
(602) 273-9000

ORDERED that the Family Court Department, Family Court Officers shall

have authority to issue Orders for paternity testing in cases where there is no presumptive father.

ORDERED that the cost of testing shall be in the discretion of the Family Court Officers.

The allocation will be based on the resources of the parties with a presumption of equal contribution.

DATED this 2nd day of March, 1999.

Hon. Mark W. Armstrong
Presiding Family Court Judge

Attachment: Form of Order to Submit to Paternity Testing

Original: Clerk of the Superior Court

cc: Phillip Knox, Judicial Administrator, Family Court Department
Carla Boatner, Judicial Administrator, Family Court Department
All Judges and Commissioners, Family Court Department

ORDER TO SUBMIT TO PATERNITY TESTING

IT IS ORDERED that [Mother] , [Putative Father] , and the minor child, [Child] , shall submit to the drawing of blood specimens and the taking of deoxyribonucleic acid probe samples, or both, for paternity testing on the following basis:

1. **Testing Facility.** The testing shall be conducted by _____ Testing Facility _____, an approved an accredited laboratory.
2. **Procedures.** Fluid samples shall be drawn and tests performed in a manner prescribed by the testing facility. The type and number of tests to determine inherited characteristics , including but not limited to blood and tissue type, shall be at the discretion of the testing facility. Both parties shall cooperate fully with the identification and testing procedures as directed by the testing facility.
3. **Initial Contact.** _____ Petitioner/Plaintiff and _____ Respondent/Defendant shall each contact the testing facility on or before _____, 19____ by telephone or otherwise and make arrangements with the testing facility for paternity testing for each of them and the aforementioned minor child. Testing shall be conducted prior to _____, 19____.
4. **Fees.** The cost of testing shall initially be paid _____% by Respondent/Defendant and _____% by _____ Petitioner/Plaintiff as required by the testing facility, subject to reallocation in further proceedings.
5. **Results.** The testing facility shall submit the original written test results directly to the Court, along with certified copies of the documents verifying testing procedures employed, degree of reliability , and chain of custody of testing samples. Copies of said documents shall be mailed to the parties or their counsel, if represented.

Send Original Test Results to:

Family Court Officer
Family Court Department
201 W. Jefferson
Phoenix, AZ 85003

6. **Evidence.** The written report and conclusion of the expert will be admitted at the trial in this cause without further foundation.

7. **Testimony.** Each party shall have the right to call the expert as a witness. If only one party believes that the expert=s live testimony is necessary in addition to the written report, that party shall be responsible for payment of 100% of the costs incurred in connection with the expert testifying at trial.

Judge Pro Tempore

Date

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF ESTABLISHMENT) ADMINISTRATIVE ORDER
OF TEMPORARY CHILD SUPPORT) No. 2005-008

In order to ensure that children are adequately supported financially, parties filing a Petition for Dissolution of Marriage with Children or a Petition for Legal Separation with Children may request an order for temporary child support by completing and filing a Child Support Information form as set forth in this Order. This form includes information, which is required to calculate child support pursuant to the Arizona Child Support Guidelines. This form may be filed as a separate document at the time of filing the Petition for Dissolution of Marriage or Legal Separation. Policies and procedures for implementation of this Administrative Order are set forth in the Court's Policies and Procedures Regarding Temporary Child Support, dated April 12, 2001. The Court has determined it is necessary and appropriate to vacate Administrative Orders 99-029, 2000-021, 2001-027, and 2001-036. Therefore,

IT IS ORDERED that:

1. All Petitioners filing a Petition for Dissolution of Marriage with Children or a Petition for Legal Separation with Children may also file a Child Support Information form with information sufficient for a calculation of child support. If filed, this form shall be filed as a separate document at the time of filing the Petition for Dissolution of Marriage or Legal Separation and shall be served on the Respondent along with the Petition for Dissolution or Separation and the Child Support Information form. Upon service of the Child Support Information Form, the responding party has 20 days in Arizona or 30 days out of state to file a response.
2. If a response is not filed or the response does not contest child support issues, a Temporary Child Support Order and Order of Assignment shall be entered based on available information. If the court is unable to calculate a child support award based on the lack of sufficient financial information on the form, the court may reject the form or schedule a hearing or para-judicial conference to address the issues in the case.
3. If the responding party desires to contest the Petitioner's information on the Child Support Information form, the responding party shall file a separate response to the Petition for Dissolution of Marriage or Legal Separation, together with a separate Respondent's Child Support Information form with information sufficient for a calculation of child support. If both parties submit forms that require a party to pay substantially the same amount of temporary support, a Temporary Child Support Order may be entered without further hearing. If Respondent's Child Support Information form differs materially from Petitioner's Child Support Information form, the court shall schedule a hearing or para-judicial conference to address the issues in the case.

4. During a para-judicial conference, the conference officer, or attorney case manager shall memorialize any agreements of the parties as to support, custody, parent/child access, or other issues in the case.

(a) If a party fails to appear at their hearing or conference, the hearing or conference may proceed, income may be imputed to that party, and a child support order and Order of Assignment may be entered based on available information.

(b) If both parties fail to appear, a child support order and Order of Assignment may be entered based on available information. A visitation adjustment of .161 percentage from the Arizona Child Support Guidelines Visitation Table A may be imputed to the appropriate parent.

(c) To the extent applicable, IT IS ORDERED incorporating herein by reference Administrative Order 2001-024, in the matter of the Promulgation and Publication of revised plan for Expedited Process.

(d) Responsibility for providing medical and/or dental insurance coverage and reimbursement of medical costs not covered by insurance may be assigned to the appropriate parties.

5. Temporary child support shall not be ordered pursuant to this Administrative Order if the Respondent is served by publication or if a Petition for Order to Show Cause Re: Temporary Orders or a stipulation not to proceed under the temporary child support project is filed no later than twenty (20) days after the filing of the Affidavit or Acceptance of Service of the Petition for Dissolution of Marriage with Children or Petition for Legal Separation with Children and the Child Support Information form.

IT IS FURTHER ORDERED vacating Administrative Orders 99-029, 2000-021, 2001-027, and 2001-036.

This order is effective January 20, 2005 and applies to Petitions for Dissolution of Marriage with Children and Petitions for Legal Separation with Children filed on or after the effective date.

DONE IN OPEN COURT this 18th day of January, 2005.

Honorable Norman J. Davis
Presiding Family Court Department Judge

Original: Clerk of the Superior Court

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF PLACEMENT)
OF FAMILY COURT CASES ON THE)
INACTIVE CALENDAR 120 DAYS)
AFTER FILING)

)**

**ADMINISTRATIVE ORDER
No. 2005-043**

Whereas, the Arizona Supreme Court has directed that the family court hear and terminate cases in an expeditious and efficient manner; and

Whereas, the court has a significant number of family court cases that are filed with the court that are not prosecuted by the parties, including those cases where the parties have reconciled or otherwise desire that no further action be taken on their case; and

Whereas, Rule 38.1 of the Arizona Rules of Civil Procedure authorizes the presiding judge by general order or local rule to shorten the time period for the court to place domestic relations cases on the inactive calendar for dismissal to 120 days after filing when no Motion to Set and Certificate of Readiness has been served within that time period; and

Whereas, this time period was previously shortened by Rule 6.8(g), Local Rules of Practice—Maricopa County to six months from the date of commencement of the family court case.

IT IS ORDERED:

1. Pursuant to the authority granted to this court by Rule 38.1, Arizona Rules of Civil Procedure, and notwithstanding Rule 6.8(g), Local Rules of Practice—Maricopa County, all family court cases in which a Motion to Set and Certificate of Readiness has not been filed within 120 days after the commencement of the proceeding shall be placed on the inactive calendar by the court administrator.

2. All family court cases remaining on the inactive calendar for two months shall be dismissed without prejudice for lack of prosecution in accordance with Rule 38.1, Arizona Rules of Civil Procedure.

3. This Order is effective as to all cases pending or filed on and after April 1, 2005.

DATED this 17th day of March, 2005.

Hon. Colin F. Campbell,
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Barbara Mundell, Presiding Judge Designate
Hon. Norman J. Davis, Presiding Judge, Family Court Department
All Family Court Judges and Commissioners
Marcus Reinkensmeyer, Trial Court Administrator
Phillip Knox, Deputy Court Administrator
Karen Westover, Deputy Court Administrator
Mary Bucci, Family Court Administrator
Bob James, Self Service Center Director

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF CASE)
MANAGEMENT PROCEDURES IN)
FAMILY COURT FOR SELF)
REPRESENTED LITIGANTS BY)
ATTORNEY CASE MANAGERS AND)
AUTHORIZING EARLY RESOLUTION)
TRIAGE PROGRAM)
_____)**

**ADMINISTRATIVE ORDER
No. 2005-045**

Whereas, Rules 16(a) and 16(b), Arizona Rules of Civil Procedure, authorizes the court to direct the parties and their attorneys in any family court action to participate, either in person or, with leave of court, by telephone, in a conference or conferences to expedite the disposition of the action, to avoid delay from lack of management of the case, to discourage wasteful pretrial activities, and to improve the quality of the trial through more thorough preparation; and

Whereas, Rule 16(g), Arizona Rules of Civil Procedure, requires the parties in any family court action to confer and attempt in good faith to settle the case or agree upon an appropriate alternate dispute resolution process in their case, and also authorizes the court to direct the parties to submit disputed issues to an alternate dispute resolution program created or authorized by local court rules; and

Whereas, Rule 16.1(a), Arizona Rules of Civil Procedure, authorizes the court to schedule a settlement conference before trial of any family court case; and

Whereas, Rule 53(k), Arizona Rules of Civil Procedure, and Rule 6.14, Local Rules of Practice of the Superior Court—Maricopa County, allow the court to by local rule to appoint a type of master termed a conference officer, to conduct conferences with the parties to expedite family court cases; and

Whereas, Rule 6.5, Local Rules of Practice of the Superior Court—Maricopa County, establishes a Differentiated Case Management process and conference to provide a forum for early intervention and fair and orderly management of appropriate cases; to set deadlines for issue resolution and trial preparation; and to facilitate the preparation of stipulations regarding issues in the case, position statements and other pretrial documents; and

Whereas, Rules 6.7(d) and 6.7(g), Local Rules of Practice of the Superior Court—Maricopa County, requires the parties to meet and confer before a temporary orders return hearing to resolve as many issues as possible; and

Whereas, Rule 6.10(e), Local Rules of Practice of the Superior Court—Maricopa County, directs the court to develop policies and procedures for the conduct of settlement conferences in family law cases; and

Whereas, the family court has a high percentage of cases involving self-represented litigants that have difficulty with complex court rules and procedures; and delay of prompt resolution of these cases results in further conflict, instability and harm to children and family relationships; and

Whereas, the implementation of a comprehensive and uniform case management system is necessary with respect to these cases to effectively and timely adjudicate the issues and prevent delay and confusion to the parties.

IT IS ORDERED:

1. Court administration is authorized to establish and continue an early intervention program to provide assistance to all family court cases involving one or more self-represented litigants to settle and resolve disputed issues, to assist the parties in memorializing agreements for presentation to the court, to assist the court in case management, and to work with the assigned divisions to schedule trial dates and other events to finalize cases.

2. This early intervention program shall be directed by attorneys trained to mediate and conduct settlement negotiations in family law cases, and shall include the involvement of personnel from Conciliation Services and Expedited Services in a manner designed to resolve and manage self-represented cases in a timely and judicious manner.

3. This program shall be known as the “Early Resolution Triage Program” and shall be conducted in accordance with family law statutes, court rules, and department policy adopted herewith, and to be amended from time to time as authorized by the family court presiding judge.

4. Administrative Order No. 97-024 (*In The Matter of the Implementation of Differentiated Caseflow Management in the Domestic Relations Department*) is vacated together with all policies and procedures adopted in furtherance of the Administrative Order.

DATED this 16th day of March, 2005.

Hon. Norman J. Davis, Presiding Judge
Family Court Department

Original: Clerk of the Superior Court

Copies: Hon. Colin F. Campbell, Presiding Judge
Hon. Barbara Mundell, Presiding Judge Designate
All Family Court Judges and Commissioners
Marcus Reinkensmeyer, Trial Court Administrator
Phillip Knox, Deputy Court Administrator
Karen Westover, Deputy Court Administrator
Mary Bucci, Family Court Administrator
Bob James, Self Service Center Director

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

2/7/2005

FAMILY COURT ADMINISTRATION

Date: **Monday, February 7, 2005**

Endorsements: File Copy

For Case

Petitioner

VS.

Respondent

**ORDER TO APPEAR
Early Resolution Conference**

NOTICE: THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ THIS ORDER CAREFULLY. IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

AVISO: LA QUE SIGUE ES UNA ORDEN JUDICIAL IMPORTANTE QUE AFECTA SUS DERECHOS. LÉALA CUIDADOSAMENTE. SI NO ENTIENDE ESTA ORDEN, ASESÓRESE CON UN ABOGADO.**

IT IS ORDERED that Petitioner and Respondent, and their attorneys, if they are represented by counsel, shall **APPEAR** at the time and place designated below for a conference with an Attorney Case Manager. Please allow two to four hours for this conference.

This appearance does not excuse the parties/attorneys from appearances at any other hearings scheduled in this court without an order of the court specifically authorizing non-appearance.

Date and Time of Conference: **Date & time**

Name of Attorney Case Manager: **Attorney Case Manager**

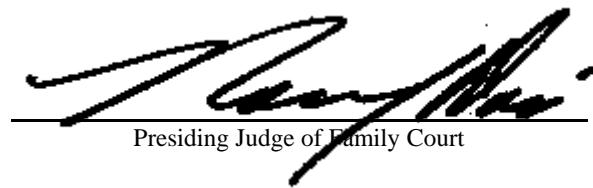
Place of Conference: **Southeast Facility - Family Court Administration, Suite 1300
222 E. Javelina Ave.
Mesa, AZ 85210-6234
Phone 602-506-2024, Fax 602-506-2029**

IT IS FURTHER ORDERED that if you fail to appear at your conference, it may result in sanctions or penalties provided by statute, rule, or authority of the Court, including:

- a. a finding of contempt by the court
- b. entry of default or dismissal as to some or all relief
- c. taxation of costs or attorney fees
- d. imposition of other monetary sanctions

Any party represented by an attorney will be considered as a "failure to appear" if the attorney does not appear at the ERC conference.

DONE IN OPEN COURT:



Presiding Judge of Family Court

Form 1

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY
FAMILY COURT ADMINISTRATION**

Date

Date:

For Case: Case Number

1. **MANDATORY RESOLUTION STATEMENT: IT IS FURTHER ORDERED** that each party shall fully complete and file a Resolution Statement in the form attached to this order, and provide a copy to the other party and the attorney case manager at least 5 days before the Conference. The Court will consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent request for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.
2. **PRE-CONFERENCE SETTLEMENT MEETING: IT IS FURTHER ORDERED** that, unless an Order of Protection is currently in effect or there is a history of domestic violence between the parties, the parties and counsel, if any, shall meet in person prior the Early Resolution Conference, and use their best efforts to settle or narrow the issues in this case. In the event the parties and counsel, if any, have not met prior to the day set for the Early Resolution Conference, they shall meet at least one (1) hour prior to the scheduled time of the Conference.
3. **DISCLOSURE:** Unless both parties agree that the Resolution Statement filed in accordance with the above requirements satisfies the requirements of Rule 26.1, Arizona Rules of Civil Procedure (ARCP), **IT IS FURTHER ORDERED** that both parties file the disclosure statement required by Rule 26.1, ARCP, within twenty (20) days of the Early Resolution Conference. Pursuant to Rule 37(b), ARCP, any party who fails to timely disclosure information required by Rule 26.1 may not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.
4. **PARENT EDUCATION PROGRAM: IT IS FURTHER ORDERED** that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Early Resolution Conference and file proof thereof prior to or at the time of the Conference.
5. **CHANGE OF ADDRESS:** It is your responsibility to update the Court of any change of address. If the Court does not have your current address, the Court will be unable to notify you about important information pertaining to your case. You may obtain the form from the Self Service Center, Family Court Administration, the Family Court Filing Counter or the internet. (http://www.superiorcourt.maricopa.gov/ssc/forms.fc_gn9.asp)
6. **INTERPRETERS:** If you need an interpreter, you must ask the court in writing at least 14 business days before the conference. **INTERPRETES:** Si necesita un intérprete, tendrá que hacer una petición por escrito 14 días hábiles antes de la conferencia.**
7. **POSTPONING OR RESCHEDULING THE CONFERENCE:** The Court will not postpone and reschedule a conference without specific reasons. All such requests must show that a copy was provided to the other side or their attorney. The Court is more likely to grant a request to postpone and reschedule if the request is made at least 1 week before the conference date.
8. **ATTENDANCE:** Only parties (and their attorneys, if they have an attorney) are allowed to attend the Early Resolution Conference. This does not mean you must have an attorney, but if you have an attorney, that attorney must attend the Conference. Parties who are represented by an attorney will not be allowed to participate in the conference if their attorney does not appear. **NO CHILDREN ARE ALLOWED AT THE CONFERENCE.** If you bring friends or other family members, they must wait in another area.
9. **TELEPHONE:** For a good reason (such as a very serious illness, incarceration, or residing a long distance from the Court) one or both parties or attorneys might be allowed to participate at the conference by telephone. If you wish to do this, you must submit a request in writing to the attention of Family Court Settlement Case Manager NO MORE THAN 5 COURT DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE. See the address and fax number on page one.
10. **COMMUNICATION:** The Attorney Case Manager will not discuss the specifics of your case with you unless the other party or their attorney is present. When a party writes to the Attorney Case Manager, he/she must send a copy to the other party at the same time and indicate this on the document itself.

The **EARLY RESOLUTION CONFERENCE** is your opportunity to meet with an Attorney Case Manager who will discuss the issues between the two parties and their attorneys, and assist with moving towards a resolution of those issues. The Case Manager may also establish deadlines and make referrals and recommendations for any necessary ancillary court services. The Case Manager will also assist the parties with finalizing any agreements reached during the conference.

Name

Address

Address

City, State, Zip

Resolution Statement

FC691A
5-11-04

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of: _____)

Petitioner _____)
and _____)

Respondent. _____)
_____)
_____)

NO. _____

RESOLUTION STATEMENT OF:

[] HUSBAND

[] WIFE

Date of Marriage: _____ (

The undersigned party provides the following specific positions on each of the issues in this case (**BE SPECIFIC**):

1. Custody. My spouse and I have the following natural or adopted children in common:

Child's Name

Date of Birth

Age

| | | |
|--|--|--|
| | | |
| | | |
| | | |
| | | |
| | | |

I want the child[ren] to live primarily with _____ and have parenting time with the other parent as follows (check all that apply): FATHER/MOTHER

Generally in accordance with Maricopa County Guidelines for reasonable parenting time.

Every other weekend from _____ at _____. m. to
Day of Week Time a/p

_____ at _____ .m.
Day of Week Time a/p

One-half of the holidays on an alternating basis.

_____ For _____ weeks in the summer.

_____ Spring Break from school.

Other: _____

This custody arrangement should be: _____ sole custody
(Check one)

joint custody

Form 2

2. **Child Support.** My position on the financial factors necessary to calculate child support under the statewide child support guidelines is as follows (complete in full):

Father's Gross Monthly Income: \$_____

Mother's Gross Monthly Income: \$_____

Father has _____ Other Children **not** listed above.
No.

Mother has _____ Other Children **not** listed above.
No.

Medical Insurance Should Be Paid By _____ and its monthly cost is \$_____
Father or Mother

Monthly Child Care Costs for _____ child[ren] is \$_____.
No.

I believe the court should add the following **Extra Education Expenses** or **Extraordinary Child Adjustments** to the child support calculation (leave blank if none claimed):

| <u>Description</u> | <u>Monthly Amount</u> |
|--------------------|-----------------------|
| _____ | \$ _____ |
| _____ | \$ _____ |

Uninsured Medical Expenses should be paid (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____% paid by Father and _____% paid by Mother.

Tax Exemptions for the child[ren] should be divided (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____

3. **Spousal Maintenance.** My position on spousal maintenance is (check one and complete):

- No spousal maintenance need be paid by either me or my spouse.
 I should **pay** my spouse \$_____ per month for _____ months.
 I should **receive** from my spouse \$_____ per month for _____ months.

4. **Separate Property.** I believe the following property is my sole and separate property (describe):

5. Community Liens In Separate Property. I believe I have a community interest in the following sole and separate property of my spouse:

6. Community Property. I want to divide all of the community property (except tangible personal property) as follows: Directions: Column 1: List short description of each item or real and personal property.

Column 2: List your estimate of the fair market value of each item of property, and if the property is subject to a lien or encumbrance list the amount of the lien as a reduction () to fair market value on the line directly below its value.

Column 3: List the amount of net value of each item you propose for Husband.

Column 4: List the amount of net value of each item you propose for Wife.

| | | | |
|--|--|--|--|
| | | | |
| | | | |

7. Tangible Personal Property. I believe that the value of the tangible personal property (household furniture, furnishings, jewelry etc.) in the possession of each party is as follows:

Husband has tangible personal property in his possession valued at approximately \$_____.

Wife has tangible personal property in her possession valued at approximately \$ _____.

My preference to divide the tangible personal property is to (List your order of preferences as 1,2,3 & 4):

(1,2,3 or 4) Each party should keep the tangible personal property currently in their possession with the exception that I want the following items from my spouse:

An equalization payment/credit should be made based upon the above values so each of us gets the same value.
(1,2,3 or 4)

We should make a list of all the tangible personal property and alternately select items from the list (1,2,3 or 4) until all the property is divided.

One of us should make 2 lists of tangible personal property both equal in value, and the other one be awarded all property on the list of his or her choice.

Other:

8. Debts. The community debts should be divided as follows (complete in detail):

All of the debt should be paid % by Husband and % by Wife; or

Each of us should pay the following debts and amounts:

_____ \$ _____ \$ _____ \$ _____

Totals \$ _____ \$ _____ \$ _____ \$ _____

9. Attorney's Fees. If the case is settled today, I want the court to order (choose one):

Each of us to pay our own attorney's fees.

My spouse to pay \$ _____ of my attorney's fees within _____ days.
(Use specific sum) (No.)

Me to pay \$ _____ to my spouse for attorney's fees within _____ days.
(Use specific sum) (No.)

10. Name Change. I want to be restored to my former name of _____.
(List full name you want restored)

11. Other Issues. Briefly state the other issues which you believe must be resolved to fully settle this case:

12. Settlement. I verify that the above statements are true upon my best information and belief and I am willing to settle and resolve this case based upon the information provided above.

Dated: _____

Signature of Husband/Wife

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number: _____

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
(DIVORCE) WITHOUT CHILDREN**

(Name of Respondent)

- FULL SETTLEMENT**
 PARTIAL SETTLEMENT

This is the time set for the **Settlement Conference** **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case is _____.

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect now? Yes No

Does either party have a pending bankruptcy case? Petitioner Yes No
Respondent Yes No
Has a discharge been entered? Yes No

PREGNANCY:

- Wife is **not** pregnant
 Wife is pregnant, and the husband **is** or **is not** the father of the child.
 A child who is common to the parties is expected to be born this date: _____.

TAX RETURNS: * Subject to IRS Rules and Regulations.

For prior years _____ through _____, the parties agree to:

- File **joint** federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any.

For prior years _____ through _____, the parties agree to:

- File **separate** federal and state income tax returns
 Each party shall file **separate** tax returns this calendar year and continuing thereafter.
 Each party shall give the other party all necessary documentation to file all tax returns.
 The parties are **unable** to reach an agreement concerning tax return issues.

NAME CHANGE:

- Wife requests that her last name be restored to _____.
 Husband requests that his last name be restored to _____.
 The Petitioner and Respondent **do not** wish to have their names restored.

SPOUSAL MAINTENANCE/SUPPORT:

- Parties are in agreement that the Petitioner will pay Respondent Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that the Respondent will pay Petitioner Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that **no** Spousal Maintenance/Support is needed for either party.
 Parties are **unable** to reach an agreement concerning Spousal Maintenance/Support.

COMMUNITY DEBTS:

- Parties agree on how to divide Community debts.
 Parties agree to be responsible for their own sole and separate debts as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|-------------|--------------------------|--------------------------|--------------------------|
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Parties agree to submit a comprehensive inventory and breakdown of community debt to the other party by _____.
 The community debts shall be divided as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|-------------|--------------------------|--------------------------|--------------------------|
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Any debts or obligations incurred by either party before the date of separation that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.
 The parties are **unable** to reach an agreement concerning debts.

PERSONAL PROPERTY:

- Community personal property has already been distributed prior to conference to both Petitioner and Respondent. Each party to be awarded the personal property in their respective possession.

DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)
Community property is awarded to each party as follows:

LIST OF COMMUNITY PROPERTY AWARD TO:

| | Petitioner | Respondent |
|---|--|--|
| <input type="checkbox"/> Household furniture/furnishings (Be specific) <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Appliances (Be specific) <hr/> <hr/> <hr/> <hr/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> TV /VCR/DVD (Be specific) <hr/> <hr/> <hr/> <hr/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Personal Computer (Be specific) <hr/> <hr/> <hr/> <hr/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Other (Be specific) <hr/> <hr/> <hr/> <hr/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Cash,bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Award each party the personal property in his/her possession. | <input type="checkbox"/> | <input type="checkbox"/> |

DIVISION OF REAL PROPERTY: Section A is for one piece of real property. Section B is for a second piece of real property.

A. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

B. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

The value of the property is unknown and the parties agree to have a comprehensive analysis or appraisal done prior to the final agreement or by _____ date.

Parties agree that Petitioner Respondent will refinance real property on or before _____. If unsuccessful, the real property will be _____.

The parties are **unable** to reach an agreement concerning real property.

There is no community real property.

DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

- The parties agree that any community interest in any retirement benefits, pension plans, or other deferred compensation described below will be allocated as follows:
Petitioner's _____
Respondent's _____
- The parties agree they will submit a Qualified Domestic Relations Order to the assigned Judge by _____.
- Each party **waives and gives up** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party.
- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- The parties are **unable** to reach an agreement concerning retirement, pension plan or other deferred compensation.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$ _____.
- Respondent will pay Petitioner's legal fees in the amount of \$ _____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ADDITIONAL AGREEMENTS:**ADDITIONAL ISSUES NOT AGREED UPON:****OTHER ORDERS:****TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized divorce decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____

Date: _____

Respondent: _____

Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number:

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
(DIVORCE) WITH CHILDREN**

(Name of Respondent)

- FULL SETTLEMENT
- PARTIAL SETTLEMENT

This is the time set for the **Settlement Conference** **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case is _____.

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect now? Yes No

Has there been a drug conviction within the last 12 months for Petitioner Yes No
Respondent Yes No

Does either party have a pending bankruptcy case? Petitioner Yes No
Respondent Yes No

Has a discharge been entered? Yes No

PREGNANCY:

- Wife is **not** pregnant
 Wife is pregnant, and the husband **is** or **is not** the father of the child.
 A child who is common to the parties is expected to be born this date: _____

CHILDREN: All minor children common to the parties as follows:

NAME (S) OF CHILD(REN)

D/O/B(s)

AGE

If born prior to marriage, has proof of paternity been presented? Yes No

PARENT INFORMATION PROGRAM:

Petitioner has has **not** attended the Parent Information Program Class.

Respondent has has **not** attended the Parent Information Program Class.

CHILD CUSTODY

The parties are unable to reach an agreement concerning custody.

SOLE CUSTODY: The condition under which one person, **Mother** **Father** shall have sole custody of the minor child(ren).

Both parties agree to **SOLE CUSTODY:** Sole custody to **Mother** **Father**

JOINT LEGAL CUSTODY: The condition under which both parents share legal custody and neither parent's rights are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

Both parties agree to joint legal custody

Mother **Father** will be the primary custodial parent.

Neither party is designated the primary custodial parent.

JOINT PHYSICAL CUSTODY/Joint SHARED CUSTODY: The condition under which the physical residence of the child(ren) is shared by the parents in a manner that assures that the child(ren) has/have substantially equal time and contact with both parents.

Both parents agree to joint physical/shared custody.

CHILD SUPPORT:

The parties are in agreement that child support will be paid by **Mother** **Father** using the child support guidelines.

The parties agree on the following child support amount of _____ to be paid to the **Mother** **Father**.

The parties are in agreement to a deviation from the child support guidelines in the amount of _____ to be paid to **Mother** **Father**.

A child support order currently exists signed on _____ in the amount of _____.

The parties agree to have child support calculated prior to the final agreement.

The parties are **unable** to reach an agreement concerning child support.

MEDICAL, DENTAL AND VISION INSURANCE, PAYMENTS, AND EXPENSES:

Parties agree

- Petitioner Respondent will provide medical, dental, and vision insurance for the minor child(ren).

FURTHER: Uncovered medical expenses shall be allocated as follows:

- Petitioner will pay _____% **AND**
 Respondent will pay _____%
 The parties will pay proportionate to their incomes.
 The parties are **unable** to reach an agreement concerning medical, dental and vision insurance.

TAX DEDUCTION: The parties agree that they shall claim as income tax dependency exemptions on federal and state tax returns as follows.

Mother to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

Father to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

- The parties agree to take tax deductions based on proportionate to child support worksheet guidelines.

TAX RETURNS: * Subject to IRS Rules and Regulations.

For prior years _____ through _____, the parties agree to:

- File **joint** federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any.

For prior years _____ through _____, the parties agree to:

- File **separate** federal and state income tax returns
 Each party shall file **separate** tax returns this calendar year and continuing thereafter.
 Each party shall give the other party all necessary documentation to file all tax returns.
 The parties are **unable** to reach an agreement concerning tax return issues.

NAME CHANGE:

- Wife** requests that her last name be restored to _____.
 Husband requests that his last name be restored to _____.
 The Petitioner and Respondent **do not** wish to have their names restored.

SPOUSAL MAINTENANCE/SUPPORT:

- Parties are in agreement that the Petitioner will pay Respondent Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that the Respondent will pay Petitioner Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that **no** Spousal Maintenance/Support is needed for either party.
 Parties are **unable** to reach an agreement concerning Spousal Maintenance/Support.

COMMUNITY DEBTS:

- Parties agree on how to divide Community debts.
 - Parties agree to be responsible for their own sole and separate debts as follows:

- Parties agree to submit a comprehensive inventory and breakdown of community debt to the other party by .
 - The community debts shall be divided as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|----------------|--------------------------|--------------------------|--------------------------|
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Any debts or obligations incurred by either party before the date of separation that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

The parties are **unable** to reach an agreement concerning debts.

PERSONAL PROPERTY:

- Community personal property has already been distributed prior to conference to both Petitioner and Respondent. Each party to be awarded the personal property in their respective possession.

DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)

Community property is awarded to each party as follows:

LIST OF COMMUNITY PROPERTY AWARD TO:

| | Petitioner | Respondent |
|--|--|--|
| <input type="checkbox"/> Household furniture/furnishings (Be specific) _____ _____ _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Appliances (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> TV /VCR/DVD (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Personal Computer (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Other (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Cash,bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Award each party the personal property in his/her possession. | <input type="checkbox"/> | <input type="checkbox"/> |

DIVISION OF REAL PROPERTY: Section A is for one piece of real property. Section B is for a second piece of real property.

A. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

B. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

The value of the property is unknown and the parties agree to have a comprehensive analysis or appraisal done prior to the final agreement or by _____ date.

Parties agree that Petitioner Respondent will refinance real property on or before _____. If unsuccessful, the real property will be _____.

The parties are **unable** to reach an agreement concerning real property.

There is no community real property.

DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

- The parties agree that any community interest in any retirement benefits, pension plans, or other deferred compensation described below will be allocated as follows:
Petitioner's _____
Respondent's _____
- The parties agree they will submit a Qualified Domestic Relations Order to the assigned Judge by _____.
- Each party **waives and gives up** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party.
- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- The parties are **unable** to reach an agreement concerning retirement, pension plan or other deferred compensation.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$ _____.
- Respondent will pay Petitioner's legal fees in the amount of \$ _____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ADDITIONAL AGREEMENTS:

ADDITIONAL ISSUES NOT AGREED UPON:

OTHER ORDERS:

TIMELINE FOR PARTIES:

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized divorce decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____

Date: _____

Respondent: _____

Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number:

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
PATERNITY/CUSTODY**

(Name of Respondent)

This is the time set for the **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Is there an Order of Protection in effect on Petitioner Yes No
Respondent Yes No

Has there been a drug conviction within the last 12 months for Petitioner Yes No
Respondent Yes No

PREGNANCY:

- Female party is **not** pregnant
 - Female party is pregnant, and male party **is** or **is not** the father of the child.
 - A child who is common to the parties is expected to be born this date: _____.

CHILDREN: All minor children at issue considered by one or both parties common to the parties;

NAME (S) OF CHILD(REN)

D/O/B(s)

AGE

| | | |
|---|------------------------------|--|
| Parties agree who is the father of the children involved. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties to obtain genetic/blood paternity testing. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties have decided upon testing facility _____ | | <input type="checkbox"/> N/A |
| Court to order location of testing. | <input type="checkbox"/> Yes | <input type="checkbox"/> No <input type="checkbox"/> N/A |
| Parties agree to split testing costs. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is the a IVD case ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

(If parties disagree to paternity, conference is ended, testing is ordered and case ticked for ACM 30 day follow up)

PARENT INFORMATION PROGRAM:

Petitioner has has **not** attended the Parent Information Program Class.

Respondent has has **not** attended the Parent Information Program Class.

BIRTH CERTIFICATE:

Father's name to be added to each child's birth certificate? Yes No

CHILD'S LAST NAME:

The child(ren)'s last name shall be changed? Yes No

If yes, the child(ren)'s last name shall be changed to: _____

CHILD CUSTODY

SOLE CUSTODY: The condition under which one person has legal custody.

- Both parties agree to **SOLE CUSTODY:** Sole custody to **Mother** **Father**
- Both parties are **unable** to reach an agreement concerning sole custody.

JOINT LEGAL CUSTODY: The condition under which both parents share legal custody and neither parent's rights are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

- Both parties agree to joint legal custody
- Mother** **Father** will be the primary custodial parent.
- Both parties are **unable** to reach an agreement concerning joint legal custody.

JOINT PHYSICAL CUSTODY/JOINT SHARED CUSTODY: The condition under which the physical residence of the child(ren) is shared by the parents in a manner that assures that the child(ren) has/have substantially equal time and contact with both parents.

- Both parents agree to joint to joint physical/shared custody.
- Mother** **Father** will be the primary custodial parent.
- Both parties are **unable** to reach an agreement concerning joint physical custody/shared custody.

CHILD SUPPORT:

- The parties are in agreement that child support will be paid by **Mother** **Father** using the child support guidelines.
- The parties agree on the following child support amount of _____ to be paid to the **Mother** **Father**.
- The parties are in agreement to a deviation from the child support guidelines in the amount of _____ to be paid to **Mother** **Father**.
- A child support order currently exists signed on _____ in the amount of _____.
- The parties agree to have child support calculated prior to the final agreement.
- The parties are **unable** to reach an agreement concerning child support.

MEDICAL, DENTAL AND VISION INSURANCE, PAYMENTS, AND EXPENSES:

Parties agree who will pay for medical insurance. Yes No

If, yes

Petitioner Respondent will provide medical, dental, and vision insurance for the minor child(ren).

FURTHER: Parties agree who will cover non-covered cost and co-pays.

- Petitioner will pay _____% **AND**
- Respondent will pay _____%
- The parties agree to any uncovered medical, dental expenses proportionate to their incomes.
- The parties are **unable** to reach an agreement concerning medical, dental and vision insurance.

OTHER COSTS: Petitioner Respondent is to be paid the amount of \$_____ for expenses incurred relating to medical care, hospitalization and other costs related to the birth of the child(ren) by the Petitioner Respondent.

TAX DEDUCTION: The parties agree that they shall claim as income tax dependency exemptions on federal and state tax returns as follows.

Mother to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

Father to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

The parties agree to take tax deductions based on proportionate to child support worksheet guidelines.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$_____.
- Respondent will pay Petitioner's legal fees in the amount of \$_____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ISSUES NOT AGREED UPON:**TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized judgment. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____ Date: _____

Respondent: _____ Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:)
)
)
JOHN DOE)
 Petitioner)
and)
)
)
)
JANE DOE)
 Respondent)
)
)

NO. FC2004-000000

NOTICE
OF
TRIAL DATE

Assigned To Division Number: DRJ01
Honorable Norman J. Davis

YOU ARE HEREBY NOTIFIED that a Trial to the Court is set in your case before the following judge at the following date, time and location:

Trial Date: **November 17, 2006 (Friday)**
Trial Time: **9:00 A.M.**
Trial Judge: **Honorable Norman J. Davis**
Location: **Maricopa County Superior Court**
 201 W. Jefferson, Courtroom 703
 Phoenix, Arizona 85003-2243

You are both required to be present and on time for your trial date at the above date, time and location. If you fail to appear at the time of trial, the trial can proceed and all matters in your case can be finalized based upon the evidence presented by the appearing party. If both parties fail to appear at the time of trial, this case can be dismissed.

YOU ARE ALSO NOTIFIED that you are required to comply with the requirements set forth in the document entitled ***Notice of Trial Requirements***, a copy of which is being provided to you with this ***Notice of Trial Date***.

YOU ARE ALSO NOTIFIED that you are required to deliver any exhibits you intend to use at trial to the clerk of your trial judge, in accordance with the requirements set forth in the *Notice of Trial Requirements*, no later than noon on **November 9, 2006**.

Both parties by signing below acknowledge receipt of a copy of this ***Notice of Trial Date***, and a copy of the ***Notice of Trial Requirements***, that each is aware of the date, time and location of the trial date, and has read, or will immediately read, both documents.

Receipt of a copy of ***Notice of Trial Date*** and ***Notice of Trial Requirements*** is hereby acknowledged by:

JOHN DOE
Petitioner

JANE DOE
Respondent

Notice of Trial Requirements

Your case has been scheduled for a trial to a judge at the date and time listed in the ***Notice of Trial Date*** supplied to you at the same time you received this ***Notice of Trial Requirements***. You should read this Notice carefully because you are required to comply with the requirements listed in this Notice before or at the time you appear for your trial.

Partial Agreements.

At the time of your Early Resolution Conference you may have reached partial agreement on one or more issues in this case. Any such agreements are binding and enforceable only if they were accepted by a judicial officer in open court and a record kept of the agreement, or if they were written down and signed by all parties in this case and approved by a judicial officer. If you and the other party in this case have signed a written agreement regarding one or more issues in this case, but a judicial officer has not yet approved the agreement, the approval can be obtained at the time of trial. In such event, the matters that are agreed upon in writing will not be litigated at your trial, but you should be prepared to explain to the judge why your agreement is fair and reasonable, and in the best interests of any minor children affected by the agreement.

Contested Issues.

A trial in your case will decide those issues that you and the other party have not resolved by agreement as provided above. The primary issues to be resolved in any family court case involving one or more children include a determination of: 1) Paternity of any minor child for which paternity is disputed; 2) Custody and parenting time rights with respect to any minor child; 3) An appropriate child support order including provisions for medical insurance, medical costs of all children not covered by insurance, and an allocation of any federal tax exemptions applicable to the minor children; and 4) Whether any party should be awarded any reasonable attorney's fees incurred in this matter. If your case is one for dissolution or separation of a marriage, the court will also determine: 1) Whether either party qualifies for an award of spousal maintenance and, if so, the amount and duration; 2) An equitable division of community property; and 3) Responsibility for payment of any community debts.

Parent Education

If your case involves one or more minor unemancipated children natural to or adopted by you and the other party you are required to attend a parental education program in accordance with A.R.S. §25-351. In such event you are directed to complete an approved Parent Education Program and file proof of completion of the program prior to, or at the time of, trial.

To assist you in completing the Parental Education Program requirements, a "Parent Information Program Notice" which details the procedures and requirements of the program, and includes a list of approved parent information classes is available to the parties at the Self Service Center, or the Domestic Relations filing counter at the court.

Disclosure and Discovery Requirements.

You are required to complete all disclosure requirements required by Rule 26.1, Arizona Rules of Civil Procedure, including an exchange of all relevant information, documents and exhibits you intend to use at trial as required by Rule 26.1, but no later than 30 days prior to your scheduled trial date.

You are also required to promptly comply with all requests for relevant information in this case made by the opposing party. In this regard, you are directed to sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any person, company or institution possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

Trial Date.

Your trial has been scheduled for a specific time period set out in the ***Notice of Trial Date***. The parties are expected to complete the trial in the allotted time, and each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument. The trial time will not be extended unless you file a motion requesting an extension of the trial time not later than thirty (30) days after the date of your Early Resolution Conference and the court grants the motion. Any motion to extend the trial time must specifically set forth good cause to extend the time including a list of each and every witness who will testify together with an estimate of time needed for each witness and the subject matter of the expected testimony for each witness.

Joint Pre-Trial Statement.

You and the opposing party are required to file and provide the assigned judge with a copy of a ***Joint Pretrial Statement*** pursuant to Rule 6.8, Local Rules of Practice--Maricopa County (Family Court Cases), no later than **5 days prior to trial**.

The Joint Pre-trial Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances completed by each party together with a written statement as to whether the parties stipulate that the affidavits of both parties may be considered as testimony by the court as if marked as exhibits and entered into evidence pursuant to *In Re Marriage of Kells*, 182 Ariz. 480, 897 P.2d 1366 (App. 1995).

2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.

3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation.

4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.

5. If there are disputed issues regarding division of property, a current and detailed inventory and appraisal of property and assets of the parties, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.

6. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of *Schweiger v. China Doll Restaurant, Inc.*, 138 Ariz. 183, 673 P.2d 927 (App. 1983).

The failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

Exhibits.

Any documents or other items intended to be submitted as exhibits at the time of the trial shall be brought to the courtroom clerk of the division that will try your case no later than noon on the date identified for delivery of exhibits to the court in the *Notice of Trial Date* provided to you following your conference with the attorney case manager. The exhibits shall be submitted with a coversheet listing the description of each exhibit. **Any exhibits not submitted by noon on this date will not be accepted.** All exhibits must be hand-delivered to the Clerk. Duplicate exhibits shall not be presented and will not be marked. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

The parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

Findings of Fact.

Any party filing a request for findings of fact and conclusions of law pursuant to Rule 52, Arizona Rules of Civil Procedure, **shall submit proposed findings of fact and conclusions of law to this Division no later than 30 days prior to trial.** Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

Settlement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 5.1(c), Arizona Rules of Civil Procedure.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:

)
)
)
JOHN DOE
Petitioner)
and
)
)
)
JANE DOE
Respondent)
)

NO. FC2004-000000

NOTICE
OF
TRIAL/DEFAULT
DATE

Assigned To Division Number: DRJ01
Honorable Norman J. Davis

YOU ARE HEREBY NOTIFIED that a Default Hearing/Trial to the Court is set in your case before the following judge at the following date, time and location:

Trial Date: **November 17, 2006 (Friday)**
Trial Time: **9:00 A.M.**
Trial Judge: **Honorable Norman J. Davis**
Location: **Maricopa County Superior Court
201 W. Jefferson, Courtroom 703
Phoenix, Arizona 85003-2243**

You are both required to be present and on time for this trial/default date at the above date, time and location. If you failed to appear at the Early Resolution Conference you should be prepared to explain the reason why you failed to appear. Based upon the explanation provided, the judge will determine whether to proceed to enter your default or conduct a trial on the above date. If either party fails to appear at the time of the default hearing/trial, the hearing/trial can proceed and all matters in your case can be finalized based upon the evidence presented by the appearing party. If both parties fail to appear, this case can be dismissed.

YOU ARE ALSO NOTIFIED that you are required to comply with the requirements set forth in the document entitled **Notice of Trial Requirements**, a copy of which is being provided to you with this **Notice of Trial Date**.

YOU ARE ALSO NOTIFIED that you are required to deliver any exhibits you intend to use at trial to the clerk of your trial judge, in accordance with the requirements set forth in the *Notice of Trial Requirements*, no later than noon on **November 9, 2006**.

Both parties by signing below acknowledge receipt of a copy of this **Notice of Trial Date**, and a copy of the **Notice of Trial Requirements**, that each is aware of the date, time and location of the trial date, and has read, or will immediately read, both documents.

Receipt of a copy of **Notice of Trial Date** and **Notice of Trial Requirements** is hereby acknowledged by:

JOHN DOE
Petitioner

JANE DOE
Respondent

**SUPERIOR COURT OF ARIZONA – MARICOPA COUNTY
FAMILY COURT DEPARTMENT**
Policy Statement Re:
Administrative Order No. 2005-045
Early Resolution Triage Program

Approved: March 16, 2005

INTRODUCTION:

Effective March 16, 2005, Administrative Order No. 2005-045, authorized the establishment and continuation of an early intervention program to provide assistance to all family court cases involving one or more self-represented litigants by assisting the parties to settle and resolve disputed issues, to memorialize agreements for presentation to the court, to assist the court in case management, and to coordinate with the assigned judicial divisions to schedule trial dates and other events to finalize cases. This program will be known as the “Early Resolution Triage Program”, and will be directed by qualified attorneys, with the involvement of personnel from Conciliation Services and Expedited Services, as required.

REQUIREMENTS:

1. Participating Cases. All family law cases that involve one or more self-represented litigants at the time the current petition or response is filed shall be eligible and shall be directed to participate in the Early Resolution Triage program. In the event the case is eligible to participate in the program, but becomes ineligible by the filing of attorney appearances for all parties prior to the date an Early Resolution Conference (“ERC”) is scheduled, the case will be thereafter be managed by the assigned judicial officer and scheduled for a Resolution Management Conference or other appropriate proceeding by the assigned judicial officer. If the case becomes ineligible by the filing of attorney appearances for all parties after an ERC is scheduled, but before it is held, the ERC will continue as noticed absent a stipulation approved by the assigned judicial officer to vacate the ERC in favor of scheduling a Resolution Management Conference or other appropriate proceeding with the assigned judicial officer.

2. Setting of ERC. In all cases eligible for the Early Resolution Triage Program, court administration shall schedule an Early Resolution Conference (“ERC”) as soon as possible after the case becomes contested by the filing of a responsive pleading with the court.

3. Attorney Directed. The Early Resolution Conference shall be conducted and directed by a qualified attorney trained to mediate and conduct settlement negotiations in family court cases as determined by the court.

4. Conciliation Services Conference Officer. If the issue of custody is contested in the case and remains unresolved after the ERC, the Attorney Case Manager in consultation with a Conciliation Services intake personnel may commence and/or schedule an appropriate evaluation, mediation, or instruction process offered by the court to further resolution of the custody issue, to relieve the animosity and tension between the parties, to improve the parent's relationship or ability to parent a child, or to otherwise promote the best interests of a child.

5. Expedited Services Conference Officer. If the issue of child support is contested in the case, remains unresolved after the ERC, and is of sufficient complexity that there is insufficient time available to properly address the issue at the ERC, the Attorney Case Manager may immediately refer the issue to an Expedited Conference Officer to mediate or recommend to the court an appropriate child support order.

6. Purpose of ERC. The purpose of an ERC is to mediate and conduct settlement negotiations in family law cases, resolve and memorialize as many issues as possible, provide direction and management of the case, and schedule a subsequent trial and/or event to conclude the case. Priority and utilization of available time at an ERC shall be, in order of priority, for:

a. Full & Final Settlement. First, reaching full and final settlement of all issues in the family court case, including assisting the parties in the preparation and signing of a Consent Decree, Consent Judgment, or stipulated Order, and presenting the signed documents to an appropriate and authorized judicial officer for approval and signature.

b. Partial Settlement. Second, reaching partial settlement and agreement of all issues in the family court case that can be settled, including assisting the parties in the preparation and signing of partial written agreements enforceable under Rule 80(d), Arizona Rules of Civil Procedure. All such partial written agreements, approved and signed by all parties, shall be filed in the case file, and a copy provided to each party and the assigned judicial officer.

c. Temporary Orders Agreement. Third, to the extent temporary orders are requested by the parties and are not resolved by final agreement, facilitating an agreement for the court to enter temporary orders on the disputed issues to govern the issues until the time of trial, including assisting the parties in the preparation of a stipulation and order for temporary orders to be forwarded to an available commissioner or to the assigned judicial officer for review and approval.

7. **Domestic Violence.** Prior to proceeding with an ERC, the Attorney Case Manager shall, with the assistance of personnel from Conciliation Services if necessary, screen the case to determine if either party is a victim of domestic violence. If it appears that one party is a victim of domestic violence involving the other party, or may otherwise not be capable of fairly negotiating the issues of the case due to undue influence, coercion or greatly disparate bargaining power, the Attorney Case Manager shall not proceed further to conduct joint conference sessions with the parties, but may proceed with shuttle mediation or other approved methods to insure the protection of the victim of domestic violence.

8. **Order To Appear.** The ERC shall be scheduled pursuant to an Order to Appear issued at the direction of the Family Court Presiding Judge, in a form substantially in accord with Form 1 attached hereto. The Order to Appear shall require the parties to appear in person, with counsel, if represented, at the date and time of the ERC, and shall require the parties:

a. **Meet and Confer.** Unless an Order of Protection is in effect between the parties, to meet and confer in person prior to the ERC and use their best efforts to settle or narrow the issues in the case. In the event the parties and counsel, if any, have not met prior to the ERC, they shall be directed to meet at the court one hour prior to the time scheduled for the conference.

b. **Resolution Statement.** To complete and file a Resolution Statement substantially in accord with Form 2 attached hereto without narrative statements or other documents, and provide a copy to the other party at least 5 days before the ERC.

c. **Disclosure.** To complete the initial disclosure requirements of Rule 26.1, Arizona Rules of Civil Procedure prior to the ERC.

d. **PEP.** If the parties have a natural or an adopted minor, unemancipated child in common, to have completed an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the ERC.

9. **ERC Results.** When both parties appear at the scheduled ERC, the Attorney Case Manager shall take the following action:

a. **Reconciliation.** When both parties appear at the ERC and both indicate that they wish to reconcile, explore reconciliation or otherwise not proceed with the petition, the Attorney Case Manager may either assist the parties to prepare a Stipulation to Dismiss and Order, or schedule the case for dismissal on a day certain thirty (30) days following the ERC.

b. **Consent Decree.** When both parties appear at the ERC and complete agreement is reached on all issues in the case, the Attorney Case Manager shall facilitate the preparation of a written Consent Decree, Consent Judgment, or Stipulation

and Order, and all necessary supporting documentation, as well as the submission of the same to the appropriate judicial officer authorized to approve and sign the Decree, Judgment or Order.

c. Full Agreement. When full agreement of all issues in the case is reached but the parties or counsel desire to prepare a formal Decree, Judgment or Stipulated Order following the conference for submission to the court, the Attorney Case Manager shall direct the parties to prepare the documents and submit them to the court's decree on demand program for review and approval on or before a date certain presumptively scheduled 14 days after the conference. The Attorney Case Manager shall also schedule the case for a trial of 15 minutes in duration on the assigned judicial officer's calendar to insure the submission of the settlement documents, and to resolve any minor disagreements if necessary.

d. Partial Agreement. Where partial agreements are reached on less than all of the issues, the Attorney Case Manager shall assist the parties in the preparation and signing of a written agreement memorializing the agreement in compliance with Rule 80(d), Arizona Rules of Civil Procedure. For this purpose Form 3 (Without Children), Form 4 (With Children), or Form 5 (Paternity) attached hereto may be used. The original agreement shall be filed in the case and a copy provided to each party and the assigned judicial officer with a copy of the *Notice of Trial Date*.

e. Trial Date. In all cases where all parties appear at the ERC, and the case is not finalized with the entry of a Consent Decree, Consent Judgment or Stipulation and Order, the Attorney Case Manager shall schedule a trial date with the assigned judicial officer for up to one (1) hour in length as indicated by the complexity of the issues remaining to be resolved. The Attorney Case Manager shall prepare and file an original *Notice of Trial Date* (Form 6 attached hereto.) signed by both parties, and deliver a copy of the completed *Notice of Trial Date*, together with a copy of a form *Notice of Trial Requirements* (Form 7 attached hereto) to each party. A copy of the *Notice of Trial Date* shall be forward to the assigned judicial division along with a copy of any written agreements reached.

f. Complex Issues. In the event the Attorney Case Manager determines that further court action may be necessary prior to the date scheduled for trial, the Attorney Case Manager may contact the assigned judicial officer and provide the information necessary for further actions or hearings as appropriate.

IN ALL CASES, EXCEPTING RECONCILIATION CASES, IN WHICH BOTH PARTIES APPEAR AT THE ERC, THE PARTIES SHALL LEAVE THE ERC EITHER WITH A COPY OF A SIGNED CONSENT DECREE, JUDGEMENT, OR ORDER, OR WITH A COPY OF A NOTICE OF TRIAL DATE.

10. Failures To Appear. In the event one or both parties fail to appear at the ERC after notice sent to each party at the address supplied to the court by each party, the following actions shall be taken:

a. Both Parties Fail To Appear. In the event both parties in the action fail to appear at the ERC after notice, the case shall be scheduled for dismissal on a day certain thirty (30) days following the ERC.

b. One Party Fails To Appear. In the event one party in the action fails to appear at the ERC after notice, the case shall be set for a combined default hearing and trial with the assigned judicial officer to allow the court discretion on how to proceed at the time of the scheduled hearing/trial. For this purpose, Form 8 attached hereto shall be utilized.

11. Trial Dates. To facilitate the efficient and prompt scheduling of trial days by the ACM Triage Program, each judicial division will designate a reasonable number of trial dates and times of one (1) hour each for use by the Early Resolution Triage Program to schedule trials. Initially, each division will provide six (6) hours of trial time each month. In the event the trial dates have not been utilized by the Early Resolution Triage Program 30 days prior to the date provided, the time shall be relinquished to the division to use as appropriate, and the Attorney Case Managers shall not thereafter utilize the trial time without permission of the assigned judicial officer.

EFFECTIVE DATE:

This policy shall be effective as of the date approved by the Family Court Department.

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF DISMISSING)
PETITIONS FOR AN ORDER OF)
PROTECTION THAT ARE)
ABANDONED)

)**

**ADMINISTRATIVE ORDER
No. 2005-046**

Whereas the Family Court Department changed its business practices effective November 1, 2004, and is now tracking cases involving only a Petition for an Order of Protection separately in its case management database; and

Whereas the courts are available at all times to hear Petitions for Orders of Protection, and give such Petitions priority for hearing. Parties wishing to obtain an Order of Protection normally do routinely present Petitions to the court on the same day they are filed; and

Whereas some Petitions for Orders of Protection are filed but never presented to a judicial officer for consideration for a variety of reasons unique to each case and known only to the Petitioners; and

Whereas the court is required to appropriately address all petitions that are filed with the court in a prompt and judicious manner.

IT IS ORDERED:

1. Court Administration shall dismiss any Petition for an Order of Protection that is filed and not presented to the court for consideration within 30 days after the Petition is filed.

2. All such dismissals shall be without prejudice and shall not limit any party from filing subsequent Petitions for Orders of Protection.

DATED this 16th day of March, 2005.

Hon. Norman J. Davis, Presiding Judge
Family Court Department

Original: Clerk of the Superior Court

Copies:

Hon. Colin F. Campbell, Presiding Judge
Hon. Barbara Mundell, Presiding Judge Designate
All Family Court Judges and Commissioners
Marcus Reinkensmeyer, Trial Court Administrator
Phillip Knox, Deputy Court Administrator
Karen Westover, Deputy Court Administrator
Mary Bucci, Family Court Administrator
Bob James, Self Service Center Director

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF ADJUSTING) ADMINISTRATIVE ORDER
ADMINISTRATIVE BOUNDARIES FOR) NO. 2005-078
CASES ASSIGNED WITHIN THE) (Replaces Administrative Order
JUDICIAL DISTRICTS OF MARICOPA) Nos. 2005-18, 2004-194 and
COUNTY) 2004-193)

WHEREAS, Administrative Orders 2005-018, 2004-194, and 2004-193 establish the administrative boundaries for the Phoenix Downtown, Northwest and Southeast judicial districts respectively, and

WHEREAS, the Court continuously seeks to insure balanced workloads, thereby providing improved caseflow and reduced case delay for parties,

IT IS ORDERED:

1. This Order rescinds the above mentioned orders;
2. The attached zip code listings separately identify the boundaries for each of the judicial districts now open or scheduled for opening.
3. Superior Court cases appropriately filed with the Clerk of Court at any judicial district shall be assigned based on the address zip codes set forth on the initial filing of the petitioning party or plaintiff party, or if that party is represented by counsel, then based on the address zip code set forth on the initial filing by the attorney for the petitioner or plaintiff. All other filings can be accepted for filing at the court location but will be assigned to the appropriate judicial district for all subsequent hearings and court events, unless specially removed for cause.
4. Any and all Federal Title IV-D cases filed by the office of Arizona State Attorney General will be exempt from strict adherence to this order and the use of zip code boundaries for filing purposes.

This Administrative Order applies to all cases filed and initiated on and after May 23, 2005.

DATED this 20th day of May, 2005.

Colin F. Campbell
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Barbara Mundell, Presiding Judge Designate
Hon. Silvia Arellano, Southeast Presiding Judge
Hon. Anna Baca, Civil Presiding Judge Designate
Hon. Eddward Ballinger, Jr., Criminal Presiding Judge
Hon. Norman Davis, Family Court Presiding Judge
Hon. Margaret Downie, Civil Presiding Judge
Hon. Colleen McNally, Northwest Presiding Judge
Hon. Karen O'Connor, Probate Presiding Judge
Hon. Emmet J. Ronan, Juvenile Presiding Judge
Hon. Michael K. Jeanes, Clerk of Superior Court
Marcus Reinkensmeyer, Judicial Branch Administrator

Downtown Phoenix Region

| <u>city</u> | <u>zip code</u> | <u>city</u> | <u>zip code</u> |
|-------------|-----------------|-----------------|-----------------|
| Phoenix | 85001 | Phoenix | 85069 |
| Phoenix | 85002 | Phoenix | 85070 |
| Phoenix | 85003 | Phoenix | 85071 |
| Phoenix | 85004 | Phoenix | 85072 |
| Phoenix | 85005 | Phoenix | 85075 |
| Phoenix | 85006 | Phoenix | 85078 |
| Phoenix | 85007 | Phoenix | 85079 |
| Phoenix | 85008 | Phoenix | 85080 |
| Phoenix | 85009 | Phoenix | 85082 |
| Phoenix | 85010 | Scottsdale | 85252 |
| Phoenix | 85011 | Scottsdale | 85257 |
| Phoenix | 85012 | Scottsdale | 85266 |
| Phoenix | 85013 | Scottsdale | 85267 |
| Phoenix | 85014 | Scottsdale | 85271 |
| Phoenix | 85015 | Tempe | 85280 |
| Phoenix | 85016 | Tempe | 85281 |
| Phoenix | 85017 | Tempe | 85282 |
| Phoenix | 85019 | Tempe/Guadalupe | 85283 |
| Phoenix | 85025 | Tempe | 85284 |
| Phoenix | 85030 | Tempe | 85285 |
| Phoenix | 85031 | Tempe | 85287 |
| Phoenix | 85033 | Tempe | 85289 |
| Phoenix | 85034 | Glendale | 85301 |
| Phoenix | 85035 | Glendale | 85303 |
| Phoenix | 85036 | Glendale | 85311 |
| Phoenix | 85038 | Glendale | 85312 |
| Phoenix | 85039 | Glendale | 85313 |
| Phoenix | 85040 | Glendale | 85318 |
| Phoenix | 85041 | Buckeye | 85326 |
| Phoenix | 85042 | Phoenix/Cashion | 85329 |
| Phoenix | 85043 | Gila Bend | 85337 |
| Phoenix | 85044 | Goodyear | 85338 |
| Phoenix | 85045 | Laveen | 85339 |
| Phoenix | 85046 | Palo Verde | 85343 |
| Phoenix | 85048 | Tolleson | 85353 |
| Phoenix | 85055 | | |

| | |
|---------|-------|
| Phoenix | 85060 |
| Phoenix | 85061 |
| Phoenix | 85063 |
| Phoenix | 85064 |
| Phoenix | 85066 |
| Phoenix | 85067 |
| Phoenix | 85068 |

Southeast (Mesa) Region

| <u>city</u> | <u>zip code</u> |
|--------------------|-----------------|
| Mesa | 85201 |
| Mesa | 85202 |
| Mesa | 85203 |
| Mesa | 85204 |
| Mesa | 85205 |
| Mesa | 85206 |
| Mesa | 85207 |
| Mesa | 85208 |
| Mesa | 85210 |
| Mesa | 85211 |
| Mesa | 85212 |
| Mesa | 85213 |
| Mesa | 85214 |
| Mesa | 85215 |
| Mesa | 85216 |
| Chandler | 85224 |
| Chandler | 85225 |
| Chandler | 85226 |
| Queen Creek | 85227 |
| Gilbert | 85233 |
| Gilbert | 85234 |
| Higley | 85236 |
| Queen Creek | 85242 |
| Chandler | 85244 |
| Chandler | 85246 |
| Sun Lakes/Chandler | 85248 |
| Chandler | 85249 |
| Mesa | 85274 |
| Mesa | 85275 |

| | |
|---------|-------|
| Mesa | 85277 |
| Gilbert | 85296 |
| Gilbert | 85297 |
| Gilbert | 85299 |

Northwest (Surprise) Region

| <u>city</u> | <u>zip code</u> |
|---------------------|-----------------|
| Glendale | 85305 |
| Glendale | 85307 |
| Glendale | 85309 |
| Phoenix | 85037 |
| Litchfield Park | 85340 |
| Black Canyon City | 85324 |
| El Mirage | 85335 |
| Avondale | 85323 |
| Morristown | 85342 |
| Peoria | 85345 |
| Sun City/West/Grand | 85351 |
| Tonopah | 85354 |
| Waddell | 85355 |
| Wickenburg | 85358 |
| Wittman | 85361 |
| Youngtown | 85363 |
| Sun City/West/Grand | 85372 |
| Sun City/West/Grand | 85373 |
| Surprise | 85374 |
| Sun City/West/Grand | 85375 |
| Sun City/West/Grand | 85376 |
| Surprise | 85378 |
| Surprise | 85379 |
| Peoria | 85380 |
| Peoria | 85381 |
| Peoria | 85382 |
| Peoria | 85383 |
| Peoria | 85385 |
| Surprise | 85387 |
| Wickenburg | 85390 |

(new) Northeast Region

| <u>city</u> | <u>zip code</u> |
|-------------------------|-----------------|
| Phoenix | 85018 |
| Phoenix | 85020 |
| Phoenix | 85021 |
| Phoenix | 85022 |
| Phoenix | 85023 |
| Phoenix | 85024 |
| Phoenix | 85026 |
| New River | 85027 |
| Phoenix | 85028 |
| Phoenix | 85029 |
| Phoenix | 85032 |
| Phoenix | 85050 |
| Phoenix | 85051 |
| Phoenix | 85053 |
| Phoenix | 85054 |
| Phoenix | 85085 |
| Anthem | 85086 |
| New River | 85087 |
| Scottsdale | 85250 |
| Scottsdale | 85251 |
| Paradise Valley | 85253 |
| Scottsdale/Phoenix | 85254 |
| Scottsdale | 85255 |
| Scottsdale | 85256 |
| Scottsdale | 85258 |
| Scottsdale | 85259 |
| Scottsdale | 85260 |
| Scottsdale | 85261 |
| Scottsdale | 85262 |
| Scottsdale/Rio Verde | 85263 |
| Scottsdale/Ft. McDowell | 85264 |
| Fountain Hills | 85268 |
| Scottsdale | 85269 |
| Glendale | 85302 |
| Glendale | 85304 |
| Glendale | 85306 |
| Glendale | 85308 |

| | |
|-------------------|--------------|
| Glendale | 85310 |
| Cave Creek | 85327 |
| Cave Creek | 85331 |
| Carefree | 85377 |

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF THE MARICOPA)
COUNTY INTEGRATED FAMILY)
COURT MANAGEMENT PLAN) ADMINISTRATIVE ORDER
) No. 2005-104
)
)**

Effective April 1, 2002, Administrative Order No. 2001-020 formally initiated the Integrated Family Court Pilot Project in the Maricopa County Superior Court at the Southeast Regional Court Center in Mesa for a test period of twelve (12) months. This initial period was subsequently extended through June 28, 2002 by Administrative Order No. 2002-019. On February 25, 2003, the Arizona Supreme Court issued its Administrative Order No. 2003-023 establishing a broader Integrated Family Court ("IFC") pilot project in the Superior Courts in Coconino, Maricopa and Pinal Counties, and directed that they be established in those counties for a period not to exceed two years from the date the local court plan was approved. In furtherance thereof, the Maricopa County Superior Court submitted a detailed Integrated Family Court Project Plan dated December 11, 2003 to the Arizona Supreme Court. Maricopa County Administrative Order No. 2004-086 was subsequently entered to supplement the existing IFC policies and procedures in the Maricopa County Superior Court. In 2004 the IFC pilot was also expanded to the Durango court facility for a short time.

In 2002, Greacen Associates, LLC, an independent consulting firm extensively evaluated the IFC Pilot Project. The results of this evaluation were inconclusive, due at least in part to the minimal numbers of cases within the IFC Pilot Project. Further evaluation by the Family Court Department and the Juvenile Court Department, as summarized in a joint Memorandum from the two departments dated March 30, 2005, indicates that the IFC Pilot Project as currently constituted is not effectively achieving its goals as originally outlined. Accordingly, it has become necessary to modify the IFC Pilot Project to implement more streamlined procedures consistent with the goals articulated by the Arizona Supreme Court in Administrative Order No. 2003-023.

IT IS ORDERED that the IFC Pilot Project in the Maricopa County Superior Court is restructured as the "Integrated Family Court Management Plan" as follows:

1. **Juvenile Court Will Assume Jurisdiction To Enter Custody Order.**
When any juvenile dependency case is identified as filed concurrently with any other family court or probate court case involving custody or guardianship issues

of a minor child, the family court and/or probate court, as appropriate, will defer jurisdiction of all custody and parenting time issues to the juvenile court for adjudication as required by A.R.S. §8-202(F).

2. Surviving Custody/Parenting Time Order. Upon termination of the juvenile dependency action resulting in dismissal and reunification, the juvenile judge will enter a comprehensive custody order satisfying the requirements of A.R.S. §25-401 to -415 that will survive the dismissal of the juvenile dependency case. Unless the parties are married and no dissolution of marriage is concurrently filed, this custody order will be filed in any existing, or concurrently established, family court case number that involves the same parties. If no family court case number exists, the Clerk of the Court at the juvenile court will file the order in a newly created family court case number.

3. Paternity Orders Survive. Any paternity orders entered in the juvenile proceeding will be incorporated or reestablished in the surviving custody order. This will insure that juvenile paternity orders are not vacated and will place the orders in a public record so that the parties and the family court will have a reliable and readily accessible record of the disposition of this issue.

4. Family Court Case Proceeds. The family court will proceed to expeditiously and finally adjudicate all remaining issues in the family court case and enter an appropriate Decree, Judgment or Order. The family court Decree, Judgment or Order may incorporate by reference or defer to the juvenile court order, as appropriate. The probate court will dismiss or defer any guardianship or custody issues to the family court or juvenile court, as appropriate.

5. Child Support Orders. Initial child support orders will be entered by the family court or the juvenile court after consultation with the assigned family court and juvenile court judges, based upon any existing custody orders entered by the juvenile court in the dependency action. Where appropriate both parents can be ordered to pay child support to a third party caregiver in accordance with the Arizona Child Support Guidelines.

6. Modification & Enforcement. All future petitions to modify or enforce the custody or child support orders will be filed in the family court case.

7. Delinquency & Other Cases Handled Uniquely. All juvenile delinquency cases, as well as all other overlapping family court, probate court and juvenile court cases excepting juvenile dependency cases provided for above, will be managed as determined after consultation between the various assigned judges.

8. Integrated Family Court Management Plan. The separate Integrated Family Court will be collapsed back into the Family Court, Probate

Court, and Juvenile Court Departments to be administered by each department within its area of statutory jurisdiction with the modifications set forth above.

IT IS FURTHER ORDERED that this revised Integrated Family Court Pilot shall commence July 1, 2005, and continue as the permanent IFC Plan of the Maricopa County Superior Court after the expiration of the initial time period determined by the Arizona Supreme Court for the IFC Pilot unless modified by subsequent order.

IT IS FURTHER ORDERED that Maricopa County Administrative Order Nos. 2001-020, 2002-013, 2002-019, and 2004-086 are vacated.

Dated this _____ day of June, 2005.

Honorable Colin F. Campbell
Presiding Judge

Original: Clerk of the Superior Court

Copies: The Honorable Charles E. Jones, Chief Justice
The Honorable Ruth V. McGregor, Vice Chief Justice
The Honorable Barbara R. Mundell, Presiding Judge Designate
The Honorable Norman J. Davis, Family Court Presiding Judge
The Honorable Emmett Ronan, Juvenile Court Presiding Judge
All Family Court & Juvenile Judges
David Byers, Director, Administrative Office of the Courts
Marcus Reinkensmeyer, Trial Courts Administrator



Family Court Administrative Forms & Index

Attachment #12

Index

Family Court Administration Forms

Dismissals for Lack Of Service and Lack of Prosecution

Notice of Failure to Serve and Intent to Dismiss Court Case
Order Dismissing Case Without Prejudice for Lack of Service
Notice of Placement of Case on IAC and Intent to Dismiss
Order Dismissing Case Without Prejudice for Lack of Prosecution

Early Resolution Triage Program

Division Trial Grid for ACM Program
Order to Appear for Early Resolution Conference
Resolution Statement for ACM Program
Agreement Between Parties Without Children
Agreement Between Parties With Children
Agreement Between Parties Paternity/Custody
Notice of Trial Date
Notice of Trial Requirements
Notice of Trial/Default Date

Conciliation Court

Conciliation Stay Minute Entry – Petition for Conciliation Filed
Conciliation Stay Minute Entry – Referral to Conciliation by Judge
Conciliation Stay Lifted Minute Entry

Referral Forms

TASC Referral Form
Guardian Ad Litem – OCAC Appointed
Guardian Ad Litem – Volunteer Lawyer Appointed

Notice of Change of Judge / Recusal

Notice of Change of Judge/Recusal Memo
Notice of Change of Judge/Recusal Memo – Case Reassigned

Expedited Services

Expedited Services Order
Expedited Services Request for Judicial Determination

**SUPERIOR COURT
OF ARIZONA
IN MARICOPA COUNTY**

Family Court Administration
201 W. Jefferson, 6th floor
Phoenix, AZ 85003
(602) 506-1561

File Date

[Date notice
is generated]

[Date notice is printed]

[Case Number]

[Petitioner name]

Endorsements: []

VS

[Respondent name]

**NOTICE OF FAILURE TO SERVE AND
INTENT TO DISMISS YOUR ACTION**

NOTICE AND WARNING: The Court Information System indicates that you have not served the other party the court paper you filed on [file date of selected petition]. Your action could be dismissed without any further notice any time after **[file date of selected petition + 60 days, should not be a weekend or holiday]** if you do not take the steps listed below.

- A. **SERVE THE OTHER PARTY WITH THE COURT PAPERS AND FILE THE PROOF OF SERVICE.** You can obtain appropriate documents and instructions from the Self Service Centers at the address listed below or from the Self Service Center Website.

Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library
Mesa: 222 E. Javelina, 1st Floor, Mesa, AZ at the Law Library
Northwest: 14264 W. Tierra Buena Ln, Surprise AZ
Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>

If you have served the other party you must be sure that the proof of service has been filed with the Clerk of the Court at the Filing Counter immediately.

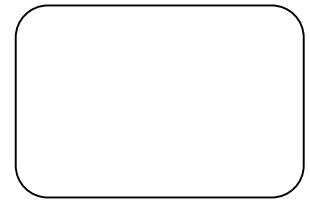
- B. **MOTION AND ORDER FOR CONTINUANCE:** You may file a motion to ask the judge for more time to complete the service of the court papers before the court automatically dismisses your case. The order granting the extension must be SIGNED by the judge BEFORE the dismissal date indicated above.

- C. **VOLUNTARY DISMISSAL OF YOUR CASE.** If you want to dismiss your case instead of waiting for the Court Order of Dismissal, forms and instructions are available at Family Court Administration.

Warning: The Court will dismiss your action without prejudice unless you do what this Notice tells you to do. "Dismiss" means there will be no court order granting or denying what you asked for in the court papers. "Without prejudice" means you can file the case again, but you might lose certain rights. If you do not understand, see a lawyer for help.

The court will NOT SEND YOU ANY MORE NOTICES about this.

Office Distribution



SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: [case #]

«petname»

Endorsements: [selected parties]

VS

«resname»

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
FOR LACK OF SERVICE**

Pursuant to Arizona Rules of Civil Procedure 4(i), the action filed on [file date of selected petition] is dismissed without prejudice due to failure to serve within 120 days from the date of filing, after sending of Notice of Failure to Serve and Intent to Dismiss.

Done in Open Court: March 1, 2006

Judge/Commissioner/Special Commissioner

File Date

[Date notice
is generated]

**SUPERIOR COURT
OF ARIZONA
IN MARICOPA COUNTY**

Family Court Administration
201 W. Jefferson, 6th floor
Phoenix, AZ 85003
(602) 506-1561

[Case Number]

Endorsements: []

[Petitioner name]

VS

[Respondent name]

**NOTICE OF PLACEMENT OF CASE ON THE INACTIVE CALENDAR
AND INTENT TO DISMISS**

NOTICE AND WARNING: The Court Information System indicates that at least 120 days have passed since your case was filed. The Arizona Rules of Civil Procedure 38.1(d) and 38.1(e) allow the Court to place your action on the Inactive Calendar any time after 120 days and to dismiss your action for Lack of Prosecution without any further notice anytime after 160 days unless appropriate actions are taken.

The [list selected petition] filed on [list filed date of selected petition] was placed on the Inactive calendar on [date of inactive event] and will be dismissed without prejudice on [date of inactive event + 60 days, can't be weekend or holiday] unless you take appropriate steps to prevent the dismissal.

- If temporary orders have been issued, THESE ORDERS WILL END WITH THE DISMISSAL of your action. If a paternity case has been dismissed and the parties have agreed to paternity and now have temporary orders for support, custody, etc, you may not have a final order of paternity. Temporary orders for support, custody, visitation, etc. will also end.
- If you do not wish to have your action dismissed for lack of prosecution, you must take one of the following actions:
 1. Have a final decree/order signed by a judge or commissioner prior to the dismissal date.
 2. If a response/answer has been filed, you may file a proper Motion to Set prior to the dismissal date.
 3. Ask the judge for more time to complete your action by filing a Motion to Continue on the Inactive Calendar. The judge must sign the order granting your motion prior to the dismissal date. (This motion to continue is available at Family Court Administration)
- The Superior Court Self Service Center has court forms and instructions you might be able to use for your court case, and also has a list of lawyers who can help you on a task-by-task basis, for a fee.

Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library

Mesa: 222 E. Javelina, 1st Floor, Mesa, AZ at the Law Library

Northwest: 14264 W. Tierra Buena Ln, Surprise, AZ

Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>

Warning: The Court will dismiss your action without prejudice unless you do what this Notice tells you to do. "Dismiss" means there will be no court order granting or denying what you asked for in the court papers. "Without prejudice" means you can file the case again, but you might lose certain rights. If you do not understand, see a lawyer for help.

The court will NOT SEND YOU ANY MORE NOTICES about this.

Office Distribution



SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: [case #]

«petname»

Endorsements: [selected parties]

VS

«resname»

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
FOR LACK OF SERVICE**

Pursuant to Arizona Rules of Civil Procedure 4(i), the action filed on [file date of selected petition] is dismissed without prejudice due to failure to serve within 120 days from the date of filing, after sending of Notice of Failure to Serve and Intent to Dismiss.

Done in Open Court: March 1, 2006

Judge/Commissioner/Special Commissioner

Division Trial Schedule 2006

Judge _____

Optional 2 Hour Time slots.

Optional 2 Hour Time slots.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:

)

Petitioner) NO. _____
)
and)
)

Respondent.)
)

RESOLUTION STATEMENT OF:

[] HUSBAND

[] WIFE

The undersigned party provides the following specific positions on each of the issues in this case (**BE SPECIFIC**):

1. **Custody.** My spouse and I have the following natural or adopted children in common:

Child's Name

Date of Birth

Age

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I want the child[ren] to live primarily with _____ and have parenting time with the other parent as follows
(check all that apply): FATHER/MOTHER

_____ Generally in accordance with Maricopa County Guidelines for reasonable parenting time.

_____ Every other weekend from _____ at _____ m. to
Day of Week Time a/p

_____ at _____ m.
Day of Week Time a/p

_____ One-half of the holidays on an alternating basis.

_____ For _____ weeks in the summer.

_____ Spring Break from school.

_____ Other: _____

This custody arrangement should be: _____ sole custody
(Check one)

_____ joint custody

- 2. Child Support.** My position on the financial factors necessary to calculate child support under the statewide child support guidelines is as follows (complete in full):

Father's Gross Monthly Income: \$_____

Mother's Gross Monthly Income: \$_____

Father has _____ Other Children **not** listed above.
No.

Mother has _____ Other Children **not** listed above.
No.

Medical Insurance Should Be Paid By _____ and its monthly cost is \$_____.
Father or Mother

Monthly Child Care Costs for _____ child[ren] is \$_____.
No.

I believe the court should add the following **Extra Education Expenses** or **Extraordinary Child Adjustments** to the child support calculation (leave blank if none claimed):

| <u>Description</u> | <u>Monthly Amount</u> |
|--------------------|-----------------------|
| _____ | \$_____ |
| _____ | \$_____ |

Uninsured Medical Expenses should be paid (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____% paid by Father and _____% paid by Mother.

Tax Exemptions for the child[ren] should be divided (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____

- 3. Spousal Maintenance.** My position on spousal maintenance is (check one and complete):

- No spousal maintenance need be paid by either me or my spouse.
 I should **pay** my spouse \$_____ per month for _____ months.
 I should **receive** from my spouse \$_____ per month for _____ months.

- 4. Separate Property.** I believe the following property is my sole and separate property (describe):

5. Community Liens In Separate Property. I believe I have a community interest in the following sole and separate property of my spouse:

6. Community Property. I want to divide all of the community property (except tangible personal property) as follows: Directions: Column 1: List short description of each item or real and personal property.

Column 2: List your estimate of the fair market value of each item of property, and if the property is subject to a lien or encumbrance list the amount of the lien as a reduction () to fair market value on the line directly below its value.

Column 3: List the amount of net value of each item you propose for Husband.

Column 4: List the amount of net value of each item you propose for Wife.

7. Tangible Personal Property. I believe that the value of the tangible personal property (household furniture, furnishings, jewelry etc.) in the possession of each party is as follows:

Husband has tangible personal property in his possession valued at approximately \$ _____.

Wife has tangible personal property in her possession valued at approximately \$ _____.

My preference to divide the tangible personal property is to (List your order of preferences as 1,2,3 & 4):

(1,2,3 or 4) Each party should keep the tangible personal property currently in their possession with the exception that I want the following items from my spouse:

An equalization payment/credit should be made based upon the above values so each of us gets the same value.
(1,2,3 or 4)

We should make a list of all the tangible personal property and alternately select items from the list (1,2,3 or 4) until all the property is divided.

_____ One of us should make 2 lists of tangible personal property both equal in value, and the other one be awarded all property on the list of his or her choice.
(1,2,3 or 4)

Other: _____

8. Debts. The community debts should be divided as follows (complete in detail):

_____ All of the debt should be paid _____% by Husband and _____% by Wife; or

_____ Each of us should pay the following debts and amounts:

_____ \$ _____ \$ _____ \$ _____

Totals

\$ _____ \$ _____ \$ _____

9. Attorney's Fees. If the case is settled today, I want the court to order (choose one):

Each of us to pay our own attorney's fees.

My spouse to pay \$ _____ of my attorney's fees within _____ days.
(Use specific sum) (No.)

Me to pay \$ _____ to my spouse for attorney's fees within _____ days.
(Use specific sum) (No.)

10. Name Change. I want to be restored to my former name of _____.
(List full name you want restored)

11. Other Issues. Briefly state the other issues which you believe must be resolved to fully settle this case:

12. Settlement. I verify that the above statements are true upon my best information and belief and I am willing to settle and resolve this case based upon the information provided above.

Dated: _____

Signature of Husband/Wife

FAMILY COURT ADMINISTRATION

Date: March 1, 2006

For Case: 0

Respondent's Copy

0

VS.

0

ORDER TO APPEAR
Early Resolution Conference

NOTICE: THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ THIS ORDER CAREFULLY. IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

AVISO: LA QUE SIGUE ES UNA ORDEN JUDICIAL IMPORTANTE QUE AFECTA SUS DERECHOS. LÉALA CUIDADOSAMENTE. SI NO ENTIENDE ESTA ORDEN, ASESÓRESE CON UN ABOGADO.**

IT IS ORDERED that Petitioner and Respondent, and their attorneys, if they are represented by counsel, shall **APPEAR** at the time and place designated below for a conference with an Attorney Case Manager. Please allow two to four hours for this conference.

This appearance does not excuse the parties/attorneys from appearances at any other hearings scheduled in this court without an order of the court specifically authorizing non-appearance.

Date and Time of Conference: **Saturday, January 00, 1900** at **12:00 AM**

Name of Attorney Case Manager: **Garry Wilmore**

Place of Conference: **Downtown Facility - Conciliation Services
201 W. Jefferson, 3rd floor
Phoenix, AZ 85303
Phone 602-506-1596, Fax 602-506-3123**

IT IS FURTHER ORDERED that if you fail to appear at your conference, it may result in sanctions or penalties provided by statute, rule, or authority of the Court, including:

- a. a finding of contempt by the court
- b. entry of default or dismissal as to some or all relief
- c. taxation of costs or attorney fees
- d. imposition of other monetary sanctions

Any party represented by an attorney will be considered as a "failure to appear" if the attorney does not appear at the ERC conference.

DONE IN OPEN COURT:



Presiding Judge of Family Court

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY****FAMILY COURT ADMINISTRATION**Date: **March 1, 2006**For Case: **0**

1. **MANDATORY RESOLUTION STATEMENT: IT IS FURTHER ORDERED** that each party shall fully complete and file a Resolution Statement in the form attached to this order, and provide a copy to the other party and the attorney case manager at least 5 days before the conference. The Court will consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent request for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.
2. **PRE-CONFERENCE SETTLEMENT MEETING: IT IS FURTHER ORDERED** that, unless an Order of Protection is currently in effect or there is a history of domestic violence between the parties, the parties and counsel, if any, shall meet in person prior the Early Resolution Conference, and use their best efforts to settle or narrow the issues in this case. In the event the parties and counsel, if any, have not met prior to the day set for the Early Resolution Conference, they shall meet at least one (1) hour prior to the scheduled time of the Conference.
3. **DISCLOSURE:** Unless both parties agree that the Resolution Statement filed in accordance with the above requirements satisfies the requirements of Rule 26.1, Arizona Rules of Civil Procedure (ARCP), **IT IS FURTHER ORDERED** that both parties file the disclosure statement required by Rule 26.1, ARCP, within twenty (20) days of the Early Resolution Conference. Pursuant to Rule 37(b), ARCP, any party who fail to timely disclosure information required by Rule 26.1 may not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.
4. **PARENT EDUCATION PROGRAM: IT IS FURTHER ORDERED** that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Early Resolution Conference and file proof thereof prior to or at the time of the Conference.
5. **CHANGE OF ADDRESS:** It is your responsibility to update the Court of any change of address. If the Court does not have your current address, the Court will be unable to notify you about important information pertaining to your case. You may obtain the form from the Self Service Center, Family Court Administration, the Family Court Filing Counter or the internet.
(<http://www.superiorcourt.maricopa.gov/ssc/forms.fc.gn9.asp>)
6. **INTERPRETERS:** If you need an interpreter, you must ask the court in writing at least 14 business days before the conference.
INTERPRETES: Si necesita un intérprete, tendrá que hacer una petición por escrito 14 días hábiles antes de la conferencia.**
7. **POSTPONING OR RESCHEDULING THE CONFERENCE:** The Court will not postpone and reschedule a conference without specific reasons. All such requests must show that a copy was provided to the other side or their attorney. The Court is more likely to grant a request to postpone and reschedule if the request is made at least 1 week before the conference date.
8. **ATTENDANCE:** Only parties (and their attorneys, if they have an attorney) are allowed to attend the Early Resolution Conference. This does not mean you must have an attorney, but if you have an attorney, that attorney must attend the Conference. Parties who are represented by an attorney will not be allowed to participate in the conference if their attorney does not appear. **NO CHILDREN ARE ALLOWED AT THE CONFERENCE.** If you bring friends or other family members, they must wait in another area.
9. **TELEPHONE:** For a good reason (such as a very serious illness, incarceration, or residing a long distance from the Court) one or both parties or attorneys might be allowed to participate at the conference by telephone. If you wish to do this, you must submit a request in writing to the attention of Family Court Settlement Case Manager NO MORE THAN 5 COURT DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE. See the address and fax number on page one.
10. **COMMUNICATION:** The Attorney Case Manager will not discuss the specifics of your case with you unless the other party or their attorney is present. When a party writes to the Attorney Case Manager, he/she must send a copy to the other party at the same time and indicated this on the document itself.

The **RESOLUTION MANAGEMENT CONFERENCE** is your opportunity to meet with an Attorney Case Manager who will discuss the issues between the two parties and their attorneys, and assist with moving towards a resolution of those issues. The Case Manager may also establish deadlines and make referrals and recommendations for any necessary ancillary court services. The Case Manager will also assist the parties with finalizing any agreements reached during the conference.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:

0

Petitioner

and

0

Respondent

)
No. 0

) **RESOLUTION STATEMENT OF:**

) | | **HUSBAND**

) | | **WIFE**

The undersigned party provides the following specific positions on each of the issues in this case (**BE SPECIFIC**):

1. **Custody.** My spouse and I have the following natural or adopted children in common:

Child's Name

Date of Birth

Age

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I want the child[ren] to live primarily with _____ and have parenting time with the other parent as follows
(check all that apply): Father/Mother

_____ General in accordance with Maricopa County Guidelines for reasonable parenting time.

Every other weekend from _____ at _____ .m to
Day of Week Time a/p

_____ at _____ .m.
Day of Week Time a/p

_____ One-half the holidays on an alternating basis.

_____ For _____ weeks in the summer.

_____ Spring Break from school.

Other: _____

This custody arrangement should be: _____ sole custody
(check one)

_____ joint custody

2. **Child Support.** My position on the financial factors necessary to calculate child support under the statewide child support guidelines is as follows (complete in full):

Father's Gross Monthly Income: \$ _____

Mother's Gross Monthly Income: \$ _____

Father has _____ other children **not** listed above.
no.

Mother has _____ other children **not** listed above.
no.

Medical Insurance should be paid by _____ and its monthly cost is \$ _____
Father or Mother

Monthly Child Care costs for _____ child[ren] is \$ _____

I believe the court should add the following **Extra Education Expenses** or **Extraordinary Child Adjustments** to the child support calculation (leave blank if none claimed):

| <u>Description</u> | <u>Monthly Amount</u> |
|--------------------|-----------------------|
| _____ | \$ _____ |
| _____ | \$ _____ |

Uninsured Medical Expenses should be paid (check one):

_____ Pro rata based upon each party's income as provided in the guidelines; or

_____ Other: _____ % paid by Father and _____ % paid by Mother.

Tax Exemptions for the child[ren] should be divided (check one):

_____ Pra rata based upon each party's income as provided in the guidelines; or

_____ Other: _____

3. **Spousal Maintenance.** My position on spousal maintenance is (check one and complete):

_____ No spousal maintenance need be paid by either me or my spouse.

_____ I should **pay** my spouse \$ _____ per month for _____ months.

_____ I should **receive** from my spouse \$ _____ per month for _____ months.

4. **Separate Property.** I believe the following property is my sole and separate property (describe):

5. **Community Liens In Separate Property.** I believe I have a community interest in the following sole and separate property of my spouse:

6. Community Property. I want to divide all of the community property (*except tangible personal property*) as follows:

Directions: *Column 1:* List short description of each item or real and personal property.
Column 2: List your estimate of the fair market value of each item of property, and if the property is subject to a lien or encumbrance list the amount of the lien as a reduction () to fair market value on the line directly below its value.
Column 3: List the amount of net value of each item you propose for Husband.
Column 4: List the amount of net value of each item you propose for Wife.

7. **Tangible Personal Property.** I believe that the value of the tangible personal property (household furniture, furnishings, jewelry etc.) in the possession of each party is as follows:

Husband has tangible personal property in his possessions valued at approximately \$ _____.

Wife has tangible personal property in her possession valued at approximately \$ _____.

My preference to divide the tangible personal property is to (List your order of preferences as 1,2,3 &4)

_____ Each party should keep the tangible personal property currently in their possession with the exception (1,2,3 or 4) that I want the following items from my spouse:

_____ An equalization payment/credit should be made based upon the above values so each of us gets the (1,2,3 or 4) same value.

_____ We should make a list of all the tangible personal property and alternately select items from the list (1,2,3 or 4) until all the property is divided.

_____ One of us should make 2 lists of tangible personal property both equal in value, and the other one be (1,2,3 or 4) awarded all property on the list of his or her choice.

_____ Other: _____

8. **Debts.** The community debts should be divided as follows (complete in detail):

_____ All of the debt should be paid _____ % by Husband and _____ % by Wife; or

_____ Each of us should pay the following debts and amounts:

| <u>Debtor</u> | <u>Total Amount</u> | <u>Amount to be Paid by Husband</u> | <u>Amount to be Paid by Wife</u> |
|---------------|---------------------|-------------------------------------|----------------------------------|
| _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ | \$ _____ |
| Totals | \$ _____ | \$ _____ | \$ _____ |

Dated:

Signature of Husband/Wife

0
0
0

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number: _____

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
(DIVORCE) WITHOUT CHILDREN**

(Name of Respondent)

FULL SETTLEMENT
 PARTIAL SETTLEMENT

This is the time set for the **Settlement Conference** **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case is _____.

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect now? Yes No

Does either party have a pending bankruptcy case? Petitioner Yes No
Respondent Yes No
Has a discharge been entered? Yes No

PREGNANCY:

- Wife is **not** pregnant
 Wife is pregnant, and the husband **is** or **is not** the father of the child.
 A child who is common to the parties is expected to be born this date: _____.

TAX RETURNS: * Subject to IRS Rules and Regulations.

For prior years _____ through _____, the parties agree to:

- File **joint** federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any.

For prior years _____ through _____, the parties agree to:

- File **separate** federal and state income tax returns
 Each party shall file **separate** tax returns this calendar year and continuing thereafter.
 Each party shall give the other party all necessary documentation to file all tax returns.
 The parties are **unable** to reach an agreement concerning tax return issues.

NAME CHANGE:

- Wife requests that her last name be restored to _____.
 Husband requests that his last name be restored to _____.
 The Petitioner and Respondent **do not** wish to have their names restored.

SPOUSAL MAINTENANCE/SUPPORT:

- Parties are in agreement that the Petitioner will pay Respondent Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that the Respondent will pay Petitioner Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that **no** Spousal Maintenance/Support is needed for either party.
 Parties are **unable** to reach an agreement concerning Spousal Maintenance/Support.

COMMUNITY DEBTS:

- Parties agree on how to divide Community debts.
 Parties agree to be responsible for their own sole and separate debts as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|-------------|--------------------------|--------------------------|--------------------------|
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Parties agree to submit a comprehensive inventory and breakdown of community debt to the other party by _____.
 The community debts shall be divided as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|-------------|--------------------------|--------------------------|--------------------------|
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Any debts or obligations incurred by either party before the date of separation that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.
 The parties are **unable** to reach an agreement concerning debts.

PERSONAL PROPERTY:

- Community personal property has already been distributed prior to conference to both Petitioner and Respondent. Each party to be awarded the personal property in their respective possession.

DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)

Community property is awarded to each party as follows:

LIST OF COMMUNITY PROPERTY AWARD TO:

| | Petitioner | Respondent |
|--|--|--|
| <input type="checkbox"/> Household furniture/furnishings (Be specific) _____ _____ _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Appliances (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> TV /VCR/DVD (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Personal Computer (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Other (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Cash,bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Award each party the personal property in his/her possession. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

DIVISION OF REAL PROPERTY: Section A is for one piece of real property. Section B is for a second piece of real property.

A. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

B. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

The value of the property is unknown and the parties agree to have a comprehensive analysis or appraisal done prior to the final agreement or by _____ date.

Parties agree that Petitioner Respondent will refinance real property on or before _____. If unsuccessful, the real property will be _____.

The parties are **unable** to reach an agreement concerning real property.

There is no community real property.

DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

- The parties agree that any community interest in any retirement benefits, pension plans, or other deferred compensation described below will be allocated as follows:
Petitioner's _____
Respondent's _____
- The parties agree they will submit a Qualified Domestic Relations Order to the assigned Judge by _____.
- Each party **waives and gives up** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party.
- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- The parties are **unable** to reach an agreement concerning retirement, pension plan or other deferred compensation.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$ _____.
- Respondent will pay Petitioner's legal fees in the amount of \$ _____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ADDITIONAL AGREEMENTS:**ADDITIONAL ISSUES NOT AGREED UPON:****OTHER ORDERS:****TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized divorce decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____

Date: _____

Respondent: _____

Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number:

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
(DIVORCE) WITH CHILDREN**

(Name of Respondent)

- FULL SETTLEMENT**
- PARTIAL SETTLEMENT**

This is the time set for the **Settlement Conference** **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case is _____.

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect now? Yes No

Has there been a drug conviction within the last 12 months for Petitioner Yes No
 Respondent Yes No

Does either party have a pending bankruptcy case? Petitioner Yes No
Respondent Yes No

Has a discharge been entered? Yes No

PREGNANCY:

- Wife is **not** pregnant
 Wife is pregnant, and the husband **is** or **is not** the father of the child.
 A child who is common to the parties is expected to be born this date: ..

CHILDREN: All minor children common to the parties as follows:

NAME (S) OF CHILD(REN)

D/O/B(s)

AGE

If born prior to marriage, has proof of paternity been presented? Yes No

PARENT INFORMATION PROGRAM:

Petitioner has has **not** attended the Parent Information Program Class.

Respondent has has **not** attended the Parent Information Program Class.

CHILD CUSTODY

The parties are unable to reach an agreement concerning custody.

SOLE CUSTODY: The condition under which one person, **Mother** **Father** shall have sole custody of the minor child(ren).

Both parties agree to **SOLE CUSTODY:** Sole custody to **Mother** **Father**

JOINT LEGAL CUSTODY: The condition under which both parents share legal custody and neither parent's rights are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

Both parties agree to joint legal custody

Mother **Father** will be the primary custodial parent.

Neither party is designated the primary custodial parent.

JOINT PHYSICAL CUSTODY/Joint SHARED CUSTODY: The condition under which the physical residence of the child(ren) is shared by the parents in a manner that assures that the child(ren) has/have substantially equal time and contact with both parents.

Both parents agree to joint physical/shared custody.

CHILD SUPPORT:

The parties are in agreement that child support will be paid by **Mother** **Father** using the child support guidelines.

The parties agree on the following child support amount of _____ to be paid to the **Mother** **Father**.

The parties are in agreement to a deviation from the child support guidelines in the amount of _____ to be paid to **Mother** **Father**.

A child support order currently exists signed on _____ in the amount of _____.

The parties agree to have child support calculated prior to the final agreement.

The parties are **unable** to reach an agreement concerning child support.

MEDICAL, DENTAL AND VISION INSURANCE, PAYMENTS, AND EXPENSES:

Parties agree

- Petitioner Respondent will provide medical, dental, and vision insurance for the minor child(ren).

FURTHER: Uncovered medical expenses shall be allocated as follows:

- Petitioner will pay _____% **AND**
 Respondent will pay _____%
 The parties will pay proportionate to their incomes.
 The parties are **unable** to reach an agreement concerning medical, dental and vision insurance.

TAX DEDUCTION: The parties agree that they shall claim as income tax dependency exemptions on federal and state tax returns as follows.

Mother to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

Father to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

- The parties agree to take tax deductions based on proportionate to child support worksheet guidelines.

TAX RETURNS: * Subject to IRS Rules and Regulations.

For prior years _____ through _____, the parties agree to:

- File **joint** federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any.

For prior years _____ through _____, the parties agree to:

- File **separate** federal and state income tax returns
 Each party shall file **separate** tax returns this calendar year and continuing thereafter.
 Each party shall give the other party all necessary documentation to file all tax returns.
 The parties are **unable** to reach an agreement concerning tax return issues.

NAME CHANGE:

- Wife** requests that her last name be restored to _____.
 Husband requests that his last name be restored to _____.
 The Petitioner and Respondent **do not** wish to have their names restored.

SPOUSAL MAINTENANCE/SUPPORT:

- Parties are in agreement that the Petitioner will pay Respondent Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that the Respondent will pay Petitioner Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that **no** Spousal Maintenance/Support is needed for either party.
 Parties are **unable** to reach an agreement concerning Spousal Maintenance/Support.

COMMUNITY DEBTS:

- Parties agree on how to divide Community debts.
 - Parties agree to be responsible for their own sole and separate debts as follows:

- Parties agree to submit a comprehensive inventory and breakdown of community debt to the other party by .
 - The community debts shall be divided as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|----------------|--------------------------|--------------------------|--------------------------|
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | \$ \$ \$ \$ \$ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Any debts or obligations incurred by either party before the date of separation that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

The parties are **unable** to reach an agreement concerning debts.

PERSONAL PROPERTY:

- Community personal property has already been distributed prior to conference to both Petitioner and Respondent. Each party to be awarded the personal property in their respective possession.

DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)

Community property is awarded to each party as follows:

LIST OF COMMUNITY PROPERTY AWARD TO:

| | Petitioner | Respondent |
|--|--|--|
| <input type="checkbox"/> Household furniture/furnishings (Be specific) _____ _____ _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Appliances (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> TV /VCR/DVD (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Personal Computer (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Other (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Cash,bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Award each party the personal property in his/her possession. | <input type="checkbox"/> | <input type="checkbox"/> |

DIVISION OF REAL PROPERTY: Section A is for one piece of real property. Section B is for a second piece of real property.

A. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

B. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

The value of the property is unknown and the parties agree to have a comprehensive analysis or appraisal done prior to the final agreement or by _____ date.

Parties agree that Petitioner Respondent will refinance real property on or before _____. If unsuccessful, the real property will be _____.

The parties are **unable** to reach an agreement concerning real property.

There is no community real property.

DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

- The parties agree that any community interest in any retirement benefits, pension plans, or other deferred compensation described below will be allocated as follows:
Petitioner's _____
Respondent's _____
- The parties agree they will submit a Qualified Domestic Relations Order to the assigned Judge by _____.
- Each party **waives and gives up** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party.
- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- The parties are **unable** to reach an agreement concerning retirement, pension plan or other deferred compensation.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$ _____.
- Respondent will pay Petitioner's legal fees in the amount of \$ _____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ADDITIONAL AGREEMENTS:

ADDITIONAL ISSUES NOT AGREED UPON:

OTHER ORDERS:

TIMELINE FOR PARTIES:

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized divorce decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____

Date: _____

Respondent: _____

Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number:

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
PATERNITY/CUSTODY**

(Name of Respondent)

This is the time set for the **Early Resolution Conference** held _____ before (please check one):

- Judge Pro Tempore: _____

The assigned Judge on this case is _____.

Attending this conference are:

- Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect on Petitioner Yes No
Respondent Yes No

Have CPS or police been called on Petitioner Yes No
Respondent Yes No

Has there been a drug conviction within the last 12 months for Petitioner Yes No
Respondent Yes No

PREGNANCY:

- Female party is **not** pregnant
 - Female party is pregnant, and male party **is** or **is not** the father of the child.
 - A child who is common to the parties is expected to be born this date: _____.

CHILDREN: All minor children at issue considered by one or both parties common to the parties:

NAME (S) OF CHILD(REN)

D/O/B(s)

AGE

| | | |
|---|------------------------------|------------------------------|
| Parties agree who is the father of the children involved. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties to obtain genetic/blood paternity testing. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties have decided upon testing facility _____ | | <input type="checkbox"/> N/A |
| Court to order location of testing. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties agree to split testing costs. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is the a IVD case ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

(If parties disagree to paternity, settlement conference is ended, testing is ordered and case ticked for ACM 30 day follow up)

PARENT INFORMATION PROGRAM:

Petitioner has has **not** attended the Parent Information Program Class.

Respondent has has **not** attended the Parent Information Program Class.

BIRTH CERTIFICATE:

Father's name to be added to each child's birth certificate? Yes No

CHILD'S LAST NAME:

The child(ren)'s last name shall be changed? Yes No

If yes, the child(ren)'s last name shall be changed to: _____

CHILD CUSTODY

SOLE CUSTODY: The condition under which one person has legal custody.

Both parties agree to **SOLE CUSTODY:** Sole custody to **Mother** **Father**

Both parties are **unable** to reach an agreement concerning sole custody.

JOINT LEGAL CUSTODY: The condition under which both parents share legal custody and neither parent's rights are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

Both parties agree to joint legal custody

Mother **Father** will be the primary custodial parent.

Both parties are **unable** to reach an agreement concerning joint legal custody.

JOINT PHYSICAL CUSTODY/Joint SHARED CUSTODY: The condition under which the physical residence of the child(ren) is shared by the parents in a manner that assures that the child(ren) has/have substantially equal time and contact with both parents.

Both parents agree to joint to joint physical/shared custody.

Mother **Father** will be the primary custodial parent.

Both parties are **unable** to reach an agreement concerning joint physical custody/shared custody.

CHILD SUPPORT:

- The parties are in agreement that child support will be paid by **Mother** **Father** using the child support guidelines.
- The parties agree on the following child support amount of _____ to be paid to the **Mother** **Father**.
- The parties are in agreement to a deviation from the child support guidelines in the amount of _____ to be paid to **Mother** **Father**.
- A child support order currently exists signed on _____ in the amount of _____.
- The parties agree to have child support calculated prior to the final agreement.
- The parties are **unable** to reach an agreement concerning child support.

MEDICAL, DENTAL AND VISION INSURANCE, PAYMENTS, AND EXPENSES:

Parties agree who will pay for medical insurance. Yes No

If, yes

Petitioner Respondent will provide medical, dental, and vision insurance for the minor child(ren).

FURTHER: Parties agree who will cover non-covered cost and co-pays.

- Petitioner will pay _____% **AND**
- Respondent will pay _____%
- The parties agree to any uncovered medical, dental expenses proportionate to their incomes.
- The parties are **unable** to reach an agreement concerning medical, dental and vision insurance.

OTHER COSTS: Petitioner Respondent is to be paid the amount of \$_____ for expenses incurred relating to medical care, hospitalization and other costs related to the birth of the child(ren) by the Petitioner Respondent.

TAX DEDUCTION: The parties agree that they shall claim as income tax dependency exemptions on federal and state tax returns as follows.

Mother to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

Father to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

The parties agree to take tax deductions based on proportionate to child support worksheet guidelines.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$_____.
- Respondent will pay Petitioner's legal fees in the amount of \$_____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ISSUES NOT AGREED UPON:**TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____ Date: _____

Respondent: _____ Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

YOU ARE HEREBY NOTIFIED that a Trial to the Court is set in your case before the following judge at the following date, time and location:

Trial Date: **September 1, 2005 (Thursday)**
Trial Time: **1:30 p.m.**
Trial Judge:
Location: **Maricopa County Superior Court**

You are both required to be present and on time for your trial date at the above date, time and location. If you fail to appear at the time of trial, the trial can proceed and all matters in your case can be finalized based upon the evidence presented by the appearing party. If both parties fail to appear at the time of trial, this case can be dismissed.

YOU ARE ALSO NOTIFIED that you are required to comply with the requirements set forth in the document entitled ***Notice of Trial Requirements***, a copy of which is being provided to you with this ***Notice of Trial Date***.

YOU ARE ALSO NOTIFIED that you are required to deliver any exhibits you intend to use at trial to the clerk of your trial judge, in accordance with the requirements set forth in the *Notice of Trial Requirements*, no later than noon on **August 25, 2005**.

Both parties by signing below acknowledge receipt of a copy of this ***Notice of Trial Date***, and a copy of the ***Notice of Trial Requirements***, that each is aware of the date, time and location of the trial date, and has read, or will immediately read, both documents.

Receipt of a copy of ***Notice of Trial Date*** and ***Notice of Trial Requirements*** is hereby acknowledged by:

Notice of Trial Requirements

Your case has been scheduled for a trial to a judge at the date and time listed in the ***Notice of Trial Date*** supplied to you at the same time you received this ***Notice of Trial Requirements***. You should read this Notice carefully because you are required to comply with the requirements listed in this Notice before or at the time you appear for your trial.

Partial Agreements.

At the time of your Early Resolution Conference you may have reached partial agreement on one or more issues in this case. Any such agreements are binding and enforceable only if they were accepted by a judicial officer in open court and a record kept of the agreement, or if they were written down and signed by all parties in this case and approved by a judicial officer. If you and the other party in this case have signed a written agreement regarding one or more issues in this case, but a judicial officer has not yet approved the agreement, the approval can be obtained at the time of trial. In such event, the matters that are agreed upon in writing will not be litigated at your trial, but you should be prepared to explain to the judge why your agreement is fair and reasonable, and in the best interests of any minor children affected by the agreement.

Contested Issues.

A trial in your case will decide those issues that you and the other party have not resolved by agreement as provided above. The primary issues to be resolved in any family court case involving one or more children include a determination of: 1) Paternity of any minor child for which paternity is disputed; 2) Custody and parenting time rights with respect to any minor child; 3) An appropriate child support order including provisions for medical insurance, medical costs of all children not covered by insurance, and an allocation of any federal tax exemptions applicable to the minor children; and 4) Whether any party should be awarded any reasonable attorney's fees incurred in this matter. If your case is one for dissolution or separation of a marriage, the court will also determine: 1) Whether either party qualifies for an award of spousal maintenance and, if so, the amount and duration; 2) An equitable division of community property; and 3) Responsibility for payment of any community debts.

Parent Education

If your case involves one or more minor unemancipated children natural to or adopted by you and the other party you are required to attend a parental education program in accordance with A.R.S. §25-351. In such event you are directed to complete an approved Parent Education Program and file proof of completion of the program prior to, or at the time of, trial.

To assist you in completing the Parental Education Program requirements, a "Parent Information Program Notice" which details the procedures and requirements of the

program, and includes a list of approved parent information classes is available to the parties at the Self Service Center, or the Domestic Relations filing counter at the court.

Disclosure and Discovery Requirements.

You are required to complete all disclosure requirements required by Rule 26.1, Arizona Rules of Civil Procedure, including an exchange of all relevant information, documents and exhibits you intend to use at trial as required by Rule 26.1, but no later than 30 days prior to your scheduled trial date.

You are also required to promptly comply with all requests for relevant information in this case made by the opposing party. In this regard, you are directed to sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any person, company or institution possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

Trial Date.

Your trial has been scheduled for a specific time period set out in the ***Notice of Trial Date***. The parties are expected to complete the trial in the allotted time, and each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument. The trial time will not be extended unless you file a motion requesting an extension of the trial time not later than thirty (30) days after the date of your Early Resolution Conference and the court grants the motion. Any motion to extend the trial time must specifically set forth good cause to extend the time including a list of each and every witness who will testify together with an estimate of time needed for each witness and the subject matter of the expected testimony for each witness.

Joint Pre-Trial Statement.

You and the opposing party are required to file and provide the assigned judge with a copy of a ***Joint Pretrial Statement*** pursuant to Rule 6.8, Local Rules of Practice--Maricopa County (Family Court Cases), no later than **5 days prior to trial**.

The Joint Pre-trial Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances completed by each party together with a written statement as to whether the parties stipulate that the affidavits of both parties may be considered as testimony by the court as if marked as exhibits and entered into evidence pursuant to *In Re Marriage of Kells*, 182 Ariz. 480, 897 P.2d 1366 (App. 1995).

2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.

3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation.

4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.

5. If there are disputed issues regarding division of property, a current and detailed inventory and appraisal of property and assets of the parties, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.

6. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of *Schweiger v. China Doll Restaurant, Inc.*, 138 Ariz. 183, 673 P.2d 927 (App. 1983).

The failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

Exhibits.

Any documents or other items intended to be submitted as exhibits at the time of the trial shall be brought to the courtroom clerk of the division that will try your case no later than noon on the date identified for delivery of exhibits to the court in the *Notice of Trial Date* provided to you following your conference with the attorney case manager. The exhibits shall be submitted with a coversheet listing the description of each exhibit. **Any exhibits not submitted by noon on this date will not be accepted.** All exhibits must be hand-delivered to the Clerk. Duplicate exhibits shall not be presented and will not be marked. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

The parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

Findings of Fact.

Any party filing a request for findings of fact and conclusions of law pursuant to Rule 52, Arizona Rules of Civil Procedure, **shall submit proposed findings of fact and conclusions of law to this Division no later than 30 days prior to trial.** Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

Settlement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 5.1(c), Arizona Rules of Civil Procedure.

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

In Re the Marriage of:

) NO.

and

Petitioner)

NOTICE

OF

TRIAL/DEFAULT
DATE

Respondent)

Assigned To Division Number:

YOU ARE HEREBY NOTIFIED that a Default Hearing/Trial to the Court is set in your case before the following judge at the following date, time and location:

Trial Date: **October 27, 2005 (Thursday)**

Trial Time: **1:30 p.m.**

Trial Judge:

Location: **Maricopa County Superior Court**

You are both required to be present and on time for this trial/default date at the above date, time and location. If you failed to appear at the Early Resolution Conference you should be prepared to explain the reason why you failed to appear. Based upon the explanation provided, the judge will determine whether to proceed to enter your default or conduct a trial on the above date. If either party fails to appear at the time of the default hearing/trial, the hearing/trial can proceed and all matters in your case can be finalized based upon the evidence presented by the appearing party. If both parties fail to appear, this case can be dismissed.

YOU ARE ALSO NOTIFIED that you are required to comply with the requirements set forth in the document entitled ***Notice of Trial Requirements***, a copy of which is being provided to you with this ***Notice of Trial Date***.

YOU ARE ALSO NOTIFIED that you are required to deliver any exhibits you intend to use at trial to the clerk of your trial judge, in accordance with the requirements set forth in the ***Notice of Trial Requirements***, no later than noon on **October 20, 2005**.

Both parties by signing below acknowledge receipt of a copy of this ***Notice of Trial Date***, and a copy of the ***Notice of Trial Requirements***, that each is aware of the date, time and location of the trial date, and has read, or will immediately read, both documents.

Receipt of a copy of ***Notice of Trial Date*** and ***Notice of Trial Requirements*** is hereby acknowledged by:

Petitioner

0

Respondent

0

Office Distribution

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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CLERK OF THE COURT
MICHAEL K. JEANES

March 1, 2006

HON. NORMAN J. DAVIS
Judge/Commissioner/Pro Tem

S. Bohn
Deputy

CONCILIATION SERVICES

No. FC

IN RE THE MARRIAGE OF: ()

and

A Petition for Conciliation having been filed by the above named _____ on _____ at under the provisions of A.R.S. 25381, and due cause appearing,

IT IS ORDERED that the above-entitled action be transferred to Conciliation Services as of this filing date.

IT IS FURTHER ORDERED that all proceedings be stayed, with the exception of those matters already pending for hearing on order to show cause and/or restraining order.

IT IS FURTHER ORDERED that the stay of proceedings shall remain in effect subject to any further appropriate order by this Court, or until such stay expires by law on _____.

Office Distribution

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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CLERK OF THE COURT
MICHAEL K. JEANES

March 1, 2006

HON. NORMAN J. DAVIS
Judge/Commissioner/Pro Tem

S. Bohn
Deputy

CONCILIATION SERVICES

No. FC

IN RE THE MARRIAGE OF: ()

On , a minute entry dated was received by Conciliation Services from the Hon. referring the above-named parties to Conciliation Services under the provisions of A.R.S. 25-381.

IT IS ORDERED that the above-entitled action be transferred to Conciliation Services as of .

IT IS FURTHER ORDERED that all proceedings be stayed, with the exception of those matters already pending for hearing on order to show cause and/or restraining order.

IT IS FURTHER ORDERED that the stay of proceedings shall remain in effect subject to any further appropriate order by this Court, or until such stay expires by law on .

Office Distribution

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

F

T

L

J

CLERK OF THE COURT
MICHAEL K. JEANES

March 1, 2006

S. Bohn
Deputy

CONCILIATION SERVICES

No. FC

IN RE THE MARRIAGE OF: ()

and

**NOTICE OF TERMINATION OF
CONCILIATION COUNSELING
PROCEEDINGS**

[] Petitioner [] Respondent failed to appear as scheduled.

It appearing that no further proceedings with Conciliation Services are indicated at this time, please be advised as follows:

1. All proceedings in this matter with Conciliation Services are terminated as of this date.
2. This matter is transferred to the Family Court for all further proceedings.

DIRECTOR
Conciliation Services
Maricopa County



T R E A T M E N T A S S E S S M E N T S C R E E N I N G C E N T E R , I N C .

For TASC Use
Color Assigned: _____
Donor ID #: _____

COURT ORDERED SUBSTANCE ABUSE TESTING
→**THIS FORM MUST BE FILLED OUT COMPLETELY**←

FROM: (Judge/Commissioner's Name) _____ DR / FC / DO# _____
(Circle one, or not if other)

The following individual is being referred to TASC for testing:

Copy to: EVS _____ Conciliation _____

Client Name: _____

Attorney for **THIS CLIENT**: _____ Attorney for **OTHER PARTY**: _____

- ____ SCREEN "A" – (Full Spectrum of 9 Drugs).....PRICE = \$21.00
 Consists of: Alcohol, Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Opiates, PCP, Propoxyphene and THC (Marijuana)
____ SCREEN "B" – (Most Commonly Abused 5 Street Drugs).....PRICE = \$16.00
 Consists of: Amphetamines, Cocaine, Opiates, PCP, and THC
____ SCREEN "C" – (4 Commonly Abused Prescription Drugs).....PRICE = \$16.00
 (Consists of: Barbiturates, Benzodiazepines, Opiates, Propoxyphene
____ Screen checked above, PLUS Ecstasy.....Add an additional \$5.00

SINGLE DRUG (From any list above) URINALYSIS TEST: (\$11.00) _____ (Write in name of drug)

HAIR FOLLICLE TEST – For SCREEN "B" drugs, listed abovePRICE = \$65.00

Client is to be RAMDONLY tested: [] Twice a Week [] Once a Week [] Three Times a Month
 [] Twice a Month [] Once a Month [] At Spouses discretion [] One Time

By signing below, I hereby authorize TASC to release all results of any test(s) and/or compliance with the random "Color-of The-Day" schedule to the parties listed below and/or those mentioned in the Court minutes. See Note 4 below.

Client Signature: _____ Date: _____ / _____ / _____

Name: _____ Name: _____

Address: _____ Address: _____

NOTES

- 1) Present this completed form tot he receptionist.
- 2) Bring PHOTO I.D.
- 3) Bring payment for testing (money order, cash or cashier's check). Personal Checks are not accepted.
- 4) Test results will be mailed directly to client or opposing party only if they are acting as their own counsel.

Form Revised 01/13/04

CORPORATE OFFICE • 2234 North 7th Street • Phoenix, Arizona 85006 • Telephone 602.254.7328 • Fax 602.255.0851

COTTONWOOD • GLENDALE • KINGMAN • MESA • PRESCOTT • TUCSON
www.tasc-arizona.org

TASC, INC. SPECIMEN COLLECTION SITES & HOURS

Central Phoenix (Main Office)

2234 N. 7th St.

Phoenix, Arizona 85006

Hours: 10:30am - 7:15pm (Mon.- Fri.)

Phone: (602) 254-7328

Fax: (602) 255-0851

* * Corporate Testing (Pre-employment, etc.) 8:30am - 6:00pm

West Valley (Glendale)

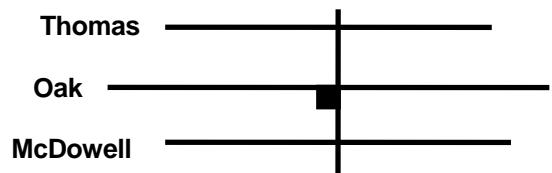
5955 W. Myrtle Ave., Suites 2 - 4

Glendale, Arizona 85301

Hours: 10:30am - 7:15pm (Mon.- Fri.)

Phone: (623) 842-4535

Fax: (623) 842-1233



East Valley (Mesa)

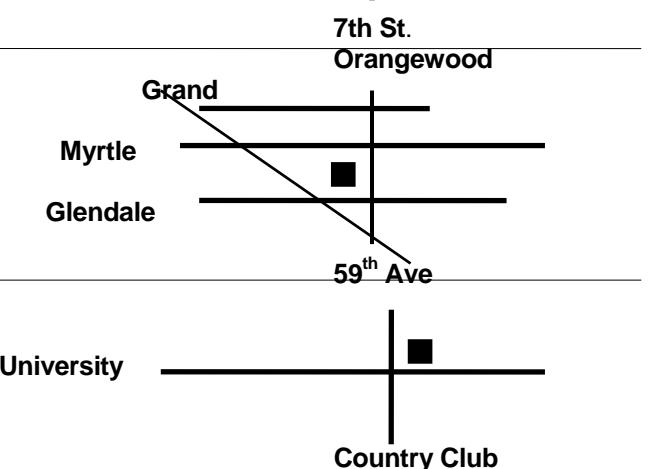
423 North Country Club Drive, Suite 19

Mesa, AZ 85201

Hours: 10:30am - 7:15pm (Mon.- Fri.)

Phone: (480) 898-1849

Fax: (480) 898-1859



Northern Arizona (Prescott)

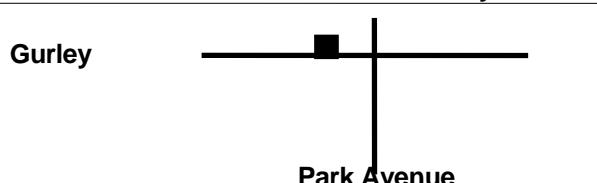
609 West Gurley

Prescott, AZ 86305

Hours: 9:00am - 7:00pm (Mon.- Fri.)

Phone: (928) 445-6844

Fax: (928) 445-6848



Northwest Arizona (Kingman)

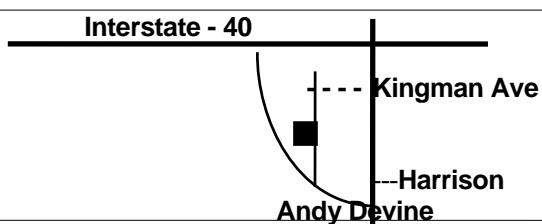
2364 Kingman Avenue

Kingman, AZ 86401

Hours: 9:00am - 7:00pm (Mon.- Fri.)

Phone: (928) 753-9678

Fax: (928) 753-5764



Lake Havasu

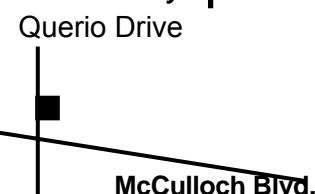
2010 McCulloch North

Lake Havasu City, AZ 86404

Hours: 9:00am – 4:00pm (Mon. - Fri.)

Phone: (928) 453-8003

Fax: (928) 505-0956



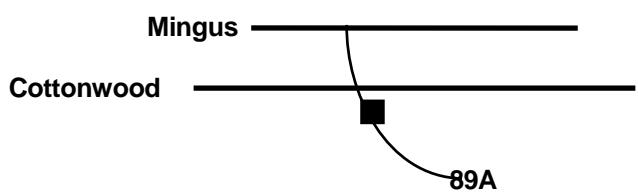
Cottonwood

675 E Highway 89A

Cottonwood, Arizona 86326

Hours: 10:00am - 7:00pm (Mon.- Fri.)

Phone # = (928) 649-1312 Fax # = (928) 649-1310



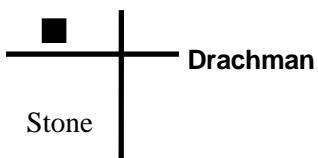
Southern Arizona (Tucson)

244 West Drachman

Tucson, AZ 85705

Hours: 8:00am - 7:00pm (Mon.- Fri.)

Phone # = (520) 903-2525 Fax # = (520) 903-0505



OCAC
GAURDIAN AD LITEM
APPOINTMENT

JUDGE: _____ PHONE: _____ FAX: _____ JA: _____

CASE NUMBER: _____

PETITIONER: _____ SS#: _____ DOB: _____

ADDRESS: _____

PHONE #: _____

RESPONDENT: _____ SS#: _____ DOB: _____

ADDRESS: _____

PHONE #: _____

CHILDREN: _____ DOB: _____

PETITIONER ATTY: _____ PHONE #: _____

RESPONDENT ATTY: _____ PHONE #: _____

NEXT COURT HEARING AND ALL RELEVANT DATES:

TO: RICHARD GALLAGHER PHONE x 62325 FAX x 62870

VOLUNTEER GAURDIAN AD LITEM
APPOINTMENT

This program is designed to meet the needs of additional children in low income families and does not provide volunteer GALs for cases in which the court believes that there may be a dependency.

COURT: _____ JUDGE: _____ PHONE #: _____
FAX #: _____

DR CASE NUMBER: _____ JA: _____

DR CASE NAMES, SOCIAL SECURITY NUMBERS AND DATES OF BIRTH:

NAME(S) OF CHILD(REN):

PARENT'S ADDRESSES AND CONTACT INFORMATION FOR CHILDREN:

RELEVANT ATTORNEYS AND CONTACT INFORMATION:

NEXT COURT HEARING AND ALL RELEVANT DATES:

THE JUDGE/COMMISIONER'S CONCERN AND SPECIFIC INSTRUCTIONS FOR THE GAL:

DOMESTIC VIOLENCE: YES _____ NO _____

ARE PARTIES ENGLISH SPEAKING? YES _____ NO _____

FAX TO: RONI TROPPER

CHILDREN'S LAW CENTER (602) 682-3438

NOTICE OF CHANGE OF JUDGE / RECUSAL MEMO

From **DRJ**

To: **DRJ 01 -- Presiding Family Court Judge**

Re: Please Reassign Case Due To:

Recusal
 Petitioner's Notice of Change of Judge
 Respondent's Notice of Change of Judge
 Other Notice By: _____

| | | | |
|-------------|--|------------------------|----------------------|
| Case No. | | Date: | March 1, 2006 |
| Petitioner: | | Petitioner's Attorney: | |
| Respondent: | | Respondent's Attorney: | |

Pending Court Dates:*

| <u>Trial/Hearing</u> | <u>Court Date</u> | <u>Time (Length)</u> |
|----------------------|-------------------|----------------------|
| | | |
| | | |

*All trials and hearings should be affirmed pending review by the newly assigned Judge.

Pending Motions/Petitions:

| <u>Document</u> | <u>Date Filed</u> | <u>Filed By</u> |
|-----------------|-------------------|-----------------|
| | | |
| | | |
| | | |
| | | |

NOTICE OF CHANGE OF JUDGE / RECUSAL MEMO

From: DRJ 01 -- Presiding Family Court Judge

To: DRJ

Transferring Division

DRJ 01 -- Honorable Norman J. Davis

Newly Assigned Division

Re: Case Has Been Reassigned Due To:

- Recusal
 Petitioner's Notice of Change of Judge
 Respondent's Notice of Change of Judge
 Other Notice By: _____

| | | | |
|-------------|--|------------------------|---------------|
| Case No. | | Date: | March 1, 2006 |
| Petitioner: | | Petitioner's Attorney: | |
| Respondent: | | Respondent's Attorney: | |

Pending Court Dates:*

| <u>Trial/Hearing</u> | <u>Court Date</u> | <u>Time (Length)</u> |
|----------------------|-------------------|----------------------|
| | | |
| | | |

*All trials and hearings should be affirmed pending review by the newly assigned Judge.

Pending Motions/Petitions:

| <u>Document</u> | <u>Date Filed</u> | <u>Filed By</u> |
|-----------------|-------------------|-----------------|
| | | |
| | | |
| | | |
| | | |

*All pending documents should be transferred to the newly assigned Division as soon as possible.

Minute Entry To Issue:

This case was previously assigned to the

IT IS ORDERED assigning this case to the following Family Court Calendar for all further proceedings:

Calendar

DRJ 01

Judge

Honorable Norman J. Davis

IT IS FURTHER ORDERED affirming all pending trial and hearing dates, pending review by the newly assigned Judge.

Pending Matters:

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

PETITIONER'S NAME,
Petitioner,

and

RESPONDENT'S NAME,
Respondent.

PETITIONER/ATTY
ADDRESS
CITY, STATE, ZIP

RESPONDENT/ATTY
ADDRESS
CITY, STATE, ZIP

EXPEDITED SERVICES (**delete if 2002 or later**)
SUPPORT FINANCE

FINANCIAL SERVICES/COLLECTIONS
(**delete if no copies were made**)

**EXPEDITED SERVICES
REPORT, RECOMMENDATION AND ORDER
RE: CHILD SUPPORT MODIFICATION**

, Conference Officer with Expedited Services, upon administration of the Witness Affirmation Oath, relates the following to the Court:

I. REFERRAL

NAMES/TITLES appeared for the Expedited Services Conference on DATE OF CONFERENCE at TIME OF CONFERENCE

ENTER NAME, (hereinafter referred to as the PETITIONER OR RESPONDENT), filed a Request to Modify Child Support Pursuant to Guidelines' Simplified Procedure on DATE REQUEST FILED, and ENTER NAME, hereinafter referred to as the PETITIONER OR RESPONDENT), filed a Request for Hearing Pursuant to Simplified Modification on WHEN WAS REQUEST FOR HEARING FILED?. The PETITIONER OR RESPONDENT was served with the Request to Modify Child Support on DATE.

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

At the time of the conference the PETIONER OR RESPONDENT stated the following reasons for requesting a modification of support:

REASON FOR FILING(change in ins prem, 15% change based on income, birth/emancipation/death of child, other change of circumstances)

II. ASSESSMENT

The parties are the natural or adoptive parents of, and have a duty to support the following child(ren):

NAME (First, M.I., Last)

DATE OF BIRTH

ENTER NAME

ENTER DOB

Based on the financial information the Petitioner and Respondent presented, the attached Child Support Worksheet was completed on DATE FORM WAS COMPLETED. According to the Worksheet calculations, a child support amount of \$CALCULATED AMOUNT OF CHILD SUPPORT per month is recommended.

The relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheet. The Petitioner and Respondent agreed to all of the information contained in the Worksheet with the following exceptions: (*“with the following exceptions” and the following paragraph can be deleted if in agreement.*)

ENTER DISPUTED FACTORS The PETITIONER OR RESPONDENT's position is ENTER FIRST PARTY'S POSITION. The PETITIONER OR RESPONDENT's position is ENTER SECOND PARTY'S POSITION. This Conference Officer recommends ENTER RECOMMENDATION based on ENTER REASON.

NAME OF PARTY failed to make the required number of copies of the documentation presented at the time of the conference pursuant to the order to appear. This Conference Officer made NUMBER OF COPIES at \$0.50 per page copy fee pursuant to A.R.S. § 12-284.

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

III. RECOMMENDATIONS

CHILD SUPPORT

It is recommended that the PETITIONER OR RESPONDENT shall pay \$HOW MUCH? per month as and for current child support commencing DATE OF COMMENCEMENT and continuing each month thereafter. Said amount shall be paid through the Support Payment Clearinghouse. It is further recommended that an Order of Assignment be ordered as follows:

| | |
|-------------------------------------|-----------------|
| Current Child Support | \$AMOUNT |
| Current Spousal Maintenance/Support | |
| Payment on Arrears /Interest | |
| Clearinghouse Handling Fee* | \$2.25 |
| Total | \$AMOUNT |

*The Clearinghouse handling fee is set by statute and subject to change (A.R.S. §25-510).

**ALL CHILD SUPPORT AND/OR SPOUSAL MAINTENANCE PAYMENTS
SHALL BE MADE PAYABLE AND SENT TO:**

**SUPPORT PAYMENT CLEARINGHOUSE
P.O. BOX 52107
PHOENIX, AZ 85072-2107**

Modifications are effective the first day of the month following Service, unless the Court, for good cause shown, orders the change to become effective at a different date, but not earlier than the date of filing the petition. This Order's effective date is a result of ENTER RESULT (parties' agreement, other, or DELETE SENTENCE).

MEDICAL INSURANCE COVERAGE

Insert the appropriate paragraph and delete the others.

Currently neither party is providing medical insurance coverage. The ENTER PETITIONER, RESPONDENT, OR BOTH PARTIES shall provide medical insurance

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

coverage for the child(ren) when it is available at a reasonable cost. The party ordered to provide medical insurance shall provide an insurance card to the other party when the insurance is obtained.

The ENTER PETITIONER, RESPONDENT, OR BOTH PARTIES shall continue to provide medical insurance for the child(ren).

The ENTER PETITIONER, RESPONDENT, OR BOTH PARTIES shall provide medical insurance for the child(ren). The party ordered to provide medical insurance shall provide an insurance card to the other party.

UNCOVERED MEDICAL EXPENSES

Based on the parties' agreement, it is recommended that the PETITIONER OR RESPONDENT shall be responsible for ENTER PERCENT% of any uncovered medical expenses and the PETITIONER OR RESPONDENT shall be responsible for ENTER PERCENT% of any uncovered medical expenses.

OR

The parties did not agree on the individual responsibility for any uncovered medical expenses. Therefore, based on the parties' proportional shares of income, it is recommended that the PETITIONER OR RESPONDENT shall be responsible for ENTER PERCENT% of any uncovered medical expenses and the PETITIONER OR RESPONDENT shall be responsible for ENTER PERCENT% of any uncovered medical expenses.

TAX EXEMPTION

Based on the parties' agreement, it is recommended that the PETITIONER OR RESPONDENT shall claim the minor child(ren) as an income tax exemption DETAILS and the PETITIONER OR RESPONDENT shall claim the minor child(ren) as an income tax exemption DETAILS.

OR (delete either the paragraph above or below, and this line)

The parties did not agree on the distribution of income tax exemptions for the minor child(ren). Therefore, based on the parties' proportional shares of income, it is recommended that the PETITIONER OR RESPONDENT shall claim the minor child(ren) as an income tax exemption DETAILS and the PETITIONER OR RESPONDENT shall claim the minor child(ren) as an income tax exemption DETAILS.

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

The PETITIONER OR RESPONDENT's entitlement to the tax exemptions shall be conditioned upon payment by December 31 of the total court-ordered child support obligation for the current calendar year and any court-ordered arrearage payments due during that calendar year for which the exemption is to be claimed.

It is ordered that NAME OF PARTY shall pay \$ENTER AMOUNT OF COPY FEE for copy fees within 30 days of the date of this order or the amount owing will be reported to the credit agency and submitted for state tax intercept.

Pursuant to A.R.S. § 25-322, the parties shall submit in writing any change of employer or residential address to the Clerk of the Superior Court and the Support Payment Clearinghouse within 10 days.

A.R.S. § 25-503(I) states that, with certain exceptions, an unpaid child support judgment that became a judgment by operation of law (this means that it became a judgment when it was due and unpaid) expires three years after the emancipation of the last remaining unemancipated child who was included in the court order unless it is reduced to a formal written judgment by the court. An Obligee must apply in writing to the court to obtain a formal written judgment.

Either party may file an objection to this Report, Recommendation and Order. Objections must be properly filed within twenty-five days of the date this Order or Minute Entry is filed by the Clerk of the Court.

Respectfully submitted this DAY day of MONTH, YEAR.

NAME OF CONFERENCE OFFICER
Conference Officer
Expedited Services

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

ORDER

THE COURT, having reviewed the agreement(s) and/or recommendation(s) contained in the above-entitled cause,

[] adopts and approves as an interim order, the attached Report, Recommendation and Order, as well as any related Order of Assignment, to become a final order automatically unless objections are filed timely with this Court.

[] adopts and approves as an interim order, the attached Report, Recommendation and Order, as well as any related Order of Assignment, as modified by this Court, to become a final order automatically unless objections are filed timely with this Court.

[] rejects the Report, Recommendation and Order, and affirms the current order in effect prior to this most recent modification request, to remain a final order automatically unless either party files a timely objection and/or requests a hearing with the court.

[] rejects the Report, Recommendation and Order, and schedules an evidentiary hearing to consider the requested modification before the Honorable _____, at 201 West Jefferson ____ Floor, on the _____ day of _____, 20____, at _____ __.m. If either party fails to appear at this hearing, the court may impose sanctions against the absent party, including proceeding to hear this matter by default based upon the evidence presented by the appearing party. Both parties shall bring to the court hearing all financial documents needed to calculate child support as required by Maricopa County Local Rule 6.14(E)(6)(a). Expedited Services shall deliver its working file to this Division prior to the hearing.

Dated this _____ day of _____, 2005,

Judge/Commissioner of the Superior Court

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

PETITIONER'S NAME,
Petitioner,

and

RESPONDENT'S NAME,
Respondent.

PETITIONER/ATTY
ADDRESS
CITY, STATE, ZIP

RESPONDENT/ATTY
ADDRESS
CITY, STATE, ZIP

EXPEDITED SERVICES

**REQUEST FOR JUDICIAL DETERMINATION AND HEARING
RE: CHILD SUPPORT**

I. REFERRAL

ENTER NAME OF CONFERENCE OFFICER, Conference Officer with the Expedited Services of the Clerk of the Superior Court, upon administration of the Witness Affirmation Oath, relates the following to the Court:

NAMES/TITLES appeared for the Expedited Services Conference on DATE OF CONFERENCE at TIME OF CONFERENCE, relative to FILING/COURT REFERRAL WITH DATES.

II. ASSESSMENT

Pursuant to the CAPTION OF ORDER signed by this Court on DATE OF ORDER, ENTER PARTY DESIGNATION OF OBLIGOR has been ordered to ORDER LANGUAGE.

Based on DOCUMENTATION USED TO CALCULATE ARREARS, Expedited Services has calculated child support arrearages in this case to be \$AMOUNT OF ARREARS for the period BEGINNING DATE through ENDING DATE. This calculation includes payments posted through DATE OF LAST PAYMENT CREDITED.

ENTER PARTY DESIGNATION OF OBLIGOR provided the following explanation for non-payment of support:

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

ATLAS #

OBLIGOR'S EXPLANATION

This Officer has determined that the facts and issues presented during this Conference require judicial hearing and determination.

Respectfully submitted this DAY day of MONTH, YEAR.

ENTER NAME OF CONFERENCE OFFICER

Conference Officer
Expedited Services

OBLIGOR: OBLIGOR'S NAME

| SOC. SEC. NO. | D.O.B. | HGT | WGT | HAIR | EYES | SEX | RACE |
|---------------|--------|-----|-----|------|------|-----|------|
| | | | | | | | |



A.O. No. 2005-045, Notice of Trial Date, Trial Requirements, Joint
Pretrial Statement
Attachment #13

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF CASE)
MANAGEMENT PROCEDURES IN)
FAMILY COURT FOR SELF) ADMINISTRATIVE ORDER
REPRESENTED LITIGANTS BY) No. 2005-045
ATTORNEY CASE MANAGERS AND)
AUTHORIZING EARLY RESOLUTION)
TRIAGE PROGRAM)
_____)**

Whereas, Rules 16(a) and 16(b), Arizona Rules of Civil Procedure, authorizes the court to direct the parties and their attorneys in any family court action to participate, either in person or, with leave of court, by telephone, in a conference or conferences to expedite the disposition of the action, to avoid delay from lack of management of the case, to discourage wasteful pretrial activities, and to improve the quality of the trial through more thorough preparation; and

Whereas, Rule 16(g), Arizona Rules of Civil Procedure, requires the parties in any family court action to confer and attempt in good faith to settle the case or agree upon an appropriate alternate dispute resolution process in their case, and also authorizes the court to direct the parties to submit disputed issues to an alternate dispute resolution program created or authorized by local court rules; and

Whereas, Rule 16.1(a), Arizona Rules of Civil Procedure, authorizes the court to schedule a settlement conference before trial of any family court case; and

Whereas, Rule 53(k), Arizona Rules of Civil Procedure, and Rule 6.14, Local Rules of Practice of the Superior Court—Maricopa County, allow the court to by local rule to appoint a type of master termed a conference officer, to conduct conferences with the parties to expedite family court cases; and

Whereas, Rule 6.5, Local Rules of Practice of the Superior Court—Maricopa County, establishes a Differentiated Case Management process and conference to provide a forum for early intervention and fair and orderly management of appropriate cases; to set deadlines for issue resolution and trial preparation; and to facilitate the preparation of stipulations regarding issues in the case, position statements and other pretrial documents; and

Whereas, Rules 6.7(d) and 6.7(g), Local Rules of Practice of the Superior Court—Maricopa County, requires the parties to meet and confer before a temporary orders return hearing to resolve as many issues as possible; and

Whereas, Rule 6.10(e), Local Rules of Practice of the Superior Court—Maricopa County, directs the court to develop policies and procedures for the conduct of settlement conferences in family law cases; and

Whereas, the family court has a high percentage of cases involving self-represented litigants that have difficulty with complex court rules and procedures; and delay of prompt resolution of these cases results in further conflict, instability and harm to children and family relationships; and

Whereas, the implementation of a comprehensive and uniform case management system is necessary with respect to these cases to effectively and timely adjudicate the issues and prevent delay and confusion to the parties.

IT IS ORDERED:

1. Court administration is authorized to establish and continue an early intervention program to provide assistance to all family court cases involving one or more self-represented litigants to settle and resolve disputed issues, to assist the parties in memorializing agreements for presentation to the court, to assist the court in case management, and to work with the assigned divisions to schedule trial dates and other events to finalize cases.

2. This early intervention program shall be directed by attorneys trained to mediate and conduct settlement negotiations in family law cases, and shall include the involvement of personnel from Conciliation Services and Expedited Services in a manner designed to resolve and manage self-represented cases in a timely and judicious manner.

3. This program shall be known as the “Early Resolution Triage Program” and shall be conducted in accordance with family law statutes, court rules, and department policy adopted herewith, and to be amended from time to time as authorized by the family court presiding judge.

4. Administrative Order No. 97-024 (*In The Matter of the Implementation of Differentiated Caseflow Management in the Domestic Relations Department*) is vacated together with all policies and procedures adopted in furtherance of the Administrative Order.

DATED this 16th day of March, 2005.

Hon. Norman J. Davis, Presiding Judge
Family Court Department

Original: Clerk of the Superior Court

Copies: Hon. Colin F. Campbell, Presiding Judge
Hon. Barbara Mundell, Presiding Judge Designate
All Family Court Judges and Commissioners
Marcus Reinkensmeyer, Trial Court Administrator
Phillip Knox, Deputy Court Administrator
Karen Westover, Deputy Court Administrator
Mary Bucci, Family Court Administrator
Bob James, Self Service Center Director

**SUPERIOR COURT OF ARIZONA – MARICOPA COUNTY
FAMILY COURT DEPARTMENT**
Policy Statement Re:
Administrative Order No. 2005-045
Early Resolution Triage Program

Approved: March 16, 2005

INTRODUCTION:

Effective March 16, 2005, Administrative Order No. 2005-045, authorized the establishment and continuation of an early intervention program to provide assistance to all family court cases involving one or more self-represented litigants by assisting the parties to settle and resolve disputed issues, to memorialize agreements for presentation to the court, to assist the court in case management, and to coordinate with the assigned judicial divisions to schedule trial dates and other events to finalize cases. This program will be known as the “Early Resolution Triage Program”, and will be directed by qualified attorneys, with the involvement of personnel from Conciliation Services and Expedited Services, as required.

REQUIREMENTS:

1. Participating Cases. All family law cases that involve one or more self-represented litigants at the time the current petition or response is filed shall be eligible and shall be directed to participate in the Early Resolution Triage program. In the event the case is eligible to participate in the program, but becomes ineligible by the filing of attorney appearances for all parties prior to the date an Early Resolution Conference (“ERC”) is scheduled, the case will be thereafter be managed by the assigned judicial officer and scheduled for a Resolution Management Conference or other appropriate proceeding by the assigned judicial officer. If the case becomes ineligible by the filing of attorney appearances for all parties after an ERC is scheduled, but before it is held, the ERC will continue as noticed absent a stipulation approved by the assigned judicial officer to vacate the ERC in favor of scheduling a Resolution Management Conference or other appropriate proceeding with the assigned judicial officer.

2. Setting of ERC. In all cases eligible for the Early Resolution Triage Program, court administration shall schedule an Early Resolution Conference (“ERC”) as soon as possible after the case becomes contested by the filing of a responsive pleading with the court.

3. Attorney Directed. The Early Resolution Conference shall be conducted and directed by a qualified attorney trained to mediate and conduct settlement negotiations in family court cases as determined by the court.

4. Conciliation Services Conference Officer. If the issue of custody is contested in the case and remains unresolved after the ERC, the Attorney Case Manager in consultation with a Conciliation Services intake personnel may commence and/or schedule an appropriate evaluation, mediation, or instruction process offered by the court to further resolution of the custody issue, to relieve the animosity and tension between the parties, to improve the parent's relationship or ability to parent a child, or to otherwise promote the best interests of a child.

5. Expedited Services Conference Officer. If the issue of child support is contested in the case, remains unresolved after the ERC, and is of sufficient complexity that there is insufficient time available to properly address the issue at the ERC, the Attorney Case Manager may immediately refer the issue to an Expedited Conference Officer to mediate or recommend to the court an appropriate child support order.

6. Purpose of ERC. The purpose of an ERC is to mediate and conduct settlement negotiations in family law cases, resolve and memorialize as many issues as possible, provide direction and management of the case, and schedule a subsequent trial and/or event to conclude the case. Priority and utilization of available time at an ERC shall be, in order of priority, for:

a. Full & Final Settlement. First, reaching full and final settlement of all issues in the family court case, including assisting the parties in the preparation and signing of a Consent Decree, Consent Judgment, or stipulated Order, and presenting the signed documents to an appropriate and authorized judicial officer for approval and signature.

b. Partial Settlement. Second, reaching partial settlement and agreement of all issues in the family court case that can be settled, including assisting the parties in the preparation and signing of partial written agreements enforceable under Rule 80(d), Arizona Rules of Civil Procedure. All such partial written agreements, approved and signed by all parties, shall be filed in the case file, and a copy provided to each party and the assigned judicial officer.

c. Temporary Orders Agreement. Third, to the extent temporary orders are requested by the parties and are not resolved by final agreement, facilitating an agreement for the court to enter temporary orders on the disputed issues to govern the issues until the time of trial, including assisting the parties in the preparation of a stipulation and order for temporary orders to be forwarded to an available commissioner or to the assigned judicial officer for review and approval.

7. **Domestic Violence.** Prior to proceeding with an ERC, the Attorney Case Manager shall, with the assistance of personnel from Conciliation Services if necessary, screen the case to determine if either party is a victim of domestic violence. If it appears that one party is a victim of domestic violence involving the other party, or may otherwise not be capable of fairly negotiating the issues of the case due to undue influence, coercion or greatly disparate bargaining power, the Attorney Case Manager shall not proceed further to conduct joint conference sessions with the parties, but may proceed with shuttle mediation or other approved methods to insure the protection of the victim of domestic violence.

8. **Order To Appear.** The ERC shall be scheduled pursuant to an Order to Appear issued at the direction of the Family Court Presiding Judge, in a form substantially in accord with Form 1 attached hereto. The Order to Appear shall require the parties to appear in person, with counsel, if represented, at the date and time of the ERC, and shall require the parties:

a. **Meet and Confer.** Unless an Order of Protection is in effect between the parties, to meet and confer in person prior to the ERC and use their best efforts to settle or narrow the issues in the case. In the event the parties and counsel, if any, have not met prior to the ERC, they shall be directed to meet at the court one hour prior to the time scheduled for the conference.

b. **Resolution Statement.** To complete and file a Resolution Statement substantially in accord with Form 2 attached hereto without narrative statements or other documents, and provide a copy to the other party at least 5 days before the ERC.

c. **Disclosure.** To complete the initial disclosure requirements of Rule 26.1, Arizona Rules of Civil Procedure prior to the ERC.

d. **PEP.** If the parties have a natural or an adopted minor, unemancipated child in common, to have completed an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the ERC.

9. **ERC Results.** When both parties appear at the scheduled ERC, the Attorney Case Manager shall take the following action:

a. **Reconciliation.** When both parties appear at the ERC and both indicate that they wish to reconcile, explore reconciliation or otherwise not proceed with the petition, the Attorney Case Manager may either assist the parties to prepare a Stipulation to Dismiss and Order, or schedule the case for dismissal on a day certain thirty (30) days following the ERC.

b. **Consent Decree.** When both parties appear at the ERC and complete agreement is reached on all issues in the case, the Attorney Case Manager shall facilitate the preparation of a written Consent Decree, Consent Judgment, or Stipulation

and Order, and all necessary supporting documentation, as well as the submission of the same to the appropriate judicial officer authorized to approve and sign the Decree, Judgment or Order.

c. Full Agreement. When full agreement of all issues in the case is reached but the parties or counsel desire to prepare a formal Decree, Judgment or Stipulated Order following the conference for submission to the court, the Attorney Case Manager shall direct the parties to prepare the documents and submit them to the court's decree on demand program for review and approval on or before a date certain presumptively scheduled 14 days after the conference. The Attorney Case Manager shall also schedule the case for a trial of 15 minutes in duration on the assigned judicial officer's calendar to insure the submission of the settlement documents, and to resolve any minor disagreements if necessary.

d. Partial Agreement. Where partial agreements are reached on less than all of the issues, the Attorney Case Manager shall assist the parties in the preparation and signing of a written agreement memorializing the agreement in compliance with Rule 80(d), Arizona Rules of Civil Procedure. For this purpose Form 3 (Without Children), Form 4 (With Children), or Form 5 (Paternity) attached hereto may be used. The original agreement shall be filed in the case and a copy provided to each party and the assigned judicial officer with a copy of the *Notice of Trial Date*.

e. Trial Date. In all cases where all parties appear at the ERC, and the case is not finalized with the entry of a Consent Decree, Consent Judgment or Stipulation and Order, the Attorney Case Manager shall schedule a trial date with the assigned judicial officer for up to one (1) hour in length as indicated by the complexity of the issues remaining to be resolved. The Attorney Case Manager shall prepare and file an original *Notice of Trial Date* (Form 6 attached hereto.) signed by both parties, and deliver a copy of the completed *Notice of Trial Date*, together with a copy of a form *Notice of Trial Requirements* (Form 7 attached hereto) to each party. A copy of the *Notice of Trial Date* shall be forward to the assigned judicial division along with a copy of any written agreements reached.

f. Complex Issues. In the event the Attorney Case Manager determines that further court action may be necessary prior to the date scheduled for trial, the Attorney Case Manager may contact the assigned judicial officer and provide the information necessary for further actions or hearings as appropriate.

IN ALL CASES, EXCEPTING RECONCILIATION CASES, IN WHICH BOTH PARTIES APPEAR AT THE ERC, THE PARTIES SHALL LEAVE THE ERC EITHER WITH A COPY OF A SIGNED CONSENT DECREE, JUDGEMENT, OR ORDER, OR WITH A COPY OF A NOTICE OF TRIAL DATE.

10. Failures To Appear. In the event one or both parties fail to appear at the ERC after notice sent to each party at the address supplied to the court by each party, the following actions shall be taken:

a. Both Parties Fail To Appear. In the event both parties in the action fail to appear at the ERC after notice, the case shall be scheduled for dismissal on a day certain thirty (30) days following the ERC.

b. One Party Fails To Appear. In the event one party in the action fails to appear at the ERC after notice, the case shall be set for a combined default hearing and trial with the assigned judicial officer to allow the court discretion on how to proceed at the time of the scheduled hearing/trial. For this purpose, Form 8 attached hereto shall be utilized.

11. Trial Dates. To facilitate the efficient and prompt scheduling of trial days by the ACM Triage Program, each judicial division will designate a reasonable number of trial dates and times of one (1) hour each for use by the Early Resolution Triage Program to schedule trials. Initially, each division will provide six (6) hours of trial time each month. In the event the trial dates have not been utilized by the Early Resolution Triage Program 30 days prior to the date provided, the time shall be relinquished to the division to use as appropriate, and the Attorney Case Managers shall not thereafter utilize the trial time without permission of the assigned judicial officer.

EFFECTIVE DATE:

This policy shall be effective as of the date approved by the Family Court Department.

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

2/7/2005

FAMILY COURT ADMINISTRATION

Date: **Monday, February 7, 2005**

Endorsements: File Copy

For Case

Petitioner

VS.

Respondent

**ORDER TO APPEAR
Early Resolution Conference**

NOTICE: THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ THIS ORDER CAREFULLY. IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

AVISO: LA QUE SIGUE ES UNA ORDEN JUDICIAL IMPORTANTE QUE AFECTA SUS DERECHOS. LÉALA CUIDADOSAMENTE. SI NO ENTIENDE ESTA ORDEN, ASESÓRESE CON UN ABOGADO.**

IT IS ORDERED that Petitioner and Respondent, and their attorneys, if they are represented by counsel, shall **APPEAR** at the time and place designated below for a conference with an Attorney Case Manager. Please allow two to four hours for this conference.

This appearance does not excuse the parties/attorneys from appearances at any other hearings scheduled in this court without an order of the court specifically authorizing non-appearance.

Date and Time of Conference: **Date & time**

Name of Attorney Case Manager: **Attorney Case Manager**

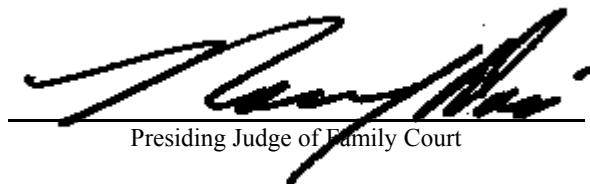
Place of Conference: **Southeast Facility - Family Court Administration, Suite 1300
222 E. Javelina Ave.
Mesa, AZ 85210-6234
Phone 602-506-2024, Fax 602-506-2029**

IT IS FURTHER ORDERED that if you fail to appear at your conference, it may result in sanctions or penalties provided by statute, rule, or authority of the Court, including:

- a. a finding of contempt by the court
- b. entry of default or dismissal as to some or all relief
- c. taxation of costs or attorney fees
- d. imposition of other monetary sanctions

Any party represented by an attorney will be considered as a "failure to appear" if the attorney does not appear at the ERC conference.

DONE IN OPEN COURT:



Presiding Judge of Family Court

Form 1

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY
FAMILY COURT ADMINISTRATION**

Date

Date:

For Case: Case Number

1. **MANDATORY RESOLUTION STATEMENT: IT IS FURTHER ORDERED** that each party shall fully complete and file a Resolution Statement in the form attached to this order, and provide a copy to the other party and the attorney case manager at least 5 days before the Conference. The Court will consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent request for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349.
2. **PRE-CONFERENCE SETTLEMENT MEETING: IT IS FURTHER ORDERED** that, unless an Order of Protection is currently in effect or there is a history of domestic violence between the parties, the parties and counsel, if any, shall meet in person prior the Early Resolution Conference, and use their best efforts to settle or narrow the issues in this case. In the event the parties and counsel, if any, have not met prior to the day set for the Early Resolution Conference, they shall meet at least one (1) hour prior to the scheduled time of the Conference.
3. **DISCLOSURE:** Unless both parties agree that the Resolution Statement filed in accordance with the above requirements satisfies the requirements of Rule 26.1, Arizona Rules of Civil Procedure (ARCP), **IT IS FURTHER ORDERED** that both parties file the disclosure statement required by Rule 26.1, ARCP, within twenty (20) days of the Early Resolution Conference. Pursuant to Rule 37(b), ARCP, any party who fails to timely disclosure information required by Rule 26.1 may not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.
4. **PARENT EDUCATION PROGRAM: IT IS FURTHER ORDERED** that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Early Resolution Conference and file proof thereof prior to or at the time of the Conference.
5. **CHANGE OF ADDRESS:** It is your responsibility to update the Court of any change of address. If the Court does not have your current address, the Court will be unable to notify you about important information pertaining to your case. You may obtain the form from the Self Service Center, Family Court Administration, the Family Court Filing Counter or the internet. (http://www.superiorcourt.maricopa.gov/ssc/forms.fc_gn9.asp)
6. **INTERPRETERS:** If you need an interpreter, you must ask the court in writing at least 14 business days before the conference. **INTERPRETES:** Si necesita un intérprete, tendrá que hacer una petición por escrito 14 días hábiles antes de la conferencia.**
7. **POSTPONING OR RESCHEDULING THE CONFERENCE:** The Court will not postpone and reschedule a conference without specific reasons. All such requests must show that a copy was provided to the other side or their attorney. The Court is more likely to grant a request to postpone and reschedule if the request is made at least 1 week before the conference date.
8. **ATTENDANCE:** Only parties (and their attorneys, if they have an attorney) are allowed to attend the Early Resolution Conference. This does not mean you must have an attorney, but if you have an attorney, that attorney must attend the Conference. Parties who are represented by an attorney will not be allowed to participate in the conference if their attorney does not appear. **NO CHILDREN ARE ALLOWED AT THE CONFERENCE.** If you bring friends or other family members, they must wait in another area.
9. **TELEPHONE:** For a good reason (such as a very serious illness, incarceration, or residing a long distance from the Court) one or both parties or attorneys might be allowed to participate at the conference by telephone. If you wish to do this, you must submit a request in writing to the attention of Family Court Settlement Case Manager NO MORE THAN 5 COURT DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE. See the address and fax number on page one.
10. **COMMUNICATION:** The Attorney Case Manager will not discuss the specifics of your case with you unless the other party or their attorney is present. When a party writes to the Attorney Case Manager, he/she must send a copy to the other party at the same time and indicate this on the document itself.

The **EARLY RESOLUTION CONFERENCE** is your opportunity to meet with an Attorney Case Manager who will discuss the issues between the two parties and their attorneys, and assist with moving towards a resolution of those issues. The Case Manager may also establish deadlines and make referrals and recommendations for any necessary ancillary court services. The Case Manager will also assist the parties with finalizing any agreements reached during the conference.

Name

Address

Address

City, State, Zip

Resolution Statement

FC691A
5-11-04

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of: _____)

Petitioner _____)
and _____)

Respondent. _____)
_____)

NO. _____

RESOLUTION STATEMENT OF:

[] HUSBAND

[] WIFE

Date of Marriage: _____ (

The undersigned party provides the following specific positions on each of the issues in this case (**BE SPECIFIC**):

- 1. Custody.** My spouse and I have the following natural or adopted children in common:

Child's Name

Date of Birth

Age

I want the child[ren] to live primarily with _____ and have parenting time with the other parent as follows
(check all that apply): FATHER/MOTHER

Generally in accordance with Maricopa County Guidelines for reasonable parenting time.

Every other weekend from _____ at _____. m. to
Day of Week Time a/p

One-half of the holidays on an alternating basis.

_____ For _____ weeks in the summer.

Spring Break from school.

_____ Other: _____

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This custody arrangement should be: _____ sole custody
(Check one)

joint custody

Form 2

2. **Child Support.** My position on the financial factors necessary to calculate child support under the statewide child support guidelines is as follows (complete in full):

Father's Gross Monthly Income: \$ _____

Mother's Gross Monthly Income: \$ _____

Father has _____ Other Children **not** listed above.
No. _____

Mother has _____ Other Children **not** listed above.
No. _____

Medical Insurance Should Be Paid By _____ and its monthly cost is \$ _____.
Father or Mother

Monthly Child Care Costs for _____ child[ren] is \$ _____.
No. _____

I believe the court should add the following **Extra Education Expenses** or **Extraordinary Child Adjustments** to the child support calculation (leave blank if none claimed):

| <u>Description</u> | <u>Monthly Amount</u> |
|--------------------|-----------------------|
| _____ | \$ _____ |
| _____ | \$ _____ |

Uninsured Medical Expenses should be paid (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____ % paid by Father and _____ % paid by Mother.

Tax Exemptions for the child[ren] should be divided (check one):

- Pro rata based upon each party's income as provided in the guidelines; or
 Other: _____

3. **Spousal Maintenance.** My position on spousal maintenance is (check one and complete):

- No spousal maintenance need be paid by either me or my spouse.
 I should **pay** my spouse \$ _____ per month for _____ months.
 I should **receive** from my spouse \$ _____ per month for _____ months.

4. **Separate Property.** I believe the following property is my sole and separate property (describe):

5. Community Liens In Separate Property. I believe I have a community interest in the following sole and separate property of my spouse:

6. Community Property. I want to divide all of the community property (except tangible personal property) as follows: Directions: Column 1: List short description of each item or real and personal property.

Column 2: List your estimate of the fair market value of each item of property, and if the property is subject to a lien or encumbrance list the amount of the lien as a reduction (–) to fair market value on the line directly below its value.

Column 3: List the amount of net value of each item you propose for Husband.

Column 4: List the amount of net value of each item you propose for Wife.

| | | | |
|--|--|--|--|
| | | | |
| | | | |

7. Tangible Personal Property. I believe that the value of the tangible personal property (household furniture, furnishings, jewelry etc.) in the possession of each party is as follows:

Husband has tangible personal property in his possession valued at approximately \$ _____.

Wife has tangible personal property in her possession valued at approximately \$ _____

My preference to divide the tangible personal property is to (List your order of preferences as 1,2,3 & 4):

(1,2,3 or 4) Each party should keep the tangible personal property currently in their possession with the exception that I want the following items from my spouse:

_____ An equalization payment/credit should be made based upon the above values so each of us gets the same value.
(1,2,3 or 4)

We should make a list of all the tangible personal property and alternately select items from the list until all the property is divided.
(1,2,3 or 4)

_____ One of us should make 2 lists of tangible personal property both equal in value, and the other one be awarded all property on the list of his or her choice.
(1,2,3 or 4)

Other:

8. Debts. The community debts should be divided as follows (complete in detail):

All of the debt should be paid % by Husband and % by Wife; or

Each of us should pay the following debts and amounts:

_____ \$ _____ \$ _____ \$ _____

Totals

\$ _____ \$ _____ \$ _____

9. **Attorney's Fees.** If the case is settled today, I want the court to order (choose one):

Each of us to pay our own attorney's fees.

My spouse to pay \$ _____ of my attorney's fees within _____ days.
(Use specific sum) (No.)

Me to pay \$ _____ to my spouse for attorney's fees within _____ days.
(Use specific sum) (No.)

10. **Name Change.** I want to be restored to my former name of _____.
(List full name you want restored)

11. **Other Issues.** Briefly state the other issues which you believe must be resolved to fully settle this case:

12. **Settlement.** I verify that the above statements are true upon my best information and belief and I am willing to settle and resolve this case based upon the information provided above.

Dated: _____

Signature of Husband/Wife

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number: _____

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
(DIVORCE) WITHOUT CHILDREN**

(Name of Respondent)

- FULL SETTLEMENT**
 PARTIAL SETTLEMENT

This is the time set for the **Settlement Conference** **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case is _____.

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect now? Yes No

Does either party have a pending bankruptcy case? Petitioner Yes No
Respondent Yes No
Has a discharge been entered? Yes No

PREGNANCY:

- Wife is **not** pregnant
 Wife is pregnant, and the husband **is** or **is not** the father of the child.
 A child who is common to the parties is expected to be born this date: _____.

TAX RETURNS: * Subject to IRS Rules and Regulations.

For prior years _____ through _____, the parties agree to:

- File **joint** federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any.

For prior years _____ through _____, the parties agree to:

- File **separate** federal and state income tax returns
 Each party shall file **separate** tax returns this calendar year and continuing thereafter.
 Each party shall give the other party all necessary documentation to file all tax returns.
 The parties are **unable** to reach an agreement concerning tax return issues.

NAME CHANGE:

- Wife requests that her last name be restored to _____.
 Husband requests that his last name be restored to _____.
 The Petitioner and Respondent **do not** wish to have their names restored.

SPOUSAL MAINTENANCE/SUPPORT:

- Parties are in agreement that the Petitioner will pay Respondent Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that the Respondent will pay Petitioner Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that **no** Spousal Maintenance/Support is needed for either party.
 Parties are **unable** to reach an agreement concerning Spousal Maintenance/Support.

COMMUNITY DEBTS:

- Parties agree on how to divide Community debts.
 Parties agree to be responsible for their own sole and separate debts as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|-------------|--------------------------|--------------------------|--------------------------|
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Parties agree to submit a comprehensive inventory and breakdown of community debt to the other party by _____.
 The community debts shall be divided as follows:

| Creditors | Account # | Amount Owed | Petitioner | Respondent | Disputed Debts |
|-----------|-----------|-------------|--------------------------|--------------------------|--------------------------|
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | _____ | \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- Any debts or obligations incurred by either party before the date of separation that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.
 The parties are **unable** to reach an agreement concerning debts.

PERSONAL PROPERTY:

- Community personal property has already been distributed prior to conference to both Petitioner and Respondent. Each party to be awarded the personal property in their respective possession.

DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)

Community property is awarded to each party as follows:

LIST OF COMMUNITY PROPERTY AWARD TO:

| | Petitioner | Respondent |
|--|--|--|
| <input type="checkbox"/> Household furniture/furnishings (Be specific) _____ _____ _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Appliances (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> TV /VCR/DVD (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Personal Computer (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Other (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Cash,bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Award each party the personal property in his/her possession. | <input type="checkbox"/> | <input type="checkbox"/> |

DIVISION OF REAL PROPERTY: Section A is for one piece of real property. Section B is for a second piece of real property.

A. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

B. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

The value of the property is unknown and the parties agree to have a comprehensive analysis or appraisal done prior to the final agreement or by _____ date.

Parties agree that Petitioner Respondent will refinance real property on or before _____. If unsuccessful, the real property will be _____.

The parties are **unable** to reach an agreement concerning real property.

There is no community real property.

DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

- The parties agree that any community interest in any retirement benefits, pension plans, or other deferred compensation described below will be allocated as follows:
Petitioner's _____
Respondent's _____
- The parties agree they will submit a Qualified Domestic Relations Order to the assigned Judge by _____.
- Each party **waives and gives up** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party.
- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- The parties are **unable** to reach an agreement concerning retirement, pension plan or other deferred compensation.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$ _____.
- Respondent will pay Petitioner's legal fees in the amount of \$ _____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ADDITIONAL AGREEMENTS:**ADDITIONAL ISSUES NOT AGREED UPON:****OTHER ORDERS:****TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized divorce decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____

Date: _____

Respondent: _____

Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number:

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
(DIVORCE) WITH CHILDREN**

(Name of Respondent)

- FULL SETTLEMENT
- PARTIAL SETTLEMENT

This is the time set for the **Settlement Conference** **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case is _____.

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other

Has sixty days passed from service of the initial petition? Yes No

Is there an Order of Protection in effect now? Yes No

Have CPS or police been called on Petitioner Yes No
 Respondent Yes No

Has there been a drug conviction within the last 12 months for Petitioner Yes No
 Respondent Yes No

Does either party have a pending bankruptcy case? Petitioner Yes No
Respondent Yes No

Has a discharge been entered? Yes No

PREGNANCY:

- Wife is **not** pregnant
 Wife is pregnant, and the husband **is** or **is not** the father of the child.
 A child who is common to the parties is expected to be born this date:

CHILDREN: All minor children common to the parties as follows:

NAME (S) OF CHILD(RFN)

D/Q/B(s)

AGE

If born prior to marriage, has proof of paternity been presented? Yes No

PARENT INFORMATION PROGRAM:

Petitioner has has **not** attended the Parent Information Program Class.

Respondent has has **not** attended the Parent Information Program Class.

CHILD CUSTODY

The parties are unable to reach an agreement concerning custody.

SOLE CUSTODY: The condition under which one person, **Mother** **Father** shall have sole custody of the minor child(ren).

Both parties agree to **SOLE CUSTODY:** Sole custody to **Mother** **Father**

JOINT LEGAL CUSTODY: The condition under which both parents share legal custody and neither parent's rights are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

Both parties agree to joint legal custody

Mother **Father** will be the primary custodial parent.

Neither party is designated the primary custodial parent.

JOINT PHYSICAL CUSTODY/Joint SHARED CUSTODY: The condition under which the physical residence of the child(ren) is shared by the parents in a manner that assures that the child(ren) has/have substantially equal time and contact with both parents.

Both parents agree to joint physical/shared custody.

CHILD SUPPORT:

The parties are in agreement that child support will be paid by **Mother** **Father** using the child support guidelines.

The parties agree on the following child support amount of _____ to be paid to the **Mother** **Father**.

The parties are in agreement to a deviation from the child support guidelines in the amount of _____ to be paid to **Mother** **Father**.

A child support order currently exists signed on _____ in the amount of _____.

The parties agree to have child support calculated prior to the final agreement.

The parties are **unable** to reach an agreement concerning child support.

MEDICAL, DENTAL AND VISION INSURANCE, PAYMENTS, AND EXPENSES:

Parties agree

- Petitioner Respondent will provide medical, dental, and vision insurance for the minor child(ren).

FURTHER: Uncovered medical expenses shall be allocated as follows:

- Petitioner will pay _____% **AND**
 Respondent will pay _____%
 The parties will pay proportionate to their incomes.
 The parties are **unable** to reach an agreement concerning medical, dental and vision insurance.

TAX DEDUCTION: The parties agree that they shall claim as income tax dependency exemptions on federal and state tax returns as follows.

Mother to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

Father to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

- The parties agree to take tax deductions based on proportionate to child support worksheet guidelines.

TAX RETURNS: * Subject to IRS Rules and Regulations.

For prior years _____ through _____, the parties agree to:

- File **joint** federal and state income tax returns, and hold the other harmless from half of all additional income taxes and costs, if any, and each party shall share equally in tax refunds, if any.

For prior years _____ through _____, the parties agree to:

- File **separate** federal and state income tax returns
 Each party shall file **separate** tax returns this calendar year and continuing thereafter.
 Each party shall give the other party all necessary documentation to file all tax returns.
 The parties are **unable** to reach an agreement concerning tax return issues.

NAME CHANGE:

- Wife** requests that her last name be restored to _____.
 Husband requests that his last name be restored to _____.
 The Petitioner and Respondent **do not** wish to have their names restored.

SPOUSAL MAINTENANCE/SUPPORT:

- Parties are in agreement that the Petitioner will pay Respondent Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that the Respondent will pay Petitioner Spousal Maintenance/Support \$ _____ for the duration of _____ years.
 Parties are in agreement that **no** Spousal Maintenance/Support is needed for either party.
 Parties are **unable** to reach an agreement concerning Spousal Maintenance/Support.

COMMUNITY DEBTS:

- Parties agree on how to divide Community debts.
 - Parties agree to be responsible for their own sole and separate debts as follows:

- Parties agree to submit a comprehensive inventory and breakdown of community debt to the other party by .
 - The community debts shall be divided as follows:

- Any debts or obligations incurred by either party before the date of separation that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.
 - The parties are **unable** to reach an agreement concerning debts.

PERSONAL PROPERTY:

- Community personal property has already been distributed prior to conference to both Petitioner and Respondent. Each party to be awarded the personal property in their respective possession.

DIVISION OF COMMUNITY PROPERTY: (Be very specific in your description of the property)

Community property is awarded to each party as follows:

LIST OF COMMUNITY PROPERTY AWARD TO:

| | Petitioner | Respondent |
|--|--|--|
| <input type="checkbox"/> Household furniture/furnishings (Be specific) _____ _____ _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Appliances (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> TV /VCR/DVD (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Personal Computer (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Other (Be specific) _____ _____ _____ _____ | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Motor vehicle _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Cash,bonds of \$ _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Award each party the personal property in his/her possession. | <input type="checkbox"/> | <input type="checkbox"/> |

DIVISION OF REAL PROPERTY: Section A is for one piece of real property. Section B is for a second piece of real property.

A. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

B. Real property located at (address) _____

The real property as described above is:

Awarded to Petitioner or Respondent as his/her sole and separate property.

OR

Shall be sold and the proceeds divided as follows:

_____ % or \$_____ to Petitioner.

_____ % or \$_____ to Respondent

More than two pieces of property are involved. See attached sheet listing the same information as in Sections A and B.

The value of the property is unknown and the parties agree to have a comprehensive analysis or appraisal done prior to the final agreement or by _____ date.

Parties agree that Petitioner Respondent will refinance real property on or before _____. If unsuccessful, the real property will be _____.

The parties are **unable** to reach an agreement concerning real property.

There is no community real property.

DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION:

- The parties agree that any community interest in any retirement benefits, pension plans, or other deferred compensation described below will be allocated as follows:
Petitioner's _____
Respondent's _____
- The parties agree they will submit a Qualified Domestic Relations Order to the assigned Judge by _____.
- Each party **waives and gives up** his or her interest in any retirement benefits, pension plan, or other deferred compensation of the other party.
- Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.
- The parties are **unable** to reach an agreement concerning retirement, pension plan or other deferred compensation.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$ _____.
- Respondent will pay Petitioner's legal fees in the amount of \$ _____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ADDITIONAL AGREEMENTS:**ADDITIONAL ISSUES NOT AGREED UPON:****OTHER ORDERS:****TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement. The provisions regarding the division of property and debt are fair and equitable.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized divorce decree. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____

Date: _____

Respondent: _____

Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

**TRIAL COURTS OF ARIZONA
SUPERIOR COURT
MARICOPA COUNTY**

(Name of Petitioner)

Case Number:

**AGREEMENT BETWEEN THE PARTIES
PURSUANT TO A. R. C. P. RULE 80 (D)
PATERNITY/CUSTODY**

(Name of Respondent)

This is the time set for the **Early Resolution Conference** held _____ before (please check one):

Judge *Pro Tempore*: _____

Attorney Case Manager: _____

The assigned Judge on this case

Attending this conference are:

Petitioner Petitioner's Counsel Respondent Respondent's Counsel
 Interpreter Other _____

Is there an Order of Protection in effect on Petitioner Yes No
Respondent Yes No

Has there been a drug conviction within the last 12 months for Petitioner Yes No
Respondent Yes No

PREGNANCY:

- Female party is **not** pregnant
 - Female party is pregnant, and male party is or **is not** the father of the child.
 - A child who is common to the parties is expected to be born this date: _____.

CHILDREN: All minor children at issue considered by one or both parties common to the parties:

NAME (S) OF CHILD(REN)

D/O/B(s)

AGE

| | | |
|---|------------------------------|------------------------------|
| Parties agree who is the father of the children involved. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties to obtain genetic/blood paternity testing. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties have decided upon testing facility _____ | | <input type="checkbox"/> N/A |
| Court to order location of testing. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Parties agree to split testing costs. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is the a IVD case ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

(If parties disagree to paternity, conference is ended, testing is ordered and case ticked for ACM 30 day follow up)

PARENT INFORMATION PROGRAM:

Petitioner has has **not** attended the Parent Information Program Class.

Respondent has has **not** attended the Parent Information Program Class.

BIRTH CERTIFICATE:

Father's name to be added to each child's birth certificate? Yes No

CHILD'S LAST NAME:

The child(ren)'s last name shall be changed? Yes No

If yes, the child(ren)'s last name shall be changed to: _____

CHILD CUSTODY

SOLE CUSTODY: The condition under which one person has legal custody.

- Both parties agree to **SOLE CUSTODY:** Sole custody to **Mother** **Father**
- Both parties are **unable** to reach an agreement concerning sole custody.

JOINT LEGAL CUSTODY: The condition under which both parents share legal custody and neither parent's rights are superior except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.

- Both parties agree to joint legal custody
- Mother** **Father** will be the primary custodial parent.
- Both parties are **unable** to reach an agreement concerning joint legal custody.

JOINT PHYSICAL CUSTODY/Joint SHARED CUSTODY: The condition under which the physical residence of the child(ren) is shared by the parents in a manner that assures that the child(ren) has/have substantially equal time and contact with both parents.

- Both parents agree to joint to joint physical/shared custody.
- Mother** **Father** will be the primary custodial parent.
- Both parties are **unable** to reach an agreement concerning joint physical custody/shared custody.

CHILD SUPPORT:

- The parties are in agreement that child support will be paid by **Mother** **Father** using the child support guidelines.
- The parties agree on the following child support amount of _____ to be paid to the **Mother** **Father**.
- The parties are in agreement to a deviation from the child support guidelines in the amount of _____ to be paid to **Mother** **Father**.
- A child support order currently exists signed on _____ in the amount of _____.
- The parties agree to have child support calculated prior to the final agreement.
- The parties are **unable** to reach an agreement concerning child support.

MEDICAL, DENTAL AND VISION INSURANCE, PAYMENTS, AND EXPENSES:

Parties agree who will pay for medical insurance. Yes No

If, yes

Petitioner Respondent will provide medical, dental, and vision insurance for the minor child(ren).

FURTHER: Parties agree who will cover non-covered cost and co-pays.

- Petitioner will pay _____% **AND**
- Respondent will pay _____%
- The parties agree to any uncovered medical, dental expenses proportionate to their incomes.
- The parties are **unable** to reach an agreement concerning medical, dental and vision insurance.

OTHER COSTS: Petitioner Respondent is to be paid the amount of \$_____ for expenses incurred relating to medical care, hospitalization and other costs related to the birth of the child(ren) by the Petitioner Respondent.

TAX DEDUCTION: The parties agree that they shall claim as income tax dependency exemptions on federal and state tax returns as follows.

Mother to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

Father to take tax deduction on: _____ Name of children
 Even year's Odd years Every year.

The parties agree to take tax deductions based on proportionate to child support worksheet guidelines.

LEGAL FEES:

- Petitioner will pay Respondent's legal fees in the amount of \$_____.
- Respondent will pay Petitioner's legal fees in the amount of \$_____.
- Each party will pay **their own** legal fees.
- The parties are **unable** to reach an agreement concerning legal fees.
- Legal fees do not apply to this case.

ISSUES NOT AGREED UPON:**TIMELINE FOR PARTIES:**

I am not under force, threats, duress, coercion, or undue influence from anyone, including the other party, to sign this Agreement. The Agreement, with attachments, if any, that I have signed is our agreement. I have not agreed to something different from what is stated in this agreement.

Pursuant to Rule 80 (d) of the Arizona Rules of Civil Procedure, it is the intent of both parties that this agreement shall be binding.

This is NOT a finalized judgment. This agreement merely provides a degree of resolution to some of the issues involved in your case.

Petitioner: _____ Date: _____

Respondent: _____ Date: _____

If either party is represented by a lawyer, the lawyer must sign:

Petitioner's Attorney: _____ Date: _____

Respondent's Attorney: _____ Date: _____

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:)
)
)
JOHN DOE)
 Petitioner)
and)
)
)
)
JANE DOE)
 Respondent)
)
)

NO. FC2004-000000

NOTICE
OF
TRIAL DATE

Assigned To Division Number: DRJ01
Honorable Norman J. Davis

YOU ARE HEREBY NOTIFIED that a Trial to the Court is set in your case before the following judge at the following date, time and location:

Trial Date: **November 17, 2006 (Friday)**
Trial Time: **9:00 A.M.**
Trial Judge: **Honorable Norman J. Davis**
Location: **Maricopa County Superior Court**
 201 W. Jefferson, Courtroom 703
 Phoenix, Arizona 85003-2243

You are both required to be present and on time for your trial date at the above date, time and location. If you fail to appear at the time of trial, the trial can proceed and all matters in your case can be finalized based upon the evidence presented by the appearing party. If both parties fail to appear at the time of trial, this case can be dismissed.

YOU ARE ALSO NOTIFIED that you are required to comply with the requirements set forth in the document entitled ***Notice of Trial Requirements***, a copy of which is being provided to you with this ***Notice of Trial Date***.

YOU ARE ALSO NOTIFIED that you are required to deliver any exhibits you intend to use at trial to the clerk of your trial judge, in accordance with the requirements set forth in the ***Notice of Trial Requirements***, no later than noon on **November 9, 2006**.

Both parties by signing below acknowledge receipt of a copy of this ***Notice of Trial Date***, and a copy of the ***Notice of Trial Requirements***, that each is aware of the date, time and location of the trial date, and has read, or will immediately read, both documents.

Receipt of a copy of ***Notice of Trial Date*** and ***Notice of Trial Requirements*** is hereby acknowledged by:

JOHN DOE
Petitioner

JANE DOE
Respondent

Notice of Trial Requirements

Your case has been scheduled for a trial to a judge at the date and time listed in the ***Notice of Trial Date*** supplied to you at the same time you received this ***Notice of Trial Requirements***. You should read this Notice carefully because you are required to comply with the requirements listed in this Notice before or at the time you appear for your trial.

Partial Agreements.

At the time of your Early Resolution Conference you may have reached partial agreement on one or more issues in this case. Any such agreements are binding and enforceable only if they were accepted by a judicial officer in open court and a record kept of the agreement, or if they were written down and signed by all parties in this case and approved by a judicial officer. If you and the other party in this case have signed a written agreement regarding one or more issues in this case, but a judicial officer has not yet approved the agreement, the approval can be obtained at the time of trial. In such event, the matters that are agreed upon in writing will not be litigated at your trial, but you should be prepared to explain to the judge why your agreement is fair and reasonable, and in the best interests of any minor children affected by the agreement.

Contested Issues.

A trial in your case will decide those issues that you and the other party have not resolved by agreement as provided above. The primary issues to be resolved in any family court case involving one or more children include a determination of: 1) Paternity of any minor child for which paternity is disputed; 2) Custody and parenting time rights with respect to any minor child; 3) An appropriate child support order including provisions for medical insurance, medical costs of all children not covered by insurance, and an allocation of any federal tax exemptions applicable to the minor children; and 4) Whether any party should be awarded any reasonable attorney's fees incurred in this matter. If your case is one for dissolution or separation of a marriage, the court will also determine: 1) Whether either party qualifies for an award of spousal maintenance and, if so, the amount and duration; 2) An equitable division of community property; and 3) Responsibility for payment of any community debts.

Parent Education

If your case involves one or more minor unemancipated children natural to or adopted by you and the other party you are required to attend a parental education program in accordance with A.R.S. §25-351. In such event you are directed to complete an approved Parent Education Program and file proof of completion of the program prior to, or at the time of, trial.

To assist you in completing the Parental Education Program requirements, a "Parent Information Program Notice" which details the procedures and requirements of the program, and includes a list of approved parent information classes is available to the parties at the Self Service Center, or the Domestic Relations filing counter at the court.

Disclosure and Discovery Requirements.

You are required to complete all disclosure requirements required by Rule 26.1, Arizona Rules of Civil Procedure, including an exchange of all relevant information, documents and exhibits you intend to use at trial as required by Rule 26.1, but no later than 30 days prior to your scheduled trial date.

You are also required to promptly comply with all requests for relevant information in this case made by the opposing party. In this regard, you are directed to sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any person, company or institution possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

Trial Date.

Your trial has been scheduled for a specific time period set out in the ***Notice of Trial Date***. The parties are expected to complete the trial in the allotted time, and each party will be allowed one-half of the available time to present all direct, cross, redirect examination and any argument. The trial time will not be extended unless you file a motion requesting an extension of the trial time not later than thirty (30) days after the date of your Early Resolution Conference and the court grants the motion. Any motion to extend the trial time must specifically set forth good cause to extend the time including a list of each and every witness who will testify together with an estimate of time needed for each witness and the subject matter of the expected testimony for each witness.

Joint Pre-Trial Statement.

You and the opposing party are required to file and provide the assigned judge with a copy of a ***Joint Pretrial Statement*** pursuant to Rule 6.8, Local Rules of Practice--Maricopa County (Family Court Cases), no later than **5 days prior to trial**.

The Joint Pre-trial Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances completed by each party together with a written statement as to whether the parties stipulate that the affidavits of both parties may be considered as testimony by the court as if marked as exhibits and entered into evidence pursuant to *In Re Marriage of Kells*, 182 Ariz. 480, 897 P.2d 1366 (App. 1995).

2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.

3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation.

4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.

5. If there are disputed issues regarding division of property, a current and detailed inventory and appraisal of property and assets of the parties, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.

6. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of *Schweiger v. China Doll Restaurant, Inc.*, 138 Ariz. 183, 673 P.2d 927 (App. 1983).

The failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

Exhibits.

Any documents or other items intended to be submitted as exhibits at the time of the trial shall be brought to the courtroom clerk of the division that will try your case no later than noon on the date identified for delivery of exhibits to the court in the *Notice of Trial Date* provided to you following your conference with the attorney case manager. The exhibits shall be submitted with a coversheet listing the description of each exhibit. **Any exhibits not submitted by noon on this date will not be accepted.** All exhibits must be hand-delivered to the Clerk. Duplicate exhibits shall not be presented and will not be marked. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

The parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

Findings of Fact.

Any party filing a request for findings of fact and conclusions of law pursuant to Rule 52, Arizona Rules of Civil Procedure, **shall submit proposed findings of fact and conclusions of law to this Division no later than 30 days prior to trial.** Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

Settlement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 5.1(c), Arizona Rules of Civil Procedure.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

In Re the Marriage of:

)
)
)
JOHN DOE
Petitioner)
and
)
)
)
JANE DOE
Respondent)
)

NO. FC2004-000000

NOTICE

OF
TRIAL/DEFAULT
DATE

Assigned To Division Number: DRJ01
Honorable Norman J. Davis

YOU ARE HEREBY NOTIFIED that a Default Hearing/Trial to the Court is set in your case before the following judge at the following date, time and location:

Trial Date: **November 17, 2006 (Friday)**
Trial Time: **9:00 A.M.**
Trial Judge: **Honorable Norman J. Davis**
Location: **Maricopa County Superior Court
201 W. Jefferson, Courtroom 703
Phoenix, Arizona 85003-2243**

You are both required to be present and on time for this trial/default date at the above date, time and location. If you failed to appear at the Early Resolution Conference you should be prepared to explain the reason why you failed to appear. Based upon the explanation provided, the judge will determine whether to proceed to enter your default or conduct a trial on the above date. If either party fails to appear at the time of the default hearing/trial, the hearing/trial can proceed and all matters in your case can be finalized based upon the evidence presented by the appearing party. If both parties fail to appear, this case can be dismissed.

YOU ARE ALSO NOTIFIED that you are required to comply with the requirements set forth in the document entitled ***Notice of Trial Requirements***, a copy of which is being provided to you with this ***Notice of Trial Date***.

YOU ARE ALSO NOTIFIED that you are required to deliver any exhibits you intend to use at trial to the clerk of your trial judge, in accordance with the requirements set forth in the ***Notice of Trial Requirements***, no later than noon on **November 9, 2006**.

Both parties by signing below acknowledge receipt of a copy of this ***Notice of Trial Date***, and a copy of the ***Notice of Trial Requirements***, that each is aware of the date, time and location of the trial date, and has read, or will immediately read, both documents.

Receipt of a copy of ***Notice of Trial Date*** and ***Notice of Trial Requirements*** is hereby acknowledged by:

JOHN DOE
Petitioner

JANE DOE
Respondent



ACM Statistical Automation
Attachment #14

Attorney Case Manager
ERC LOG

Please create a report that can be run from the reports screen in iCIS at any time for a specified time frame and case manager. The purpose of this report will be for the case managers or other designated staff to run the report and determine if all the cases have been resulted before the final summary reports are ran.

The iCIS report screen should allow us to select the Attorney Case Manager and the start and end dates wish to include in the report.

The report should list all cases in which a RMC/ERC was scheduled/set with an Attorney Case Manager within the specified time period and be sorted by RMC/ERC Hearing date.

The report should contain the following information for each case found:

1. Date (conference date)
2. Judge assignment
3. Case #
4. Agreement
 - a. If the result of the conference is 'full agreement' indicate 'full' in this field.
 - b. If the result of the conference is 'partial agreement' indicate 'partial' in this field
 - c. If the result of the conference is 'no agreement' indicate 'No' in this field.
 - d. If the result of the conference is 'continuing' indicate 'Not Completed' in this field
5. Other
 - a. If result of conference is 'Failure to Appear', field should indicate 'FTA'
 - b. If result of conference is 'Failure to Appear 1 pty', field should indicate '1 party FTA'
 - c. If the result code of the conference is 'Vacate' enter 'Vacate' in this field.
 - d. If the result code of the conference is 'CD/Ord prev. signed' enter 'D/S' in this field.
 - e. If the result code of the conference is 'Vacate/Reset' enter 'Reset' in this field.
 - f. If the result code of the conference is 'Dismissed/reconciled' enter 'Dis/rec' in this field.

6. Trial Date
 - a. If a hearing code of 'Trial' exists after the conference date and the result of the conference was 'No agreement', 'Partial agreement' or 'Failure to appear, 1 pty', enter date of trial.
7. Atty Info
 - a. If one party in the case had an attorney on the date of the conference, indicate a 1
 - b. If both parties in the case had an attorney on the date of the conference, indicate a 2
 - c. If neither party had an attorney on the date of the conference, indicate a 0
8. Comments
 - a. Enter the first comment under the conference with the entry date of the conference.

The last line of the report should contain total count for each column beginning with the Case number and ending with the Trial Date.

The following fields should also contain percentages of the total number of cases set.

Agreement
Other
Trial Date

The very end of the report should also contain a summery for the Columns.

Agreement
Other
Atty Info

Under Agreement, we will need the number of how many result code of each. (Full, Partial, No, Continuing).

Under Other, we will need a breakdown of how many cases there were of each category described above.

Under Atty Info, we will need a breakdown of how many cases had 1 attorney, 2 attorneys, or both parties were pro-per.

See Page 3 for sample of report.

ATTORNEY CASE MANAGER ERC LOG

From _____ **To** _____

Case Manager _____

| | <u>Total</u> | <u>% of Other</u> |
|--------------|--------------|-------------------|
| FTA | 0 | 0% |
| 1 Party FTA | 0 | 0% |
| Vacate | 0 | 0% |
| D/S | 0 | 0% |
| Reset | 0 | 0% |
| Dis/Rec | 0 | 0% |
| Total | 0 | 0% |

| | Agreement | |
|--------------|------------------|---------------------------|
| | <u>Total</u> | <u>% of Agreement</u> |
| Full | 0 | 0% |
| Partial | 0 | 0% |
| No | 0 | 0% |
| Not Compl. | 0 | 0% |
| Total | 0 | 0% |

| Attorney Information | | <u>Total</u> | <u>% of Total Cases set</u> |
|----------------------|--|--------------|-----------------------------|
| 1 Attorney Case | | 0 | 0% |
| 2 Attorney Case | | 0 | 0% |
| Pro-Per Case | | 0 | 0% |
| Total | | 0 | 0% |

Fiscal Year ERC Stats

The report should be broken down into 3 sections:

1. Monthly ACM ERC Stats
2. ERC Stats for FY__ by Month (Summary Report)
3. ERC Stats for FY__ by Case Manager (Summary Report)

Monthly ACM ERC Stats

This report will contain a page for each month in the fiscal year and contain information for all **past and future** RMC/ERC hearings set during the fiscal year.

The report should contain a summary for each month with the following information for each of the Attorney Case Managers.

1. Attorney/Case Manager
The name of the Attorney Case Manager
2. Total Cases
The total number of cases scheduled for a RMC/ERC during the reporting month.
3. Full Agreement
The total number of cases scheduled for a RMC/ERC with the result code of 'full agreement'
4. Partial Agreement
The total number of cases scheduled for a RMC/ERC with a result code of 'Partial Agreement'.
5. No Agreement
The total number of cases scheduled for a RMC/ERC with a result of 'No Agreement'
6. Not Completed
The total number of cases scheduled for a RMC/ERC with a result of 'Continuing'
7. Total
The total of column 3 - 6
8. FTA
The total number of cases scheduled for a RMC/ERC with a result code of 'Failure to Appear'
9. 1 pty FTA

- The total number of cases scheduled for a RMC/ERC with a result code of 'Failure to Appear 1 pty'
10. **Vacate**
The total number of cases scheduled for a RMC/ERC with a result code of 'Vacate'
11. **Decree Previously Signed (D/S)**
The total number of cases scheduled for a RMC/ERC with a result of 'CD/Ord prev. signed'.
12. **Re-Set**
The total number of cases scheduled for a RMC/ERC with a result of 'Vacate/Reset'.
13. **Dismissed/Reconciled (Dism./Recon.)**
The total number of cases scheduled for a RMC/ERC with a result of 'Dis/rec'.
14. **Total**
The totals of columns 8 - 13.
15. **Cases set for trial.**
The total number of cases where the result of the RMC/ERC is 'No agreement', 'Partial agreement' or 'Failure to appear, 1pty' and a hearing event of 'Trial' exists after the conference.
16. **1 Atty Cases**
The total number of cases that have been scheduled for a RMC/ERC that had/have one attorney at the time conference.
17. **2 Atty Cases**
The total number of cases that have been scheduled for a RMC/ERC that had/have 2 attorneys at the time conference.
18. **Pro-Per Cases**
The total number of cases that have been scheduled for a RMC/ERC that did not have any attorneys at the time of the conference.

Totals and Percentages.

See sample of report on page 6

ERC STATS, [month], 200

| Attorney Case Manager | Total Cases | Conference Held | | | | | Other | | | | | | Trials Set | Attorney Info. | | |
|-----------------------|---------------|-----------------|----------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|----------------|-------------|-------------|
| | | Full Agree. | Partial Agree. | No Agree. | Not Compl. | Total | FTA | 1 pty FTA | Vacate | D/S prior | Re-Set | Dism/ Recon. | | 1 Atty | 2 Atty | Pro Per |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| | | | | | | 0 | | | | | | | 0 | | | |
| Total % | 0 100% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% |

The total represents the sum of conferences held. The % represents the percentage of total cases

The totals represent the sum of each column. The % represents the percentage of the total of 'Conference Held'

The total represents the sum of 'Other'... The % represents the percentage of total cases

The totals represent the sum of each column. The % represents the percentage of the total of 'Other'

The totals represent the sum of each column. The % represents the percentage of total Cases

Stats for FY__ by Month (Summary Report)

This report is a summary of the Attorney Case Manager RMC\ERC conferences that have been scheduled from the **first day of the fiscal year until the date the report is run**. It should not include any information on conferences scheduled on future dates or times.

The fields will be the same as the Monthly ACM ERC stats and will contain a line for each month in the fiscal year.

See sample of report on page 8.

ERC Stats for FY__ by Case Manager (Summary Report)

This report is a summary of the Attorney Case Manager RMC\ERC conferences that have been scheduled from the **first day of the fiscal year until the date the report is run**. It should not include any information on conferences scheduled on future dates or times.

The fields will be the same as the Monthly ACM ERC stats and will contain a line for each of the attorney case managers.

See sample of report on page 9.

ERC STATS, FY _____ by Month

| Month | Total Cases | Conference Held | | | | | Other | | | | | | Trials Set | Attorney Info. | | | |
|-----------|-------------|-----------------|----------------|-----------|------------|-------|---------|-----------|---------|-----------|---------|--------------|------------|----------------|---------|---------|---------|
| | | Full Agree. | Partial Agree. | No Agree. | Not Compl. | Total | FTA | 1 pty FTA | Vacate | D/S prior | Re-Set | Dism/ Recon. | | 1 Atty | 2 Atty | Pro Per | |
| July | | | | | | 0 | | | | | | | 0 | | | | |
| August | | | | | | 0 | | | | | | | 0 | | | | |
| September | | | | | | 0 | | | | | | | 0 | | | | |
| October | | | | | | 0 | | | | | | | 0 | | | | |
| November | | | | | | 0 | | | | | | | 0 | | | | |
| December | | | | | | 0 | | | | | | | 0 | | | | |
| January | | | | | | 0 | | | | | | | 0 | | | | |
| February | | | | | | 0 | | | | | | | 0 | | | | |
| March | | | | | | 0 | | | | | | | 0 | | | | |
| April | | | | | | 0 | | | | | | | 0 | | | | |
| May | | | | | | 0 | | | | | | | 0 | | | | |
| June | | | | | | 0 | | | | | | | 0 | | | | |
| Total % | 0 100% | 0 0% | 0 0% | 0 0% | 0 0% | | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | | 0 0% | 0 0% | 0 0% | 0 0% |

ERC STATS, FY_____ by Attorney Case Manager

| Attorney Case Manager | Total Cases | Conference Held | | | | | Other | | | | | | Trials Set | Attorney Info. | | | |
|-----------------------|-------------|-----------------|----------------|-----------|------------|-------|---------|-----------|---------|-----------|---------|--------------|------------|----------------|---------|---------|---------|
| | | Full Agree. | Partial Agree. | No Agree. | Not Compl. | Total | FTA | 1 pty FTA | Vacate | D/S prior | Re-Set | Dism/ Recon. | | 1 Atty | 2 Atty | Pro Per | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| | | | | | | 0 | | | | | | | 0 | | | | |
| Total % | 0 100% | 0 0% | 0 0% | 0 0% | 0 0% | | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | 0 0% | | 0 0% | 0 0% | 0 0% | 0 0% |
| | | 0 0% | | | | | 0 0% | | | | | | | | | | |



Administrative Form for Judicial Notice or Recusal
Attachment #15

NOTICE OF CHANGE OF JUDGE / RECUSAL MEMO

From **DRJ**

To: **DRJ 01 -- Presiding Family Court Judge**

Re: Please Reassign Case Due To:

- Recusal
 Petitioner's Notice of Change of Judge
 Respondent's Notice of Change of Judge
 Other Notice By: _____

| | | | |
|-------------|--|------------------------|----------------------|
| Case No. | | Date: | March 1, 2006 |
| Petitioner: | | Petitioner's Attorney: | |
| Respondent: | | Respondent's Attorney: | |

Pending Court Dates:*

| <u>Trial/Hearing</u> | <u>Court Date</u> | <u>Time (Length)</u> |
|----------------------|-------------------|----------------------|
| | | |
| | | |

*All trials and hearings should be affirmed pending review by the newly assigned Judge.

Pending Motions/Petitions:

| <u>Document</u> | <u>Date Filed</u> | <u>Filed By</u> |
|-----------------|-------------------|-----------------|
| | | |
| | | |
| | | |
| | | |

NOTICE OF CHANGE OF JUDGE MEMO

From DRJ 01 -- Honorable Norman J. Davis

To: DRJ 01 -- Presiding Family Court Judge

Re: Please Reassign Case Due To:

Recusal
 Petitioner's Notice of Change of Judge
 Respondent's Notice of Change of Judge
 Other Notice By: _____

| | | | |
|-------------|--|------------------------|---------------|
| Case No. | | Date: | March 1, 2006 |
| Petitioner: | | Petitioner's Attorney: | |
| Respondent: | | Respondent's Attorney: | |

Pending Court Dates:*

| <u>Trial/Hearing</u> | <u>Court Date</u> | <u>Time (Length)</u> |
|----------------------|-------------------|----------------------|
| | | |
| | | |

*All trials and hearings should be affirmed pending review by the newly assigned Judge.

Pending Motions/Petitions:

| <u>Document</u> | <u>Date Filed</u> | <u>Filed By</u> |
|-----------------|-------------------|-----------------|
| | | |
| | | |
| | | |
| | | |

NOTICE OF CHANGE OF JUDGE MEMO

From: DRJ 01 -- Presiding Family Court Judge

To: DRJ 01 -- Honorable Norman J. Davis Transferring Division
DRJ 01 -- Honorable Norman J. Davis Newly Assigned Division

Re: Case Has Been Reassigned Due To:

- Recusal
 Petitioner's Notice of Change of Judge
 Respondent's Notice of Change of Judge
 Other Notice By: _____

| | | | |
|-------------|--|------------------------|---------------|
| Case No. | | Date: | March 1, 2006 |
| Petitioner: | | Petitioner's Attorney: | |
| Respondent: | | Respondent's Attorney: | |

Pending Court Dates:*

| <u>Trial/Hearing</u> | <u>Court Date</u> | <u>Time (Length)</u> |
|----------------------|-------------------|----------------------|
| | | |
| | | |

*All trials and hearings should be affirmed pending review by the newly assigned Judge.

Pending Motions/Petitions:

| <u>Document</u> | <u>Date Filed</u> | <u>Filed By</u> |
|-----------------|-------------------|-----------------|
| | | |
| | | |
| | | |
| | | |

*All pending documents should be transferred to the newly assigned Division as soon as possible.

Minute Entry To Issue:

This case was previously assigned to the Honorable Norman J. Davis who has transferred this case to the Presiding Family Court Judge for reassignment pursuant to a Notice of Change of Judge filed by Petitioner pursuant to Rule 42(f)(1), Arizona Rules of Civil Procedure. If any objections to the Notice of Change of Judge are filed, the noticed judge retains jurisdiction to hear and decide the objections. Any objections must be filed with the noticed Judge within 10 days of this date.

IT IS ORDERED assigning this case to the following Family Court Calendar for all further proceedings:

Calendar

DRJ 01

Judge

Honorable Norman J. Davis

IT IS FURTHER ORDERED affirming all pending trial and hearing dates, pending review by the newly assigned Judge.

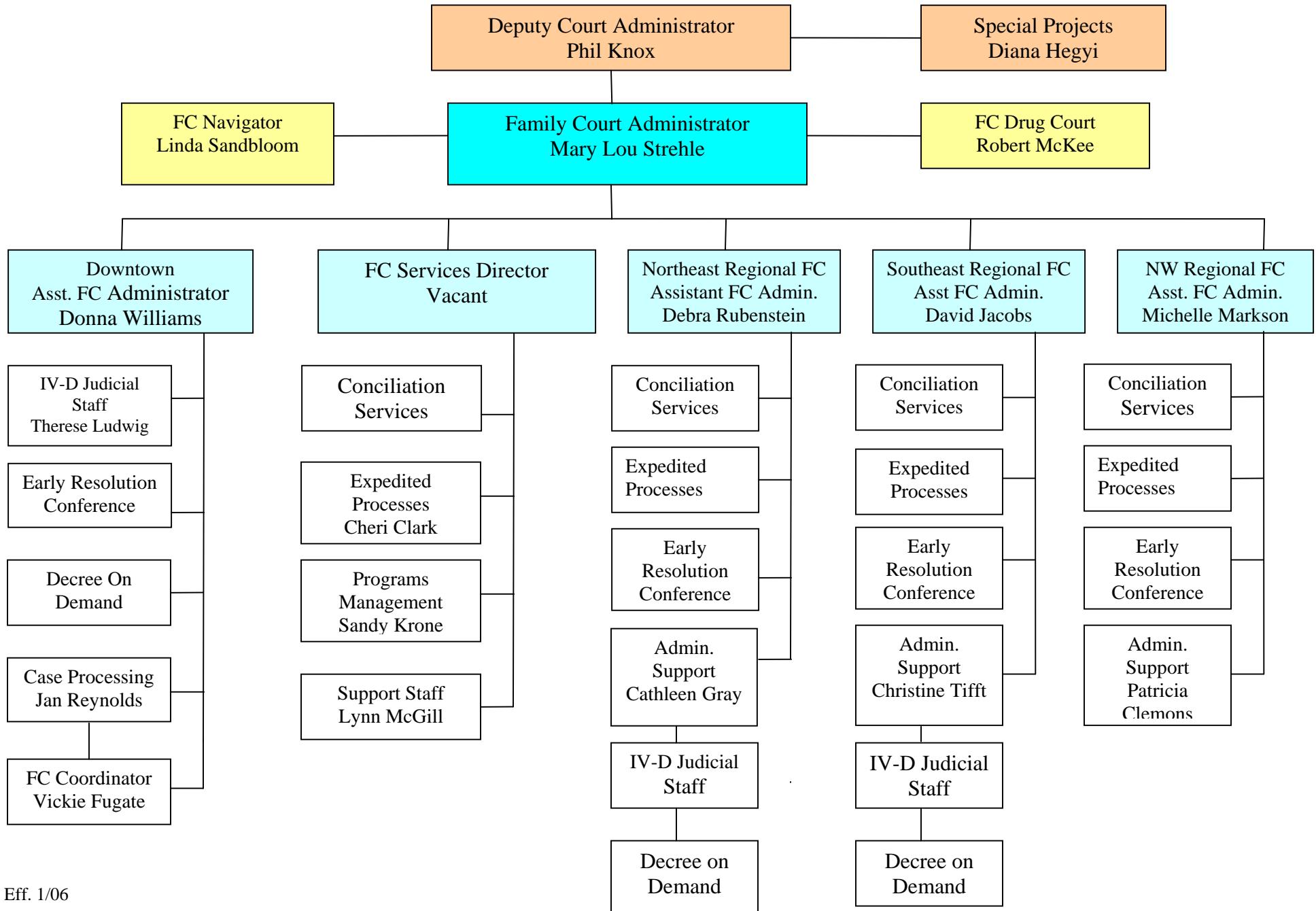
Pending Matters:



Management Staff Flowchart

Attachment #16

FAMILY COURT ADMINISTRATION ORGANIZATION CHART





Regional Authority, Administrative Order No. 2005-032
Attachment #17

IN THE SUPERIOR COURT OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF REGIONAL AND) ADMINISTRATIVE ORDER
DEPARTMENTAL PRESIDING JUDGES) No. 2005-032
)

Whereas, in the Summer of 2005, the Trial Courts of Arizona in Maricopa County will have regional courthouses in Northwest, Northeast and Southeast, each with a Regional Presiding Judge, and

Whereas, the relationship between the Superior Court Departmental Presiding Judges and the Regional Presiding Judges should be clarified to help ensure optimum continuity and consistency in the administration of court and department policies and case management,

IT IS ORDERED:

1. Departmental Presiding Judges in civil, criminal, family court, probate/mental health, tax, and juvenile have administrative oversight over all cases and judges assigned to their departments, regardless of location, on issues pertaining to their department. To the extent reasonably practicable, Departmental Presiding Judges shall collaborate with Regional Presiding Judges to develop similar case management plans in all locations of the Superior Court and shall direct the implementation of such plans through the Regional Presiding Judges. Departmental Presiding Judges and Departmental Court Administrators, in coordination with Regional Presiding Judges and Regional Court Administrators, shall utilize initial training, continuing education, and departmental meetings to disseminate information on department case management policies and practices to ensure continuity of case management within each department. Case management plans shall also provide a process through which periodic reviews and assessments can be performed to determine that case management practices at all regional locations are consistent and in conformance with department plans and policies.
2. Regional Presiding Judges shall have administrative oversight over administrative issues that are interstitial to the issues concerning the Departmental Presiding Judges, such as administrative issues related to space and space planning at a regional courthouse, working with the court administrator at regional courthouses, presiding at regional courthouse meetings of judges and commissioners, and other administrative issues delegated by the Presiding Judge, including coordination with any limited jurisdiction court judicial officers and staff housed within a regional facility.

3. Emergency evacuation of court buildings is reserved to the Presiding Judge and Associate Presiding Judge. In the absence of the Presiding Judge and the Associate Presiding Judge, Regional Presiding Judges are delegated decision making authority over evacuation of a regional courthouse and the Presiding Juvenile Judge is delegated decision making authority over evacuation of the regional juvenile courthouses and detention centers. The Court security officer and the trial court administrator shall set up training on emergency evacuation decisions and procedures for the judicial executive committee on a periodic basis.

Dated this ____ day of February, 2005.

Colin F. Campbell
Presiding Judge

Original: To be filed with the Clerk of the Superior Court

Copies: All Maricopa County Superior Court Judges and Commissioners
Marcus Reinkensmeyer, Trial Courts Administrator
David K. Byers, Administrative Director, Administrative Office of the Courts
Betty Adams, Administrative Services Director
Phillip Hanley, Court Human Resource Director
Bill Duffy, Court Security Director



Automation Business Rules to Dismiss Order of Protection

Attachment #18

Initiative #8
Termination of Order of Protections

The Order of Protection petition presented to the Commissioners are terminated automatically when the JA puts in the proper result code in iCIS immediately after the hearing. Any remaining Order of Protection petitions not presented to a Judicial Officer and are 30 days and older are then captured using the Cal-Acti Report. An Order of Dismissal is then generated by Court Administration pursuant to Admin. Order 2005-046. (See Order of Dismissal attached)

Office Distribution

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: «casenumber»

March 1, 2006

«petname»

VS

«resname»

**ORDER DISMISSING
PETITION FOR ORDER OF PROTECTION
WITHOUT PREJUDICE**

The Court Information System has indicated that at least 30 days have passed since the filing of a Petition for Order of Protection and it appears the petition has been abandoned,

Therefore,

Pursuant to Administrative Order 2005-046, the Order of Protection Petition filed on «filedate» is dismissed without prejudice for lack of prosecution.

Done in Open Court: March 1, 2006



A handwritten signature in black ink, appearing to read "Larry J. Van".

Judge/Commissioner/Special Commissioner



Administrative Order No. 2005-046
Attachment #19

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF DISMISSING)
PETITIONS FOR AN ORDER OF)
PROTECTION THAT ARE)
ABANDONED)

)**

**ADMINISTRATIVE ORDER
No. 2005-046**

Whereas the Family Court Department changed its business practices effective November 1, 2004, and is now tracking cases involving only a Petition for an Order of Protection separately in its case management database; and

Whereas the courts are available at all times to hear Petitions for Orders of Protection, and give such Petitions priority for hearing. Parties wishing to obtain an Order of Protection normally do routinely present Petitions to the court on the same day they are filed; and

Whereas some Petitions for Orders of Protection are filed but never presented to a judicial officer for consideration for a variety of reasons unique to each case and known only to the Petitioners; and

Whereas the court is required to appropriately address all petitions that are filed with the court in a prompt and judicious manner.

IT IS ORDERED:

1. Court Administration shall dismiss any Petition for an Order of Protection that is filed and not presented to the court for consideration within 30 days after the Petition is filed.

2. All such dismissals shall be without prejudice and shall not limit any party from filing subsequent Petitions for Orders of Protection.

DATED this 16th day of March, 2005.

Hon. Norman J. Davis, Presiding Judge
Family Court Department

Original: Clerk of the Superior Court

Copies: Hon. Colin F. Campbell, Presiding Judge
Hon. Barbara Mundell, Presiding Judge Designate
All Family Court Judges and Commissioners
Marcus Reinkensmeyer, Trial Court Administrator
Phillip Knox, Deputy Court Administrator
Karen Westover, Deputy Court Administrator
Mary Bucci, Family Court Administrator
Bob James, Self Service Center Director



Administrative Policy – Case Reinstatement

Attachment #20

From: Pat Schuler - SUPCRTX
Sent: Friday, October 29, 2004 4:54 PM
To: All Family Court JAs
Cc: Norman Davis - SUPCRTX
Subject: FW: Administration's Policy Regarding Consolidations and Add Backs effective 11/1/04

Please read the attached policy regarding "add-backs" on the cal-acti reports. As with all new procedures, there will be pros and cons, however, we are hoping the pros outweigh the cons. Because this is being implemented on Monday, I wanted to give you a heads up on a few things to watch for. You are probably all aware that "add-backs" are those cases that terminate at some point and then someone consolidates cases, or converts the original petition to something different, or dad petitions for first court order in a paternity, or whatever. When these cases were "added-back" to your active cases, all of the sudden your judge had a case that appeared to be pending for 100 months (or whatever) but yet it was the first time you had ever seen it on the report. Because these cases will NOT be placed back onto your cal-acti report as of Monday, we need to be diligent in keeping track of these types of cases ourselves until they are able to implement a long-term fix for the tracking of these cases. This fix, however, is probably 4 to 6 months away.

So, just to let you know, be aware of the problem and be as diligent as possible in the monitoring of these cases. Some examples-

1. If your Judge converts a petition from one type to another, or you receive a copy of some type of conversion petition (such as a separation to a dissolution), if the status code associated with that case is a termination code, you would need to manually monitor that case.
2. If your Judge consolidates cases (or you receive a minute entry from another Judge consolidating cases into a number assigned to your Judge) and the number being consolidated into has already been terminated in some way, you would need to manually monitor that case.
3. If you receive a copy of a Petition for First Court Order and the case is already terminated because paternity has already been established or child support has already been established pursuant to a previous order of paternity or stipulated judgment and order in an establishment case, you would need to manually monitor that case.

HOW you monitor these will be up to you - be creative! Keep a copy of something in your tickler such as a copy of a petition, motion or order, case card, etc.; set a hearing just to keep track; whatever.

I don't know that I've covered EVERY type of case that used to be "added-back" to your cal-acti reports, but please be thinking about this. There will, undoubtedly, be cases that you will have no idea even exist because a copy of whatever was filed may not be provided to the division. As I said, they (the infamous "they") are working on a long-term fix, however, in the meantime, we don't want ALL of these cases falling through the cracks.

Thanks for your cooperation during this time. If you have any questions, please let me know.

Pat/Davis

Memorandum

To: Family Court Administration

CC: Lauri Thomas, Marian Catt, Pat Schuler, John Reynolds, Mary Bucci

From: Vickie Fugate

Date: 10/29/2004

Re: Administration's Policy Regarding Consolidations and Add Backs

In order to develop and implement more meaningful case aging statistics and to comply with Judge Davis' Preliminary Plan of Enhancement, effective November 1, 2004, we will no longer add cases back to the pre-decree caseload. This includes cases that are consolidated or have subsequent petitions filed. The only exception to this is if the case was terminated in error or reinstated.

Supervisors will still need to update iCIS to reflect the correct Judicial Officer assigned to the consolidated case, however, they will no longer need to send docket corrections to the Clerk's office to change sub-category codes. Supervisors should also make a notation in iCIS "events" indicating if there are any pending petitions filed in the consolidated case.

We are currently working on a process to enable us to monitor individual petitions and it is hoped the new process will be implemented in the next several months.



Statistical Model for Family Court

Attachment #21

Memorandum

To: Presiding Judge Colin Campbell, Presiding Judge Designate Barbara Mundell, Mary Bucci, Family Court Administrator, Tara van den Bosch, Conciliation Services Deputy Director, Debra Rubenstein, Expedited Services, John Barrett, and John Reynolds.

From: Norm Davis, Family Court Presiding Judge

Re: Proposed Family Court Statistical Model

Date: March 7, 2005

I believe we need to update, modify and replace our statistical reporting methods in accordance with the theories submitted to the Supreme Court under Initiatives 12, 13, and 14 of our Final Plan of Enhancement. I have identified herein proposed statistical information that I believe would be useful to collect for the purposes of monitoring and improving family court case management. Realizing that I may not have a complete picture of statistics and information needed by each of you, and others, I am distributing this proposal for comment and improvement before moving forward. I would like to move forward on this plan as soon as possible, so your prompt response is appreciated.

I basically see 3 broad areas of statistical information that we need to collect and use. First, summary department statistics to assess the overall performance of the family court department, primarily for our use and for submission to the Supreme Court are needed. Secondly, we need meaningful department management statistics, primarily for use by management and court administration to assess and improve uniform case management, as well as individual programs and agencies. Third, each judicial officer will need meaningful statistics and information to identify cases and management procedures that need attention. Accordingly, I am proposing that we develop a revised monthly department report, replace the current Cal-acti reports with more concise and meaningful "Exception Reports", and initiate a monthly family court department administrative report on the following basis:

Monthly Department Report

The current monthly department report distributed to all family court judicial officers and staff contains much useful information and should largely be maintained with the following exceptions:

1. The front statistical summary page should be maintained, but reanalyzed for additional or different information based upon the reports and

information to be prepared herein. Once the back-up information is prepared a more useful summary may be appropriate, but the current information on case filings, termination rates etc. should be maintained. We will likely want to break the totals down by regional court center (even if in the administrative report) to track caseloads at each region.

2. We should modify case termination statistics to compare to those we proposed to the Supreme Court last year, i.e. the percentage of cases terminated within 7 months, 12 months and 18 months. Our targets for those time periods are 70%, 90% and 95%, respectively, to be achieved by December 2005, and 80%, 95% and 100% by December 2006.
3. We should also add an average days to termination statistic that tracks how many days, on average, cases remain in the system. This statistic would augment the percentile termination statistic to better gauge overall improvement or regression in the system. A percentile of say 90% of cases terminated within 12 months doesn't tell us whether a particular piece of the system is getting better or worse—only that the entire system is going one way or the other.
4. The termination categories should be revised in conjunction with the work now being done by the iCIS review committee headed by Judge McNally. The 16 termination categories now being used should be grouped, subject to further work by the iCIS Committee, into 10 categories where termination of a case occurs by:
 1. Entry of a default decree/judgment.
 2. Granting of a Rule 55(b) motion and entry of the decree/judgment.
 3. Entry of a consent or stipulated decree/judgment.
 4. Entry of a decree/judgment after trial.
 5. Dismissal by a judicial officer for lack of prosecution.
 6. Dismissal by court administration for lack of service.
 7. Dismissal by court administration for lack of prosecution.
 8. Cases transferred out of the system to another county or state.
 9. Consolidation resulting in termination of the non-surviving case number.
 10. Regional transfers within our system that results in a regional case number terminating and being replaced with the new region's case number.
 11. Order of Protection cases terminated.

These categories should comprise 100% of all cases processed and terminated in any given time period with the exception of a very few unusual cases that could be grouped in a miscellaneous category. Each

termination category should be evaluated by department and by division with statistics measuring average-days-to-termination, and percentile terminated within Supreme Court standards of 7, 12 and 18 months.

5. As another measure of evaluation, we should evaluate average-days-to-termination, and percentile terminated within Supreme Court standards of 7, 12 and 18 months, by department and by division within the following categories that also should equal 100% of our cases:

- All "FC" cases with children designated as IVD cases
- All "FC" cases with children designated as non-IVD cases
- All "FN" cases without children
- All Order of Protection terminated

6. To evaluate the impact of attorney-represented cases, we also should evaluate average-days-to-termination, and percentile terminated within Supreme Court standards of 7, 12 and 18 months, by department and by division within the following categories that also should equal 100% of our cases:

- All cases with no attorney representation
- All cases with partial attorney representation, typically 1 attorney
- All cases with full attorney representation

This would also be a good place to add numbers and percentage of total cases for: 1) Cases that both sides are pro se; 2) Cases where one side is pro se; and 3) Cases that have attorneys on both sides. All of us are continually asked for this number, and we all guess. These are also important numbers to consider when designing programs and procedures.

7. The Family Court Monthly Inventory Report is good information and should remain, with the exception that all IVD cases should be removed and assigned to the commissioner that actually handles the case. We are currently discussing how this can happen, given that more than 1 commissioner may touch the case, and that a few cases have IVD and non-IVD components. At the very least all cases with no non-IVD components could be stripped off and assigned to one responsible party—perhaps a designated IVD judge at each regional center that could more easily interface with the IVD commissioners under a standard method of resolving these mixed cases.
8. The case aging report should remain in a modified manner. Since we would develop "Exception Reports" to actually identify cases over a certain age that need attention, we probably should collapse the age categories into larger groups to more closely match the Supreme Court standards: Up to 6 months, 6 to 9 months, 9 to 12 months, 12 to 18 months, and over

- 18 months. If we do it right, anything over 6 months will be set for trial, and/or on an exception report generated to monitor or take action.
9. The companion case-aging graph is visually useful, and should be maintained.
 10. I'm a little ambivalent as to whether the aged termination statistics are meaningful, particularly in light of exception reports that would identify and count all older cases. On the lower time periods, they are somewhat meaningless to the division because many of these cases were terminated elsewhere by default, consent, administratively etc. I would probably eliminate them or move them to the administrative report, but would be interested to hear if anyone finds them useful.

Exception Reports

The Cal-Acti reports in use now should be replaced with "Exception Reports" that identify all cases within categories that most of us would agree may need attention. Reports would be computer-generated from predetermined docket codes at least monthly for use by each division, each commissioner, the presiding family court judge, court administration, conciliation services, expedited services and ADR. These reports, of course, would be modified and improved as we gain an experience history with them (ultimately I understand each division will be able to craft any report they wish). Initially, I believe the following reports would be useful for judicial officers:

Divisions:

1. Cases with 2 attorneys that have not been set for a Resolution Management Conference within 14 days of a Response being filed.
2. All cases over 7 months old that have not been set for trial or dismissed.
3. All cases over 12 months old, except those in report 3 above.
4. All cases in which the division has scheduled or conducted a hearing or conference where no follow-up trial or hearing is scheduled.
5. All cases, in which a trial has been conducted, but no final Decree or Judgment has been entered.
6. All cases in which a Decree or Judgment has been entered, but there remain issues that were raised in the pleadings that have not been adjudicated.

7. All pending post-decree petitions that are not currently scheduled for a conference or hearing.

8. All pending post-decree petitions that have any unresolved issue 6 months after filing of the post-decree petition.

9. Cases in which iCIS identifies another family court case involving the same parties.

Court Administration:

10. All cases not served within 4 months of filing and not scheduled for dismissal within 14 days thereafter.

11. All cases not terminated within 14 days after they are 6 months old, and no trial, hearing or conference is scheduled.

12. All cases involving one or two pro ses where a response has been filed and no resolution management conference has been scheduled with an attorney case manager within 15 days of filing of the response.

13. All cases where a resolution management conference has been scheduled or held with an attorney case manager, but no trial date (when both appear), default hearing/trial date (when one appears) or scheduled dismissal date (when both do not appear) has been entered in iCIS.

14. All Order of Protection cases that are not presented (issued or denied) to a judicial officer within 30 days, and have not been dismissed within 14 days thereafter.

Department Administrative Report

There are a variety of additional statistics and information that court administration and the presiding family court judge need to monitor and assess various programs. In addition, some of this information would be useful to the judicial officers to evaluate and improve case management. In an effort to avoid judicial officers routinely receiving voluminous statistical information, it may be preferable to gather it in the form of an administrative report, and make it available to judicial officers as they desire it. Obviously, any portions of the administrative report could be moved to the department report and vice versa as needed. The type of information and statistics contemplated for this report would include:

Information To Assist Judicial Officers In Case Management

1. Number of trial continuances granted by division, and number of cases with more than one trial continuance.
2. Number of cases in which a motion to continue on the inactive calendar is granted by the division without an RMC concurrently being scheduled.
3. Cases reinstated by division with average age from initial dismissal date.
4. Average days from filing to termination for each division, and percentile of terminations within Supreme Court standards (7, 12 & 18 months).
5. Number & type of referrals to conciliation services (pre- and post-decree) and number of cases with multiple referrals for each division.
6. Number & type of referrals to expedited services (pre- and post-decree) and number of cases with multiple referrals for each division.
7. Number of referrals to ADR and number of referrals with multiple referrals for each division.
8. Average time of trials for each division.
9. Number of judicial events before trial (conferences, hearings etc.) for each division.
10. Number and percentage of cases resolved at RMC.
11. Number of notices of change of judge and recusals for each division.

Information To Assist Court Administration

1. Judicial Officer Exception Reports 1 and 2 above to facilitate administrative dismissals.
2. Judicial Officer Reports 3 thru 11 to monitor need for action and/or training of judicial officer or court staff.
3. Percent of cases terminated within court standards (14 days after dismissal dictated by rule for lack of service and for lack of prosecution).
3. Average time from filing to administrative scheduling of case for dismissal for lack of service.

4. Average time from filing to administrative scheduling of case for dismissal for lack of prosecution.

5. Average dismissal date variance (date case scheduled for dismissal case v. actual dismissal date).

Information To Assist Decree on Demand & Court Administration

1. Total number and percentage of cases terminated by default.
2. Total number and percentage of cases terminated by Consent Decree.
3. Average days from request for hearing/signature request to actual hearing/signature.

Information To Assist Conciliation Services & Administration

1. Number of cases stayed pursuant to a petition for conciliation.
2. Number of cases terminated before 60-day stay expires, and length of stay if terminated early.
3. Time from judicial referral date to completion of report for each type of referral and each evaluator.

Information To Assist Expedited Services & Administration

1. Time from judicial referral date to completion of report for each type of referral and each conference officer/case worker.
2. Number of referrals (total and each type).
3. Number of stipulations and settlements.
4. Number of each type of report and recommendation.
5. Numbers & percentage of objections to each type of report.

Information To Assist The ACM Triage Program & Administration

1. Number of responses filed in eligible cases (one or more pre ses).

2. Number of RMCs scheduled.
3. Average time from filing of a response to date RMC is scheduled.
4. Average time from date RMC is scheduled to RMC date.
5. Number of Consent Decrees entered (full settlements) and number of partial settlements.
6. Number of cases scheduled for dismissal (no one appears), number of cases set for default hearing/trial (one party appears), and number of trials set (both appear and issues remain).

Information To Assist ADR & Administration

1. Number of referrals for settlement conferences.
2. Numbers of full and partial settlements.
3. Average time from referral date to date of settlement conference.
4. Number & percentage of settlement conferences held before first scheduled trial date.

Information To Assist Paternity & Title IV-D Cases & Administration

1. Numbers of paternity petitions, establishment petitions, custody petitions (petitions for first court order), and acknowledgments of paternity filed (total IVD and non-IVD).
2. Average time from filing to termination, and percentile of cases terminated within Supreme Court standards of 7, 12 & 18 months for all paternity cases, all IVD paternity cases, and non-IVD paternity cases.
3. Time from filing to service of all IVD and all non-IVD cases.
4. Time from service to entry of Judgment of all IVD and all non-IVD cases.



Final Decree on Demand Proposal *Attachment #22*

MARICOPA COUNTY SUPERIOR COURT
FAMILY COURT

PROPOSED DEFAULT ON DEMAND PROJECT TO CHANGE THE METHOD
OF PROCESSING AND EXPEDITING DEFAULT CASES

GENERAL STATEMENT OF PROPOSAL

It is proposed that a default on demand project be approved through which the access, use and delivery of services in Family Court will be simplified, streamlined and made user-friendly for litigants obtaining judgments and orders by default.

HISTORICAL CONTEXT

When a litigant is ready to obtain a default hearing he/she submits a file review request to Family Court Administration. A staff person requests the case file from the Clerk's office and conducts a detailed review. The staff person determines the type of case, reviews the petition and initial documents, determines the relief sought, determines necessary information concerning children (if any), determines whether a court reporter or interpreter is needed, determines whether necessary service has been accomplished, and identifies whether all of the necessary documents are contained in the file. If all/most information is in order the staff person forwards the matter for scheduling on a Commissioner's calendar. The litigant will receive a notice of the deficiencies if needed documents are not in the file and/or if service requirements have not been met. The litigant is asked to correct the deficiencies before the matter will be scheduled.

A file review summary is attached to the file and forwarded to the assigned Commissioner. The Commissioner relies on the information from the file review at the time of hearing.

Currently, the process of file review, calendaring and availability of the Commissioner's calendar takes approximately 6 weeks. For example, if a litigant seeks a file review during mid-June, they will likely be scheduled for a hearing during the first part of August. Historically, the timeframe has fluctuated but has typically been much longer.

STATEMENT OF ISSUES (Still in process)

- The length of time to obtain a default hearing is too long, resulting in frustration for the litigants.

PROPOSED DEFAULT ON DEMAND - 2

- In-depth file review may not be needed
- Philosophical differences among some Judges and Commissioners regarding the default purpose/process
- Inefficient use of staff resources
- Ordinary defaults can be processed more quickly
- Present process results in poor public image of the Superior Court

STATEMENT OF GOALS

The major objective of the proposed default on demand project is to implement internal/external procedures that will address all stated issues. If this proposal is implemented, we expect:

- Litigants who call before noon on one day to request a regular (i.e., non-specialty) default will have the option of being placed on a 1:30 p.m. default calendar the next day. Litigants who call after noon can schedule an appointment for a future date.
- FC Administrative Staff will conduct a brief telephonic screening when the litigant requests a default hearing.
- Files will be reviewed immediately before hearing by FC staff, the Clerk's staff, Attorney Case Managers, volunteer lawyers, or interns.
- Delays in processing cases through the judicial system will be reduced.
- Litigants will not be denied a default hearing unless they have not met jurisdictional/statutory requirements. Deficiencies will be immediately corrected when possible and then referred to a stand-by Judge, if necessary.
- Consistent procedures will be established.
- Litigants will not be able to schedule a hearing for publication, interpreter, or other specialty defaults the day after they call. However, they will be able to call and schedule their matter for the next available calendar/hearing.

PROPOSED DEFAULT ON DEMAND - 3

- Forms and instructions in self-service packets will be revised to simplify the process and reflect these changes.
 - The FC Bar, document preparers, and others will be notified of these changes.
 - The project will start Downtown and be implemented in other courts once staff and facility resources have been identified.
 - Training on all aspects will occur prior to implementation.
 - Staff will immediately input data into iCIS once a default is entered so that these cases automatically drop off the cal acti report.
-

SPECIFICS OF THE PROJECT

1. Who will participate?

- Judicial Officers: 2 –2.5 Commissioners will be selected to hear regular (non-specialty) defaults. The defaults will be conducted in Courtroom 301 (once that courtroom is modified). Judges will be scheduled on a rotating basis (approximately two times a month from 1:30 – 2:00) to hear any extraordinary matters.
- Staff:
 - Project Manager (temporary position)
 - 2-3 Attorney Case Managers (rotating and depending upon numbers) to oversee the room, answer questions, conduct child support calculations, check parenting plans, and to be sure relief requested in the petition and decree match.
 - 2- FC Admin staff members to answer phone calls and schedule default appointments (depending on number of calls received)
 - 1- FC Admin staff member to check litigants into default room, conduct file review, identify any deficiencies and have the deficiencies corrected, if possible.
 - 1- DCM staff member to conduct file review, identify any deficiencies and have the deficiencies corrected.
 - Clerk- to check in litigants and be sure litigants have correct number of copies of decree and related documents, and to transport files, calendar and decrees to Commissioner at hearing.

(Need one ACM, otherwise all are existing staff)

2. How will the project work?

- This process will begin with all regular defaults (but not for publication, interpreter, lesser used language, and other specialty matters). There were an average of approximately 320 regular defaults every month in 2003. If those numbers continue, we will need 16 regular default calendars a month. Approximately 20 defaults will be scheduled per calendar. Calendars will be monitored and adjusted as needed.
- Default hearings will be set Monday through Friday at 1:30.
- The Self-Service default packets will be changed to clearly outline the new process.
- The litigants will be told to call a particular phone number once the default waiting periods have been met. They will be told to call before noon to schedule a next day hearing. They may also call after noon to set a future appointment.
- FC Admin staff will receive the call, ask limited questions, and check iCIS and OnBase to determine if jurisdictional and statutory requirements have been met while they are speaking with the litigant. FC Admin will schedule the litigant for a next-day or future hearing, and will inform the parties of the date and location. FC Admin staff will input data into iCIS.
- Every day at about 1:30 JA/FC staff will print the following day's calendar and order the files from the Clerk. Calendar problems should be brought to supervisor/project manager attention. (We may need to use a Pro Tem Judge or additional staff if there are large numbers.) Files will be delivered from the Clerk to JA/FC staff for the next day calendar. JA/FC staff will transport daily files to the default room, 3rd floor CCB at 11:25 each day.
- FC litigants will be told to appear at the default room at 11:30 on the day of their scheduled appointment. FN litigants will be told to appear in the default room at 12:30 on the day of their hearing. Attorney cases can check in at 1:15.
- The Litigant will check in with FC Admin. staff/DCM in the default room. FC Admin staff will conduct an abbreviated file review to be sure the file contains the necessary documents, flag the petition, enter information in ICIS and determine if service requirements have been met. FC litigants will then be forwarded to meet with the

Attorney Case Manager (“ACM”). The ACM will calculate child support (if the litigant has not had the amount calculated already by Family Support Services), review parenting plans, determine whether the petition and decree match, and address any other legal issues. The Clerk will then conduct the final check in for the hearing and be sure the litigant has the appropriate number of copies. FN litigants will bypass the ACM and check in with Clerk. Deficiencies will be corrected as necessary.

- If there are extraordinary deficiencies, the ACM may notify the on-call Judge to set a hearing.
- Regular default hearings will begin at 1:30. They will be held in CCB 301. Cases with attorney appearances will be called first, followed by FN cases. FC cases will be called last to allow maximum time for ACM to meet with the litigant.

3. What equipment/facilities are needed?

Default Room

Build out a space in CCB 3rd floor conference room to accommodate 2-3 staff that will conduct child support calculations, parenting plan review, etc., or locate other space on CCB 3 to house staff. A fee copy machine and blank default forms will be available in the default room.

- 3 - Modular work units for staff
- 3 - Ergonomic chairs
- 3 - Computers, either laptops or PCs (will need to have iCIS, Outlook, OnBase, and Child Support Calculator) for staff
- 2 - Bookshelves for staff
- 1- Printer for staff with enough ports to accommodate three users.
- 1- Telephone/line for staff
- 1- Luggage Cart to transport files
- 1- TV/VCR to watch PIP video/future video's on the default process

Courtroom

Remodel Courtroom 301- reconfigure the Bench, remove jury box, move Bar forward and add 2 additional benches. Requires new carpeting.

- 1-computer for Courtroom (will need to have Outlook, ICIS, OnBase and Child support Calculator)
- 1-printer for Courtroom
- Telephone/line for Courtroom
- FTR for Courtroom (Clerk is currently looking for unit)
- Large ergonomic chair for Courtroom

Family Admin needs

New Default Phone number/line and phone configuration for 6th floor Court Admin
Staffing issues
Automation/programming for calendaring

3rd Floor updates

New seating for Reception areas/hallways on CCB 3
New paint for Reception areas/hallways on CCB3
Brighter lights for Reception areas/hallways on CCB 3

4. How will Specialty, Interpreter, Publication matters be handled?

- These matters will continue to be set on Commissioner calendars at 1:30. No other major modification of Hegyi, Colosi, Passamonte, or Bodinet calendars is necessary. (Possible minor modifications needed with interpreter matters.)
- The litigant scheduling of these matters will be modified so that these litigants can call the default phone number to schedule a future appointment at available date/time prior to a file review.

5. How will the current regular default calendar be transitioned?

- Start date of Default on Demand is August 1, 2004.
- To transition the calendar, we will need up to 5 weeks of parallel calendars. The cases currently calendared will be heard by Judge Pro Tems, Judges or a borrowed Commissioner. A "Default Blowout" may also be used to address some of the hearings already calendared.
- All August appointments will be calendared at 1:30 instead of 8:30. (Requires a change in the default calendaring in July).

6. Outstanding issues

- Questions to callers – in progress
- Website
- Re-work SSC packets
- Information to public
- Arrive late

PROPOSED DEFAULT ON DEMAND - 7

- Manage the masses
- Training
- Resets
- Brown bag training
- PIP policy-waive respondent attending as a policy
- Family Court Admin. Staffing—increase in callers
- Jt. Parenting plan not signed by both-reset on a specific date
- Notary needed
- Rule 55 matters
- Interns/Vol.lawyers
- Updated information in legal file
- Litigants will not be able to answer the initial screening questions
- Mesa/Northwest cases downtown
- Who will operate FTR
- Default Duty Judges
- Other issues



Decree on Demand Scheduling Automation

Attachment #23

DOD Pre-Qualify FN2005050402 - Petn: Shari Bragg - JO: Houser - Subcat: Without Childre - Status: 01 - New Case

| Case Information | | | | | | | |
|---|-------------------------------|---|------------------------------|--------------------------|-----------------|------|----------------------|
| Decree Type: | Case #: | Requestor | Daytime Phone #: | Case Type: | | | |
| Default | FN2005050402 | (Petitioner) Shari Bragg | (623) 412-4918 | Dissolution | | | |
| Additional Case Information | | | | | | | |
| Language: | Service Type: | Date Acceptance was Signed In / Out of State: | Response Fee | Telephonic: | | | |
| | Acceptance | 06/20/2005 | In State | <input type="checkbox"/> | | | |
| Spousal Maintenance: | Children: | Custody: | Default must be filed After: | Default Filed On: | | | |
| No | Without Chil | | 07/11/2005 | 07/11/2005 | | | |
| Notes: Pet called to set hrg****07/26/05****KC | | | | | | | |
| Parent Information Class | | | | | | | |
| Petitioner PIP: | Petitioner Other Case #: | Respondent PIP: | Respondent Other Case #: | | | | |
| | | | | | | | |
| Scheduling | | | | | | | |
| # | Calendar | Date | Time | Day Of Week | Remaining Slots | Flag | View |
| 1 | FCD01 - Family Court Defaults | 8/22/2005 | 8:15:00 AM | Monday | 2 | None | View |
| 2 | FCD01 - Family Court Defaults | 8/22/2005 | 8:30:00 AM | Monday | 1 | None | View |
| 3 | FCD01 - Family Court Defaults | 8/22/2005 | 8:45:00 AM | Monday | 2 | None | View |
| 4 | FCD01 - Family Court Defaults | 8/22/2005 | 9:00:00 AM | Monday | 2 | None | View |
| 5 | FCD01 - Family Court Defaults | 8/22/2005 | 9:15:00 AM | Monday | 2 | None | View |

Schedule Save Return



Default on Demand Planning Documents

Attachment #24

MARICOPA COUNTY SUPERIOR COURT
FAMILY COURT

PROPOSED DEFAULT ON DEMAND PROJECT TO CHANGE THE METHOD
OF PROCESSING AND EXPEDITING DEFAULT CASES

GENERAL STATEMENT OF PROPOSAL

It is proposed that a default on demand project be approved through which the access, use and delivery of services in Family Court will be simplified, streamlined and made user-friendly for litigants obtaining judgments and orders by default.

STATEMENT OF GOALS - Downtown

The major objective of the proposed default on demand project is to implement internal/external procedures that will address all stated issues. If this proposal is implemented, we expect:

- Litigants who call before noon on one day to request a regular (i.e., non-specialty) default will have the option of being placed on a 1:30 p.m. default calendar the next day. Litigants can also call to schedule an appointment for a future date.
- FC Administrative Staff will conduct a brief telephonic screening when the litigant requests a default hearing.
- Files will be reviewed immediately before hearing.
- Delays in processing cases through the judicial system will be reduced.
- Litigants will not be denied a default hearing unless they have not met jurisdictional/statutory requirements. Deficiencies will be immediately corrected when possible and then referred to a stand-by Judge, if necessary.
- Consistent procedures will be established.
- Litigants will not be able to schedule a hearing for publication, interpreter, or other specialty defaults the day after they call. However, they will be able to call and schedule their matter for the next available calendar/hearing.

PROPOSED DEFAULT ON DEMAND - 2

- Forms and instructions in self-service packets will be revised to simplify the process and reflect these changes.
 - The FC Bar, document preparers, and others will be notified of these changes.
 - The project will start Downtown and be implemented in other courts once staff and facility resources have been identified.
 - Staff will immediately input data into iCIS once a default is entered so that these cases automatically drop off the cal acti report.
 - Training on all aspects will occur prior to implementation.
-

SPECIFICS OF THE PROJECT- For cases filed downtown only.

1. How will the project work?

- This process will begin August 2, 2004 with all regular defaults (but not for publication, interpreter, lesser used language, and other specialty matters). The Self-Service default packets will be changed to clearly outline the new process.

2. Regular Default hearings will be set Monday through Friday in Courtroom 301 with Commissioner Parks or Commissioner Harris. The morning calendar begins at 9:00 for Attorney and FN cases and at 10:00 for FC cases. Litigants will be told to arrive at the default room on CCB 3 according to case type: FN 8:00, FC 8:30, Attorney matters 8:45. The afternoon calendar begins at 1:30 for Attorney and FN cases and 2:30 for FC cases. Litigants will be told to arrive at the default room on CCB 3 according to case type: FC 11:30, FN 12:30, Attorney 1:00

- The litigants will be told to call 602-372-3332 once the default waiting periods have been met. They will be told to call before noon to schedule a next day hearing. They may also call to set a future hearing date.
- FC Admin staff will receive the call, ask limited questions, and check iCIS and OnBase to determine if jurisdictional and statutory requirements have been met while they are speaking with the litigant. FC Admin will schedule the litigant for a next-day or future hearing, and will inform the parties of the date and location. FC Admin staff will input data into iCIS.

- FC litigants will be told to appear at the default room at a specific time on the day of their scheduled hearing.
 - The Litigant will check in at the default room, 3rd floor Central Court Building. The staff will check documents to make sure the litigant has the appropriate number of copies. Staff will conduct an abbreviated file review to be sure the file contains the necessary documents, flag the petition, enter information in ICIS and determine if service requirements have been met. FC litigants will meet with staff to calculate child support, review parenting plans, determine whether the petition and decree match, and address any other issues. A file review for FN litigants will also be conducted. Attorney cases will need to check in at the Default room but no file review will be conducted. Deficiencies will be corrected as necessary.
 - If there are extraordinary deficiencies, staff may notify the on-call Judge to set a hearing.
2. How will Specialty, Interpreter, Publication matters be handled?
- These matters will be held on the 5th Floor CCB and set on Commissioner Brnovich, Colosi, Passamonte, or Bodinet calendars. The litigants will be told to check in at the default room, CCB 3. The staff will check documents to make sure the litigant has the appropriate number of copies. Staff will conduct an abbreviated file review to be sure the file contains the necessary documents, flag the petition, enter information in ICIS and determine if service requirements have been met. FC litigants will meet with staff to calculate child support, review parenting plans, determine whether the petition and decree match, and address any other issues. A file review for FN litigants will also be conducted. Attorney cases will need to check in at the Default room but no file review will be conducted. Deficiencies will be corrected as necessary.
 - AV Tronics will collect the \$20 fee in the default room in publication matters.
 - The litigant scheduling of these matters will be modified so that these litigants can call the default phone number to schedule a future appointment at available date/time prior to a file review.

DEFAULT ON DEMAND

BROWN BAG AGENDA

JULY 28, 2004

Introduction and description of project Judge Davis, Mary Bucci

Demonstration of forms Vickie Fugate

Discussion of legal issues

Judge Davis Comm. Passamonte

Default on Demand - Facilities/Phones/CTS/FTR/Panic Buttons... Plan of Action

Facilities: Bud Stevens/Bob Spence

Cubicles – On or before April 23, 2004 - Bud Stevens indicated that 4 cubes will be placed in 3rd floor CCB in the conference room/default room.

Furniture - Deliver new guest chairs and ergo chairs to CCB conference room. (Conrad has)

CCB Lobby area – 1.Remove all old chairs from CCB 3 and replace with 25 new chairs that Conrad has in storage for Default on Demand. (Bud can you give a date for this?)

1. Paint lobby area and add brighter lights. (Bud can you give a date for this?)
2. Signs needed for 3rd Floor. (Bud meeting with Diana on 7/20/04)

Physical Moves - 1. July 28, 2004 - Bud Stevens indicated that Molly Valdez (CCB 6 – W) and Carol Brown (CCB 6 – DCM reception) will move to CCB 3 conference room .

2. July 29, 2004 - Bud Stevens indicated that Karen Hill will move from Mesa to CCB –3 conference room

CCB 301 Courtroom – Deliver new Judge chair. (Conrad has)

Maria Clavijo

Phones – 4 phone lines need to be placed in Conference room/Default room CCB 3. (Maria can this be done on physical move dates listed above?) Please transfer Molly Valdez (67384) and Karen Hill's (64881) personal lines to CCB 3. The other 2 lines will need a new number. All 4 lines must also have new DOD number 602-372-3332.

Default on Demand number – work in progress, addressed in separate spreadsheet.

Courtroom 301 - phone needed (Maria working on)

CTS/Ken Bradley/Technical Support - Default on Demand Room/CCB 3 Conference room

1. Drop 4 data jacks, one in each cubicle on CCB 3. (Can this be done on or before physical move date?)
2. Install 4 PC's – loaded with OnBase, ICIS, etc. Move Molly Valdez, Carol Brown (CCB 6 to CCB 3) and Karen Hill's (Mesa to CCB 3) computers and place in cubes. Install one new computer (CTS has).

3. Configure 4 PC's with one printer (larger printer than CTS has) in room.

Courtroom 301

1. Install new PC and Printer on Bench. Completed 7/16/04

Eric Ciminski/Ken Crenshaw

FTR – Install in Courtroom 301. (Can this be complete before July 30?)

Security/Bill Duffy

Panic Buttons – Check Courtroom 301 panic button. Is it working?

2. Install 4 panic buttons in CCB 3 Default room. (What date?)

| <u>Action Items</u> | <u>Tasks</u> | <u>Status</u> | <u>Discussion</u> |
|-------------------------------------|--|--|--|
| Family Court Admin. | 1. Identify staff 2. Phone line 3. Rework file review form 4. Spreadsheet to use while on phone with callers 5. Rework Green/other forms 6. Automated Calendars 7. Change August calendar 8. Training- phones/file review/other details 9. Copy Machine for default room | 1. In progress 2. In progress 3. Pending 4. In progress 5. Pending 6. Pending 7. In progress 8. Pending 9. Pending | |
| Self Service Center Default packets | 1. Re-write 2. Translated into Spanish 3. Uploaded onto Web 4. Remove old version | 1. In progress 2. Pending 3. Pending 4. Pending | |
| FC Bench | 1. Judges available on a rotation to hear unusual matters/overflow 2. Policy regarding requests from SE/NW litigants who want to drive DT for a next day default? | 1. Pending 2. Pending | 1. At Bench Meeting 2. At Bench Meeting |

| | | | |
|-----------------------|---|--|--|
| Facilities | 1. Remodel Courtroom 301 2. Order Furniture 3. Order Equipment 4. Paint 3 rd floor reception areas 5. Brighter lights on 3 rd floor 6. Locate Space for Default room | 1. In progress 2. Completed 3. Completed 4. Pending 5. Pending 6. In progress | |
| Jurisdictional Issues | 1. Questions to ask on phone 2. Questions to ask during hearing | 1. In progress 2. In progress | |
| Other issues | 1. Support Cal to print doc's 2. Website 3. Info to Bar/public 4. Brown Bag 5. Interns/Vol. Lawyers 6. FTR | 1. In progress 2. Pending 3. In progress 4. Pending 5. Pending 6. In progress | |
| Clerk | 1. Files 2. Courtroom Clerk 3. CS Calc | 1. In progress 2. In progress 3. Pending | |

Answering Default on Demand phone line - FC Admin

- Press *71 on your phone to answer the call.
- Answer phone line: **Default on Demand**
- Open ICIS
- Ask: **Do you want to set a default hearing?**
- Ask: **What is your case number?**
- Type case number into ICIS.
- Ask: **What is your name?**
- Scan ICIS docket for
 - 1). Status code –Case must be active. Look for inactive calendar. You may set hearing prior to dismissal date. If you are unable to set prior to dismissal date they will need to file a motion to continue.
 - 2). Is there an amended petition? If so when was it served? Use the amended petition for the phone screen.
 - 3). Look for 1st court orders -must be set on Wed. Brnovich calendar
 - 4). Look for a response (cannot set default)
- Ask: **Do you have the DOD pamphlet/checklist with you now and have you completed all of the questions? I'll be asking you the same questions from that list.**
- Open the Excel Phone Spreadsheet
 - Go through the EXCEL screening questions. Ask:
 - Do you have an attorney?**
 - What type of case? Dissolution, Paternity, etc**
 - Are you asking for Spousal Maintenance?**
 - Do you need an interpreter? What kind?**
 - When you served papers, what type of service did you use? Acceptance, Private Process Server, Registered Mail, etc.**
 - What date did you serve the papers?**
 - Give me the date of when you filed the Application for the default hearing.**
 - When did you mail a copy of the Application and Affidavit of default to the other party?**
 - Say: We can set a hearing after (date).**
 - Look at date on screening form to determine date.
 - Look on calendar pages if a specialty calendar.
 1. **Regular** defaults- can usually be scheduled M – F.
(Some days might be blocked for holidays/judicial training so be familiar with the DOD Commissioner calendar)
 2. **LUL** – schedule Wednesday only on Brnovich 3 weeks out,
 - a. Fill out Interpreter Request DOD LUL form on S: drive,
 - b. Email form to Iris Ozorio. Copy to: Mary Kridler at CITS.
 - c. Make note in ICIS that form has been completed and emailed to CITS.

- d. Print form for our file.
- 3. **Publication** – Schedule English publication on Wednesday only, Brnovich calendar
- 4. **Petition's for 1st Court order/Grandparent -** schedule on Wednesday only, Brnovich calendar
- 5. **Spanish** – schedule on Friday only. Comm. Bodinet/Passamonte alternate in a.m. and Comm. Colosi hears the p.m. (Refer to Commissioner rotation calendar)

Ask: What time/day do you want to set a hearing?

Arrival time if you have a morning hearing:

Cases with no children –arrive 8:00 a.m.

Cases with children—arrive 8:30 a.m.

Cases with Attorneys –arrive 8:45 a.m.

Arrival time if you have an afternoon hearing:

Cases with no children –arrive 1:00 p.m.

Cases with children –arrive 12:30 a.m.

Cases with Attorneys –arrive 1:15 p.m.

- Give litigant court date. Tell them to write down court date.**
- Tell litigant to appear on the 3rd floor CCB Default room, 201 W. Jefferson.**
- Go thru list of items to bring to hearing from screening form. Also bring self-addressed stamped envelop. If children born prior to marriage, bring birth certificate.**
- Tell litigant to Plan on being at courthouse for up to 4 hours.**

ICIS HEARING DATA ENTRY

- Enter hearing data/other information into ICIS. Add any other notes/data in ICIS.

- Select name of Commissioner

- a. Parks/Harris - Type **Def** (in the drop down menu) for FCD 01 Family Court Defaults
- b. Passamonte – DRC 01
- c. Bodinet – DRC 03
- d. Colosi – DRC 06
- e. Brnovich – DRC 05

- Select Hearing times:

Hearing time if you have an afternoon hearing

Cases with no children –arrive 8:00 a.m.

Cases with children—arrive 8:30 a.m.

Cases with Attorneys –arrive 8:45 a.m.

Hearing time if you have an afternoon hearing:

Cases with no children –arrive 1:00 p.m.

Cases with children –arrive 12:30 a.m.

Cases with Attorneys –arrive 1:15 p.m.

- Select Hearing types/codes

1. **Regular** defaults- can usually be scheduled M – F.
(Some days might be blocked for holidays/judicial training so be familiar with the DOD Commissioner calendar)
2. **LUL** – schedule Wednesday only on Brnovich 3 weeks out,
 - a. Fill out Interpreter Request DOD LUL form on S: drive,
 - b. Email form to Iris Ozorio. Copy to: Mary Kridler at CITS.
 - c. Make note in ICIS that form has been completed and emailed to CITS.
 - d. Print form for our file.
3. **Publication** – Schedule English publication on Wednesday only, Brnovich calendar
4. **Petition's for 1st Court order/Grandparent** - schedule on Wednesday only, Brnovich calendar
5. **Spanish** – schedule on Friday only. Comm. Bodinet/Passamonte alternate in a.m. and Comm. Colosi hears the p.m. (Refer to Commissioner rotation schedule)

- Terminate call.
- Print screening document.
- Write in information on calendar page if a specialty hearing.
- Put your Initials on the screening document.
- Place screening document in appropriate bin.
- If you are unable to set a hearing make an entry in ICIS as to why you are unable to set a hearing at this time.

**Phone Screen Form /Review phone screen with ICIS/Order Files/Match Files and
phone screen/ Print & Distribute Final Calendar**

Phone screen form

1. Get phone screen form from bins by printer on CCB6 and CCB 3.
 2. Check each phone review against ICIS
 - Check case number,
 - Check to see if hearing dates match on the form and in ICIS,
 - Check to see if case is set with correct Commissioner,
 - Check for interpreter globe if needed change ICIS,
 - Verify information with staff who took call if needed,
 - Look at hearing date to see if need to order file on a rush basis
 3. Check for new phone screening forms several times each day. If there are new screening forms, repeat process above with each form. Look for all new added hearings from the phone screens and update draft calendars with the new hearings.

Order files

4. Order Rush files. Rush files are defined as all files needed for hearings for next day or next two days. To order rush files: Email file room @ Fileroomcsc. Note on request that file is needed ASAP. Keep a copy of the email to the file room on your desk and double check files against list when files are received. Default Tracking code for ordering files

Login: deflt-dt Password clerk1 for downtown
Login deflt-nw Password clerk1 for Northwest

5. Order non-rush files one week in advance. Keep a copy of the email to the file room on your desk and double check files against list when files are received.

Tickle screening forms

6. Place screening form in Expandable folder under date of hearing. Keep Phone screening in folder until legal file arrives. When legal file arrives, attach phone screen to legal file and make notes on draft calendar and place file/screening form on top shelf in Lou's office. If legal file is not available, make a fake file. If you do not get phone form (attorney cases), print ICIS page and attach to file before delivering file to CCB3.

Calendars

7. Print draft calendars for each day for the next week. Make notes on draft calendar to help track the ordering and receiving of legal files. OF means ordered file/date. When receive legal file make note on calendar that file has been delivered to 3rd floor. Note F to 3. Also note when a fake file has been made note cover sheet only (CS only).

8. Check for new phone screening forms several times each day. If there are new screening forms, repeat process above with each form. Look for all new added hearings from the phone screens and update draft calendars with the new hearings.

9. Final calendar. Match all draft calendars to final calendar to make sure all files have been ordered, phone screens attached and delivered to CCB 3. Files should be placed in order that they appear on calendar.

10. To print final calendar. Enter ICIS under inquiry. Scroll down to reports and select number 1. Type in date, name, format- use default or name of Commissioner. Bring up calendar. Go to third box envelop with arrow which means to export calendar. Click. A Dropdown menu should appear. Go to Crystal report and choose Doc. And then choose To word perfect doc. Answer yes to questions. Identify folder to save to (Linda saves to S). Exported do you want to open. Answer Yes. This takes you to calendar. Go into view screen and change footer and header to the Commissioner who is hearing the calendar. Save to S:

11. Distribute final calendar each day about 3 or 3:30 to all Commissioner JA's, Comm Parks and Harris, Diana Hegyi, Therese Ludwig, and Default staff.

- On Tuesday also distribute the publication calendar to AVTronics @ Marlies Anderson [marlies@avtronics.com].
- On Thursday also distribute the Spanish speaking calendar to Raul Roman, Mary Kridler, Erika Scott with CITS.

Blocking and unblocking Commissioner calendars

12. Mark pages in book/block Commissioner calendars initially when vacation/training has been requested. Linda to block calendars in ICIS and book for vacation and training and then unblock as coverage is obtained. Linda to update DOD Commissioner calendars as often as possible to reflect changes in coverage.

Initial File Review System

1. Files are delivered to Lou/or placed on the top shelf in Lou's office. Files are then organized by hearing date on shelf.
2. Files are distributed and the initial file review is conducted. If legal file is not available, use ONBASE to conduct file review.
3. There are files that are added daily that must be worked into the review process.
4. After file review is complete, staple file review form to inside of legal file and return to?
5. Once files are completely ready they are moved to second shelf and organized by hearing date. A large rubber band is placed around the stack when all files have been received and reviewed.

Initial File review – conducted by file reviewers

- Go through automated screening form and answer all questions from the petition/file documents and ONBASE.
 - If needed documents are not in file or ONBASE call the litigant and ask them to fax the documents and/or bring doc's to hearing.
- Double check to make sure 60 days and 10 default days has passed.
- Look on ICIS for IV cases – could be under another case number.
 - Existing child support order but may not be in current file.
 - Note on file review:
 - FC number of other case.
 - Print out old IV order and attach to file.
- Print file screen form and put your initial on it.
- Staple the file screen form and telephone form on inside of cover of legal file.
- Review the deficiencies as indicated on the screening form and attempt to correct.
- Call the litigant to correct a deficiency
 - Can be corrected
 - give paperwork they need
 - Decree
 - Parenting plan
 - EMI
 - Judgment data sheet
 - Child support calculation
 - Affidavit of due diligence/circumstance
 - make copies
 - get information notarized
 - CANNOT be corrected
 - Service not complete
 - default filed too soon
 - response filed
 - 2nd amended petition
- Make note in ICIS regarding any phone conversations/deficiency.
- Either reset default hearing with litigant while on phone, tell litigant to call DOD number when deficiency is corrected, or give direction if they cannot proceed by default.
- Staple phone screen form to inside file.
- List any outstanding problems under the comments area.

Put files in order – Day before hearing is scheduled.

Put files in calendar order for each calendar the day before the scheduled hearing after receiving master calendar. Add color - coded stabber to each file. Stabber colors - One color for Parks and Harris, different color for court reporter and publication and interpreter matters. The stabber number coordinates with numbering of master calendar. Make sure the petition, the service document and the affidavit of default are each marked with yellow sticky tag.

REGULAR DEFAULTS

Check in for Default on Demand- Commissioner's Parks and Harris.

- **Check in party**
 - Greet party.
 - Ask for their name.
 - Place a check mark on the calendar beside the name of the party.
 - Ask for their documents and two copies.
 - If problems other than # of copies, etc. pass file to file review staff for file review staff to
 - take litigant into office and explain problems
 - Go thru documents and put in order.
- **Order of Documents**

Cases *Without children*.

 - Decree and two copies
 - If asking for Spousal Maintenance you also need order of assignment and judgment data sheet.
 - If publication matter, the party must complete the affidavit of due diligence/circumstance.
- **Check Documents**
 - Make sure decree is in order, filled out and signed.
 - Check copies.
 - Place Original decree in legal file, place the 2 copies on outside of legal file.
 - Give to file and documents directly file review if paperwork is complete and file review staff is available.
 - If file review staff is not available, place file and documents in stand-up file holder at the front counter.
 - If documents are not in order, have party correct the deficiency and make two copies and return to the default room.
 - Place the legal file in the back of the stand up file holder at the front counter until the party returns with the completed documents.
 - Make a note on the calendar that party will return after paperwork is complete.

With Children cases:

- **Order of Documents**
 - decree (stapled),
 - parenting plan (stapled),
 - child support worksheet that is printed in default room (stapled) and their child support worksheet (stapled),
 - Child Support order (stapled),
 - Order of Assignment and Employer Info (Staple together),
 - Judgment Data sheet.
 - If asking for Spousal Maintenance you also need order of assignment and judgment data sheet.
- **Check Documents**

- Make all paperwork is in order, filled out and signed.
- Check copies.
- Place Original decree in legal file, place the 2 copies on outside of legal file.
- Give to file and documents directly file review if paperwork is complete and file review staff is available.
- If file review staff is not available, place file and documents in stand-up file holder at the front counter.
- If documents are not in order, have party correct the deficiency and make two copies and return to the default room.
- Place the legal file in the back of the stand up file holder at the front counter until the party returns with the completed documents.
- Make a note on the calendar that party will return after paperwork is complete.

Attorney matters- get documents only. No file review needed.

Final File Review/Child Support Calculation at Check-In

Calculate Child Support

- Check to see if the party needs child support calculated
 - Check all pro per's child support calculation.
 - Ask: has anything changed? If so recalculate.
 - Do **NOT** calculate child support IF:
 - a child support order is already in place
 - Look in ICIS to see if there is a prior child support order :
 1. from Parks/Harris
 2. or Expedited
 3. or if there is a ME for child support
 4. I-VD (call Therese, Jenny or Bonnie for clarification)
 5. Foreign judgment
 - Look for IV cases – could be under another case number.
 - Existing child support order but may not be in current file.
 - Note on file review the FC number of other case.
 - Print out old IV order and attach to file.
 - A document prep agency has completed the paperwork
 - An attorney has calculated child support
 - Window 10 has calculated child support
- Calculate child support using Child Support Calculator
 - Issues to remember
 - Spousal Maintenance and Child support – do two child support calc's. One with SM and one without.

- Stepchildren are not included.
 - Only the children in this order go under date of birth
 - TATNF do not include in child support
 - Health insurance is only for kids.
 - Min. wage 892.00/ 5.15 per hour
 - Parenting time cheat sheet for visitation days.
(pending)
- Print 3 copies of child support documents
 - Documents needed
 - Child support order
 - Order of Assignment
 - Parent's worksheet
 - Wage Assignment
- Save child support calculation in EXCEL to S:
 - STEPS:
 1. Open **EXCEL**
 2. Click **FILE**
 3. Click **SAVE AS**
 4. Click on the **S** on the drop down menu
 5. Scroll down to Apps on 'Sc support\Vol1' (**S:**) **This is the S:**
 6. Click **S:**
 7. Double click on **DR folder**
 8. Double click on **default calc folder**
 9. Under file name: Add petitioner's last name/hearing date.

Final File Review at check-in All FN/FC are sent to file review.

- If legal file is given to file review staff, ask petitioner to come into office from front counter.
- If legal file is obtained from counter, file review staff will need to go out into lobby area and call the petitioner into office.

Final ICIS Check

- Check legal file number
- Conduct a final ICIS check
 - Look For:
 - Response
 - Dismissal's
 - A signed decree
 - Motion to strike
- If any of the above, cannot proceed by default.

Match Petition and Decree

- Ask: Is **ALL** of the information you put in the decree the same as what you asked for in the petition?
- Look at petition and decree – to see if petition and decree match
 - Areas of focus

- custody,
- parenting time,
- debts,
- SM,
- property

Ask Petitioner to make changes to decree so that it matches the petition and note any remaining differences between the petition and decree on the file review form under the comments heading.

Correct Deficiencies

- Ask Petitioner to make any other needed changes/correct any other deficiencies/make needed copies.
- If publication matter, make sure Affidavit of due diligence is complete
- If petitioner has completed the Affidavit, give them the Affidavit to complete and have the petitioner make 2 copies.

Place Documents in order

- Put documents in order: original decree, parenting plan, worksheet, child support worksheet, child support order, order of assignment attached to employer information, and judgment data sheet.

Return files/Doc's to front

- After file review is complete and all paperwork is in order, place legal file in stand-up bin behind receptionist in check-in order.
- If petitioner has deficiencies and needs to correct them or make copies, place legal file at the back of the stand up folder bin on front counter.
- Ask Petitioner to wait in lobby until their name is called to go into court when all paperwork is ready.

Transporting legal files/paperwork/people into courtroom

Files are returned from file reviewers and placed in standing file holders behind the receptionist with color coded stabbers.

- Gather files in order they came in.
- Take files into courtroom 301.
 - Take copies off each legal file (original remains inside) in criss-cross order and give them to the clerk.
 - Place Legal Files with original paperwork inside on judge bench.
- Take the litigants into the courtroom.
 - Time to take litigants into courtroom
 - 8:50 for 9 a.m. hearing
 - 1:20 for 1:30 hearing
 - Attorneys need to sit at the tables
- Retrieve stabbers at end of hearing.

Late arrivals

- If parties arrive after the hearings have started, take litigant to courtroom and take file/copies to the clerk by backdoor.
- **Email JA/Clerk**
 - After everyone has checked in, email clerk/JA and report that everyone has checked/all files delivered, etc.
 - Report any failure to appears
 - Report those that appeared, but did not go into court because of deficiencies.

Specialty Default Calendars

Specialty default calendars. Include publication matters, LUL, Spanish, Petition for 1st Court Orders, and Grandparent visitation matters.

All Spanish speaking matters are scheduled on Friday.

All LUL, English publication, Petition for 1st court order and grandparent visitation are scheduled on Wed.

Check in for Specialty Defaults

- **Check in party**

- Greet party.
 - Ask for their name.
 - Place a check mark on the calendar beside the name of the party.
 - Ask for their documents and two copies.
 - If problems other than # of copies, etc. pass file to file review staff for file review staff to
 - take litigant into office and explain problems
 - Go thru documents and put in order.

- **Order of Documents**

Cases *Without children*.

- Decree and two copies
 - If asking for Spousal Maintenance you also need order of assignment and judgment data sheet.
 - If publication matter, the party must complete the affidavit of due diligence/circumstance.

- **Check Documents**

- Make sure decree is in order, filled out and signed.
 - Check copies.
 - Place Original decree in legal file, place the 2 copies on outside of legal file.
 - Give to file and documents directly file review if paperwork is complete and file review staff is available.
 - If file review staff is not available, place file and documents in stand-up file holder at the front counter.
 - If documents are not in order, have party correct the deficiency and make two copies and return to the default room.
 - Place the legal file in the back of the stand up file holder at the front counter until the party returns with the completed documents.
 - Make a note on the calendar that party will return after paperwork is complete.
 - If publication matter have petitioner pay court reporter \$20 fee.

With Children cases:

- **Order of Documents**

- decree (stapled),

- parenting plan (stapled),
- child support worksheet that is printed in default room (stapled) and their child support worksheet (stapled),
- Child Support order (stapled),
- Order of Assignment and Employer Info (Staple together),
- Judgment Data sheet.
- If asking for Spousal Maintenance you also need order of assignment and judgment data sheet.
- If publication matter, the party must complete the affidavit of due diligence/circumstance.

- **Check Documents**

- Make all paperwork is in order, filled out and signed.
- Check copies.
- Place Original decree in legal file, place the 2 copies on outside of legal file.
- Give to file and documents directly file review if paperwork is complete and file review staff is available.
- If file review staff is not available, place file and documents in stand-up file holder at the front counter.
- If documents are not in order, have party correct the deficiency and make two copies and return to the default room.
- Place the legal file in the back of the stand up file holder at the front counter until the party returns with the completed documents.
- Make a note on the calendar that party will return after paperwork is complete.
- Court report gets \$.

Attorney matters- get documents only. No file review needed.

Final File Review/Child Support Calculation at Check-In

Calculate Child Support

- Check to see if the party needs child support calculated
 - Check all pro per's child support calculation.
 - Ask: has anything changed? If so recalculate.
 - Do **NOT** calculate child support IF:
 - a child support order is already in place
 - Look in ICIS to see if there is a prior child support order :
 6. from Parks/Harris
 7. or Expedited
 8. or if there is a ME for child support
 9. I-VD (call Therese, Jenny or Bonnie for clarification)
 10. Foreign judgment
 - Look for IV cases – could be under another case number.
 - Existing child support order but may not be in current file.

- Note on file review the FC number of other case.
- Print out old IV order and attach to file.
- A document prep agency has completed the paperwork
- An attorney has calculated child support
- Window 10 has calculated child support

Calculate child support using Child Support Calculator

○ Issues to remember

- Spousal Maintenance and Child support – do two child support calc's. One with SM and one without.
- Stepchildren are not included.
- Only the children in this order go under date of birth
- TATNF do not include in child support
- Health insurance is only for kids.
- Min. wage 892.00/ 5.15 per hour
- Parenting time cheat sheet for visitation days. (pending)

Print 3 copies of child support documents

- Documents needed
- Child support order
- Order of Assignment
- Parent's worksheet
- Wage Assignment

Save child support calculation in EXCEL to S:

- STEPS:
 10. Open **EXCEL**
 11. Click **FILE**
 12. Click **SAVE AS**
 13. Click on the **τ** on the drop down menu
 14. Scroll down to Apps on 'Sc support\Vol1' (**S:**) **This is the S:**
 15. Click **S:**
 16. Double click on **DR folder**
 17. Double click on **default calc folder**
 18. Under file name: Add petitioner's last name/hearing date.

Final File Review at check-in All FN/FC are sent to file review.

- If legal file is given to file review staff, ask petitioner to come into office from front counter.
- If legal file is obtained from counter, file review staff will need to go out into lobby area and call the petitioner into office.

Final ICIS Check

- Check legal file number
- Conduct a final ICIS check
 - Look For:

- Response
 - Dismissal's
 - A signed decree
 - Motion to strike
- If any of the above, cannot proceed by default.

Match Petition and Decree

- Ask: Is **ALL** of the information you put in the decree the same as what you asked for in the petition?
- Look at petition and decree – to see if petition and decree match
 - Areas of focus
 - custody,
 - parenting time,
 - debts,
 - SM,
 - property
- Ask Petitioner to make changes to decree so that it matches the petition and note any remaining differences between the petition and decree on the file review form under the comments heading.

Correct Deficiencies

- Ask Petitioner to make any other needed changes/correct any other deficiencies/make needed copies.
- If publication matter, make sure Affidavit of due diligence is complete
 - If petitioner has completed the Affidavit, give them the Affidavit to complete and have the petitioner make 2 copies.

Place Documents in order

- Put documents in order: original decree, parenting plan, worksheet, child support worksheet, child support order, order of assignment attached to employer information, and judgment data sheet.

Return files/Doc's to front

- After file review is complete and all paperwork is in order, place legal file in stand-up bin behind receptionist in check-in order.
- If petitioner has deficiencies and needs to correct them or make copies, place legal file at the back of the stand up folder bin on front counter.
- Ask Petitioner to wait in lobby until their name is called to go into court when all paperwork is ready.

○ Transporting legal files/paperwork/people into courtroom

Files are returned from file reviewers and placed in standing file holders behind the receptionist with color coded stabbers.

- Gather files in order they came in.
- Take files into the lobby and call out names of litigants.

- Time to take 1st group up to 5th floor
 - 8:50 for 9 a.m. hearing
 - 1:20 for 1:30 hearing
- Explain that those names called need to follow you to the 5th floor, Courtroom ____.
- Take the litigants into the courtroom.
 - Attorneys need to sit at the tables
- Deliver the files/paperwork to the JA/Clerk.
- Retrieve stabbers at end of hearing.

Late arrivals

- If parties arrive after the hearings have started, take litigant to courtroom and take file/copies to the JA.
- If parties arrive late/or cannot correct their paperwork before 10 a.m. or 2:30 p.m. ask JA for guidance as to whether the default can still be heard or whether it will need to be rescheduled.

○ **Email JA/Clerk**

- After everyone has checked in, email clerk/JA and report that everyone has checked/all files delivered, etc.
- Report any failure to appears
- Report those that appeared, but did not go into court because of deficiencies

Default on Demand for all regular defaults

Staffing DT default room between 11:30 and 1:30 Monday-Friday:

1-Project Manager

3 -Attorney Case Managers (rotating and depending upon numbers) to oversee the room, answer questions, conduct child support calculations, check parenting plan, check to make sure petition and decree match.

2- FC Admin. staff to answer phone/schedule

1- FC Admin. staff to check people into default room, conduct file review, identify any deficiencies and have corrected, if possible.

Clerk-(rotating ?) to check in litigants and make sure litigants have correct number of copies of decree etc. Transport files, calendar and decree's to Commissioner at hearing.

We can utilize existing staff for all of the above except we will need to hire one Attorney Case Manager. (ACM will also have other duties)

Judicial Staff- Default calendar begins 1:30

2-2.5 Commissioners

Judge on-call (rotating 2 x per month for 30 – 60 minutes)

Judge Pro Tem's

Clerk

Facilities: 3rd Floor Court Room and Conference Room

Modify 3rd Floor Bench to remove wall between Commissioner and Clerk because the clerk cannot hear the Commissioner.

Large ergo chair needed for bench.

Additional benches/chairs for litigants to sit.

Modify 3rd Floor conference room to set up three computers stations, etc. or locate other offices on third floor to conduct file review, child support calc. etc

Equipment for default room and courtroom:

Three computer stations with ICIS, Child Support Calculation, Outlook, OnBase for default room.

Computer and printer in Courtroom. Computer needs Outlook, ICIS, Child Support Calculation, OnBase.

Printer

Copy Machine

Telephone

VCR/TV- (watch PIP video if needed?)

All blank default documents

Luggage cart to transport FC/FN files

FC Admin. needs

New phone number/line in FC Admin.

Automation for calendaring and case file review

**Maricopa County Superior Court
Family Court Administration**

201 West Jefferson Street
Central Court Building, 6th Floor
Phoenix, AZ 85003
(602) 506-1561
(602) 506-3123 (FAX)



Memorandum to: Mary Bucci, Family Court Administrator, Director, Conciliation Services

From: Diana R. Hegyi, Family Court Assistant Administrator

Date: June 18, 2004

RE: Default on Demand – Downtown

The Default on Demand project is coming together smoothly. These are the identified staff and immediate tasks for the project.

1. Staff. **Primary File reviewer** – (print calendars, order files & bring to default room, check-in person, 1st review) Molly. Linda Jett and Jeff Duponte provide back-up file review. Other bi-lingual Court Admin. staff needed for Fridays. Can we use Iliana or Yvonne? Expedited staff? Family support also has a bi-lingual person.

Answering Phones - FC Admin. staff. Answer on a rotating basis, depending upon how phone system can be configured. (pending with Maria)

Child Support Cal.- ACM staff on a rotating basis. Jeff Duponte can assist. Family Support Center staff? Backup provided by Volunteer lawyers/ASU interns (pending)

Judicial Officers - Eve and/or Myra every day except Wed. Judges/floater Commissioner will back-up. Pro Tem's will back up.

Courtroom Clerk - to conduct final check-in for Court

AV Tronics - Diana meeting with Ken Crenshaw 6/18/04

2. Tasks for immediate attention

1. Create Judge rotating schedule for Aug., Sept., October. (Linda/ Vickie)
2. RFS to CTS for calendar/caller automation (Vickie)

3. Rework file review forms (Molly, Linda, Diana)
4. Phone number/configuration (Jan, Diana, Maria, Debra)- Diana has met with Maria.
5. Finalize caller/screening information (Vickie, Jan, Diana)
6. Re-write Self Service packets (Diana, John, Pollie)- Diana currently working on.
7. Secure interns (Diana, Judge Steinle)
8. Contact JW Brown (Mary, Debra)
9. Get announcement in Az. Attorney (Judge Davis)
10. Secure volunteer lawyers (Diana)
11. Change August Calendar (Jan/Bunnie)
12. Child Support program to print needed documents (Judge Davis)
13. Schedule Brown Bag (Diana) What is a good date?
14. FTR in courtroom (Mary, Debra)
15. Cubicles identified for CCB 3. (Mary, Diana, Bob Spence)

Telephone/line for staff
Telephone/line for Courtroom

FTR for Courtroom (Clerk is currently looking for unit)

New Default Phone number/line and phone configuration for 6th floor Court Admin.

Automation/programming for calendaring

New paint for Reception areas/hallways on CCB3

Brighter lights for Reception areas/hallways on CCB 3

Remodel Courtroom 301- reconfigure the Bench, remove jury box, move Bar forward and add 2 additional benches. Requires new carpeting.

Build out a space in CCB 3rd floor conference room to accommodate 2-3 staff that will conduct child support calculations, parenting plan review, etc or locate other space on CCB 3 to house staff.

Purchases for Default Project –Downtown

3 – modular work units for staff

3-ergo chairs

3- computers, either laptops or PC's (will need to have ICIS, Outlook, OnBase, and Child Support Calculator) for staff

2- Bookshelves for staff

1-printer for staff that has enough ports to accommodate three users

Telephone/line for staff

1-computer for Courtroom (will need to have Outlook, ICIS, OnBase and Child support Calculator)

1-printer for Courtroom

Telephone/line for Courtroom

FTR for Courtroom (Clerk is currently looking for unit)

Large Ergo Chair for Courtroom

Luggage Cart to transfer files

TV/VCR to watch PIP video/future video's on the default process

New Default Phone number/line and phone configuration for 6th floor Court Admin.

Automation/programming for calendaring

New seating for Reception areas/hallways on CCB 3

New paint for Reception areas/hallways on CCB3

Brighter lights for Reception areas/hallways on CCB 3

Remodel Courtroom 301- reconfigure the Bench, remove jury box, move Bar forward and add 2 additional benches. Requires new carpeting.

Build out a space in CCB 3rd floor conference room to accommodate 2-3 staff that will conduct child support calculations, parenting plan review, etc or locate other space on CCB 3 to house staff.

Purchases for Default Project –Downtown

3 – cubicle modular work units

2- like Hon Simplicity II A, B, C, G and privacy panels (on page 562 of the Office Depot order book) that include desktops, computer workstations and shelving. Privacy panels need to extend for guest to be interviewed.

1- like Hon Simplicity II A, B,C, G , H, I and privacy panels (on page 563)

All connecting hardware for units.

3- Task lights (one for each unit)

3- ergo chairs

9-guest chairs

Large Ergo Chair for Judge

Luggage Cart to transfer files

TV/VCR to watch PIP video/future video's on the default process

New seating for Reception areas/hallways on CCB 3

Default on Demand

The Default on Demand (DOD) process has the following flow:

Get Case Number → DOD Pre-Qualify Screen → Schedule Hearing → Summary → File Review

The users who will be using the DOD functionality are FC Admin, FC Admin Staff, and Judicial Staff personnel. External users will be able to access the DOD functionality (without the overrides) via the internet (Web application).

Get Case Number

User will get the case number from the caller and search for the case using the iCIS Search screen.

FC Admin Staff online

Entry | Inquiry | Administrative | Tasks Help

Search FC2005003211 - Petn: Katia Duran, et.al. - JO: Mroz - Subcat: Establish Suppo - TIVD: Yes - Status: 01 - New Case

Search Criteria

| Adv. | Department | Case# | Format | Def ID | JP Case# | Bus. | Last Name | First Name | Middle Name |
|--------------------------|--------------|--------------|--------|--------|----------|------|-----------|------------|-------------|
| <input type="checkbox"/> | Family Court | FC2005003211 | 10 | | | | | | |

Search Results

| # | Match | Case # | Ctr Acc | Party Names | Role | SSN | Sex | DOB | More Info |
|---------------------------------|-------|--------|---------|-------------|------|-----|-----|-----|-----------|
| Please enter a search criteria. | | | | | | | | | |

Total Time (Execute, Enumeration and Rendering): 0 second(s)

Search **Clear**

When the case is found and selected, the Main Page screen is displayed for the case. The user will then select the Hearing and Events screen under the Entry menu.

FC Admin Staff online

Entry | Inquiry | Administrative | Tasks

Go To Case#: FC2005003211 Help

iCIS

Katia Duran, et.al. - JO: Mroz - Subcat: Establish Suppo - TIVD: Yes - Status: 01 - New Case

Court With Children Case File Date: 3/8/2005 Created By: Laura Lyon on 3/15/2005 Parties Involved: 3

No Related Cases: 1

| | Role / Relationship | Start Date | More Info |
|----------------|---------------------|------------|-----------|
| Security (DES) | Petitioner | 3/8/2005 | |

rn, Allison Brooke)
ORNEY GENERAL PO BOX 6610 Phoenix, AZ 85005 United States
2) 252-1458

Z DURAN, Katia Kina Petitioner 3/8/2005 More Info

AKAs:
Attorney: (Pro Per)
Address:
Work Phone:
Home Phone:
Email:

The Hearings and Event screen is displayed and has a new pushbutton “Default on Demand”.

FC Admin Staff online

Go To Case#: FC2005003211 10 Go

Help iCIS

Entry | Inquiry | Administrative | Tasks

Hearings & Events FC2005003211 - Petn: Katia Duran, et.al. - JO: Mroz - Subcat: Establish Suppo - TIVD: Yes - Status: 01 - New Case

Limit Results To:

Hearings Events View All

Existing Hearings & Events in Case

| Type | Date & Time | Duration/Tickle Date | Judicial Officer | Result | Notes |
|---|----------------------|----------------------|--|--------|---|
| 1 Establishment Hearing | 6/7/2005 at 09:00 AM | 15 Mins | Scheduled before: Carolyn Passamonte (DRC01) | 1 | Edit Delete |
| (3-10-05 Rec'd state's OTA to establish; stamp) | | | | | |

Add Hearing Add Event Return Total Time (Execute, Enumeration and Rendering): 44138.48 second(s)

Default on

When the user clicks on the “Default on Demand” pushbutton, the new “Default on Demand Pre-Qualify” screen will be displayed.

Default on Demand Pre-Qualify Screen

Standard Menus (Entry, Inquiry, Administrative, and Tasks)

Summary Information Bar (Screen Name, Case Number, Petnr Name, JO, SubCat, IV-D, Case Status)

| | | | |
|---------------------------------|---|------------------------|-------------------------------------|
| Case Information | Dissolution, Paternity, Legal Separation, Grandparent Visitation, Annulment, or Other | | |
| Case Number | Name Requesting Default | Daytime Phone # | Case Type |
| Additional Case Information | | | |
| Interpreter | Additional Info 1 | Additional Info 2 | Additional Info 3 |
| Type of Service | Service Date | In/Out of State | <input type="checkbox"/> Telephonic |
| Default must be filed after | Default file on date | Default mailed on date | |
| Notes | | | |
| Parent Information Class | | | |
| Petitioner PIC | Petitioner Other Case # | Respondent PIP | Respondent Other Case # |
| Scheduling | | | |
| Available Hearing Slots Listbox | | | |
| Schedule | Save | Return | |

Case Information

Case Number field is pre-populated with the case number of the case. This field is display only.

Name Requesting Default field is pre-populated drop down list that defaults to the Petitioner's name. This field is editable and contains the names of all other parties on the case in the drop down list. Only single selection is allowed.

Daytime Phone # field is an editable field with a mask of (xxx) xxx – xxxx. **BA to add this as a New Type** to the Contact Info section of the Party information (the party specified in the Name Requesting Default field). Required field. When the hearing is set, the Daytime Phone # will be saved for party in the Name Requesting Default field.

Case Type field is a drop down list with the following values “Dissolution”, “Paternity”, “Legal Separation”, “Grandparent Visitation”, “Annulment”, and “Other”. Only single selection is allowed. Selection determines the fields/values in the Additional Case Information section of the screen (see below). Required field for screen.

- If Primary Case Subcategory = 601 – With Children, set Case Type field to “Dissolution”
- If Primary Case Subcategory = 621 – Legal Separation, set Case Type to “Legal Separation”
- If Primary Case Subcategory = 622 – Paternity/Maternity, set Case Type to “Paternity”
- If Primary Case Subcategory = 623 – Annulment, set Case Type to “Annulment”
- If Primary Case Subcategory = 630 – Other, set Case Type to “Other”
- If Primary Case Subcategory = 631 – Grandparents Case New DR#, set Case Type to “Grandparents Visitation”

If the Primary Case Subcategory is one of the above, the Case Type will default the corresponding value. Otherwise, it will be blank. User can change this even if this field has a default value. When the hearing is saved, a new Primary Case Category for the case will be set if this field's value differs from its equivalent default value. For example, the case has a Primary Case Subcategory of “601 – With Children”. The defaulted value for the Case Type field will be “Dissolution”. If the user changes the Case Type field to “Legal Separation” and the hearing is saved, a new Primary Case Subcategory of “621 – Legal Separation” will be added to the case.

Additional Case Information

Interpreter field is a drop down list for Interpreter Information with the same values as the current Languages drop down on the Party – Personal screen (blank a value). Only single selection is allowed. Required field for screen. Defaults to the Language specified for the Party in the Name Requesting Default field. If no Language is defaulted and one is entered when the hearing is set, the Language for the selected party (Name Requesting Default) will be updated.

If Case Type is “Dissolution”, “Legal Separation”, or “Annulment”, Additional Info 1 field will represent Spousal Maintenance (caption should be “Spousal Maintenance”) and be a drop down list that has values of “Yes” and “No”. If Case Type is “Dissolution”, “Legal Separation”, “Annulment”, “Grandparent Visitation” or “Other”, Additional Info 2 field will represent Children (caption should be “Children?”) and be a drop down list that has values of “With Children” and “Without Children. Additional Info 3 field will represent Custody and be a drop down list that has values of “Sole”, “Joint/Shared”, and “N/A”. Required only if Additional Info 2 field is set to “With Children”.

Telephonic Hearing checkbox – Check this checkbox if the hearing is to be telephonic. This option is not available to users requesting a hearing via the internet.

Type of Service field is a drop down list with the following values “Acceptance”, “Private Process/Sheriff”, “Registered Mail”, and “Publication”. Only single selection allowed.

Service Date field has a date format of mm/dd/yy

If the Type of Service field = “Acceptance”, the caption for the Service Date field is “Date acceptance was signed”

If the Type of Service field = “Private Process/Sheriff”, the caption for the Service Date field is “Date Service was Completed”

If the Type of Service field = “Registered Mail”, the caption for the Service Date field is “Date green card was signed by respondent”

If the Type of Service field = “Publication”, the caption for the Service Date field is “First date of publication”

In/Out of State field is a drop down list with the following values “In State” and “Out of State”. Only single selection is allowed. Required field only if Type of Service is Acceptance, Private Process/Sheriff, or Registered Mail.

Default must be filed after field is a calculated date field (mm/dd/yy) that is display only. It is calculated as follows:

If Type of Service is “Publication”, Service Date + 50 days.

else

If In/Out of State is “In State”, Service Date + 20 days

Else

Service Date + 30 days.

If calculated date falls on a holiday, add 1 more day.

If calculated date is a Saturday, add 2 more days.

If calculated date is a Sunday, add 1 more day.

Default Filed On Date field is a date field (mm/dd/yy). User enters the date the Application and Affidavit of Default was filed on. Required field.

Default Mailed On Date field is a date field (mm/dd/yy). User enters the date the Default was mailed on. Required field.

Notes field is for entering a note/comment for the hearing.

Parent Information Class (This section will display and needs to be completed only if Case Type is Dissolution, Paternity, or Other)

Petitioner PIPfield is a drop down list that has the following values “Certificate field”, “Taken but certificate not filed”, “Class not taken”, and “Filed under different case”.

Petitioner Other Case # is a field that displays only when Petitioner PIP field = “Filed under different case”. It is a required field when displayed.

Respondent PIP field is a drop down list that has the following values “Certificate field”, “Taken but certificate not filed”, “Class not taken”, and “Filed under different case”.

Respondent Other Case # is a field that displays only when Respondent PIP field = “Filed under different case”. It is a required field when displayed.

Schedule Hearing

Available Hearing Slots Listbox contains the list of available hearings (auto-calendar) for the information specified on the fields above. The column headings for the listbox are as follows:

- Slot number

Calendar – the calendar code and name of Judicial Officer assigned to that calendar

Time – Time of check-in

Day of Week – the day of the week the hearing occurs on

Remaining slots – the number of slots available for that date/time slot

Flag – block/conflict status

View – view the calendar for that slot's calendar to see scheduled hearings for that day

The Duration of each slot is 7 minutes.

There is a checkbox that corresponds to each Slot number. Only one checkbox can be selected in the listbox at any given time. By checking the checkbox and clicking on the Save pushbutton will schedule a hearing (see New Hearing Types and Sub-Types section for details of what is saved) for the slot selected.

New Hearing Types and Sub-Types

When a hearing is scheduled, the information on the Default on Demand Pre-Screening screen will be used to add a hearing entry into iCIS. The new Hearing Types and Sub-Types (created by BA) that will be available are as follows:

Hearing types:

Decree on Demand - Spanish

Decree on Demand - Specialty

Decree on Demand – Regular

The Hearing Type is determined by the Interpreter field.

If Interpreter = “Spanish”, Hearing Type = “Decree on Demand – Spanish”

Else

If Interpreter = “ “, Hearing Type = “Decree on Demand – Regular”

Else

Hearing Type = “Decree on Demand – Specialty”

Subtypes:

Hearing

Publication

Telephonic

Telephonic/Publication
Consent Decree

The Hearing Subtype is determined by a combination of fields.

If Type of Service = “Publication” AND Telephonic is checked, Subtype = “Telephonic/Publication”

Else

If Type of Service = “Publication” only, Subtype = “Publication”

Else

If Telephonic checkbox is checked only, Subtype = “Telephonic”

Else

Subtype = “Hearing”

Consent is used only when using the Consent Decree on Demand Pre-Qualify screen.

NW: All Spanish and Specialty cases will all be set on the 2nd Friday as Specialty.

Calendar = the calendar of the selected Available Hearing Slot

Date, Time = date and check-in time of the selected Available Hearing Slot

When the Schedule pushbutton is clicked on, the Available Hearing Slots will be displayed in the Available Hearing Slots Listbox except in the following scenarios:

- If the Default filed on date is NOT after the Default must be filed after date, a message box is displayed with “Warning! Default filed too soon and you cannot set a default hearing.”. With the option to Continue (internal staff only) or OK. See below for the Auto-calendar Business Rules. If the user is internal, they can select Continue and still display Available Hearing Slots.
- If Registered Mail and In State is selected, message box will display “Warning! Cannot set hearing because service requirements have not been met.” With the option to Continue (internal staff only) or OK. If the user is internal, they can select Continue and still display Available Hearing Slots.
- If no date has been entered in the Default Filed On Date field, a message box will be displayed with the following message “Warning! Default was not filed and a hearing cannot be scheduled.”
- If no date has been entered in the Default Mailed On Date field, a message box will be displayed with the following message “Warning! Default was not mailed and a hearing cannot be scheduled.”
- If there is a docket or pre-docket entry of type “ANS – Answer” or “RES – Response”, a message box will display “Default hearing cannot be set because an answer/response exists on the case.” With an option to Continue (internal users only) or OK. If the user is internal, they can select Continue and still display Available Hearing Slots.

Auto-calendar Business Rules

The location of where the hearing will be heard is determined by the Branch field value (Downtown, Northeast, Northwest, and Southeast) in the Case Information screen on a case. Northeast is not currently supported but will be in September.

The date range of available hearing slots will be from the Calculated Start Date through Calculated Start Date +60 days.

The Calculated Start Date for the auto-calendar available hearing slots is the day after the following calculated date:

- If the Case Type = “Dissolution” or “Legal Separation” or “Annulment”
 - The later date between (Service Date + 60 days) and (Default was filed on date + 10 business days and plus one if a Sunday and plus 2 if a Saturday)

OR

- If the Case Type = “Dissolution” AND Type of Service = “Publication”
 - The later date between (Service Date (1st date of publication) + 30 days +60 days.) And (Default was filed on date + plus 10 business days and plus one if a Sunday and plus 2 if a Saturday)
- If the Case Type = “Grandparent Visitation” or “Paternity” or “Other”
 - Default was filed on date + 10 business days and plus one if a Sunday and plus 2 if a Saturday

OR

- If the Case Type = “Grandparent Visitation” or “Paternity” or “Other” AND Type of Service = “Publication”
 - The later date between (Service Date(1st date of publication) + 30 days + 20 days.) And (Default was filed on date + plus 10 business days and plus one if a Sunday and plus 2 if a Saturday)

If the next day is found to be the starting date of the auto-calendar, the litigant must schedule/call the prior day before 12:00PM to schedule a hearing for the following day. Otherwise, the litigant will need to schedule at least 2 days out or more depending on the calculated start date of available hearing slots. The time check will need to occur upon the saving of the hearing. If it is 12:00PM or later of the day prior to the selected hearing date, a message box will display “Hearing Date cannot be scheduled due to short notice. Please choose a later date.”. After the user clicks OK on the message box, the checked slot in the Available Hearing Slots Listbox will be unchecked and all hearing slots for the next day should be removed.

If the case number has a year designation of 2001 or before, next day hearings are not available. The Calculated Start Date should be no sooner than 3 days after the current date.

The following are the auto-calendar matrixes:

Downtown Matrix (Regular) (FCD01 – Family Court Defaults) Week 1, 2, 3, 4.

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|-----------|-----------|-----------|-----------|-----------|
| 8:15am | 2 slots |
| 8:30am | 2 slots |
| 8:45am | 3 slots |
| 9:00am | 2 slots |
| 9:15am | 2 slots |
| 9:30am | 2 slots |
| 9:45am | 2 slots |
| 10:00am | 2 slots |
| 10:15am | 2 slots |
| 10:30am | 2 slots |
| 10:45am | 2 slots |
| 11:00am | 1 slot |
| Total | 24 | 24 | 24 | 24 | 24 |
| 1:15pm | 3 slots |
| 1:30pm | 3 slots |
| 1:45pm | 2 slots |
| 2:00pm | 2 slots |
| 2:15pm | 2 slots |
| 2:30pm | 2 slots |
| 2:45pm | 2 slots |
| 3:00pm | 2 slots |
| 3:15pm | 2 slots |
| 3:30pm | 2 slots |
| Total | 22 | 22 | 22 | 22 | 22 |

Downtown Matrix (Spanish) (FCO02 – Harris) If Language selected is Spanish. Week 1, 3, 4. Week 2 has no morning calendar.

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------|--------|---------|-----------|----------|---------|
| 8:00am | | | | | 2 slots |
| 8:15am | | | | | 1 slot |
| 8:45am | | | | | 2 slots |
| 9:00am | | | | | 1 slot |
| 9:15am | | | | | 2 slots |
| 9:30am | | | | | 1 slot |

| | | | | | |
|--------------|--|--|--|--|-----------|
| 9:45am | | | | | 2 slots |
| 10:00am | | | | | 1 slot |
| Total | | | | | 12 |
| 1:00pm | | | | | 1 slot |
| 1:15pm | | | | | 2 slots |
| 1:30pm | | | | | 1 slot |
| 1:45pm | | | | | 2 slots |
| 2:00pm | | | | | 1 slot |
| 2:15pm | | | | | 2 slots |
| 2:30pm | | | | | 1 slot |
| 2:45pm | | | | | 2 slots |
| 3:00pm | | | | | 1 slot |
| Total | | | | | 13 |

Downtown Matrix (Special) (FCO02 – Harris) If LUL, Publication, Grandparent Visitation, or Other. Week 1, 2, 3, 4.

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|---------|-----------|----------|--------|
| 8:00am | | | 2 slots | | |
| 8:15am | | | 1 slot | | |
| 8:30am | | | 2 slots | | |
| 8:45m | | | 1 slot | | |
| 9:00am | | | 2 slots | | |
| 9:15am | | | 1 slot | | |
| 9:45am | | | 2 slots | | |
| 10:00am | | | 1 slot | | |
| 10:15am | | | 2 slot | | |
| Total | | | 14 | | |

Northwest Matrix (Regular) (NWC01 – Newcomb) Week 1, 2, 3, 4

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------|--------|---------|-----------|----------|--------|
| 1:00pm | | 2 slots | | 2 slots | |
| 1:15pm | | 2 slots | | 2 slots | |
| 1:30pm | | 2 slots | | 2 slots | |
| 1:45pm | | 2 slots | | 2 slots | |
| 2:00pm | | 2 slots | | 2 slots | |
| 2:15pm | | 2 slots | | 2 slots | |
| 2:30pm | | 2 slots | | 2 slots | |

| | | | | | |
|--------------|--|-----------|--|-----------|--|
| Total | | 14 | | 14 | |
|--------------|--|-----------|--|-----------|--|

Northwest Matrix (Spanish and Special) (NWC01 – Newcomb) Week 2

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|---------|-----------|----------|-----------|
| 1:00pm | | | | | 2 slots |
| 1:15pm | | | | | 2 slots |
| 1:30pm | | | | | 2 slots |
| 1:45pm | | | | | 2 slots |
| 2:00pm | | | | | 2 slots |
| 2:15pm | | | | | 2 slots |
| 2:30pm | | | | | 1 slot |
| Total | | | | | 13 |

Southeast Matrix (Regular) (SEC01 – Hegyi) Week 1, 3, 4 ; Week 2 has no Regular Wednesdays (has specialty instead)

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|-----------|---------|-----------|----------|--------|
| 9:15am | 3 slots | | 3 slots | | |
| 9:30am | 3 slots | | 3 slots | | |
| 9:45am | 2 slots | | 3 slots | | |
| 10:00am | 2 slots | | 3 slots | | |
| Total | 10 | | 12 | | |

Southeast Matrix (Regular) (SEC02 – Bodinet) Week 1, 3, 4 ; Week 2 has no Friday mornings

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|----------|---------|-----------|----------|-----------|
| 9:15am | | | | | 3 slots |
| 9:30am | | | | | 3 slots |
| 9:45am | | | | | 2 slots |
| 10:00am | | | | | 2 slots |
| Total | | | | | 10 |
| 2:30pm | 3 slots | | | | 3 slots |
| 2:45pm | 3 slots | | | | 3 slots |
| 3:00pm | 1 slots | | | | 1 slots |
| Total | 7 | | | | 7 |

Southeast Matrix (Spanish) (SEC02 – Bodinet) Week 2

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------|--------|---------|-----------|----------|---------|
| 8:00am | | | | | 3 slots |
| 8:15am | | | | | 3 slots |

| | | | | | |
|--------------|--|--|--|--|----------|
| 8.30am | | | | | 2 slots |
| Total | | | | | 8 |

Southeast Matrix (Special) (SEC01 – Hegyi) Week 2

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|---------|-----------|----------|--------|
| 9:15am | | | 3 slots | | |
| 9:30am | | | 3 slots | | |
| 9:45am | | | 3 slots | | |
| 10:00am | | | 2 slots | | |
| Total | | | 11 | | |

Summary

Upon a successful hearing is scheduled after the Save pushbutton is clicked, a report summary is auto-generated. The report summary for Default on Demand looks similar to the following:

| Default Hearing Request Form (Phoenix) | |
|---|--|
| Case Number fn2004001827 Case Number | Location Date and Time Report printed 4/21/05 9:11 AM Today's Date |
| Case Type Dissolution Without Children | Daytime Phone # cldp 602-973-8703 Daytime Phone Number |
| Service Type Publication | Interpreter Interpreter Required: Spanish |
| Party's full name. fernandez | Default Filed On Date Default filed on: November 1, 2004 |
| Date of Service April 12, 2004 | Default mailed on: _____ Default Mailed On Date |
| Hearing scheduled on: Thursday May 12, 2005. | Scheduled Hearing Date, Day of Week, & Time |
| Notes Notes: _____ | Service Date |
| Items to Bring to Hearing | |
| <input checked="" type="checkbox"/> Decree of Dissolution and 2 copies <input checked="" type="checkbox"/> \$20 Cashiers Check made payable to AV Tronics <input type="checkbox"/> Conformed copy of the Affidavit of Default <input checked="" type="checkbox"/> Mailing envelope | |
| User ID Hearing set by: rh | |

All fields are populated from the Default On Demand Pre-Qualify screen except for the following:

Location – determined by Branch of case.

Date and Time Report Printed – this is the date and time the summary report is generated.

User ID – determined by the iCIS userid

The Items to Bring section has the following rules (lines in italics are not displayed and duplicates not allowed):

For all summaries:

- Copy of the Filed Application for Affidavit of Default.

If Dissolution/Legal Separation/Annulment include:

- Completed Decree of Dissolution, Legal Separation, or Order of Annulment and 2 copies.

If Dissolution/Legal Separation/Annulment AND Spousal Maintenance is requested include:

- Parent Information Program Certificate if it has not already been filed.

- Signed Parenting Plan and 2 copies. If requesting joint custody, both parents need to sign Parenting

- Completed Child Support Worksheet and 2 copies.

- Completed Judgement Data Sheet

- Wage information/pay stubs for both parties, and other financial information such as childcare costs, medical insurance premiums, etc.

- 9x12 envelope addressed to the other party with 3 standard current postage stamps.

- Copy of any prior Child Support Orders/Birth certificate for children.

If Paternity include:

- Completed Order of Paternity and 2 copies.

- Parent Information Program Certificate if it has not already been filed.

- Signed Parenting Plan and 2 copies. If requesting joint custody, both parents need to sign Parenting

- Completed Child Support Worksheet and 2 copies.

- Completed Judgement Data Sheet

If Grandparent Visitation include:

- Completed Order for Grandparent Visitation and 2 copies.

If Service Type was by Publication include:

- \$20.00 Cashier Check or Money Order made payable to AVTronics for the court reporter fee.

File Ordering

When a hearing is scheduled successfully, and the hearing type is “Default on Demand – Spanish” or “Default on Demand – Specialty” an email should be sent to the Clerk of Court to order the file.

If the Branch of the case is “Downtown”:

Send an email to “Fileroom CSC – COSCX” with the following:

Subject – “Default on Demand – files needed”

Body – “Department: Default on Demand”

“Location: CCB 3rd floor”

“Date Needed: <next day of file order>”

where <next day of file order> is the date after the day the email is sent

“RUSH”

If the Branch of the case is “Northwest”:

Send an email to “Fileroom CSC – COSCX” with the following:

Subject – “Default on Demand – files needed”

Body – “Department: Default on Demand”

“Location: Patricia Clemons”

“Date Needed: <next day of file order>”

where <next day of file order> is the date after the day the email is sent

“RUSH”

If the Branch of the case is “Southeast”:

Send an email to “Filermse Se – COSCX” with the following:

Subject – “Default on Demand – files needed”

Body – “Department: Default on Demand”

“Location: Suite 1300”

“Date Needed: <next day of file order>”

where <next day of file order> is the date after the day the email is sent

“RUSH”

File Review

After the hearing has been scheduled, FC Court Admin Staff will review the Default on Demand Hearings to verify the information is correct for the hearing. The staff will access the Default File Review screen by clicking on the Default File Review menu item on the Task menu.

FC Admin Staff online

Entry | Inquiry | Administrative | Tasks

Search [No Selected Case]

Search Criteria

| | |
|--------------------------|----------------------|
| Adv. Department | Case # |
| <input type="checkbox"/> | <input type="text"/> |

Attorney Maintenance
Attorney Firm Maintenance
Pending Minute Entries
Pending Pre Dockets
Quick Entry
Change Application
Log Out

Help

Bus. Last Name **First Name** **Middle Name**

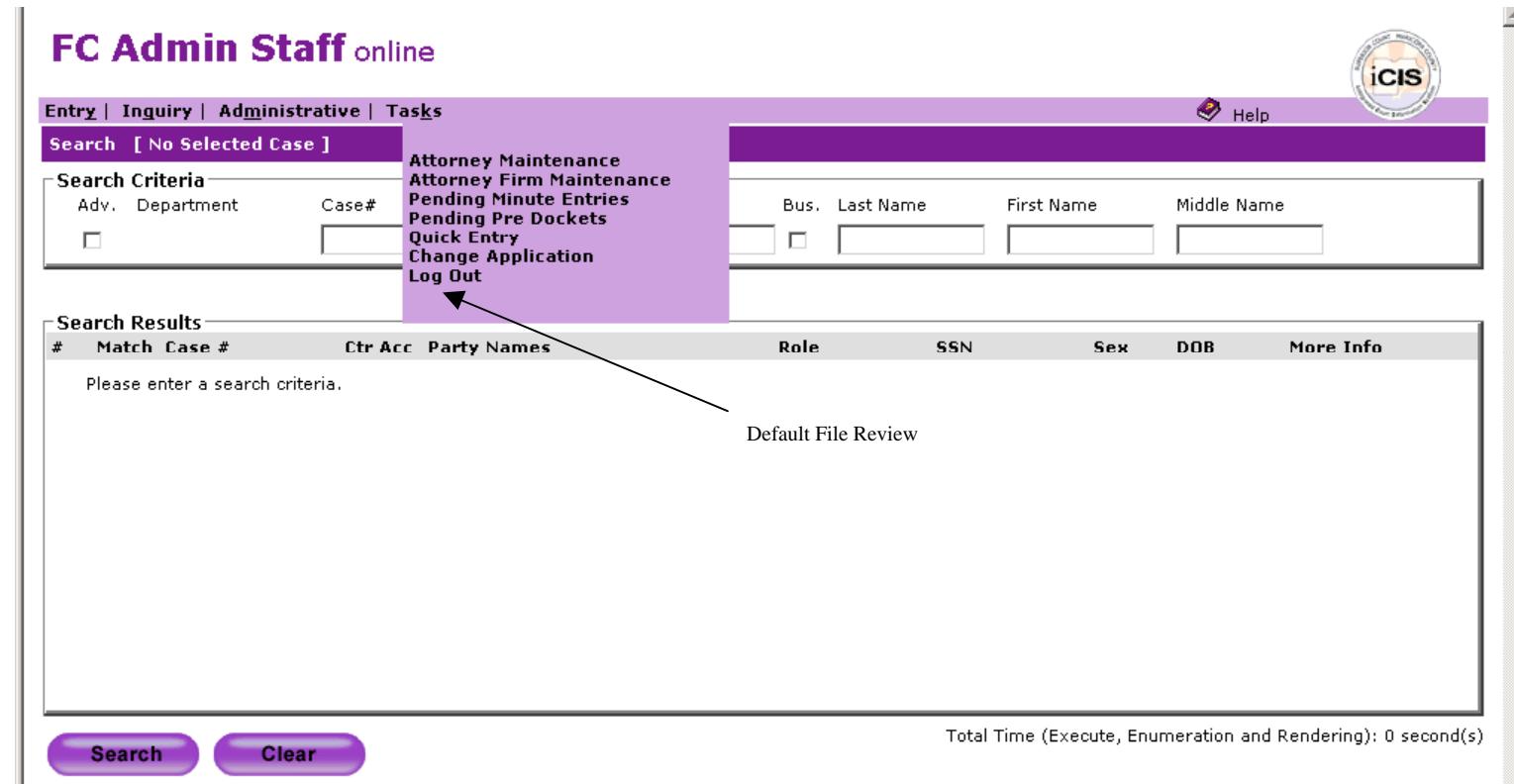
Search Results

| # | Match | Case # | Ctr Acc | Party Names | Role | SSN | Sex | DOB | More Info |
|---------------------------------|-------|--------|---------|-------------|------|-----|-----|-----|-----------|
| Please enter a search criteria. | | | | | | | | | |

Default File Review

Search **Clear**

Total Time (Execute, Enumeration and Rendering): 0 second(s)



The Default File Review screen is similar to the Pending Minute Entries screen but with the following changes.

FC Admin Staff online

Go To Case#:

10

Go



Help

[Entry](#) | [Inquiry](#) | [Administrative](#) | [Tasks](#)

Pending Minute Entries [No Selected Case]

(1/2) [Next->](#) [Last->>](#)

Pending Minute Entry Search Criteria

| | | | | |
|---|--|--|--------------------------|--------------------------|
| Calendar | Start Date | End Date | Posted | Approved |
| <input type="button" value="Calendar"/> | <input type="text" value="4/19/2005"/> <input type="button" value="Calendar"/> | <input type="text" value="4/20/2005"/> <input type="button" value="Calendar"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Reviewed? Printed? | | | | |

Replacement Columns: Date Posted (Hearing entered into iCIS), Name from Pre-Qualify screen, Hearing Date & Time, and Primary Sub-category.

Pending Minute Entries

| | Posted? | Approved? | Case# | OnBase | Filing Date | Type |
|----|--------------------------|--------------------------|------------------------------|-------------------------------------|---------------------------|-------------------------------------|
| 1 | <input type="checkbox"/> | <input type="checkbox"/> | FC2003094631 | <input type="button" value="Case"/> | 4/20/2005 | 023 - ME: Order Entered by Court |
| 2 | <input type="checkbox"/> | <input type="checkbox"/> | FC2003092441 | <input type="button" value="Case"/> | 4/20/2005 | 023 - ME: Order Entered by Court |
| 3 | <input type="checkbox"/> | <input type="checkbox"/> | DR1999096086 | <input type="button" value="Case"/> | 4/20/2005 | 023 - ME: Order Entered by Court |
| 4 | <input type="checkbox"/> | <input type="checkbox"/> | FC2004094349 | <input type="button" value="Case"/> | 4/20/2005 | 023 - ME: Order Entered by Court |
| 5 | <input type="checkbox"/> | <input type="checkbox"/> | DR1999019153 | <input type="button" value="Case"/> | 4/20/2005 | 053 - ME: Case Consolidation |
| 6 | <input type="checkbox"/> | <input type="checkbox"/> | FC2003003668 | <input type="button" value="Case"/> | 4/20/2005 | 053 - ME: Case Consolidation |
| 7 | <input type="checkbox"/> | <input type="checkbox"/> | FC2005000812 | <input type="button" value="Case"/> | None | 053 - ME: Case Consolidation |
| 8 | <input type="checkbox"/> | <input type="checkbox"/> | FC2004094263 | <input type="button" value="Case"/> | 4/20/2005 | 053 - ME: Case Consolidation |
| 9 | <input type="checkbox"/> | <input type="checkbox"/> | FC2002092953 | <input type="button" value="Case"/> | 4/20/2005 | 023 - ME: Order Entered by Court |
| 10 | <input type="checkbox"/> | <input type="checkbox"/> | FC2004090380 | <input type="button" value="Case"/> | 4/20/2005 | 044 - ME: Case Reinstated |
| 11 | <input type="checkbox"/> | <input type="checkbox"/> | FN2004092305 | <input type="button" value="Case"/> | 4/20/2005 | 023 - ME: Order Entered by Court |
| 12 | <input type="checkbox"/> | <input type="checkbox"/> | FN2003092342 | <input type="button" value="Case"/> | 4/20/2005 | 078 - ME: Case on Inactive Calendar |
| 13 | <input type="checkbox"/> | <input type="checkbox"/> | FC2004094207 | <input type="button" value="Case"/> | None | 023 - ME: Order Entered by Court |

| Calendar | Hearings & Events |
|------------------------|---------------------------------------|
| DRJ09 - David Udall | Hearings & Events |
| DRJ09 - David Udall | Hearings & Events |
| DRJ09 - David Udall | Hearings & Events |
| DRJ13 - Connie Contes | Hearings & Events |
| DRJ03 - Rosa Mroz | Hearings & Events |
| DRJ03 - Rosa Mroz | Hearings & Events |
| DRJ12 - John Rea | Hearings & Events |
| DRJ12 - John Rea | Hearings & Events |
| DRJ09 - David Udall | Hearings & Events |
| DRJ09 - David Udall | Hearings & Events |
| DRJ09 - David Udall | Hearings & Events |
| DRJ12 - John Rea | Hearings & Events |
| DRJ19 - Penny Willrich | Hearings & Events |

[Search](#)

[Save](#)

[Clear](#)

Total: 1928 App Total: 839

Defaults
Gray minute entries indicate the case has a access control set.

[Print](#)

Branch

The default search displays all Default hearings entered into iCIS yesterday and today. Selecting Calendar will filter list by Judicial Officer. Selecting a Branch (Northwest, Downtown, Southeast) will filter list by branch. If no Branch is selected, all will display.

Clicking on the Case Number will display the Docket screen of that case instead of the Main Page.

The Print pushbutton will generate the Report Summaries for each Default hearing that has its corresponding Printed? Checkbox checked. These can be printed after they are generated.

The Save pushbutton must be clicked on to save any changes to this screen (i.e. save the checked items).

Maricopa County Superior Court Announces “Default on Demand.”

By Diana R. Hegyi

In August 2004, Maricopa County Superior Court implemented an innovative way to be divorced by default at the downtown courthouse. Once the required statutory timeframes have been met, a litigant can simply call the court and schedule a default dissolution hearing. If the litigant calls before noon he/she can obtain a hearing as early as the next day. A hearing may also be scheduled for a future date. The Default on Demand calendar operates every weekday.

When the litigant calls the court, he/she is briefly interviewed about the case by court staff. The staff member asks questions regarding type of service, date of service, case type, the date application and affidavit of default was filed and whether an interpreter is needed. The staff set the hearing based on the information provided. After the hearing is scheduled, court staff will conduct a file review to be sure statutory requirements have been met and to determine if service has been complete.

On the day of the hearing, the litigant is told to appear in a “default room” prior to entering the courtroom. Staff in the default room conduct a final review, check to see that a response has still not been filed, review paperwork, ask the litigant to correct any deficiencies, and calculate child support. After the paperwork is in order, the litigant enters the courtroom for his/her hearing.

The project has received overwhelmingly positive feedback from litigants, the Bar, Judges and staff. Many litigants have returned to the default room after the hearing to thank staff for their help.

The project has simplified the default process and eliminated a 4 to 6 week wait. In August, 476 default hearings were held. Decrees were signed in all but 23 cases. In September, 382 default hearings were held. Decrees were signed in all but 5 cases. Almost 70% of litigants who call to set a default hearing have asked for and been given a default court date between 2 and 10 days later.

Plans to expand Default on Demand to the Northwest, Northeast, and Southeast Regional Courts are underway. Additionally, a computer enhancement is being developed to that will allow litigants to schedule a default hearing via the Internet. For questions contact Mary Bucci, Family Court Administrator at 602-506-8739 or Diana R. Hegyi, Family Court Assistant Administrator at 602-506-6117.

Issues for Discussion/Decision

1. Should we determine whether children were born prior to marriage? Why?

Answer:

2. If the Application and Affidavit is signed too soon or mailed too soon, should a default hearing be set?

Answer:

3. If our default hearing is set in a IV-D case, and a child support establishment hearing is set for a later date, should the Petitioner be told not to appear at the default hearing?

Answer:

4. Where the Respondent is served by publication, what efforts to locate the Respondent are sufficient to constitute due diligence? Must the Petitioner do some or all of the following: contact Respondent's family members, contact common friends, contact Respondent's former employers, hire a private investigator, search for Respondent using the Internet, or check utility companies or telephone directories? In light of MFI v. Woodburn, should the Court require additional steps before finding due diligence?

Answer:

5. Where the Respondent is served by publication, can the commissioner determine parenting time? Under MFI v. Woodburn what additional issues can/should be determined?

Answer:

6. Must a joint custody parenting plan be signed by both parents before the commissioner can award joint custody?

Answer:

7. Can we enter a default decree if any of the following documents have not been filed/served on Respondent? Preliminary Injunction, Notice to Convert Health Insurance, Affidavit Regarding Minor Children, Affidavit Showing Circumstances (in publication cases).

Answer:

8. Should the commissioner go through the petition/decrees item by item and change minor problems? For example, if the Petitioner has not provided who will transport the children or who will claim the tax exemption for the children in the draft decree, should the commissioner complete those items before signing the decree? What if the Petitioner has made provisions for those items that the commissioner thinks will be a problem?

Answer:

9. Do both parties have to attend the Parent Information Program? What if Respondent has not attended at the time the decree is being entered?

Answer:

10. Can the Court restore a former name if the request is not made in the Petition? Can it do so on husband's request to restore a defaulted wife's former name?

Answer:

11. Can the Court enter a default decree for joint custody if an order of protection has been entered?

Answer:

12. Can a covenant marriage be dissolved in a default proceeding? Are there any special issues that must be addressed?

Answer:

13. Under what circumstances should the Court deny a request for default decree?

Answer:

14. When would a commissioner need to refer a matter to a Judge?

Answer:

15. In publication matters, must an Affidavit of Due Diligence be filed before publication? If not, can the Affidavit of Due Diligence be completed in the default room prior to the default hearing? During the hearing can testimony be taken to correct deficiencies?

Answer:

16. Under what circumstances, should the litigant be told that they are not eligible for hearing?

Answer:

17. If Respondent filed a response or if Respondent has appeared in some other way, before the default judgment is granted must Respondent be given written notice of the date, time, and place of the default hearing at least 3 days before the hearing pursuant ARCP 55(b)(2). What constitutes a response or appearance for these purposes? Does a petition for OOP or physical appearance at a hearing on an OOP constitute an appearance for these purposes? Should the Court proceed with default?

Answer:

Proposed Questions for Default Proceeding

1. Domicile – Did you live in Arizona for at least 90 days before you filed your Petition in this case?
2. Is your marriage irretrievably broken?
3. A.R.S. 25-381.09 –The Court can provide free marriage counseling. Do you think that would help to save your marriage?
4. Is your spouse presently in the military service of the United States?
5. Children – What are the names and ages of any children you have with your spouse who are now less than 18 years of age? As best you know are you/ your wife presently pregnant? You are asking for sole/joint legal custody of the children. Where have the children lived for the past 6 months? Who have they lived with? When did they last see your spouse? Do you believe the parenting plan you've proposed to the Court is in the best interests of the children?

Domestic Violence - No questions

Jt. Parenting plan - Both parents not required to sign . May be ask – Have you and the other parent reached an agreement?

Tax exemption – Give them what they asked for in petition. Do not automatically change.

PIP – Question only if they haven't attended. No question/comment required if have attended.

6. Do you believe the division of property and debts you've proposed to the Court is fair and equitable to both you and your spouse?
7. Spousal Maintenance – No question. Look in petition. On record say, “ neither party asked for SM. I will make a finding on the record that no SM will be entered.”
8. Name Change - No question. Look in petition. If there is an appropriate request to change name, state it on the record.
9. Child Support – Fill in amount in decree. Do not round up/down. Add handling fee.

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Mesa, AZ 85210-6621

NORTHWEST
14264 W. Tierra Buena Lane
Surprise, AZ 85374

MEMORANDUM

TO: Norman Davis, Presiding Judge, Family Court

Colleen McNally, Presiding Judge, Northwest

Mary Bucci, Family Court Administrator & Director of Conciliation Services

FROM: Diana R. Hegyi, Assistant Family Court Administrator

DATE: November 23, 2004

RE: Assessment of Implementation of Default on Demand for Northwest

I visited the Northwest courthouse on November 17, 2004 to determine the feasibility of implementing a Default on Demand project in order to comply with the Family Court Initiatives submitted by Judge Davis to the Supreme Court.

I met with Judge McNally, Judge Heilman, Judge Chavez, Commissioner Eckhardt, Tina Samartinean, Linda Lewis, Dee Shultz, Louis Martinez and others. We had discussed the project and toured the facility. Commissioner Eckhardt and Linda Lewis observed the downtown default room on November 18, 2004. It was the opinion of the group that Default on Demand should be implemented. Accordingly, the first Default on Demand calendar will be scheduled for February 1, 2005.

Project overview

Sixty days after the filing of a petition or complaint and ten days after filing an Affidavit and Application of default, the litigant will be told to call the default phone number at 602-372-3332 to schedule a hearing rather than being told to submit a file review document. These calls will be answered downtown by Family Court Administration staff. Family Court Administration staff will schedule the hearing, place the information in iCIS, and forward the phone screen forms to Northwest. File review and litigant check-in will be conducted at Northwest. If a hearing needs to be rescheduled, it can be rescheduled in iCIS by staff at either location.

Litigants will be told to check in at Northwest prior to their default hearing to meet with court staff who will gather all paperwork, calculate child support, if necessary, and correct all possible deficiencies before Petitioner enters the courtroom. Petitioners with children will arrive at 12:30 p.m. and those without children will arrive at 1:00 p.m. Petitioners with attorneys will arrive at 1:15 p.m.

The regular Default on Demand calendar for Northwest will be heard on Tuesday and Thursday afternoons beginning at 1:30 p.m. The specialty Default on Demand calendar (publication and interpreter matters) will be heard beginning at 1:30 p.m. on the second Friday of the month. Up to 20 matters can be scheduled on the regular calendar and up to 15 matters can be scheduled on the specialty calendar.

Transition

The default calendars will begin transitioning on Monday, January 10, 2005. The last day to accept file review requests will be on Friday, January 7, 2005. On January, 10, 2005, litigants who request a file review will be given a brochure directing them to call the default line to schedule their hearing. The first Default on Demand calendar will be heard on Tuesday, February 1, 2005. Judge McNally has agreed to hear a transition calendar(s) for default matters, if needed (i.e., if there are pending file review requests submitted before January 10, 2005 that have not been scheduled for hearing by February 1, 2005.)

Diana Hegyi will change the self-service center forms and the brochure. Diana Hegyi and Barbara Daniels will work with FC Admin staff to develop the phone screening form, hearing schedule and workflow processes. Diana Hegyi and Donna Williams will develop the workflow process for Northwest.

Dee Shultz and Patricia Clemons need training in file review, child support calculation (Davis calculator), litigant check in procedures, legal issues and all other default procedures. Other staff will also need to be identified and trained. Louis Martinez can assist in the implementation and training of Northwest staff.

Physical space

Default litigant check in on calendar days

Option A – Have default litigants check in at the Information Counter and turn in their paperwork. This option may not be optimal because the number of default litigants will significantly increase the work of the Information Counter and will delay the processing of other litigant matters.

Option B – Have default litigants check in outside of Courtroom 121. This check in location will require a staff member for approximately two hours on calendar

days. A removable table will be placed in the hallway for each calendar and then removed. This option will require an additional staff person for approximately two hours on default calendar days.

Default staff

Two offices or cubicles are needed to meet with litigants prior to entering the courtroom. The offices or cubicles will need a telephone and a computer that has ICIS and email capabilities.

Staff

Support

Based on the current numbers, it is recommended that one and one-half staff members be assigned to this project to support Default on Demand. On default calendar days it is recommended that the staffing level be increased to three, for a period of two hours. Two staff members are needed to conduct file review, child support calculations, review the petition and decree, and correct any deficiencies. One staff person is needed to check in the litigant, gather the necessary paperwork, provide any needed documents, and manage the paperwork and flow of litigants in the courtroom.

Commissioner

Based on the current numbers, no changes are needed in the current Commissioner calendaring structure. When the Commissioner is on vacation, a Judicial Officer backup plan will probably be needed so that the calendar will continue to operate.

- c: Ann Marie Crawford, Northwest Administrator
- Donna Williams, Lead Attorney Case Manager
- Barbara Daniels, Assistant Family Court Administrator
- Commissioner Eckhardt

Northwest DOD

1. Calls starting possible on Jan 10. First date to set default is Feb. 1. Set all on Commissioner Eckhardt calendar.
2. New phone screening form developed by VF.
3. Calendars – T & T afternoon. And 2nd Friday (Interpreter matters/Publication) Linda working on pages. Need pages because limit to 20 on T & T and 14 on Friday.
4. What about resets from NW?
5. How to get phone screen form to NW?
6. Describe Process-
7. Staffing- file review, final calendar (who on distribution), stabbers, getting files ready for calendar, checking decree and petition, calculating child support, calling litigants if problems with file review, taking files into courtroom, escorting litigants into courtroom, stats, return file review requests to DRH,
8. Who to assist with Spanish-speaking calendar/final litigant check-in?
9. Self Service center doc's revised and ready, transition brochure ready to hand out

Supplies needed for NW:

Stabbers
1 calculator
copies of all paperwork/folders
top tab folders (2 boxes)
file cabinet that will fit under the counter
electric stapler
expando file
pens (several boxes)
paperclips
small storage bins for paper clips
staple grabbers (2)
white out (six)
sanitizer (3)
cubicle hanging organizers/file holders (2)
scissors
regular stapler
tape and dispenser
calendar
post it notes
highlighters
rolodex
tier trays
Staples
White out eraser tape

Maricopa County Superior Court Announces “Default on Demand” for Northwest Family Court Matters.

By Diana R. Hegyi

Beginning February 2005, Maricopa County Superior Court will implement an innovative way to be divorced by default at the Northwest courthouse. Once the required statutory timeframes have been met, a litigant can simply call the court at 602-372-3332 and schedule a default dissolution hearing. Default Hearings at the Northwest Courthouse will be held on Tuesday and Thursday afternoons. Cases where service was by publication or if an interpreter is needed will be scheduled on the second Friday of each month.

When the litigant calls the court, he/she is briefly interviewed about the case by court staff. The staff member asks questions regarding type of service, date of service, case type, the date application and affidavit of default was filed and whether an interpreter is needed. The staff set the hearing based on the information provided. After the hearing is scheduled, court staff will conduct a file review to be sure statutory requirements have been met and to determine if service has been complete.

On the day of the hearing, the litigant is told to check in at the information center prior to entering the courtroom. Staff working in the default program conduct a final review, check to see that a response has still not been filed, review paperwork, ask the litigant to correct any deficiencies, and calculate child support. After the paperwork is in order, the litigant enters the courtroom for his/her hearing.

This project was implemented Downtown in August, 2004 and the project has received overwhelmingly positive feedback from litigants, the Bar, Judges and staff. Many litigants have returned to the default staff after the hearing to thank staff for their help.

For questions contact Mary Bucci, Family Court Administrator at 602-506-8739 or Diana R. Hegyi, Family Court Assistant Administrator at 602-506-6117.

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Mesa, AZ 85210-6621

NORTHWEST
14264 W. Tierra Buena Lane
Surprise, AZ 85374

MEMORANDUM

TO: Norman Davis, Presiding Family Court Judge
Mary Bucci, Family Court Administrator & Director of Conciliation Services

FROM: Diana R. Hegyi, Family Court Assistant Administrator

DATE: October 21, 2004

RE: Assessment for Implementation for Default on Demand project for Southeast

I visited the Southeast courthouse on October 14, 2004 to determine the feasibility of implementing a Default on Demand project to expedite processing default matters. I met with Hilda Stein, who introduced me to staff members, and toured the facility. I believe Southeast should immediately implement Default on Demand ("DOD") to reduce a significant backlog of matters presently pending file review. In addition, Default on Demand allows for most deficiencies to be corrected before the hearing, and significantly increases the chances of a default judgment being signed.

Physical space for project

There are several options to establish a "default room" at the Mesa courthouse.

Option I – Court Administration Area. There appear to be one or two available cubicles that Default on Demand staff could use inside the court administration area. One of these cubicles is currently used by CTS as a storage area, and the second is occupied as needed by the bailiff pool. The litigants could check in at the front Court Administration window, hand in their paperwork, and wait in the lobby until DOD staff is ready to meet with them.

The concerns I have regarding this space are a) It will be create a situation where litigants are frequently in a staff work zone, b) The litigants will not be able to meet with the DOD staff because the present size of the cubicles is too small, c) Having the litigants check in at Court Administration will add additional work to an already busy staff, and d) The lobby is small and may not accommodate additional litigants.

Option II – Law Library Area. The litigants could check in at a default counter (we would need to build this), turn in paperwork, wait at the tables inside the library until DOD staff is ready to

meet with them, use the library's copy machines to copy corrected documents, or obtain needed documents from the Self Service Center that is also located there.

The concerns I have regarding this space are a) Cubicle/check-in construction will be needed, b) Electrical outlets, phone lines and computer lines will have to be added, c) The overall size of the library will be reduced, and d) There will be no privacy for staff or equipment because the cubicles will be placed in a large open area.

Option III – Conciliation/Expedited Services Area. Inside this area, there appear to be one or two available cubicles that DOD staff could use. The litigants could check in at the front counter, hand in their paperwork, and wait in the lobby until DOD staff is ready to meet with them.

The concerns I have regarding this space are a) Having the litigants check in at the Conciliation/Expedited area will add additional duties to the already busy staff, b) This space is already congested with staff and litigants, c) The limited size of the available cubicles may be too small to accommodate a DOD staff person and a litigant.

Options I and III could both possibly work on a short term basis.

Staffing

Support - All of the staff at Southeast appear to be fully occupied. The Court Administration staff is cross trained and handles family, civil, and criminal matters. It does not appear feasible to implement a DOD project without adding staff.

It is my recommendation that two dedicated family court FTEs (CIP IV) be added to operate this project. Even with two new dedicated FTEs, other court staff will need to be cross-trained to provide coverage when needed. The job duties include, but are not limited to, verifying phone screening forms, ordering files, conducting initial file review and contacting parties by phone to follow up when needed, checking in litigants on hearing dates, conducting a final file review, helping litigants correct deficiencies in their paperwork, ensuring that critical components of the petition and decree are consistent, delivering paperwork to Clerk and Commissioner, and escorting litigants to the appropriate courtroom.

It is my suggestion that the Southeast litigants call the presently established default telephone number, which is answered at the Downtown complex. The increased calls will significantly impact the Downtown staff, so I do not believe it is not feasible to implement the DOD project in Southeast without increasing the Downtown case processing staff by one-half FTE (CIP III).

Manager - It is my recommendation that an on site manager also be assigned to provide supervision to the project. This responsibility can be incorporated into a current Southeast supervisor job description so no new FTEs are needed.

Commissioner – Default on Demand can be implemented with the current Commissioner calendar. However, adding an additional regular default calendar each week or on alternate weeks and adding a Spanish calendar bi-weekly would be optimal. Currently the Southeast

Commissioner hears approximately 33 regular defaults on Monday and approximately 20 regular defaults on Friday morning. An additional Commissioner hears approximately 16 regular defaults on Friday afternoon. Seven Spanish speaking matters are heard on the last available Monday each month and approximately twenty publication matters are scheduled on the first available Monday.

In 2003, approximately 198 defaults were heard a month in Mesa, for a total that year of 2376. Of those defaults, approximately 24% resulted in no decree being signed because of paperwork deficiencies, failure to appear, or other reasons. During the same time period, there were 2509 requests for file review. Consequently, there were 133 more requests for file review than there were hearing slots available in 2003. This means our backlog will likely continue to grow unless we increase our capacity to hear these cases.

In order to address this situation, it is my recommendation that we increase the number of days we hear regular defaults in the near future by adding either a) an alternate Wednesday regular default calendar that would accommodate an additional 16 matters per calendar, or b) by adding a late afternoon default calendar every Tuesday that would hear scheduling eight matters each day. These hearings should be held by an additional Commissioner or Judge Pro Tem.

In addition, it is my recommendation that we add one additional Spanish speaking calendar to the Mesa calendar each month, so that we have Spanish Speaking calendars twice each month. We presently have a lack of Spanish speaking hearing slots.

To add these hearings in Mesa, a Commissioner or Judge Pro Tem, a courtroom, and a clerk will be needed on alternate Wednesday mornings or afternoons, or each Tuesday in the late afternoon. A court interpreter and AVTronics will also need to be available for an additional calendar each month.

With these adjustments to the calendar, Default on Demand can be implemented in Mesa because we will have enough hearing times available to meet the current demand. Implementing Default on Demand will significantly reduce the backlog in file review, increase litigant satisfaction and increase the likelihood that the default will be signed because the litigants will have an opportunity to correct most deficiencies before entering the courtroom. However, before Default on Demand can successfully be implemented and the current calendar transitioned, the backlog of file review requests (184 matters pending file review) must be eliminated.

Interim recommendations

It is recommended that Commissioner Arrow be asked to set aside four days in mid December for a default blow out. The dates of the blow out calendar should be arranged with the availability of courtrooms in Mesa and Commissioner Arrow's schedule. If we schedule 16 matters each morning and afternoon for 4 days, 128 defaults can be heard. In addition, Commissioner Hegyi should continue hearing his regular calendar of approximately 50 defaults each week and Commissioner Harris should continue hearing her regular schedule of 16 defaults each week. The combined blow out calendars along with the regularly scheduled defaults will eliminate most of our backlog.

I recommend that three downtown Family Court Administration staff members be immediately identified to assist Mesa in conducting file review. The majority of the approved file reviews should have hearing dates scheduled on blow out dates in December.

We should also appoint a workgroup to implement the Default on Demand project with a firm start date of February 1, 2005. The workgroup should also consider how the processing and signing of consent decrees can be incorporated into the Default staff job duties. The model developed by this workgroup likely will be the model needed at the Northeast courthouse.

Mesa DOD issues

1. What date will we stop accepting Blue Notices and give DOD brochure?
2. What date will we transition DOD scheduling to DT?
3. What will we call the DOD area? Signage? What? Who will arrange?
4. What equipment is needed? Who will arrange for it to be placed in the cubes?
5. Staffing- How? How many needed? Training? Supervision?
6. Supplies. Who orders? What budget?
7. How do we handle the transition calendars? Who will hear?

8. How will we work in public walk-in consent decrees?

MINUTES 3/24/2005
SOUTHEAST COMMITTEE
DOD & DECREE ON DEMAND

DISCUSSIONS: Overall picture of program prior to commencement.

TRANSITION:

4/11/05 Calls for Default hearings commence and old file review process stops.

5/2/05 Scheduling commences
5/16/05 & 5/24/05 Commissioner Harris will preside during transition in courtroom 203.
5/18/05 Transition for Publication for Commissioner Hegyi commences.

DISTRIBUTIONS: Proposed SE calendars, "Announcing Default Hearing on Demand Southeast Project," "Decree on Demand," and Consent Decree Workup Sheet.

Becky Cox suggested the Southeast Announcement for Default on Demand should be printed on **orange paper**, second choice yellow, third suggestion from Vicky Thompson was lilac.

Check-in: May be done at the front counter inside Conciliation Services. Gladys to assist with Spanish speaking litigants.

Interpreter staffing will impact and change Phoenix Friday calendar based on Mesa needs and interpreter needs. DOD check in will commence at 8:00 a.m. for Friday Spanish calendar. **Mary Lou will request Spanish interpreter assistance from Raul for Mesa.** May need another day for Spanish calendar during transition. Diana will get with Hilda to arrange

Contact list for calendars:

Becky Cox
Vicky Thompson
Karen Hill
Diana Kent
Diana Hegyi
Joyce Randall
Cathleen Gray
Hilda Stein
Paula Marsh
Kristi Johnson
Steve Ashley
David Jacobs
Gladys Villegas
Carol Little

Joyce Randall to be notified by Mary Lou of DOD check- in process/times and inform her staff at information booth.

Mary Lou will check on **ceiling signage** for DOD.

SUPERVISION: Becky Cox and Cathleen Gray will have same supervisor. Since Becky will no longer assist with Court Admin functions, **David Jacobs** was designated supervisor.

DECREE ON DEMAND:

Drop off will remain in Court Admin with Diane Kent or front window person and placed in the "Myra" Box.

Becky Cox will do the work up sheet.

TRAINING:

Refresher for Becky and Cathleen in Phoenix.

Determine additional staff that needs trained.

Preparation and distribution of daily calendar.

Q & A

A. What if parties have amount for child support in Petition or have agreement?

Q Usually parties request guidelines in petition, if specific amounts are requested it is noted as a comment to the commission, but a child support calculation is to be completed.

Q What language (for Spanish litigants) are the documents in?

A On docket they are in English. The decree is both English and Spanish.

Q Who signs the Parenting Plan?

A Commissioner Hegyi: Both signatures for joint custody. One needed for sole.

Q How are deficiencies handled?

A Either by phone at the time of file review or in the DOD room.

Q How much time does it take for each case?

A. Case by case basis, average 20 minutes per case.

Q. When should you vacate a case in the default room?

A. Based on court time, severity of deficiencies etc, judgment used by Default case manager, and perhaps option of the petitioner. Also, can e-mail the clerk regarding litigants

Diana Hegyi and Karen Hill will assist in Mesa for the GRAND OPENING and thereafter.

Decree on Demand

In August 2004, Maricopa County Superior Court implemented an innovative way to be divorced by default at the downtown courthouse. Once the required statutory timeframes have been met, a litigant can simply call the court and schedule a default dissolution hearing. If the litigant calls before noon he/she can obtain a hearing as early as the next day. A hearing may also be scheduled for a future date. The Default on Demand calendar operates every weekday in the downtown courthouse.

When the litigant calls the court, he/she is briefly interviewed about the case by court staff. The staff member asks questions regarding type of service, date of service, case type, the date application and affidavit of default was filed and whether an interpreter is needed. The staff set the hearing based on the information provided. After the hearing is scheduled, court staff will conduct a file review to be sure statutory requirements have been met and to determine if service has been complete.

On the day of the hearing, the litigant is told to appear in a "default room" prior to entering the courtroom. Staff in the default room conduct a final review, check to see that a response has still not been filed, review paperwork, ask the litigant to correct any deficiencies, and calculate child support. After the paperwork is in order, the litigant enters the courtroom for his/her hearing.

The project has received overwhelmingly positive feedback from litigants, the Bar, Judges and staff. Many litigants have returned to the default room after the hearing to thank staff for their help.

In addition, the program expanded to include Consent Decrees. A litigant can schedule a time to come to court and have their consent decree signed. The name of the program changed to Decree on Demand.

Decree on Demand was fully implemented in the Northwest Regional Court in February and in the Southeast Regional Court in May. Additionally, a computer enhancement was developed to that will allow litigants to schedule a default hearing via the Internet. Decree on Demand received the National Association of Counties (NACO) Award.

The project has simplified the default process and eliminated a 4 to 6 week wait. Most litigants have asked for and been given a default court date between 2 and 10 days after their request. In the three locations, 5682 default hearings were scheduled, 4991 default hearings were held and 4801 default decrees were signed during FY 2004 - 2005.

NORTHEAST DOD

October 14, 2005

12- 1:00

1. Overview of project

- a. Schedule hearing – 602-372-3332
- b. Initial file review
- c. Final check-in
- d. Stats

Staffing- file review, final calendar (who on distribution), stabbers, getting files ready for calendar, checking decree and petition, calculating child support, calling litigants if problems with file review, taking files into courtroom, escorting litigants into courtroom, stats, ,

2. Transition to NE - all hearings scheduled on or before October 31 will be held downtown

3. First possible hearings for NE @ NE are Nov. 3 with Judge Rea

4. Check-in location

5. Calendar Matrix

6. Distribution list for emailing calendars- clerks, information desk, Comm., DOD staff, DRH etc.

7. Check in time vs. Court time

8. Training needed

9. Stats & ICIS outcomes

10. DOD workflow/set up

- a. copies of forms
- b. set up

11. Other stuff



File Review Automation

Attachment #25

Dissolution/Legal Separation/Annulment with Children

Case Number:

Date of Hearing:

Is Petition notarized/verified? _____

Yes No Date filed: _____

Covenant Marriage? Yes No Applies to marriages performed in Arizona after 8/98

Is Spousal Maintenance requested? _____

Is restoration of former name requested? _____

Are there children born prior to the marriage? _____

If yes, is proof of paternity provided? _____

| | | |
|-------------------------------|---|---|
| Custody? | <input type="radio"/> Sole <input type="radio"/> Joint/Shared <input type="radio"/> Not indicated | OP Granted? |
| Primary Parent? | <input type="checkbox"/> Mom <input type="checkbox"/> Dad | <input type="radio"/> Yes <input type="radio"/> No |
| Is a Parenting Plan provided? | | <input type="radio"/> Yes <input type="radio"/> No |

| | | |
|----------------------------------|---|-------------------------------------|
| Which parties have attended PIP? | <input type="checkbox"/> Petitioner | <input type="checkbox"/> Respondent |
| What documents have been filed? | <input type="checkbox"/> Summons <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice to Convert Health Insurance <input type="checkbox"/> Affidavit Regarding Minimum Wage <input type="checkbox"/> Other _____ | |

| | |
|---|---|
| Type of Service? | |
| <input type="radio"/> Acceptance of Service | |
| <input type="radio"/> Private Process/Sheriff | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| <input type="radio"/> Registered Mail | |
| <input type="radio"/> Publication | <input type="checkbox"/> Due Diligence filed? |
| Served? | |
| <input type="radio"/> In State | <input type="radio"/> Out of State |
| | <input type="radio"/> N/A |
| Service date: | |

| | |
|--|---|
| <input type="checkbox"/> Pip Order | |
| What documents have been served? _____ | |
| <input type="checkbox"/> Petition | <input type="checkbox"/> Affidavit Regarding Minors |
| <input type="checkbox"/> Summons | <input type="checkbox"/> Pip Order |
| <input type="checkbox"/> Preliminary Injunction | |
| <input type="checkbox"/> Not. Convert Health Insurance | |
| <input type="checkbox"/> Creditors Notice | |
| Application and Affidavit of Default? _____ | |
| Signed: _____ | Filed: _____ |
| Mailed: _____ | |

| | | | |
|--------------------|-------|---|-------|
| Response? | _____ | Response filed? | _____ |
| Date Response Due: | _____ | <input type="radio"/> Yes <input type="radio"/> No | |

Items asked for in the petition that do not match the decree

- Spousal Maintenance Division of Property and Debt
- Custody Parenting Time Child Support

Comments:

ITEMS REQUIRING ATTENTION

- Response filed
- Petition has not been notarized
- Petition filed after service
- This is a covenant marriage
- There are one or more documents that have not been filed
- There are children born prior to the marriage and proof of paternity has not been provided
- Custody of the children was not indicated in the petition
- Joint Custody has been requested and an Order of Protection has been filed
- Joint Custody has been requested, but a parenting plan has not been submitted
- Petitioner has not attended the Parent Information Program Class
- Respondent has not attended the Parent Information Program Class
- There are one or more documents not listed on the proof of service
- Service has not been completed/filed

- Return receipt or signature confirmation was not signed by the respondent
- Acceptance of Service was not notarized
- Affidavit of Due Diligence has not been filed
- Application and Affidavit of Default has not been filed
- Application and Affidavit of Default signed, filed or mailed too soon
- Application and Affidavit of Default not mailed
- Critical items in the petition do not match the decree
- Hearing date has been set too soon

Dissolution/Legal Separation/Annulment without Children

| | |
|--|--|
| Case Number: | Date of Hearing: |
| Is Petition notarized/verified? _____ | |
| <input type="radio"/> Yes <input type="radio"/> No | Date filed: _____ |
| Covenant Marriage? _____ | |
| <input type="radio"/> Yes <input type="radio"/> No | Applies to marriages performed in Arizona after 8/98 |
| Is Spousal Maintenance requested? _____ | |
| <input type="radio"/> Yes <input type="radio"/> No | _____ per _____ month(s) |
| Is restoration of former name requested? _____ | |
| <input type="radio"/> Yes <input type="radio"/> No | _____ (name) |
| Type of Service? _____ | |
| <input type="radio"/> Acceptance of Service <input type="radio"/> Private Process/Sheriff <input type="radio"/> Registered Mail <input type="radio"/> Publication <input type="checkbox"/> Due Diligence filed? | <input type="radio"/> Yes <input type="radio"/> No |
| What documents have been filed? _____ | |
| <input type="checkbox"/> Summons <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Notice to Convert Health Insurance | |
| What documents have been served? _____ | |
| <input type="checkbox"/> Petition <input type="checkbox"/> Preliminary Injunction <input type="checkbox"/> Summons <input type="checkbox"/> Creditors Notice <input type="checkbox"/> Not. Convert Health Insurance | |
| Served? _____ | |
| <input type="radio"/> In State <input type="radio"/> Out of State <input type="radio"/> N/A | |
| Service date: _____ | |
| Application and Affidavit of Default? _____ | |
| Signed: _____ | Filed: _____ |
| Mailed: _____ | |
| Response? _____ | |
| Date Response Due: _____ | |
| Response filed? _____ | |
| <input type="radio"/> Yes <input type="radio"/> No | |
| Items asked for in the petition that do not match the decree _____ | |
| <input type="checkbox"/> Spousal Maintenance <input type="checkbox"/> Division of Property and Debt | |
| Comments: | |

ITEMS REQUIRING ATTENTION

- Response filed
- Petition has not been notarized
- Petition filed after service
- This is a covenant marriage
- There are one or more documents that have not been filed
- There are one or more documents not listed on the proof of service
- Service has not been completed/filed

- Return receipt or signature confirmation was not signed by respondent.
- Acceptance of Service was not notarized
- Affidavit of Due Diligence has not been filed
- Application and Affidavit of Default has not been filed
- Application and Affidavit of Default signed, filed or mailed too soon
- Application and Affidavit of Default not mailed
- Critical items in the petition do not match the decree
- Hearing date has been set too soon

Petition for 1st Court Order

Case Number: _____

Date of Hearing: _____

Is Petition notarized/verified? _____

Yes No

Date filed: _____

Is Child Support already ordered? _____

Yes No

(amount)
(date of order)

Custody? _____

Sole Joint/Shared Not indicated

OP Granted?

Yes
 No

Primary Parent? _____

Dad Mom

Is a Parenting Plan provided? _____

Yes No

Which parties have attended PIP? _____

Petitioner Respondent

What documents have been filed? _____

Summons Pip Order
 Affidavit Regarding Minors--- in petition

Type of Service? _____

Acceptance of Service

Yes No

Private Process/Sheriff

Registered Mail

Publication Due Diligence filed?

What documents have been served? _____

Petition Affidavit Regarding Minors
 Summons Pip Order

Application and Affidavit of Default? _____

Signed: _____
Mailed: _____

Filed: _____

Response? _____

Date Response Due: _____

Response filed? _____

Yes
 No

Comments

Items asked for in the petition that do not match the decree _____

Custody Parenting Time Child Support

ITEMS REQUIRING ATTENTION

- Response filed
- Petition has not been notarized
- Petition filed after service
- Custody of the children was not indicated in the petition
- Joint Custody has been requested and an Order of Protection has been filed
- Joint Custody has been requested, but a parenting plan has not been submitted
- Petitioner has not attended the Parent Information Program Class
- Respondent has not attended the Parent Information Program Class
- There are one or more documents that have not been filed
- There are one or more documents not listed on the proof of service
- Service has not been completed/filed

- Return receipt or signature confirmation was not signed by the respondent.
- Acceptance of Service was not notarized
- Affidavit of Due Diligence has not been filed
- Application and Affidavit of Default has not been filed
- Application and Affidavit of Default signed, filed or mailed too soon
- Application and Affidavit of Default not mailed
- Critical items in the petition do not match the decree
- Hearing date has been set too soon

Grandparents Visitation

Case Number:
[REDACTED]

Date of Hearing:
[REDACTED]

Is Petition notarized/verified? _____
 Yes No Date filed: [REDACTED]

What documents have been filed? _____
 Summons Pip Order
 Affidavit Regarding Minors--- in petition

Type of Service? _____
 Acceptance of Service
 Private Process/Sheriff Yes No
 Registered Mail
 Publication Due Diligence filed?
Served? _____
 In State Out of State N/A

What documents have been served? _____
 Petition Affidavit Regarding Minors
 Summons Pip Order

Who was served? _____
 Mom Dad Other
Service date: [REDACTED]

Response? _____
Date Response Due: _____ Response filed?
 Yes No

Do the final order match the petition? _____
 Yes No

Application and Affidavit of Default? _____
Signed: [REDACTED] Filed: [REDACTED]
Mailed: [REDACTED]

Comments
[REDACTED]

ITEMS REQUIRING ATTENTION

- Response filed
- Petition has not been notarized
- Petition filed after service
- There are one or more documents that have not been filed
- There are one or more documents not listed on the proof of service
- Service has not been completed/filed

- Return receipt or signature confirmation was not signed by respondent.
- Acceptance of Service was not notarized
- Affidavit of Due Diligence has not been filed
- Application and Affidavit of Default has not been filed
- Application and Affidavit of Default signed, filed or mailed too soon
- Application and Affidavit of Default not mailed
- Critical items in the petition do not match the decree
- Hearing date has been set too soon



Internet Decree on Demand Scheduling *Attachment #26*

eCourt - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Favorites Address <http://156.42.29.132:8080/> Go

Links News Sites Tutorials Web Design Google Dictionary Development My Stuff

COURT Superior Court of Arizona, Maricopa County

Returning Users
Please enter your User Name and Password below and click Enter. *

User Name:

Password:

Enter

* Use only if you have previously created a User Name and Password on this site.

County Clerks

About eCourt

Welcome to the **eCourt Online Forms** Website. This Website contains interactive interviews that will assist you in completing the forms necessary to create court documents for Legal Separation, Dissolution of Marriage, Conciliation and Small Claims.

This site requires Internet Explorer 5.5 or above.
In addition, if you have a popup blocker running, please disable it while using this site.

During each interview process, you will answer questions. Please read each question carefully before you answer. Click on the [Help](#) link at the top of the page for answers to frequently asked questions, glossary terms used in each interview, and technical support. A review page will display at the end of each section to give you the opportunity to correct any errors made during the interview. The forms can be printed and taken to the Maricopa County Superior Court for the appropriate action after your final review and the interview is finished.

This interview process is provided as a public service, but is not intended to give legal advice. If you are seeking legal advice, please contact an attorney qualified in the area of your questions.

eCourt Online Forms

Family Court

- Legal Separation
- Dissolution of Marriage
- Conciliation

[Begin a Family Court Form](#)

Decree on Demand

[Schedule Decree on Demand Hearing](#)

Child Support

[Child Support Calculator and worksheet](#)

Service

- Notify Respondent of a lawsuit

[Prepare service paperwork](#)

Small Claims

- claims that do not exceed \$2,500

[Begin a Small Claims Form](#)

http://156.42.29.132:8080/DOD/060101.asp

Start | Inbox - Micros... | RE: DOD case ... | eCourt - Mic... | Document1 - ... | Local intranet

3:51 PM

Court Wide Web: Decree on Demand - Microsoft Internet Explorer

File Edit View Favorites Tools Help

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 COURT Superior Court of Arizona, Maricopa County Help Logout

Decree on Demand

Case Number and Decree Type

Case Number: (Case Number Format: ABYYYY-123456)

Please choose the Decree type:

| | |
|-------------------------------|--|
| <input type="radio"/> Consent | The Court enters a Consent Decree when all parties have agreed on how to resolve everything required for a divorce, legal separation or annulment. You must agree in writing to issues such as division of property and debt, spousal maintenance (if any), child custody, visitation, and support (if you have children). All parties must sign the written decree. |
| <input type="radio"/> Default | You can set a default hearing if the other party has not filed a written response. A default hearing is scheduled when you want a divorce, other judgment or order of the Court when the opposing side does not respond in writing to your petition or motion. |

Court Wide Web: Decree on Demand - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Stop Go

Address http://156.42.29.132:8080/DOCD/060102.asp?casenum=FC200500099000&decree="consent"

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COURT Superior Court of Arizona, Maricopa County

Help Logout

Decree on Demand

Default Decree

* Mandatory Fields

Case Information

Case Number: FC2005 [REDACTED]
Location: Downtown
Petitioner's Name: [REDACTED]
Daytime Phone: * 602 [REDACTED]

Case Type *

Dissolution/Divorce Grandparents Visit
 Annulment Legal Separation
 Paternity Other

Are there any Children involved in this case? Yes [REDACTED]
Did you request Spousal Maintenance in your Petition? No [REDACTED]
What kind of Custody have you requested? N/A [REDACTED]

What kind of Interpreter do you need? * None Spanish Other Pick a Language [REDACTED]

How was this case Served? *

Acceptance Priv. Process/Sheriff Registered Mail Publication In state Out State

What date did you serve your paper(s)? [REDACTED] next

Local Intranet

Done Start Inbox - Micos... REI DOD case ... Court Wide ... DOD.doc - Mi... 3:56 PM

Court Wide Web: Decree on Demand - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Address: http://156.42.29.132:8080/DOD/060102.asp?casenum=FC2005000099000&decree="consent" Go

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COURT Superior Court of Arizona, Maricopa County Help Logout

Decree on Demand

Default Decree * Mandatory Fields

Pick an appropriate parent information class information

Petitioner: I have taken the class and did not file the certificate

Respondent: I do not know

Proceed

Done Local intranet

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Court Wide Web: Decree on Demand - Microsoft Internet Explorer

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Back Home Stop Refresh Address http://156.42.29.132:8080/DOD/060103.asp?decree=8&caseid=2296714&persid=12525804&prtrloid=97859776&locid=2688&casetyp=Paternity&dtosvc=11/18/2005&svctyp=regr Go

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COURT Superior Court of Arizona, Maricopa County

Decree on Demand

Decree On Demand Dates

December 2005

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | 1 | 2 | 3 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |

Available Dates Court Holiday

Time Slots available for 12/14/2005
Please click on the little button on the right for the preferred time and press PROCEED button at the bottom

The Hearing is NOT set till you proceed to the Confirmation / Receipt section.

| Time | Calendar | Day | Judge |
|------|----------|-----------|--|
| 8:30 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 8:45 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 9:00 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 9:15 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |

Done Local intranet

Start | Inbox - Micros... | RE: DOD case ... | Court Wide ... | DOD.doc - Mic... | 3:57 PM

Court Wide Web: Decree on Demand - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Home Print Address Go

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Time Slots available for 12/14/2005
Please click on the little button on the right for the preferred time and press PROCEED button at the bottom

The Hearing is NOT set till you proceed to the Confirmation / Receipt section.

| Time | Calendar | Day | Judge |
|-------|----------|-----------|---|
| 8:30 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 8:45 | DRC01 | Wednesday | Carolyn Passamonte <input checked="" type="radio"/> |
| 9:00 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 9:15 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 9:45 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 10:15 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 1:00 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 1:15 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 1:45 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 2:00 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 2:15 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 2:30 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 2:45 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |
| 3:00 | DRC01 | Wednesday | Carolyn Passamonte <input type="radio"/> |

This is your notice to appear at Court

DO NOT FORGET TO PRINT THIS DOCUMENT AND BRING IT WITH YOU FOR THE HEARING.

PRINT and CLOSE

Hearing request status: Hearing Added Successfully.

Requested Hearing Information

Date/Time: Wednesday, 12/14/2005 8:45:00 AM

You MUST check in at the following address :

Central Court Building (CCB)
 Default On Demand Room (3rd Floor)
 201 W. Jefferson
 Phoenix, AZ. 85003-2243

- Be on Time: If you arrive late, your hearing maybe rescheduled.
- Do Not Bring Children
- At check-in, court staff will review your documents and calculate child support before you can attend your hearing.

Items you MUST bring for hearing:

- Order of Paternity and 2 copies
- Confirmed copy of the Affidavit of Default
- Mailing Envelope

Children Issues:

- Birth Certificate(s)
- Parent Information Certificate(s)
- Signed Parenting plan and copies (must be signed by both the parents , if joint custody is requested)
- Child support Worksheet and 2 copies
- Judgment Datasheet

Confirmation - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Home Links News Sites Tutorials Web Design Google Dictionary Development My Stuff

Address <http://156.42.29.132:8080/DOD/060104.asp?tnmsg=Hearing%20Added%20Successfully.&selhrnginfo=12/14/2005%208:45:00%20AM,DRC01,Wednesday,Carolyn%20Passamc> Go

Requested Hearing Information

Date/Time: Wednesday, 12/14/2005 8:45:00 AM

You MUST check in at the following address :

Central Court Building (CCB)
Default On Demand Room (3rd Floor)
201 W. Jefferson
Phoenix, AZ. 85003-2243

- Be on Time: If you arrive late, your hearing maybe rescheduled.
- Do Not Bring Children
- At check-in, court staff will review your documents and calculate child support before you can attend your hearing.

Items you MUST bring for hearing:

- Order of Paternity and 2 copies
- Confirmed copy of the Affidavit of Default
- Mailing Envelope

Children Issues:

- Birth Certificate(s)
- Parent Information Certificate(s)
- Signed Parenting plan and copies (must be signed by both the parents , if joint custody is requested)
- Child support Worksheet and 2 copies
- Judgment Datasheet

Spousal Maintenance (if requested in your petition):

- Order of Assignment and 2 copies
- Judgement Data Sheet

Done Local intranet

Start | [Inbox - Microsoft Outlook](#) | [RE: DOD case ...](#) | [Confirmation...](#) | [DOD.doc - Microsoft Word](#) |



NACo award – Default on Demand Program
Attachment #27



Maricopa County Board of Supervisors

The 2005 NACo Board of
Directors:

Bill Hansell, President;
Colleen Landkamer, President-elect;
Eric Coleman, 1st Vice-President;
Don Stapley, 2nd Vice-President

congratulates the Maricopa
County 2005 NACo winners.

2005 NACo Awards Ceremony

Wednesday, August 31, 2005
Board Conference Room



Welcome

Max Wilson
Chairman, Board of Supervisors



Why NACo Awards Are Special

David Smith
County Manager



Recognition of Honorees

Chairman Max Wilson
County Manager David Smith



NACo Award Honorees

Adult Probation

Sex Offender Residential Density Prevention

Elections

Boardworker Voter Assistance Enhancement Training
Military & Overseas Voter Project

Environmental Services

Chemical Sensitive Notification
Food Establishment Award

Human Resources

Executive Development for Government Employees

Internal Audit and Superior Court

Jurors Helping Jurors – The Juror Improvement Fund

Juvenile Probation

Fight Back with Love: Every Adult Has a Responsibility
to Prevent Bullying

Library

Have Laptop Will Travel
Check it Out Check it In: Smart Check System

Parks and Recreation

50 Hikes on 50 Trails, Celebrating 50 Years

Public Health Services: Tobacco

Youth BEAT Advocacy Program

Public Health Services: Tobacco Prevention

Think TANK, An In-School Suspension Program

Sheriff's Office

Occupational Safety Program

Stadium District

The Supercross Fan Fest

Superior Court

Default on Demand
Spanish Driving Under the Influence Court Program

Telecommunications

Communications Interoperability



2005 NACo Award Ceremony

August 31, 2005



Notice of Dismissal
Attachment #28

**SUPERIOR COURT
OF ARIZONA
IN MARICOPA COUNTY**

Family Court Administration
201 W. Jefferson, 6th floor
Phoenix, AZ 85003
(602) 506-1561

[Date notice is printed}

[Case Number]

[Petitioner name]

Endorsements: []

VS

[Respondent name]

**NOTICE OF FAILURE TO SERVE AND
INTENT TO DISMISS YOUR ACTION**

NOTICE AND WARNING: The Court Information System indicates that you have not served the other party the court paper you filed. Your action will be dismissed without further notice anytime after **[file date + 120 days, should not be a weekend or holiday]** if you do not take at least one of the steps listed below.

- A. **SERVE THE OTHER PARTY WITH THE COURT PAPERS AND FILE THE PROOF OF SERVICE.** If you have served the other party you must be sure that the proof of service has been filed with the Clerk of the Court at the Filing Counter immediately.
- B. **MOTION AND ORDER FOR CONTINUANCE:** You may file a motion to ask the judge for more time to complete the service of the court papers before the court automatically dismisses your case. The order granting the extension must be SIGNED by the judge BEFORE the dismissal date indicated above.
- C. **VOLUNTARY DISMISSAL OF YOUR CASE.** If you want to dismiss your case instead of waiting for the Court Order of Dismissal.

You can obtain appropriate documents and instructions from the Self Service Centers at the address listed below or from the Self Service Center Website.

Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>
Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library
Mesa: 222 E. Javelina, 1st Floor, Mesa, AZ at the Law Library
Northwest: 14264 W. Tierra Buena Ln, Surprise AZ
Northeast: 18380 N. 40th St. Phoenix, AZ

WARNING: THE COURT WILL DISMISS YOUR CASE without prejudice unless you do what this Notice tells you to do. "Dismiss" means there will be no court order granting or denying what you asked for in the court papers. "Without prejudice" means you can file the case again, but you might lose certain rights. If you do not understand, see a lawyer for help.

The court will NOT SEND YOU ANY MORE NOTICES about this.

**SUPERIOR COURT
OF ARIZONA
IN MARICOPA COUNTY**

Family Court Administration
201 W. Jefferson, 6th floor
Phoenix, AZ 85003
(602) 506-1561

[Case Number]

Endorsements: []

[Petitioner name]

VS

[Respondent name]

**NOTICE OF PLACEMENT OF CASE ON THE INACTIVE CALENDAR
AND INTENT TO DISMISS**

NOTICE AND WARNING: The Court Information System indicates that at least 120 days have passed since your case was filed. Arizona Rule of Family Law Procedure 46(B) allows the Court to place your case on the Inactive Calendar anytime after 120 days and to dismiss your case for Lack of Prosecution without further notice anytime after 180 days unless appropriate actions are taken.

Your case was placed on the Inactive calendar on **[date of inactive event]** and will be dismissed without prejudice on **[date of inactive event + 60 days, can't be weekend or holiday]** unless you take appropriate steps to prevent the dismissal.

- If temporary orders have been issued, THESE ORDERS WILL END WITH THE DISMISSAL of your case. If a paternity case has been dismissed and the parties have agreed to paternity and now have temporary orders for support, custody, etc, you may not have a final order of paternity. Temporary orders for support, custody, visitation, etc. will also end.
- If you do not wish to have your case dismissed for lack of prosecution, you must take one of the following actions prior to your dismissal date:
 1. Have a final decree/order signed by a judge or commissioner prior to the dismissal date.
 2. If a response has been filed, file a proper motion to set your case for trial or conference.
 3. If a response **has not** been filed, a proper default hearing must be scheduled. (<http://ecourt.maricopa.gov/index.asp> or (602) 372-3332)
 4. If you need more time to complete your case, you must file a Motion to Continue on the Inactive Calendar. The judge must sign the order granting your motion prior to the dismissal date
- The Superior Court Self Service Center has court forms and instructions you might be able to use for your court case, and also has a list of lawyers who can help you on a task-by-task basis, for a fee.

Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>

Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library

Mesa: 222 E. Javelina, 1st Floor, Mesa, AZ at the Law Library

Northwest: 14264 W. Tierra Buena Ln, Surprise, AZ

Northeast 18380 N. 40th St. Phoenix, AZ

WARNING: THE COURT WILL DISMISS YOUR CASE without prejudice unless you do what this Notice tells you to do. "Dismiss" means there will be no court order granting or denying what you asked for in the court papers. "Without prejudice" means you can file the case again, but you might lose certain rights. If you do not understand, see a lawyer for help.

The court will NOT SEND YOU ANY MORE NOTICES about this.

Office Distribution



SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: [case #]

«petname»

Endorsements: [selected parties]

VS

«resname»

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
FOR LACK OF SERVICE**

The Court having previously notified the petitioner that this case would be dismissed for failing to serve within 120 days from the date of filing by sending a Notice of Failure to Serve and Intent to Dismiss Your Action, and pursuant to Rule 40(I), *Arizona Rules of Family Law Procedure*,

IT IS ORDERED dismissing this case without prejudice for lack of service.

Dated: [Date]

A handwritten signature in black ink, appearing to read "We Rida".

Judge/Commissioner/Special Commissioner

Office Distribution



SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: [case #]

«petname»

Endorsements: [selected parties]

VS

«resname»

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
AFTER PLACEMENT ON INACTIVE CALENDAR**

The Court having previously notified the parties that this case would be dismissed for lack of prosecution by sending a Notice of Placement of Case on the Inactive Calendar and Intent to Dismiss, and pursuant to Rule 46(B), *Arizona Rules of Family Law Procedure*,

IT IS ORDERED dismissing this case without prejudice for lack of prosecution..

Dated: [date]

A handwritten signature consisting of stylized initials and a surname.

Judge/Commissioner/Special Commissioner



Consent Decree on Demand Planning Documents

Attachment #29

Consent Decree Workgroup
Agenda
December 2, 2004
Table One
8:00 – 9:00

- | | |
|---|--------------------|
| 1. The Consent Decree Vision | Judge Davis |
| 2. Current Consent Decree Process and Problematic Issues | Commissioner Parks |
| 3. Current Process for signing Consent Decree's after ACM meets with litigants/Proposed Process for Triage Center | Donna Williams/All |
| 4. Development of a streamlined/coordinated system | All |
| 5. Date/time of next workgroup meeting | All |

Consent Decree Workgroup
Agenda
February 8, 2005
Table One
8:00 – 9:00

- | | |
|--------------------------------|--|
| 1. Progress Report | Commissioner Parks Commissioner Harris Diana Hegyi |
| 2. Review of procedures | All |
| 3. Identify outstanding issues | All |
| 4. Finalize project | Diana Hegyi |

Consent Decree on Demand

The Consent Decree on Demand process has the following flow:

Get Case Number → CDOD Pre-Qualify Screen → Schedule Hearing → Summary

The users who will be using the DOD functionality are FC Admin, FC Admin Staff, and Judicial Staff personnel. External users will be able to access the DOD functionality (without the overrides) via the internet (Web application).

Get Case Number

User will get the case number from the caller and search for the case using the iCIS Search screen.

FC Admin Staff online

Entry | Inquiry | Administrative | Tasks

Help

Search FC2005003211 - Petn: Katia Duran, et.al. - JO: Mroz - Subcat: Establish Suppo - TIVD: Yes - Status: 01 - New Case

Search Criteria

| | | | | | | | | | |
|--------------------------|--------------|--------------|--------|--------|-----------|--------------------------|-----------|------------|-------------|
| Adv. | Department | Case # | Format | Def ID | JP Case # | Bus. | Last Name | First Name | Middle Name |
| <input type="checkbox"/> | Family Court | FC2005003211 | 10 | | | <input type="checkbox"/> | | | |

Search Results

| # | Match | Case # | Ctr Acc | Party Names | Role | SSN | Sex | DOB | More Info |
|---------------------------------|-------|--------|---------|-------------|------|-----|-----|-----|-----------|
| Please enter a search criteria. | | | | | | | | | |

Total Time (Execute, Enumeration and Rendering): 0 second(s)

Search Clear

When the case is found and selected, the Main Page screen is displayed for the case. The user will then select the Hearing and Events screen under the Entry menu.

FC Admin Staff online

Entry | Inquiry | Administrative | Tasks

Go To Case #: FC2005003211 Help

Katia Duran, et.al. - JO: Mroz - Subcat: Establish Suppo - TIVD: Yes - Status: 01 - New Case

Court With Children Case File Date: 3/8/2005 Created By: Laura Lyon on 3/15/2005 Parties Involved: 3

No Related Cases: 1

| | Role / Relationship | Start Date | More Info |
|----------------|---------------------|------------|-----------|
| Security (DES) | Petitioner | 3/8/2005 | |

rn, Allison Brooke)
ORNEY GENERAL PO BOX 6610 Phoenix, AZ 85005 United States
2) 252-1458

Z DURAN, KATIA KINA Petitioner 3/8/2005 More Info

AKAs:

Attorney: (Pro Per)
Address:
Work Phone:
Home Phone:
Email:

The Hearings and Event screen is displayed and has a new pushbutton "Consent Decree".

FC Admin Staff online

Go To Case#: FC2005003211 10 Go

Help iCIS

Entry | Inquiry | Administrative | Tasks

Hearings & Events FC2005003211 - Petn: Katia Duran, et.al. - JO: Mroz - Subcat: Establish Suppo - TIVD: Yes - Status: 01 - New Case

Limit Results To:
 Hearings
 Events
 View All

Existing Hearings & Events in Case

| Type | Date & Time | Duration/Tickle Date | Judicial Officer | Result | Notes |
|---|----------------------|----------------------|--|--------|---|
| 1 Establishment Hearing | 6/7/2005 at 09:00 AM | 15 Mins | Scheduled before: Carolyn Passamonte (DRC01) | 1 | Edit Delete |
| (3-10-05 Rec'd state's OTA to establish; stamp) | | | | | |

Add Hearing Add Event Return Total Time (Execute, Enumeration and Rendering): 44138.48 second(s)

Consent Decree

When the user clicks on the “Consent Decree” pushbutton, the new “Consent Decree on Demand Pre-Qualify” screen will be displayed.

Consent Decree on Demand Pre-Qualify Screen

Standard Menus (Entry, Inquiry, Administrative, and Tasks)

Summary Information Bar (Screen Name, Case Number, Petnr Name, JO, SubCat, IV-D, Case Status)

| | | | | |
|---------------------------------|---|-----------------|-------------------------------|--------------|
| Case Information | Dissolution, Paternity, Legal Separation, Grandparent Visitation, Annulment, or Other | | | |
| Case Number | Name Requesting Default | Daytime Phone # | Case Type | |
| Additional Case Information | | | | |
| Interpreter | Children? | Service Date | Decree can be signed on/after | Response Fee |
| Notes | | | | |
| Scheduling | | | | |
| Available Hearing Slots Listbox | | | | |
| Schedule | Save | Return | | |

Case Information

Case Number field is pre-populated with the case number of the case. This field is display only.

Name Requesting Default field is pre-populated drop down list that defaults to the Petitioner's name. This field is editable and contains the names of all other parties on the case in the drop down list. Only single selection is allowed.

Daytime Phone # field is an editable field with a mask of (xxx) xxx – xxxx. BA to add this as a New Type to the Contact Info section of the Party information (the party specified in the Name Requesting Default field). Required field. When the hearing is set, the Daytime Phone # will be saved for party in the Name Requesting Default field.

Case Type field is a drop down list with the following values “Dissolution”, “Paternity”, “Legal Separation”, “Grandparent Visitation”, “Annulment”, and “Other”. Only single selection is allowed. Selection determines the fields/values in the Additional Case Information section of the screen (see below). Required field for screen.

- If Primary Case Subcategory = 601 – With Children, set Case Type field to “Dissolution” and A
- If Primary Case Subcategory = 621 – Legal Separation, set Case Type to “Legal Separation”
- If Primary Case Subcategory = 622 – Paternity/Maternity, set Case Type to “Paternity”
- If Primary Case Subcategory = 623 – Annulment, set Case Type to “Annulment”
- If Primary Case Subcategory = 630 – Other, set Case Type to “Other”
- If Primary Case Subcategory = 631 – Grandparents Case New DR#, set Case Type to “Grandparents Visitation”

If the Primary Case Subcategory is one of the above, the Case Type will default the corresponding value. Otherwise, it will be blank. User can change this even if this field has a default value. When the hearing is saved, a new Primary Case Category for the case will be set if this field's value differs from its equivalent default value. For example, the case has a Primary Case Subcategory of “601 – With Children”. The defaulted value for the Case Type field will be “Dissolution”. If the user changes the Case Type field to “Legal Separation” and the hearing is saved, a new Primary Case Subcategory of “621 – Legal Separation” will be added to the case.

Additional Case Information

Interpreter field is a drop down list for Interpreter Information with the same values as the current Languages drop down on the Party – Personal screen (blank a value). Only single selection is allowed. Required field for screen. Defaults to the Language specified for the Party in the Name Requesting Default field. If no Language is defaulted and one is entered when the hearing is set, the Language for the selected party (Name Requesting Default) will be updated.

Children? field is a drop down list that has values of “With Children” and “Without Children. Required Field

Response Fee field is a drop down list with the following values:

- Fee is paid and showing in iCIS.
- Fee is paid and not showing in iCIS
- Fee has not been paid

If a docket code of “ANS – Answer” or “RES – Response” exists on the case, the field defaults to “Fee is paid and showing in iCIS”.

Service Date field has a date format of mm/dd/yy. Required field.

Decree can be signed on/after field is a display only field that is calculated by adding 60 days to the Service Date. Display a blank until a date has been entered into the Service Date field.

Notes field is for entering a note/comment for the hearing.

Schedule Hearing

Available Hearing Slots Listbox contains the list of available hearings (auto-calendar) for the information specified on the fields above. The column headings for the listbox are as follows:

- Slot number

Calendar – the calendar code and name of Judicial Officer assigned to that calendar

Time – Time of check-in

Day of Week – the day of the week the hearing occurs on

Remaining slots – the number of slots available for that date/time slot

Flag – block/conflict status

View – view the calendar for that slot's calendar to see scheduled hearings for that day

The Duration of each slot is 7 minutes.

There is a checkbox that corresponds to each Slot number. Only one checkbox can be selected in the listbox at any given time. By checking the checkbox and clicking on the Save pushbutton will schedule a hearing (see New Hearing Types and Sub-Types section for details of what is saved) for the slot selected.

New Hearing Types and Sub-Types

When a hearing is scheduled, the information on the Consent Decree on Demand Pre-Qualify screen will be used to add a hearing entry into iCIS. The new Hearing Types and Sub-Types (created by BA) that will be available are as follows:

Hearing types:

Decree on Demand - Spanish

Decree on Demand - Specialty

Decree on Demand – Regular

The Hearing Type is determined by the Interpreter field.

If Interpreter = “Spanish”, Hearing Type = “Decree on Demand – Spanish”

Else

If Interpreter = “ “, Hearing Type = “Decree on Demand – Regular”

Else

Hearing Type = “Decree on Demand – Specialty”

Subtypes:

Hearing

Publication

Telephonic

Telephonic/Publication
Consent Decree

All Hearings scheduled on the Consent Decree on Demand Pre-Qualify screen have a Subtype = “Consent Decree”.

NW: All Spanish and Specialty cases will all be set on the 2nd Friday as Specialty.

Calendar = the calendar of the selected Available Hearing Slot
Date, Time = date and check-in time of the selected Available Hearing Slot

When the Schedule pushbutton is clicked on, the Available Hearing Slots will be displayed in the Available Hearing Slots Listbox except in the following scenarios:

- If the Decree can be signed on/after date is the day after the current date or later. If NOT, a message box is displayed with “Warning! Consent decree are only allowed after 60 days have elapsed from the Service Date.”. With the option to Continue (internal staff only) or OK. See below for the Auto-calendar Business Rules. If the user is internal, they can select Continue and still display Available Hearing Slots.

Auto-calendar Business Rules

The location of where the hearing will be heard is determined by the Branch field value (Downtown, Northeast, Northwest, and Southeast) in the Case Information screen on a case. Northeast is not currently supported but will be in September.

The date range of available hearing slots will be from the day after the current date through the current date + 61 days.

The litigant must schedule/call the prior day before 12:00PM to schedule a hearing for the following day. Otherwise, the litigant will need to schedule at least 2 days out or more depending on available hearing slots. The time check will need to occur upon the saving of the hearing. If it is 12:00PM or later of the day prior to the selected hearing date, a message box will display “Hearing Date cannot be scheduled due to short notice. Please choose a later date.”. After the user clicks OK on the message box, the checked slot in the Available Hearing Slots Listbox will be unchecked and all hearing slots for the next day should be removed.

The following are the auto-calendar matrixes:

Downtown Matrix (Regular) (FCD01 – Family Court Defaults) Week 1, 2, 3, 4.

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------|---------|---------|-----------|----------|---------|
| 8:15am | 2 slots | 2 slots | 2 slots | 2 slots | 2 slots |
| 8:30am | 2 slots | 2 slots | 2 slots | 2 slots | 2 slots |
| 8:45am | 3 slots | 3 slots | 3 slots | 3 slots | 3 slots |
| 9:00am | 2 slots | 2 slots | 2 slots | 2 slots | 2 slots |

| | | | | | |
|--------------|-----------|-----------|-----------|-----------|-----------|
| 9:15am | 2 slots |
| 9:30am | 2 slots |
| 9:45am | 2 slots |
| 10:00am | 2 slots |
| 10:15am | 2 slots |
| 10:30am | 2 slots |
| 10:45am | 2 slots |
| 11:00am | 1 slot |
| Total | 24 | 24 | 24 | 24 | 24 |
| 1:15pm | 3 slots |
| 1:30pm | 3 slots |
| 1:45pm | 2 slots |
| 2:00pm | 2 slots |
| 2:15pm | 2 slots |
| 2:30pm | 2 slots |
| 2:45pm | 2 slots |
| 3:00pm | 2 slots |
| 3:15pm | 2 slots |
| 3:30pm | 2 slots |
| Total | 22 | 22 | 22 | 22 | 22 |

Downtown Matrix (Spanish) (FCO02 – Harris) If Language selected is Spanish. Week 1, 3, 4. Week 2 has no morning calendar.

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|---------|-----------|----------|-----------|
| 8:00am | | | | | 2 slots |
| 8:15am | | | | | 1 slot |
| 8:45am | | | | | 2 slots |
| 9:00am | | | | | 1 slot |
| 9:15am | | | | | 2 slots |
| 9:30am | | | | | 1 slot |
| 9:45am | | | | | 2 slots |
| 10:00am | | | | | 1 slot |
| Total | | | | | 12 |
| 1:00pm | | | | | 1 slot |
| 1:15pm | | | | | 2 slots |
| 1:30pm | | | | | 1 slot |
| 1:45pm | | | | | 2 slots |
| 2:00pm | | | | | 1 slot |

| | | | | | |
|--------------|--|--|--|--|-----------|
| 2:15pm | | | | | 2 slots |
| 2:30pm | | | | | 1 slot |
| 2:45pm | | | | | 2 slots |
| 3:00pm | | | | | 1 slot |
| Total | | | | | 13 |

Downtown Matrix (Special) (FCO02 – Harris) If LUL, Publication, Grandparent Visitation, or Other. Week 1, 2, 3, 4.

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|---------|-----------|----------|--------|
| 8:00am | | | 2 slots | | |
| 8:15am | | | 1 slot | | |
| 8:30am | | | 2 slots | | |
| 8:45m | | | 1 slot | | |
| 9:00am | | | 2 slots | | |
| 9:15am | | | 1 slot | | |
| 9:45am | | | 2 slots | | |
| 10:00am | | | 1 slot | | |
| 10:15am | | | 2 slot | | |
| Total | | | 14 | | |

Northwest Matrix (Regular) (NWC01 – Newcomb) Week 1, 2, 3, 4

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|-----------|-----------|-----------|--------|
| 1:00pm | | 2 slots | | 2 slots | |
| 1:15pm | | 2 slots | | 2 slots | |
| 1:30pm | | 2 slots | | 2 slots | |
| 1:45pm | | 2 slots | | 2 slots | |
| 2:00pm | | 2 slots | | 2 slots | |
| 2:15pm | | 2 slots | | 2 slots | |
| 2:30pm | | 2 slots | | 2 slots | |
| Total | | 14 | | 14 | |

Northwest Matrix (Spanish and Special – 1 slot for each time slot) (NWC01 – Newcomb) Week 2

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------|--------|---------|-----------|----------|---------|
| 1:00pm | | | | | 2 slots |
| 1:15pm | | | | | 2 slots |
| 1:30pm | | | | | 2 slots |
| 1:45pm | | | | | 2 slots |

| | | | | | |
|--------------|--|--|--|--|-----------|
| 2:00pm | | | | | 2 slots |
| 2:15pm | | | | | 2 slots |
| 2:30pm | | | | | 1 slot |
| Total | | | | | 13 |

Southeast Matrix (Regular) (SEC01 – Hegyi) Week 1, 3, 4 ; Week 2 has no Regular Wednesdays (has specialty instead)

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|-----------|---------|-----------|----------|--------|
| 9:15am | 3 slots | | 3 slots | | |
| 9:30am | 3 slots | | 3 slots | | |
| 9:45am | 2 slots | | 3 slots | | |
| 10:00am | 2 slots | | 3 slots | | |
| Total | 10 | | 12 | | |

Southeast Matrix (Regular) (SEC02 – Bodinet) Week 1, 3, 4 ; Week 2 has no Friday mornings

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|----------|---------|-----------|----------|-----------|
| 9:15am | | | | | 3 slots |
| 9:30am | | | | | 3 slots |
| 9:45am | | | | | 2 slots |
| 10:00am | | | | | 2 slots |
| Total | | | | | 10 |
| 2:30pm | 3 slots | | | | 3 slots |
| 2:45pm | 3 slots | | | | 3 slots |
| 3:00pm | 1 slots | | | | 1 slots |
| Total | 7 | | | | 7 |

Southeast Matrix (Spanish) (SEC02 – Bodinet) Week 2

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------------|--------|---------|-----------|----------|----------|
| 8:00am | | | | | 3 slots |
| 8:15am | | | | | 3 slots |
| 8:30am | | | | | 2 slots |
| Total | | | | | 8 |

Southeast Matrix (Special) (SEC01 – Hegyi) Week 2

| | Monday | Tuesday | Wednesday | Thursday | Friday |
|--------|--------|---------|-----------|----------|--------|
| 9:15am | | | 3 slots | | |

| | | | | | |
|--------------|--|--|-----------|--|--|
| 9:30am | | | 3 slots | | |
| 9:45am | | | 3 slots | | |
| 10:00am | | | 2 slots | | |
| Total | | | 11 | | |

Summary

When a successful hearing is scheduled after the Save pushbutton is clicked, a summary is auto-generated. The summary for Consent Decree is actually a screen that displays a listing of Required Documents that the party needs to bring to court. It looks like the following:

Required Documents

- Original Stipulation to proceed by Consent and 2 copies
- Original Decree of Dissolution/final orders and 2 copies
- Receipt for response fee
- 2 self-addressed stamped envelopes
- Original Child Support Worksheet and 2 copies
- Original Order of Assignment and 2 copies
- Judgment Data Sheet
- Original PIP Certificate or conformed copies

The following is needed unless the case is FN...

- Original Parenting Plan and 2 copies

Note: All documents must be signed by all parties and notarized.

Clicking on the Close pushbutton, closes the screen.

Note: Consent Decree Hearings (Subtype = “Consent Decree”) do not appear on the Default File Review screen and are not reviewed.

Consent Decree Project-Draft

Consent Decrees that are developed as a result of an ACM/RMC conference.

1. The ACM will assist litigants with necessary paperwork and two copies.
 - a. Stipulation signed and verified by husband/wife/attorney
 - b. Decree
 - c. QDRO, if needed
 - d. Settlement agreement
 - e. Parenting plan
 - f. Child support worksheet
 - g. Child support order
 - h. Order of assignment
 - i. Current Employer Information
 - j. Judgment Data Sheet
2. The ACM will make sure that the 60 day waiting period has been satisfied, that both have attended PIP and that fees have been paid or waived.
3. The ACM will contact the Commissioner JA and deliver the paperwork. The JA will log in information in iCIS and complete the consent decree workup number 1-5 and give the paperwork to the Commissioner.
4. The litigants will wait in the Conciliation Services waiting area.
5. After signing, the Commissioner will give the paperwork to the Clerk. The Clerk will file in the paperwork and return to the JA.
6. The JA will enter outcome data in iCIS and contact the ACM when the paperwork is ready.
7. If there are deficiencies, the Commissioner may want the parties to be seated in the courtroom for testimony.

Consent decrees submitted by litigants, attorneys, etc.

1. Consent decrees can be submitted to two locations downtown
 - a. **For regular processing** of a consent decree (within one week) – Litigants should submit the consent decree and needed paperwork (original plus two copies of each document) to FC Administration on the 6th Floor of the Central Court Building between 8 a.m. and 5 p.m.
 1. Stipulation
 2. Decree
 3. QDRO, if needed
 4. Settlement agreement
 5. Parenting plan
 6. Child support worksheet
 7. Child support order
 8. Order of assignment
 9. Current Employer Information
 10. Judgment Data Sheet
 11. 2 Self-Addressed Stamped envelopes
 - o FC Admin will log in information in ICIS and deliver to the appropriate Judge/Commissioner.
 - o JA will prepare the consent decree workup and give to Commissioner.
 - o Commissioner will review for signature, give paperwork to Clerk.
 - o Clerk will give paperwork to JA to add outcome data. JA will call litigants or mail paperwork.
 - b. **For expedited processing** (within 24 hours or sooner) – At the Downtown Courthouse
 - If 60 days from date of service has passed
 - If Petitioner and Respondent have paid/filing and response fees
 - If both parties have attended the PIP class (required for cases with children)Litigants should submit the consent decree and needed paperwork (original plus two copies) to the Default room on the 3rd Floor of the Central Court Building between 8 a.m. and 4 p.m.

1. Stipulation
 2. Decree
 3. QDRO, if needed
 4. Settlement agreement
 5. Parenting plan
 6. Child support worksheet
 7. Child support order
 8. Order of assignment
 9. Current Employer Information
 10. Judgment Data Sheet
 11. Self Addressed Stamped Envelopes
- o Default staff will enter information into iCIS, complete the consent decree workup number 1-5 and deliver the paperwork to the Commissioner.
 - o Commissioner will review for signature and give to Clerk who will file in. Clerk will give to JA to complete final iCIS outcome. JA to contact default staff when paperwork is ready. Default staff will pick-up paperwork and give to litigants if they are waiting in the courthouse. Paperwork may also be mailed to litigants.

Family Court Proudly Presents



Decree on Demand **(Consent Decree Process)**

Effective March 1, 2005, you can choose how you want to obtain your final judgment or decree if your case is filed at the Downtown Phoenix Courthouse or the Northwest Courthouse.

1. **Consent Decree by Mail:** If you want a Consent Decree signed without coming to the courthouse, you can mail your paperwork to Family Court Administration, 201 W., Jefferson, 6th floor, Phoenix Arizona 85003 or 14264 W. Tierra Buena Lane, Surprise, Arizona 85374. You can also submit the paperwork at the above address between 8 a.m. and 5 p.m. The final judgment/decree will be mailed back to you in the envelopes you provide. This process takes approximately one week.
2. **Consent Decree on Demand:** You can schedule a hearing time to have your consent decree signed* or by calling 602 372-3332. If you call or schedule your hearing before noon, your hearing can be scheduled for as soon as the following day. **

At the time of your hearing, you will report to the Default room on the 3rd floor at 201 W. Jefferson if your case is filed at the Downtown Phoenix Courthouse. If your case was filed at the Northwest Courthouse you will report to Information Center. You must prepare and bring your documents signed by all parties with you to your hearing. Please note that you may be at the Courthouse for up to 2 hours.

Please see reverse side for a list of required documents.

* All paperwork will be reviewed for deficiencies. If deficiencies are found, you may not get your documents signed that day.

** Available Downtown Phoenix only.

Family Court Proudly Presents



Decree on Demand **(Consent Decree Process)**

Effective March 1, 2005, you can choose how you want to obtain your final judgment or decree if your case is filed at the Downtown Phoenix Courthouse or the Northwest Courthouse.

1. **Consent Decree by Mail:** If you want a Consent Decree signed without coming to the courthouse, you can mail your paperwork to Family Court Administration, 201 W., Jefferson, 6th floor, Phoenix Arizona 85003 or 14264 W. Tierra Buena Lane, Surprise, Arizona 85374. You can also submit the paperwork at the above address between 8 a.m. and 5 p.m. The final judgment/decree will be mailed back to you in the envelopes you provide. This process takes approximately one week.
2. **Consent Decree on Demand:** You can schedule a hearing time to have your consent decree signed* by calling 602 372-3332. If you call to schedule your hearing before noon, your hearing can be scheduled for as soon as the following day. **

At the time of your hearing, you will report to the Default room on the 3rd floor at 201 W. Jefferson if your case is filed at the Downtown Phoenix Courthouse. If your case was filed at the Northwest Courthouse you will report to Information Center. You must prepare and bring your documents signed by all parties with you to your hearing. Please note that you may be at the Courthouse for up to 2 hours.

Please see reverse side for a list of required documents.

* All paperwork will be reviewed for deficiencies. If deficiencies are found, you may not get your documents signed that day.

** Available Downtown Phoenix only.

You must meet the following requirements:

- 60 days must have passed since service was completed
- The response fee must be paid
- Both parties must have attended the Parent Information Class if your case involves children.



The following documents are required to be signed and notarized by all parties when submitting a consent decree:

- Original Stipulation to proceed by Consent Decree and 2 copies.
- Original Decree of Dissolution/final Orders and 2 copies.
- 2 self-addressed stamped envelopes

For cases with children you will also need:

- Original Parenting Plan and 2 copies
- Original Child Support Worksheet and 2 copies
- Original Child Support Order and 2 copies
- Original Order of Assignment and 2 copies
- Original Employer Information and 2 copies
- Judgment Data Sheet
- Original Parent Information Program Certificates or conformed copies.

You must meet the following requirements:

- 60 days must have passed since service was completed
- The response fee must be paid
- Both parties must have attended the Parent Information Class if your case involves children.



The following documents must be signed and notarized by all parties when submitting consent decree:

- Original Stipulation to proceed by Consent Decree and 2 copies.
- Original Decree of Dissolution/final Orders and 2 copies
- 2 self-addressed stamped envelopes

For cases with children you will also need:

- Original Parenting Plan and 2 copies
- Original Child Support Worksheet and 2 copies
- Original Child Support Order and 2 copies
- Original Order of Assignment and 2 copies
- Original Employer Information and 2 copies
- Judgment Data Sheet
- Original Parent Information Program Certificates or conformed copies.

| | |
|----------------------|-------|
| Commissioner: | _____ |
| Date: | _____ |
| Party Name: | _____ |
| Case Number: | _____ |

| | | |
|--------------|------------------|-----------------|
| PA: | Yes _____ | No _____ |
| IV-D: | Yes _____ | No _____ |

CONSENT DECREE WORKUP

- 1.) Date served, filed, or accepted _____
- 2.) Respondent's fees paid or deferred Y N
- 3.) PIP Certificates filed for: Dad Y N Mom Y N
- 4.) 60 day waiting period satisfied. Y N Stip signed _____
- 5.) Stipulation includes statement re domestic violence. Y N N/A (Mandatory with joint custody)
- 6.) Stipulation signed and verified by: (Husband) (Wife) (Attorneys).
- 7.) Decree of Dissolution
 - a.) Jurisdiction Findings
 - b.) Covenant Marriage
 - c.) Division of Community Property – (agreement) (decree)
 - d.) Division of Community Debt - (agreement) (decree)
 - e.) Spousal maintenance provision (applies or not) – (agreement) (decree) \$ _____
 - f.) Pregnancy statement
 - g.) Waiver/award of rights in estate &/or pension or not applicable
 - h.) Name restoration N/A
 - i.) Signed/verified by: (Husband) (Wife) (Attorneys)
- 8.) Parenting Plan / Decree Provisions re Children N/A
 - a.) Custody – (joint) (sole) Dad Mom
 - b.) Parental access Reasonable Guideline Supervised None
 - c.) Holiday/Summer schedule
 - d.) Medical insurance Dad Mom
 - e.) Uninsured medical expense (Proportional) _____ % Dad _____ % Mom
 - f.) Child support (guideline) (Deviation with reasons) (Not accepted)
 - g.) Mandatory statutory (A.R.S. 25-403) criteria stated (Joint custody):
 1. Best interest
 2. Education, health care, religious training
 3. Physical residence _____ Dad _____ Mom _____ Split
 4. Mediation of disputes
 5. Joint Custody does not mean equal parenting time
 6. No coercion
 - h.) Dependency exemptions
 - i.) Exchange financial information every 24 months
 - j.) _____ month plan review
- 9.) Child Support worksheet-signed and notarized by (Dad) (Mom) (Attorneys)
Explanation for deviations: _____ (#children _____) Adopted _____
- 10.) Order of Assignment Judgment Data Sheet Child Support Order
- 11.) Addendum added

| |
|--------------|
| Approved Y N |
|--------------|



Post Decree Child Support Planning Documents

Attachment #30

Post-Modification Court Agenda
May 19, 2005
Table One
12:15 – 1:30

- | | |
|---|--------------------------|
| 1. What are the goals of Post-Modification Court? | Judge Davis |
| | |
| 2. Post – Modification Program | All |
| | |
| A. Types of cases - IV included? B. Stats C. ES conference length D. EVH length E. ES staff matrix F. Commissioner matrix G. Location of Commissioner H. Location of conference I. Service issues J. Name of conference K. Name of hearing L. OTA M. Quicker way to notify parties of hearing | |
| | |
| 3. Automation | All |
| | |
| A. Auto calendar B. Calendar codes/result codes C. iCIS reports D. Auto order legal files E. Scheduling matrix F. S: G. Batch mailing | |
| | |
| 4. Report to court | |
| | |
| A. Full Stipulation B. Partial Stipulation – Areas of Agreement C. No agreement D. Who receives? E. How? | Areas that need decision |
| | |
| 5. Other | |

**POST DECREE CHILD SUPPORT COURT AGENDA
JULY 21, 2005
4TH FLOOR CONFERENCE ROOM
12:15 – 1:30**

- 1. SUMMARY OF NW AND SE CASES**
- 2. REVIEW PROPOSAL & OTA**
- 3. LOCATION OF DOWNTOWN COMMISSIONER**
- 4. CALENDAR OF DOWNTOWN COMMISSIONER**
- 5. AUTOMATION NEEDS**
- 6. GREEN FOLDERS?**
- 7. SCHEDULING OF HEARINGS/CONFERENCES BEGINNING SEPT.**

**POST DECREE CHILD SUPPORT COURT AGENDA
AUGUST 18, 2005
TABLE ONE WITH LINK TO SE AND NW
12:15 – 1:30**

- | | |
|--|------------------------|
| 1. ISSUES FROM NW AND SE PILOT | NW AND SE STAFF |
| 2. PROCEDURAL DIFFERENCES BETWEEN | ALL |
| SIMP. MOD'S AND MOD'S | |

**MARICOPA COUNTY SUPERIOR COURT
FAMILY COURT - DRAFT**

PROPOSED POST DECREE CHILD SUPPORT COURT TO CHANGE THE METHOD OF PROCESSING AND EXPEDITING SIMPLIFIED MODIFICATION REQUESTS

GENERAL STATEMENT OF PROPOSAL

It is proposed that a post decree child support court be implemented through which the access, use and delivery of services in Family Court will be simplified, streamlined and made user-friendly for litigants requesting child support simplified modifications, to avoid litigants being referred to multiple services and to avoid judicial decisions being made by quasi-judicial officers.

STATEMENT OF ISSUES ACCORDING TO THE GREACEN REPORT:

- The major questions regarding Expedited Services relate to the timeliness of resolution of cases referred to Expedited Services, how best to target the use of these services in family law cases, the formalities associated with the conferences themselves, the quality of conference officer decision making, the propriety of having persons without legal training performing quasi-judicial functions, and the elimination of overlapping functions between Conciliation Services and Family Court Commissioners in establishing child support in Title IV D cases.
- Current court processes involve unnecessary delay.
- The court's ancillary services are not well integrated with the judges' chambers or with each other. Some judges confessed to not understanding what the different units actually do.
- Some believe that ancillary services are overused, waste time, and complicate the court's processes. Most support them as saving judicial time and helping the parties to achieve more consensual outcomes.
- Most support the work done by Expedited Services. Some are extremely critical of its work products, believing that non-lawyers are making legal determinations and making them poorly.

STATEMENT OF GOALS

PROPOSED POST DECREE CHILD SUPPORT COURT- 2
DRAFT

The major objective of the Post Decree Child Support Court is to implement procedures that will address all stated issues. If this proposal is implemented, we expect:

- Litigants will receive an OTA for a one-hour conference and a subsequent 45 minute evidentiary hearing before a judicial officer.
- Litigants seeking a simplified child support modification will meet with a conference officer to work out a stipulation regarding child support. If a stipulation is reached during the conference, the stipulation will be memorialized prior to the litigants leaving the courthouse.
- If no stipulation or a partial stipulation result, the litigants seeking a simplified child support modification will appear at an evidentiary hearing and conference, receive a final order from a judicial officer directly after the conference.
- Delays in processing simplified modification cases through the judicial system will be reduced because the report, the recommendation and subsequent objection period will be eliminated.
- To avoid complaints that non-lawyers are making legal determinations.
- To return all pre-decree child support calculations and decisions to the judicial officer assigned to the matter.
- To return post-decree modifications that involve child custody, parenting time and child support to the judicial division for decision and to avoid instances where litigants will be referred back to Expedited Services for child support calculation once a child custody or parenting time order has been entered.
- Automation will be enhanced to support the project.
- Consistent procedures will be established.
- Forms and instructions in self-service packets will be revised to simplify the process and reflect these changes.
- The FC Bar, document preparers, and others will be notified of these changes.
- Staff will immediately input data into iCIS once a stipulation or judgment are entered so that these cases automatically drop off the cal acti report.

PROPOSED POST DECREE CHILD SUPPORT COURT- 3
DRAFT

- Training on all aspects will occur prior to implementation.
-

ELIGIBLE CASES:

- Non IV matters
- Cases that do not require an interpreter (initially)
- Only child support cases (not parenting time/custody)
- Cases that now come to Expedited Services at time of filing request.
- Judicial referrals only prior to Evidentiary Hearing or Trial
- Attorney requests referral on a pure child support case
- Cases that do not need a FATP

SPECIFICS OF THE PROJECT

The Northwest Experience

Calendar Matrix for Northwest:

| | |
|--------|---|
| Monday | 12:45 Conference 1:45 Hearing 1:45 Conference 2:45 Hearing 2:45 Conference 3:45 Hearing |
|--------|---|

| | |
|-----------|---|
| Wednesday | 12:45 Conference 1:45 Hearing 1:45 Conference 2:45 Hearing 2:45 Conference 3:45 Hearing |
|-----------|---|

The conference officer's calendar will be posted under: PDC 04 (needs to be established).

The auto calendar will order legal files as a batch and have them delivered to Comm. JA in NW at the time the conference/hearing are set

The auto calendar will send out the OTA with an electronic Commissioner signature as a batch at time of scheduling. Attached to the OTA will be an intake form that parties need to complete and bring with them to the conference.

A new result code is needed: Stipulation

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child support Evidentiary Hearing.

PROPOSED POST DECREE CHILD SUPPORT COURT- 4
DRAFT

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

Question for CTS: Can auto calendar also email staff to let staff scheduler know that the matter has been vacated and that the matter will need to be reset?

OPERATIONAL ISSUES:

Check-In: Litigants will check in at the Information Desk. They will complete the intake form, unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



OTA. A second one is needed for interpreter matters.



Conference Location: Conference Officers will meet with parties in their current office.

Conference outcome logistics:

If **no agreement or partial agreement** is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Genevieve Vincellette
Angel Breault
 - b. JA's:
Erin Kelly --for Comm. Newcomb
 - c. Commissioner:
Casey Newcomb
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:

PROPOSED POST DECREE CHILD SUPPORT COURT- 5
DRAFT

- a. S:\Family Court Admin\Program Calculations\Post
- b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05).
4. Complete checklist, make copy for litigant/lawyer, and attach to legal file.

PDC template.xls
5. Return all documents to parties and escort parties to courtroom
 - a. Remind parties to turn off cell phones (etc)
6. Take legal file/checklist to JA

If **Stipulation is reached**, Conference Officers will:

1. Add outcome in iCIS.
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
2. Email distribution list that a stipulation has been reached.
 - a. Clerks:
Angel Breault
Genevieve Vincellette
 - b. JA:
Erin Kelly--for Comm. Newcomb
 - c. Commissioner:
Casey Newcomb
3. Prepare stipulation using the new child support calculator that includes the stipulation language.
4. Print original and 2 copies of all the doc's needed (child support worksheet, OOA, and JDS)
5. Explain to the parties that they can wait in the lobby until the Commissioner approves and signs the stipulation and order.
6. Let Comm. JA know that a Commissioner signature is needed.
7. JA will get JO signature and make copies (if needed).
8. JA will give the stipulation and order to the parties.

PROPOSED POST DECREE CHILD SUPPORT COURT- 6
DRAFT

9. If parties do not want to wait for Commissioner signature...they can leave a SASE and it will be mailed.

Failure to Appear: If one party fails to appear, Conference Officer will:

If filing party fails to appear, ask the other party if they want to proceed. If the non-filing party fails to appear, proceed.

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Email distribution list
- d. Take appearing party to court

If both parties fail to appear: Vacate the conference/hearing.

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Clerk and Conference Officer at NW that conference can be reset.
- d. JA will contact the parties and tell them the matter will be reset.
- e. Clerk to send out new OTA for the conference and hearing.

Start Date: January 12, 2005

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends.

STATS between 1/12/05 thru 6/8/05

| | |
|---------------------------|--|
| 1. Hearings scheduled: | 73 |
| 2. Hearings held: | 54 |
| 3. Conferences scheduled: | 73 |
| 4. Conferences held: | 54 |
| 5. Outcome: | 27 Full Agreements 13 No Agreements 14 Unknown |
| 6. Total: | 73 |

IMPLEMENTATION MEETINGS: Will continue to be set with all involved parties.

PROPOSED POST DECREE CHILD SUPPORT COURT- 7
DRAFT

The Southeast Experience

POST- DECREE CHILD SUPPORT COURT – SE PILOT PROJECT

ELIGIBLE CASES: Initially, Simplified Mods (non-IV-D) only. All post decree modifications and enforcement matters could eventually be eligible.

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to Modify Child Support Simplified process would come to Expedited Services following the current procedure. Upon receipt of petition, support staff downtown will set a conference on the Post-Decree Child Support calendar.

CALENDARS: Due to the new blended commissioner calendars and limited time to dedicate to a post-decree court, we are going to start small and monitor for potential expansion. The time available is Monday afternoon (Hegyi/Bassett), Wednesday afternoon (Hegyi/Bassett), and Thursday morning (Bodinet/McCoy). To start, we will set 2 cases on Monday, 2 on Wednesday, and 2 Thursday.

CASE SCHEDULING: Child Support Post Decree Conferences/Court time will be set one hour apart, which will allow for 6 Post-Decree calendar settings per week.

Calendar Matrix for Southeast

| | |
|--------|---|
| Monday | Post Decree Child Support Conference (PDC 03) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 2:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:00 for 45 minutes |
| Wed. | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01- Hegyi/Bassett) 3:00 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 2:45 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:45 for 45 minutes |

PROPOSED POST DECREE CHILD SUPPORT COURT- 8
DRAFT

- Thurs. Post Decree Child Support Conference (PDC 03) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC02- McCoy) @ 10:30 for 45 minutes
- Post Decree Child Support Conference (PDC 03) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC02-McCoy) @ 11:15 for 45 minutes

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

The conference officer's calendar will be posted under: PDC 03 (needs to be established).

The auto calendar will order legal files as a batch and have them delivered to Suite 1300 in Mesa at the time the conference/hearing are set.

The auto calendar will send out the OTA with an electronic Commissioner signature as a batch at time of scheduling. Attached to the OTA will be an intake form that parties need to complete and bring with them to the conference.

A new result code is needed: Stipulation

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

Question for CTS: Can auto calendar also email staff to let staff scheduler know that the matter has been vacated and that the matter will need to be reset?

OPERATIONAL ISSUES:

PROPOSED POST DECREE CHILD SUPPORT COURT- 9
DRAFT

Check-In: Litigants will check in at Suite 1300. They will complete the intake form, unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



ES INTAKE
FORM.doc

OTA. A second one is needed for interpreter matters.



OTA- McCoy.doc



OTA-Bassett-Mesa.



OTA- Hegyi.doc
doc

Conference Location: Conference Officers will meet with parties in their current office.

Conference outcome logistics:

If no agreement or partial agreement is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Angela Sedillo
Jeanine Skuza
Eileen Smith
 - b. JA's:
Kristi Johnson--for Comm. Hegyi & Comm. Bassett
Rebecca Cox-- Comm. McCoy
 - c. Commissioners:
Hugh Hegyi
Edward Bassett
Scott McCoy
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:
 - a. S:\Family Court Admin\Program Calculations\Post
 - b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)

PROPOSED POST DECREE CHILD SUPPORT COURT- 10
DRAFT

4. Complete checklist, make copy for litigant/lawyer, and attach to legal file.



PDC template.xls

5. Return all documents to parties and escort parties to courtroom
 - c. Remind parties to turn off cell phones (etc)
6. Take legal file/checklist to JA

If **Stipulation is reached**, Conference Officers will:

1. Add outcome in iCIS.
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
2. Email distribution list that a stipulation has been reached.
 - a. Clerks:
Angela Sedillo
Jeanine Skuza
Eileen Smith
 - b. JA's:
Kristi Johnson--for Comm. Hegyi & Comm. Bassett
Rebecca Cox--for Comm McCoy
 - c. Commissioners:
Hugh Hegyi
Edward Bassett
Scott McCoy
3. Prepare stipulation using the new child support calculator that includes the stipulation language.
4. Print original and 2 copies of all the doc's needed (child support worksheet, OOA, and JDS)
5. Explain to the parties that they can wait in the lobby until the commissioner approves and signs the stipulation and order.
6. Escort parties to Ste. 1300.
7. Let DOD staff know that a Commissioner signature is needed.
8. DOD staff to get JO signature and make copies (if needed).

PROPOSED POST DECREE CHILD SUPPORT COURT- 11
DRAFT

9. DOD staff will give stipulation and order to parties after signature.
10. If parties do not want to wait for Commissioner signature...they can leave a SASE and it will be mailed.
11. The original stipulation will be returned to the Commissioner for processing.

Failure to Appear: If one party fails to appear, Conference Officer will:

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Email distribution list
- d. Take appearing party to court

If both parties fail to appear:

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Jennifer Geiger (scheduler) that conference can be reset.
- d. JA will contact the parties and tell them the matter will be reset.
- e. Jennifer to send out new OTA for the conference and hearing.

Start Date: June 8, 2005

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends.

STATS: Between June 8 and July 8, 2005

| | |
|------------------------|---------------------|
| Hearings scheduled: | 14 |
| Hearings held: | 2 |
| Conferences scheduled: | 14 |
| Conferences held: | 8 |
| Outcome: | 6 Full Agreements |
| | 1 Partial Agreement |

PROPOSED POST DECREE CHILD SUPPORT COURT- 12
DRAFT

1 No Agreement

Total resets: 5 vacates, 1 reset

Total number: 14

IMPLEMENTATION MEETINGS: Will continue to be set with all involved parties.

The Downtown Experience- Work in progress

The Northeast Experience

POST- DECREE CHILD SUPPORT COURT – *Work in progress*

ELIGIBLE CASES: Initially, Simplified Mods (non-IV-D) only. All post decree modifications and enforcement matters could eventually be eligible.

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to Modify Child Support Simplified process would come to Expedited Services following the current procedure. Upon receipt of petition, support staff downtown will set a conference on the Post-Decree Child Support calendar.

CALENDARS: Due to the new blended commissioner calendars and limited time to dedicate to a post-decree court, we are going to start small and monitor for potential expansion. The time available is Monday afternoon (Who?), Wednesday afternoon (Who?), and Thursday morning (Who?). To start, we will set 2 cases on Monday, 2 on Wednesday, and 2 Thursday.

PROPOSED POST DECREE CHILD SUPPORT COURT- 13
DRAFT

CASE SCHEDULING: Child Support Post Decree Conferences/Court time will be set one hour apart, which will allow for 6 Post-Decree calendar settings per week.

Calendar Matrix for Northeast

| | |
|--------|--|
| Monday | Post Decree Child Support Conference (PDC 03) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 2:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 3:00 for 45 minutes |
| Wed. | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 3:00 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 2:45 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 3:45 for 45 minutes |
| Thurs. | Post Decree Child Support Conference (PDC 03) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 10:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 11:15 for 45 minutes |

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

The conference officer's calendar will be posted under: PDC 05 (needs to be established).

PROPOSED POST DECREE CHILD SUPPORT COURT- 14
DRAFT

The auto calendar will order legal files as a batch and have them delivered to Family Court Administration in Northeast at the time the conference/hearing are set.

The auto calendar will send out the OTA with an electronic Commissioner signature as a batch at time of scheduling. Attached to the OTA will be an intake form that parties need to complete and bring with them to the conference.

A new result code is needed: Stipulation

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

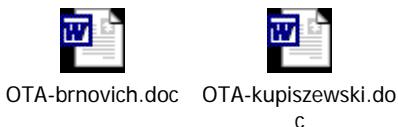
Question for CTS: Can auto calendar also email staff to let staff scheduler know that the matter has been vacated and that the matter will need to be reset?

OPERATIONAL ISSUES:

Check-In: Litigants will check in at Family Court Administration. They will complete the intake form, unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



OTA. A second one is needed for interpreter matters.



C

Conference Location: Conference Officers will meet with parties in their current office.

Conference outcome logistics:

If **no agreement or partial agreement** is reached, Conference Officers will:

1. Add outcome in iCIS.

PROPOSED POST DECREE CHILD SUPPORT COURT- 15

DRAFT

- a. no agreement
- b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Who?
 - b. JA's:
Mica Inman – Commissioner Brnovich
Who? – Commissioner Kupiszewski
 - c. Commissioners:
Susan Brnovich
Stephen Kupiszewski
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:
 - a. S:\Family Court Admin\Program Calculations\Post
 - b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)
4. Complete checklist, make copy for litigant/lawyer, and attach to legal file.

PDC template.xls
5. Return all documents to parties and escort parties to courtroom
 - a. Remind parties to turn off cell phones (etc)
6. Take legal file/checklist to JA

If Stipulation is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
2. Email distribution list that a stipulation has been reached.
 - a. Clerks:
 - b. JA's:
 - c. Commissioners:
3. Prepare stipulation using the new child support calculator that includes the stipulation language.

PROPOSED POST DECREE CHILD SUPPORT COURT- 16
DRAFT

4. Print original and 2 copies of all the doc's needed (child support worksheet, OOA, and JDS)
5. Explain to the parties that they can wait in the lobby until the Commissioner approves and signs the stipulation and order.
6. Let FC Admin. staff know that a Commissioner signature is needed.
7. FC Admin staff will get JO signature and make copies (if needed).
8. FC Admin staff will give stipulation and order to parties after signature.
9. If parties do not want to wait for Commissioner signature...they can leave a SASE and it will be mailed.
10. The original stipulation will be returned to the Commissioner for processing.

Failure to Appear: If one party fails to appear, Conference Officer will:

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Email distribution list
- d. Take appearing party to court

If both parties fail to appear:

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Jennifer Geiger (scheduler) that conference can be reset.
- d. JA will contact the parties and tell them the matter will be reset.
- e. Jennifer to send out new OTA for the conference and hearing.

Start Date: September, 2005

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends.

INSTRUCTIONS AFTER RECEIVING AN ORDER TO APPEAR

SERVICE

YOU HAVE BEEN GIVEN AN ORDER TO APPEAR FOR A CONFERENCE AND A HEARING. THE ORDER TO APPEAR SHOULD BE SERVED UPON THE OTHER PARTY (ALONG WITH YOUR OTHER DOCUMENTS) IMMEDIATELY, AND AT LEAST 10 DAYS PRIOR TO YOUR CONFERENCE/HEARING.

TO "SERVE" MEANS TO USE THE LEGALLY REQUIRED METHOD OF DELIVERING NOTICE OR DOCUMENTS, AS REQUIRED BY RULES 4.1 AND 4.2 OF THE ARIZONA RULES OF CIVIL PROCEDURE. THE MOST COMMON METHOD OF SERVICE ON A PARTY IS PERSONAL SERVICE BY A PRIVATE PROCESS SERVER OR SHERIFF. SEE THE SELF-SERVICE CENTER PACKET ON SERVICE TO HELP YOU SERVE THE PAPERS.

THE FOLLOWING PAPERS NEED TO BE SERVED ON THE OTHER PARTY:

- PETITION TO MODIFY CHILD SUPPORT.
- A COPY OF THE PARENT WORKSHEET FOR CHILD SUPPORT YOU COMPLETED, AND A BLANK COPY FOR THE OTHER PARTY TO COMPLETE.
- COPY OF THE ORDER TO APPEAR.

SOMETIMES THE OTHER PARTY WILL ACCEPT SERVICE IN WHICH CASE HE OR SHE MUST SIGN AND YOU MUST FILE THE DOCUMENT CALLED "ACCEPTANCE OF SERVICE." IF THE OTHER PARTY DOES NOT ACCEPT SERVICE, THEN YOU MUST CONTACT A PROCESS SERVER OR THE SHERIFF TO SERVE THE PAPERS ON THE OTHER PARTY. GIVE THE PROCESS SERVER OR SHERIFF A COPY AND THE ORIGINAL "ORDER TO APPEAR."

AFTER SERVING THE OTHER PARTY, THE PROCESS SERVER OR SHERIFF WILL FILE AN "AFFIDAVIT OF SERVICE" AND WILL FILE THE ORIGINAL "ORDER TO APPEAR" WITH THE CLERK OF THE COURT. IF THE OTHER PARTY ACCEPTED SERVICE, THEN YOU MUST FILE THE ORIGINAL "ORDER TO APPEAR" AND THE ORIGINAL "ACCEPTANCE OF SERVICE."

READ THE ORDER TO APPEAR

READ THE ORDER TO APPEAR CAREFULLY. IT REQUIRES YOU EXCHANGE CERTAIN DOCUMENTS IN ADVANCE OF YOUR HEARING AND IT REQUIRES YOU TO BRING CERTAIN DOCUMENTS TO COURT. THE ORDER TO APPEAR ALSO REQUIRES YOU FOLLOW OTHER DIRECTIONS.

COURT HEARING

BE ON TIME FOR YOUR CONFERENCE/HEARING. DO NOT BRING CHILDREN TO COURT. DRESS NEATLY. **IF YOU NEED AN INTERPRETER, YOU MUST FOLLOW THE INSTRUCTIONS ON THE OTHER TO APPEAR TO MAKE ARRANGEMENTS.**

Post Decree Child Support Court - Auto Calendar

New Calendar codes needed: PDC 01, 02, 03, 04, and 05

New Hearing type: Post Decree Child Support Evidentiary Hearing

New conference type: Post Decree Child Support Conference

New result code: Stipulation at the time the conference/hearing are set.
If result code of Post Decree Child Support
Conference = stipulation, then auto vacate Post
Decree Child support Evidentiary Hearing

The auto calendar will order legal files as a batch at the time the conference/hearing are set and have them delivered to Suite 1300 in Mesa for SE cases. For DT cases, the legal files will need to be delivered to Expedited Services on CCB 3. NW legal files need to be delivered to Michelle Markson at Northwest. NE legal files will need to be delivered to Family Court Administration.

The auto calendar will send out the OTA with an electronic signature of the Commissioner assigned to the hearing as a batch at time of scheduling. Each evening print OTA in a batch report. Generate a notice for each party selected in iCIS on white paper and an original should be printed on pink paper for the court file. Original OTA should contain the file date in the upper right hand corner and should be automatically docketed once the OTA is generated. We will also require report listing the cases where an OTA was generated. This report needs to be sorted by location - NW, SE, NE, DT. We will need an error report in any cases where an OTA could not be generated, sorted by location – NW, SE, NE, DT. Please note that Bassett has two OTA's listed...one for Mesa and one for DT. Commissioner Bassett will hear the Hegyi Mesa calendar temporarily from approximately July – September, 2005.



OTA- Hegyi.doc



OTA- McCoy.doc



OTA-Bassett.doc



OTA-Bassett-DOW NTOWN PHX.doc



OTA-Bassett-Mesa.doc



OTA-brnovich.doc

OTA-kupiszewski.doc



OTA-Newcomb.doc

c

Attached to the OTA that are mailed to the parties will be an intake form that parties need to complete and bring with them to the conference. The original OTA is for the court file and does not require the intake form to be attached.



ES INTAKE FORM.doc

A new result code is needed: Stipulation

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset or vacate, then auto calendar should also vacate the Post Decree Child Support Conference.

Question for CTS: Can auto calendar also email staff to let staff scheduler know that the matter has been vacated and that the matter will need to be reset?

Calendar Matrix for Southeast (PDC 03)

| | |
|--------|--|
| Monday | Post Decree Child Support Conference (PDC 03) @ 1:15 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 2:15 for 45 minutes Post Decree Child Support Conference (PDC 03) @ 2:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:00 for 45 minutes |
| Wed. | Post Decree Child Support Conference (PDC 03) @ 2:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC01- Hegyi/Bassett) 3:00 for 45 minutes Post Decree Child Support Conference (PDC 03) @ 2:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:45 for 45 minutes |
| Thurs. | Post Decree Child Support Conference (PDC 03) @ 9:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC02- Bodinet/McCoy) @ 10:30 for 45 minutes Post Decree Child Support Conference (PDC 03) @ 10:15 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC02-Bodinet) @ 11:15 for 45 minutes |

Calendar Matrix for Northwest (PDC 04)

| | |
|--------|--|
| Monday | Post Decree Child Support Conference (PDC 04) @ 12:30 for one hour and set for Post Decree Child Support |
|--------|--|

Evidentiary Hearing (NWC01-Newcomb) @ 1:30 for one hour

Post Decree Child Support Conference (PDC 04) @ 1:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NWC01-Newcomb) @ 2:30 for one hour

Post Decree Child Support Conference (PDC 04) @ 2:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NWC01-Newcomb) @ 3:30 for one hour

Wed. Post Decree Child Support Conference (PDC 04) @ 12:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NWC01-Newcomb) @ 1:30 for one hour

Post Decree Child Support Conference (PDC 04) @ 1:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NWC01-Newcomb) @ 2:30 for one hour

Post Decree Child Support Conference (PDC 04) @ 2:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NWC01-Newcomb) @ 3:30 for one hour

Calendar Matrix for Downtown (PDC 01 & PDC 02)

Monday – Friday (Question for CTS: we would like to have the flexibility to have this calendar daily but may not schedule matters daily so we would need to block on the days we do not want matters set?)

PDC 01

Post Decree Child Support Conference (PDC 01) @ 8:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC __) @ 9:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 9:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC __) @ 10:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 10:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC __) @ 11:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 1:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC __) @ 2:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 2:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC____) @ 3:00 for 45 minutes

PDC 02

Post Decree Child Support Conference (PDC 02) @ 8:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC____) @ 9:30 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 9:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC____) @ 10:30 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 12:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC ____) @1:30 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 1:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC____) @ 2:30 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 2:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (DRC __) @ 3:30 for 45 minutes

Calendar Matrix for NE (PDC 05)- Pending

Calendar Matrix for Northeast

| | |
|--------|--|
| Monday | Post Decree Child Support Conference (PDC 03) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 2:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 3:00 for 45 minutes |
| Wed. | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for @ Post Decree Child Support Evidentiary Hearing (NEC01) 3:00 for 45 minutes |

Post Decree Child Support Conference (PDC 03) @ 2:45 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 3:45 for 45 minutes

Thurs. Post Decree Child Support Conference (PDC 03) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 10:30 for 45 minutes

Post Decree Child Support Conference (PDC 03) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-) @ 11:15 for 45 minutes

AUTO CALENDARING POST DECREE/ESTABLISHMENT:

The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New hearing type: Post Decree Child Support Evidentiary Hearing

New conference type: Post Decree Child Support Conference

New calendar codes needed: The conference officer's calendar will be posted under: PDC 01, PDC 02, PDC 03, PDC 04, PDC 05, PDC 06 , PDC 07, PDC 08

New result codes needed:

A new result code is needed: Stipulation; use Full Agreement (until Stipulation code is added)

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child Support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

Calendar matrix: Should we build matrix for everyday for flexibility?

Calendar Matrix for Northwest:

Monday & Wed. Post Decree Child Support Conference (PDC 04) @ 12:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NWC01- Newcomb) @ 1:30 for 45 minutes

Post Decree Child Support Conference (PDC 04) @ 1:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NWC01- Newcomb) @ 2:30 for 45 minutes

Post Decree Child Support Conference (PDC 04) @ 2:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NWC01- Newcomb) @ 3:30 for 45 minutes

Calendar Matrix for Southeast:

- Friday Post Decree Child Support Conference (PDC 03) @ 8:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 9:30 for 45 minutes
- Post Decree Child Support Conference (PDC 03) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01- Hegyi) @ 10:30 for 45 minutes
- Post Decree Child Support Conference (PDC 03) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 11:15 for 45 minutes
- Post Decree Child Support Conference (PDC 03) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 2:15 for 45 minutes
- Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 3:00 for 45 minutes
- Post Decree Child Support Conference (PDC 03) @ 3:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 4:00 for 45 minutes

Calendar Matrix for Downtown (PDC 01 & PDC 02)

- Tuesday, Wednesday, Thursday (PDC 01 Debra Wells Guevara)
- Post Decree Child Support Conference (PDC 01) @ 8:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 9:00 for 45 minutes
- Post Decree Child Support Conference (PDC 01) @ 9:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09-Bassett) @ 10:00 for 45 minutes
- Post Decree Child Support Conference (PDC 01) @ 10:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 11:00 for 45 minutes
- Post Decree Child Support Conference (PDC 01) @ 1:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 2:00 for 45 minutes
- Post Decree Child Support Conference (PDC 01) @ 2:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 3:00 for 45 minutes

Tuesday, Wednesday, Thursday (PDC 02 Christopher McKay)

Post Decree Child Support Conference (PDC 02) @ 8:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 9:45 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 9:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 10:45 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 12:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 1:30 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 1:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 2:45 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 2:45 for one hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 3:45 for 45 minutes

Calendar Matrix for Northeast:

Friday Post Decree Child Support Conference (PDC 05) @ 8:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-Brnovich) @ 9:30 for 45 minutes

Post Decree Child Support Conference (PDC 05) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-Brnovich) @ 10:30 for 45 minutes

Post Decree Child Support Conference (PDC 05) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 11:15 for 45 minutes

Post Decree Child Support Conference (PDC 05) @ 12:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 1:30 for 45 minutes

Post Decree Child Support Conference (PDC 05) @1:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 2:30 for 45 minutes

Post Decree Child Support Conference (PDC 05) @ 2:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 3:30 for 45 minutes

Other business rules:

Auto order legal files: The auto calendar will order legal files as a batch at the time the conference/hearings are set. SE files delivered to Ste. 1300, DT files delivered to Expedited Services, NE files delivered to Family Court Administration, NW files delivered to Michelle Markson.

OTA:

The auto calendar will print the OTA with an electronic signature of the commissioner assigned to the hearing at time of scheduling.

Generate a notice for each party selected in iCIS.

Original OTA should contain the file date in the upper right hand corner and should be automatically docketed once the OTA is generated.



OTA-post mod.DOC
(53 KB)

Establishments:

New hearing type: Child Support Establishment Hearing
New conference type: Child Support Establishment Conference

New Result Codes:

If result code on the Child Support Establishment Conference = stipulation, then auto calendar should also auto vacate Child Support Establishment Hearing.

If result code on Child Support Establishment Hearing = vacate and reset, then auto calendar should also vacate the Child Support Establishment Conference.

Matrix: Same as for Post Decree.

Other business rules: Same as Post Decree.

OTA: Same business rules, but different OTA (currently in development)

Name of Person Filing Document: _____

Your Address: _____

Your City, State, and Zip Code: _____

Your Telephone Number: _____

ATLAS Number (if applicable) _____

Attorney Bar Number (if applicable): _____

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Case Number _____

Name of Petitioner (in original case) _____

ORDER TO APPEAR REGARDING PETITION FOR MODIFICATION OF CHILD SUPPORT (A.R.S. 25-503)

This is an important Court Order that affects your rights. Read this Order carefully. If you do NOT understand this Order, contact a lawyer for legal advice.

Based on the "*Petition for Modification of Child Support*" and pursuant to Arizona law,

IT IS ORDERED

1. That Petitioner _____ and Respondent _____ and counsel, if represented, appear in person and attend a conference with a conference officer and a subsequent evidentiary hearing at the time and place stated below.

CHECK IN LOCATION: _____

DATE AND TIME OF CONFERENCE (1 hour) AND HEARING (45 min.): _____

PLACE OF HEARING: **Maricopa County Superior Court**

| | | | |
|--|---|--|--|
| 18380 N. 40 th St. Family Court Adm. Phoenix, Arizona | 201 West Jefferson Floor Phoenix, Arizona | 222 East Javelina Suite 1300 Mesa, Arizona | 14264 W. Tierra Buena Lane 1 st Floor Surprise, Arizona |
|--|---|--|--|

IT IS ORDERED

2. That a true copy of this "*Order to Appear*" and a true copy of the Petition, Affidavits, and related documents filed with the Petition shall be served by process server or sheriff by the moving party on the responding party no later than _____, and in accordance with Rule 4, 4.1 and 4.2, Arizona Rules of Civil Procedure.

The conference officer will meet with the parties, and their counsel, if represented, to determine whether the parties can agree on any of the issues. If they can, the conference officer will assist the parties in documenting the agreement and presenting it to the Court pursuant to Rule 80(d), Arizona Rules of Civil Procedure. If the parties do not agree as to all of the issues necessary to resolve the pending petition, the Court will conduct an evidentiary hearing to determine those matters. It is the goal of the Court to provide the parties with a final resolution of the pending petition on this date. If good cause is shown that additional discovery or hearing time is needed in order for the Court to reach a just determination, the Court may schedule an additional hearing.

IT IS ORDERED

3. That each party shall EXCHANGE THE DOCUMENTS LISTED BELOW AT LEAST FIVE (5) DAYS PRIOR TO THE CONFERENCE AND HEARING AND bring THREE (3) copies of the following documents to the conference. If either party fails to bring the required number of copies, copies will be made at the time of the conference and they will be charged .50 per page copy fee pursuant to A.R.S. §12-284.
 - a. A COMPLETED CHILD SUPPORT PARENT'S WORKSHEET
 - b. COPIES OF FEDERAL AND STATE INCOME TAX RETURNS (PERSONAL, PARTNERSHIP, AND CORPORATE) SCHEDULES, ATTACHMENTS, W-2s AND 1099s FOR THE PAST TWO YEARS
 - c. COPIES OF PAY STUBS AND STATEMENTS OF EARNINGS FOR THE PAST SIX MONTHS
 - d. COPIES OF THE MOST RECENT STATEMENTS REFLECTING THE AMOUNT OF ANY BENEFITS RECEIVED SUCH AS SOCIAL SECURITY, SSI, AFDC, TANF (FORMERLY AFDC), UNEMPLOYMENT COMPENSATION, WORKER'S COMPENSATION, INVESTMENT INCOME, TRUST INCOME, RETIREMENT BENEFITS AND OTHER SOURCES OF INCOME
 - e. PROOF OF ACTUAL PAID COURT-ORDERED CHILD SUPPORT FOR CHILD(REN) OTHER THAN THE CHILD(REN) IN THIS CASE, FOR EXAMPLE, PAYMENT HISTORIES OR THE AMOUNT CONTRIBUTED BY THE CUSTODIAL PARENT
 - f. PROOF OF COSTS OF SUPPORT OF NATURAL OR ADOPTED CHILD(REN) AS TO WHOM THERE IS NO COURT ORDER REQUIRING SUPPORT
 - g. PROOF OF ACTUAL PAID COURT-ORDERED SPOUSAL MAINTENANCE
 - h. PROOF OF MEDICAL INSURANCE PREMIUMS ACTUALLY PAID BY THE PARENT (FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY)
 - i. PROOF OF REASONABLE AND NECESSARY EXPENSES FOR ATTENDING PRIVATE OR SPECIAL SCHOOLS OR NECESSARY EXPENSES TO MEET PARTICULAR EDUCATIONAL NEEDS (FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY)
 - j. PROOF OF ACTUAL CHILD CARE COSTS (FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY)
 - k. PROOF OF COSTS FOR EXTRAORDINARY CHILD(REN) (GIFTED, HANDICAPPED OR SPECIAL NEEDS NOT SPECIFIED WITHIN THE ARIZONA CHILD SUPPORT GUIDELINES) FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY
 - l. PROOF OF NAME OF CURRENT EMPLOYER AND PAYROLL ADDRESS

The above financial information is required to calculate the child support amount accurately. If you fail to bring this documentation to the conference and hearing, the child support ordered may not be accurate and may be to your disadvantage. **THE CONFERENCE AND HEARING WILL NOT BE POSTPONED IF THE ABOVE ITEMS ARE NOT PROVIDED.**

Pursuant to Rule 16(h), Arizona Rules of Civil Procedure, each party will be allowed ½ of the available time to present all direct, cross, redirect examination and any argument.

NOTICES REGARDING THE CONFERENCE AND HEARING

PRE-CONFERENCE SETTLEMENT MEETING. IT IS FURTHER ORDERED that, unless an Order of Protection is in effect, the parties and counsel, if any, shall meet in person prior to the conference, and use their best efforts to narrow the issues in this case. In the event the parties and counsel, if any, have not met prior to the conference, they shall arrive one hour prior to the conference to discuss issues in this case.

SETTLEMENT. If a settlement is reached the parties must give prompt notice to the court as required by Rule 5.1 (c), Arizona Rules of Civil Procedure. The parties must submit a stipulation to the Judge before the above hearing date.

RE-SET. The conference and hearing will not be reset unless there is good cause. YOU MUST GIVE A COPY of your request to reset the hearing to the Judicial Officer assigned to your case and to the other parties in this matter. Your request must also tell the judicial officer, THE DATE YOU DELIVERED A COPY of the request to reset, THE ADDRESS TO WHICH THE COPY WAS SENT, AND WHETHER THE DELIVERY WAS BY MAIL OR BY HAND.

FAILURE TO APPEAR. If the person asking for the change in child support fails to come to court AT THE TIME REQUIRED the petition may be dismissed. If the person opposing the changes fails to come to court AT THE TIME REQUIRED the Judge may grant ALL RELIEF REQUESTED IN THE PETITION AND MAY issue an ARREST WARRANT.

ALL PARTIES REPRESENTING THEMSELVES MUST KEEP THE COURT UPDATED WITH ADDRESS CHANGES. A FORM MAY BE DOWNLOADED AT <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.

Do not bring children to court. Children will not be allowed in the conference or in the hearing and you may not leave them unattended.

If you require the services of an interpreter of a spoken language, or for the deaf, or if you need accommodations pursuant to American's with Disabilities Act, please call (602) 506-5961 immediately and arrangements will be made to provide those services.

DONE IN OPEN COURT: _____

Judge/Commissioner of the Superior Court

**NOTICE OF CONFERENCE AND EVIDENTIARY HEARING
ON POST DECREE CHILD SUPPORT ISSUES**

|

Pursuant to the Request for Modification of Child Support Simplified Procedure dated DATE OF FILING and the subsequent Request for Hearing:

IT IS ORDERED

1. That Petitioner PETITIONER'S NAME and Respondent RESPONDENT'S NAME and counsel, if represented, appear in person and attend a conference with a conference officer and a subsequent evidentiary hearing at the time and place stated below.

CHECK IN LOCATION: 18380 N. 40th Street Family Court Adm Phoenix, AZ

DATE AND TIME OF CONFERENCE (1 hour) AND HEARING (45 min.): ENTER DATE OF CONFERENCE at ENTER TIME OF CONFERENCE

PLACE OF HEARING: Maricopa County Superior Court

Check in at the location listed above. You will be directed to the appropriate courtroom at the conclusion of the conference.

The conference officer will meet with the parties, and their counsel, if represented, to determine whether the parties can agree on any of the issues. If they can, the conference officer will assist the parties in documenting the agreement and presenting it to the Court pursuant to Rule 80(d), Arizona Rules of Civil Procedure. If the parties do not agree as to all of the issues necessary to resolve the pending petition, the Court will conduct an evidentiary hearing to determine those matters. It is the goal of the Court to provide the parties with a final resolution of the pending petition on this date. If good cause is shown that additional discovery or hearing time is needed in order for the Court to

IT IS ORDERED

3. That each party shall EXCHANGE THE DOCUMENTS LISTED BELOW AT LEAST FIVE (5) DAYS PRIOR TO THE CONFERENCE AND HEARING AND bring THREE (3) copies of the following documents to the conference. If either party fails to bring the required number of copies, copies will be made at the time of the conference and they will be charged .50 per page copy fee pursuant to A.R.S. §12-284.

1. A COMPLETED CHILD SUPPORT PARENT'S WORKSHEET
2. COPIES OF FEDERAL AND STATE INCOME TAX RETURNS (PERSONAL, PARTNERSHIP, AND CORPORATE) SCHEDULES, ATTACHMENTS, W-2s AND 1099s FOR THE PAST TWO YEARS
3. COPIES OF PAY STUBS AND STATEMENTS OF EARNINGS FOR THE PAST SIX MONTHS
4. COPIES OF THE MOST RECENT STATEMENTS REFLECTING THE AMOUNT OF ANY

BENEFITS RECEIVED SUCH AS SOCIAL SECURITY, SSI, AFDC, TANF (FORMERLY AFDC), UNEMPLOYMENT COMPENSATION, WORKER'S COMPENSATION, INVESTMENT INCOME, TRUST INCOME, RETIREMENT BENEFITS AND OTHER SOURCES OF INCOME

5. PROOF OF ACTUAL PAID COURT-ORDERED CHILD SUPPORT FOR CHILD(REN) OTHER THAN THE CHILD(REN) IN THIS CASE, FOR EXAMPLE, PAYMENT HISTORIES OR THE AMOUNT CONTRIBUTED BY THE CUSTODIAL PARENT
6. PROOF OF COSTS OF SUPPORT OF NATURAL OR ADOPTED CHILD(REN) AS TO WHOM THERE IS NO COURT ORDER REQUIRING SUPPORT
7. PROOF OF ACTUAL PAID COURT-ORDERED SPOUSAL MAINTENANCE
8. PROOF OF MEDICAL INSURANCE PREMIUMS ACTUALLY PAID BY THE PARENT (FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY)
9. PROOF OF REASONABLE AND NECESSARY EXPENSES FOR ATTENDING PRIVATE OR SPECIAL SCHOOLS OR NECESSARY EXPENSES TO MEET PARTICULAR EDUCATIONAL NEEDS (FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY)
10. PROOF OF ACTUAL CHILD CARE COSTS (FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY)
11. PROOF OF COSTS FOR EXTRAORDINARY CHILD(REN) (GIFTED, HANDICAPPED OR SPECIAL NEEDS NOT SPECIFIED WITHIN THE ARIZONA CHILD SUPPORT GUIDELINES) FOR THE CHILD(REN) INVOLVED IN THIS CASE ONLY
12. PROOF OF NAME OF CURRENT EMPLOYER AND PAYROLL ADDRESS

The above financial information is required to calculate the child support amount accurately. If you fail to bring this documentation to the conference and hearing, the child support ordered may not be accurate and may be to your disadvantage. **THE CONFERENCE AND HEARING WILL NOT BE POSTPONED IF THE ABOVE ITEMS ARE NOT PROVIDED.**

Pursuant to Rule 16(h), Arizona Rules of Civil Procedure, each party will be allowed ½ of the available time to present all direct, cross, redirect examination and any argument.

NOTICES REGARDING THE CONFERENCE AND HEARING

PRE-CONFERENCE SETTLEMENT MEETING. IT IS FURTHER ORDERED that, unless an Order of Protection is in effect, the parties and counsel, if any, shall meet in person prior to the conference, and use their best efforts to narrow the issues in this case. In the event the parties and counsel, if any, have not met prior to the conference, they shall arrive one hour prior to the conference to discuss issues in this case.

SETTLEMENT. If a settlement is reached the parties must give prompt notice to the court as required by Rule 5.1 (c), Arizona Rules of Civil Procedure. The parties must submit a stipulation to the Judge before the above hearing date.

RESET. The conference and hearing will not be reset unless there is good cause. YOU MUST GIVE A COPY of your request to reset the hearing to the Judicial Officer assigned to your case and to the other parties in this matter. Your request must also tell the judicial officer, THE DATE YOU DELIVERED A

COPY of the request to reset, THE ADDRESS TO WHICH THE COPY WAS SENT, AND WHETHER THE DELIVERY WAS BY MAIL OR BY HAND.

FAILURE TO APPEAR. If the person asking for the change in child support fails to come to court AT THE TIME REQUIRED the petition may be dismissed. If the person opposing the changes fails to come to court AT THE TIME REQUIRED the Judge may grant ALL RELIEF REQUESTED IN THE PETITION AND MAY issue an ARREST WARRANT.

ALL PARTIES REPRESENTING THEMSELVES MUST KEEP THE COURT UPDATED WITH ADDRESS CHANGES. A FORM MAY BE DOWNLOADED AT
<http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.

Do not bring children to court. Children will not be allowed in the conference or in the hearing and you may not leave them unattended.

If you require the services of an interpreter of a spoken language, or for the deaf, or if you need accommodations pursuant to American's with Disabilities Act, please call (602) 506-5961 immediately and arrangements will be made to provide those services.

**Post-Decree Child Support
Conference Worksheet**

Motion: _____ Date Filed:
 Response filed/not filed: _____ Date Filed:
 Failure to Appear: Pet / Resp / Both

Case Name:

Case Number:

| | |
|--------|--------|
| Agree? | Agree? |
|--------|--------|

SOP / AOS Date:

| Issues | Father | Mother | Y | N | N/A | Explanations: |
|-----------------------------------|---------------|---------------|----------|----------|------------|----------------------|
| Gross Monthly Incomes | | | | | | |
| Spousal Maintenance | | | | | | |
| Custodian of F: [] M: [] | | | | | | |
| Other children subject of order | | | | | | |
| Support other child not crt ord'd | | | | | | |
| F: [] Other child deduction | | | | | | |
| M: [] Other child deduction | | | | | | |
| Children over 12: [] | | | | | | |
| Med, dent, vis, ins prems | | | | | | |
| Childcare costs for [] children | | | | | | |
| Extra Education | | | | | | |
| Extraordinary expenses | | | | | | |
| Parenting Time Adjustment | | | | | | |
| Arrears | | | | | | |



Planning Documents for Post Decree Court - SE
Attachment #31

POST- DECREE CHILD SUPPORT COURT – SE PILOT PROJECT

ELIGIBLE CASES: Initially, Simplified Mods (non-IV-D) only. All post decree modifications and enforcement matters could eventually be eligible.

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to Modify Child Support Simplified process would come to Expedited Services following the current procedure. Upon receipt of petition, support staff downtown will set a conference on the Post-Decree Child Support calendar.

CALENDARS: Due to the new blended commissioner calendars and limited time to dedicate to a post-decree court, we are going to start small and monitor for potential expansion. The time available is Monday afternoon (Hegyi/Bassett), Wednesday afternoon (Hegyi/Bassett), and Thursday morning (Bodinet/McCoy). To start, we will set 2 cases on Monday, 2 on Wednesday, and 2 Thursday.

CASE SCHEDULING: Child Support Post Decree Conferences/Court time will be set one hour apart, which will allow for 6 Post-Decree calendar settings per week.

Calendar Matrix for Southeast

| | |
|--------|---|
| Monday | Post Decree Child Support Conference (PDC 03) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 2:15 for 45 minutes Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:00 for 45 minutes |
| Wed. | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:00 for 45 minutes Post Decree Child Support Conference (PDC 03) @ 2:45 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi/Bassett) @ 3:45 for 45 minutes |
| Thurs. | Post Decree Child Support Conference (PDC 03) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC02-Bodinet/McCoy) @ 10:30 for 45 minutes Post Decree Child Support Conference (PDC 03) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC02-Bodinet/McCoy) @ 11:15 for 45 minutes |

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

The conference officer's calendar will be posted under: PDC 03 (needs to be established).

The auto calendar will order legal files as a batch and have them delivered to Suite 1300 in Mesa at the time the conference/hearing are set.

The auto calendar will send out the OTA with an electronic Commissioner signature as a batch at time of scheduling. Attached to the OTA will be an intake form that parties need to complete and bring with them to the conference.

A new result code is needed: Stipulation

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

Question for CTS: Can auto calendar also email staff to let staff scheduler know that the matter has been vacated and that the matter will need to be reset?

OPERATIONAL ISSUES:

Check-In: Litigants will check in at Suite 1300. They will complete the intake form, unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



OTA. A second one is needed for interpreter matters.



Conference Location: Conference Officers will meet with parties in their current office.

Conference outcome logistics:

If no agreement or partial agreement is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Angela Sedillo
Jeanine Skuza
Eileen Smith
 - b. JA's:
Kristi Johnson--for Comm. Hegyi & Comm. Bassett
Paula Marsh--for Comm. Bodinet & Comm. McCoy
Rebecca Cox--for Comm. Bodinet & Comm. McCoy
 - c. Commissioners:
Hugh Hegyi
Nancy Bodinet
Edward Bassett
Scott McCoy
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:
 - a. S:\Family Court Admin\Program Calculations\Post
 - b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)
4. Complete checklist, make copy for litigant/lawyer, and attach to legal file.



PDC template.xls

5. Return all documents to parties and escort parties to courtroom
 - a. Remind parties to turn off cell phones (etc)
6. Take legal file/checklist to JA

If Stipulation is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
2. Email distribution list that a stipulation has been reached.
 - a. Clerks:
Angela Sedillo
Jeanine Skuza
Eileen Smith
 - b. JA's:
Kristi Johnson--for Comm. Hegyi & Comm. Bassett
Paula Marsh--for Comm. Bodinet & Comm. McCoy
Rebecca Cox--for Comm. Bodinet & Comm. McCoy
 - c. Commissioners:
Hugh Hegyi
Nancy Bodinet
Edward Bassett
Scott McCoy
3. Prepare stipulation using the new child support calculator that includes the stipulation language.
4. Print original and 2 copies of all the doc's needed (child support worksheet, OOA, and JDS)
5. Explain to the parties that they can wait in the lobby until the Commissioner approves and signs the stipulation and order.
6. Escort parties to Ste. 1300.
7. Let DOD staff know that a Commissioner signature is needed.
8. DOD staff to get JO signature and make copies (if needed).
9. DOD staff will give stipulation and order to parties after signature.
10. If parties do not want to wait for Commissioner signature...they can leave a SASE and it will be mailed.

Failure to Appear: If one party fails to appear, Conference Officer will:

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Email distribution list
- d. Take appearing party to court

If both parties fail to appear:

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Jennifer Geiger (scheduler) that conference can be reset.
- d. JA will contact the parties and tell them the matter will be reset.
- e. Jennifer to send out new OTA for the conference and hearing.

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends.

IMPLEMENTATION MEETINGS: Will continue to be set with all involved parties.

Start Date: June 8, 2005



Post Decree Child Support Funding Proposal

Attachment #32

Summary

The Superior Court is requesting funding for an additional division within Family Court. The request includes a commissioner and support staff to carry a full caseload of Post Decree Modification matters. We understand that this new project will impact the work performed in the Clerk's office and have met with their representatives and informed them of our intent to make this request. Support staff consists of a bailiff (Administrative Assistant II) to assist with courtroom activities and data entry; a judicial assistant (Administrative Coordinator III) for case scheduling, calendar maintenance and data entry in the database system. The new commissioner will office at the Central Court Building.

Background-

A review of the Family Court Department of the Maricopa County Superior Court conducted for the Arizona Supreme Court Administrative Office of the Courts by Greacen Associates, LLC completed in August of 2004 suggests an early intervention strategy. This vision is reinforced through experiences learned through the Northwest pilot project, both of the Southeast pilot projects, and the case management process used in Prince Georges County, Maryland. In Prince Georges County, court staff and judges work in the team fashion to accomplish early court intervention and provide meaningful services that help reduce the high-levels of conflict often seen in these cases. The parties – whether or not they are represented by counsel – begin with a conference with a staff person, resolve whatever can be resolved, and proceed to a hearing before a master (the equivalent of a commissioner in Arizona). The possibility of being able to resolve the case without the need for further visits to court serves as a powerful incentive to settle outstanding issues. Often times, cases that are re-filed as modification or enforcement of original orders are impacted by dynamics that are dissimilar to the original action to dissolve the marriage. These cases frequently involve high conflict and typically one or both parties is less-financially stable (due in part to the loss of an in-tact partnership) and therefore this post decree population has a higher incidence self-representation.

Discussion

MFR Analysis

Demand-The most recent family court post decree filings continue to increase. I 16,500 post decree petitions were filed in Family Court in FY04; this is up from 10,722 filings in FY01. We project 18,000 for FY06.

The recently established post decree calendar at the Northwest Regional Court has worked well. Piloted at that site for the past several months, this calendar allows the parties to meet with an ancillary mediator prior to appearing before the Court. This specialty court then converts the parties' agreement to court orders and rules on any disputed issues. The results in a reduced amount of judicial and staff time. This program allows for the traditional division to focus on the pre

decree matters, thus allowing more efficient case management of both pre and post decree matters.

Program: Family Court Post Decree Modification Court

Activity: Case Management

Activity Purpose: The purpose of Case Management is to provide caseflow management services to the Superior Court so it can advance case progress in a timely and efficient manner.

Service: The Family Court Post Decree Modification Court assists in resolving post decree matters within 45 days of service, which is timely and efficient.

Those cases with allegations of domestic violence and parental unfitness issues will be treated differently and may not be conducive to this expedited caseflow approach.

Result: Statistical measurement of the percentage of cases resolved within 45 days of service.

Efficiency: The efficiencies are as follows:

- The court assumption of control over the pace of the case from the date of service of the petition.
- The maximum coordinated effort of judges and staff to resolve as many cases as possible on the day of the first appearance.
- The case is evaluated by the staff of each case before it is referred to the court.
- The court makes use of the opportunity to resolve the case today as an incentive for the parties to resolve issues in dispute, leading to the completion of all simple and most moderately complex cases on the day of the initial court appearance.
- There is active assistance by court staff of parties in resolving issues in dispute and in preparing or revising necessary paperwork.
- There is purposeful planning of the progress of complicated and highly contested cases.

Anticipated Results: Families filing for modifications in child support and parenting time will experience a more efficient, effective process for having orders entered on their requests. Instead of a prolonged process of appointments being scheduled and rescheduled, hearings lasting up to two hours being held, a report being written and submitted to the Court, and then waiting for an assigned division to rule on the report, parties will be called into Court after service has been effectuated on their petition and the Court will rule that day on the matter. This process means the public will be better served. In addition, streamlining the post modification process will enable Family Court to create

staffing capacities in our child support area. We will move those staff to other new programs and court sites that we have not requested funding for.

| Personnel – Court | Cost |
|--|------------------|
| Commissioner | \$90,562 |
| Benefits | \$11,635 |
| Bailiff/Administrative Assistant III @ \$ 9.98/hour | \$20,838 |
| Benefits | \$8,132 |
| Administrative Coordinator III (Judicial Assistant) @ \$13.15/hour | \$27,457 |
| Benefits | \$9,016 |
| Spanish Interpreter | \$31,802 |
| Benefits | \$9,596 |
| Total Court Administration Costs | \$209,037 |
| Personnel - Clerk | |
| Two court clerks @ \$13.73/hour, no FTR (\$28,558 each) | \$57,336 |
| Benefits @ \$4,699/year plus 13.35% of salary (\$8,512.00 each) | \$24,707 |
| Clerk Cost | \$82,043 |
| Total Costs | \$291,081 |

The Board of Supervisors should approve the funding of a Family Court Post Modification Division including a full staff compliment at the cost of \$308,480 to expedite the processing of Post Decree Modifications and to free conventional divisions to handle the more complicated and time intensive pre-decree pleadings.

| Item | Cost |
|--|------------------|
| Personnel-Court Administration (Ongoing) | \$209,037 |
| Personnel-Clerk's Office (Ongoing) | \$82,043 |
| Furniture & Equipment (One Time Only) | \$17,400 |
| Total | \$308,480 |



Post Decree Court Announcement
Attachment #33

FC Announcement

Family Court is pleased to announce the start of a Post Decree Child Support Court that will provide quick resolution of post decree child support matters. The new court will provide litigants with an opportunity to reach an agreement with a Conference Officer. If no agreement is reached, a hearing with a Judicial Officer will be held immediately.

The new court is expected to

- Resolve the child support issue promptly
- Reduce the number of times parties must come to court
- Ensure that judicial decisions are made by judicial officers
- Use the Court's ancillary services more effectively and efficiently

Post Decree Child Support Court will be fully implemented in all regions on October 1, 2005.

What is Post Decree Child Support Court?

Post Decree Child Support Court is designed for parties seeking a simplified child support modification or other modification of child support. Upon filing a petition, parties will receive an Order to Appear from Expedited Services for a one hour conference and a subsequent 45 minute evidentiary hearing before a judicial officer. They will meet with a conference officer to try to reach an agreement. If an agreement is reached during the conference, it will be memorialized as a written stipulation and signed by a Judicial Officer before the parties leave the courthouse.

If there is no agreement, or if only some issues are resolved, the parties will appear at an evidentiary hearing immediately after the conference at which they will receive a final order from a judicial officer. Because a judicial officer will enter a final order the same day as the conference and hearing, there will no longer be the delays experienced under the former process which required a report and recommendation from an Expedited Services officer, adoption by a judicial officer, objections by the parties, and hearings to resolve objections.

How can I get my case to Post Decree Child Support Court?

If you file a petition to modify child support, you will need to obtain an Order to Appear from Expedited Services. The Order to Appear will tell you when your conference and hearing are scheduled. You must serve the other party the Order to Appear (and your other documents).

If you file a request to modify- simplified procedure, and a request for hearing is filed by the other party, your case will automatically be included in the Post Decree Child Support Court. You will receive your notice to appear for the conference and hearing in the mail.

Can I participate in Post Decree Child Support Court if I have filed a petition to modify child custody, parenting time and child support?

If you file a petition to modify child custody, parenting time and child support, all issues, including child support, will be heard by the Judge assigned to your case. They will not be heard in the Post Decree Court. In general, parties will no longer be referred to Expedited Services for child support calculation by their Judge once the Judge has entered a child custody or parenting time order. Parties must be prepared to address child support at the hearing that modifies custody or parenting time.

What matters can be referred to Expedited Services?

Expedited Services will continue to accept referrals to establish child support, calculate support arrearages, and to enforce child support, parenting time and child custody.



Final Approval of Post Decree Court
Attachment #34

**MARICOPA COUNTY SUPERIOR COURT
FAMILY COURT**

**THE POST DECREE CHILD SUPPORT COURT WILL CHANGE THE
METHOD OF PROCESSING AND EXPEDITING MODIFICATIONS FOR CHILD
SUPPORT AND SIMPLIFIED MODIFICATION REQUESTS**

GENERAL STATEMENT OF PROGRAM

A post decree child support court will be implemented through which the access, use and delivery of services in Family Court will be simplified, streamlined and made user-friendly for litigants requesting child support modifications and simplified modifications. The new program will also avoid litigants being referred to multiple services and it will return judicial decisions to a judicial officer.

SUMMARY OF ISSUES FROM GREACEN REPORT:

- The court should resolve child support issue promptly
- The court should reduce the number of times parties must come to court
- The court should ensure that judicial decisions are made by judicial officers
- The court should use the Court's ancillary services more effectively and efficiently

STATEMENT OF GOALS

- The major objective of the Post Decree Child Support Court is to implement procedures that will address all stated issues. Upon implementation, we expect:
- Litigants will receive an OTA for a one-hour conference and a subsequent 45 minute evidentiary hearing before a judicial officer.
- Litigants seeking a simplified child support modification or modification of child support will meet with a conference officer to work out a stipulation regarding child support. If a stipulation is reached during the conference, the stipulation will be memorialized prior to the litigants leaving the courthouse.

POST DECREE CHILD SUPPORT COURT- 2

- If no stipulation or a partial stipulation result, the litigants seeking a simplified child support modification or modification of child support will appear at an evidentiary hearing and conference, receive a final order from a judicial officer directly after the conference.
- Delays in processing simplified modification and child support modification cases through the judicial system will be reduced because the report, the recommendation and subsequent objection period will be eliminated.
- To avoid complaints that non-lawyers are making legal determinations.
- To return all pre-decree child support calculations and decisions to the judicial officer assigned to the matter.
- To return post-decree modifications that involve child custody, parenting time and child support to the judicial division for decision and to avoid instances where litigants will be referred back to Expedited Services for child support calculation once a child custody or parenting time order has been entered.
- Automation will be enhanced to support the project.
- Consistent procedures will be established.
- Forms and instructions in self-service packets will be revised to simplify the process and reflect these changes.
- The FC Bar, document preparers and others will be notified of these changes.
- Staff will immediately input data into iCIS once a stipulation or judgment are entered so that these cases automatically drop off the cal acti report.
- Training on all aspects will occur prior to implementation.

ELIGIBLE CASES:

- Non IV-D matters
- Cases that do not require an interpreter (initially)
- Only child support cases (not parenting time/custody)
- Cases that now come to Expedited Services at time of filing request (Simplified Modifications)
- Attorney requests referral on a pure child support case
- Cases that do not need a FATP

POST DECREE CHILD SUPPORT COURT- 3

SPECIFICS OF THE PROJECT

Initiating the process

SIMPLIFIED MOD'S

Simplified Modifications will follow the current filing process and will automatically be directed to the Post Decree Child Support Court.

If the Judicial Division receives a Petition for Simplified Modification, the JA should enter a note in iCIS that matter has been forwarded to PDSC (Post Decree Child Support Court) and forward the Petition to Expedited Services via interoffice.

If Family Court Administration receives a Petition for Simplified Modification, they will accept the Petition and forward to the assigned Judge.

The Clerk Green folders will be delivered to Commissioner Bassett (instead of Comm. Parks and Harris) effective October 1, 2005.

MODIFICATIONS

Self Service center packets will be changed to reflect a change in process. The new process is as follows: The litigant will file the petition at the Clerk's office. The Clerk's office will file stamp the documents. The litigant will be instructed to take the file stamped documents and pick up an OTA before leaving the building.

If the litigant is in the courthouse:

In NE, the OTA will be prepared by and picked up at Family Court Administration.

In SE, the OTA will be prepared by and picked up at Suite 1300.

In DT, the OTA will be prepared by and picked up at Expedited Services, 3rd Floor, CCB.

In NW, the OTA will be prepared by and picked up from Michelle Markson.

The litigant will be told to serve all of the paperwork immediately and provide proof of service back to the Court ASAP.

The Family Court Staff on the 6th floor of the Central Court building will direct the litigants to one of the above locations if the litigant attempts to drop off the Petition to Modify Child Support for the Judge. Staff will not accept a Petition to Modify Child Support.

If the litigant/runner calls the division to drop off the Petition:

POST DECREE CHILD SUPPORT COURT- 4

The JA should ask if the matter is solely child support and if so, the JA will ask the litigant to go to the above location and pick up an OTA. A litigant may go to any of the above locations to obtain an OTA, regardless of where the case (what branch/courthouse) is assigned.

If the documents are dropped off at Family Court Administration:

If the Petition for Modification of Child Support is sent with a runner and dropped off at Family Court Administration, FCA will accept the filed documents and place in the assigned Judge's mail box. The JA will make entry in iCIS that matter has been forwarded to the PDCS (Post Decree Child Support Court) and interoffice the petition to Expedited Services. If the petition requests Modification of Child Support and Parenting Time, the matter will be scheduled and heard by the assigned Judge.

Expedited Services will schedule the forwarded Petition to Modify Child Support, prepare the OTA and notify the litigant when the OTA is ready for pick up.

If documents are mailed to the assigned Judge:

If a Petition to Modify Child Support (only) is mailed to the assigned Judge, the JA should make an entry in iCIS that the matter has been forwarded to PDCS and forward the Petition to Expedited Services.

Scheduling – Expedited Services

Simplified Mod's- The Simplified Modifications will be scheduled and notices will be sent to the parties by Expedited Services under the current method.

Modifications – Expedited Services will schedule modifications of child support for conference and hearing, and will issue an OTA. At the time of scheduling, Expedited Services will determine whether the matter is a IV-D case, whether a current support order is in effect, and whether a petition for change of custody or parenting time is pending.

To determine if the Attorney General is involved, ES will both search ATLAS and review the last Judgment and Order. If a case is a IV-D matter, ES will coordinate the setting of the hearing with the IV-D office, endorse the AGO on the OTA, and tell the litigant to send a copy of the OTA to the AGO/DES. If a petition for change of custody has been filed, the matter will be forwarded to the assigned Judge for hearing.

When the litigant requests the OTA, staff will tell the litigant that he or she must serve the OTA along with the other documents immediately and that the Order must be served at least 10 days before the hearing. Staff will inform the litigant of the next available hearing date and discuss with the litigant the likely date of service. If this procedure is not possible, the hearing will be scheduled out more than 45 days.

POST DECREE CHILD SUPPORT COURT- 5

Ultimately, we hope to affix the assigned Commissioner's signature to the OTA electronically. Until CTS can accomplish this, staff will use the Commissioner's hand stamp.

ES will give the litigant the OTA and needed copies. Staff will provide additional instructions as needed.



Instructions After
receiving a...

The Northwest Experience

Commissioner Casey Newcomb

ELIGIBLE CASES: All Child Support Modifications and Simplified Mods. (non-IV-D)

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to **Modify Child Support Simplified process** will come to Expedited Services following the current procedure. Upon receipt of petition, support staff downtown will set a conference on the Post-Decree Child Support calendar.

SIMPLIFIED MOD'S

Simplified Modifications will follow the current filing process and will automatically be directed to the Post Decree Child Support Court.

If the Judicial Division receives a Petition for Simplified Modification, the JA should enter a note in iCIS that matter has been forwarded to PDCS (Post Decree Child Support Court) and forward the Petition to Expedited Services via interoffice.

If Court Administration receives a Petition for Simplified Modification, they will accept the Petition and forward to the assigned Judge.

Requests for Child Support Modification will have a new process. Self Service Center packets will be changed to reflect a change in process. The new process is as follows: The litigant will file the petition at the Clerk's office. The Clerk's office will file stamp the documents. The litigant will be instructed to take the file stamped documents and pick up an OTA before leaving the building.

In NW OTA will be prepared by and picked up from Family Court Administration - Michelle Markson.

If the litigant/runner calls the division to drop off the Petition:

The JA should ask if the matter is solely child support and if so, the JA will ask the litigant to go to the above location and pick up an OTA. A litigant may go to any of the above locations to obtain an OTA, regardless of where the case (what branch/courthouse) is assigned.

If the documents are dropped off at Court Administration:

If the Petition for Modification of Child Support is sent with a runner and dropped off at Court Administration, Court Administration will accept the filed documents and place in the assigned Judge's mail box. The JA will make entry in iCIS that

POST DECREE CHILD SUPPORT COURT- 7

matter has been forwarded to the PDCS (Post Decree Child Support Court) and interoffice the petition to Expedited Services. If the petition requests Modification of Child Support and Parenting Time, the matter will be scheduled and heard by the assigned Judge.

Expedited Services will schedule the forwarded Petition to Modify Child Support, prepare the OTA and notify the litigant when the OTA is ready for pick up.

CASE SCHEDULING: Calendaring for hearings and conferences will be entered into ICIS by Family Court Administration at the time the OTA is generated.

Simplified Mod's- The Simplified Modifications will be scheduled and notices will be sent to the parties by Expedited Services under the current method.

Modifications – Expedited Services will schedule modifications of child support for conference and hearing, and will issue an OTA. At the time of scheduling, Expedited Services will determine whether the matter is a IV-D case, whether a current support order is in effect, and whether a petition for change of custody or parenting time is pending.

To determine if the Attorney General is involved, ES will both search ATLAS and review the last Judgment and Order. If a case is a IV-D matter, ES will coordinate the setting of the hearing with the IV-D office, endorse the AGO on the OTA, and tell the litigant to send a copy of the OTA to the AGO/DES. If a petition for change of custody has been filed, the matter will be forwarded to the assigned Judge for hearing.

When the litigant requests the OTA, staff will tell the litigant that he or she must serve the OTA along with the other documents immediately and that the Order must be served at least 10 days before the hearing. Staff will inform the litigant of the next available hearing date and discuss with the litigant the likely date of service. If this procedure is not possible, the hearing will be scheduled out more than 45 days.

Ultimately, we hope to affix the assigned Commissioner's signature to the OTA electronically. Until CTS can accomplish this, staff will use the Commissioner's hand stamp.

ES will give the litigant the OTA and needed copies. Staff will provide additional instructions as needed.



Instructions After
receiving a...

POST DECREE CHILD SUPPORT COURT- 8

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

The conference officer's calendar will be posted under: PDC 04 (needs to be established).

A new result code is needed: Stipulation; use Full Agreement (until Stipulation code is added)

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child Support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

Calendar Matrix for Northwest:

| | |
|---------------|---|
| Monday & Wed. | Post Decree Child Support Conference (PDC 04) @ 12:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NWC01- Newcomb) @ 1:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 04) @ 1:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NWC01- Newcomb) @ 2:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 04) @ 2:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NWC01- Newcomb) @ 3:30 for 45 minutes |

The conference officer's calendar will be posted under: PDC 04 (needs to be established).

A new result code is needed: Stipulation; use Full Agreement (until Stipulation code is added)

POST DECREE CHILD SUPPORT COURT- 9

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child Support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

OPERATIONAL ISSUES:

Check-In: Litigants will check in at the Information Desk. They will complete the intake form; unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



ES INTAKE
FORM.doc

OTA. A second one is needed for interpreter matters.



OTA-post mod.DOC
(44 KB)

Conference Location: Conference Officers will meet with parties in their current office

Conference outcome logistics:

If no agreement or partial agreement is reached, Conference Officers will:

1. Add outcome in iCIS
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Genevieve Vincellette
 - b. JA's:
Erin Kelly --for Comm. Newcomb
 - c. Commissioner:
Casey Newcomb
 - d. Bailiff- Angel Breault
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:

POST DECREE CHILD SUPPORT COURT- 10

- a. S:\Family Court Admin\Program Calculations\Post
- b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)
4. Complete checklist, make copy for litigant/lawyer, and attach to legal file

PDC template.xls
5. Return all documents to parties and escort parties to courtroom
 - a. Remind parties to turn off cell phones (etc)
6. Take legal file/checklist to JA

If **Stipulation is reached**, Conference Officers will:

1. Add outcome in iCIS
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
- 2 . Email distribution list that a stipulation has been reached.
 - a. Clerks:
Genevieve Vincellette
 - b. JA:
Erin Kelly--for Comm. Newcomb
 - c. Commissioner:
Casey Newcomb
 - d. Bailiff - Angel Breault
3. Prepare stipulation using the new child support calculator that includes the stipulation language
4. Print original and 2 copies of all the doc's needed (child support worksheet, OOA, and JDS)
5. Escort the parties into the courtroom
6. Let Commissioner know that a signature is needed
7. Commissioner will review stipulation and enter order, if appropriate

Failure to appear/Resets

If filing party fails to appear, ask the other party if they want to proceed. If the non-filing party fails to appear, proceed.

- a. Add outcome information in iCIS

POST DECREE CHILD SUPPORT COURT- 11

- b. Prepare checklist
- c. Prepare the child support documents
- d. Save the doc's on the S:
- e. Email distribution list
- f. Escort appearing party to court
- g. JA to add hearing outcome in iCIS

If both parties fail to appear:

- a. Vacate the conference in iCIS
- b. Email distribution list
- c. JA to add hearing outcome in iCIS

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Clerk and Conference Officer at NW that conference can be reset
- d. JA will contact the parties and tell them the matter will be reset
- e. Clerk to send out Minute Entry for new conference and hearing (JA will contact ES to coordinate next available conference date/time.)

Request to reset because of lack of service:

- a. ES will reschedule one time and issue a new OTA
- b. Upon second request to reset because of failure to serve, the matter will be forwarded to the Commissioner for decision

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends. ES will separately track modifications of child support and simplified modifications.

Start Date: Pilot Project started January 12, 2005.

STATS between 1/12/05 thru 6/8/05

| | |
|------------------------|--|
| Hearings scheduled: | 73 |
| Hearings held: | 4 |
| Conferences scheduled: | 73 |
| Conferences held: | 54 |
| Outcome: | 27 Full Agreements 13 No Agreements 14 Unknown |
| Total: | 73 |

The Southeast Experience

Commissioner Hugh Hegyi

ELIGIBLE CASES: All Modifications of Child Support and Simplified Mods (non-IV-D).

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to **Modify Child Support Simplified process** will come to Expedited Services following the current procedure. Upon receipt of petition, support staff will set a conference and hearing on the Post-Decree Child Support calendar.

SIMPLIFIED MOD'S

Simplified Modifications will follow the current filing process and will automatically be directed to the Post Decree Child Support Court.

If the Judicial Division receives a Petition for Simplified Modification, the JA should enter a note in iCIS that matter has been forwarded to PDCS (Post Decree Child Support Court) and forward the Petition to Expedited Services via interoffice.

If Court Administration staff receive a Petition for Simplified Modification, they will accept the Petition and forward to the assigned Judge.

Requests for Child Support Modification will have a new process. Self Service Center packets will be changed to reflect a change in process. The new process is as follows: The litigant will file the petition at the Clerk's office. The Clerk's office will file stamp the documents. The litigant will be instructed to take the file stamped documents and pick up an OTA before leaving the building.

In SE the OTA will be prepared by and picked up at Suite 1300.

If the litigant/runner calls the division to drop off the Petition:

The JA should ask if the matter is solely child support and if so, the JA will ask the litigant to go to the above location and pick up an OTA. A litigant may go to any of the above locations to obtain an OTA, regardless of where the case (what branch/courthouse) the matter is assigned.

If the documents are dropped off at Court Administration:

If the Petition for Modification of Child Support is sent with a runner and dropped off at Court Administration, Court Administration will accept the filed documents and place in the assigned Judge's mail box. The JA will make entry in iCIS that

POST DECREE CHILD SUPPORT COURT- 13

matter has been forwarded to the PDCS (Post Decree Child Support Court) and interoffice the petition to Expedited Services. If the petition requests Modification of Child Support and Parenting Time, the matter will be scheduled and heard by the assigned Judge.

Expedited Services will schedule the forwarded Petition to Modify Child Support, prepare the OTA and notify the litigant when the OTA is ready for pick up.

CALENDARS: Due to lack of resources, limited time is available to dedicate to a post-decree court. The available date for post-decree child support hearings is Friday and six matters will be scheduled.

CASE SCHEDULING: Child Support Post Decree Conferences/Court time will be set one hour apart, which will allow for 6 Post-Decree calendar settings per week. Calendaring for hearings and conferences will be entered into ICIS by Family Court Administration at the time the OTA is generated.

Simplified Mod's- The Simplified Modifications will be scheduled and notices will be sent to the parties by Expedited Services under the current method.

Modifications – Expedited Services will schedule modifications of child support for conference and hearing, and will issue an OTA. At the time of scheduling, Expedited Services will determine whether the matter is a IV-D case, whether a current support order is in effect, and whether a petition for change of custody or parenting time is pending.

To determine if the Attorney General is involved, ES will both search ATLAS and review the last Judgment and Order. If a case is a IV-D matter, ES will coordinate the setting of the hearing with the IV-D office, endorse the AGO on the OTA, and tell the litigant to send a copy of the OTA to the AGO/DES. If a petition for change of custody has been filed, the matter will be forwarded to the assigned Judge for hearing.

When the litigant requests the OTA, staff will tell the litigant that he or she must serve the OTA along with the other documents immediately and that the Order must be served at least 10 days before the hearing. Staff will inform the litigant of the next available hearing date and discuss with the litigant the likely date of service. If this procedure is not possible, the hearing will be scheduled out more than 45 days.

Ultimately, we hope to affix the assigned Commissioner's signature to the OTA electronically. Until CTS can accomplish this, staff will use the Commissioner's hand stamp.

POST DECREE CHILD SUPPORT COURT- 14

ES will give the litigant the OTA and needed copies. Staff will provide additional instructions as needed.



Instructions After
receiving a...

Calendar Matrix for Southeast

| | |
|--------|---|
| Friday | Post Decree Child Support Conference (PDC 03) @ 8:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 9:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01- Hegyi) @ 10:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 11:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 2:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 3:00 for 45 minutes |
| | Post Decree Child Support Conference (PDC 03) @ 3:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Hegyi) @ 4:00 for 45 minutes |

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

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The conference officer's calendar will be posted under: PDC 03 (needs to be established).

A new result code is needed: Stipulation; use Full Agreement (until Stipulation code is added)

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child Support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

OPERATIONAL ISSUES:

Check-In: Litigants will check in at Suite 1300. They will complete the intake form, unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



ES INTAKE
FORM.doc

OTA. A second one is needed for interpreter matters.



OTA-post mod.DOC
(44 KB)

Conference Location: Conference Officers will meet with parties in their current office

Conference outcome logistics:

If no agreement or partial agreement is reached, Conference Officers will:

1. Add outcome in iCIS
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Angela Sedillo
Jeanine Skuza
Patty O'dell
Linda Mauro

POST DECREE CHILD SUPPORT COURT- 16

- b. JA's:
 - Naomi Calamba--for Comm. Hegyi
 - c. Commissioner:
 - Hugh Hegyi
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:
 - a. S:\Family Court Admin\Program Calculations\Post
 - b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)
 4. Complete checklist, make copy for litigant/lawyer, and attach to legal file
 -  PDC template.xls
 5. Return all documents to parties and escort parties to courtroom
 - a. Remind parties to turn off cell phones (etc)
 6. Take legal file/checklist to JA
- If **Stipulation is reached**, Conference Officers will:
1. Add outcome in iCIS
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
 2. Email distribution list that a stipulation has been reached
 - a. Clerks:
 - Angela Sedillo
 - Jeanine Skuza
 - Linda Mauro
 - Patty O'Dell
 - b. JA's:
 - Naomi Calamba--for Comm. Hegyi
 - c. Commissioner:
 - Hugh Hegyi
 3. Prepare stipulation using the new child support calculator that includes the stipulation language
 4. Print original and 2 copies of the entire doc's needed (child support worksheet, OOA, and JDS)
 5. Explain to the parties that they can wait in the lobby until the Commissioner approves and signs the stipulation and order

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6. Escort parties to Ste.1300
7. Let Staff know that a Commissioner signature is needed
8. Staff to get JO signature and make copies (if needed)
9. Staff will give stipulation and order to parties after signature
10. If parties do not want to wait for Commissioner signature the litigants can leave a SASE and it will be mailed
11. The original stipulation will be returned to the Commissioner Division for processing

Failure to appear/Resets

If filing party fails to appear, ask the other party if they want to proceed. If the non-filing party fails to appear, proceed.

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Prepare the child support documents
- d. Save the doc's on the S:
- e. Email distribution list
- f. Escort appearing party to court
- g. JA to add hearing outcome in iCIS

If both parties fail to appear:

- a. Vacate the conference in iCIS
- b. Email distribution list
- c. JA to add hearing outcome in iCIS

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Clerk and Conference Officer at SE that conference can be reset
- d. JA will contact the parties and tell them the matter will be reset
- e. Clerk to send out Minute Entry for new conference and hearing (JA will contact ES to coordinate next available conference date/time.)

Request to reset because of lack of service:

- a. ES will reschedule one time and issue a new OTA
- b. Upon second request to reset because of failure to serve, the matter will be forwarded to the Commissioner for decision

POST DECREE CHILD SUPPORT COURT- 18

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends. ES will separately track modifications of child support and simplified modifications.

Start Date: Pilot project June 8, 2005 – October 31, 2005. Fully implemented Project will begin on November 1, 2005.

STATS: Between June 8 and July 8, 2005

| | |
|------------------------|--|
| Hearings scheduled: | 14 |
| Hearings held: | 2 |
| Conferences scheduled: | 14 |
| Conferences held: | 8 |
| Outcome: | 6 Full Agreements 1 Partial Agreement 1 No Agreement |
| Total resets: | 5 vacates, 1 reset |
| Total number: | 14 |

The Downtown Experience

Scheduling will begin Sept. 1, 2005 and conferences/hearings will be set for October 1, 2005.

Commissioner Bassett Courtroom 507

ELIGIBLE CASES: All Simplified Mods (non-IV-D) only and all post decree modifications.

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to **Modify Child Support Simplified process** will come to Expedited Services following the current procedure. Upon receipt of petition, support staff downtown will set a conference on the Post-Decree Child Support calendar.

SIMPLIFIED MOD'S

Simplified Modifications will follow the current filing process and will automatically be directed to the Post Decree Child Support Court.

If the Judicial Division receives a Petition for Simplified Modification, the JA should enter a note in iCIS that matter has been forwarded to PDSC (Post Decree Child Support Court) and forward the Petition to Expedited Services via interoffice.

If Family Court Administration receives a Petition for Simplified Modification, they will accept the Petition and forward to the assigned Judge.

Requests for Child Support Modification will have a new process. Self Service Center packets will be changed to reflect a change in process. The new process is as follows: The litigant will file the petition at the Clerk's office. The Clerk's office will file stamp the documents. The litigant will be instructed to take the file stamped documents and pick up an OTA before leaving the building.

In DT, OTA will be prepared by and picked up from Expedited Services, 3rd Floor CCB.

If the litigant/runner calls the division to drop off the Petition:

The JA should ask if the matter is solely child support and if so, the JA will ask the litigant to go to the above location and pick up an OTA. A litigant may go to any of the above locations to obtain an OTA, regardless of where the case (what branch/courthouse) is assigned.

If the documents are dropped off at Family Court Administration:

If the Petition for Modification of Child Support is sent with a runner and dropped off at Family Court Administration, FCA will accept the filed documents and place in the assigned Judge's mail box. The JA will make entry in iCIS that matter has been forwarded to the PDCS (Post Decree Child Support Court) and interoffice the petition to Expedited Services. If the petition requests Modification of Child Support and Parenting Time, the matter will be scheduled and heard by the assigned Judge.

Expedited Services will schedule the forwarded Petition to Modify Child Support, prepare the OTA and notify the litigant when the OTA is ready for pick up.

CASE SCHEDULING: Calendaring for hearings and conferences will be entered into ICIS by Family Court Administration at the time the OTA is generated.

Simplified Mod's- The Simplified Modifications will be scheduled and notices will be sent to the parties by Expedited Services under the current method.

Modifications – Expedited Services will schedule modifications of child support for conference and hearing, and will issue an OTA. At the time of scheduling, Expedited Services will determine whether the matter is a IV-D case, whether a current support order is in effect, and whether a petition for change of custody or parenting time is pending.

To determine if the Attorney General is involved, ES will both search ATLAS and review the last Judgment and Order. If a case is a IV-D matter, ES will coordinate the setting of the hearing with the IV-D office, endorse the AGO on the OTA, and tell the litigant to send a copy of the OTA to the AGO/DES. If a petition for change of custody has been filed, the matter will be forwarded to the assigned Judge for hearing.

When the litigant requests the OTA, staff will tell the litigant that he or she must serve the OTA along with the other documents immediately and that the Order must be served at least 10 days before the hearing. Staff will inform the litigant of the next available hearing date and discuss with the litigant the likely date of service. If this procedure is not possible, the hearing will be scheduled out more than 45 days.

Ultimately, we hope to affix the assigned Commissioner's signature to the OTA electronically. Until CTS can accomplish this, staff will use the Commissioner's hand stamp.

ES will give the litigant the OTA and needed copies. Staff will provide additional instructions as needed.

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Instructions After
receiving a...

CALENDARS: Matters will be calendared on Commissioner Bassett's calendar for Tues, Wed and Thursday with ten hearings set daily.

Calendar Matrix for Downtown (PDC 01 & PDC 02)

Tuesday, Wednesday, Thursday (PDC 01 Debra Wells Guevara)

Post Decree Child Support Conference (PDC 01) @ 8:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 9:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 9:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09-Bassett) @ 10:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 10:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 11:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 1:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 2:00 for 45 minutes

Post Decree Child Support Conference (PDC 01) @ 2:00 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 3:00 for 45 minutes

Tuesday, Wednesday, Thursday (PDC 02 Christopher McKay)

Post Decree Child Support Conference (PDC 02) @ 8:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 9:45 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 9:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 10:45 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 12:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 1:30 for 45 minutes

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Post Decree Child Support Conference (PDC 02) @ 1:45 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 2:45 for 45 minutes

Post Decree Child Support Conference (PDC 02) @ 2:45 for one hour and set for Post Decree Child Support Evidentiary Hearing (DRC09 Bassett) @ 3:45 for 45 minutes

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

The conference officer's calendar will be posted under: PDC 01 and 02 (needs to be established).

A new result code is needed: Stipulation; use Full Agreement (until Stipulation code is added)

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child Support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

OPERATIONAL ISSUES:

Check-In: Litigants will check in at Expedited Services. They will complete the intake form; unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



OTA. A second one is needed for interpreter matters.

POST DECREE CHILD SUPPORT COURT- 23



OTA-post mod.DOC
(44 KB)

Conference Location: Conference Officers will meet with parties in their current office

Conference outcome logistics:

If **no agreement or partial agreement** is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks:
Yolanda Soliz
 - b. JAs:
Denise Lawler
 - c. Commissioner:
Edward Bassett
3. Post child support doc's (child support worksheet, OOA, and JDS) on S:
4. S:\Family Court Admin\Program Calculations\Post
5. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)
6. Complete checklist, make copy for litigant/lawyer, and attach to legal file. (Also attach Child Support Worksheets)



PDC template.xls

7. Return all documents to parties and escort parties to courtroom
8. Remind parties to turn off cell phones (etc)
9. Take legal file/checklist to JA

If **Stipulation is reached**, Conference Officers will:

1. Add outcome in iCIS
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
2. Email distribution list that a stipulation has been reached
 - a. Clerks:
Yolanda Soliz
 - b. JAs:

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Denise Lawler
c. Commissioner:
Edward Bassett

3. Prepare stipulation using the new child support calculator that includes the stipulation language
4. Print original and 2 copies of the entire doc's needed (child support worksheet, OOA, and JDS)
5. Explain to the parties that they can wait in the lobby until the Commissioner approves and signs the stipulation and order
6. Let support staff know that a Commissioner signature is needed
7. Staff to get JO signature and make copies (if needed)
8. Staff will give stipulation and order to parties after signature
9. If parties do not want to wait for Commissioner signature the litigant can leave a SASE and it will be mailed
10. The original stipulation will be returned to the Commissioner Division for processing

Failure to appear/Resets

If filing party fails to appear, ask the other party if they want to proceed. If the non-filing party fails to appear, proceed.

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Prepare the child support documents
- d. Save the doc's on the S:
- e. Email distribution list
- f. Escort appearing party to court
- g. JA to add hearing outcome in iCIS

If both parties fail to appear:

- a. Vacate the conference in iCIS
- b. Email distribution list
- c. JA to add hearing outcome in iCIS

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Clerk and Conference Officer at CCB that conference can be reset

POST DECREE CHILD SUPPORT COURT- 25

- d. JA will contact the parties and tell them the matter will be reset
- e. Clerk to send out Minute Entry for new conference and hearing
(JA will contact ES to coordinate next available conference date/time.)

Request to reset because of lack of service:

- a. ES will reschedule one time and issue a new OTA
- b. Upon second request to reset because of failure to serve, the matter will be forwarded to the Commissioner for decision

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends. ES will separately track modifications of child support and simplified modifications.

The Northeast Experience- Effective Oct. 1, 2005

Commissioner Susan Brnovich

ELIGIBLE CASES: All Simplified Mods (non-IV-D) only and all post decree modifications.

INELIGIBLE CASES: Initially, cases needing an interpreter will not be eligible.

CASEFLOW: Requests to **Modify Child Support Simplified process** will come to Expedited Services following the current procedure. Upon receipt of petition, Family Court support staff will set a conference/hearing on the Post-Decree Child Support calendar.

SIMPLIFIED MOD'S

Simplified Modifications will follow the current filing process and will automatically be directed to the Post Decree Child Support Court.

If the Judicial Division receives a Petition for Simplified Modification, the JA should enter a note in iCIS that matter has been forwarded to PDSC (Post Decree Child Support Court) and forward the Petition to Expedited Services via interoffice.

If Family Court Administration receives a Petition for Simplified Modification, they will accept the Petition and forward to the assigned Judge.

Requests for Child Support Modification will have a new process. Self Service Center packets will be changed to reflect a change in process. The new process is as follows: The litigant will file the petition at the Clerk's office. The Clerk's office will file stamp the documents. The litigant will be instructed to take the file stamped documents and pick up an OTA before leaving the building.

In NE the OTA will be prepared by and picked up at Family Court Administration.

If the litigant/runner calls the division to drop off the Petition:

The JA should ask if the matter is solely child support and if so, the JA will ask the litigant to go to the above location and pick up an OTA. A litigant may go to any of the above locations to obtain an OTA, regardless of where the case (what branch/courthouse) the matter is assigned.

If the documents are dropped off at Family Court Administration:

If the Petition for Modification of Child Support is sent with a runner and dropped off at Family Court Administration, FCA will accept the filed documents and place in the assigned Judge's mail box. The JA will make entry in iCIS that matter has

POST DECREE CHILD SUPPORT COURT- 27

been forwarded to the PDCS (Post Decree Child Support Court) and interoffice the petition to Expedited Services. If the petition requests Modification of Child Support and Parenting Time, the matter will be scheduled and heard by the assigned Judge.

Expedited Services will schedule the forwarded Petition to Modify Child Support, prepare the OTA and notify the litigant when the OTA is ready for pick up.

Simplified Mod's- The Simplified Modifications will be scheduled and notices will be sent to the parties by Expedited Services under the current method.

CASE SCHEDULING: Child Support Post Decree Conferences/Court time will be set one hour apart, which will allow for 6 Post-Decree calendar settings per week. Calendaring for hearings and conferences will be entered into ICIS by Family Court Administration at the time the OTA is generated.

Simplified Mod's- The Simplified Modifications will be scheduled and notices will be sent to the parties by Expedited Services under the current method.

Modifications – Expedited Services will schedule modifications of child support for conference and hearing, and will issue an OTA. At the time of scheduling, Expedited Services will determine whether the matter is a IV-D case, whether a current support order is in effect, and whether a petition for change of custody or parenting time is pending.

To determine if the Attorney General is involved, ES will both search ATLAS and review the last Judgment and Order. If a case is a IV-D matter, ES will coordinate the setting of the hearing with the IV-D office, endorse the AGO on the OTA, and tell the litigant to send a copy of the OTA to the AGO/DES. If a petition for change of custody has been filed, the matter will be forwarded to the assigned Judge for hearing.

When the litigant requests the OTA, staff will tell the litigant that he or she must serve the OTA along with the other documents immediately and that the Order must be served at least 10 days before the hearing. Staff will inform the litigant of the next available hearing date and discuss with the litigant the likely date of service. If this procedure is not possible, the hearing will be scheduled out more than 45 days.

Ultimately, we hope to affix the assigned Commissioner's signature to the OTA electronically. Until CTS can accomplish this, staff will use the Commissioner's hand stamp.

ES will give the litigant the OTA and needed copies. Staff will provide additional instructions as needed.

POST DECREE CHILD SUPPORT COURT- 28



Instructions After
receiving a...

CALENDARS: Due to lack of resources, limited time is available to dedicate to a post-decree court. The available date for post-decree child support hearings is Friday and six matters will be scheduled.

Calendar Matrix for Northeast

| | |
|--------|--|
| Friday | Post Decree Child Support Conference (PDC 05) @ 8:30 for 1 hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-Brnovich) @ 9:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 05) @ 9:30 for one hour and set for Post Decree Child Support Evidentiary Hearing (NEC01-Brnovich) @ 10:30 for 45 minutes |
| | Post Decree Child Support Conference (PDC 05) @ 10:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 11:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 05) @ 1:15 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 2:15 for 45 minutes |
| | Post Decree Child Support Conference (PDC 05) @ 2:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 3:00 for 45 minutes |
| | Post Decree Child Support Conference (PDC 05) @ 3:00 for one hour and set for Post Decree Child Support Evidentiary Hearing (SEC01-Brnovich) @ 4:00 for 45 minutes |

AUTO CALENDARING:

Auto calendaring will be available ASAP. The auto calendar will populate both the Commissioner Calendar and the Conference Officer calendar at once with the conference and hearing date and time. The Auto calendar will use the following hearing and conference types:

New Hearing type: Post Decree Child Support Evidentiary Hearing
New conference type: Post Decree Child Support Conference

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The conference officer's calendar will be posted under: PDC 03 (needs to be established).

A new result code is needed: Stipulation; use Full Agreement (until Stipulation code is added)

If result code on the Post Decree Child Support Conference = stipulation, then auto calendar should also auto vacate Post Decree Child Support Evidentiary Hearing.

If result code on Post Decree Child Support Evidentiary Hearing = vacate and reset, then auto calendar should also vacate the Post Decree Child Support Conference.

OPERATIONAL ISSUES:

Check-In: Litigants will check in at Family Court Administration. They will complete the intake form, unless they bring the completed copy with them (it will be mailed). The Conference Officer will call parties in at the designated time and conduct a conference trying to resolve all issues.



ES INTAKE
FORM.doc

OTA. A second one is needed for interpreter matters.



OTA-post mod.DOC
(44 KB)

Conference Location: Conference Officers will meet with parties in their current office

Conference outcome logistics:

If no agreement or partial agreement is reached, Conference Officers will:

1. Add outcome in iCIS.
 - a. no agreement
 - b. partial agreement
2. Email distribution list that parties will be coming to court
 - a. Clerks
Beth Kredit
 - b. JA:
Mica Inman-for Comm. Brnovich
 - c. Commissioner:

POST DECREE CHILD SUPPORT COURT- 30

Comm. Brnovich

3. Post child support doc's (child support worksheet, OOA, and JDS) on S:
 - a. S:\Family Court Admin\Program Calculations\Post
 - b. Save as case number with no dashes and all caps followed by conference date (i.e. FN2004098765-06-08-05)
4. Complete checklist, make copy for litigant/lawyer, and attach to legal file



PDC template.xls

5. Return all documents to parties and escort parties to courtroom
 - a. Remind parties to turn off cell phones (etc)
6. Take legal file/checklist to JA

If **Stipulation is reached**, Conference Officers will:

1. Add outcome in iCIS
 - a. Stipulation (after code has been added)
 - b. Full Agreement (until Stipulation code is added)
2. Email distribution list that a stipulation has been reached
 - a. Clerks
Beth Kredit
 - b. JA:
Mica Inman-for Comm. Brnovich
 - c. Commissioner:
Comm. Brnovich
3. Prepare stipulation using the new child support calculator that includes the stipulation language
4. Print original and 2 copies of the entire doc's needed (child support worksheet, OOA, and JDS)
5. Explain to the parties that they can wait in the lobby until the Commissioner approves and signs the stipulation and order
6. Let staff know that a Commissioner signature is needed
7. Staff to get JO signature and make copies (if needed)
8. Staff will give stipulation and order to parties after signature

9. If parties do not want to wait for Commissioner signature the litigant can leave a SASE and it will be mailed
10. The original stipulation will be returned to the Commissioner Division for processing.

Failure to appear/Resets

If filing party fails to appear, ask the other party if they want to proceed. If the non-filing party fails to appear, proceed.

- a. Add outcome information in iCIS
- b. Prepare checklist
- c. Prepare the child support documents
- d. Save the doc's on the S:
- e. Email distribution list
- f. Escort appearing party to court
- g. JA to add hearing outcome in iCIS

If both parties fail to appear:

- a. Vacate the conference in iCIS
- b. Email distribution list
- c. JA to add hearing outcome in iCIS

Requests to vacate/reset conference or hearing:

- a. Forward all requests to Commissioner for decision
- b. Commissioner to decide whether to reset/continue
- c. JA to add outcome in iCIS and email Clerk and Conference Officer at NE that conference can be reset
- d. JA will contact the parties and tell them the matter will be reset
- e. Clerk to send out Minute Entry for new conference and hearing (JA will contact ES to coordinate next available conference date/time.)

Request to reset because of lack of service:

- a. ES will reschedule one time and issue a new OTA
- b. Upon second request to reset because of failure to serve, the matter will be forwarded to the Commissioner for decision

STATS: We will use ES current spreadsheet, but add a new hearing type: CSPD. Conference Officers will keep current stats and also make notes on areas of interest/trends. ES will separately track modifications of child support and simplified modifications.



Business Plan Automation submitted to CTS to Track Post Decree
Petitions
Attachment #35

POST DECREE PETITION TRACKING PROPOSAL

1. Create a new screen in iCIS to track every petition docketed in a case. (See examples and documentation on pages 2-4). Upon entry of a new petition into docket, the entry would automatically feed into the Petition Tracking Screen.
2. Modify the current Hearing and Events screens to allow the user to select which petition the hearing or event will be associated with. (See pages 5-7) The screen should allow for any number of petitions to be selected. This association is needed to automation of status codes changes and the generation of notices and orders that are specific to each petition.
3. The Petition Tracking Screen should allow for the user to select a specific petition or petitions and then open a screen with only the hearings and events it is associated with. This feature would make it much easier to determine the case flow of any given petition. It would be beneficial to Judicial Staff as well as Administration.
4. Create a box to select by the docketing clerk to indicate if a document was filed by the AG. This item needs to be discussed with the clerks office, but would be of benefit to tracking these petitions and determining if it is a matter to be decided by the IV-D Commissioners. The IV-D flag at the case level is not an accurate indicator as to whether or not an issue is IV-D. Having the clerk indicate if a petition was filed by the AG, would enable us to route reports to the IV-D office to monitor these petitions.
5. All current automation as well as iCIS enhancement requests already submitted would need to be updated and modified to track items at the petition level. This way we could determine the status of each petition and send out more specific notices and orders. This would resolve some of the issues identified by the AG's office.
6. Create monthly reports listings all petitions with open status codes (01-59), sorted by judicial assignment and age of petition.

This portion of screen is available to FC Admin Security group only

Lists all petitions docketed in this case and any consolidated or transferred cases

Populate field according to file date of petition selected.

Pending Post Decree Flag—should display on all screens if a post-decree petition with pending status code exists (status 0X-5X)

**Example 1
Petitions Screen**

Subcategories FC2000000000 - Petn: Smith -JO: Davis - Subcat: Paternity/Mater - TIVD: No Status – 66 – Judgment

| On Base Image | Petition | File Date | Status Code | Status date | AG-Filed | Add/mod by |
|--------------------------|------------------------------------|-----------|-------------|-------------|--------------------|-------------|
| <input type="checkbox"/> | GRS-Pet to Est Grandparents Rights | 8/1/04 | 01-New Case | 8/1/04 | Consolidation | — |
| <input type="checkbox"/> | ECV-Establish/Custody/Visitation | 1/1/04 | 30-Inactive | 6/15/04 | | X Jim Carey |
| <input type="checkbox"/> | Paternity/Maternity | 5/15/00 | 66-Judgment | 1/5/01 | Original Complaint | Frankie |

Save **Modify**

When petition is selected, program should link to a hearings and events screen that displays all hearing and events associated with petition.

When status code is selected by FC Admin and FC Admin staff, program should link to a status code history screen for associated petition. Administration will modify code from the status code history screen. Original Complaint status should always be the same as case status code.

AG Filed field should pre-populate from docket and FC Admin should be able to modify as needed.

Petitions Screen

1. Access to this screen should be as follows:
 - a.) FC Admin---Add new petitions, modify all fields.
 - b.) FC Admin Staff---modify status codes and status dates only if status code is less than 60.
 - c.) All others---View only
2. Drop Down Menu for Petition Type should include:

CCS-Petition for Contempt – Child Support
CMI-Petition for Contempt—Medical Support
COT-Petition for Contempt-Other
CSM-Petition for Contempt—Spousal Support
CVP-Conversion Petition
CVS-Petition for Contempt – Visitation
ECV-Establish/Custody/Visitation
GRS-GRS Pet to Est Grandparents Rights
MCH-Petition to Modify Child Custody – OSC
MCS-Petition to Modify Child Support – OSC
MSM-Petition to Modify spousal Support – OSC
MVS-Petition to Modify Visitation – OSC
PIH – Petition for Injunction of Harassment
PMO – Petition for Modification
POP – Petition/Order of Protection
POT – Petition for Other OSC
PSC – Petition for Order to Show Cause
PSM – Pet to Stop/Modify Wage Assgmt
PTO – Petition Temp Orders
PTT – Petition
RMS – Req to Modify Child Support
SES – Req to Est Supp-No New Case No
SSM – Pet to Modify Child Supp Simplf

***Create new docket codes: Conversion to Dissolution
 Conversion to Other
 Cross Petition-Expedited

***Change docket code MVS-Petition to Modify Visitation –OSC to
 MVS-Petition to Modify Access -- OSC
3. Drop Down Menu for Status code should contain all the status codes we use in our Status Code History Screen.
4. Drop Down Menu for Reason Added should contain the following:

Consolidation
Original Complaint
Administrative
Transferred
5. Title line of all screens should display a flag when the case has a terminated status code (60 and above) and the Petition Screen shows a subsequent Petition with an open pending Petition (Status codes 01-59).
6. You should be able to select a petition and this screen and then be able to view only hearings and events that are associated with the petition. All other events and hearings will be filtered out.
7. The first petition's (original complaint) status code and the case status code should always be the same. If the case status code is modified, the change should be reflected on the Petitions screen and if the first petition's status code is modified, it should also be reflected on the case history screen.

Initial Population of Data to New Screen (Existing Cases)

Upon implementation, only the following data should be transferred to the new screen for all existing cases.

Petition type = current sub-category code

File date = file date of case

Status code = current case status code

Status Date = current case status code date

Reason added = "Initial Implementation"

AG-File = blank

Add/mod by = iCIS

Population of Data to New Screen (Case Initiation)

Petition type = sub-category code (this always remain the original sub-category code of the case)

File date = file date of case

Status code = current case status code

Status date = current case status code date

Reason added = "Original Complaint"

AG-Filed = "X" or blank----to be determined if clerk marks the AG filed box in iCIS (must be discussed with clerks office)

Add/mod by = should have clerks name who initiated the case

Population of Data to New Screen (after implementation)

When one of the following docket codes is entered

CCS-Petition for Contempt – Child Support

CMI-Petition for Contempt—Medical Support

COT-Petition for Contempt-Other

CSM-Petition for Contempt—Spousal Support

CVP-Conversion Petition

CVS-Petition for Contempt – Visitation

ECV-Establish/Custody/Visitation

GRS-GRS Pet to Est Grandparents Rights

MCH-Petition to Modify Child Custody – OSC

MCS-Petition to Modify Child Support – OSC

MSM-Petition to Modify spousal Support – OSC

MVS-Petition to Modify Visitation – OSC

PIH – Petition for Injunction of Harassment

PMO – Petition for Modification

POP – Petition/Order of Protection

POT – Petition for Other OSC

PSC – Petition for Order to Show Cause

PSM – Pet to Stop/Modify Wage Assgmt

PTO – Petition Temp Orders

PTT – Petition

RMS – Req to Modify Child Support

SES – Req to Est Supp-No New Case No

SSM – Pet to Modify Child Supp Simplf

***Petition for Dissolution

***Petition for Legal Separation

***Petition for Annulment

***Petition for Paternity

move the following information into the Petition Screen

Petition type = Docket Event (from the above list)

File date = file date of Docket Event

Status code = 01-New Case

Status date = file date of Docket Event

Reason added = blank

AG-Filed = "Yes" or blank----to be determined if clerk marks the AG filed box in iCIS (must be discussed with clerks office)

Add/mod by = should have clerks name who docketed the petition

Maricopa County Superior Court - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address <http://icis.maricopa.gov/iCIS/FamilyCourt/EditEvent.asp?UserID=1085&AppID=2&App> Go Links ACS Internet Docket Child Support Calc Customize Links

FC Admin online

Entry | Inquiry | Administrative | Tasks

Add Event FC2001007987 - Petn: Kevin Lawhorn - JO: Mahoney - Subcat: Paternity/Mate

Go To Case#: FC2001007987 10

FC Admin and Admin Staff should be able to select petition and link to petition history screen.

Help

erwise Removed

Event Information

| | |
|--------------|--|
| Calendar: | DR Court Admin Downtown Tickle, Calendar (DRA01) |
| Event Type: | |
| Sub Type: | |
| Event Date: | 10/27/2004 |
| Tickle Date: | |
| Handled by: | |
| Result: | |
| Result Date: | |
| Comment: | |

Select associated petition(s)

| | | |
|-----------------------------------|---------|---|
| GRS-Pet to Est Grandparent Rights | 8/1/04 | P |
| ECV-Establish/Custody/Visitation | 1/1/04 | P |
| Paternity/Maternity | 5/15/00 | T |

Must be able to select any number of petitions

Screen should display only pending petitions and have capability to expand and show terminated petitions

People In Case

Associated With Name

- Lawhorn, Kevin (Petitioner)
- Bratton, Johanna (Respondent)
- Belt, Joann (Intervenor)

Save Add More Mass Entry Return

Inbox - Microsoft... Maricopa Coun... Windows Media P... FCDEPT1.110704 post decree stuff... 8:36 AM

Maricopa County Superior Court - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Search Favorites Media Go Links ACS Internet Docket Child Support Calc Customize Links

Address <http://icis.maricopa.gov/iCIS/FamilyCourt/EditHearing.asp?UserID=1085&AppID=2&A> Go

FC Admin online

Go To Case#: FC2001007987 10 Go

iCIS

Entry | Inquiry | Administrative | Tasks

Add Hearing FC2001007987 - Petn: Kevin Lawhorn - JO: Mahoney - Subcat: Paternity/Mater - Status: 62 - Otherwise Removed

Hearing Information

Type:

Sub Type:

Date:

Time: : AM Duration: days hrs mins

Calendar: DR Court Admin Downtown Tickle, Calendar (DRA01)

Heard by:

Result:

Result Date:

Comment:

Scheduling

Auto Calendaring: On Off

People In Case

OOP OOP At Plf. Def. Hearing Name Lawhorn, Kevin (Petitioner) Bratton, Johanna (Respondent) Belt, Joann (Intervenor)

Select associated petition(s)

| | | |
|-------------------------------------|---------|---|
| — GRS-Pet to Est Grandparent Rights | 8/1/04 | P |
| — ECV-Establish/Custody/Visitation | 1/1/04 | P |
| — Paternity/Maternity | 5/15/00 | T |

Save Add More Mass Entry Return

Done Local intranet

Start Inbox - Microsoft... Maricopa Coun... Windows Media P... FCDEPT1.110704 post decree stuff... Soft VNC 8:44 AM

Changes to the Hearings and Events Screen

Modifications must be made to both the hearings and events screens (see sample 2 & 3). Both screens must be modified to enable the user to select which petition or petitions the hearing or event is to be associated with. This will be critical and will allow for automatic terminations and status code changes. Both screens will need to list all petitions associated with the case (same as the Petitions screen), file date, and should also include some sort of indicator (samples show P=pending, T =terminated) as to whether the case is pending (status code 01 – 59) or terminated (status 60 or above).

New Auto Triggers

Def Hrg Request ---Status Code 15

1. Remove the event “File Review” and existing sub-events from the drop-down menu

Downtown Non IV-D
Downtown IV-D
Southeast Non IV-D
Southeast IV-D
Northwest Non IV-D
Northwest IV-D
By Division

2. Create new event code “File Review--DOD

3. Please search the data-base for existing “file review” event entries with the above sub-event codes (**excluding By Division**) that have no result code entered and replace with the new event “File Review—DOD”

4. Remove the event code “Supervisory Review Requested”

4. Please program auto-trigger as follows:

If an event code of

“file review” with sub-event “default hearing” **OR**
Rule 55bii W/O Hearing Request **OR**
Inmate Telephonic Request **OR**
Telephonic Review Request **OR**

Is entered

and

status code of selected petition is

01-New Case
03-Affidavit & Application for Default
18-Misc. Review/Tickler
36-Notice Lack of Service
37-Notice Lack of Response

then

Automatically change status code of selected petition to 15-Default Hearing Requested and use the date of the event as the status date. Display a pop-up box to notify user of status code change.

Please Note: It is possible to have more than one petition selected. Change only the status codes of the petitions that meet the criteria above.

If no petitions are selected---then no status codes should be changed. Please display pop-up box as warning to the user.

Def Hrg Set-----Status Code 16

Remove the following hearing codes from the drop down menus

Paternity Default Hearing
Default Hearing Court Reporter Requested
Telephonic with sub-event of "Default Dissolution"

Create the following sub events under the "Default Hearing" code

Standard
Paternity
Publication
Telephonic

If a hearing code of

"Default Hearing" with a sub-event of

Standard or
Paternity or
Publication or
Telephonic

is entered

and

the status code of selected petition is

01-New Case
03-Affidavit & Application for Default
15-Default Hearing Requested
18-Misc. Review/Tickler
36-Notice Lack of Service
37-Notice Lack of Response
53-Inactive/bankruptcy

then

Automatically change status code of selected petition to 16-Def Hearing Set and use date the hearing code was entered as the status date. Display pop-up box to notify user of the status code change.

Please Note: It is possible to have more than one petition selected. Change only the status codes of the petitions that meet the criteria above.

If no petitions are selected---then no status codes should be changed.----Please display pop-up box as warning to the user.

Default Signed -----Status Code 64

If a a hearing code of

Paternity Default Hearing

OR

Default Hearing

OR

Default Hearing Court Reporter Requested

OR

Telephonic with sub-event of “Default Dissolution”

OR

“Default Hearing” with a sub-event of

Standard or

Paternity or

Publication or

Telephonic

OR

an event code of

Rule 55bii W/O Hearing Request

exists

and

The status of the selected petition is less than 60

and

a result code of

Signed

Decree Signed

Is entered.

Then

Automatically change the status code of the selected petition to 64-Default Signed and use the result date as the status date. Display pop-up box to notify user of the status code change.

Please Note: It is possible to have more than one petition selected. Change only the status codes of the petitions that meet the criteria above.

If no petitions are selected---then no status codes should be changed. If a petition has not been selected---please display pop-up box as a warning to the user.

Consent Decree Signed -----Status codes 66 and 77

Remove event codes

Consent Decree Packet
Decree (Dissolution, Leg Sep,
Annulment)

Create new event code

Order/Decree with sub events
Consent
Lodged
Minute Entry

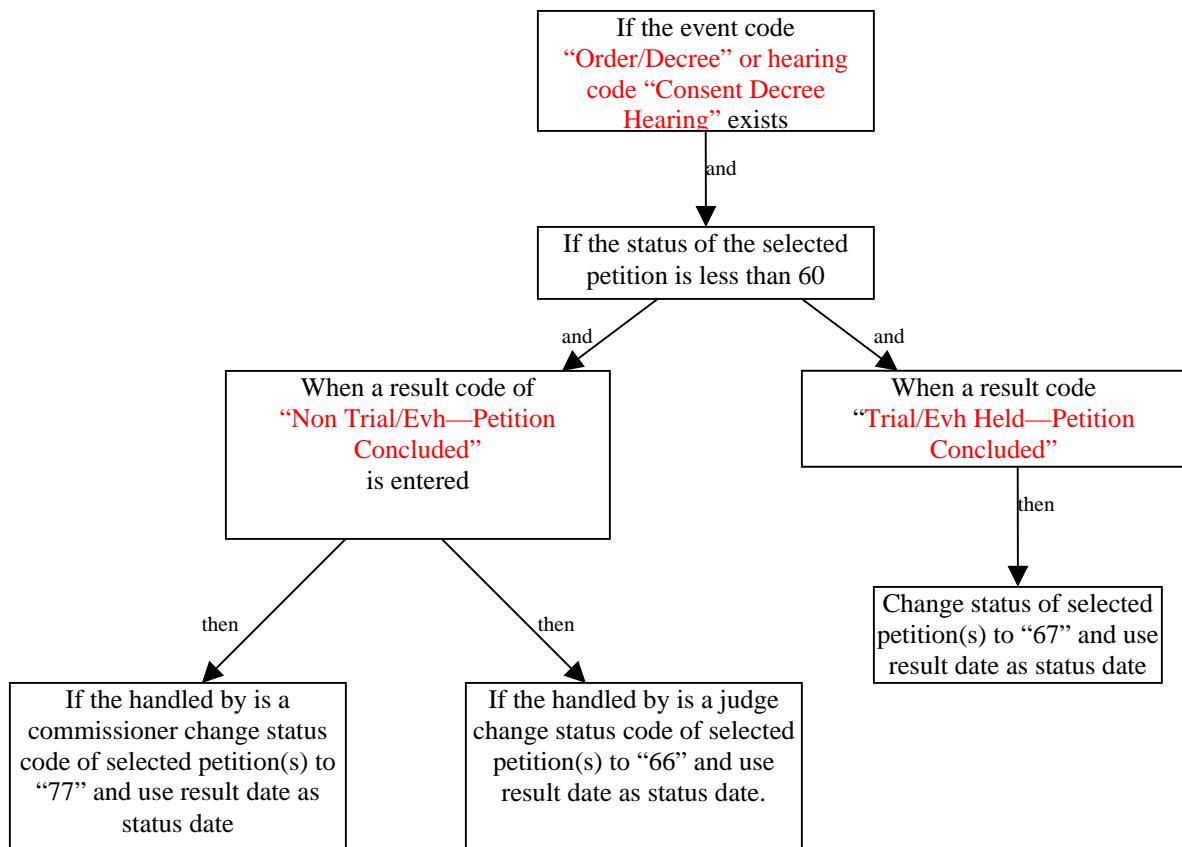
Create 2 new result codes:

Trial/Evh Held—Petition Concluded
Non Trial/Evh—Petition Concluded

Remove 2 current result codes

Non Trial
Trial Held

Upon implementation, search database for the event code “Consent Decree Packet” with no result and replace with “Order/Decree” and sub-event “Consent”



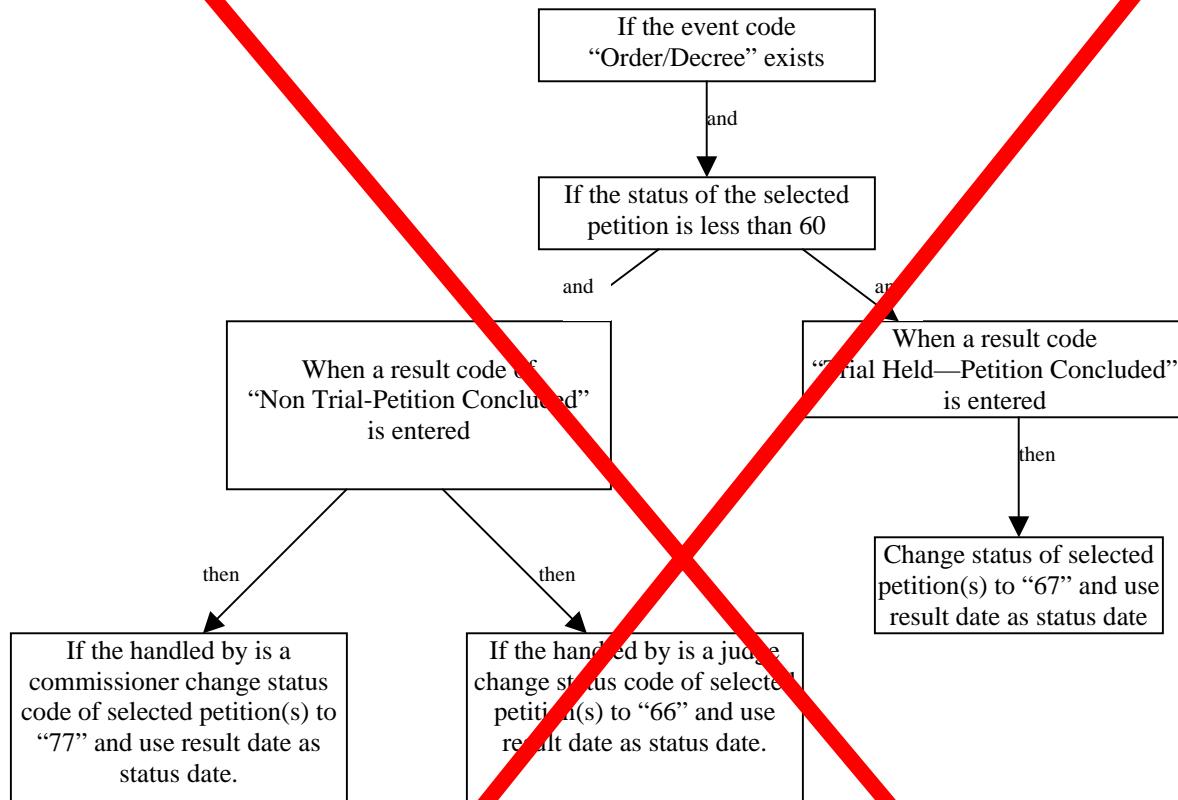
Please display a pop-up box message to notify user of any automatic status code change.

Please Note: It is possible to have more than one petition selected. Change only the status codes of the petitions that meet the criteria above.

If no petitions are selected---then no status codes should be changed. Display pop-up box as a warning to the user.

~~General Termination-----Status codes 66, 67 and 77~~

Create new event code: "Order/Decree"



Please display a pop-up box message to notify user of any automatic status code change.

Please Note: It is possible to have more than one petition selected. Change only the status codes of the petitions that meet the criteria above.

If no petitions are selected---then no status codes should be changed. Display pop-up box as a warning to the user.

Judge/Commissioner Inactive---Status code 50

If an event code of “Inactive” is entered by a judicial officer and the status code of the selected petition is 01 through 49 or 51 through 59, automatically change the status code of the selected petition(s) to “50” once the entry has been saved and use the entry date as the status date. Display a pop-up box to notify the user of the status code change.

Please do not allow for future dates to be entered under in the event date field.

Please be sure to only change the status code of the selected petition(s) upon initial entry of the “Inactive” event and not upon modifications.

If no petitions are selected---then no status codes should be changed. Display pop-up box as a warning to the user.

Trial Set -----Status Code 40

Remove Hearing Code

Trial
Evidentiary Hearing

Create Hearing Code

“Trial/Evidentiary Hearing” with sub events

Contempt
Enforcement
1st Court Order
Modify Support
Modify Custody/Access/Support
Modify Access
undesignated

If the hearing code “Trial/Evidentiary” is entered by a judicial officer and the status of the selected petition(s) is 01 through 39, or 42 through 59 then automatically change status code of selected petition(s) to “40-Trial Set” once the entry has been saved and use the date of entry as the status code date. Display a pop-up box to notify user of the status code change.

Please be sure to only change the status code of the selected petition(s) upon initial entry of the “Trial/Evidentiary Hearing” hearing code and not upon modifications.

If no petitions are selected---then no status codes should be changed. Display pop-up box as a warning to the user.

Judge/Commissioner Dismissals -----Status codes 6J and 71.

Remove Status Code 6J from the status drop down menu.

Remove Result Codes

Court Motion

Stip/Notice/Motion

from the drop down menu

Replace the current event code “Dismissed” with a new event code “Dismissed” **and sub event codes**

LOS

LOP

Stip/Notice/Motion

If the following is true:

The event code “Dismissed” entered by a judicial officer exists

The status of the selected petition(s) is less than 60.

And

A result code of “**Completed**” is entered change the status of the selected petition(s) to 71 and use result date as status date. Display pop-up box to inform user of status code change.

~~Or~~

~~A result code of “Court Motion” is entered change the status of the selected petition(s) to 6J and use result date as status date. Display pop-up box to inform user of status code change.~~

Please be sure to only change the status code of the selected petition(s) upon initial entry of the “Dismissed” event code and not upon modifications.

If no petitions are selected---then no status codes should be changed. Display pop-up box as a warning to the user.

Consolidated Case -----status code 75

Create new event code “Case Consolidated”

If the event code “Case Consolidated” is entered by judicial officer, change status code(s) for all pending petitions (status codes 01 through 59), if any to 75. Generate daily report (or some other notification (possibly e-mail) to court administration listing case number, party name and list any pending petitions and file dates.

Case Transferred---status code 6B or 61

Create new event code “Case Transferred”

Create new result codes “to Phoenix”
 “to Mesa”
 “to NW”
 “to NE”
 “Out of County”

If the event code “Case Transferred” is entered by judicial officer, and the result code of

“to Phoenix”
“to Mesa”
“to NW”
“to NE”

is entered, change status code(s) for all pending petitions (status codes 01 through 59), if any, to 6B. Generate daily report (or some other notification (possibly e-mail) to court administration listing case number, party name and list any pending petitions and file dates.

If the event code “Case Transferred” is entered by judicial officer, and the result code of
“Out of County”

Is entered, change status code(s) for all pending petitions (status codes 01 through 69), if any, to 61. No report is necessary.

Order of Protection Terminations -----status code 66

If an event code of “Petition-Order of Protection” exists

and

the selected petition is

“Order of Protection”

or

“POP--Petition/Order of Protection”

and

The result code of

“Granted Non-Exclusive Use”

or

“Granted Exclusive Use”

or

“Denied”

is entered, iCIS should automatically change the status of the selected petition to “66” and enter the result date as the status date. A pop-up box should be displayed to inform the user of the status code change.

The status code should only be changed upon initial entry of the result and not with modifications.

Please generate weekly report listing any “Order of Protection” event codes entered without a selected petition and sort report by the “handled by” field.

Administrations Inactive Notice ----Status code 30

If the event code “Inactive” is entered by Family Court Administration (DRA01, DRA02, DRA03, **DRA04**) please do the following.

- If a petition has not been selected----display pop-up box to alert user to error and do not allow entry to be made.
- Please display pop-up box to alert user of error if 120 days have not passed since the file date of selected petition. Do not allow entry to be made.

Each night

- Generate “Inactive Notices” for each inactive event entered since the last report was run. Print a file copy, plus one copy for each person selected on the events screen. Second page of notice should contain mailing address for the endorsements and allow for military and foreign addresses.
- Change status codes for each of the selected petitions to “30-Inactive”
- Add tickle date to each inactive event (tickle date = event date + 60, should not be a weekend or holiday)
- Add docket event of “NIC-Notice of Placement of the Case on Inactive Calendar and Intent to Dismiss”
- Generate report listing all cases in which a notice has been generated.
- Generate error report, listing all cases in which notice could not be generated (Please note: if notice is not generated---do not change status of selected petition, add tickle date or docket event)

File Date

[Date notice
is generated]

**SUPERIOR COURT
OF ARIZONA
IN MARICOPA COUNTY**

Family Court Administration
201 W. Jefferson, 6th floor
Phoenix, AZ 85003
(602) 506-1561

[Case Number]

Endorsements: []

[Petitioner name]

VS

[Respondent name]

**NOTICE OF PLACEMENT OF CASE ON THE INACTIVE CALENDAR
AND INTENT TO DISMISS**

NOTICE AND WARNING: The Court Information System indicates that at least 120 days have passed since your case was filed. The Arizona Rules of Civil Procedure 38.1(d) and 38.1(e) allow the Court to place your action on the Inactive Calendar any time after 120 days and to dismiss your action for Lack of Prosecution without any further notice anytime after 160 days unless appropriate actions are taken.

The [list selected petition] filed on [list filed date of selected petition] was placed on the Inactive calendar on [date of inactive event] and will be dismissed without prejudice on [date of inactive event + 60 days, can't be weekend or holiday] unless you take appropriate steps to prevent the dismissal.

- If temporary orders have been issued, THESE ORDERS WILL END WITH THE DISMISSAL of your action. If a paternity case has been dismissed and the parties have agreed to paternity and now have temporary orders for support, custody, etc, you may not have a final order of paternity. Temporary orders for support, custody, visitation, etc. will also end.
- If you do not wish to have your action dismissed for lack of prosecution, you must take one of the following actions:
 1. Have a final decree/order signed by a judge or commissioner prior to the dismissal date.
 2. If a response/answer has been filed, you may file a proper Motion to Set prior to the dismissal date.
 3. Ask the judge for more time to complete your action by filing a Motion to Continue on the Inactive Calendar. The judge must sign the order granting your motion prior to the dismissal date. (This motion to continue is available at Family Court Administration)
- The Superior Court Self Service Center has court forms and instructions you might be able to use for your court case, and also has a list of lawyers who can help you on a task-by-task basis, for a fee.

Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library

Mesa: 222 E. Javelina, 1st Floor, Mesa, AZ at the Law Library

Northwest: 14264 W. Tierra Buena Ln, Surprise, AZ

Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>

Warning: The Court will dismiss your action without prejudice unless you do what this Notice tells you to do. "Dismiss" means there will be no court order granting or denying what you asked for in the court papers. "Without prejudice" means you can file the case again, but you might lose certain rights. If you do not understand, see a lawyer for help.

The court will NOT SEND YOU ANY MORE NOTICES about this.

Notice of Lack of Service----status code 36

Remove the event code “Notice Lack of Service”

Create a sub-event “LOS” under the event code “Notice”

If the event code “**Notice**” with sub event code “**LOS**” is entered by Family Court Administration (DRA01, DRA02, DRA03, **DRA04**) please do the following.

- If a petition has not been selected----display pop-up box to alert user to error and do not allow entry to be made.
- Please display pop-up box to alert user of error if 60 days have not passed since the file date of selected petition. Do not allow entry to be made.

Each night

- Generate “Notice of Lack of Service” for each Notice of Lack of Service event entered since the last report was run. Print a file copy, plus one copy for each person selected on the events screen. Second page of notice should contain mailing address for the endorsements and allow for military and foreign addresses.
- Change status codes for each of the selected petitions to “36-Notice Lack of Service”
- Add tickle date to each inactive event (tickle date = event date + 60, should not be a weekend or holiday)
- Add docket event of “NLS-Notice of Lack of Service”
- Generate report listing all cases in which a notice has been generated.
- Generate error report, listing all cases in which notice could not be generated (Please note: if notice is not generated---do not change status of selected petition, add tickle date or docket event)

File Date
[Date notice
is generated]

**SUPERIOR COURT
OF ARIZONA
IN MARICOPA COUNTY**

Family Court Administration
201 W. Jefferson, 6th floor
Phoenix, AZ 85003
(602) 506-1561

[Date notice is printed]

[Case Number]

[Petitioner name]

Endorsements: []

VS

[Respondent name]

**NOTICE OF FAILURE TO SERVE AND
INTENT TO DISMISS YOUR ACTION**

NOTICE AND WARNING: The Court Information System indicates that you have not served the other party the court paper you filed on [file date of selected petition]. Your action could be dismissed without any further notice any time after **[file date of selected petition + 60 days, should not be a weekend or holiday]** if you do not take the steps listed below.

- A. **SERVE THE OTHER PARTY WITH THE COURT PAPERS AND FILE THE PROOF OF SERVICE.** You can obtain appropriate documents and instructions from the Self Service Centers at the address listed below or from the Self Service Center Website.

Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library
Mesa: 222 E. Javelina, 1st Floor, Mesa, AZ at the Law Library
Northwest: 14264 W. Tierra Buena Ln, Surprise AZ
Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>

If you have served the other party you must be sure that the proof of service has been filed with the Clerk of the Court at the Filing Counter immediately.

- B. **MOTION AND ORDER FOR CONTINUANCE:** You may file a motion to ask the judge for more time to complete the service of the court papers before the court automatically dismisses your case. The order granting the extension must be SIGNED by the judge BEFORE the dismissal date indicated above.

- C. **VOLUNTARY DISMISSAL OF YOUR CASE.** If you want to dismiss your case instead of waiting for the Court Order of Dismissal, forms and instructions are available at Family Court Administration.

Warning: The Court will dismiss your action without prejudice unless you do what this Notice tells you to do. "Dismiss" means there will be no court order granting or denying what you asked for in the court papers. "Without prejudice" means you can file the case again, but you might lose certain rights. If you do not understand, see a lawyer for help.

The court will NOT SEND YOU ANY MORE NOTICES about this.

Order of Dismissal, Lack of Service -----Status 69

Create new event code. (See Judge/Commissioner Dismissals---page 15)

If the event code “**Dismissed**” with sub event “**LOS**” is entered by Family Court Administration (DRA01, DRA02, DRA03, DRA04) please do the following.

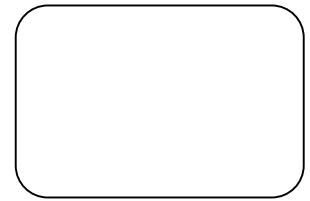
- If a petition has not been selected----display pop-up box to alert user to error and do not allow entry to be made.
- Please display pop-up box to alert user of error if 120 days have not passed since the file date of selected petition. Do not allow entry to be made.

Each night

- Generate “OLS-Order Dismissing Case for Lack of Service” for each “Dismissal—LOS” event entered since the last report was run. Print a file copy, plus one copy for each person selected on the event screen. Second page of order should contain mailing address for the endorsements and allow for military and foreign addresses.
- Change status codes for each of the selected petitions to “69-Dismissal Lack of Service”
- Add docket event of “OLS-Order Dismiss Lack of Service”
- Generate report listing all cases in which an order has been generated.
- Generate error report, listing all cases in which an order could not be generated

(Please note: if order is not generated---do not change status of selected petition or add docket event)

Office Distribution



SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: [case #]

«petname»

Endorsements: [selected parties]

VS

«resname»

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
FOR LACK OF SERVICE**

Pursuant to Arizona Rules of Civil Procedure 4(i), the action filed on [file date of selected petition] is dismissed without prejudice due to failure to serve within 120 days from the date of filing, after sending of Notice of Failure to Serve and Intent to Dismiss.

Done in Open Court: March 1, 2006

Judge/Commissioner/Special Commissioner

Order of Dismissal, Lack of Prosecution----Status code 63

Create new event code. . (See Judge/Commissioner Dismissals---page 15)

If the event code “Dismissed” with sub event “LOP” is entered by Family Court Administration (DRA01, DRA02, DRA03, DRA04) please do the following.

- If a petition has not been selected---display pop-up box to alert user to error and do not allow entry to be made.
- Please display pop-up box to alert user of error if 60 days have not passed since the most recent “Inactive” event entered by Family Court Administration (DRA01, DRA02, DRA03, DRA04) with the same petition selected. Do not allow entry to be made.

Each night

- Generate “OLPS-Order Dismissing Case for Lack of Prosecution” for each “Dismissal—LOP” event entered since the last report was run. Print a file copy, plus one copy for each person selected on the event screen. Second page of order should contain mailing address for the endorsements and allow for military and foreign addresses.
- Change status codes for each of the selected petitions to “63-Dismissal Lack of Prosecution”
- Add docket event of “OLP-Order Dismiss Lack of Prosecution”
- Generate report listing all cases in which an order has been generated.
- Generate error report, listing all cases in which an order could not be generated

(Please note: if order is not generated---do not change status of selected petition or add docket event)

Office Distribution



SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CASE NUMBER: [case #]

«petname»

Endorsements: [selected parties]

VS

«resname»

**ORDER DISMISSING ACTION WITHOUT PREJUDICE
AFTER PLACEMENT ON INACTIVE CALENDAR**

Pursuant to Arizona Rules of Civil Procedure 38.1(d) and Maricopa County Local Rule 6.8(g), the action filed on **[file date of selected petition]** is dismissed without prejudice for lack of prosecution after sending the Notice of Placement on the Inactive Calendar and Notice of Intent to Dismiss, and Placement on the Inactive Calendar for two months.

Done in Open Court: March 1, 2006

A handwritten signature consisting of stylized initials and a surname.

Judge/Commissioner/Special Commissioner

Motion to Set-----Status code 08

Replace the current sub-event code “Set” under the event code “Motion” to Set/Cert of Ready.

When a event code of “Motion” with a sub-event code of “Set/Cert of Ready’ is entered and a petition(s) is selected

And

The current status code of the selected petition(s) is 01 through 39 or 50 through 59.

Then

Change the status code of the selected petition(s) to 08-Motion to Set.

Please be sure to only change the status code of the selected petition(s) upon initial entry of the event code and not upon modifications.

If no petitions are selected---then no status codes should be changed. Display pop-up box as a warning to the user

Reinstatements

Create new event code “Reinstated”

If the event code “Reinstated” is entered by judicial officer. Generate daily report (or some other notification (possibly e-mail) to court administration listing case number, party name and selected petition(s).

If petition is not selected upon entry of the event, please display pop-up box as warning to user.

Changes to RMC status codes.

Please change automatic triggers for the 07-Resolution Management Conference Set to the petition level. When RMC conference is set, change only the status codes of the selected petition following guidelines in the previous request to CTS.

The triggers also need to be change for the 19-Resolution Management Conference Held status code. When the appropriate result and heard by has been entered under the RMC hearing, change the status of only the selected petitions to 19.



Petition Tracking Training for Pilot Project

Attachment #36

Superior Court of Arizona, Maricopa County
CTS Automation Training
Petition Tracking in iCIS Manual

Superior Court of Arizona, Maricopa County

Court Wide Automation Training

Presents:



Petition Tracking In iCIS

Acknowledgements

CTS Technical Team: Denise Gardner, Kathy Guy, Mary Horvath, Doug McKenzie, Debra Parker, Maria Santiago, Karen Szabo, Stephanie Valenzuela

Petition Tracking In Icis

Petition Tracking has been created to track and monitor petitions filed in a Family Court case. The tracking process begins when a petition is docketed by the Clerk of the Court. The docketed petition will automatically feed into the Petition Tracking Screen.

Create a docket entry

To create a docket entry, open a case, select Entry from the navigation bar, and then choose Docket.

FC COC Staff online (test)

[Entry](#) | [Inquiry](#) | [Administrative](#) | [Tasks](#)

MyICIS
Main Page
Answer Dates
Associations
Attorneys In Case
Bond Information
Case Information
Case Notes
Case Status History
Chronology
Docket
Pre-Docket
Fees
Hearings and Events
High Volume Fee
Judgments and Orders
Judicial Assignments
People In Case
Petition Tracking
Related Cases
Services
Subcategories
Title IV-D

: Corrie Ramirez - JO: Willett -
[Court With Children Case](#) File

Role / Rela
Corrie Petitioner
(Per)
7 S 80TH DR Phoenix, AZ 85043
2) 316-1832
3) 478-8144

Ilanueva Respondent

The Docket screen opens. Click the Add button at the bottom of the screen to docket a petition.

FC COC Admin online (test)

Go To Case#: FC2004002256 10

Entry | Inquiry | Administrative | Tasks

Docket FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Existing Dockets in Case

| | OnBase Image | Filing Date | ME Date | Docket Date | Type | Notes | Filed By | Associated Parties | |
|---|---|-------------|---------|-------------|--|--|-------------------------------------|---------------------------|------------------------|
| 1 | <input type="checkbox"/> Disable | N/A | | 9/28/2004 | PWC - Parent Worksheet/Child Support | Add Note | The Court | none | Delete |
| 2 | <input type="checkbox"/> Disable | N/A | | 9/30/2004 | OTH - Other Pending Document | Add Note | The Court | none | Delete |
| 3 | <input type="checkbox"/> Disable | 8/12/2004 | | 10/5/2004 | DFS - Default Decree | 1 Add Note | Estrada, Leticia Marie (Petitioner) | (1) Leticia Marie Estrada | Delete |
| | (Copy of Decree Mailed/Provided to parties on) | | | | | | | | |
| 4 | <input type="checkbox"/> Disable | 8/10/2004 | | 8/12/2004 | AFS - Affidavit Of Service | 1 Add Note | The Court | none | Delete |
| | (SERVED 03/09/04) | | | | | | | | |
| 5 | <input type="checkbox"/> Disable | 7/26/2004 | | 7/29/2004 | AAD - Application And Affidavit On Default | Add Note | Estrada, Leticia Marie (Petitioner) | (1) Leticia Marie Estrada | Delete |
| 6 | <input type="checkbox"/> Disable | 6/17/2004 | | 6/24/2004 | PEC - Parent Education Certificate | 1 Add Note | The Court | none | Delete |
| | (RESPONDENT ATTENDED) | | | | | | | | |
| 7 | <input type="checkbox"/> Disable | 5/20/2004 | | 5/25/2004 | AAD - Application And Affidavit On Default | Add Note | Estrada, Leticia Marie (Petitioner) | (1) Leticia Marie Estrada | Delete |
| 8 | <input type="checkbox"/> Disable | 5/13/2004 | | 5/18/2004 | REP - Report | 1 Add Note | Smock, Julia (Attorney) | none | Delete |

Add **Return** RED dockets indicate Pending Pre Dockets. High Volume Fee Docket Count: 14

The Add Docket Entry screen opens.

The screenshot shows the 'Add Docket Entry' screen for case number FC2004002256. The 'Entered By' field is populated with 'Szabo, Karen'. The 'Person Filing' dropdown is set to 'Colunga, Sidney Yon > Rep. By Pro Per'. The 'Document Title' dropdown is set to 'PMO - Petition For Modification'. The 'Associated With Name' section shows 'Estrada, Leticia Marie (Petitioner)' with a checked checkbox. Other names listed are 'Colunga, Sidney Yon (Respondent)' and 'Dept Of Economic Security (DES) (Intervenor)'. Buttons at the bottom include 'Add More', 'Save', 'Set Data', 'Bar Code', 'Return', and 'Clear'.

The Docket Date and Entered By fields are populated automatically.

Enter the Filing Date.

Select the Person Filing and the Document Title fields by clicking the dropdowns.

Select IV-D, if applicable.

Select the person or persons the Petition is associated with by clicking in the boxes in the People and Case section at the bottom of the screen. You can click on the blue check mark to select all the parties listed. Clicking on the red x will deselect any parties that have a checkmark in the box.

Click the Save button at the bottom. If you want to docket another petition, click the Add More button instead.

To view the docketed item that you created, choose Docket located under the Entry menu.

Go To Case#: FC2004002256 10 Go

 Help

Docket FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

| Existing Dockets in Case | | | | | | | | | |
|--------------------------|--------------|-------------|-----------|-------------|--|--------------------------|-------------------------------------|---------------------------|------------------------|
| | OnBase Image | Filing Date | ME Date | Docket Date | Type | Notes | Filed By | Associated Parties | |
| 1 | | N/A | | 9/28/2004 | PWC - Parent Worksheet/Child Support | Add Note | The Court | none | Delete |
| 2 | | N/A | | 9/30/2004 | OTH - Other Pending Document | Add Note | The Court | none | Delete |
| 3 | | None | 7/13/2005 | 7/13/2005 | PMO - Petition For Modification | Add Note | Colunga, Sidney Yon (Respondent) | (1) Sidney Yon Colunga | Delete |
| 4 | | 8/12/2004 | | 10/5/2004 | DFS - Default Decree <i>(Copy of Decree Mailed/Provided to parties on)</i> | | Estrada, Leticia Marie (Petitioner) | (1) Leticia Marie Estrada | Delete |
| 5 | | 8/10/2004 | | 8/12/2004 | AFS - Affidavit Of Service <i>(SERVED 03/09/04)</i> | | The Court | none | Delete |
| 6 | | 7/26/2004 | | 7/29/2004 | AAD - Application And Affidavit On Default | Add Note | Estrada, Leticia Marie (Petitioner) | (1) Leticia Marie Estrada | Delete |
| 7 | | 6/17/2004 | | 6/24/2004 | PEC - Parent Education Certificate <i>(RESPONDENT ATTENDED)</i> | | The Court | none | Delete |

Add a Hearing or an Event

One or more petitions may be associated with either a Hearing or an Event if they are going to be addressed during that hearing or event. To add a hearing or an event, click the Add Hearing or Add Event button at the bottom of the ‘Hearing and Events’ screen.

Add a Hearing

From the Hearings and Events screen, click the Add Hearing button.

Go To Case#: FC2004002256 10 Go

 Help

Hearings & Events FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Limit Results To

Hearings Events View All

| Existing Hearings & Events in Case | | | | | | |
|------------------------------------|---|------------------------------|----------------------|---|---------------|------------------------|
| | Type | Date & Time | Duration/Tickle Date | Judicial Officer | Result | Notes |
| 1 | Default Hearing <i>(Pet called to req hearing. Check-in on 3rd fl)</i> | 8/12/2004 at 08:30 AM 7 Mins | | Heard by: Eve Parks | Decree Signed | Delete |
| 2 | File Review- Downtown Non TIV-D <i>(Missing Resp PIP cert (joint)..Preliminary in)</i> | 6/1/2004 | 6/22/2004 | On Calendar: DRA01 (DR Court Admin Downtown Tickle, Calendar) | Denied | Delete |
| 3 | Notice- Appearance <i>(RECD STATE'S ENTRY OF APPEAR (KF))</i> | 5/19/2004 | | On Calendar: DRC06 (Colosi, Robert) | | Delete |

[Add Hearing](#) [Add Event](#) [DOD](#) [Return](#)

Total Time (Execute, Enumeration and Rendering): 37606.68 second(s)

The Add Hearing screen opens.

The screenshot shows the 'Add Hearing' screen in the Maricopa County Superior Court's iCIS system. The 'Hearing Information' section contains fields for Type, Sub Type, Date, Time, Duration, Calendar, Heard by, Result, Result Date, and Comment. The 'Scheduling' section has an 'Auto Calendaring' option set to 'On'. The 'People In Case' section lists parties involved in the hearing. The 'Select Associated Petitions' section lists two petitions: PMO - Petition For Modification (7/13/2005) and COM - Complaint (3/1/2004). Buttons at the bottom include 'Save', 'Add More', 'Mass Entry', and 'Return'.

In the Add Hearing screen, create the hearing. In the Select Associated Petitions area, check the box next to the petition which you wish to associate with the hearing. Multiple petitions may be selected.

Required fields:

- Type
- Date
- Time
- Duration
- Calendar

Click the drop-down arrow next to each field to make your choices.

Note: Sub Type will become a required field if the “Type” of Hearing you create has a subtype.

(The ‘Heard By’, ‘Result’ and ‘Result Date’ fields should be filled in after the hearing has taken place.)

Add a hearing note by typing in the Comment box. This box will accommodate a large amount of text. To view your entire comment, click the up and down arrows at the right end of the box.

Add an Event

Open the Add Event screen by clicking the Add Event button at the bottom of the Hearing and Events screen. In the Add Event screen, create the event and check the box next to the petition which you wish to associate to the event. Multiple petitions may be selected.

The screenshot shows the 'Add Event' screen in the FC Admin online (test) application. At the top, there is a 'Go To Case#' input field containing 'FC2004002256', a dropdown menu set to '10', and a 'Go' button. To the right is the iCIS logo. The main area is divided into sections:

- Event Information:** Fields include Calendar (dropdown), Event Type (dropdown), Sub Type (dropdown), Event Date (text input '7/13/2005'), Tickle Date (dropdown), Handled by (dropdown), Result (dropdown), Result Date (dropdown), and Comment (text area).
- People In Case:** A section titled 'Associated With Name' lists three individuals with checkboxes:
 - Estrada, Leticia Marie (Petitioner) - checked
 - Colunga, Sidney Yon (Respondent) - checked
 - Dept Of Economic Security (DES) (Intervenor) - checked
- Select Associated Petition(s):** A list of petitions with checkboxes:

| Petition Type | Date | Status |
|---------------------------------|-----------|--------|
| PMO - Petition For Modification | 7/13/2005 | P |
| COM - Complaint | 3/1/2004 | P |

At the bottom are four buttons: 'Save', 'Add More', 'Mass Entry', and 'Return'.

Required fields:

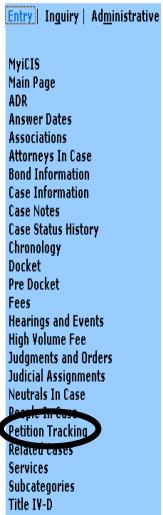
- Calendar
- Event Type
- Event Date

Click the drop-down arrow next to each field to make your choices.

Note: Sub Type will become a required field if the “Type” of Event you create has a subtype.

(The ‘Heard By’, ‘Result’ and ‘Result Date’ fields should be filled in after the event has taken place.)

Add an event note by typing in the Comment box. This box will accommodate a large amount of text. To view your entire comment, click the up and down arrows at the right end of the box.



To access the Petition Tracking screen, click the drop down list under Entry on the navigation bar.

Petition Tracking Screen

The Petition Tracking screen allows users to view the status of all petitions on the selected case. The functionality available on this screen depends on the security group of the user.

If the user is logged into iCIS with FC Admin access, then the following options are available:

- A. Additional Petitions (Document Types) can be added for tracking by clicking the dropdown by **Add Petition From Case**.
- B. Petition Status can be added/modified by clicking the **Add** link.
- C. A **Reason** associated with the Petition can be assigned by clicking the dropdown. Reasons that can be assigned to a Petition are:
 - Administrative
 - Consolidation
 - Original Complaint
 - Transferred
- D. A Petition can be removed from the Tracking list by clicking in the box under **Remove**. This will put a check mark in the box.

Click the Save button at the bottom of the screen to save your changes.

| OnBase Image | Subcategory | Document Type | File Date | Status | Status Date | Reason | AG Filed | Added By | Modified By | Remove? |
|--------------------------|---|---------------------------------|-----------|---------------------|-------------|----------------------|-------------------------------------|------------------|------------------|--------------------------|
| None | PMO - Petition For Modification | | 7/13/2005 | Add | 6/22/2005 | <input type="text"/> | <input checked="" type="checkbox"/> | Karen Szabo | Karen Szabo | <input type="checkbox"/> |
| <input type="checkbox"/> | 601 - With Children | COM - Complaint | 3/1/2004 | Add | 6/22/2005 | <input type="text"/> | <input type="checkbox"/> | Candice Williams | Candice Williams | <input type="checkbox"/> |

A. Adding Additional Petition Types

Not all Petition Types can be seen in the Select Associated Petitions section in the Add Hearing and Add Event screens.

FC Admin online (test)

Entry | Inquiry | Administrative | Tasks

Add Hearing FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Hearing Information

| | |
|--------------|--|
| Type: | <input type="text"/> |
| Sub Type: | <input type="text"/> |
| Date: | <input type="text"/> |
| Time: | <input type="text"/> : <input type="text"/> AM <input type="radio"/> <input type="radio"/> <input type="radio"/> |
| Duration: | <input type="text"/> days <input type="text"/> hrs <input type="text"/> mins |
| Calendar: | <input type="text"/> |
| Heard by: | <input type="text"/> |
| Result: | <input type="text"/> |
| Result Date: | <input type="text"/> |
| Comment: | <input type="text"/> |

Scheduling

Auto Calendaring: On Off

People In Case

OOP OOP At Name Plf. Def. Hearing

| |
|---|
| <input checked="" type="checkbox"/> Estrada, Leticia Marie (Petitioner) |
| <input checked="" type="checkbox"/> Colunga, Sidney Yon (Respondent) |

Select Associated Petitions

| | | |
|--|-----------|---|
| <input type="checkbox"/> PMO - Petition For Modification | 7/13/2005 | P |
| <input type="checkbox"/> COM - Complaint | 3/1/2004 | P |

Buttons: Save, Add More, Mass Entry, Return

FC Admin online (test)

Entry | Inquiry | Administrative | Tasks

Add Event FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Event Information

| | |
|--------------|--------------------------------|
| Calendar: | <input type="text"/> |
| Event Type: | <input type="text"/> |
| Sub Type: | <input type="text"/> |
| Event Date: | <input type="text"/> 7/13/2005 |
| Tickle Date: | <input type="text"/> |
| Handled by: | <input type="text"/> |
| Result: | <input type="text"/> |
| Result Date: | <input type="text"/> |
| Comment: | <input type="text"/> |

People In Case

Associated With Name

| |
|--|
| <input checked="" type="checkbox"/> Estrada, Leticia Marie (Petitioner) |
| <input checked="" type="checkbox"/> Colunga, Sidney Yon (Respondent) |
| <input checked="" type="checkbox"/> Dept Of Economic Security (DES) (Intervenor) |

Select Associated Petition(s)

| | | |
|--|-----------|---|
| <input type="checkbox"/> PMO - Petition For Modification | 7/13/2005 | P |
| <input type="checkbox"/> COM - Complaint | 3/1/2004 | P |

Buttons: Save, Add More, Mass Entry, Return

To add additional petition types so that they can be viewed and connected with hearings or events:

1. Click the dropdown in the Add Petition From Case field.
2. Use the scroll bar to locate the petition you wish to track.
3. Click the Save button at the bottom of the screen after you have made your selection.

When you go back to either the Add Hearing or Add Event screens, the petition that should be associated with the hearing or event will now be visible.

FC Admin online (test)

Go To Case#: FC2004002256 10 Go Help

Petition Tracking FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

| Additional Petition Types | | | | | |
|---|--|--------|-------------------------------------|-------------|--------------------------|
| Add Petition From Case | | | | | |
| Existing Petitions OnBase Image Subcate | | | | | |
| None | 8/12/2004 DFS - Default Decree | Reason | AG Filed | Added By | Modified By |
| | 8/10/2004 AFS - Affidavit Of Service | | <input checked="" type="checkbox"/> | Karen Szabo | <input type="checkbox"/> |
| | 7/26/2004 AAD - Application And Affidavi | | | | |
| | 6/17/2004 PEC - Parent Education Certifi | | | | |
| | 5/20/2004 AAD - Application And Affidavi | | | | |
| | 5/13/2004 REP - Report | | | | |
| | 4/14/2004 PEC - Parent Education Certifi | | | | |
| | 3/18/2004 AFS - Affidavit Of Service | | | | |
| | 3/3/2004 ODF - Order Deferring Court Fe | | | | |
| | 3/3/2004 ADW - Application for Deferral | | | | |

Return Save

B. Add/Modify Petition Status

To add/modify a Petition Status, click on the link in the Status column that corresponds to the Petition you wish to update.

FC Admin online (test)

Go To Case#: FC2004002256 10 Go Help

Petition Tracking FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

| Additional Petition Types | | | | | | | | | |
|---|---------------------------------|-----------|-----|-----------|--|-------------------------------------|------------------|------------------|--------------------------|
| Add Petition From Case | | | | | | | | | |
| Existing Petitions OnBase Image Subcategory Document Type File Date Status Status Date Reason AG Filed Added By Modified By Remove? | | | | | | | | | |
| None | PMO - Petition For Modification | 7/13/2005 | Add | 6/22/2005 | | <input checked="" type="checkbox"/> | Karen Szabo | Karen Szabo | <input type="checkbox"/> |
| | COM - Complaint | 3/1/2004 | Add | 6/22/2005 | | <input type="checkbox"/> | Candice Williams | Candice Williams | <input type="checkbox"/> |

The **Petition History** screen opens, which contains the status history for the selected petition.

FC Admin online (test)

Go To Case#: FC2004002256 | 10 | Go | Help | iCIS

Petition History FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

New Petition Event

| Petition Status | Start Date | End Date |
|-----------------|------------|----------|
| ▼ | 7/13/2005 | |

Existing Petition Events

| Petition Status | Start Date | End Date | Error? | Added/Modified By | Days from Prior | Days from Filing | Delete? |
|-----------------|------------|----------|--------|-------------------|-----------------|------------------|---------|
| | | | | | | | |

Save **Return**

Select the Petition Status by clicking the drop down arrow and choosing a status.

The available choices for status that can be assigned to a petition are the same as those that are available for a case. After you have made your selection, click the Save button at the bottom of your screen.

FC Admin online (test)

Go To Case#: FC2004002256 | 10 | Go | Help | iCIS

Petition History FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

New Petition Event

| Petition Status | Start Date | End Date |
|-----------------|------------|----------|
| ▼ | 7/13/2005 | |

Existing Petition Events

| Petition Status | Start Date | End Date | Error? | Added/Modified By | Days from Prior | Days from Filing | Delete? |
|-----------------|------------|----------|--------|-------------------|-----------------|------------------|---------|
| | | | | | | | |

Save **Return**

Detailed description: This screenshot shows the 'New Petition Event' section of the Petition History screen. A red arrow points to the dropdown menu under 'Petition Status'. The dropdown menu lists various petition statuses, with '00 - No Status Selected' currently highlighted. Other options include '01 - New Case', '02 - Response Answer', '03 - Affidavit Of Application For Default', '04 - Transfer In', '05 - Mandate', '07 - Early Resolution Conference Set', '07 - Resolution Management Conference Set', '08 - Motion to Set Filed', and '09 - Controverting Certificate Filed'.

For all other users beside FC Admin the Petition Tracking screen is View Only.

FC Admin Staff online (test)

Go To Case#: 10



[Entry](#) | [Inquiry](#) | [Administrative](#) | [Tasks](#) [Help](#)

Petition Tracking FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Existing Petitions

| OnBase Image | Subcategory | Document Type | File Date | Status | Status Date | Reason | AG Filed | Added By | Modified By | Remove? |
|---|---------------------|---|-----------|--------|-------------|--------|-------------------------------------|------------------|------------------|--------------------------|
| None | | PMO - Petition For Modification | 7/13/2005 | | 6/22/2005 | | <input checked="" type="checkbox"/> | Karen Szabo | Karen Szabo | <input type="checkbox"/> |
|  | 601 - With Children | COM - Complaint | 3/1/2004 | | 6/22/2005 | | <input type="checkbox"/> | Candice Williams | Candice Williams | <input type="checkbox"/> |

To display the event or hearing a petition is associated with, click on the link for the petition under the Document Type column.

FC COC Admin online (test)

Go To Case#: 10



[Entry](#) | [Inquiry](#) | [Administrative](#) | [Tasks](#) [Help](#)

Petition Tracking FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Existing Petitions

| OnBase Image | Subcategory | Document Type | File Date | Status | Status Date | Reason | AG Filed | Added By | Modified By | Remove? |
|---|---------------------|---|-----------|--------|-------------|--------|-------------------------------------|------------------|------------------|--------------------------|
| None | | PMO - Petition For Modification | 7/13/2005 | | 6/22/2005 | | <input checked="" type="checkbox"/> | Karen Szabo | Karen Szabo | <input type="checkbox"/> |
|  | 601 - With Children | COM - Complaint | 3/1/2004 | | 6/22/2005 | | <input type="checkbox"/> | Candice Williams | Candice Williams | <input type="checkbox"/> |

A callout box points from the "Document Type" link in the second row to the following text:

Click on a link to display the hearings/events that a particular petition is associated with.

HEARING AND EVENTS SCREEN

The Hearing and Events screen will be displayed with the Hearings or Events that the petition is associated with.

FC Admin online (test)

Go To Case#: 10



[Entry](#) | [Inquiry](#) | [Administrative](#) | [Tasks](#)

Hearings & Events FC2004002256 - Petn: Leticia Estrada - JO: Garcia - Subcat: With Children - TIVD: Yes - Status: 64 - Default Signed

Limit Results To
 Hearings Events View All

| Existing Hearings & Events in Case | | | | | Result | Notes |
|------------------------------------|-----------------------|----------------------|---|--|--------------------------|------------------------|
| Type | Date & Time | Duration/Tickle Date | Judicial Officer | | | |
| 1 Default Hearing | 7/13/2005 at 10:00 AM | 15 Mins | Scheduled before: Jeanne Garcia (DRJ02) | | Add Note | Delete |

Total Time (Execute, Enumeration and Rendering): 48934.2 second(s)

[Add Hearing](#) [Add Event](#) [DOD](#) [Return](#)

NOTE -If a petition has not yet been associated with a hearing or an event, then this screen will be blank.



Pre Decree Case Assignment Algorithm

Attachment #37

Family Court New Case Assignment Algorithm -
Downtown Only, effective 11/1/05
(DRJ03 = 75%, DRJ25 and DRJ26 = 90%)

1

| <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> |
|-----------------|---------------|-----------------|---------------|-----------------|---------------|-----------------|---------------|
| DRJ02 | 0 | DRJ03 | 51 | DRJ03 | 102 | DRJ04 | 153 |
| DRJ04 | 1 | DRJ02 | 52 | DRJ02 | 103 | DRJ06 | 154 |
| DRJ06 | 2 | DRJ04 | 53 | DRJ04 | 104 | DRJ07 | 155 |
| DRJ07 | 3 | DRJ06 | 54 | DRJ06 | 105 | DRJ09 | 156 |
| DRJ09 | 4 | DRJ07 | 55 | DRJ07 | 106 | DRJ10 | 157 |
| DRJ10 | 5 | DRJ09 | 56 | DRJ09 | 107 | DRJ15 | 158 |
| DRJ15 | 6 | DRJ10 | 57 | DRJ10 | 108 | DRJ16 | 159 |
| DRJ16 | 7 | DRJ15 | 58 | DRJ15 | 109 | DRJ18 | 160 |
| DRJ18 | 8 | DRJ16 | 59 | DRJ16 | 110 | DRJ23 | 161 |
| DRJ23 | 9 | DRJ18 | 60 | DRJ18 | 111 | DRJ25 | 162 |
| DRJ25 | 10 | DRJ23 | 61 | DRJ23 | 112 | DRJ26 | 163 |
| DRJ26 | 11 | DRJ25 | 62 | DRJ25 | 113 | DRJ02 | 164 |
| DRJ03 | 12 | DRJ26 | 63 | DRJ26 | 114 | DRJ04 | 165 |
| DRJ02 | 13 | DRJ02 | 64 | DRJ02 | 115 | DRJ06 | 166 |
| DRJ04 | 14 | DRJ04 | 65 | DRJ04 | 116 | DRJ07 | 167 |
| DRJ06 | 15 | DRJ06 | 66 | DRJ06 | 117 | DRJ09 | 168 |
| DRJ07 | 16 | DRJ07 | 67 | DRJ07 | 118 | DRJ10 | 169 |
| DRJ09 | 17 | DRJ09 | 68 | DRJ09 | 119 | DRJ15 | 170 |
| DRJ10 | 18 | DRJ10 | 69 | DRJ10 | 120 | DRJ16 | 171 |
| DRJ15 | 19 | DRJ15 | 70 | DRJ15 | 121 | DRJ18 | 172 |
| DRJ16 | 20 | DRJ16 | 71 | DRJ16 | 122 | DRJ23 | 173 |
| DRJ18 | 21 | DRJ18 | 72 | DRJ18 | 123 | DRJ25 | 174 |
| DRJ23 | 22 | DRJ23 | 73 | DRJ23 | 124 | DRJ26 | 175 |
| DRJ25 | 23 | DRJ25 | 74 | DRJ03 | 125 | DRJ03 | 176 |
| DRJ26 | 24 | DRJ26 | 75 | DRJ02 | 126 | DRJ02 | 177 |
| DRJ03 | 25 | DRJ03 | 76 | DRJ04 | 127 | DRJ04 | 178 |
| DRJ02 | 26 | DRJ02 | 77 | DRJ06 | 128 | DRJ06 | 179 |
| DRJ04 | 27 | DRJ04 | 78 | DRJ07 | 129 | DRJ07 | 180 |
| DRJ06 | 28 | DRJ06 | 79 | DRJ09 | 130 | DRJ09 | 181 |
| DRJ07 | 29 | DRJ07 | 80 | DRJ10 | 131 | DRJ10 | 182 |
| DRJ09 | 30 | DRJ09 | 81 | DRJ15 | 132 | DRJ15 | 183 |
| DRJ10 | 31 | DRJ10 | 82 | DRJ16 | 133 | DRJ16 | 184 |
| DRJ15 | 32 | DRJ15 | 83 | DRJ18 | 134 | DRJ18 | 185 |
| DRJ16 | 33 | DRJ16 | 84 | DRJ23 | 135 | DRJ23 | 186 |
| DRJ18 | 34 | DRJ18 | 85 | DRJ25 | 136 | DRJ25 | 187 |
| DRJ23 | 35 | DRJ23 | 86 | DRJ26 | 137 | DRJ26 | 188 |
| DRJ25 | 36 | DRJ25 | 87 | DRJ03 | 138 | DRJ03 | 189 |
| DRJ26 | 37 | DRJ26 | 88 | DRJ02 | 139 | DRJ02 | 190 |
| DRJ03 | 38 | DRJ03 | 89 | DRJ04 | 140 | DRJ04 | 191 |
| DRJ02 | 39 | DRJ02 | 90 | DRJ06 | 141 | DRJ06 | 192 |
| DRJ04 | 40 | DRJ04 | 91 | DRJ07 | 142 | DRJ07 | 193 |
| DRJ06 | 41 | DRJ06 | 92 | DRJ09 | 143 | DRJ09 | 194 |
| DRJ07 | 42 | DRJ07 | 93 | DRJ10 | 144 | DRJ10 | 195 |
| DRJ09 | 43 | DRJ09 | 94 | DRJ15 | 145 | DRJ15 | 196 |
| DRJ10 | 44 | DRJ10 | 95 | DRJ16 | 146 | DRJ16 | 197 |
| DRJ15 | 45 | DRJ15 | 96 | DRJ18 | 147 | DRJ18 | 198 |
| DRJ16 | 46 | DRJ16 | 97 | DRJ23 | 148 | DRJ23 | 199 |
| DRJ18 | 47 | DRJ18 | 98 | DRJ25 | 149 | DRJ25 | 200 |
| DRJ23 | 48 | DRJ23 | 99 | DRJ26 | 150 | DRJ26 | 201 |
| DRJ25 | 49 | DRJ25 | 100 | DRJ03 | 151 | DRJ03 | 202 |
| DRJ26 | 50 | DRJ26 | 101 | DRJ02 | 152 | DRJ02 | 203 |

Family Court New Case Assignment Algorithm -
Downtown Only, effective 11/1/05
(DRJ03 = 75%, DRJ25 and DRJ26 = 90%)

2

| <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> |
|-----------------|---------------|-----------------|---------------|-----------------|---------------|-----------------|---------------|
| DRJ04 | 204 | DRJ04 | 255 | DRJ07 | 306 | DRJ07 | 357 |
| DRJ06 | 205 | DRJ06 | 256 | DRJ09 | 307 | DRJ09 | 358 |
| DRJ07 | 206 | DRJ07 | 257 | DRJ10 | 308 | DRJ10 | 359 |
| DRJ09 | 207 | DRJ09 | 258 | DRJ15 | 309 | DRJ15 | 360 |
| DRJ10 | 208 | DRJ10 | 259 | DRJ16 | 310 | DRJ16 | 361 |
| DRJ15 | 209 | DRJ15 | 260 | DRJ18 | 311 | DRJ18 | 362 |
| DRJ16 | 210 | DRJ16 | 261 | DRJ23 | 312 | DRJ23 | 363 |
| DRJ18 | 211 | DRJ18 | 262 | DRJ25 | 313 | DRJ25 | 364 |
| DRJ23 | 212 | DRJ23 | 263 | DRJ26 | 314 | DRJ26 | 365 |
| DRJ25 | 213 | DRJ02 | 264 | DRJ02 | 315 | DRJ02 | 366 |
| DRJ26 | 214 | DRJ04 | 265 | DRJ04 | 316 | DRJ04 | 367 |
| DRJ02 | 215 | DRJ06 | 266 | DRJ06 | 317 | DRJ06 | 368 |
| DRJ04 | 216 | DRJ07 | 267 | DRJ07 | 318 | DRJ07 | 369 |
| DRJ06 | 217 | DRJ09 | 268 | DRJ09 | 319 | DRJ09 | 370 |
| DRJ07 | 218 | DRJ10 | 269 | DRJ10 | 320 | DRJ10 | 371 |
| DRJ09 | 219 | DRJ15 | 270 | DRJ15 | 321 | DRJ15 | 372 |
| DRJ10 | 220 | DRJ16 | 271 | DRJ16 | 322 | DRJ16 | 373 |
| DRJ15 | 221 | DRJ18 | 272 | DRJ18 | 323 | DRJ18 | 374 |
| DRJ16 | 222 | DRJ23 | 273 | DRJ23 | 324 | DRJ23 | 375 |
| DRJ18 | 223 | DRJ25 | 274 | DRJ25 | 325 | DRJ03 | 376 |
| DRJ23 | 224 | DRJ26 | 275 | DRJ26 | 326 | DRJ02 | 377 |
| DRJ25 | 225 | DRJ03 | 276 | DRJ03 | 327 | DRJ04 | 378 |
| DRJ26 | 226 | DRJ02 | 277 | DRJ02 | 328 | DRJ06 | 379 |
| DRJ03 | 227 | DRJ04 | 278 | DRJ04 | 329 | DRJ07 | 380 |
| DRJ02 | 228 | DRJ06 | 279 | DRJ06 | 330 | DRJ09 | 381 |
| DRJ04 | 229 | DRJ07 | 280 | DRJ07 | 331 | DRJ10 | 382 |
| DRJ06 | 230 | DRJ09 | 281 | DRJ09 | 332 | DRJ15 | 383 |
| DRJ07 | 231 | DRJ10 | 282 | DRJ10 | 333 | DRJ16 | 384 |
| DRJ09 | 232 | DRJ15 | 283 | DRJ15 | 334 | DRJ18 | 385 |
| DRJ10 | 233 | DRJ16 | 284 | DRJ16 | 335 | DRJ23 | 386 |
| DRJ15 | 234 | DRJ18 | 285 | DRJ18 | 336 | DRJ25 | 387 |
| DRJ16 | 235 | DRJ23 | 286 | DRJ23 | 337 | DRJ26 | 388 |
| DRJ18 | 236 | DRJ25 | 287 | DRJ25 | 338 | DRJ03 | 389 |
| DRJ23 | 237 | DRJ26 | 288 | DRJ26 | 339 | DRJ02 | 390 |
| DRJ25 | 238 | DRJ03 | 289 | DRJ03 | 340 | DRJ04 | 391 |
| DRJ26 | 239 | DRJ02 | 290 | DRJ02 | 341 | DRJ06 | 392 |
| DRJ03 | 240 | DRJ04 | 291 | DRJ04 | 342 | DRJ07 | 393 |
| DRJ02 | 241 | DRJ06 | 292 | DRJ06 | 343 | DRJ09 | 394 |
| DRJ04 | 242 | DRJ07 | 293 | DRJ07 | 344 | DRJ10 | 395 |
| DRJ06 | 243 | DRJ09 | 294 | DRJ09 | 345 | DRJ15 | 396 |
| DRJ07 | 244 | DRJ10 | 295 | DRJ10 | 346 | DRJ16 | 397 |
| DRJ09 | 245 | DRJ15 | 296 | DRJ15 | 347 | DRJ18 | 398 |
| DRJ10 | 246 | DRJ16 | 297 | DRJ16 | 348 | DRJ23 | 399 |
| DRJ15 | 247 | DRJ18 | 298 | DRJ18 | 349 | DRJ25 | 400 |
| DRJ16 | 248 | DRJ23 | 299 | DRJ23 | 350 | DRJ26 | 401 |
| DRJ18 | 249 | DRJ25 | 300 | DRJ25 | 351 | DRJ03 | 402 |
| DRJ23 | 250 | DRJ26 | 301 | DRJ26 | 352 | DRJ02 | 403 |
| DRJ25 | 251 | DRJ03 | 302 | DRJ03 | 353 | DRJ04 | 404 |
| DRJ26 | 252 | DRJ02 | 303 | DRJ02 | 354 | DRJ06 | 405 |
| DRJ03 | 253 | DRJ04 | 304 | DRJ04 | 355 | DRJ07 | 406 |
| DRJ02 | 254 | DRJ06 | 305 | DRJ06 | 356 | DRJ09 | 407 |

Family Court New Case Assignment Algorithm -
Downtown Only, effective 11/1/05
(DRJ03 = 75%, DRJ25 and DRJ26 = 90%)

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| <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> |
|-----------------|---------------|-----------------|---------------|-----------------|---------------|-----------------|---------------|
| DRJ10 | 408 | DRJ10 | 459 | DRJ10 | 510 | DRJ16 | 561 |
| DRJ15 | 409 | DRJ15 | 460 | DRJ15 | 511 | DRJ18 | 562 |
| DRJ16 | 410 | DRJ16 | 461 | DRJ16 | 512 | DRJ23 | 563 |
| DRJ18 | 411 | DRJ18 | 462 | DRJ18 | 513 | DRJ25 | 564 |
| DRJ23 | 412 | DRJ23 | 463 | DRJ23 | 514 | DRJ26 | 565 |
| DRJ25 | 413 | DRJ25 | 464 | DRJ02 | 515 | DRJ02 | 566 |
| DRJ26 | 414 | DRJ26 | 465 | DRJ04 | 516 | DRJ04 | 567 |
| DRJ02 | 415 | DRJ02 | 466 | DRJ06 | 517 | DRJ06 | 568 |
| DRJ04 | 416 | DRJ04 | 467 | DRJ07 | 518 | DRJ07 | 569 |
| DRJ06 | 417 | DRJ06 | 468 | DRJ09 | 519 | DRJ09 | 570 |
| DRJ07 | 418 | DRJ07 | 469 | DRJ10 | 520 | DRJ10 | 571 |
| DRJ09 | 419 | DRJ09 | 470 | DRJ15 | 521 | DRJ15 | 572 |
| DRJ10 | 420 | DRJ10 | 471 | DRJ16 | 522 | DRJ16 | 573 |
| DRJ15 | 421 | DRJ15 | 472 | DRJ18 | 523 | DRJ18 | 574 |
| DRJ16 | 422 | DRJ16 | 473 | DRJ23 | 524 | DRJ23 | 575 |
| DRJ18 | 423 | DRJ18 | 474 | DRJ25 | 525 | DRJ25 | 576 |
| DRJ23 | 424 | DRJ23 | 475 | DRJ26 | 526 | DRJ26 | 577 |
| DRJ25 | 425 | DRJ25 | 476 | DRJ03 | 527 | DRJ03 | 578 |
| DRJ26 | 426 | DRJ26 | 477 | DRJ02 | 528 | DRJ02 | 579 |
| DRJ03 | 427 | DRJ03 | 478 | DRJ04 | 529 | DRJ04 | 580 |
| DRJ02 | 428 | DRJ02 | 479 | DRJ06 | 530 | DRJ06 | 581 |
| DRJ04 | 429 | DRJ04 | 480 | DRJ07 | 531 | DRJ07 | 582 |
| DRJ06 | 430 | DRJ06 | 481 | DRJ09 | 532 | DRJ09 | 583 |
| DRJ07 | 431 | DRJ07 | 482 | DRJ10 | 533 | DRJ10 | 584 |
| DRJ09 | 432 | DRJ09 | 483 | DRJ15 | 534 | DRJ15 | 585 |
| DRJ10 | 433 | DRJ10 | 484 | DRJ16 | 535 | DRJ16 | 586 |
| DRJ15 | 434 | DRJ15 | 485 | DRJ18 | 536 | DRJ18 | 587 |
| DRJ16 | 435 | DRJ16 | 486 | DRJ23 | 537 | DRJ23 | 588 |
| DRJ18 | 436 | DRJ18 | 487 | DRJ25 | 538 | DRJ25 | 589 |
| DRJ23 | 437 | DRJ23 | 488 | DRJ26 | 539 | DRJ26 | 590 |
| DRJ25 | 438 | DRJ25 | 489 | DRJ03 | 540 | DRJ03 | 591 |
| DRJ26 | 439 | DRJ26 | 490 | DRJ02 | 541 | DRJ02 | 592 |
| DRJ03 | 440 | DRJ03 | 491 | DRJ04 | 542 | DRJ04 | 593 |
| DRJ02 | 441 | DRJ02 | 492 | DRJ06 | 543 | DRJ06 | 594 |
| DRJ04 | 442 | DRJ04 | 493 | DRJ07 | 544 | DRJ07 | 595 |
| DRJ06 | 443 | DRJ06 | 494 | DRJ09 | 545 | DRJ09 | 596 |
| DRJ07 | 444 | DRJ07 | 495 | DRJ10 | 546 | DRJ10 | 597 |
| DRJ09 | 445 | DRJ09 | 496 | DRJ15 | 547 | DRJ15 | 598 |
| DRJ10 | 446 | DRJ10 | 497 | DRJ16 | 548 | DRJ16 | 599 |
| DRJ15 | 447 | DRJ15 | 498 | DRJ18 | 549 | DRJ18 | 600 |
| DRJ16 | 448 | DRJ16 | 499 | DRJ23 | 550 | DRJ23 | 601 |
| DRJ18 | 449 | DRJ18 | 500 | DRJ25 | 551 | DRJ25 | 602 |
| DRJ23 | 450 | DRJ23 | 501 | DRJ26 | 552 | DRJ26 | 603 |
| DRJ25 | 451 | DRJ25 | 502 | DRJ03 | 553 | DRJ03 | 604 |
| DRJ26 | 452 | DRJ26 | 503 | DRJ02 | 554 | DRJ02 | 605 |
| DRJ03 | 453 | DRJ03 | 504 | DRJ04 | 555 | DRJ04 | 606 |
| DRJ02 | 454 | DRJ02 | 505 | DRJ06 | 556 | DRJ06 | 607 |
| DRJ04 | 455 | DRJ04 | 506 | DRJ07 | 557 | DRJ07 | 608 |
| DRJ06 | 456 | DRJ06 | 507 | DRJ09 | 558 | DRJ09 | 609 |
| DRJ07 | 457 | DRJ07 | 508 | DRJ10 | 559 | DRJ10 | 610 |
| DRJ09 | 458 | DRJ09 | 509 | DRJ15 | 560 | DRJ15 | 611 |

Family Court New Case Assignment Algorithm -
Downtown Only, effective 11/1/05
(DRJ03 = 75%, DRJ25 and DRJ26 = 90%)

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| <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> |
|-----------------|---------------|-----------------|---------------|-----------------|---------------|-----------------|---------------|
| DRJ16 | 612 | DRJ23 | 663 | DRJ23 | 714 | DRJ23 | 765 |
| DRJ18 | 613 | DRJ25 | 664 | DRJ25 | 715 | DRJ02 | 766 |
| DRJ23 | 614 | DRJ26 | 665 | DRJ26 | 716 | DRJ04 | 767 |
| DRJ25 | 615 | DRJ02 | 666 | DRJ02 | 717 | DRJ06 | 768 |
| DRJ26 | 616 | DRJ04 | 667 | DRJ04 | 718 | DRJ07 | 769 |
| DRJ02 | 617 | DRJ06 | 668 | DRJ06 | 719 | DRJ09 | 770 |
| DRJ04 | 618 | DRJ07 | 669 | DRJ07 | 720 | DRJ10 | 771 |
| DRJ06 | 619 | DRJ09 | 670 | DRJ09 | 721 | DRJ15 | 772 |
| DRJ07 | 620 | DRJ10 | 671 | DRJ10 | 722 | DRJ16 | 773 |
| DRJ09 | 621 | DRJ15 | 672 | DRJ15 | 723 | DRJ18 | 774 |
| DRJ10 | 622 | DRJ16 | 673 | DRJ16 | 724 | DRJ23 | 775 |
| DRJ15 | 623 | DRJ18 | 674 | DRJ18 | 725 | DRJ25 | 776 |
| DRJ16 | 624 | DRJ23 | 675 | DRJ23 | 726 | DRJ26 | 777 |
| DRJ18 | 625 | DRJ25 | 676 | DRJ25 | 727 | DRJ03 | 778 |
| DRJ23 | 626 | DRJ26 | 677 | DRJ26 | 728 | DRJ02 | 779 |
| DRJ03 | 627 | DRJ03 | 678 | DRJ03 | 729 | DRJ04 | 780 |
| DRJ02 | 628 | DRJ02 | 679 | DRJ02 | 730 | DRJ06 | 781 |
| DRJ04 | 629 | DRJ04 | 680 | DRJ04 | 731 | DRJ07 | 782 |
| DRJ06 | 630 | DRJ06 | 681 | DRJ06 | 732 | DRJ09 | 783 |
| DRJ07 | 631 | DRJ07 | 682 | DRJ07 | 733 | DRJ10 | 784 |
| DRJ09 | 632 | DRJ09 | 683 | DRJ09 | 734 | DRJ15 | 785 |
| DRJ10 | 633 | DRJ10 | 684 | DRJ10 | 735 | DRJ16 | 786 |
| DRJ15 | 634 | DRJ15 | 685 | DRJ15 | 736 | DRJ18 | 787 |
| DRJ16 | 635 | DRJ16 | 686 | DRJ16 | 737 | DRJ23 | 788 |
| DRJ18 | 636 | DRJ18 | 687 | DRJ18 | 738 | DRJ25 | 789 |
| DRJ23 | 637 | DRJ23 | 688 | DRJ23 | 739 | DRJ26 | 790 |
| DRJ25 | 638 | DRJ25 | 689 | DRJ25 | 740 | DRJ03 | 791 |
| DRJ26 | 639 | DRJ26 | 690 | DRJ26 | 741 | DRJ02 | 792 |
| DRJ03 | 640 | DRJ03 | 691 | DRJ03 | 742 | DRJ04 | 793 |
| DRJ02 | 641 | DRJ02 | 692 | DRJ02 | 743 | DRJ06 | 794 |
| DRJ04 | 642 | DRJ04 | 693 | DRJ04 | 744 | DRJ07 | 795 |
| DRJ06 | 643 | DRJ06 | 694 | DRJ06 | 745 | DRJ09 | 796 |
| DRJ07 | 644 | DRJ07 | 695 | DRJ07 | 746 | DRJ10 | 797 |
| DRJ09 | 645 | DRJ09 | 696 | DRJ09 | 747 | DRJ15 | 798 |
| DRJ10 | 646 | DRJ10 | 697 | DRJ10 | 748 | DRJ16 | 799 |
| DRJ15 | 647 | DRJ15 | 698 | DRJ15 | 749 | DRJ18 | 800 |
| DRJ16 | 648 | DRJ16 | 699 | DRJ16 | 750 | DRJ23 | 801 |
| DRJ18 | 649 | DRJ18 | 700 | DRJ18 | 751 | DRJ25 | 802 |
| DRJ23 | 650 | DRJ23 | 701 | DRJ23 | 752 | DRJ26 | 803 |
| DRJ25 | 651 | DRJ25 | 702 | DRJ25 | 753 | DRJ03 | 804 |
| DRJ26 | 652 | DRJ26 | 703 | DRJ26 | 754 | DRJ02 | 805 |
| DRJ03 | 653 | DRJ03 | 704 | DRJ03 | 755 | DRJ04 | 806 |
| DRJ02 | 654 | DRJ02 | 705 | DRJ02 | 756 | DRJ06 | 807 |
| DRJ04 | 655 | DRJ04 | 706 | DRJ04 | 757 | DRJ07 | 808 |
| DRJ06 | 656 | DRJ06 | 707 | DRJ06 | 758 | DRJ09 | 809 |
| DRJ07 | 657 | DRJ07 | 708 | DRJ07 | 759 | DRJ10 | 810 |
| DRJ09 | 658 | DRJ09 | 709 | DRJ09 | 760 | DRJ15 | 811 |
| DRJ10 | 659 | DRJ10 | 710 | DRJ10 | 761 | DRJ16 | 812 |
| DRJ15 | 660 | DRJ15 | 711 | DRJ15 | 762 | DRJ18 | 813 |
| DRJ16 | 661 | DRJ16 | 712 | DRJ16 | 763 | DRJ23 | 814 |
| DRJ18 | 662 | DRJ18 | 713 | DRJ18 | 764 | DRJ25 | 815 |

Family Court New Case Assignment Algorithm -
Downtown Only, effective 11/1/05
(DRJ03 = 75%, DRJ25 and DRJ26 = 90%)

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| <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> | <u>Calendar</u> | <u>Number</u> |
|-----------------|---------------|-----------------|---------------|-----------------|---------------|-----------------|---------------|
| DRJ26 | 816 | DRJ26 | 867 | DRJ04 | 918 | DRJ04 | 969 |
| DRJ02 | 817 | DRJ02 | 868 | DRJ06 | 919 | DRJ06 | 970 |
| DRJ04 | 818 | DRJ04 | 869 | DRJ07 | 920 | DRJ07 | 971 |
| DRJ06 | 819 | DRJ06 | 870 | DRJ09 | 921 | DRJ09 | 972 |
| DRJ07 | 820 | DRJ07 | 871 | DRJ10 | 922 | DRJ10 | 973 |
| DRJ09 | 821 | DRJ09 | 872 | DRJ15 | 923 | DRJ15 | 974 |
| DRJ10 | 822 | DRJ10 | 873 | DRJ16 | 924 | DRJ16 | 975 |
| DRJ15 | 823 | DRJ15 | 874 | DRJ18 | 925 | DRJ18 | 976 |
| DRJ16 | 824 | DRJ16 | 875 | DRJ23 | 926 | DRJ23 | 977 |
| DRJ18 | 825 | DRJ18 | 876 | DRJ25 | 927 | DRJ25 | 978 |
| DRJ23 | 826 | DRJ23 | 877 | DRJ26 | 928 | DRJ26 | 979 |
| DRJ25 | 827 | DRJ03 | 878 | DRJ03 | 929 | DRJ03 | 980 |
| DRJ26 | 828 | DRJ02 | 879 | DRJ02 | 930 | DRJ02 | 981 |
| DRJ03 | 829 | DRJ04 | 880 | DRJ04 | 931 | DRJ04 | 982 |
| DRJ02 | 830 | DRJ06 | 881 | DRJ06 | 932 | DRJ06 | 983 |
| DRJ04 | 831 | DRJ07 | 882 | DRJ07 | 933 | DRJ07 | 984 |
| DRJ06 | 832 | DRJ09 | 883 | DRJ09 | 934 | DRJ09 | 985 |
| DRJ07 | 833 | DRJ10 | 884 | DRJ10 | 935 | DRJ10 | 986 |
| DRJ09 | 834 | DRJ15 | 885 | DRJ15 | 936 | DRJ15 | 987 |
| DRJ10 | 835 | DRJ16 | 886 | DRJ16 | 937 | DRJ16 | 988 |
| DRJ15 | 836 | DRJ18 | 887 | DRJ18 | 938 | DRJ18 | 989 |
| DRJ16 | 837 | DRJ23 | 888 | DRJ23 | 939 | DRJ23 | 990 |
| DRJ18 | 838 | DRJ25 | 889 | DRJ25 | 940 | DRJ25 | 991 |
| DRJ23 | 839 | DRJ26 | 890 | DRJ26 | 941 | DRJ26 | 992 |
| DRJ25 | 840 | DRJ03 | 891 | DRJ03 | 942 | DRJ03 | 993 |
| DRJ26 | 841 | DRJ02 | 892 | DRJ02 | 943 | DRJ02 | 994 |
| DRJ03 | 842 | DRJ04 | 893 | DRJ04 | 944 | DRJ04 | 995 |
| DRJ02 | 843 | DRJ06 | 894 | DRJ06 | 945 | DRJ06 | 996 |
| DRJ04 | 844 | DRJ07 | 895 | DRJ07 | 946 | DRJ07 | 997 |
| DRJ06 | 845 | DRJ09 | 896 | DRJ09 | 947 | DRJ09 | 998 |
| DRJ07 | 846 | DRJ10 | 897 | DRJ10 | 948 | DRJ10 | 999 |
| DRJ09 | 847 | DRJ15 | 898 | DRJ15 | 949 | | |
| DRJ10 | 848 | DRJ16 | 899 | DRJ16 | 950 | | |
| DRJ15 | 849 | DRJ18 | 900 | DRJ18 | 951 | | |
| DRJ16 | 850 | DRJ23 | 901 | DRJ23 | 952 | | |
| DRJ18 | 851 | DRJ25 | 902 | DRJ25 | 953 | | |
| DRJ23 | 852 | DRJ26 | 903 | DRJ26 | 954 | | |
| DRJ25 | 853 | DRJ03 | 904 | DRJ03 | 955 | | |
| DRJ26 | 854 | DRJ02 | 905 | DRJ02 | 956 | | |
| DRJ03 | 855 | DRJ04 | 906 | DRJ04 | 957 | | |
| DRJ02 | 856 | DRJ06 | 907 | DRJ06 | 958 | | |
| DRJ04 | 857 | DRJ07 | 908 | DRJ07 | 959 | | |
| DRJ06 | 858 | DRJ09 | 909 | DRJ09 | 960 | | |
| DRJ07 | 859 | DRJ10 | 910 | DRJ10 | 961 | | |
| DRJ09 | 860 | DRJ15 | 911 | DRJ15 | 962 | | |
| DRJ10 | 861 | DRJ16 | 912 | DRJ16 | 963 | | |
| DRJ15 | 862 | DRJ18 | 913 | DRJ18 | 964 | | |
| DRJ16 | 863 | DRJ23 | 914 | DRJ23 | 965 | | |
| DRJ18 | 864 | DRJ25 | 915 | DRJ25 | 966 | | |
| DRJ23 | 865 | DRJ26 | 916 | DRJ26 | 967 | | |
| DRJ25 | 866 | DRJ02 | 917 | DRJ02 | 968 | | |

***Family Court New Case Assignment Algorithm -
Downtown Only, effective 11/1/05
(DRJ03 = 75%, DRJ25 and DRJ26 = 90%)***

NORTHWEST JUDGE ASSIGNMENTS

SOUTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|--------------------|-----------------|--------------------|-----------------|--------------------|-----------------|--------------------|-----------------|--------------------|-----------------|
| 0 | DRJ24 | 50 | DRJ19 | 100 | DRJ13 | 150 | DRJ08 | 200 | DRJ22 |
| 1 | DRJ08 | 51 | DRJ22 | 101 | DRJ19 | 151 | DRJ12 | 201 | DRJ24 |
| 2 | DRJ12 | 52 | DRJ08 | 102 | DRJ22 | 152 | DRJ13 | 202 | DRJ08 |
| 3 | DRJ13 | 53 | DRJ12 | 103 | DRJ24 | 153 | DRJ19 | 203 | DRJ12 |
| 4 | DRJ19 | 54 | DRJ13 | 104 | DRJ08 | 154 | DRJ22 | 204 | DRJ13 |
| 5 | DRJ22 | 55 | DRJ19 | 105 | DRJ12 | 155 | DRJ24 | 205 | DRJ19 |
| 6 | DRJ08 | 56 | DRJ22 | 106 | DRJ13 | 156 | DRJ08 | 206 | DRJ22 |
| 7 | DRJ12 | 57 | DRJ24 | 107 | DRJ19 | 157 | DRJ12 | 207 | DRJ24 |
| 8 | DRJ13 | 58 | DRJ08 | 108 | DRJ22 | 158 | DRJ13 | 208 | DRJ08 |
| 9 | DRJ19 | 59 | DRJ12 | 109 | DRJ24 | 159 | DRJ19 | 209 | DRJ12 |
| 10 | DRJ22 | 60 | DRJ13 | 110 | DRJ08 | 160 | DRJ22 | 210 | DRJ13 |
| 11 | DRJ24 | 61 | DRJ19 | 111 | DRJ12 | 161 | DRJ24 | 211 | DRJ19 |
| 12 | DRJ08 | 62 | DRJ22 | 112 | DRJ13 | 162 | DRJ08 | 212 | DRJ22 |
| 13 | DRJ12 | 63 | DRJ24 | 113 | DRJ19 | 163 | DRJ12 | 213 | DRJ08 |
| 14 | DRJ13 | 64 | DRJ08 | 114 | DRJ22 | 164 | DRJ13 | 214 | DRJ12 |
| 15 | DRJ19 | 65 | DRJ12 | 115 | DRJ24 | 165 | DRJ19 | 215 | DRJ13 |
| 16 | DRJ22 | 66 | DRJ13 | 116 | DRJ08 | 166 | DRJ22 | 216 | DRJ19 |
| 17 | DRJ24 | 67 | DRJ19 | 117 | DRJ12 | 167 | DRJ08 | 217 | DRJ22 |
| 18 | DRJ08 | 68 | DRJ22 | 118 | DRJ13 | 168 | DRJ12 | 218 | DRJ24 |
| 19 | DRJ12 | 69 | DRJ24 | 119 | DRJ19 | 169 | DRJ13 | 219 | DRJ08 |
| 20 | DRJ13 | 70 | DRJ08 | 120 | DRJ22 | 170 | DRJ19 | 220 | DRJ12 |
| 21 | DRJ19 | 71 | DRJ12 | 121 | DRJ08 | 171 | DRJ22 | 221 | DRJ13 |
| 22 | DRJ22 | 72 | DRJ13 | 122 | DRJ12 | 172 | DRJ24 | 222 | DRJ19 |
| 23 | DRJ24 | 73 | DRJ19 | 123 | DRJ13 | 173 | DRJ08 | 223 | DRJ22 |
| 24 | DRJ08 | 74 | DRJ22 | 124 | DRJ19 | 174 | DRJ12 | 224 | DRJ24 |
| 25 | DRJ12 | 75 | DRJ08 | 125 | DRJ22 | 175 | DRJ13 | 225 | DRJ08 |
| 26 | DRJ13 | 76 | DRJ12 | 126 | DRJ24 | 176 | DRJ19 | 226 | DRJ12 |
| 27 | DRJ19 | 77 | DRJ13 | 127 | DRJ08 | 177 | DRJ22 | 227 | DRJ13 |
| 28 | DRJ22 | 78 | DRJ19 | 128 | DRJ12 | 178 | DRJ24 | 228 | DRJ19 |
| 29 | DRJ08 | 79 | DRJ22 | 129 | DRJ13 | 179 | DRJ08 | 229 | DRJ22 |
| 30 | DRJ12 | 80 | DRJ24 | 130 | DRJ19 | 180 | DRJ12 | 230 | DRJ24 |
| 31 | DRJ13 | 81 | DRJ08 | 131 | DRJ22 | 181 | DRJ13 | 231 | DRJ08 |
| 32 | DRJ19 | 82 | DRJ12 | 132 | DRJ24 | 182 | DRJ19 | 232 | DRJ12 |
| 33 | DRJ22 | 83 | DRJ13 | 133 | DRJ08 | 183 | DRJ22 | 233 | DRJ13 |
| 34 | DRJ24 | 84 | DRJ19 | 134 | DRJ12 | 184 | DRJ24 | 234 | DRJ19 |
| 35 | DRJ08 | 85 | DRJ22 | 135 | DRJ13 | 185 | DRJ08 | 235 | DRJ22 |
| 36 | DRJ12 | 86 | DRJ24 | 136 | DRJ19 | 186 | DRJ12 | 236 | DRJ08 |
| 37 | DRJ13 | 87 | DRJ08 | 137 | DRJ22 | 187 | DRJ13 | 237 | DRJ12 |
| 38 | DRJ19 | 88 | DRJ12 | 138 | DRJ24 | 188 | DRJ19 | 238 | DRJ13 |
| 39 | DRJ22 | 89 | DRJ13 | 139 | DRJ08 | 189 | DRJ22 | 239 | DRJ19 |
| 40 | DRJ24 | 90 | DRJ19 | 140 | DRJ12 | 190 | DRJ08 | 240 | DRJ22 |
| 41 | DRJ08 | 91 | DRJ22 | 141 | DRJ13 | 191 | DRJ12 | 241 | DRJ24 |
| 42 | DRJ12 | 92 | DRJ24 | 142 | DRJ19 | 192 | DRJ13 | 242 | DRJ08 |
| 43 | DRJ13 | 93 | DRJ08 | 143 | DRJ22 | 193 | DRJ19 | 243 | DRJ12 |
| 44 | DRJ19 | 94 | DRJ12 | 144 | DRJ08 | 194 | DRJ22 | 244 | DRJ13 |
| 45 | DRJ22 | 95 | DRJ13 | 145 | DRJ12 | 195 | DRJ24 | 245 | DRJ19 |
| 46 | DRJ24 | 96 | DRJ19 | 146 | DRJ13 | 196 | DRJ08 | 246 | DRJ22 |
| 47 | DRJ08 | 97 | DRJ22 | 147 | DRJ19 | 197 | DRJ12 | 247 | DRJ24 |
| 48 | DRJ12 | 98 | DRJ08 | 148 | DRJ22 | 198 | DRJ13 | 248 | DRJ08 |
| 49 | DRJ13 | 99 | DRJ12 | 149 | DRJ24 | 199 | DRJ19 | 249 | DRJ12 |

SOUTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|-------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|
| 250 | DRJ13 | 300 | DRJ08 | 350 | DRJ22 | 400 | DRJ19 | 450 | DRJ12 |
| 251 | DRJ19 | 301 | DRJ12 | 351 | DRJ08 | 401 | DRJ22 | 451 | DRJ13 |
| 252 | DRJ22 | 302 | DRJ13 | 352 | DRJ12 | 402 | DRJ24 | 452 | DRJ19 |
| 253 | DRJ24 | 303 | DRJ19 | 353 | DRJ13 | 403 | DRJ08 | 453 | DRJ22 |
| 254 | DRJ08 | 304 | DRJ22 | 354 | DRJ19 | 404 | DRJ12 | 454 | DRJ24 |
| 255 | DRJ12 | 305 | DRJ08 | 355 | DRJ22 | 405 | DRJ13 | 455 | DRJ08 |
| 256 | DRJ13 | 306 | DRJ12 | 356 | DRJ24 | 406 | DRJ19 | 456 | DRJ12 |
| 257 | DRJ19 | 307 | DRJ13 | 357 | DRJ08 | 407 | DRJ22 | 457 | DRJ13 |
| 258 | DRJ22 | 308 | DRJ19 | 358 | DRJ12 | 408 | DRJ24 | 458 | DRJ19 |
| 259 | DRJ08 | 309 | DRJ22 | 359 | DRJ13 | 409 | DRJ08 | 459 | DRJ22 |
| 260 | DRJ12 | 310 | DRJ24 | 360 | DRJ19 | 410 | DRJ12 | 460 | DRJ24 |
| 261 | DRJ13 | 311 | DRJ08 | 361 | DRJ22 | 411 | DRJ13 | 461 | DRJ08 |
| 262 | DRJ19 | 312 | DRJ12 | 362 | DRJ24 | 412 | DRJ19 | 462 | DRJ12 |
| 263 | DRJ22 | 313 | DRJ13 | 363 | DRJ08 | 413 | DRJ22 | 463 | DRJ13 |
| 264 | DRJ24 | 314 | DRJ19 | 364 | DRJ12 | 414 | DRJ24 | 464 | DRJ19 |
| 265 | DRJ08 | 315 | DRJ22 | 365 | DRJ13 | 415 | DRJ08 | 465 | DRJ22 |
| 266 | DRJ12 | 316 | DRJ24 | 366 | DRJ19 | 416 | DRJ12 | 466 | DRJ08 |
| 267 | DRJ13 | 317 | DRJ08 | 367 | DRJ22 | 417 | DRJ13 | 467 | DRJ12 |
| 268 | DRJ19 | 318 | DRJ12 | 368 | DRJ24 | 418 | DRJ19 | 468 | DRJ13 |
| 269 | DRJ22 | 319 | DRJ13 | 369 | DRJ08 | 419 | DRJ22 | 469 | DRJ19 |
| 270 | DRJ24 | 320 | DRJ19 | 370 | DRJ12 | 420 | DRJ08 | 470 | DRJ22 |
| 271 | DRJ08 | 321 | DRJ22 | 371 | DRJ13 | 421 | DRJ12 | 471 | DRJ24 |
| 272 | DRJ12 | 322 | DRJ24 | 372 | DRJ19 | 422 | DRJ13 | 472 | DRJ08 |
| 273 | DRJ13 | 323 | DRJ08 | 373 | DRJ22 | 423 | DRJ19 | 473 | DRJ12 |
| 274 | DRJ19 | 324 | DRJ12 | 374 | DRJ08 | 424 | DRJ22 | 474 | DRJ13 |
| 275 | DRJ22 | 325 | DRJ13 | 375 | DRJ12 | 425 | DRJ24 | 475 | DRJ19 |
| 276 | DRJ24 | 326 | DRJ19 | 376 | DRJ13 | 426 | DRJ08 | 476 | DRJ22 |
| 277 | DRJ08 | 327 | DRJ22 | 377 | DRJ19 | 427 | DRJ12 | 477 | DRJ24 |
| 278 | DRJ12 | 328 | DRJ08 | 378 | DRJ22 | 428 | DRJ13 | 478 | DRJ08 |
| 279 | DRJ13 | 329 | DRJ12 | 379 | DRJ24 | 429 | DRJ19 | 479 | DRJ12 |
| 280 | DRJ19 | 330 | DRJ13 | 380 | DRJ08 | 430 | DRJ22 | 480 | DRJ13 |
| 281 | DRJ22 | 331 | DRJ19 | 381 | DRJ12 | 431 | DRJ24 | 481 | DRJ19 |
| 282 | DRJ08 | 332 | DRJ22 | 382 | DRJ13 | 432 | DRJ08 | 482 | DRJ22 |
| 283 | DRJ12 | 333 | DRJ24 | 383 | DRJ19 | 433 | DRJ12 | 483 | DRJ24 |
| 284 | DRJ13 | 334 | DRJ08 | 384 | DRJ22 | 434 | DRJ13 | 484 | DRJ08 |
| 285 | DRJ19 | 335 | DRJ12 | 385 | DRJ24 | 435 | DRJ19 | 485 | DRJ12 |
| 286 | DRJ22 | 336 | DRJ13 | 386 | DRJ08 | 436 | DRJ22 | 486 | DRJ13 |
| 287 | DRJ24 | 337 | DRJ19 | 387 | DRJ12 | 437 | DRJ24 | 487 | DRJ19 |
| 288 | DRJ08 | 338 | DRJ22 | 388 | DRJ13 | 438 | DRJ08 | 488 | DRJ22 |
| 289 | DRJ12 | 339 | DRJ24 | 389 | DRJ19 | 439 | DRJ12 | 489 | DRJ08 |
| 290 | DRJ13 | 340 | DRJ08 | 390 | DRJ22 | 440 | DRJ13 | 490 | DRJ12 |
| 291 | DRJ19 | 341 | DRJ12 | 391 | DRJ24 | 441 | DRJ19 | 491 | DRJ13 |
| 292 | DRJ22 | 342 | DRJ13 | 392 | DRJ08 | 442 | DRJ22 | 492 | DRJ19 |
| 293 | DRJ24 | 343 | DRJ19 | 393 | DRJ12 | 443 | DRJ08 | 493 | DRJ22 |
| 294 | DRJ08 | 344 | DRJ22 | 394 | DRJ13 | 444 | DRJ12 | 494 | DRJ24 |
| 295 | DRJ12 | 345 | DRJ24 | 395 | DRJ19 | 445 | DRJ13 | 495 | DRJ08 |
| 296 | DRJ13 | 346 | DRJ08 | 396 | DRJ22 | 446 | DRJ19 | 496 | DRJ12 |
| 297 | DRJ19 | 347 | DRJ12 | 397 | DRJ08 | 447 | DRJ22 | 497 | DRJ13 |
| 298 | DRJ22 | 348 | DRJ13 | 398 | DRJ12 | 448 | DRJ24 | 498 | DRJ19 |
| 299 | DRJ24 | 349 | DRJ19 | 399 | DRJ13 | 449 | DRJ08 | 499 | DRJ22 |

SOUTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|--------------------|-----------------|--------------------|-----------------|--------------------|-----------------|--------------------|-----------------|--------------------|-----------------|
| 500 | DRJ24 | 550 | DRJ19 | 600 | DRJ12 | 650 | DRJ08 | 700 | DRJ22 |
| 501 | DRJ08 | 551 | DRJ22 | 601 | DRJ13 | 651 | DRJ12 | 701 | DRJ24 |
| 502 | DRJ12 | 552 | DRJ24 | 602 | DRJ19 | 652 | DRJ13 | 702 | DRJ08 |
| 503 | DRJ13 | 553 | DRJ08 | 603 | DRJ22 | 653 | DRJ19 | 703 | DRJ12 |
| 504 | DRJ19 | 554 | DRJ12 | 604 | DRJ08 | 654 | DRJ22 | 704 | DRJ13 |
| 505 | DRJ22 | 555 | DRJ13 | 605 | DRJ12 | 655 | DRJ24 | 705 | DRJ19 |
| 506 | DRJ24 | 556 | DRJ19 | 606 | DRJ13 | 656 | DRJ08 | 706 | DRJ22 |
| 507 | DRJ08 | 557 | DRJ22 | 607 | DRJ19 | 657 | DRJ12 | 707 | DRJ24 |
| 508 | DRJ12 | 558 | DRJ08 | 608 | DRJ22 | 658 | DRJ13 | 708 | DRJ08 |
| 509 | DRJ13 | 559 | DRJ12 | 609 | DRJ24 | 659 | DRJ19 | 709 | DRJ12 |
| 510 | DRJ19 | 560 | DRJ13 | 610 | DRJ08 | 660 | DRJ22 | 710 | DRJ13 |
| 511 | DRJ22 | 561 | DRJ19 | 611 | DRJ12 | 661 | DRJ24 | 711 | DRJ19 |
| 512 | DRJ08 | 562 | DRJ22 | 612 | DRJ13 | 662 | DRJ08 | 712 | DRJ22 |
| 513 | DRJ12 | 563 | DRJ24 | 613 | DRJ19 | 663 | DRJ12 | 713 | DRJ24 |
| 514 | DRJ13 | 564 | DRJ08 | 614 | DRJ22 | 664 | DRJ13 | 714 | DRJ08 |
| 515 | DRJ19 | 565 | DRJ12 | 615 | DRJ24 | 665 | DRJ19 | 715 | DRJ12 |
| 516 | DRJ22 | 566 | DRJ13 | 616 | DRJ08 | 666 | DRJ22 | 716 | DRJ13 |
| 517 | DRJ24 | 567 | DRJ19 | 617 | DRJ12 | 667 | DRJ24 | 717 | DRJ19 |
| 518 | DRJ08 | 568 | DRJ22 | 618 | DRJ13 | 668 | DRJ08 | 718 | DRJ22 |
| 519 | DRJ12 | 569 | DRJ24 | 619 | DRJ19 | 669 | DRJ12 | 719 | DRJ08 |
| 520 | DRJ13 | 570 | DRJ08 | 620 | DRJ22 | 670 | DRJ13 | 720 | DRJ12 |
| 521 | DRJ19 | 571 | DRJ12 | 621 | DRJ24 | 671 | DRJ19 | 721 | DRJ13 |
| 522 | DRJ22 | 572 | DRJ13 | 622 | DRJ08 | 672 | DRJ22 | 722 | DRJ19 |
| 523 | DRJ24 | 573 | DRJ19 | 623 | DRJ12 | 673 | DRJ08 | 723 | DRJ22 |
| 524 | DRJ08 | 574 | DRJ22 | 624 | DRJ13 | 674 | DRJ12 | 724 | DRJ24 |
| 525 | DRJ12 | 575 | DRJ24 | 625 | DRJ19 | 675 | DRJ13 | 725 | DRJ08 |
| 526 | DRJ13 | 576 | DRJ08 | 626 | DRJ22 | 676 | DRJ19 | 726 | DRJ12 |
| 527 | DRJ19 | 577 | DRJ12 | 627 | DRJ08 | 677 | DRJ22 | 727 | DRJ13 |
| 528 | DRJ22 | 578 | DRJ13 | 628 | DRJ12 | 678 | DRJ24 | 728 | DRJ19 |
| 529 | DRJ24 | 579 | DRJ19 | 629 | DRJ13 | 679 | DRJ08 | 729 | DRJ22 |
| 530 | DRJ08 | 580 | DRJ22 | 630 | DRJ19 | 680 | DRJ12 | 730 | DRJ24 |
| 531 | DRJ12 | 581 | DRJ08 | 631 | DRJ22 | 681 | DRJ13 | 731 | DRJ08 |
| 532 | DRJ13 | 582 | DRJ12 | 632 | DRJ24 | 682 | DRJ19 | 732 | DRJ12 |
| 533 | DRJ19 | 583 | DRJ13 | 633 | DRJ08 | 683 | DRJ22 | 733 | DRJ13 |
| 534 | DRJ22 | 584 | DRJ19 | 634 | DRJ12 | 684 | DRJ24 | 734 | DRJ19 |
| 535 | DRJ08 | 585 | DRJ22 | 635 | DRJ13 | 685 | DRJ08 | 735 | DRJ22 |
| 536 | DRJ12 | 586 | DRJ24 | 636 | DRJ19 | 686 | DRJ12 | 736 | DRJ24 |
| 537 | DRJ13 | 587 | DRJ08 | 637 | DRJ22 | 687 | DRJ13 | 737 | DRJ08 |
| 538 | DRJ19 | 588 | DRJ12 | 638 | DRJ24 | 688 | DRJ19 | 738 | DRJ12 |
| 539 | DRJ22 | 589 | DRJ13 | 639 | DRJ08 | 689 | DRJ22 | 739 | DRJ13 |
| 540 | DRJ24 | 590 | DRJ19 | 640 | DRJ12 | 690 | DRJ24 | 740 | DRJ19 |
| 541 | DRJ08 | 591 | DRJ22 | 641 | DRJ13 | 691 | DRJ08 | 741 | DRJ22 |
| 542 | DRJ12 | 592 | DRJ24 | 642 | DRJ19 | 692 | DRJ12 | 742 | DRJ08 |
| 543 | DRJ13 | 593 | DRJ08 | 643 | DRJ22 | 693 | DRJ13 | 743 | DRJ12 |
| 544 | DRJ19 | 594 | DRJ12 | 644 | DRJ24 | 694 | DRJ19 | 744 | DRJ13 |
| 545 | DRJ22 | 595 | DRJ13 | 645 | DRJ08 | 695 | DRJ22 | 745 | DRJ19 |
| 546 | DRJ24 | 596 | DRJ19 | 646 | DRJ12 | 696 | DRJ08 | 746 | DRJ22 |
| 547 | DRJ08 | 597 | DRJ22 | 647 | DRJ13 | 697 | DRJ12 | 747 | DRJ24 |
| 548 | DRJ12 | 598 | DRJ24 | 648 | DRJ19 | 698 | DRJ13 | 748 | DRJ08 |
| 549 | DRJ13 | 599 | DRJ08 | 649 | DRJ22 | 699 | DRJ19 | 749 | DRJ12 |

SOUTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|-------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|
| 750 | DRJ13 | 800 | DRJ08 | 850 | DRJ22 | 900 | DRJ13 | 950 | DRJ12 |
| 751 | DRJ19 | 801 | DRJ12 | 851 | DRJ24 | 901 | DRJ19 | 951 | DRJ13 |
| 752 | DRJ22 | 802 | DRJ13 | 852 | DRJ08 | 902 | DRJ22 | 952 | DRJ19 |
| 753 | DRJ24 | 803 | DRJ19 | 853 | DRJ12 | 903 | DRJ08 | 953 | DRJ22 |
| 754 | DRJ08 | 804 | DRJ22 | 854 | DRJ13 | 904 | DRJ12 | 954 | DRJ24 |
| 755 | DRJ12 | 805 | DRJ24 | 855 | DRJ19 | 905 | DRJ13 | 955 | DRJ08 |
| 756 | DRJ13 | 806 | DRJ08 | 856 | DRJ22 | 906 | DRJ19 | 956 | DRJ12 |
| 757 | DRJ19 | 807 | DRJ12 | 857 | DRJ08 | 907 | DRJ22 | 957 | DRJ13 |
| 758 | DRJ22 | 808 | DRJ13 | 858 | DRJ12 | 908 | DRJ24 | 958 | DRJ19 |
| 759 | DRJ24 | 809 | DRJ19 | 859 | DRJ13 | 909 | DRJ08 | 959 | DRJ22 |
| 760 | DRJ08 | 810 | DRJ22 | 860 | DRJ19 | 910 | DRJ12 | 960 | DRJ24 |
| 761 | DRJ12 | 811 | DRJ08 | 861 | DRJ22 | 911 | DRJ13 | 961 | DRJ08 |
| 762 | DRJ13 | 812 | DRJ12 | 862 | DRJ24 | 912 | DRJ19 | 962 | DRJ12 |
| 763 | DRJ19 | 813 | DRJ13 | 863 | DRJ08 | 913 | DRJ22 | 963 | DRJ13 |
| 764 | DRJ22 | 814 | DRJ19 | 864 | DRJ12 | 914 | DRJ24 | 964 | DRJ19 |
| 765 | DRJ08 | 815 | DRJ22 | 865 | DRJ13 | 915 | DRJ08 | 965 | DRJ22 |
| 766 | DRJ12 | 816 | DRJ24 | 866 | DRJ19 | 916 | DRJ12 | 966 | DRJ24 |
| 767 | DRJ13 | 817 | DRJ08 | 867 | DRJ22 | 917 | DRJ13 | 967 | DRJ08 |
| 768 | DRJ19 | 818 | DRJ12 | 868 | DRJ24 | 918 | DRJ19 | 968 | DRJ12 |
| 769 | DRJ22 | 819 | DRJ13 | 869 | DRJ08 | 919 | DRJ22 | 969 | DRJ13 |
| 770 | DRJ24 | 820 | DRJ19 | 870 | DRJ12 | 920 | DRJ24 | 970 | DRJ19 |
| 771 | DRJ08 | 821 | DRJ22 | 871 | DRJ13 | 921 | DRJ08 | 971 | DRJ22 |
| 772 | DRJ12 | 822 | DRJ24 | 872 | DRJ19 | 922 | DRJ12 | 972 | DRJ08 |
| 773 | DRJ13 | 823 | DRJ08 | 873 | DRJ22 | 923 | DRJ13 | 973 | DRJ12 |
| 774 | DRJ19 | 824 | DRJ12 | 874 | DRJ24 | 924 | DRJ19 | 974 | DRJ13 |
| 775 | DRJ22 | 825 | DRJ13 | 875 | DRJ08 | 925 | DRJ22 | 975 | DRJ19 |
| 776 | DRJ24 | 826 | DRJ19 | 876 | DRJ12 | 926 | DRJ08 | 976 | DRJ22 |
| 777 | DRJ08 | 827 | DRJ22 | 877 | DRJ13 | 927 | DRJ12 | 977 | DRJ24 |
| 778 | DRJ12 | 828 | DRJ24 | 878 | DRJ19 | 928 | DRJ13 | 978 | DRJ08 |
| 779 | DRJ13 | 829 | DRJ08 | 879 | DRJ22 | 929 | DRJ19 | 979 | DRJ12 |
| 780 | DRJ19 | 830 | DRJ12 | 880 | DRJ08 | 930 | DRJ22 | 980 | DRJ13 |
| 781 | DRJ22 | 831 | DRJ13 | 881 | DRJ12 | 931 | DRJ24 | 981 | DRJ19 |
| 782 | DRJ24 | 832 | DRJ19 | 882 | DRJ13 | 932 | DRJ08 | 982 | DRJ22 |
| 783 | DRJ08 | 833 | DRJ22 | 883 | DRJ19 | 933 | DRJ12 | 983 | DRJ24 |
| 784 | DRJ12 | 834 | DRJ08 | 884 | DRJ22 | 934 | DRJ13 | 984 | DRJ08 |
| 785 | DRJ13 | 835 | DRJ12 | 885 | DRJ24 | 935 | DRJ19 | 985 | DRJ12 |
| 786 | DRJ19 | 836 | DRJ13 | 886 | DRJ08 | 936 | DRJ22 | 986 | DRJ13 |
| 787 | DRJ22 | 837 | DRJ19 | 887 | DRJ12 | 937 | DRJ24 | 987 | DRJ19 |
| 788 | DRJ08 | 838 | DRJ22 | 888 | DRJ13 | 938 | DRJ08 | 988 | DRJ22 |
| 789 | DRJ12 | 839 | DRJ24 | 889 | DRJ19 | 939 | DRJ12 | 989 | DRJ24 |
| 790 | DRJ13 | 840 | DRJ08 | 890 | DRJ22 | 940 | DRJ13 | 990 | DRJ08 |
| 791 | DRJ19 | 841 | DRJ12 | 891 | DRJ24 | 941 | DRJ19 | 991 | DRJ12 |
| 792 | DRJ22 | 842 | DRJ13 | 892 | DRJ08 | 942 | DRJ22 | 992 | DRJ13 |
| 793 | DRJ24 | 843 | DRJ19 | 893 | DRJ12 | 943 | DRJ24 | 993 | DRJ19 |
| 794 | DRJ08 | 844 | DRJ22 | 894 | DRJ13 | 944 | DRJ08 | 994 | DRJ22 |
| 795 | DRJ12 | 845 | DRJ24 | 895 | DRJ19 | 945 | DRJ12 | 995 | DRJ08 |
| 796 | DRJ13 | 846 | DRJ08 | 896 | DRJ22 | 946 | DRJ13 | 996 | DRJ12 |
| 797 | DRJ19 | 847 | DRJ12 | 897 | DRJ24 | 947 | DRJ19 | 997 | DRJ13 |
| 798 | DRJ22 | 848 | DRJ13 | 898 | DRJ08 | 948 | DRJ22 | 998 | DRJ19 |
| 799 | DRJ24 | 849 | DRJ19 | 899 | DRJ12 | 949 | DRJ08 | 999 | DRJ22 |

NORTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|-------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|
| 0 | DRJ11 | 50 | DRJ20 | 100 | DRJ14 | 150 | DRJ20 | 200 | DRJ14 |
| 1 | DRJ14 | 51 | DRJ21 | 101 | DRJ17 | 151 | DRJ21 | 201 | DRJ17 |
| 2 | DRJ17 | 52 | DRJ11 | 102 | DRJ20 | 152 | DRJ11 | 202 | DRJ20 |
| 3 | DRJ20 | 53 | DRJ14 | 103 | DRJ21 | 153 | DRJ14 | 203 | DRJ21 |
| 4 | DRJ21 | 54 | DRJ17 | 104 | DRJ11 | 154 | DRJ17 | 204 | DRJ11 |
| 5 | DRJ14 | 55 | DRJ20 | 105 | DRJ14 | 155 | DRJ20 | 205 | DRJ14 |
| 6 | DRJ17 | 56 | DRJ21 | 106 | DRJ17 | 156 | DRJ21 | 206 | DRJ17 |
| 7 | DRJ20 | 57 | DRJ11 | 107 | DRJ20 | 157 | DRJ14 | 207 | DRJ20 |
| 8 | DRJ21 | 58 | DRJ14 | 108 | DRJ21 | 158 | DRJ17 | 208 | DRJ21 |
| 9 | DRJ11 | 59 | DRJ17 | 109 | DRJ11 | 159 | DRJ20 | 209 | DRJ11 |
| 10 | DRJ14 | 60 | DRJ20 | 110 | DRJ14 | 160 | DRJ21 | 210 | DRJ14 |
| 11 | DRJ17 | 61 | DRJ21 | 111 | DRJ17 | 161 | DRJ11 | 211 | DRJ17 |
| 12 | DRJ20 | 62 | DRJ14 | 112 | DRJ20 | 162 | DRJ14 | 212 | DRJ20 |
| 13 | DRJ21 | 63 | DRJ17 | 113 | DRJ21 | 163 | DRJ17 | 213 | DRJ21 |
| 14 | DRJ11 | 64 | DRJ20 | 114 | DRJ11 | 164 | DRJ20 | 214 | DRJ14 |
| 15 | DRJ14 | 65 | DRJ21 | 115 | DRJ14 | 165 | DRJ21 | 215 | DRJ17 |
| 16 | DRJ17 | 66 | DRJ11 | 116 | DRJ17 | 166 | DRJ11 | 216 | DRJ20 |
| 17 | DRJ20 | 67 | DRJ14 | 117 | DRJ20 | 167 | DRJ14 | 217 | DRJ21 |
| 18 | DRJ21 | 68 | DRJ17 | 118 | DRJ21 | 168 | DRJ17 | 218 | DRJ11 |
| 19 | DRJ11 | 69 | DRJ20 | 119 | DRJ14 | 169 | DRJ20 | 219 | DRJ14 |
| 20 | DRJ14 | 70 | DRJ21 | 120 | DRJ17 | 170 | DRJ21 | 220 | DRJ17 |
| 21 | DRJ17 | 71 | DRJ11 | 121 | DRJ20 | 171 | DRJ11 | 221 | DRJ20 |
| 22 | DRJ20 | 72 | DRJ14 | 122 | DRJ21 | 172 | DRJ14 | 222 | DRJ21 |
| 23 | DRJ21 | 73 | DRJ17 | 123 | DRJ11 | 173 | DRJ17 | 223 | DRJ11 |
| 24 | DRJ14 | 74 | DRJ20 | 124 | DRJ14 | 174 | DRJ20 | 224 | DRJ14 |
| 25 | DRJ17 | 75 | DRJ21 | 125 | DRJ17 | 175 | DRJ21 | 225 | DRJ17 |
| 26 | DRJ20 | 76 | DRJ11 | 126 | DRJ20 | 176 | DRJ14 | 226 | DRJ20 |
| 27 | DRJ21 | 77 | DRJ14 | 127 | DRJ21 | 177 | DRJ17 | 227 | DRJ21 |
| 28 | DRJ11 | 78 | DRJ17 | 128 | DRJ11 | 178 | DRJ20 | 228 | DRJ11 |
| 29 | DRJ14 | 79 | DRJ20 | 129 | DRJ14 | 179 | DRJ21 | 229 | DRJ14 |
| 30 | DRJ17 | 80 | DRJ21 | 130 | DRJ17 | 180 | DRJ11 | 230 | DRJ17 |
| 31 | DRJ20 | 81 | DRJ14 | 131 | DRJ20 | 181 | DRJ14 | 231 | DRJ20 |
| 32 | DRJ21 | 82 | DRJ17 | 132 | DRJ21 | 182 | DRJ17 | 232 | DRJ21 |
| 33 | DRJ11 | 83 | DRJ20 | 133 | DRJ11 | 183 | DRJ20 | 233 | DRJ14 |
| 34 | DRJ14 | 84 | DRJ21 | 134 | DRJ14 | 184 | DRJ21 | 234 | DRJ17 |
| 35 | DRJ17 | 85 | DRJ11 | 135 | DRJ17 | 185 | DRJ11 | 235 | DRJ20 |
| 36 | DRJ20 | 86 | DRJ14 | 136 | DRJ20 | 186 | DRJ14 | 236 | DRJ21 |
| 37 | DRJ21 | 87 | DRJ17 | 137 | DRJ21 | 187 | DRJ17 | 237 | DRJ11 |
| 38 | DRJ11 | 88 | DRJ20 | 138 | DRJ14 | 188 | DRJ20 | 238 | DRJ14 |
| 39 | DRJ14 | 89 | DRJ21 | 139 | DRJ17 | 189 | DRJ21 | 239 | DRJ17 |
| 40 | DRJ17 | 90 | DRJ11 | 140 | DRJ20 | 190 | DRJ11 | 240 | DRJ20 |
| 41 | DRJ20 | 91 | DRJ14 | 141 | DRJ21 | 191 | DRJ14 | 241 | DRJ21 |
| 42 | DRJ21 | 92 | DRJ17 | 142 | DRJ11 | 192 | DRJ17 | 242 | DRJ11 |
| 43 | DRJ14 | 93 | DRJ20 | 143 | DRJ14 | 193 | DRJ20 | 243 | DRJ14 |
| 44 | DRJ17 | 94 | DRJ21 | 144 | DRJ17 | 194 | DRJ21 | 244 | DRJ17 |
| 45 | DRJ20 | 95 | DRJ11 | 145 | DRJ20 | 195 | DRJ14 | 245 | DRJ20 |
| 46 | DRJ21 | 96 | DRJ14 | 146 | DRJ21 | 196 | DRJ17 | 246 | DRJ21 |
| 47 | DRJ11 | 97 | DRJ17 | 147 | DRJ11 | 197 | DRJ20 | 247 | DRJ11 |
| 48 | DRJ14 | 98 | DRJ20 | 148 | DRJ14 | 198 | DRJ21 | 248 | DRJ14 |
| 49 | DRJ17 | 99 | DRJ21 | 149 | DRJ17 | 199 | DRJ11 | 249 | DRJ17 |

NORTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|-------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|
| 250 | DRJ20 | 300 | DRJ14 | 350 | DRJ21 | 400 | DRJ14 | 450 | DRJ21 |
| 251 | DRJ21 | 301 | DRJ17 | 351 | DRJ11 | 401 | DRJ17 | 451 | DRJ11 |
| 252 | DRJ14 | 302 | DRJ20 | 352 | DRJ14 | 402 | DRJ20 | 452 | DRJ14 |
| 253 | DRJ17 | 303 | DRJ21 | 353 | DRJ17 | 403 | DRJ21 | 453 | DRJ17 |
| 254 | DRJ20 | 304 | DRJ11 | 354 | DRJ20 | 404 | DRJ14 | 454 | DRJ20 |
| 255 | DRJ21 | 305 | DRJ14 | 355 | DRJ21 | 405 | DRJ17 | 455 | DRJ21 |
| 256 | DRJ11 | 306 | DRJ17 | 356 | DRJ11 | 406 | DRJ20 | 456 | DRJ11 |
| 257 | DRJ14 | 307 | DRJ20 | 357 | DRJ14 | 407 | DRJ21 | 457 | DRJ14 |
| 258 | DRJ17 | 308 | DRJ21 | 358 | DRJ17 | 408 | DRJ11 | 458 | DRJ17 |
| 259 | DRJ20 | 309 | DRJ14 | 359 | DRJ20 | 409 | DRJ14 | 459 | DRJ20 |
| 260 | DRJ21 | 310 | DRJ17 | 360 | DRJ21 | 410 | DRJ17 | 460 | DRJ21 |
| 261 | DRJ11 | 311 | DRJ20 | 361 | DRJ11 | 411 | DRJ20 | 461 | DRJ14 |
| 262 | DRJ14 | 312 | DRJ21 | 362 | DRJ14 | 412 | DRJ21 | 462 | DRJ17 |
| 263 | DRJ17 | 313 | DRJ11 | 363 | DRJ17 | 413 | DRJ11 | 463 | DRJ20 |
| 264 | DRJ20 | 314 | DRJ14 | 364 | DRJ20 | 414 | DRJ14 | 464 | DRJ21 |
| 265 | DRJ21 | 315 | DRJ17 | 365 | DRJ21 | 415 | DRJ17 | 465 | DRJ11 |
| 266 | DRJ11 | 316 | DRJ20 | 366 | DRJ14 | 416 | DRJ20 | 466 | DRJ14 |
| 267 | DRJ14 | 317 | DRJ21 | 367 | DRJ17 | 417 | DRJ21 | 467 | DRJ17 |
| 268 | DRJ17 | 318 | DRJ11 | 368 | DRJ20 | 418 | DRJ11 | 468 | DRJ20 |
| 269 | DRJ20 | 319 | DRJ14 | 369 | DRJ21 | 419 | DRJ14 | 469 | DRJ21 |
| 270 | DRJ21 | 320 | DRJ17 | 370 | DRJ11 | 420 | DRJ17 | 470 | DRJ11 |
| 271 | DRJ14 | 321 | DRJ20 | 371 | DRJ14 | 421 | DRJ20 | 471 | DRJ14 |
| 272 | DRJ17 | 322 | DRJ21 | 372 | DRJ17 | 422 | DRJ21 | 472 | DRJ17 |
| 273 | DRJ20 | 323 | DRJ11 | 373 | DRJ20 | 423 | DRJ14 | 473 | DRJ20 |
| 274 | DRJ21 | 324 | DRJ14 | 374 | DRJ21 | 424 | DRJ17 | 474 | DRJ21 |
| 275 | DRJ11 | 325 | DRJ17 | 375 | DRJ11 | 425 | DRJ20 | 475 | DRJ11 |
| 276 | DRJ14 | 326 | DRJ20 | 376 | DRJ14 | 426 | DRJ21 | 476 | DRJ14 |
| 277 | DRJ17 | 327 | DRJ21 | 377 | DRJ17 | 427 | DRJ11 | 477 | DRJ17 |
| 278 | DRJ20 | 328 | DRJ14 | 378 | DRJ20 | 428 | DRJ14 | 478 | DRJ20 |
| 279 | DRJ21 | 329 | DRJ17 | 379 | DRJ21 | 429 | DRJ17 | 479 | DRJ21 |
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| 282 | DRJ17 | 332 | DRJ11 | 382 | DRJ17 | 432 | DRJ11 | 482 | DRJ20 |
| 283 | DRJ20 | 333 | DRJ14 | 383 | DRJ20 | 433 | DRJ14 | 483 | DRJ21 |
| 284 | DRJ21 | 334 | DRJ17 | 384 | DRJ21 | 434 | DRJ17 | 484 | DRJ11 |
| 285 | DRJ11 | 335 | DRJ20 | 385 | DRJ14 | 435 | DRJ20 | 485 | DRJ14 |
| 286 | DRJ14 | 336 | DRJ21 | 386 | DRJ17 | 436 | DRJ21 | 486 | DRJ17 |
| 287 | DRJ17 | 337 | DRJ11 | 387 | DRJ20 | 437 | DRJ11 | 487 | DRJ20 |
| 288 | DRJ20 | 338 | DRJ14 | 388 | DRJ21 | 438 | DRJ14 | 488 | DRJ21 |
| 289 | DRJ21 | 339 | DRJ17 | 389 | DRJ11 | 439 | DRJ17 | 489 | DRJ11 |
| 290 | DRJ14 | 340 | DRJ20 | 390 | DRJ14 | 440 | DRJ20 | 490 | DRJ14 |
| 291 | DRJ17 | 341 | DRJ21 | 391 | DRJ17 | 441 | DRJ21 | 491 | DRJ17 |
| 292 | DRJ20 | 342 | DRJ11 | 392 | DRJ20 | 442 | DRJ14 | 492 | DRJ20 |
| 293 | DRJ21 | 343 | DRJ14 | 393 | DRJ21 | 443 | DRJ17 | 493 | DRJ21 |
| 294 | DRJ11 | 344 | DRJ17 | 394 | DRJ11 | 444 | DRJ20 | 494 | DRJ11 |
| 295 | DRJ14 | 345 | DRJ20 | 395 | DRJ14 | 445 | DRJ21 | 495 | DRJ14 |
| 296 | DRJ17 | 346 | DRJ21 | 396 | DRJ17 | 446 | DRJ11 | 496 | DRJ17 |
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| 298 | DRJ21 | 348 | DRJ17 | 398 | DRJ21 | 448 | DRJ17 | 498 | DRJ21 |
| 299 | DRJ11 | 349 | DRJ20 | 399 | DRJ11 | 449 | DRJ20 | 499 | DRJ14 |

NORTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|-------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|
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| 502 | DRJ21 | 552 | DRJ14 | 602 | DRJ21 | 652 | DRJ17 | 702 | DRJ21 |
| 503 | DRJ11 | 553 | DRJ17 | 603 | DRJ11 | 653 | DRJ20 | 703 | DRJ11 |
| 504 | DRJ14 | 554 | DRJ20 | 604 | DRJ14 | 654 | DRJ21 | 704 | DRJ14 |
| 505 | DRJ17 | 555 | DRJ21 | 605 | DRJ17 | 655 | DRJ11 | 705 | DRJ17 |
| 506 | DRJ20 | 556 | DRJ14 | 606 | DRJ20 | 656 | DRJ14 | 706 | DRJ20 |
| 507 | DRJ21 | 557 | DRJ17 | 607 | DRJ21 | 657 | DRJ17 | 707 | DRJ21 |
| 508 | DRJ11 | 558 | DRJ20 | 608 | DRJ11 | 658 | DRJ20 | 708 | DRJ14 |
| 509 | DRJ14 | 559 | DRJ21 | 609 | DRJ14 | 659 | DRJ21 | 709 | DRJ17 |
| 510 | DRJ17 | 560 | DRJ11 | 610 | DRJ17 | 660 | DRJ11 | 710 | DRJ20 |
| 511 | DRJ20 | 561 | DRJ14 | 611 | DRJ20 | 661 | DRJ14 | 711 | DRJ21 |
| 512 | DRJ21 | 562 | DRJ17 | 612 | DRJ21 | 662 | DRJ17 | 712 | DRJ11 |
| 513 | DRJ11 | 563 | DRJ20 | 613 | DRJ14 | 663 | DRJ20 | 713 | DRJ14 |
| 514 | DRJ14 | 564 | DRJ21 | 614 | DRJ17 | 664 | DRJ21 | 714 | DRJ17 |
| 515 | DRJ17 | 565 | DRJ11 | 615 | DRJ20 | 665 | DRJ11 | 715 | DRJ20 |
| 516 | DRJ20 | 566 | DRJ14 | 616 | DRJ21 | 666 | DRJ14 | 716 | DRJ21 |
| 517 | DRJ21 | 567 | DRJ17 | 617 | DRJ11 | 667 | DRJ17 | 717 | DRJ11 |
| 518 | DRJ14 | 568 | DRJ20 | 618 | DRJ14 | 668 | DRJ20 | 718 | DRJ14 |
| 519 | DRJ17 | 569 | DRJ21 | 619 | DRJ17 | 669 | DRJ21 | 719 | DRJ17 |
| 520 | DRJ20 | 570 | DRJ11 | 620 | DRJ20 | 670 | DRJ14 | 720 | DRJ20 |
| 521 | DRJ21 | 571 | DRJ14 | 621 | DRJ21 | 671 | DRJ17 | 721 | DRJ21 |
| 522 | DRJ11 | 572 | DRJ17 | 622 | DRJ11 | 672 | DRJ20 | 722 | DRJ11 |
| 523 | DRJ14 | 573 | DRJ20 | 623 | DRJ14 | 673 | DRJ21 | 723 | DRJ14 |
| 524 | DRJ17 | 574 | DRJ21 | 624 | DRJ17 | 674 | DRJ11 | 724 | DRJ17 |
| 525 | DRJ20 | 575 | DRJ14 | 625 | DRJ20 | 675 | DRJ14 | 725 | DRJ20 |
| 526 | DRJ21 | 576 | DRJ17 | 626 | DRJ21 | 676 | DRJ17 | 726 | DRJ21 |
| 527 | DRJ11 | 577 | DRJ20 | 627 | DRJ11 | 677 | DRJ20 | 727 | DRJ14 |
| 528 | DRJ14 | 578 | DRJ21 | 628 | DRJ14 | 678 | DRJ21 | 728 | DRJ17 |
| 529 | DRJ17 | 579 | DRJ11 | 629 | DRJ17 | 679 | DRJ11 | 729 | DRJ20 |
| 530 | DRJ20 | 580 | DRJ14 | 630 | DRJ20 | 680 | DRJ14 | 730 | DRJ21 |
| 531 | DRJ21 | 581 | DRJ17 | 631 | DRJ21 | 681 | DRJ17 | 731 | DRJ11 |
| 532 | DRJ11 | 582 | DRJ20 | 632 | DRJ14 | 682 | DRJ20 | 732 | DRJ14 |
| 533 | DRJ14 | 583 | DRJ21 | 633 | DRJ17 | 683 | DRJ21 | 733 | DRJ17 |
| 534 | DRJ17 | 584 | DRJ11 | 634 | DRJ20 | 684 | DRJ11 | 734 | DRJ20 |
| 535 | DRJ20 | 585 | DRJ14 | 635 | DRJ21 | 685 | DRJ14 | 735 | DRJ21 |
| 536 | DRJ21 | 586 | DRJ17 | 636 | DRJ11 | 686 | DRJ17 | 736 | DRJ11 |
| 537 | DRJ14 | 587 | DRJ20 | 637 | DRJ14 | 687 | DRJ20 | 737 | DRJ14 |
| 538 | DRJ17 | 588 | DRJ21 | 638 | DRJ17 | 688 | DRJ21 | 738 | DRJ17 |
| 539 | DRJ20 | 589 | DRJ11 | 639 | DRJ20 | 689 | DRJ14 | 739 | DRJ20 |
| 540 | DRJ21 | 590 | DRJ14 | 640 | DRJ21 | 690 | DRJ17 | 740 | DRJ21 |
| 541 | DRJ11 | 591 | DRJ17 | 641 | DRJ11 | 691 | DRJ20 | 741 | DRJ11 |
| 542 | DRJ14 | 592 | DRJ20 | 642 | DRJ14 | 692 | DRJ21 | 742 | DRJ14 |
| 543 | DRJ17 | 593 | DRJ21 | 643 | DRJ17 | 693 | DRJ11 | 743 | DRJ17 |
| 544 | DRJ20 | 594 | DRJ14 | 644 | DRJ20 | 694 | DRJ14 | 744 | DRJ20 |
| 545 | DRJ21 | 595 | DRJ17 | 645 | DRJ21 | 695 | DRJ17 | 745 | DRJ21 |
| 546 | DRJ11 | 596 | DRJ20 | 646 | DRJ11 | 696 | DRJ20 | 746 | DRJ14 |
| 547 | DRJ14 | 597 | DRJ21 | 647 | DRJ14 | 697 | DRJ21 | 747 | DRJ17 |
| 548 | DRJ17 | 598 | DRJ11 | 648 | DRJ17 | 698 | DRJ11 | 748 | DRJ20 |
| 549 | DRJ20 | 599 | DRJ14 | 649 | DRJ20 | 699 | DRJ14 | 749 | DRJ21 |

NORTHEAST JUDGE ASSIGNMENTS

| Seed Number | Calendar |
|-------------|----------|-------------|----------|-------------|----------|-------------|----------|-------------|----------|
| 750 | DRJ11 | 800 | DRJ17 | 850 | DRJ11 | 900 | DRJ20 | 950 | DRJ11 |
| 751 | DRJ14 | 801 | DRJ20 | 851 | DRJ14 | 901 | DRJ21 | 951 | DRJ14 |
| 752 | DRJ17 | 802 | DRJ21 | 852 | DRJ17 | 902 | DRJ11 | 952 | DRJ17 |
| 753 | DRJ20 | 803 | DRJ14 | 853 | DRJ20 | 903 | DRJ14 | 953 | DRJ20 |
| 754 | DRJ21 | 804 | DRJ17 | 854 | DRJ21 | 904 | DRJ17 | 954 | DRJ21 |
| 755 | DRJ11 | 805 | DRJ20 | 855 | DRJ11 | 905 | DRJ20 | 955 | DRJ14 |
| 756 | DRJ14 | 806 | DRJ21 | 856 | DRJ14 | 906 | DRJ21 | 956 | DRJ17 |
| 757 | DRJ17 | 807 | DRJ11 | 857 | DRJ17 | 907 | DRJ11 | 957 | DRJ20 |
| 758 | DRJ20 | 808 | DRJ14 | 858 | DRJ20 | 908 | DRJ14 | 958 | DRJ21 |
| 759 | DRJ21 | 809 | DRJ17 | 859 | DRJ21 | 909 | DRJ17 | 959 | DRJ11 |
| 760 | DRJ11 | 810 | DRJ20 | 860 | DRJ14 | 910 | DRJ20 | 960 | DRJ14 |
| 761 | DRJ14 | 811 | DRJ21 | 861 | DRJ17 | 911 | DRJ21 | 961 | DRJ17 |
| 762 | DRJ17 | 812 | DRJ11 | 862 | DRJ20 | 912 | DRJ11 | 962 | DRJ20 |
| 763 | DRJ20 | 813 | DRJ14 | 863 | DRJ21 | 913 | DRJ14 | 963 | DRJ21 |
| 764 | DRJ21 | 814 | DRJ17 | 864 | DRJ11 | 914 | DRJ17 | 964 | DRJ11 |
| 765 | DRJ14 | 815 | DRJ20 | 865 | DRJ14 | 915 | DRJ20 | 965 | DRJ14 |
| 766 | DRJ17 | 816 | DRJ21 | 866 | DRJ17 | 916 | DRJ21 | 966 | DRJ17 |
| 767 | DRJ20 | 817 | DRJ11 | 867 | DRJ20 | 917 | DRJ14 | 967 | DRJ20 |
| 768 | DRJ21 | 818 | DRJ14 | 868 | DRJ21 | 918 | DRJ17 | 968 | DRJ21 |
| 769 | DRJ11 | 819 | DRJ17 | 869 | DRJ11 | 919 | DRJ20 | 969 | DRJ11 |
| 770 | DRJ14 | 820 | DRJ20 | 870 | DRJ14 | 920 | DRJ21 | 970 | DRJ14 |
| 771 | DRJ17 | 821 | DRJ21 | 871 | DRJ17 | 921 | DRJ11 | 971 | DRJ17 |
| 772 | DRJ20 | 822 | DRJ14 | 872 | DRJ20 | 922 | DRJ14 | 972 | DRJ20 |
| 773 | DRJ21 | 823 | DRJ17 | 873 | DRJ21 | 923 | DRJ17 | 973 | DRJ21 |
| 774 | DRJ11 | 824 | DRJ20 | 874 | DRJ11 | 924 | DRJ20 | 974 | DRJ14 |
| 775 | DRJ14 | 825 | DRJ21 | 875 | DRJ14 | 925 | DRJ21 | 975 | DRJ17 |
| 776 | DRJ17 | 826 | DRJ11 | 876 | DRJ17 | 926 | DRJ11 | 976 | DRJ20 |
| 777 | DRJ20 | 827 | DRJ14 | 877 | DRJ20 | 927 | DRJ14 | 977 | DRJ21 |
| 778 | DRJ21 | 828 | DRJ17 | 878 | DRJ21 | 928 | DRJ17 | 978 | DRJ11 |
| 779 | DRJ11 | 829 | DRJ20 | 879 | DRJ14 | 929 | DRJ20 | 979 | DRJ14 |
| 780 | DRJ14 | 830 | DRJ21 | 880 | DRJ17 | 930 | DRJ21 | 980 | DRJ17 |
| 781 | DRJ17 | 831 | DRJ11 | 881 | DRJ20 | 931 | DRJ11 | 981 | DRJ20 |
| 782 | DRJ20 | 832 | DRJ14 | 882 | DRJ21 | 932 | DRJ14 | 982 | DRJ21 |
| 783 | DRJ21 | 833 | DRJ17 | 883 | DRJ11 | 933 | DRJ17 | 983 | DRJ11 |
| 784 | DRJ14 | 834 | DRJ20 | 884 | DRJ14 | 934 | DRJ20 | 984 | DRJ14 |
| 785 | DRJ17 | 835 | DRJ21 | 885 | DRJ17 | 935 | DRJ21 | 985 | DRJ17 |
| 786 | DRJ20 | 836 | DRJ11 | 886 | DRJ20 | 936 | DRJ14 | 986 | DRJ20 |
| 787 | DRJ21 | 837 | DRJ14 | 887 | DRJ21 | 937 | DRJ17 | 987 | DRJ21 |
| 788 | DRJ11 | 838 | DRJ17 | 888 | DRJ11 | 938 | DRJ20 | 988 | DRJ11 |
| 789 | DRJ14 | 839 | DRJ20 | 889 | DRJ14 | 939 | DRJ21 | 989 | DRJ14 |
| 790 | DRJ17 | 840 | DRJ21 | 890 | DRJ17 | 940 | DRJ11 | 990 | DRJ17 |
| 791 | DRJ20 | 841 | DRJ14 | 891 | DRJ20 | 941 | DRJ14 | 991 | DRJ20 |
| 792 | DRJ21 | 842 | DRJ17 | 892 | DRJ21 | 942 | DRJ17 | 992 | DRJ21 |
| 793 | DRJ11 | 843 | DRJ20 | 893 | DRJ11 | 943 | DRJ20 | 993 | DRJ14 |
| 794 | DRJ14 | 844 | DRJ21 | 894 | DRJ14 | 944 | DRJ21 | 994 | DRJ17 |
| 795 | DRJ17 | 845 | DRJ11 | 895 | DRJ17 | 945 | DRJ11 | 995 | DRJ20 |
| 796 | DRJ20 | 846 | DRJ14 | 896 | DRJ20 | 946 | DRJ14 | 996 | DRJ21 |
| 797 | DRJ21 | 847 | DRJ17 | 897 | DRJ21 | 947 | DRJ17 | 997 | DRJ11 |
| 798 | DRJ11 | 848 | DRJ20 | 898 | DRJ14 | 948 | DRJ20 | 998 | DRJ14 |
| 799 | DRJ14 | 849 | DRJ21 | 899 | DRJ17 | 949 | DRJ21 | 999 | DRJ17 |



Letter to Supreme Court for Expedited Plan *Attachment #38*



**SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA**

NORMAN J. DAVIS
Family Court Presiding Judge

CENTRAL COURT BUILDING
201 W. JEFFERSON, SUITE 7C
PHOENIX, ARIZONA 85003-2205
OFFICE (602) 506-5262

January 20, 2006

David K. Byers, Administrative Director
Supreme Court of Arizona
1501 W. Washington
Phoenix, AZ 85007-3231

Re: Expiration of Maricopa County Local Rule 6.14 &
Notice of Adoption of Rule 73, *ARFLP*, As Maricopa County's Expedited Plan

Dear Mr. Byers:

The Superior Court in Maricopa County's Local Rules 6.9 (c) and 6.14, prescribe the Court's plan for expedited process as required in A.R.S. 25-326 to establish, modify and enforce child support, establish paternity, enforce spousal maintenance and enforce custody and/or parenting time. Local Rule 6.14 [and 6.9 (c) by reference] had been extended on June 6, 2005 and are set to expire on January 31, 2006.

A meeting was held with your staff and Phil Knox, Deputy Court Administrator, on January 5, 2006 to discuss what direction Maricopa County should take with respect to the expiration of these local rules. It is my understanding that all of those present at the meeting concurred that elimination of our Local Rules 6.14 and 6.9(c) would not jeopardize expedited funding if we in fact had an expedited plan. After conferring with Phil on the discussions held at that meeting, it was determined that Maricopa County will allow this Local Rule to expire. Until such time as we complete the pending reforms of our post-decree procedures and submit an updated and revised plan, we adopt Rule 73 of the Arizona Rules of Family Law Procedure that became effective on January 1, 2006 as our expedited plan. If you disagree in any measure with the conclusions reached at this meeting and conclude that the expiration of these rules would leave Maricopa County without an Expedited Plan sufficient to jeopardize our funding, we would obviously request that these two Local Rules be continued until they can be replaced with an updated Local Rule.

On October 1, 2005, we commenced our Post Decree Child Support Court to handle all post-decree requests to modify child support in an efficient manner with one visit to the courthouse in most cases. It has been very well received and agreement rates are high. We plan to implement an Establishment Court effective February 1, 2006, applying the same efficiencies we have implemented in the Post Decree Child Support Court. Plans are also underway to establish a parenting time court. We have two judges who are hearing non-compliance matters to expedite enforcement of court orders, until such time as the web-based child support arrearage calculator is developed. It is our intent, once we have completed the reengineering of our expedited processes, to draft a new local rule which will revise our Plan for Expedited Process for Maricopa County and will submit it for your approval.

David K. Byers, Administrative Director
January 20, 2006
Page 2

If you have any questions or require additional information, please do not hesitate to contact me or Mary Lou Strehle, Family Court Administrator.

Sincerely,

Norman J. Davis
Family Court Presiding Judge

cc: Hon. Barbara R. Mundell, Presiding Judge
Noel K. Dessaint, Clerk, Supreme Court of Arizona
Phil Knox, Deputy Court Administrator
Mary Lou Strehle, Family Court Administrator



Federal Grant for Web-Based Arrearage Calculator
Attachment #39



**ARIZONA DEPARTMENT OF ECONOMIC SECURITY
DIVISION OF CHILD SUPPORT ENFORCEMENT**

3443 N. CENTRAL 4TH FLOOR PHOENIX, ARIZONA 85012 (602) 274-7646 P.O. BOX 40458 PHOENIX, ARIZONA 85067

Janet Napolitano
Governor

David A. Berns
Director

DATE: October 12, 2005

TO: Representative Peter Hershberger

FROM: Leona Hodges
Assistant Director
Division of Child Support Enforcement

SUBJECT: Federal Grant Project Overview

As we discussed last week, here is a brief synopsis of the collaboration project for which the Division of Child Support Enforcement sought a federal grant to fund.

On July 21, 2005, the Administration for Children and Families announced that the Arizona Department of Economic Security/Division of Child Support Enforcement was named the recipient organization for a Special Improvement (1115) grant. The purpose of this federal grant is to allow the Title IV-D program in Arizona to fund efforts to develop and implement a web-based arrears calculation tool that would allow the courts, customers, and Child Support Enforcement to better manage child support arrears.

The online web-based calculator is to be available securely on the DES/DCSE website, accessible by authenticated customers, staff and partners. This tool would use the information provided by the Arizona State Case Registry (SCR) and the Arizona State Disbursement Unit (SDU) for both IV-D and non-IV-D cases to calculate on-demand and in real time the amount of arrears owed. All customers with an Arizona court order would have self-service access to this web-based tool 24 hours a day/7 days a week. It must also be designed for portability to other states.

The development of the calculation tool will utilize input received through the collaborative efforts of the Arizona Department of Economic Security/Division of Child Support Enforcement (DES/DCSE), the Maricopa County Family Court, the Arizona Attorney General's office and the Arizona Administration of Courts.

The principal objectives of this project are:

- Develop a user-friendly tool for custodial and non-custodial parents that will significantly reduce the time required to create a detailed arrearage calculation.
- Provide a tool that may be used in court to immediately calculate or recalculate child support arrears and eliminate the need to reschedule court hearings because a new arrearage calculation cannot be produced immediately.

- Provide a tool permitting private attorneys to assist their IV-D and non-IV-D clients by producing a standard arrearage calculation.
- Provide a tool that can be used by obligors to determine the details of what they owe, including interest, with the goal of encouraging payment on arrearage balances.

All funding for this project is for the employment of consultant web programmers and an outside evaluation of the project, as mandated by the federal grant requirements. Representatives from the different government branches have committed to participate in this project without any financial compensation.

The project team and sponsors will consist of an Executive Council comprised of:

Judge Norman Davis, Maricopa County Superior Court Presiding Judge of the Family Court
Kim Gillespie, Arizona Attorney General's Office Chief Council CSE Section
Leona Hodges, DES/DCSE Assistant Director
Megan Hunter, Administration of Courts
Annmarie Mena, DES/DCSE Deputy Assistant Director

The Child Support Committee (CSC), Automation Work Group (AWG) sponsored a sub-workgroup for the purpose of soliciting information from the Judiciary, Clerks of Court and private bar regarding the arrears calculation tool. Megan Hunter of the AOC has been coordinating these weekly meetings since August 2005. The meetings have been used to educate participants on the current calculation tool used by IV-D and obtain comments/suggestions on the new web-based calculation tool. Judge Norman Davis has been a participant of this sub-workgroup.

The DES/DCSE is responsible for the programming design, development, testing and implementation of this tool. Technical staff from the web community and those representing the State Case Registry, State Disbursement Unit, and ATLAS (where payment histories are housed) will begin meeting during the last calendar quarter of 2005. DES/DCSE is also responsible for ensuring that the evaluation of this project is conducted in accordance with the grant proposal. The evaluation process will be handled by an outside consultant and completed during the last six months of the grant period.

In order to complete this project within 12 months and allow for six months of evaluation, multiple groups will need to be working simultaneously throughout the year.

If you would like any additional information, please do not hesitate to contact me. I am also attaching the narrative from our grant application that contains the details of what is entailed.



Administrative Order No. 2001-020, No. 2002-019, No. 2004-086
Attachment #40

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA COUNTY**

IN THE MATTER OF THE)
ESTABLISHMENT OF AN)
INTEGRATED FAMILY)
COURT PILOT)

)

ADMINISTRATIVE ORDER
NO. 2001-020

The Integrated Family Court Task Force in Maricopa County has designed a pilot project to review and explore improved methods of addressing the needs of children and families as they seek legal and social service assistance from our Court.

The pilot will be conducted at the Southeast Court Facility in Mesa. The structure of the pilot project will primarily involve four judges and their related staff. Two of the judges are currently assigned to the Family Court (Domestic Relations) Department (Judge Mark Aceto and Judge Maria Verdin) and two judges are currently assigned to the Juvenile Court Department (Judge Silvia Arellano and Judge Emmet Ronan). Additional judicial officers and administrative personnel may support the pilot project.

Outcome measures have been identified to determine the efficacy and efficiency of the proposed changes. These performance measures will be tracked and reported in an evaluation following the conclusion of the pilot period. These measures will include: (1) Reduction of time to disposition, defined as follows by case type: Dissolution – Decree of Dissolution; Paternity – Judgment of Paternity; Delinquency – Disposition; Dependency – Finding of dependency as to both parents; Termination of Parental Rights – Final Judgment; (2) Reduction in subsequent contested filings or proceedings; (3) Reduction in the number of judicial officers involved with the “family;” (4) Increase in implementation of ADR components in cases; and (5) Overall litigant and staff satisfaction with the new process.

IT IS ORDERED establishing an Integrated Family Court Pilot at the Southeast Court Facility to review and evaluate the benefits of integrating juvenile and family court matters.

IT IS FURTHER ORDERED that the Integrated Family Court Pilot shall commence on Monday, March 19, 2001, and shall continue for twelve (12) months from that date, unless extended by a subsequent order.

IT IS FURTHER ORDERED that the Integrated Family Court Pilot judicial officers shall exercise jurisdiction over all juvenile and family (domestic relations) court cases assigned within the pilot.

IT IS FURTHER ORDERED that the Integrated Family Court Pilot judicial officers shall have authority to include other related family matters as may be practical and beneficial to the just and fair resolution of a family's case.

IT IS FURTHER ORDERED that a program evaluation of the Integrated Family Court Pilot shall be conducted and that the final report shall be submitted to Presiding Judge Colin F. Campbell no later than forty-five (45) days following the close of the pilot project period. This evaluation will address the performance measures listed above.

DATED this 12th day of March 2001.

Honorable Colin F. Campbell
Presiding Judge of the Superior Court

Attachment: Framework For An Integrated Family Court (dated 2-15-01)

Original: Filed with the Clerk of the Court

Copies: Hon. Colin F. Campbell, Presiding Judge
Hon. Mark W. Armstrong, Associate Presiding Judge (w/o attachment)
Hon. Bethany G. Hicks, Family Court Residing Judge (w/o attachment)
Hon. Maurice Portley, Juvenile Court Department Presiding Judge
Hon. Linda K. Scott, Juvenile Court Department Presiding Judge
Designate
Hon. Kenneth L. Fields, Co-Chair, Integrated Family Court Task Force
(w/o attachment)
Hon. Michael K. Jeanes, Clerk of the Court
Gordon M. Griller, Court Administrator

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

IN THE MATTER OF THE) ADMINISTRATIVE ORDER
EXTENSION OF THE INTEGRATED) NO. 2002-019
FAMILY COURT PILOT AND)
PROGRAM EVALUATION)
_____)

Administrative Order 2001-020 established a pilot to consider the benefits of an Integrated Family Court in Maricopa County. That Order identified outcome measures that were to be monitored during the one-year pilot. A final report is to be issued which will address those outcomes and the benefits and challenges that were experienced during the pilot period.

The measures include: (1) Reduction of time to disposition, defined as follows by case type: Dissolution – Decree of Dissolution; Paternity – Judgment of Paternity; Delinquency – Disposition; Dependency – Finding of dependency as to both parents; Termination of Parental Rights – Final Judgment; (2) Reduction in subsequent contested filings or proceedings; (3) Reduction in the number of judicial officers involved with the “family;” (4) Increase in implementation of ADR components in cases; and (5) Overall litigant and staff satisfaction with the new process.

The original date for the conclusion of the Pilot is scheduled for March 19, 2002. Due to the timing of judicial rotation, the Family Court Department has an opportunity to continue tracking data with the pilot divisions. The additional data will prove significant to program evaluation. It has been determined that an outside evaluator will review the data and outcome measures and submit a final report to the presiding judge.

IT IS ORDERED that the Integrated Family Court Pilot shall continue beyond the original end-date of March 19, 2002.

IT IS ORDERED that the Integrated Family Court Pilot at the Southeast Court Facility shall continue to review and assign cases into the pilot through Friday, June 28, 2002.

IT IS ORDERED that Court Administration will secure a private, unbiased evaluator for the purpose of evaluating the work performed during the pilot at the Southeast Facility. The evaluation shall include any and all identified benefits and challenges and will not be limited to a review of the above referenced performance measures.

IT IS ORDERED that the final evaluation shall be submitted to Presiding Judge Colin F. Campbell on or before Friday, November 1, 2002.

Dated this ____ day of March , 2002.

Honorable Colin F. Campbell
Presiding Judge

Attachment: Copy of Administrative Order 2001-020 (unsigned)

Original : Filed with the Clerk of the Court

Copies: Hon. Mark W. Armstrong, Associate Presiding Judge
Hon. Bethany G. Hicks, Family Court Presiding Judge
Hon. Linda K. Scott , Juvenile Court Department Presiding Judge
Hon. Kenneth L. Fields, Co-Chair, Integrated Family Court Task Force
Hon. Michael K. Jeanes, Clerk of the Court
Gordon M. Griller, Court Administrator

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF THE ADMINISTRATION)
AND OPERATION OF THE INTEGRATED) ADMINISTRATIVE ORDER
FAMILY COURT (IFC) PILOT) NO. 2004-086
)

By authority vested in me as the Integrated Family Court Presiding Judge for the Superior Court of Arizona, Maricopa County and in recognition of the need to implement policies, procedures and provide authority for IFC case coordinators to accomplish the necessary review and research of IFC cases,

IT IS ORDERED adopting the attached, Policies for the Administration and Operation of the Integrated Family Court Pilot.

Dated the 15th day of June 2004.

Hon. Mark Armstrong
IFC Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Colin F. Campbell, Presiding Judge
Hon. Barbara R Mundell, Associate Presiding Judge
Hon. Emmet J. Ronan, Juvenile Presiding judge
Hon. M. Jean Hoag, Southeast Presiding Judge
Hon. Norman Davis, Family Court Judge
Hon. Michael K. Jeanes, Clerk of Court
Marcus W. Reinkensmeyer, Trial Courts Administrator
Phillip Knox, Deputy Court Administrator
Mary Lou Strehle, Southeast Court Administration
Mary Bucci, Family Court Administration

Policies for the Administration and Operation of the Integrated Family Court Pilot

PURPOSE:

This policy is intended to provide the necessary authority for the IFC Case Coordinators when they are required to review reports and records that may contain vital information useful for the Court in making decisions in cases.

As officers of the Court and in the course of their case screening and investigations to provide the court with accurate and timely information, the IFC Case Coordinators shall be provided the following:

1. Access to all educational records of the child(ren), including but not limited to records pertaining to day care/school attendance, behavior, academic progress, and psychological evaluations; and
2. Access to any and all police, sheriff department and law enforcement agency records and reports pertaining to the parents, step parents, and other parties related the case, including but not limited to records pertaining to sexual abuse, parenting skills, or allegations of child abuse, sexual abuse or neglect; and
3. Access to records and reports kept by the Department of Economic Security, Department of Health Services and Child Protective Services that pertain to the child (ren); child (ren)'s parents, step parents, or significant others of the parents, including but not limited to records pertaining to sexual abuse, parenting skills, behavior, psychological evaluations, and allegations of child abuse, sexual abuse and neglect; and
4. Access to any and all records held by any hospital, medical facility, drug screening center, mental health provider or related agency. Personnel shall fully cooperate with the Integrated Family Court Case Coordinator representing the Superior Court of Maricopa County in this matter by allowing access to all medical records of the parties outlined in this court case, including but not limited to records pertaining to inpatient/outpatient treatment, substance abuse testing and treatment, mental health evaluations and treatment, and shall discuss the contents and meaning thereof with him/her.

Confidential juvenile court documents shall be maintained as confidential in accordance with A.R.S. §§ 8-208, 8-542 and 8-807, and any applicable federal law.

Any alleged impropriety or perceived unethical conduct by the Integrated Family Court Case Coordinator shall be brought to the attention of the Court in writing.



IFC Pilot Project Results Memorandum
Attachment #41

Memorandum

To: Honorable Colin F. Campbell, Maricopa County Presiding Judge

From: Honorable Norman J. Davis, Family Court Presiding Judge
Honorable Emmet J. Ronan, Juvenile Court Presiding Judge

Re: Integrated Family Court Pilot Project

Date: March 30, 2005

Over the last several months, we have jointly reevaluated the Integrated Family Court Pilot Project and reached various conclusions on how we should proceed with cases involving children and families whose issues and litigants overlap the jurisdictions of more than one department of the court.

History

By Administrative Order No. 2001-020, the Maricopa County Superior Court formally initiated the Integrated Family Court ("IFC") as a pilot project to commence March 19, 2001, and continue for twelve months thereafter. In March 2002 the pilot project was extended through June 28, 2002 pursuant to Administrative Order No. 2002-019. On February 25, 2003, the Arizona Supreme Court issued Administrative Order No. 2003-23 and established a broader Integrated Family Court in the Superior Court in Coconino, Maricopa and Pinal Counties. The Supreme Court directed that IFC be established as a pilot project in these three counties for a period not to exceed two years from the date the local court plan was approved. In furtherance thereof, a detailed Integrated Family Court Project Plan dated December 11, 2003, was submitted to the Arizona Supreme Court. Additional policies and procedures were subsequently adopted by Maricopa County Administrative Order No. 2004-086 to supplement the existing and ongoing pilot in Maricopa County Superior Court.

In 2002, the IFC Pilot Project was extensively evaluated by Greacen Associates, LLC, an independent consulting firm. The findings and recommendations of the *Greacen Report* are detailed and extensive, and a fair assessment of them can best be had by a review of the entire report. In large measure, however, it is fair to say that the results of the study were inconclusive due to the minimal numbers of cases within the IFC Pilot Project. The study was only able to evaluate the 62 cases in the project at that time, such that the study rendered "statistically unreliable results." Significantly, the consultant was unable to draw any conclusions as to whether the IFC Pilot Project resulted in a reduction in time to disposition, a reduction in subsequent filings or procedures, or earlier and effective intervention in families in need of services. The

consultant also found that the project had not yet achieved it's stated objective of a "one team, one family" approach.

Many support the stated goals of providing efficient and directed service to families in distress, but many comments and discussion lead us to believe that most do not believe that the current format is achieving its goals. For these reasons, and those stated hereafter, we propose that fundamental change occur in the IFC Pilot Project as outlined herein.

Evaluation

In evaluating the current IFC Pilot Project we have identified a number of areas of concern that need to be addressed:

1. One-Judge/One-Family Not A Reality. There is undoubtedly significant and justifiable support for an integrated family court system that allows one qualified judicial officer to manage cases and render decisions for one family in a consistent and cohesive manner. Certainly, dividing decisions, hearings, trials and processes between two or more judicial officers greatly increase the chance of inconsistent or incongruous decisions, and can easily and unreasonably protract the entire litigation process for a family with deleterious consequences. The current IFC Pilot Project, however, almost by definition does not achieve this result. Common cases are not now filed and channeled to one judge to hear all issues from the outset. They are merely combined, if and when they are identified, for common resolution after first being assigned to two or more other judges. Only then does a third judge resume control of the combined IFC case. While some cases are identified early and the duplication of process and proceedings is minimized, some are not identified and combined until after a number of hearings have been held, with the resulting wasted time, effort and commensurate confusion to the family. A few cases we are aware of have been identified and transferred to an IFC judge after a trial or dependency hearing was set, such that significant delay resulted when the IFC judge was required to reset long-scheduled final hearings.

2. Participants Not Enthusiastic. In addition to the *Greacen Report*, it is important to understand that a wide variety of professionals, including judges, private and public attorneys, mental health experts, court administrators, CPS personnel, domestic relations advocates, probation personnel, and various others, have been involved with the IFC Pilot Project in one way or another since its inception. These professionals can, of course, speak for themselves and we hope they do so before any final decisions are made. Our sense, however, is that the IFC Pilot does not currently enjoy broad-based support among this group. Our assessment of the IFC Design Task Force meeting held today is that virtually the entire membership is supportive of the changes outlined herein.

3. No Evidence of Delay Reduction. The Supreme Court has recently reemphasized that family court cases should be resolved expeditiously to reduce the trauma to families and that confusion in the legal process should be minimized. Juvenile cases and family court cases are normally required to proceed on different time tracks for a variety of reasons. Family court cases involving issues of paternity, dissolution of marriage, custody, child support, spousal maintenance, property and debt division, require early intervention and timely adjudication of disputed issues to stabilize families and prevent further damage to the remaining family relationships. Juvenile cases do have common concerns for early intervention and management, but often have different time requirements to determine and administer a wide array of services available exclusively through the juvenile court. The juvenile court is often required to allow sufficient periods of time to pass to determine the efficacy of services, to assess whether termination of parental rights or reunification of family members is indicated, and generally to allow family members to address various dysfunctions that may or may not remediate. In some ways the goals of both courts are in harmony, but in many others the case objectives are in competition and often need to proceed on differing time tracks.

4. Delinquency Cases Seldom Require IFC Treatment. In general terms, the juvenile court adjudicates issues of delinquency and dependency. Although delinquent acts of a juvenile are of immense concern to families, they have little direct connection to a proceeding focused on dividing property, assessing child support, or even determining an appropriate custody order in many cases. There appears to be general consensus among the judges who are assigned IFC cases, as well as task force members, that cases involving both delinquency issues and family court issues are rare. While exceptions do exist, these rare cases do not occur with sufficient frequency to justify by themselves a separate Integrated Family Court structure, as it currently exists. The primary benefit is clearly to dependency cases were issues of dependency in juvenile court and custody in family court are more frequent.

5. Dependency Cases Primarily Involve Custody Issue Only. Even in those juvenile dependency cases that are combined with family court cases, the primary connection requiring consolidation is to resolve the issue of custody of any minor children. In such cases, the family court is ill suited to manage the juvenile portion of the case and administer the numerous services, resources and agency representatives unique to juvenile dependency cases. Conversely, juvenile court is arguably not the best place to adjudicate issues of spousal maintenance, division of property and debts, and perhaps even child support due to the infrequency with which these issues are handled by the juvenile judges. Additionally, there is normally little reason to justify the delay in resolving these latter issues until all of the dependency and custody issues are resolved.

6. Scheduling Difficulties Increased. A common complaint of the current IFC structure is the difficulty in scheduling and conducting proceedings

with numerous parties and participants that commonly involve only self-represented parties in family court cases where services and court-appointed legal representation is not available, and usually require a contingent of court-appointed attorneys, case workers, guardians ad litem, and others in the juvenile portion of the proceeding.

7. Dependency Cases Ending In Termination Unnecessarily Delay Family Court Proceedings. Juvenile dependency cases are uniformly resolved either by: 1) Termination of parental rights and/or adoption; or 2) Reunification of the child with a family member and the resultant dismissal of the dependency case. When a juvenile case is pending, A.R.S. §8-202(F) requires that orders affecting custody of a minor child made by the juvenile court take precedence over any custody order in the family court case. Obviously, this prevents the family court case from proceeding to adjudicate custody, and effectively limits the family court's ability to adjudicate the remaining issues in the case. In those cases that are terminated with an adoption there is obviously no need for IFC jurisdiction because these cases proceed as they would in the juvenile court without IFC involvement, and without the family court needing to address the custody issue. In those juvenile dependency cases that end with dismissal due to a reunification where the parties are not married or do not intend to remain married, the family court is now required to proceed to further resolve the custody issues after the juvenile court relinquishes jurisdiction through dismissal. It is this latter category of cases where the primary need remains to adjudicate common issues in an integrated setting.

For these and other reasons, it is our joint conclusion that the current IFC Pilot Project should be reformed to focus primarily on juvenile dependency cases in the manner outlined below.

Proposal

The solution to the above concerns lies in the recognition that after an extended period of conducting hearings in dependency cases, considering an array of detailed and comprehensive reports on the children and the family dynamics, hearing from attorneys, parents, guardians ad litem, parent aides, probation officers, therapists, counselors and others, the juvenile dependency judge is in a unique position to determine the best interests of the minor children and enter custody orders.

To address the current limitations of the current IFC Pilot Project, we propose that the current Integrated Family Court be restructured as follows:

1. Juvenile Court Will Assume Jurisdiction To Enter Custody Order. When any juvenile dependency case is identified as filed concurrently with any other family court or probate court case involving custody or guardianship issues of a minor child, the family court and/or probate court, as appropriate, will defer

jurisdiction of all custody and parenting time issues to the juvenile court for adjudication as required by A.R.S. §8-202(F).

2. Surviving Custody/Parenting Time Order. Upon termination of the juvenile dependency action resulting in dismissal and reunification, the juvenile judge will enter a comprehensive custody order satisfying the requirements of A.R.S. §25-401 to -415 that will survive the dismissal of the juvenile dependency case. Unless the parties are married and no dissolution of marriage is concurrently filed, this custody order will be filed in an existing, or concurrently established, family court case number.

3. Paternity Orders Survive. Any paternity orders entered in the juvenile proceeding will be incorporated or reestablished in the surviving custody order. This will insure that juvenile paternity orders are not vacated and will place the orders in a public record so that the parties and the family court will have a reliable and readily accessible record of the disposition of this issue.

4. Family Court Case Proceeds. The family court will proceed to expeditiously and finally adjudicate all remaining issues in the family court case and enter an appropriate Decree, Judgment or Order. The family court Decree, Judgment or Order may incorporate by reference or defer to the juvenile court order, as appropriate. The probate court will dismiss or defer any guardianship or custody issues to the family court or juvenile court, as appropriate.

5. Child Support Orders. Initial child support orders will be entered by the family court or the juvenile court after consultation with the assigned family court and juvenile court judges, based upon any existing custody orders entered by the juvenile court in the dependency action. Where appropriate both parents can be ordered to pay child support to a third party caregiver in accordance with the Arizona Child Support Guidelines.

6. Modification & Enforcement. All future petitions to modify or enforce the custody or child support orders will be filed in the family court case.

7. Delinquency & Other Cases Handled Uniquely. All juvenile delinquency cases, as well as all other overlapping family court, probate court and juvenile court cases excepting juvenile dependency cases provided for above, will be managed as determined after consultation between the various assigned judges.

8. Integrated Family Court Management Plan. The separate Integrated Family Court will be collapsed back into the Family Court, Probate Court, and Juvenile Court Departments to be administered by each department within its area of statutory jurisdiction with the modifications set forth above. We may wish to refer to the revised IFC Plan as the "Integrated Family Court Management Plan".

9. Start Date: July 1, 2005. It is proposed that we make these changes to the IFC Pilot Project effective July 1, 2005.

This proposal will allow the family court case to proceed without further delay, will provide certainty and stability to the parties on all non-custody issues, and prevent further turmoil and destruction of the family relationships. The juvenile dependency action can also proceed to fully adjudicate the custody and parenting time issues unencumbered by collateral family court issues. Both judges will have a clear understanding of their respective roles in resolving family issues. More significantly, the custody issues will be determined by the juvenile judge who is in the best possible position to determine the best interests of minor children with more comprehensive and complete information than is available anywhere within the court system. The family court can rely on these comprehensive custody orders without having to start over and without any access to the immense database available to the juvenile judge. Scheduling of hearings will be simplified and focused, and will resolve the current objections of court-appointed attorneys, private attorneys and others concerning the need to be present at some, but not all, of the current IFC hearings.

In addition, the benefits to the children and parties are also apparent. When juvenile dependency proceedings are being dismissed, the parties are often conciliatory and agreeable to stipulating to a continuing custody and parenting time order. These procedures also avoid the need for the commonly self-represented parties to determine how and what to file in the family court and proceed to prosecute a custody case in the family court without the myriad of services previously available to them in the juvenile proceeding.

Finally, a collateral benefit will accrue to the court in collapsing the IFC infrastructure into the appropriate existing court departments. The IFC Pilot Project has struggled to find even 100 cases that are appropriate IFC cases. At last count the Maricopa County Integrated Family Court Design Task Force consisted of 49 members, including an IFC Supervisor and an IFC Case Coordinator. If this small number of IFC appropriate cases can be more expeditiously heard in the manner outlined herein, we can also eliminate this disproportionate use of judicial resources.



Current IFC Plan - Administrative Order No. 2005-104
Attachment #42

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

**IN THE MATTER OF THE MARICOPA)
COUNTY INTEGRATED FAMILY)
COURT MANAGEMENT PLAN) ADMINISTRATIVE ORDER
) No. 2005-104
)
)**

Effective April 1, 2002, Administrative Order No. 2001-020 formally initiated the Integrated Family Court Pilot Project in the Maricopa County Superior Court at the Southeast Regional Court Center in Mesa for a test period of twelve (12) months. This initial period was subsequently extended through June 28, 2002 by Administrative Order No. 2002-019. On February 25, 2003, the Arizona Supreme Court issued its Administrative Order No. 2003-023 establishing a broader Integrated Family Court ("IFC") pilot project in the Superior Courts in Coconino, Maricopa and Pinal Counties, and directed that they be established in those counties for a period not to exceed two years from the date the local court plan was approved. In furtherance thereof, the Maricopa County Superior Court submitted a detailed Integrated Family Court Project Plan dated December 11, 2003 to the Arizona Supreme Court. Maricopa County Administrative Order No. 2004-086 was subsequently entered to supplement the existing IFC policies and procedures in the Maricopa County Superior Court. In 2004 the IFC pilot was also expanded to the Durango court facility for a short time.

In 2002, Greacen Associates, LLC, an independent consulting firm extensively evaluated the IFC Pilot Project. The results of this evaluation were inconclusive, due at least in part to the minimal numbers of cases within the IFC Pilot Project. Further evaluation by the Family Court Department and the Juvenile Court Department, as summarized in a joint Memorandum from the two departments dated March 30, 2005, indicates that the IFC Pilot Project as currently constituted is not effectively achieving its goals as originally outlined. Accordingly, it has become necessary to modify the IFC Pilot Project to implement more streamlined procedures consistent with the goals articulated by the Arizona Supreme Court in Administrative Order No. 2003-023.

IT IS ORDERED that the IFC Pilot Project in the Maricopa County Superior Court is restructured as the "Integrated Family Court Management Plan" as follows:

1. **Juvenile Court Will Assume Jurisdiction To Enter Custody Order.**
When any juvenile dependency case is identified as filed concurrently with any other family court or probate court case involving custody or guardianship issues

of a minor child, the family court and/or probate court, as appropriate, will defer jurisdiction of all custody and parenting time issues to the juvenile court for adjudication as required by A.R.S. §8-202(F).

2. Surviving Custody/Parenting Time Order. Upon termination of the juvenile dependency action resulting in dismissal and reunification, the juvenile judge will enter a comprehensive custody order satisfying the requirements of A.R.S. §25-401 to -415 that will survive the dismissal of the juvenile dependency case. Unless the parties are married and no dissolution of marriage is concurrently filed, this custody order will be filed in any existing, or concurrently established, family court case number that involves the same parties. If no family court case number exists, the Clerk of the Court at the juvenile court will file the order in a newly created family court case number.

3. Paternity Orders Survive. Any paternity orders entered in the juvenile proceeding will be incorporated or reestablished in the surviving custody order. This will insure that juvenile paternity orders are not vacated and will place the orders in a public record so that the parties and the family court will have a reliable and readily accessible record of the disposition of this issue.

4. Family Court Case Proceeds. The family court will proceed to expeditiously and finally adjudicate all remaining issues in the family court case and enter an appropriate Decree, Judgment or Order. The family court Decree, Judgment or Order may incorporate by reference or defer to the juvenile court order, as appropriate. The probate court will dismiss or defer any guardianship or custody issues to the family court or juvenile court, as appropriate.

5. Child Support Orders. Initial child support orders will be entered by the family court or the juvenile court after consultation with the assigned family court and juvenile court judges, based upon any existing custody orders entered by the juvenile court in the dependency action. Where appropriate both parents can be ordered to pay child support to a third party caregiver in accordance with the Arizona Child Support Guidelines.

6. Modification & Enforcement. All future petitions to modify or enforce the custody or child support orders will be filed in the family court case.

7. Delinquency & Other Cases Handled Uniquely. All juvenile delinquency cases, as well as all other overlapping family court, probate court and juvenile court cases excepting juvenile dependency cases provided for above, will be managed as determined after consultation between the various assigned judges.

8. Integrated Family Court Management Plan. The separate Integrated Family Court will be collapsed back into the Family Court, Probate

Court, and Juvenile Court Departments to be administered by each department within its area of statutory jurisdiction with the modifications set forth above.

IT IS FURTHER ORDERED that this revised Integrated Family Court Pilot shall commence July 1, 2005, and continue as the permanent IFC Plan of the Maricopa County Superior Court after the expiration of the initial time period determined by the Arizona Supreme Court for the IFC Pilot unless modified by subsequent order.

IT IS FURTHER ORDERED that Maricopa County Administrative Order Nos. 2001-020, 2002-013, 2002-019, and 2004-086 are vacated.

Dated this _____ day of June, 2005.

Honorable Colin F. Campbell
Presiding Judge

Original: Clerk of the Superior Court

Copies: The Honorable Charles E. Jones, Chief Justice
The Honorable Ruth V. McGregor, Vice Chief Justice
The Honorable Barbara R. Mundell, Presiding Judge Designate
The Honorable Norman J. Davis, Family Court Presiding Judge
The Honorable Emmett Ronan, Juvenile Court Presiding Judge
All Family Court & Juvenile Judges
David Byers, Director, Administrative Office of the Courts
Marcus Reinkensmeyer, Trial Courts Administrator



Self Service Center Forms

Attachment #43

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT PAPERS FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH CHILDREN

DOMESTIC VIOLENCE: Domestic violence can be part of any marriage. Domestic violence includes physical violence such as hitting, slapping, pushing or kicking **or** threats of physical violence directed against you and/or your children **and/or** verbal abuse used to control you and/or your children.

Court documents request your address and phone number. If you are a victim of domestic violence, and you do **not** want your address to be known to protect yourself or your children from further violence, you **must file a "Petition for an Order of Protection"** and ask that your address **not** be disclosed on court papers. With that Order, you do not need to put your address and phone number on your divorce papers. Just write "protected" in the space on the form where you are asked for this information. You must tell the Clerk of the Court your address and phone number as soon as possible so the court can get in touch with you. The court will keep your address protected.

FAMILY COURT COVERSHEET:

Print or type in black ink.

Case Type: Check only one box that matches the legal procedure for which you are filing the documents in this packet.

Information About the Petitioner: Write in your name, address, home telephone number, work telephone number, cell phone/pager number, date of birth, social security number, and e-mail address in the space provided. If your address and telephone numbers are protected, you do not need to fill in this information. However, you must let the Clerk of the Court know how to reach you. If a lawyer represents you, the Petitioner, you must also write in the lawyer's name and bar number.

Information about the other party, the Respondent: Write in the name of the Respondent. If you know the Respondent's address, home telephone number, work telephone number, cell phone/pager number, date of birth, social security number, and e-mail address, you must write in this information.

Minor Children Involved: List the names, dates of birth, and social security numbers for any minor children involved in this specific case.

Other Minor Children: If there are other children of either the Petitioner or the Respondent or both not involved with this case, list their names on the lines provided.

Other court cases: Check the appropriate box to tell this Court if either you or your spouse have been involved in any other cases, except a minor traffic offense, in any other court. If you check the Yes box, please describe the case, including case numbers and court location.

Domestic Violence Section: Answer the questions listed regarding domestic violence. This information will help court staff determine if this issue is relevant to this case.

Children's Issues Section: Answer the questions regarding the children you listed on **the "Family Court Cover Sheet."** This information will help court staff determine if these issues are relevant to this case, and/or whether a case exists in this Court already regarding any child you listed.

Location: If you are filing your documents in the downtown Phoenix location, check the Downtown Phoenix box, if you are filing your documents in the Northeast Phoenix location, check the Northeast Phoenix box, if you are filing your documents in the Southeast Facility in Mesa, check the Southeast Facility box, if you are filing your documents in the Northwest Facility in Surprise, check the Northwest Facility box.

SUMMONS AND PRELIMINARY INJUNCTION: Fill in the following information: Your name; street address (**if not protected**); city, state and zip code; telephone number; ATLAS number; name of Petitioner (your name); name of Respondent (your spouse's name). You will have an ATLAS number ONLY if you receive or have received AFDC or other public benefits for your child(ren) that are common to you and your spouse. If you are represented by an attorney, write in the attorney's bar number. Tell the court whether you represent yourself or are represented by an attorney. DO NOT fill out the rest of the form except on Page 2 of the Preliminary Injunction, fill out the description of other party. The Clerk of Court will complete it later.

"PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) WITH CHILDREN"

- A. Use this form **ONLY** if you are getting a divorce and there are children under the age of 18 years involved who are common to you and your spouse, and you have a non-covenant marriage. Arizona laws regarding "covenant" marriages went into effect August 21, 1998. See ARS §25-901. If you have a covenant marriage, you and your spouse were asked to sign an affidavit that included a statement similar to this: "We solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for as long as they both live. We have chosen each other carefully. We understand that a covenant marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling. We declare that our marriage will be bound by Arizona law regarding covenant marriages and we promise to love, honor and care for one another as husband and wife for the rest of our lives." (This paperwork will **not** work if you have a covenant marriage. If you have questions about whether you have a "covenant" marriage, look at your marriage license and/or see a lawyer for help.) Make sure your form is titled "**Petition for Dissolution of Non-Covenant Marriage (Divorce) With Children.**"
- B. In the top left corner of the first page, fill out the following: your name (if you are the person filling out the petition and filing the petition with the court); your address (**if not protected**); your city, state and zip code; your telephone number; and your **ATLAS** number, if you are receiving or have received AFDC from the Arizona Department of Economic Security and the attorney bar number if you are represented by an attorney. Then check the box to say whether you are represented or not. If an attorney represents you, write in your name in the space after "Attorney for."
- C. Fill in **your** name in the space that says "Name of Petitioner." Remember, you will be the PETITIONER through the whole case. (This includes any emergency petitions, temporary petitions, and post-divorce decree petitions.) In the space that says "Name of Respondent," fill in the name of your spouse. Your spouse will be the RESPONDENT for the rest of this case. (This includes any emergency petitions, temporary petitions, and post-divorce decree petitions.)
- D. Leave the space for Case No. _____ blank. When you file your papers, you will receive a case number.

STATEMENTS MADE TO THE COURT, UNDER OATH OR AFFIRMATION:

1. **INFORMATION ABOUT ME, THE PETITIONER.** Fill in your name, address (**if not protected**), date of birth, occupation, and length of time in Arizona.
2. **INFORMATION ABOUT MY SPOUSE, THE RESPONDENT.** Fill in your spouse's name, address, (if you know it) date of birth, occupation, and length of time in Arizona.

- 3. INFORMATION ABOUT MY MARRIAGE.** Fill in the date that you were married and the city and state where you were married. If you do not know this information, and you were married in Maricopa County, you may get a copy of your marriage license from the Clerk of the Court Record Center at 601 West Jackson Street in Downtown Phoenix. If you were married in another county, go to the Clerk of the Superior Court at the county seat in the county where you were married. Then check the box to tell the court you do not have a "covenant" marriage. If you have a "covenant marriage," see a lawyer for help. If you do not know whether you have a covenant marriage or not, review your marriage license and/or see a lawyer for help.
- 4. 90-DAY REQUIREMENT.** This tells the court that you **or** your spouse have lived in Arizona, **or** been stationed in Arizona while in the Armed Forces, for at least 90 (ninety) days prior to the day you filed the Petition for Dissolution. Before you file for Divorce, this **MUST** be true. **IF IT IS NOT TRUE, YOU CANNOT FILE FOR DIVORCE** in Arizona until it becomes true.
- 5. DOMESTIC VIOLENCE.** This tells the court if domestic violence was in the marriage, which affects a request for joint custody, (if you intend to ask for joint custody). If you are not sure what domestic violence means, see the "Domestic Violence" section on the first page of these instructions. Check the box that applies to your situation.
- 6. CHILDREN COMMON TO THE PARTIES WHO ARE LESS THAN 18 YEARS OF AGE.** If there are no children under the age of 18 born to, or adopted by, you and your spouse, you should use the "**Petition for Dissolution of a Non-Covenant Marriage - Without Children**" Packet. Otherwise, check the second box and provide the name, birth date and current home address including city, state, and zip code for each child born to, or adopted by, you and your spouse.
- 7. PREGNANCY.** If the wife is **NOT** pregnant at this time, check the first box and go on. If the wife **is** pregnant, check the second box. Fill out the date the baby is due, and fill in any information regarding the parents of the unborn child.

INFORMATION ABOUT PROPERTY AND DEBT: The information you give in paragraphs 8a through 9b tells the court about your property and debts, and how you think your property and debts should be divided. Community property is generally any property you and your spouse purchased during your marriage or paid for during the marriage, no matter who uses the property or who paid the money. Unless property was a gift or inheritance, all property gotten (acquired) during the marriage up until the time when the Respondent is served with the Petition for Dissolution is generally community property, and both you and your spouse are entitled to roughly an equal share of this property. Community debts or bills are generally any debt you and your spouse acquired during your marriage up until the time the Respondent is served with the Petition for Dissolution, no matter who spent the money. If you have questions, or have a lot of community property or debt, you should speak with an attorney **BEFORE** filing your Petition and other papers.

- 8.A. PROPERTY ACQUIRED DURING THE MARRIAGE. COMMUNITY PROPERTY.** If you and your spouse do not have any property from the marriage, check the first box. If you and your spouse have property together, check the second box. If you checked the second box, you must tell the court what property should go to you and what property should go to your spouse. Generally, the court will divide the property 50-50, unless there are good reasons not to. It is unlikely that the court will give most or all of the property to either spouse, so put some thought into what you think would be a fair division before answering this question. Usually, if you and your spouse cannot decide which spouse should receive what property, the court will order that the property be sold and any money received divided between you and your spouse.

First, list the property that you want the court to award to you, the Petitioner, and list the property that you want the court to award to your spouse, the Respondent. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. Use the brand name, model and serial numbers, where applicable.

Types of property:

- a) **Real Property (property or home).** Check who you want to get the property. You can ask the court to give you the home, to give the home to your spouse, or to sell the home and divide the proceeds. You should write the complete address of the property under "Real estate located at" Most property has a legal description such as "LOT 77, PINE TREE ACRES, according to Book 111 of Maps," which appears on your deed papers. You should use this description. A cemetery plot is considered real property.
- b) **Household furniture.** This includes sofas, beds, tables, and so forth. Be specific.
- c) **Household furnishings.** This includes things in the house other than furniture, for example: dishes, small appliances, rugs, and so forth. Be specific.
- d) **Other.** List things that you want or your want your spouse to have that have not already been listed.
- e) **Pension/retirement fund/profit sharing/stock plans/401K.** You and your spouse each generally have an interest of up to 50% (one-half) of the other spouse's plan, for the number of years you were married. The longer the marriage, the greater your financial interest in your spouse's plan (up to 50 percent of the benefits/plan if you have been married the whole time the plan has existed.) Check this box if you want to divide your interest in a retirement or profit sharing/retirement/401K plan. If you check this box, you must see an attorney about a **document** called a **Qualified Domestic Relations Order or QDRO**. A QDRO is a very specialized legal document that requires professional assistance to prepare. The Self-Service Center and the court do not have Qualified Domestic Relations Order forms.
- f) **Motor vehicles.** List the vehicle identification number, the year and make of the car (Ford, Honda) and the model (Mustang, Lumina).

8.b. **PROPERTY ACQUIRED BEFORE MARRIAGE. SEPARATE PROPERTY.** If you did not have or bring any property into the marriage, check the first box. If your spouse did not have or bring any property into the marriage, check the next box. If you or your spouse brought property into the marriage or acquired property after the Respondent was served with the Petition for Dissolution, check the third and/or fourth box. If you checked the third and/or fourth box, you must tell the court what property you brought into the marriage and what property your spouse brought into the marriage. List the property that you want the court to award to you, the Petitioner and list the property that you want the court to award to your spouse, the Respondent. Put a check in the box that matches the property you want to go to which person. You should describe the property thoroughly for identification purposes. You can use the brand name and model and serial numbers where applicable.

9.a **DEBTS INCURRED DURING THE MARRIAGE.** If you and your spouse do not owe money on any debts from the marriage, check the first box and go on. If you and your spouse owe money on any debts from the marriage, check the second box. If you check the second box, tell the court which debts you should pay and which debts your spouse should pay. Generally, the court will attempt to make a fair division of the debts. If you get property that has debt on it, you will probably also be given the debt. Ordering one person to pay all the debt is unusual. Think about what is a fair division of the debts before answering this question. Put enough information to identify each debt.

If you and your spouse have been separated and have acquired new debts on your own since the separation and before filing for divorce, you may want the court to order that each of you pay for any new debt after the date you separated. You can make this request on the last page of your Petition under Letter I, "Community Debts."

9.b. **SEPARATE DEBTS. DEBTS INCURRED PRIOR TO MARRIAGE.** If you and your spouse did not owe money on any debts before you were married, check the first box and GO ON. If you owed money on debts before you were married, check the second box. If your spouse owed money on debts before you were married, check the third box. If either you or your spouse owe money on any debts you or your spouse brought into the marriage, describe the debts, and tell the court which debts you should pay and which debts your spouse should pay.

- 10. TAX RETURNS.** Decide what you want to do about any income tax refund. Check the box that applies to you. If you have questions about which box you can check, you should see a lawyer, an accountant, and/or contact the Internal Revenue Service (IRS).
- 11. SPOUSAL MAINTENANCE /SUPPORT** is the term used to describe money paid from one spouse to the other spouse as part of a divorce settlement. You may know the term as alimony. Spousal maintenance/support is designed as a safety net for a spouse who cannot provide for his/her needs or who meets other requirements listed on the Petition under paragraph 11. The idea behind spousal maintenance/support is that accomplishments during your marriage, including increases in earning potential and living standards, are shared and earned by **BOTH** parties to a marriage. Look at paragraph 11 to see if spousal maintenance/support applies to you or your spouse. Check as many boxes as apply to your situation. Spousal maintenance/support is paid separately from child support and is **not** a substitute for, or a supplement to, child support.
- 12. OTHER STATEMENTS TO THE COURT.** You are telling the court that you believe the following statements are true. If the statements are not true, see a lawyer for help:
 - Your marriage is irretrievably broken. This means that your marriage is over and you do not believe you can get back with your spouse.
 - The conciliation requirements do not apply or have been met. This means that you do not think marriage counseling through the court will help you get back with your spouse or resolve your marital issues.
 - This court has the power to decide child custody issues. Generally, this means that the children have lived in the State of Arizona for the past six (6) months, or if they are younger than six (6) months, since birth.If this statement is not true, see a lawyer for help.
- 13. WRITTEN CUSTODY AGREEMENT.** Check this box **ONLY** if you and your spouse have a written agreement regarding custody, visitation and child support that **both** of you signed **BEFORE** you filed the "*Petition for Dissolution of Marriage*". If you have only discussed these issues and do **not** have a written agreement, do **NOT** check this box.

REQUESTS TO THE COURT. This section requests that the court grant you and your spouse your divorce and tells the court other requests you are making:

- A. DISSOLUTION.** This is your request to end your non-covenant marriage by a divorce.
- B. NAMES.** Check this box if you want to use your maiden or former name. Write in your maiden name or former last name in the space provided. If you are **not** the person who is requesting to have your former name restored, the court must have a written request from the party who wants his or her name restored in order to change the name.
- C. CHILD CUSTODY AND VISITATION:**
 - C.1. SOLE CUSTODY OF CHILDREN AND VISITATION.** If you want sole custody, check the box that applies, including the visitation you are asking for. Tell the court whether you want custody of the children to go to you (the Petitioner) or your spouse (the Respondent).

VISITATION: Check only one box. You can ask that the non-custodial parent (the parent having physical custody of the child less than 50% of the time) have one of the following types of visitation (If you want to know more about custody and visitation, read the Parent Access Guidelines that you received with your packet):

Reasonable visitation. This suggests an amount of visitation appropriate to the age of the child(ren). The court offers suggested amounts of visitation, but the amount can vary by agreement of both parents.

Supervised visitation to the non-custodial parent. You should request supervised visitation if the non-custodial parent cannot adequately care for the child(ren) without another person present. You may request this if the non-custodial parent has a problem with drugs or alcohol; is violent or abusive; or does not have the parenting skills to care for the child(ren) without another adult present. Remember, supervised visitation is not intended to punish the parent, but to protect the child(ren).

No visitation to the non-custodial parent. You should mark this option only if the non-custodial parent has seriously harmed, abused, or otherwise is a serious danger to the child(ren)'s physical and/or emotional health, or if there is a criminal court order stating no contact between the child and the non-custodial parent. You may use this as a last resort to protect the child.

OR

- C.2. JOINT CUSTODY:** If you are asking for joint custody, you must file a Joint Custody Agreement signed by both parents that the court must approve.
- D. CHILD SUPPORT:** Tell the court who you think should pay child support. The person who has custody of the child(ren), or who has physical care of the child(ren) more than 50% of the time, is the person who should receive the support. The other spouse, often called the "non-custodial" parent, must pay the support. The income of the parties generally determines the amount of the support according to court guidelines. You must check only one box.
- E. INSURANCE AND HEALTH CARE EXPENSES FOR CHILDREN:** Check only one box. Tell the court which parent should provide insurance for the children. Whichever parent has the most affordable insurance plan available through work, generally should pay for insurance. Adjustments can be made to child support to reflect the costs of insurance for the children.
- F. TAX EXEMPTION.** Decide how you and your spouse will declare the tax dependency exemptions, for which child(ren), for which years. Federal Tax law also determines this for you. If you are not sure, see a lawyer and/or an accountant for help.
- G. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY).** This tells the court that you or your spouse should pay money to the other spouse on a monthly basis to help with living expenses. Check the first box if **YOU** (the Petitioner) will be paying spousal maintenance/support. Check the second box if **YOUR SPOUSE** (the Respondent) will be paying spousal maintenance/support. If you or your spouse should not pay spousal maintenance/support, do not check either box, and **GO ON.** (**You can check a box only if you checked the same box in the spousal maintenance/support section on page 5, paragraph 11.**) If you request spousal maintenance/support, choose what you believe to be a reasonable monthly amount and tell the court how long the money should be paid. Base the amount of any request on the receiving party's need and the income of the party paying this money.
- Spousal maintenance/support is not a substitute for, or a supplement to, court ordered child support.**
- H. COMMUNITY PROPERTY.** This tells the court that your division of the property is fair.
- I. COMMUNITY DEBT.** This tells the court that your division of the debt is fair, and that the court should divide the debts as requested by you in your Petition. If you have been separated from your spouse long enough that you or your spouse may have additional debts, write down the date of your separation on the line provided if you want each spouse to pay his/her debts incurred after you separated.
- J. SEPARATE PROPERTY and DEBTS.** This states that you will keep the property you owned before the marriage and that your spouse will keep the property he/she owned before the marriage. It also says that you will pay your separate debts and your spouse will pay his/her separate debts.

K. **OTHER ORDERS:** Tell the court anything else you may want ordered that has not been covered in your Petition.

OATH OR AFFIRMATION AND VERIFICATION OF PETITIONER: Sign this form in front of a notary public. By doing so, you are telling the court that everything contained in the Petition for Dissolution is true.

NOTICE OF RIGHT TO CONVERT HEALTH INSURANCE: This is an important document that explains what to do about health care coverage for yourself and your child(ren). Read it carefully, and be sure a copy is served on your spouse, along with the other divorce papers.

AFFIDAVIT OF MINOR CHILDREN: You must complete this document. Fill in the information completely and to the best of your knowledge.

ORDER and NOTICE REGARDING THE PARENT INFORMATION PROGRAM: This is an important document. You and the other parent must attend and complete a class in the Parent Information Program. This is a very exciting and wonderful class. It was designed to help you. The purpose of the Parent Information Program is to give parents information about the impacts that divorce, the changes in the family unit, and court involvement have on children involved in a divorce, paternity, or custody case. This Notice applies to **all** parents who file an action for dissolution of marriage or legal separation, or any paternity proceeding, in which a party has requested that the court determine custody, visitation or support, and to all other domestic relations cases if ordered by the court. **Make sure you read this order and notice and serve the other party with it.**

NOTICE REGARDING CREDITORS: This is an important document that tells you and your spouse that you are responsible for community debts to creditors even though the court order or decree says that only one of you (either you or your spouse) are responsible. This notice must be served on your spouse. In addition, read this notice to find out how to obtain information from your creditors about account balances.

OTHER IMPORTANT PAPERS IN THIS PACKET: Before you get an order from the judge you must complete the court papers on what you want the judge to order about child custody and access (visitation), and for child support. The court papers you need, with guidelines and/or instructions, are included in packet four, the court order packet. These court forms, and those prepared by the other party, are what the judge will use when it is time to sign the order about custody, visitation, and support. You can complete the papers about custody, visitation and support now, and serve or provide copies to the other party. Or, you can complete the papers before the final court hearing date. The Family Support Center of the Clerk of the Court will help you with Child Support calculations for the Worksheet.

SELF-SERVICE CENTER

PROCEDURES: HOW TO FILE PAPERS WITH THE COURT FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) – WITH CHILDREN

STEP 1: Make **1** copy of the “*Family Court Cover Sheet*” after you have filled it out.

Make **2** copies of the following documents after you have filled them out:

- “*Summons*”
- “*Preliminary Injunction*”
- “*Notice of Right to Convert Health Insurance*”
- “*Order and Notice for the Parent Information Program*”
- “*Notice Regarding Creditors*”
- “*Affidavit of Minor Children*”
- “*Petition for Dissolution of Marriage (Divorce)*”

STEP 2: SEPARATE YOUR DOCUMENTS INTO THREE (3) SETS:

| | | |
|---|--|---|
| <p>SET 1 - ORIGINALS FOR CLERK OF COURT:</p> <ul style="list-style-type: none">• “<i>Family Court Cover Sheet</i>”• “<i>Summons</i>”• “<i>Preliminary Injunction</i>”• <i>Petition for Dissolution of Marriage</i>• “<i>Notice of Right to Convert Health Insurance</i>”• “<i>Order and Notice for Parent Information Program</i>”• “<i>Affidavit of Minor Children</i>”• “<i>Notice Regarding Creditors</i>” | <p>SET 2 - COPIES FOR SPOUSE:</p> <ul style="list-style-type: none">• “<i>Summons</i>”• “<i>Preliminary Injunction</i>”• <i>Petition for Dissolution of Marriage</i>• “<i>Notice of Right to Convert Health Insurance</i>”• “<i>Order and Notice for Parent Information Program</i>”• “<i>Affidavit of Minor Children</i>”• “<i>Notice Regarding Creditors</i>” | <p>SET 3 – COPIES FOR YOU:</p> <ul style="list-style-type: none">• “<i>Family Court Cover Sheet</i>”• “<i>Summons</i>”• “<i>Preliminary Injunction</i>”• <i>Petition for Dissolution of Marriage</i>• “<i>Notice of Right to Convert Health Insurance</i>”• “<i>Order and Notice for Parent Information Program</i>”• “<i>Affidavit of Minor Children</i>”• “<i>Notice Regarding Creditors</i>” |
|---|--|---|

STEP 3: FILE THE PAPERS AT THE COURT:

GO TO: **GO TO THE COURT TO FILE YOUR PAPERS:** The court is open from 8am-5pm, Monday-Friday. You should go to the court at least two hours before it closes. You may file your court papers at the following Superior Court locations:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Complex
222 East Javelina Drive, 1st floor
Mesa, Arizona 85210

The Clerk of the Superior Court
Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374

The Clerk of Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, AZ 85032

FILE: Go to the Clerk of the Court filing counter to file your documents.

FEES: There is a filing fee and service fees for all Petitions. If you think you are entitled to a fee deferral (postponement or payment plan), you may request a deferral of the filing fees (and the Sheriff's service fees if you intend to use the Sheriff's Office for service) at the time you file your papers with the Clerk of the Court. The Self-Service Center and the Filing Counter have the deferral forms.

PAPERS: Hand all three (3) sets of your court papers to the Clerk along with cash, check or a Money Order for the filing fee of **\$276.00**. You must also give the Clerk two 9" x 12" stamped, addressed envelopes -- one addressed to yourself and one addressed to your spouse.

MAKE SURE YOU GET THE FOLLOWING BACK FROM THE CLERK:

- Your Set of **Copies**
- Your Spouse's Set of **Copies**

STEP 4: Read the packet at the Self-Service Center called "Service of Court Papers" that applies to your situation. This will explain how to serve the other party. Remember to file your Affidavit, Waiver or Acceptance of Service as soon as the Respondent is served.

**Superior Court of Arizona
Maricopa County
Family Court Cover Sheet**

For Use *WITH* Minor Children

Check only one:

- Dissolution (Divorce)**
- Legal Separation**
- Annulment**
- Order of Protection**
- Paternity**
- * **Custody/Visitation**
- * **Child Support**
- Other _____**

* Check only if no other category applies

**Case Number (Clerk will stamp
case # when documents are filed)**

ATLAS number(s): (if applicable)

Instructions:

- You must provide the following information about yourself and the other party.
- Type or print neatly in black ink.
- If more room is needed for children or Petitioner/Respondent, please attach a separate page.

Information About the Petitioner:

Name: _____

Address: _____

City, State, Zip: _____

Home phone #: (____) _____

Work phone number: (____) _____

Cell phone/pager: (____) _____

Date of Birth: _____

Social Security: _____

E-mail address: _____

Information About the Respondent:

Name: _____

Address: _____

City, State, Zip: _____

Home phone #: (____) _____

Work phone number: (____) _____

Cell phone/pager: (____) _____

Date of Birth: _____

Social Security#: _____

E-mail address: _____

Lawyer's Name and Bar Number: _____
(Provide this information only if YOU have an attorney)

Names, Dates of Birth, and Social Security Numbers for Minor Children Involved:

| | | |
|-------|------|------|
| Name: | DOB: | SSN: |
| Name: | DOB: | SSN: |
| Name: | DOB: | SSN: |
| Name: | DOB: | SSN |

Names and D/O/B's of any OTHER minor children of the petitioner and/or the respondent, who are NOT involved in this case: _____

Have there been any other cases (EXCLUDING minor traffic offenses) in any court involving members of this family? Yes No. If yes, please describe, and provide case numbers if known:

Domestic Violence Section

Is anyone mentioned on this cover sheet currently a victim of any family or domestic violence?

Yes No

Has anyone listed on this cover sheet been the plaintiff, defendant, or named in a petition for an Order of Protection? Yes No

If Yes, please identify:

Was the Order of Protection granted by the Maricopa County Superior Court?

Yes No

If No, in what court was the Order of Protection granted?

Children's Issues Section

Are any of the children named above in any physical danger due to abuse or neglect?

Yes No

Has anyone named on this sheet had any involvement with Child Protective Services in Arizona?

Yes No

If Yes, please provide the CPS or Juvenile Court case number:

INTERPRETER: Is an interpreter needed for either of the parties? If so, please check the appropriate boxes below. **NOTE: THIS IS NOT A REQUEST FOR AN INTERPRETER, THIS INFORMATION IS TO BE USED FOR INTERNAL PURPOSES ONLY.**

Petitioner Respondent Language: Spanish Other _____

LOCATION (Check the Superior Court location where you are filing these documents):

Downtown Phoenix (201 W. Jefferson St.) Northeast Phoenix (18380 N. 40th St.)
 Southeast Regional (222 E. Javelina, Mesa) Northwest Regional (14284 W. Tierra Buena, Surprise)

Name of Person Filing: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 ATLAS Number (if applicable): _____
 Attorney Bar Number (if applicable): _____
 Representing Self (Without Attorney) OR
 Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Case Number: _____

(Name of Petitioner) _____

PETITION FOR DISSOLUTION OF A NON-COVENANT MARRIAGE (DIVORCE) -- WITH CHILDREN

STATEMENTS MADE TO THE COURT, UNDER OATH:

1. INFORMATION ABOUT ME, THE PETITIONER:

Name: _____
 Address: _____
 Date of Birth: _____
 Job Title: _____
 Starting with today number of months/years in a row, you, the Petitioner, have lived in Arizona: _____

2. INFORMATION ABOUT, MY SPOUSE, THE RESPONDENT:

Name: _____
 Address: _____
 Date of Birth: _____
 Job Title: _____
 Starting with today number of months/years in a row, you, the Petitioner, have lived in Arizona: _____

3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: _____
 City and state or country where we were married: _____
 We do not have a covenant marriage. (Warning: You cannot use this paperwork, if this statement is not true. If you have questions about whether you have a covenant marriage, review your marriage license, review the checklist in this packet, and see a lawyer for help.)

4. 90 DAY RESIDENCY: (NOTE: One of the following statements must be true before you can file your case in Arizona.) The statement checked below applies to my situation.

- My spouse or I have lived in Arizona for at least 90 days before I filed this action.
or
 While a member of the Armed Forces, my spouse or I have been stationed in Arizona for at least 90 days before I filed this action.

5. DOMESTIC VIOLENCE: (Check the box that is true if you intend to ask for joint custody): Domestic violence has not occurred during this marriage or Domestic violence has occurred, but the domestic violence has not been significant.

6. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD (check one box):

There are **no** children under the age of 18 either born to, or adopted by, the parties.
NOTE: IF YOU CHECKED THIS BOX, STOP. YOU SHOULD BE USING THE PETITION PACKET TO GET A DIVORCE WITHOUT CHILDREN.

Case No. _____

- The following child(ren) are under age 18 and were born to or adopted by my spouse and me: (Attach extra pages if necessary).

Child's Name: _____

Birthdate: _____

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____

Address: _____

Length of Time at Address: _____

Child's Name: _____

Birthdate: _____

Address: _____

Length of Time at Address: _____

7. PREGNANCY and PATERNITY: (check one box)

Wife is **not** pregnant, OR

Wife **is** pregnant

The baby is due on _____ (date), (and, check one box below):

The Petitioner and Respondent are the parents of the child, OR

Petitioner is **not** the parent of the child, OR.

Respondent is **not** the parent of the child.

A child or children was/were born before the marriage. The husband is the father of that child / those children named below:

8.a. COMMUNITY PROPERTY: (check one box)

My spouse and I did not acquire any community property during the marriage, OR

My spouse and I acquired community property during our marriage, and we should divide it as follows:

| | Petitioner | Respondent | Value |
|--------------------------------|--------------------------|--------------------------|----------|
| Real estate located at: | <input type="checkbox"/> | <input type="checkbox"/> | \$ _____ |

Legal Description: _____

| | Petitioner | Respondent | Value |
|--------------------------------|--------------------------|--------------------------|----------|
| Real estate located at: | <input type="checkbox"/> | <input type="checkbox"/> | \$ _____ |

Legal Description: _____

Case No. _____

| | | | |
|---|--------------------------|--------------------------|--------------|
| <input type="checkbox"/> Household furniture and appliances: | Petitioner | Respondent | Value |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| <input type="checkbox"/> Household furnishings: | Petitioner | Respondent | Value |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| <input type="checkbox"/> Other items: | Petitioner | Respondent | Value |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| <input type="checkbox"/> Pension/retirement fund/profit sharing/stock plan/401K: | Petitioner | Respondent | Value |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| <input type="checkbox"/> Motor vehicles: | Petitioner | Respondent | Value |
| Make _____ Model _____ VIN _____ Lien Holder _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| Petitioner | Respondent | Value | |
| Make _____ Model _____ VIN _____ Lien Holder _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |

8.b. SEPARATE PROPERTY: (Check all boxes that apply.)

- I do not have any property that I brought into the marriage or separate property.
- My spouse, the Respondent does not have any property that he or she brought into the marriage or separate property.
- I have property that I brought into the marriage or I have separate property. I want this property awarded to me as described below.
- My spouse, the Respondent, has property that he or she brought into the marriage or has separate property. I want this property awarded to my spouse as described below.

Case No. _____

Separate Property: (On the next page, list the property and the value of the property, and check the box to tell the Court who should get the property.)

| Description of Separate Property | Petitioner | Respondent | Value |
|----------------------------------|--------------------------|--------------------------|---------|
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |

9.a. COMMUNITY DEBTS: (check one box)

- My spouse and I did not incur any community debts during the marriage, OR
 We should divide the responsibility for the debts incurred during the marriage as follows:

| DESCRIPTION OF DEBT | Petitioner | Respondent | Amount Owed |
|---------------------|--------------------------|--------------------------|-------------|
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |

9.b. SEPARATE DEBTS: (Check all boxes that apply.)

- My spouse and I do **not** have any debts that were incurred prior to the marriage or separate debt;
 I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below;
 My spouse has separate debt or debt that he or she incurred prior to the marriage that should be paid by my spouse as described below.

| DESCRIPTION OF DEBT | Petitioner | Respondent | Amount Owed |
|---------------------|--------------------------|--------------------------|-------------|
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> | \$_____ |

10. TAX RETURNS: (Check this box if this is what you want).

- After the judge or commissioner signs the Decree of Dissolution of Marriage (Divorce), we will, subject to IRS Rules and Regulations, pay federal and state taxes as follows: For previous years (the years we were married, **not** including the year the Decree was signed), the parties will file joint federal and state income tax returns. In addition, for previous calendar years, both parties will pay, and hold the other harmless from, 1/2 of all additional income taxes if any and other costs, and each will share equally in any refunds. For the calendar year (the year that the Decree is signed) and all future calendar years, each party will, subject to IRS Rules and Regulations, file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

11. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY) (check the box that applies to you):

- Neither party is entitled to spousal maintenance/support (alimony), OR
 Petitioner OR Respondent is entitled to spousal maintenance/support because: (Check one or more of the box(es) on the next page that apply. At least one reason must apply to get spousal maintenance/ support.)

Case No. _____

- Person lacks sufficient property to provide for his/her reasonable needs;
- Person is unable to support himself/herself through appropriate employment;
- Person is the custodian of a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;
- Person lacks earning ability in the labor market adequate to support himself/herself; and
- Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself/herself.

12. OTHER STATEMENTS TO THE COURT UNDER OATH: To file for divorce of non-covenant marriage, you must be able to tell the court that the following statements are true. If the statements are not true, you cannot file for divorce until the statements are true. Check the box in front of each statement if the statement is true.

- TRUE My marriage is irretrievably broken and there is no reasonable prospect of reconciliation. (My marriage is over.)
- TRUE My spouse and I have attempted to resolve our problems by using Conciliation Services, or going to Conciliation Services to try resolve our problems would not work.
- TRUE This court has jurisdiction to decide child custody matters under Arizona law.

13. WRITTEN CUSTODY AGREEMENT: (Check the boxes that apply, if they apply)

- My spouse and I have a written agreement signed by both of us about the custody, visitation, and child support for our child(ren).
- I have attached a copy of the written agreement.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

- Dissolve our marriage and return each party to the status of a single person;

B. NAMES: Restore wife husband to her or his former name of _____

WARNING: If you are not the person who is requesting to have your former name restored, the court must have a written request from the party who wants his or her name restored to change the name.

C. PATERNITY and CHILDREN'S NAMES: Declare the husband to be the father of the following named child(ren) born before the marriage and (optional) change the legal name of those children to the name listed on the right, below :

Current Legal Name

**(OPTIONAL) Change the name of the child to:
New Name**

D. CHILD CUSTODY AND VISITATION: Award custody and visitation of the children under the age of 18 years and common to the parties, whether by birth or adoption, as follows: (Check either the sole custody box or the joint custody box. If you check the sole custody box, check only one box related to visitation.)

Case No. _____

- C.1. **SOLE CUSTODY** of the minor child(ren) awarded to Petitioner OR Respondent, subject to visitation as follows:
- Reasonable Visitation** rights to the parent not having custody, as will be described in the Parenting Plan attached to the Divorce Decree.
- Supervised Visitation** between the children and the Petitioner OR Respondent is in the best interest of the children because: (Explain the reasons for need for supervised visitation. Use extra paper if necessary.) _____

Name of the person who will supervise: _____

Requested restrictions on visitation: (explain here) _____

The cost of supervised parent/child access will be paid by the parent being supervised; the parent having custody; shared equally by the parties.

- No Visitation** rights to the parent not having custody is in the best interests of the child(ren) because: (Explain the reasons for no visitation. Use extra paper if necessary):

OR

- C.2. **JOINT CUSTODY:** Petitioner and Respondent agree to act as joint custodians of the minor child(ren) as set forth in the Joint Custody Agreement signed by the parties, if the court agrees with the Joint Custody Agreement. (Remember, there can be no domestic violence in your marriage.)

D. **CHILD SUPPORT:** Order that child support will be paid by: Petitioner, OR Respondent in a reasonable amount as determined by the court under the Arizona Child Support Guidelines. Support payments will begin on the first day of the first month following the entry of the divorce decree. These payments, and a fee for handling, will be paid through the Clerk of the Court/Clearinghouse and collected by automatic wage assignment.

E. **INSURANCE AND HEALTH CARE EXPENSES FOR CHILDREN:** Order that Petitioner, OR Respondent will pay for the health, medical, and dental insurance coverage for the child(ren) common to the parties and under the age of 18 years. Petitioner and Respondent will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the child(ren) in proportion to their respective incomes.

F. **TAX EXEMPTION:** The parties will claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

| Parent entitled to claim | Name of child | Current tax year | Later tax years |
|---|---------------|------------------|-----------------|
| <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | | | |
| <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | | | |
| <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | | | |
| <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | | | |

Case No. _____

- G. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):** Order spousal support to be paid by Petitioner, or Respondent in the amount of _____ per month beginning with the first day of the month after the Judicial Officer signs the Decree and continuing until the person receiving spousal maintenance/support is remarried or deceased, or for a period of _____ months.
- H. COMMUNITY PROPERTY:** Make a fair division of all community property.
- I. COMMUNITY DEBTS:** Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him/her since the parties separation on _____ or the date the Respondent was served with the Petition for Dissolution.
- J. SEPARATE PROPERTY and DEBT:** Award each party his/her separate property and make each party pay his/her own separate debt.
- K. OTHER ORDERS I AM REQUESTING** (Explain request here):

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Signature _____

Date _____

Sworn to or Affirmed before me this: _____ by _____
(date)

My Commission Expires: _____ Deputy Clerk or Notary Public _____

Name of Person Filing: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 ATLAS Number (if applicable): _____
 Attorney Bar Number (if applicable): _____
 Representing: Self (Without an Attorney) Petitioner Respondent

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Case No.: _____

Name of Petitioner/Plaintiff _____

SUMMONS

and

Name of Respondent/Defendant _____

**WARNING: This is an official document from the court that affects your rights. Read this carefully.
If you do not understand it, contact a lawyer for help.**

FROM THE STATE OF ARIZONA TO: _____

Name of Respondent/Defendant _____

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this "Summons".
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the court, and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his/her Petition or Complaint. To file your "Answer" or "Response" take, or send, the "Answer" or "Response" to the Office of the Clerk of the Superior Court, 201 West Jefferson Street, Phoenix, Arizona 85003-2205 or the Office of the Clerk of the Superior Court, 18380 North 40th Street, Phoenix, Arizona 85032 OR Office of the Clerk of Superior Court, 222 East Javelina Drive, Mesa, Arizona 85210-6201 or Office of the Clerk of Superior Court, 14264 West Tierra Buena Lane, Surprise, Arizona, 85374. Mail a copy of your "Response" or "Answer" to the other party at the address listed on the top of this Summons.
3. If this "Summons" and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this "Summons" and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.

Case No. _____

4. You can get a copy of the court papers filed in this case from the Petitioner at the address at the top of this paper, or from the Clerk of the Superior Court's Customer Service Center at 601 West Jackson, Phoenix, Arizona 85003 or at 222 East Javelina Drive, Mesa, Arizona 85210.
5. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least five (5) days before your scheduled court date.

SIGNED AND SEALED this date

MICHAEL JEANES, CLERK OF COURT

By _____
Deputy Clerk

Name of Person Filing Document: _____
 Your Address: _____
 Your City, State, and Zip Code: _____
 Your Telephone Number: _____
 Atlas Number (if applicable): _____
 Attorney Bar Number (if applicable): _____
 Representing Self (Without Attorney) OR
 Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Name of Petitioner _____

Case Number: _____

and

AFFIDAVIT REGARDING MINOR CHILDREN

Name of Respondent _____

NOTICE: This "Affidavit Regarding Minor Children" is required for all custody cases. You must fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.

- 1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD.** The following child(ren) are under age 18 and were born to, or adopted by, me and the other party.

Name _____
 Birthdate: _____ Age: _____
 Name _____
 Birthdate: _____ Age: _____

Name _____
 Birthdate: _____ Age: _____
 Name _____
 Birthdate: _____ Age: _____

- 2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS.**

Child's Name: _____
 Address: _____
 City, State: _____

Dates: From _____ To _____
 Lived with: _____
 Relationship to Child: _____

Child's Name: _____
 Address: _____
 City, State: _____

Dates: From _____ To _____
 Lived with: _____
 Relationship to Child: _____

Child's Name: _____
 Address: _____
 City, State: _____

Dates: From _____ To _____
 Lived with: _____
 Relationship to Child: _____

- 3. COURT CASES IN WHICH I HAVE BEEN A PARTY/WITNESS THAT INVOLVED THE CUSTODY PARENTING TIME OF THE CHILD(REN).** (Check one box.)

I have or I have not been a party/witness in court in this state or in any other state that involved the custody parenting time of the child(ren) named above. (If so, explain on separate paper., If not, go on.)

Case No. _____

Name of each child: _____
Name of Court: _____ Court Location: _____
Court Case Number: _____ Current Status: _____
How the child is involved: _____
Summary of any Court Order: _____

4. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE CUSTODY OF THE CHILD(REN). (Check one box.)

I do have or I do not have information about a custody parenting time court case relating to any of the children named above that is pending in this state or in any other state. (If so, explain. If not, go on.)

Name of each child: _____
Name of Court: _____ Court Location: _____
Court Case Number: _____ Current Status: _____
How the child is involved: _____
Summary of any Court Order: _____

5. CUSTODY OR PARENTING TIME CLAIMS OF ANY PERSON. (Check one box.)

I do know or I do not know a person other than the Petitioner or the Respondent who has physical custody or who claims custody or parenting time rights to any of the children named in this Affidavit. (If so, explain below. If not, go on.)

Name of each child: _____
Name of person with the claim: _____
Address of person with the claim: _____
Nature of the claim: _____

OATH OR AFFIRMATION AND VERIFICATION

I swear or affirm that the information on this document is true and correct under penalty of perjury.

Signature

Date

Sworn to or Affirmed before me this: _____ by _____
(date)

My Commission Expires: _____ Deputy Clerk or Notary Public

Name of Person Filing: _____

Your Address: _____

Your City, State, Zip Code: _____

Your Telephone Number: _____

ATLAS Number (if applicable): _____

Attorney Bar Number (if applicable): _____

Representing Self (without Attorney) or Attorney for Petitioner or Respondent

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Case Number: _____

Name of Petitioner _____

PRELIMINARY INJUNCTION

AND

Name of Respondent _____

WARNING: This is an official Order from the court. It affects your rights. Read this Order immediately and carefully. If you do not understand it, contact a lawyer for help.

Your spouse has filed a "**Petition for Dissolution**" (Divorce) or "**Petition for Annulment**" or "**Petition for Legal Separation**" with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Maricopa County. This Order has the same force and effect as any order signed by the judge. You and your spouse **must** obey this Order. This Order may be enforced by any remedy available under the law, including an "**Order of Contempt of Court**." To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. **If you have any questions, you should contact a lawyer for help.**

EXPLANATION: (What does this Order mean to you?)

1. **ACTIONS FORBIDDEN BY THIS ORDER:** From the time the "**Petition for Dissolution**" (Divorce) or "**Petition for Annulment**" or "**Petition for Legal Separation**" is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent **shall not** do any of the following things:

- ✓ You may **not** hide earnings or community property from your spouse, **AND**
- ✓ You may **not** take out a loan on the community property, **AND**
- ✓ You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
- ✓ Do **not** harass or bother your spouse or the children, **AND**
- ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
- ✓ Do **not** take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, **before** you take the minor children out of the State.
- ✓ Do **not** remove, or cause to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

STATUTORY REQUIREMENTS: Arizona Law, A.R.S. 25-315(A) provides:

- 1(a). **RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.
- 1(b). **REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.
- 1(c). **RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.
- 1(d). **RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.
2. **EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.
3. **ORDER TO PETITIONER:** You **must** serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.
4. **WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.
5. **LAW ENFORCEMENT:** You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.

6. DESCRIPTION OF THE PARTIES:

Petitioner:

Name: _____

Height: _____

Driver's License No.: _____

Date of Birth: _____

Gender: Male Female

Weight: _____

Respondent:

Name: _____

Height: _____

Driver's License No.: _____

Date of Birth: _____

Gender: Male Female

Weight: _____

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this _____ day of _____, _____.

Clerk of the Superior Court

By: _____, Deputy Clerk

Name of Person Filing: _____
 Your Address: _____
 Your City, State, Zip Code: _____
 Your Telephone Number: _____
 ATLAS Number (if applicable): _____
 Representing Self (Without Attorney) or Attorney for _____

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Name of Petitioner _____

Case Number: _____

NOTICE REGARDING CREDITORS

Name of Respondent _____

ARIZONA LAW REQUIRES all actions for DIVORCE or LEGAL SEPARATION to include this NOTICE and for the person filing for Divorce or Legal Separation to SERVE this NOTICE on the other party. (ARS 25-318(F).)

YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS. The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses **only, not the creditors**. You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between **both of you** and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

CONTACT CREDITORS: You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. The credit report will help you identify accounts, account numbers and account balances. In addition, within thirty (**30**) days after receipt of a request from a spouse who is party to a divorce or legal separation, which includes the court and cause number of the action, creditors are required, by law, to provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor.

WARNING: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.

The following page contains a sample form you may choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.
DO NOT FILE THE NEXT PAGE WITH THE COURT.

REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS

You may use this form to request information about debt owed by you or your spouse.
If so, send to the creditor. **DO NOT FILE THIS PAGE WITH THE COURT.**

DATE: _____

CREDITOR'S NAME: _____

CREDITOR'S ADDRESS: _____

Regarding: Superior Court of Arizona in Maricopa County

Case Name: _____

Case Number: _____

Pursuant to Arizona State Law (ARS 25-318), this letter requests the balance and account status of any debt for which the following individuals may be liable to you. (Arizona law requires that you provide this information within thirty (30) days of receipt of this letter.)

INFORMATION ABOUT DEBTORS/SPOUSES:

Your Name: _____

Your Address: _____

Your Phone Number: _____

Your Spouse's Name: _____

Your Spouse's Address: _____

INFORMATION ABOUT THE ACCOUNT:

Account Number(s): _____

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your name: _____

Your signature: _____

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

Case Number: _____

Name of Petitioner _____

**ORDER AND NOTICE TO ATTEND
PARENT INFORMATION
PROGRAM CLASS**

Name of Respondent _____

READ ME. This is an Official Court Order. If you fail to obey this Order, the court may find you in Contempt of Court.

THE COURT FINDS:

This case involves minor child(ren) and is an action for:

- Dissolution of Marriage;
- Legal Separation; or
- Paternity with a Request to Determine Custody or Parenting Time or Child Support.
- Request to Determine Custody or Parenting Time or Support

THE COURT ORDERS pursuant to ARS § 25-352:

1. **ATTEND CLASS.** You must attend and complete the Parent Information Program Class.
2. **WITHIN 45 DAYS.** Both the Petitioner and the Respondent **must** complete this class within 45 days from the date the Respondent is served with, or accepts service of, the Petition/Complaint. The Respondent **must** register for and complete the course whether or not a "**Response**" or "**Answer**" to the Petition/Complaint is filed.
3. **PAY THE CLASS FEE.** Each party must pay the class fee to the Program Provider, or obtain a fee deferral or waiver.
4. **FILE CERTIFICATE OF COMPLETION.** Both the Petitioner and the Respondent **must** each file a "**Certificate of Completion**" with the Clerk of the Court immediately after completing the class and prior to receiving the final judgment/order/decree in the case.
5. **FAILURE TO ATTEND CLASS.** If you file a Petition/Complaint or "**Response**" or "**Answer**" and do **not** complete the Parent Information Program Class, the judge **may not** sign your papers and you **may not** get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a "**Response**" or "**Answer**," and do not complete the Parent Information Program Class, you **may be denied** the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.

Norman J. Davis

Presiding Judge, Family Court Department

PARENT INFORMATION PROGRAM NOTICE

Parent Information Program - This is a very important document. Read it completely. You and the other parent **must** attend and complete a class in the PARENT INFORMATION PROGRAM. You do **NOT** attend the class with the other parent. As a precaution against any type of abuse or harassment, you and the other parent **MUST** attend **SEPARATE** classes. This is **NOT** a parenting skills class. The purpose of the program is to give parents information about how children are affected by matters that involve family courts: divorce, paternity, or custody matters and parenting time. This Notice applies to all parents who file any of the following actions in the Superior Court of Arizona in Maricopa County on or after January 1, 1997:

- (1) dissolution of marriage or legal separation that involves a natural or adopted minor, un-emancipated child common to the parties, or
- (2) paternity with a request that the court determine custody or parenting time or child support, or
- (3) any other domestic relations cases if attendance is ordered by the court.

WARNING: ATTENDANCE IS REQUIRED. (A.R.S. § 25-352 and Administrative Order No. 96-078).

ATTENDANCE AT THE PARENT INFORMATION CLASS IS REQUIRED BY LAW AND BY THIS COURT. IF YOU DO NOT ATTEND THE CLASS, THE JUDGE MAY NOT SIGN YOUR PAPERS AND YOU MAY NOT GET THE THINGS YOU ASKED THE COURT TO DO. THE JUDGE MAY ALSO FIND YOU IN CONTEMPT OF COURT.

Notice to Other Party.

After you file your court papers with the Court, you must serve this document on the other parent. If you have questions on how to serve the other party, the Self-Service Center has forms and instructions on service. There are four Self-Service Center locations; one in downtown Phoenix on the first floor of the East Court Building located at 101 West Jefferson Street; one in northeast Phoenix at 18380 N. 40th St.; one in the east valley in the Southeast Complex located at 222 East Javelina Avenue in Mesa and one in the northwest valley located at 14264 W. Tierra Buena Lane in Surprise.

Parent Information Class.

You may choose which class you want to attend. A list of approved classes is provided along with this Notice. These classes meet the requirements of the Parent Information Program. You may also choose to attend a different class that is comparable to the classes listed. However, you will have to tell the judge why that class is like the classes on the list of approved classes and you may have to provide all the materials from that class and information about it to show it is comparable. It will be up to the judge to decide if that class meets Parent Information Program requirements.

Registration (sign-up) for class.

You must sign up for the class in advance. You should sign up for the class as soon as you receive this Notice. There may be a limit on the number of people that can attend each class. That means that YOU MUST CALL TO SIGN UP for the class BEFORE the class is scheduled to start. The telephone numbers for all of the Court-approved provider classes are included on the attached list of approved classes.

Information regarding the provider classes and ONLINE REGISTRATION opportunities may be found on the Conciliation Services website at:

<http://www.superiorcourt.maricopa.gov/conciliation/index.asp>

Cost.

- (1) You are required to pay the provider of the class the fee it charges. **Effective September 22, 2003, the fee for the class may be no more than forty dollars (\$40.00)**. You must bring your case number and a picture I.D. to the class.
- (2) If you choose a class that is not listed, you are required to pay the provider of that class the fee it charges. The provider of the class may charge you whatever it wants.
- (3) If your filing fees have been waived or deferred, you must bring a copy of your certificate of waiver or deferral

to the program listed.

Class procedures.

Arrive at the class a few minutes early to check in. **You must check in at the class and you must check out of the class. If you do not check in and out, your attendance may not be counted.** You must bring picture identification with you. **DO NOT BRING CHILDREN TO THE CLASS.** A "Certificate of Completion" of the class will be given to you at the end of the class. After you have attended the class and have received the "Certificate of Completion", you must bring the certificate to the court and file it with the Clerk of the Court. Remember to bring your case number to the class.

Special needs and/or Questions.

If, due to a disability, you need special accommodations to attend this class, or if you have any questions about the Parent Information Program, please contact the Maricopa County Parent Information Program office at 201 West Jefferson Street, third floor, Phoenix, Arizona, or telephone 602-506-1448 when you receive this Notice.

APPROVED PARENT INFORMATION PROGRAM CLASSES

MARICOPA COUNTY

CENTRAL VALLEY

Phoenix

Arizona Interfaith Counseling-5510 N. Central (First United Methodist Church),
Phoenix, AZ 85012
480-969-2783 (English and Spanish Speaking Classes)

Arizona Priority Education and Counseling-8101 N Black Canyon Hwy.
(Best Western Metro Inn), Phoenix, AZ 85021 (Northern/I-17 NE Corner)
www.AzPEC.com or 602-485-1200

Arizona Priority Education and Counseling-2346 N. Central Ave (ChildHelp),
Phoenix, AZ 85004 (Central between McDowell & Thomas)
www.AzPEC.com or 602-485-1200

Arizona Priority Education and Counseling-350 W. Thomas Road (St. Joseph's Hospital),
Phoenix, AZ 85006
www.AzPEC.com or 602-485-1200

Arizona Priority Education and Counseling-715 W Mariposa (Florence Crittenton Services of Arizona), Phoenix, AZ 85013 (7th Avenue, just south of Camelback)
www.AzPEC.com or 602-485-1200 English and/or Spanish Speaking Classes

Arizona Priority Education and Counseling-1111 East McDowell Road,
Phoenix, AZ 85006 (Banner Good Samaritan Hospital)
www.AzPEC.com or 602-485-1200

Center For Families In Transition-5757 N. Central Ave. (North Phoenix Baptist, Family Life Center Rm. 100), Phoenix, AZ 85012

www.DivorceandKids.com or 480-946-9680

Phoenix Interfaith Counseling-555 W. Glendale Ave (The Church of Beatitudes),
Phoenix, AZ 85021
www.pipclasses.com or 602-971-8207

NORTHEAST VALLEY

Paradise Valley

Arizona Interfaith Counseling-3535 E. Lincoln Dr. (Palo Cristi Presbyterian Church),
Paradise Valley, AZ 85253
480-969-2783

Phoenix

Arizona Priority Education and Counseling-3929 E. Bell Rd. (Paradise Valley Hospital),
Phoenix, AZ 85032
www.AzPEC.com or 602-485-1200

Center For Families In Transition-18401 N. 32nd St. (Paradise Valley Community College),
Phoenix, AZ 85032
www.centerforfamilies.net or 602-694-4906

Center For Families In Transition-3929 E. Bell Road (Paradise Valley Hospital),
Phoenix, AZ 85032
www.centerforfamilies.net or 602-694-4906

Phoenix Interfaith Counseling-3929 E. Bell Rd. (Paradise Valley Hospital),
Phoenix, AZ 85032
www.pipclasses.com or 602-971-8207

Scottsdale

Arizona Priority Education and Counseling -12701 N. Scottsdale Rd, Scottsdale, Az 85254
(Ina Levine JCC)
www.AzPEC.com or 602-485-1200

Center For Families In Transition-8801 E. Raintree Drive (University of Phoenix, Bldg.
100 Room 112), Scottsdale, AZ 85260
www.centerforfamilies.net or 602-694-4906

Center For Families In Transition-8860 E. Chaparral Rd. (Western International University)
Scottsdale, AZ 85250
www.centerforfamilies.net or 602-694-4906
(No classes are currently being held here)

Center For Families In Transition – 8655 E. Via De Ventura suite G-200, 2nd floor conference room,
Scottsdale, AZ 85258
www.centerforfamilies.net or 602-694-4906

NORTHWEST VALLEY**Glendale**

Phoenix Interfaith Counseling-21000 N. 75th Ave. (Community Church of Joy),
 Glendale, AZ 85308
www.pipclasses.com or 602-971-8207

Phoenix Interfaith Counseling-6670 W. Sack Dr. (Arrowhead Community Hospital),
 Glendale, AZ 85308
www.pipclasses.com or 602-971-8207

Litchfield Park

Phoenix Interfaith Counseling-300 N. Old Litchfield Road (Church of Litchfield Park),
 Litchfield Park, AZ 85340
www.pipclasses.com or 602-971-8207

Phoenix

Arizona Priority Education and Counseling-19829 N. 27th Ave. (John C. Lincoln Hospital),
 Phoenix, AZ 85027 (I-10/I-17)
www.AzPEC.com or 602-485-1200

Center For Families In Transition-15601 N. 28th Ave. (University of Phoenix),
 Phoenix, AZ 85053
www.centerforfamilies.net or 602-694-4906

Surprise

Arizona Priority Education and Counseling-16089 N. Bullard (Surprise Northwest
 Regional Library, Surprise, AZ 85374
www.AzPEC.com or 602-485-1200

Arizona Priority Education and Counseling-16741 N. Greasewood (Surprise Quality Inn & Suites),
 Surprise, AZ 85374
www.AzPEC.com or 602-485-1200

SOUTHWEST VALLEY

Arizona Priority Education and Counseling-9201 W. Thomas Road (Banner Estrella Medical
 Center), Phoenix, AZ 85037 (Conference Center)
www.AzPEC.com or 602-485-1200

SOUTHEAST VALLEY**Ahwatukee**

Arizona Priority Education and Counseling-5121 E. LaPuente Ave Phoenix, Az 85044 (Clarion
 Hotel I-10 and Elliot Road)
www.AzPEC.com or 602-485-1200

Center For Families In Transition-5001 E. Cheyenne Drive (Ahwatukee Recreation Center),
Phoenix, AZ 85044
480-855-0075

Chandler

Arizona Priority Education and Counseling-250 E. Chicago St (Chandler Police Department/Community Meeting Room) Chandler, AZ 85225
www.AzPEC.com or 602-485-1200
English and/or Spanish Speaking Classes

Gilbert

Center For Families In Transition-1380 E. Guadalupe Road (New Hope Community Church),
Gilbert, AZ 85234
www.DivorceAndKids.com or 480-946-9680 Spanish: 480-773-0966

Center For Families In Transition-456 E. Ray Road (Sun Valley Community Church),
Gilbert, AZ 85233
480-855-0075

Mesa

Arizona Interfaith Counseling-2024 E. University Drive (Grace United Methodist Church, Room 501), Mesa, AZ 85213
480-969-2783

Arizona Priority Education and Counseling-6644 E. Baywood Ave., (Banner Baywood Medical Center) Mesa, AZ 85206 (Superstition Room) West of Power Rd between Broadway & Main
www.AzPEC.com or 602-485-1200
English and/or Spanish Speaking Classes

Center For Families In Transition-2130 E. University Drive (Trinity Baptist), Mesa, AZ 85213
www.DivorceAndKids.com or 480-946-9680

Center For Families In Transition-6530 E. Superstition Springs Blvd. (La Quinta Inn),
Mesa AZ 85206
www.DivorceAndKids.com or 480-946-9680

Center For Families In Transition-1620 S. Stapley Dr. (University of Phoenix building),
Mesa AZ 85204
www.DivorceAndKids.com or 480-946-9680

Phoenix

Arizona Priority Education and Counseling – Clarion Hotel – Ahwatukee 5121 E. LaPuente Ave
Phoenix, Az 85044 Elloit Rd and I-10
www.AzPEC.com or 602-485-1200

Arizona Priority Education and Counseling-7050 S. 24th St. (South Mountain Community College),
Student Union Room 100B Phoenix, AZ 85042 www.AzPEC.com or 602-485-1200
English and/or Spanish Speaking Classes

Center For Families In Transition-15221 S. 50th St. (Holiday Inn Express), Phoenix, AZ 85044
www.DivorceAndKids.com or 480-946-9680

Tempe

Arizona Interfaith Counseling-1565 E. Warner (Mission Del Sol, Room 208),
Tempe, AZ 85284
480-969-2783

Arizona Priority Education and Counseling -5300 S. Priest Dr., Tempe, AZ 85283 (Holiday Inn Express Tempe) Priest just south of Baseline
www.AzPEC.com or 602-485-1200

Center For Families In Transition-6240 S. Price Road (Bethany Community Church, Rm. F-5),
Tempe, AZ 85283
480-855-0075

Center For Families In Transition -670 N. Scottsdale Road (Best Western Inn of Tempe),
Tempe, AZ 85281
www.DivorceAndKids.com or 480-946-9680

Phoenix Interfaith Counseling-3910 S. Rural Road Ste J, Tempe, AZ 85282
www.pipclasses.com or 602-971-8207

Queen Creek

Arizona Priority Education and Counseling –22359 S. Ellsworth, Queen Creek, Az 85242 (Queen Creek Chamber of Commerce)
www.AzPEC.com or 602-485-1200

WEST VALLEY

Avondale

Arizona Priority Education and Counseling – 3000 N Dysart Rd (Estrella Mountain Community College), Avondale, AZ 85323
www.AzPEC.com or 602-485-1200
Spanish Speaking Classes

Phoenix Interfaith Counseling-3000 North Dysart Rd (Estrella Mountain Comm. College), Avondale, AZ 85323
www.pipclasses.com or 602-971-8207

Glendale

Phoenix Interfaith Counseling -4444 W. Northern Ave. Ste D-2 (Apollo Professional Plaza), Glendale, AZ 85301
www.pipclasses.com or 602-971-8207 (English and Spanish Speaking classes available)

ALL OF THE ABOVE PROVIDERS ARE REQUIRED TO ACCOMMODATE THE NEEDS OF SPANISH SPEAKING CLIENTS.

SPECIAL NEEDS OR ACCOMMODATIONS

If, due to a disability, language problem, or other special need, you have difficulty finding a Parent Information Class that can accommodate you, please contact the Maricopa County Parent Information Program office, telephone number (602) 506-1448, for assistance.

PLEASE NOTE: You do NOT attend the class with the other parent. As a precaution against any type of abuse or harassment, you and the other parent **MUST** attend **SEPARATE** classes. You may each take the class from the same agency, but **NOT** at the same time.

You may choose which class you want to attend. The court will not assign you to attend a specific class. If you are led to believe otherwise, please contact the Parent Information Program office at 602-506-1448.

**NOTICE OF YOUR RIGHTS ABOUT
HEALTH INSURANCE COVERAGE
WHEN A PETITION FOR DISSOLUTION (DIVORCE)
IS FILED (A.R.S. 20-1377 and 20-1408)**

**WARNING: THIS IS AN IMPORTANT LEGAL NOTICE. YOUR RIGHTS TO
HEALTH INSURANCE COVERAGE COULD BE AFFECTED AFTER
YOUR DIVORCE IS FINAL. READ THIS NOTICE CAREFULLY. IF
YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CALL
AN ATTORNEY FOR ADVICE ABOUT YOUR LEGAL RIGHTS AND
OBLIGATIONS.**

IMPORTANT INFORMATION IF YOU ARE ON YOUR SPOUSE'S INSURANCE PLAN: When a Petition for Dissolution of Marriage (papers for a divorce decree) is filed, you and/or your children may continue to be covered under your spouse's health insurance policy. Arizona law allows the dependent spouse and/or children to continue to be covered, but you must take some steps to protect your rights.

WHAT INSURANCE COVERAGE APPLIES TO YOU, AND HOW TO GET IT: If you are covered by your spouse's health insurance, and you want to continue to be covered after the divorce is final, you **must** contact the insurance company as soon as possible, and you **must** start to pay the monthly insurance premium within 31 days of the date the insurance would otherwise stop.

If you decide you want to be covered, the insurer can choose whether to continue coverage under the current policy, or to change the policy to your name. If the policy is changed to your name, it is called a "converted"; policy. If the policy is converted by the insurer, the insurer must provide you the same or the most similar level of coverage available, unless you ask for a lower level of coverage.

WHAT COVERAGE APPLIES TO YOUR CHILDREN: If you choose to continue coverage as a dependent spouse, you can also choose to continue coverage for your dependent children if you are responsible for their care or support.

PREEEXISTING CONDITIONS OR EXCLUSIONS FROM INSURANCE COVERAGE: Whether the insurance is continued or converted, the insurance must be provided to you without proof of insurability and without exclusions for coverage other than what was previously excluded before the insurance was continued or converted.

LIMITS ON RIGHTS TO INSURANCE COVERAGE FOR YOU AND YOUR CHILDREN: You may **not** be entitled to continued or converted coverage if you are eligible for Medicare or for coverage by other similar types of insurance which together with the continued coverage would make you over-insured. However, dependent children of a person who is eligible for Medicare may be covered by a continuance or a conversion. If you have questions about coverage, check with the insurer and/or the spouse's employer.

WARNING TO THE SPOUSE FILING THE PETITION FOR DISSOLUTION (DIVORCE): This Notice must be served on your spouse together with the Petition for Dissolution, the Summons, and the Preliminary Injunction.



eCourt Forms
Attachment #44

SALLY M SILVER
1400 W. Blue
Surprise, AZ 85666
SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

)
In Re the Marriage of:)
SALLY M SILVER,)
Petitioner,) No.
and) PETITION FOR DISSOLUTION
SAM SLIVER,) OF A NON-COVENANT
Respondent) MARRIAGE WITH CHILDREN
)
)

Petitioner, SALLY M SILVER, states and alleges under oath that:

1. Petitioner, SALLY M SILVER, was born on 8/15/1961 (Age 44), her Social Security Number is 458-52-1478, and her occupation is Lawyer. Petitioner's address is 1400 W. Blue, Surprise, AZ 85666 , and she has been domiciled in Arizona, or stationed in Arizona while a member of the armed services, for more than 90 days .
2. Respondent, SAM SLIVER, was born on 11/5/1959 (Age 46), and his occupation is student. Respondent's address is 1400 W. Blue, Surprise, AZ 85666 , and he has been domiciled in Arizona, or stationed in Arizona while a member of the armed services, for more than 90 days .
3. The parties were married on 2/14/1995, at Ajo, AZ, and since that time have been and are now husband and wife.
4. This marriage is not a covenant marriage.
5. The marriage between the parties is irretrievably broken and there is no possibility of reconciliation. The conciliation provisions of A.R.S. §25-381.09 either do not apply or have been met. Petitioner has or, prior to finalizing this case, will comply with the domestic relations education provisions of A.R.S. §25-352.
6. The parties have the following living child, natural or adopted, in common:

| Child | Birthdate | Current Address |
|-------|-----------|------------------------------------|
| SARAH | 5/6/1999 | 1400 W. Blue Surprise, AZ 85666 |

7. Petitioner has not participated as a party or witness or in any other capacity in any
8. other proceeding concerning the custody of or visitation with any child listed herein.

9. Petitioner does not know of any proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions.
10. Petitioner does not know of any person who is not named as a party in this proceeding that has physical custody of, or claims rights of legal custody or physical custody of, or visitation with any child subject of this action.
11. Wife is not currently pregnant.
12. Neither party has committed an act of domestic violence against the other parent, and there is no significant domestic violence or significant history of domestic violence in this case.
13. This court currently has jurisdiction to determine custody of the minor child common to the parties because the minor child has lived with Petitioner or Respondent in Arizona for at least the last 6 months or other factors exist that confer jurisdiction upon Arizona in accordance with A.R.S. Section 25-1031(A).
14. The parties have not reached any agreements on custody, parenting time, child support or spousal maintenance.
15. No spousal maintenance should be awarded to either party hereto.

WHEREFORE, Petitioner requests that the Court:

1. Order that the marriage between the parties be dissolved, and the parties restored to the status of single persons.
2. Award both parties the joint legal custody of the parties' minor child in accordance with the agreements of the parties set forth in a written parenting plan to be submitted to the court and such other provisions determined by the court to be in the best interests of the child.
3. Award reasonable parenting time rights in accordance with the best interests of the child.
4. Order and award child support in accordance with the Arizona Child Support Guidelines.
5. Order that no spousal maintenance be awarded to either party hereto.
6. Equitably divide all community, joint tenancy, or other property held in common by the parties.
7. Equitably divide the community debts and obligations of the parties.
8. Order each party to pay their own attorney's fees and court costs incurred herein.

DATED this ____ day of _____, 20____.

SALLY M SILVER
1400 W. Blue
Surprise, AZ 85666

STATE OF ARIZONA)
) ss.
 County of Maricopa)

Petitioner, SALLY M SILVER, being first duly sworn, upon oath, states that she is the Petitioner in the above-entitled matter; that she has read the foregoing Petition and that the same is true, correct, and complete to the best of her knowledge and belief.

SALLY M SILVER

SUBSCRIBED AND SWORN to before me this _____ of _____,
20_____, by SALLY M SILVER.

Notary Public / Deputy Clerk

Notary Expiration Date

SALLY M SILVER
1400 W. Blue
Surprise, AZ 85666
SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

)
In Re the Marriage of:)
SALLY M SILVER,)
Petitioner,) No.
and) DECREE OF DISSOLUTION
SAM SLIVER,) OF A NON-COVENANT
Respondent) MARRIAGE WITH CHILDREN
)
)

This case has come before this Court for a final Decree of Dissolution of Marriage. Based upon the court file in this case, all of the documents presented, and any necessary testimony presented,

The Court Finds that:

1. At the time this action was commenced, one or both of the parties had been domiciled in Arizona, or stationed in Arizona while a member of the armed services, for at least 90 days.
2. This marriage is not a covenant marriage.
3. The marriage of the parties is irretrievably broken.
4. The conciliation provisions of A.R.S. §25-381.09, and the domestic relations education provisions of A.R.S. §25-352 do not apply or have been met.
5. To the extent it has jurisdiction to do so, this Court has herein considered, approved and made provision for child custody, the support of any natural or adopted child common to the parties of the marriage entitled to support, the maintenance of either spouse and the disposition of property. These provisions are fair and reasonable under the circumstances, and the provisions regarding custody, parenting time, and support are in the best interest of the minor child.
6. Wife is not currently pregnant.
7. Neither party has committed an act of domestic violence against the other parent, and there is no significant domestic violence or significant history of domestic violence in this case.
8. This court currently has jurisdiction to determine custody of the minor child common to the parties because the minor child has resided with Petitioner or Respondent in Arizona for at least the last 6 months prior to the commencement of this action or other factors exist that confer jurisdiction upon Arizona in accordance with A.R.S. Section 25-1031(A).
9. Neither party seeks an order of spousal maintenance or meets the criteria set forth in A.R.S. §25-319(A) for an award of spousal maintenance.

IT IS ORDERED as follows:

1. The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.
2. The parties are awarded joint legal custody of their minor child in accordance with the written parenting plan contemporaneously filed, and incorporated by reference herein.
3. The parties are awarded parenting time in accordance with the written parenting plan contemporaneously filed, and incorporated by reference herein.
4. Order child support as follows: \$ 500.00 per month
5. No spousal maintenance is awarded to either party hereto.
6. Each party is awarded the personal property currently in his or her possession.
7. Each party shall pay and hold the other party harmless from all debts, liens and encumbrances outstanding against or incurred to purchase the property awarded to him or her respectively.
8. Each party shall pay their own attorney's fees and court costs incurred herein.

DONE IN OPEN COURT this _____ day of _____, 20_____.

[Judge or Court Commissioner]

COPY of the foregoing will be mailed to the
Respondent within 24 hours of the court hearing at:

SAM SLIVER
1400 W. Blue
Surprise, AZ 85666

By _____



Clerk of Court Presentation – Legal Advise vs. Legal Info.
Attachment #45

Legal Advice vs. Information for the Clerk's Office



**Aaron Nash
Programs Manager
Public Affairs and Education
Clerk of Superior Court**

Objectives

- Recognize guidelines for what you should or should not say in likely office scenarios.
- Increase your knowledge of what may be considered legal advice.
- Improve your customer service skills by discussing the scope of your duties.
- Identify why this issue is so important.

Foundation

- Unauthorized Practice of Law.
- Legal advice given by non-lawyers is considered harmful to the public.
- As a government or court employee, you are seen as the expert. Knowing why you cannot go into detail on a customer's case will help you explain it to the customer.

For Example . . .

"I would suggest that even though they cannot give legal advice, that they can be more helpful about the appropriate forms that are needed for your situation. Very rude, felt uncomfortable asking questions."

-February 2003 COSC customer comment

Who Can Give Legal Advice in Arizona?

- Only attorneys who are licensed by the Supreme Court of Arizona are allowed to give legal advice.
- Does not include Judges.

The “In-Betweeners”

- Certified Legal Document Preparers - may prepare documents for use in AZ courts within limits. Cannot represent others in court or negotiate on another's behalf.
- Court Employees - actions required by statute or authorized by an Order. Allows “Access to Justice.” Must act within scope of employment.

Who Cannot Give Legal Advice in Arizona

- Court or government employees acting beyond the scope of their duties.
- Legal Document Preparers not certified by the Supreme Court.
- CLDP that goes beyond the scope of its certification.
- Paralegals not supervised by a licensed attorney.

Who Cannot Give Legal Advice *(cont.)*

- **Mediators acting beyond the scope of their duty as mediators.**
- **Lawyers disbarred in any state.**
- **Lawyers not admitted to practice in AZ pro hac vice (for a limited purpose).**
- **Other non-lawyers.**

Note on Public Service

- “That would be giving legal advice, I can’t tell you that.”
- Due Process, second opinions, and public perception.
- Your supervisor’s favorite part of the day.

So What is Legal Advice?

“A written or oral statement by a court employee that:

- A) interprets the law or recommends a specific course of conduct to a litigant in an actual or potential legal proceeding,**
- B) applies the law to the individual litigant's specific factual circumstances,**

What is Legal Advice (*cont.*)

- C) requires the court employee to have knowledge of the law and legal principles beyond familiarity with court requirements and procedures, and**
- D) is likely to substantially affect the legal outcomes that may result for the litigant being assisted.”**

Guiding Principle

Court employees must not cross the line separating a court employee from a licensed legal practitioner by giving their opinion on the law or, worse, giving their opinion as the law.

Guidelines for Determining Information vs. Advice

- **Analyze This . . .** If you have to analyze the specifics of a customer's question in order to answer, it is probably legal advice.
- **How vs. What.** How to get started (process or procedure) is different than What to do (specific forms or verbiage).
- **Why do they call it the “Rule of Law” anyway?**

Answer Away or Rather Not Say?

(write these down)

- **What is Service?**
- **What do I write where it says Relief Requested?**
- **Is my information on this form correct?**
- **I got back the paperwork I filed with the Court – why?**

From the Bench

“No, you don’t need an attorney to help you with your case. You also don’t need a dentist to drill a filling in your teeth, but I recommend the expert over doing it yourself in either case.”

Should I hire a lawyer?

"I cannot advise you on whether or not to hire an attorney. That is a decision you should make based on your knowledge of your situation. If you want to file something on your own with the court, packets of information are available at . . ."

What Can You Do Without Giving Legal Advice?

- **Community resources** – FLAP (6th Flr CCB or law library in Mesa), Legal Services, Lawyer referral (602-263-8856).
- **Telephone book white or yellow pages** - bar associations, free or low cost initial consultations.
- **Self Service Centers**
(superiorcourt.maricopa.gov/ssc/sschome.html)
- **Other online resources - Arizona Courts**
(supreme.state.az.us), State Bar (azbar.org)

3 Things to Remember

- Court staff should assist customers, but stop short of giving legal advice.
- It is better to say you don't know and to follow up later when you have an answer, than to guess and mistakenly give legal advice.
- Court staff should explain the customer's question is so important that they should seek the help of an expert to avoid any wrong turns.

**For Further Questions or Input
please contact:**

**Aaron C. Nash
Programs Manager
Public Affairs and Education
Clerk of Superior Court
nasha@COSC.maricopa.gov
602-506-2309**

Acknowledgements

- The information prepared for this presentation was drawn from the experience of the Maricopa County Clerk of Superior Court's office and the following sources. Any content quoted from those sources in these materials remains the property of the original authors.
- This author gratefully acknowledges the ongoing contributions of the following sources:

Frances L. Johansen, Unauthorized Practice of Law Attorney, State Bar of Arizona, "**I'm Sorry, I can't Tell You That. (What I Need to Know about UPL When I'm Asked, 'Who Can Give Legal Advice?')**" July 2003 Clerk of Superior Court presentation

Acknowledgements

- John M. Greacen, “**Legal Information vs. Legal Advice, Developments during the last five years.**” *Judicature* Volume 84, Number 4, January-February 2001
- Stephen D. Foulk, Esq., State of New York Supreme Court, “**Developing Court Guidelines For Assisting Self-Represented Litigants in New York**” at:
www.ncsconline.org/d_icm/Abstracts_2001/Developing_Court_Guidelines.pdf
- University of New Mexico/New Mexico Judicial Education Center at <http://jec.unm.edu/training/clerks/07.htm>



Family Court Website FAQ's *Attachment #46*



Misc. Info

Search

go

FAMILY COURT WEB SITE

Announcements/Events
Conciliation Services
Family Resources

Welcome to the Family Court Department of the Superior Court of Arizona. As a department, our priorities or core values are:

Ensuring that children are adequately supported financially and emotionally, including regular and meaningful time with both parents when possible and appropriate; and

Preventing domestic violence and protecting the victims of domestic violence; and

Processing our cases fairly and efficiently, using non-adversarial means to the extent possible and appropriate.

The Family Court Department deals with many different types of cases. All cases begin with the filing of a petition. We divide petitions into two broad categories that we call "pre-decree" and "post-decree." "Pre-decree" petitions are those filed **before** a Decree of Dissolution of Marriage, Legal Separation or Annulment, or Judgment of Paternity is entered. "Post-decree" petitions are those filed **after** a Decree of Dissolution of Marriage, Legal Separation or Annulment, or Judgment of Paternity is entered, and are usually filed to modify or enforce existing orders of the Court.

Frequently Asked Questions

Family Court Legal proceedings involve:

Pre-Decree Matters

Marriage Dissolution (Divorce) Proceedings

Child Custody and Parenting Time
Child Support
Division of Community Property, Assets and Debts
Legal Separation
Spousal Maintenance

Post-Decree Matters

Dissolution (Divorce) Matters

Modification of Child Custody and Parenting Time

**Modification of Child Support
Enforcement of Child Custody and Parenting Time
Enforcement of Child Support**

Paternity Cases

**Modification of Child Custody and Parenting Time Issues
Modification of Child Support
DNA Testing to Establish Paternity**

SERVICES

Order of Protection



Orders of Protection prohibiting contact between two persons are dealt with on a priority basis, usually the same day the person comes to court. Orders of Protection can be issued in any Municipal, Justice of the Peace or Superior Court.

Emergency Orders of Protection (EOP) are available 24 hours a day throughout Arizona. Superior Court Judges and Commissioners, Justice of the Peace and Municipal Court Judges are instantly available to law enforcement officers through cellular phones and beepers to issue emergency orders when a person's safety is endangered.

eCourt Online Forms

Welcome to the eCourt Online Forms web site of the Maricopa County Superior Court. This web site contains interactive interviews that will assist you in completing the forms necessary to create court documents for Legal Separation, Dissolution of Marriage, Conciliation and Small Claims.

<http://ecourt.maricopa.gov/index.asp>

This site requires Internet Explorer 5.5 or above.

In addition, if you have a popup blocker running, please disable it while using this site.

Alternative Dispute Resolution

Office of Alternative Dispute Resolution
Central Court Building, 201 W. Jefferson/CCB3
Phoenix, Arizona 85003-2205
602/506-7884 (Tel)/602/506-5836 (Fax)
web site: www.superiorcourt.maricopa.gov/adr/

Frequently Asked Questions

Conciliation Services - Conciliation Counseling, Child Custody and Parenting Time Mediation, Parenting Conference

Conciliation Services was established in 1962 after the Arizona Legislature enacted Conciliation Services law (ARS 25-381). Conciliation Services offers Conciliation Counseling for parties contemplating divorce, mediation of child custody and parenting time plans for families of divorce, post-divorce or in paternity actions. Conciliation Services also provides evaluation services to the court when parents are unable to agree upon a parenting plan. Finally, Conciliation Services

provides and oversees parent education programs for families involved in divorce and/or custody disputes.

Frequently Asked Questions

Decree on Demand

You can set a default hearing or a consent decree hearing on the internet at <http://ecourt.maricopa.gov/>, or by calling 602-372-3332. You will be asked a series of questions about your case before we can schedule your hearing.

Frequently Asked Questions

Early Resolution Conference

When an Answer to the Petition is filed in a Family Court case with self-represented litigants, an Early Resolution Conference (ERC) is set before an Attorney Case Manager. The goals of the conference are to fully resolve as many issues in the case as possible, manage the case by setting the next event, usually a trial, and inform you of available court resources.

An ERC will be set in cases involving dissolution of marriage (divorce), legal separation, paternity or grandparent's visitation where an Answer (sometimes called a "Response") has been filed and 60 days have passed since service of process. The process does not include post - decree cases or cases that have 2 or more attorneys.

Frequently Asked Questions

Expedited Services - Establishment and enforcement of child support, Child Support Arrears, Spousal Maintenance, Spousal Maintenance Arrears, Medical Insurance Coverage, Uninsured Medical/Dental/Vision Expenses, Parenting Time.

Expedited Services was created to allow public access to the courts for the enforcement of court orders concerning child support, spousal support, and parenting time. If support payments are not paid, are late, or parents are interfering with court-ordered parenting time, parties may file a request for enforcement of the orders.

Additionally, Expedited Services conducts Conferences relating to the modification of child support, enforcement of medical insurance and uninsured medical expenses.

Frequently Asked Questions

Family Court Navigator

The Family Court Navigator receives inquiries and provides information to you about Family Court. The Navigator will: improve communication between the public and Family Court, review case process in specific cases, research Family Court policy, identify litigant options, refer Family Court litigants to appropriate resources. The Family Court Navigator cannot: give legal advice, assist litigants in preparing legal documents, challenge Court decisions, or take sides in a conflict.

To submit questions, comments or concerns send an email to: navigator@superiorcourt.maricopa.gov or call 602-506-0219 to leave a message.

Frequently Asked Questions

Family Court Settlement Conference

A pre-trial meeting between parties and their attorneys (if parties are represented) and a judicial officer acting as a neutral facilitator, who evaluates the strengths and weaknesses of their case and assists them in reaching agreement.

Appropriate Cases: All pre- and post-decree dissolution cases, paternity and maternity matters, as well as grandparent visitation cases. Cases excluded are those with protected addresses and those with special interpreter needs where parties cannot provide their own interpreter.

Family Lawyers Assistance Program (F.L.A.P.)

F.L.A.P. arranges half hour consultations with volunteer attorneys for people who are representing themselves in Family Court Cases. Consultations are free for people with low incomes or \$35.

Frequently Asked Questions

Links

[Arizona Revised Statutes](#)

[Arizona Revised Statutes – Title 25 - Marital and Domestic Relations](#)

[Rules of Civil Procedure](#)

[Local Rules of Practice – Superior Court Maricopa County](#)

[Arizona Supreme Court](#)

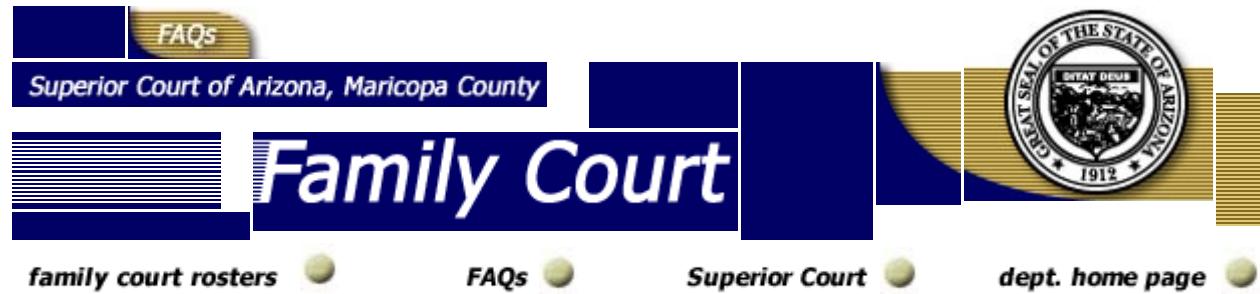
[Domestic Violence Offender Resources](#)

Domestic Violence Resources

- o <http://www.divorcesource.com/shelters/arizona.shtml>
- o <http://www.azdhs.gov/phs/owch/domviolence.htm>
- o <http://www.azvictims.com/resources/tour/tour1.asp>

[Child Protective Services](#)

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Misc. Info



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FREQUENTLY ASKED QUESTIONS

Alternative Dispute Resolution | Child Custody & Parenting Time | Child Support
Conciliation | Decree on Demand | Division of Community Property | Early Resolution Conference
Expedited Services | Family Court Navigator | Family Drug Court | Family Lawyers Assistance Project
Family Resources | General Questions | Legal Separation | Marriage Dissolution / Divorce
Order of Protection | Parent Information Program (PIP) | Parenting Conference
Parental Conflict Resolution Class (PCR) | Post-Decree | Pre-Decree
Premarital Underage Counseling | Spousal Maintenance

General Questions

I just moved to Arizona. May I file for a divorce?

You must be a resident of Arizona for 90 days before you can ask for a divorce.

How long will it take to get my divorce?

A divorce cannot be granted before 60 days after service of the petition or acceptance of service of the petition. If your divorce is uncontested and you proceed by **default** or **consent decree**, your divorce may be finalized as early as 61 days after service. It will take much more time to obtain a divorce when the issues are contested.

How do I obtain the forms necessary to file for divorce?

You may contact an attorney for legal advice, or contact a **Document Preparer** to assist you in completing your paperwork or you can obtain the necessary forms from the **Self-Service Center**. Forms can be also be purchased at the Self-Service Center for a small fee. Interactive forms are also now available at: <http://ecourt.maricopa.gov/index.asp>

I need to serve papers on my husband/wife. Can you give me the name of a process server?

No, we cannot recommend names of individual companies. However, you can look in the Yellow Pages under Process Server to locate a company.

I was just served with divorce papers. If I agree with everything my spouse is asking for do I need to respond?

Only you can determine how to proceed with your case. If you agree to everything, and choose not to respond, the petitioning party could proceed by **default**. If you agree to everything and you choose to respond, both parties could proceed by filing a **consent decree**. If you have questions about your case, obtain legal advice.

I was divorced many years ago and cannot find my decree. Where can I get a copy?

If your divorce was granted in Maricopa County Superior Court, you may obtain a copy of your decree from the Clerk of the Court, Customer Service Centers between the hours of 8:00 a.m. and 5:00 p.m. You may also contact that office by phone. The number is 602-506-3360. You may request a copy by correspondence. The address is: Clerk of the Superior Court, 601 W. Jackson St., Phoenix, AZ 85003. There are fees involved. The web site address is <http://www.clerkofcourt.maricopa.gov>

How much does it cost to file for dissolution/divorce?

Call 602-506-3360 or visit: <http://clerkofcourt.maricopa.gov/fees.asp#Domestic>

In certain circumstances, you can ask the court to **waive or defer the fee**. You need to complete the paperwork.

Can I dismiss my dissolution/divorce?

If you are the petitioner and service has not been completed, you can submit a **Notice of Dismissal**. If service has been completed you can file a **Motion to Dismiss** your divorce. If both of you agree to dismiss your divorce, you can submit a **Stipulation to Dismiss** your divorce. You can pick up the form from Family Court Administration at 602-506-1561. You can also download the form, complete it, and return it to the court. You will need to determine which form you will need.

We agree to everything in our divorce. What can we do to get divorced?

You can complete a **consent decree**. After you have waited 60 days, completed and signed all the required paperwork, you can submit your consent decree by mail or schedule a hearing by calling 602-372-3332. See **information and instructions** on how to complete the required paperwork.

I need to modify child support and child support has already been ordered from Maricopa County Superior Court. What do I do?

If you and the other party agree to change the child support amount, you can sign a **stipulation** to ask the Court to change the amount.

If you believe the amount you are to receive or are required to pay will increase or decrease by 15% you may file a Request to Modify Child Support Simplified Procedure. You can obtain these forms at the Superior Court Self-Service Center at a nominal fee. The **forms** can be downloaded at no cost from the Superior Court Self-Service Center web site.

If you believe there has been a significant change in your circumstances and/Or you need to modify spousal maintenance you may file a Request to Modify Child Support Standard Procedure.

I need to modify child custody or parenting time. What do I do?

Your divorce decree or paternity judgment may require you to participate in mediation before you can ask for a modification of child custody or parenting time. Check your paperwork. You can attempt mediation at the court or through a private provider. See **court mediation at Conciliation Services** for more information.

To request mediation with Conciliation Services you must complete **paperwork**.

See information about **private mediators**.

If you need to go to court you must file paperwork to modify child custody and parenting time. See **information and forms**.

How can I enforce a Court Order about Child Support or Child Support Arrears?

There are several options for you.

You can file an Expedited Request to Enforce with Expedited Services.

You can ask **The Department of Economic Security, Division of Child Support Enforcement (DCSE)** to assist you. The DCSE Customer Service Hot Line number is: 602-252-4045.

You can seek advice from a lawyer.

You can ask a **Document Preparer** to assist you in completing documents.

You can get the required forms at the Superior Court Self-Service Center at a nominal fee. The **information and forms** can be downloaded at no cost from the Superior Court Self-Service Center web site.

Where is the Self-Service Center?

The Self-Service Center has four locations:

Downtown Phoenix

East Court Building

Northeast Court Facility

18380 North 40th Street

Southeast Court Facility

222 E. Javelina

Northwest Court Facility

14264 W. Tierra Buena

Can I get the Self-Service Center forms without going to a Courthouse?

The Self-Service Center has a web site address and you can download forms, (excluding Orders of Protection) that you need to proceed with your case. That web site is: www.superiorcourt.maricopa.gov/ssc/sschome.html

You can download forms from the web site at no cost.

You can also send a request for documents through regular mail.

How do I change my address? I am not receiving any mail from the Court.

It is your responsibility to keep the Court updated with any change of address. You must complete the **change of address form** and file it with the Court.

You can submit the change of address form to the Clerk of Superior Court. Take the Original and 1 Copy to the Clerk of the Court along with any papers or documents that prove that your name and/or address has changed to:

602-506-3360

602-506-2127

You should telephone in advance to ensure that your file is available and to determine the correct location. The phone number is 602-506-3360.

Can I choose the judge that I want to handle my case?

No, judges are assigned on a rotating basis.

Why does the Court require a 9 x 14 self-addressed, stamped envelope?

Any time that you submit a motion or other document, the Court will mail you a copy of the signed Court Order or the denial.

How do I find out which Judge is assigned to my case?

You will need to know your case number. It starts with either an FN or an FC. See **case information search**.

How do I find out what the judge did at my hearing?

You are looking for documents called Minute Entries. You must know your divorce case number. Go to either of the two web sites below:

<http://www.superiorcourt.maricopa.gov/docket/family/index.asp>

<http://www.courtminutes.maricopa.gov/>

There may also be an order that was signed in your case. If you do not receive a copy of the order in the mail you can look in your court file located at Clerk of the Court, Customer Service Centers. For location and information go to: www.clerkofcourt.maricopa.gov

I need advice about what to do in my case. Who can I call?

The Self-Service Center has a list of attorneys who will answer your questions or represent you for a fee. In the Central Court Building, on the sixth floor, there is a program called Family Lawyers Assistance Project (F.L.A.P.). There may be a \$35.00 fee. FLAP volunteer lawyers will not represent you in court.

FLAP at the Downtown Phoenix Courthouse - all appointments must be scheduled in advance. You can download the intake form, mail it to FLAP, 201 West Jefferson, 6th floor Phoenix, Arizona 85003. After FLAP reviews the intake form, staff will call you to schedule an appointment. You can also complete the **FLAP Intake Form** on the 6th floor of the Central Court Building. The FLAP phone number is 602-506-7948.

It usually takes up to two weeks to get an appointment with FLAP volunteer lawyers. The FLAP volunteer lawyers will not represent you in your court proceeding.

FLAP at the Southeast Courthouse - FLAP is available only on Thursday on a first come, first serve basis. Check in at the information desk in main lobby of the Courthouse.

Other resources include:

Maricopa County Lawyer Referral Service @ 602-257-4434.

Community Legal Services @ 602-258-3434 <http://www.azlawhelp.org/>

Arizona State Bar <http://www.azbar.org/>

The Arizona Foundation for Legal Services and Education web site: <http://www.azflse.org/AZFLSE/legal/services/WhereToFindFreeLawyer.cfm>

If you need help filling out documents, a **Document Preparer** may also assist you.

How can I find out when my next hearing is?

You will need to know your case number. See **case information search**.

You can also call 602-506-7879 to find out your next hearing date.

Can I use my own forms, or do I have to use the forms in the Self-Service Center?

You may use your own forms as long as you follow the applicable rules and statutes.

I just received a Notice of Lack of Service and Intent to Dismiss. What do I do?

The notice is informing you that you need to serve the other party. "Service" means that you deliver the papers to the other party through a process server or by having the other party sign a document to accept service. Your action could be dismissed without any further notice any time after if you do not take the steps listed below.

- A. **SERVE THE OTHER PARTY WITH THE COURT PAPERS AND FILE THE PROOF OF SERVICE.** You can obtain appropriate documents and instructions from the Self-Service Centers at the address listed below or from the Self-Service Center Web site.

Downtown: 101 W. Jefferson, East Court Building, Phoenix, AZ at the Law Library

Mesa: 222 E. Javelina, 1 st Floor, Mesa, AZ at the Law Library

Northwest: 14264 W. Tierra Buena Lane, Surprise AZ

Internet: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>

- B. **MOTION AND ORDER FOR CONTINUANCE:** You may file a motion to ask the judge for more time to complete the service of the court papers before the court automatically dismisses your case. The order granting the extension must be SIGNED by the judge BEFORE the dismissal date indicated above.
 - o **Motion to Continue**
- C. **VOLUNTARY DISMISSAL OF YOUR CASE.** If you want to dismiss your case instead of waiting for the Court Order of Dismissal, forms and instructions are available at Family Court Administration or you can download and mail to the Court.
 - o **Dismissal Form**
- D. If you have served the other party you must be sure that the proof of service has been filed with the Clerk of the Court at the Filing Counter immediately.

I received a notice that my case is on the inactive calendar. What should I do?

The inactive notice is sent to you if more than 120 days has passed from the date the Petition was filed. Your case will be dismissed unless you take steps to prevent the dismissal. If temporary orders have been issued, THESE ORDERS WILL END WITH THE DISMISSAL of your action. If a paternity case has been dismissed and the parties have agreed to paternity and now have temporary orders for support, custody, etc, you may not have a final order of paternity. Temporary orders for support, custody, visitation, etc. will also end.

If you do not want your action dismissed for lack of prosecution, you must do one of the following:

1. Submit a final decree/order and have it signed by a judge or commissioner prior to the dismissal date.
2. File a Motion to Set prior to the dismissal date, if a response/answer has been filed in your case.
3. Ask the judge for more time to complete your action by filing a Motion to Continue on the Inactive Calendar. The judge must sign the order granting your motion prior to the dismissal date. This motion to continue is available at Family Court Administration or you can download it [here](#).
 - o **Motion to Continue**

Early Resolution Conference

What is an Early Resolution Conference?

An Attorney Case Manager will work with you to help resolve custody, parenting time, property and debt issues. In addition, the parties can meet with a clinical staff member from Conciliation Services to help resolve custody and parenting time issues. (Arizona law requires a written Parenting Plan if the parents are seeking joint custody.) You may also meet with a conference officer from Expedited Services to calculate and prepare orders relating to child support and/or spousal maintenance.

If you reach a full agreement on all of the issues, the Attorney Case Manager will assist you finalizing your agreements. The Attorney Case Manager will also memorialize any partial agreements reached during your conference by having you sign and file a binding agreement pursuant to A.R.C.P Rule 80(d). Any remaining issues will be considered by the court at the time set for trial. If your case does not fully resolve at the ERC, you will be given a Notice of Trial Date which informs you of the date and time set for the trial in their case.

How long will the ERC process take?

You should plan on being at a Resolution Management Conference for two – four hours.

Is attendance at the ERC mandatory or optional?

Since your presence at the ERC is ordered by the court, attendance is mandatory and any failure to appear could subject the party not appearing to the imposition of sanctions.

How can I get my ERC rescheduled?

Any party may request a continuance in writing in advance of the scheduled conference. The Attorney Case Manager will decide if granting the request is appropriate. Of course, emergencies can occur. There is a number on the Order to Appear you can call. Emergencies may include hospitalization, severe illness or a death in the family.

What if my employer will not let me off work to attend?

Show your employer the Order to Appear. It is not an invitation, but an official order of Superior Court. There are penalties for failing to appear, including denying your requested relief or dismissing your case altogether.

Do we have to attend the ERC if we have fully resolved the issues in our case?

No. If you submit a consent decree, the ERC will be vacated in your case. However, we cannot vacate the ERC simply on your promise to submit the consent decree. You must submit the consent decree first. Your packet will be processed in 2 weeks or less. You are more than welcome to use the ERC time to have the Attorney Case Manager review your consent decree and submit it for signature. Each party will then leave with a signed decree.

How should I prepare for the ERC?

If your case involves children, you should attend the court-ordered **Parent Information Program** class and file your Certificate of Completion with the court before the ERC. The court may not allow your case to be finalized until you have.

The **Resolution Statement** was attached to the Order to Appear. It is also available here. Complete it, forward a copy to the Attorney Case Manager and to the other side prior to your ERC. Also, prior to the ERC, if no **Order of Protection** is in effect, the parties should meet and talk about possible settlements and be prepared to discuss

those options at the ERC.

You will also need to complete the **Information Sheet**.

Can I bring my family and friends to the ERC?

No. Only the parties to the case and their attorneys of record will be allowed to attend the conference. If you bring a child(ren) to the ERC, the conference will be cancelled and reset for another date and time. The court does not offer child care services.

Can I get legal advice from the Attorney Case Manager?

No. Attorney Case Managers, who often act as mediators, do not give legal advice or tell you what the judge will decide in your case. They will not talk to parties individually, and any communication with the Attorney Case Manager (court documents, letters and email) must be copied to the other party or it will be returned to you without consideration. The Attorney Case Manager does not represent you or the other party personally and is, instead, available to help you resolve your case together.

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Family Court Navigator

What is a Family Court Navigator?

The Navigator helps citizens resolve Family Court problems. The Navigator receives inquiries and provides information about Family Court processes and procedures in a non-adversarial manner.

The Navigator is a key component of the Family Court.

The Family Court Navigator can help you:

- Improve Communication between the public and Family Court
- Review case process followed in specific cases
- Research Family Court policy
- Identify customer options
- Refer Family Court customers to appropriate resources
- Promote systemic changes to improve and enhance the Family Court system for its customers.

The Family Court Navigator cannot:

- Give legal advice
- Assist in the preparation of legal documents
- Challenge Court rulings
- Take sides in a conflict.

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Family Lawyers Assistance Project (F.L.A.P.)

Can someone in the courthouse look over my documents to make sure that they are in good order?

We cannot give legal advice, however you can contact an attorney to review your documents or a **Document Preparer** to assist you in completing your documents.

The Family Lawyers Assistance Program is a volunteer lawyer's program that is located on the sixth floor of the Central Court Building in Phoenix. The volunteer lawyers provide legal consultation for free or for a \$35.00 fee, depending on your income. The appointment is scheduled for a one-half hour consultation.

FLAP at the Downtown Phoenix Courthouse - all appointments must be scheduled in advance. You can download the intake form, mail it to FLAP, 201 West Jefferson, 6th floor Phoenix, Arizona 85003. After FLAP reviews the intake form, staff will call you to schedule an appointment. You can also complete the **FLAP Intake Form** on the 6th floor of the Central Court Building. The FLAP phone number is 602-506-7948.

It usually takes up to two weeks to get an appointment with FLAP volunteer lawyers. The FLAP volunteer lawyers will not represent you in your court proceeding.

FLAP at the Southeast Courthouse - FLAP is available only on Thursday on a first come, first serve basis. Check in at the information desk in main lobby of the Courthouse.

For persons representing themselves in court in family law matters.

Sponsored by the Volunteer Lawyers Program & Community Legal Services.

Volunteer lawyers provide ½-hour consultations/legal advice in family law matters only.

For Mesa cases:

Southeast Superior Court Complex
222 E. Javelina, Mesa

Lawyer appointments are every Thursday on a first-come, first-served basis only.

Registration begins at 8:00 a.m. at the Information Desk in the Main Lobby.

Please fill out the **intake form**.

Clients are provided with appointments based on attorney availability.

Clients are encouraged to bring their own interpreters to FLAP appointments in case there are insufficient attorneys or staff to interpret.

Attorneys can check over forms filled out by clients, but they are unable to provide complete document preparation services due to time limitations.

The ½-hour consultations are free to eligible clients.

There is a \$35 cash fee for those not meeting eligibility.

For information about Phoenix FLAP Appointments call 602-506-7948.

For Downtown Phoenix cases:

Central Court Building
201 West Jefferson, Phoenix
6 th Floor, FLAP Check-in Window
602-506-7948

Office hours to Schedule Appointments: Monday – Thursday 9:00 a.m. – 12:00 and 1:30 – 4:30 p.m.

Please read the instructions posted at the FLAP check-in window – then you will receive an appointment for a future time.

Stand-by appointments may be an option for cases determined to be emergencies, and based on attorney

availability.

Clients are encouraged to bring their own interpreters to FLAP appointments in case there are insufficient attorneys or staff to interpret.

Attorneys can check over forms filled out by clients, but are unable to provide complete document preparation services due to time limitations.

If staff is unavailable when you arrive, please follow instructions and complete the intake form. Then place it in the appropriate slot. Staff will call you on the phone to schedule your appointment.

The ½-hour consultations are free to eligible clients.

There is a \$35 cash fee for those not meeting eligibility.

Please note: Downtown Phoenix FLAP is not a walk-in program. By Appointment only.

FLAP volunteers may not always be available.

For additional help, call Lawyer Referral Service at 602-257-4434

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Order of Protection

How do I get an Order of Protection? When will it take effect and how long will it stay in effect?

Most Order's of Protection can be filed in any Justice Court, Municipal Court or Superior Court. However, when there is an active case between parties pending in Family Court, the petition must be filed in the Superior Court under your active case number.

If you are seeking an Order of Protection at the Superior Court in Maricopa County, you need to go to the Family Violence Prevention Center located at the courthouse. See **Order of Protection Tour** for more information.

The Order of Protection must be delivered to the other party by a Process Server or law enforcement officer before it is effective. The order will remain in effect for one year from the date it is delivered to the other party.

FREQUENTLY ASKED QUESTIONS — PRE-DECREE MATTERS

**Divorce | Child Custody and Parenting Time | Child Support | Division of Property
Legal Separation | Spousal Maintenance**

Marriage Dissolution (Divorce) Proceedings

What happens in a dissolution or divorce?

State laws require that you wait 60 days from the date of service before you can proceed with a divorce. After the 60 days from the date of service passes, the steps necessary in obtaining a divorce will greatly depend on your situation.

A dissolution (divorce) where the parties have been married for a relatively short period of time, have no children, and little property or debt can be less involved. A divorce where the parties have been married for a long period of time, where there are minor children, or where there is a significant amount of property or debt to be divided and the parties are in disagreement may take additional time.

If both parties agree to all issues within the case, the time for processing the case will be less. If the parties are in complete disagreement, the time it takes to get divorced will be prolonged.

Where can I get more information?

It is important to get legal advice from a lawyer. Maricopa County Superior Court Self-Service Center has forms and instructions that you can use. The person filing for the divorce is called the Petitioner. The person responding to the divorce is called the Respondent. The instructions and forms are broken down into 4 different packets.

- Packet #1 — Introduction and First Court Papers
- Packet #2 — How to serve the first court papers
- Packet #3 — How to respond to a divorce, set a **default** hearing, submit a **consent decree** or prepare for trial
- Packet #4 — How to complete the divorce process, including the decree (final papers).

You may also complete required forms online through **eCOURT**.

What is eCOURT?

eCOURT is an interactive program that will help you complete needed forms. You can use these forms instead of the forms from the Self-Service Center. Information and forms are available at: <http://ecourt.maricopa.gov/index.asp>

How do I start the divorce? Completing and Filing the Petition.

Part 1: The first step in your case should be to speak with a lawyer to get legal advice. This will help you determine the best course of action for you.

In Arizona, a divorce is called a Dissolution of Marriage. To start your dissolution or divorce, you must complete a "**Petition for Dissolution of Marriage**" and file it with the court. When you file the petition for dissolution, you will be given a case number. Your case number will begin with an FC if your case involves children or an FN if your case does not involve children. Always keep this number with you when you call or come to court. "Pre-decree" petitions are those filed **before** a Decree of Dissolution of Marriage, Legal Separation or Annulment, or Judgment of Paternity is entered.

The Petition is an important legal document and should be completed carefully. The Petition should include all the information about what the Petitioner is asking for on all issues in the divorce because the court cannot grant anything that has not been requested properly. With the petition, the petitioner must also complete additional documents that must also be filed with the court. These documents include: "**Family Court Cover Sheet**", "**Summons**", "**Preliminary Injunction**", "**Petition for Dissolution of Marriage (Divorce) With or Without Children**", "**Notice of Right to Convert Health Insurance**", "**Notice Regarding Creditors**".

The web sites below provide instructions and forms on how to start the divorce. Make sure you read all of the instructions.

TO START THE DIVORCE PROCESS WHEN NO CHILDREN ARE INVOLVED

TO START THE DIVORCE OF A NON COVENANT MARRIAGE WHEN CHILDREN ARE INVOLVED

How do I file the divorce papers with the Court?

After you have completed the petition and other documents, you will need to file the paperwork with the Clerk of Court at the courthouse. There are rules that you must follow when you file papers with the court. For information on how to file divorce papers with the court go to:

TO FILE THE DIVORCE PAPERS WITH THE COURT

There is **fee** when you file for divorce. After you have filed your court papers with the Clerk of the Court, you must **serve** the papers on the other party. "Service" means that you deliver the papers to the other party through a registered process server or a law enforcement officer or by having the other party sign a document to accept service. There are specific rules about how to serve the other party that must be followed.

How do I serve the Respondent with the divorce papers?

Part 2 : Service is required because it is the way that you give legal notice to the other party that you have filed court papers. "Service"

means that you deliver the papers to the other party through a registered process server or by having the other party sign a document to accept service.

There are certain rules that you must follow to serve the other party with the divorce papers after you have filed the papers with the court. Make sure you read and follow all of the instructions.

If service is conducted in Arizona, check:

- **Service of the Papers When the Other Party Lives in the State of Arizona** - These files contain general information and/or court forms and instructions about serving court papers on the other party when he/she lives in the State of Arizona.

If Service is not conducted in Arizona, check:

- **Service of the Papers When the Other Party Lives in the United States But Not In the State of Arizona** - These files contain general information and/or court forms and instructions about serving court papers on the other party when he/she lives in the United States but not in the State of Arizona.

If you cannot find the other party, check:

- **Service of the Papers When You Cannot Find the Other Party** - These files contain general information and/or court forms and instructions about serving court papers on the other party when you do not know where he/she lives. This is called service by publication.

There are numerous documents that are required to be served on the other party:

"Family Court Cover Sheet"
"Summons"
"Preliminary Injunction"
"Petition for Dissolution of Marriage (Divorce) With or Without Children"
"Notice of Right to Convert Health Insurance"
"Notice Regarding Creditors"

Once you have completed service, you will need to file proof of service with the Clerk of the Court. Proof of service shows that you have given a copy of the divorce petition to the other party.

How long do I need to wait after service?

After the papers are served, you must wait a certain number of days before you can file any other papers. The waiting period varies, depending on the type of service and where the other party resides. The waiting period is the time allowed for the Respondent to file a response to the Petition for Dissolution. If the Respondent does not respond within the time allowed, the case may be able to proceed by **default**.

After a "**Petition for Dissolution of Marriage**" is filed, the Petitioner must serve the Respondent with a **copy** of the petition within 120 days. Alternatively, a Respondent may sign an "**Acceptance of Service**" form. Generally, if the Respondent lives in Arizona, he or she must be personally served by a registered process server. If the Respondent lives out-of-state, he or she may be served by certified or registered mail, return-receipt requested. After service of the petition, the Respondent must file a response within **24** days if he or she lives in Arizona. If the Respondent lives outside of Arizona, he or she would have **34** days to file a response. If service was completed by publication, the waiting time is 64 days after the 1 st day service was published.

Enter date of service and click the 'Calculate Days' button to display dates for 24, 34 and 64 days from the date entered.

| | |
|------------------------|---|
| Enter date of Service: | <input type="button" value="Calculate Days"/> |
|------------------------|---|

- **Look at the Timetable Below.** If the **last day** for the other party to respond falls on a Saturday, Sunday, or legal holiday,

you **do not** count that day. The last day you count to determine if you can file the default papers, must be a day when this court is open for business.

- **Include Weekends and Holidays.** In counting the days, include weekends and holidays until you reach the number of days in the Timetable below. If the other party files a written response with the court, you **CANNOT GO BY DEFAULT**.

| Default Time Table | | |
|--|---------|---|
| Service By | Count | Event |
| "Acceptance of Service" (in Arizona) | 24 days | after other party signs "Acceptance of Service" |
| Process Server (in Arizona) | 24 days | after other party receives papers from process server |
| Sheriff (in Arizona) | 24 days | after other party receives papers from sheriff |
| "Acceptance of Service" (out of State) | 34 days | after other party signs "Acceptance of Service" |
| Registered mail (out of State) | 34 days | after other party signs green card |
| Process Server (out of State) | 34 days | after other party receives papers from process server |
| Sheriff (out of State) | 34 days | after other party receives papers from sheriff |
| Publication | 64 days | after the 1st day of publication |

What happens if the Respondent files an answer or response?

PART 3: The Respondent can file a reply or response to the petition. There is a **fee** for filing a response.

A response is a written document filed by the Respondent that gives the Respondent a chance to rely and agree or disagree with the requests made by the Petitioner in the Petition. The Respondent must file the response with the Court within a certain number of days and must make sure the Petitioner receives a copy of the response. See complete instructions and paperwork on how to file a **response**.

Depending on the Response, you may be required to attend a hearing or conference. If a hearing is set, you will receive a notice from the court. You must come to that hearing or conference.

You may also receive an Order from the court telling you and the other party to attend a Resolution Management Conference (RMC). You both **must** come to that conference. The purpose of the RMC is to determine whether the Petitioner and Respondent agree on any parts of the divorce. If there are agreements, the Attorney Case Manager will assist you in completing paperwork that outlines your agreements. This will expedite the divorce process for you.

What is a default hearing?

The Court may grant the requests made in the Petition without the Respondent participating, if no response has been filed. You can set a default hearing if the other party has not filed a written response. A default hearing is scheduled when you want a divorce, other judgment or order of the Court when the opposing side does not respond in writing to your petition or motion. A default hearing cannot be set for at least 61 days after the date the petition (and other documents) were served on the Respondent.

How can I get a default hearing?

If **no** response is filed, you may be able to get divorced by default. See complete **instructions and paperwork** on how to file for default.

If you want to set a default hearing, you must complete the "**Application and Affidavit of Default**" and file it with the Clerk of the Court. You must be sure service of the petition was complete, and that the other party did not file a written Response or Answer with the court.

At the time you file the "**Application and Affidavit of Default**" with the Clerk of the Court, make sure you have two (2) copies of the "**Application and Affidavit of Default**" date-stamped by the Clerk. You must mail or hand-deliver one copy to the other party the day that you filed the "**Application and Affidavit of Default**" with the Clerk of the Court. After you have given the other party a copy of the "**Application and Affidavit of Default**" you must wait 10 court days.

If the other party still does not file a written Response or Answer in 10 court days, you may be able request a default hearing date.

To request a default hearing, call **602-372-3332**. You will be asked the following questions before your hearing can be set.

1. Case Number: _____

2. Does your case involve Children?

Yes No

If Yes,

What type of Custody is asked for in the Petition?

Joint or Shared
 Sole N/A

Have you filed your Parent Information Program Certificate?

Yes No

Has the Respondent filed their Parent Information Program Certificate?

Yes No

3. Do you need an Interpreter?

Yes No

If Yes, What language? _____

4. For Dissolution, Legal Separation and Annulment matters only:

Is Spousal Maintenance/Support being requested?

Yes No

Has at least 64 days passed since the respondent was served? (94 days if service was by publication), *If you answer no, you must wait until the time has passed.*

Yes No

5. Has at least 10 working days passed since the Affidavit and Application for Default was filed?
If you answer no, you must wait until the time has passed.

Yes No

6. Type of Service:

What should I take with me to the default hearing?

If a default hearing is set for you, you must take your final divorce papers with you to your hearing. Your final divorce paper is called a Decree of Dissolution. You will also need other documents listed below. The relief that you asked for in your Petition must be the same as in the Decree. See complete **instructions and information** on what to take to your default hearing.

Bring to your default hearing:

Dissolution/Legal Separation/Annulment

Completed Decree of Dissolution, Legal Separation or Order of Annulment and 2 copies

If you have requested Spousal Maintenance:

Order of Assignment and 2 copies
Completed Judgment Data Sheet

If your case involves children:

Parent Information Program Certificate if it has not already been filed
Signed Parenting Plan and 2 copies
Completed Child Support Worksheet and 2 copies
Order of Assignment and 2 copies
Completed Judgment Data Sheet

Dissolution/Legal Separation/Annulment

Completed Decree of Dissolution, Legal Separation or Order of Annulment and 2 copies

If you have requested Spousal Maintenance:

Order of Assignment and 2 copies
Completed Judgment Data Sheet

If your case involves children:

Parent Information Program Certificate if it has not already been filed
Signed Parenting Plan and 2 copies
Completed Child Support Worksheet and 2 copies
Order of Assignment and 2 copies
Completed Judgment Data Sheet
Wage information/pay stubs for both parties, and other financial information such as childcare costs, medical insurance premiums etc.
9 x 12 envelope addressed to the other party with 3 standard current postage stamps
Copy of any prior Child Support Orders/Birth certificate for children

Cases where service was by Publication:

\$20.00 for the Court Reporter fee. You need a Cashier's check or money order made to: AVTronics.

What if we agree on everything?

If you agree on all the issues, you may submit a Consent Decree. See complete **instructions and paperwork** for consent decree.

What is a Consent Decree?

The Court enters a **consent decree** when all parties have agreed on how to resolve everything required for a divorce, legal separation or annulment. You must agree in writing to issues such as division of property and debt, spousal maintenance (if any), child custody, visitation, and support (if you have children). All parties must sign the written decree.

The Respondent still must be served with the petition (or the Respondent must sign an Acceptance of Service or Waiver of Service). The signed consent decree and other required paperwork cannot be submitted to the court until at least 64 days have passed after the date the Respondent was served with the divorce papers.

Make sure your documents are completely correctly before filing them with the court. If they are not completed correctly, the Court will not be able to sign the documents.

How can I get a Consent Decree signed by the court?

After you have waited the required time frames, paid the response fee, attended the Parenting Information Program (if you have children) you can submit a **consent decree** by mail or you can set a hearing on the internet at <http://ecourt.maricopa.gov/>, or call 506-372-3332 to schedule a time to come to court and have your paperwork signed during a hearing.

Effective March 1, 2005, you can choose how you want to obtain your final judgment or decree if your case is filed at the Downtown Phoenix Courthouse, Southeast Courthouse or the Northwest Courthouse.

Consent Decree by Mail: If you want a Consent Decree signed without coming to the courthouse, you can mail your paperwork to

Family Court Administration, 201 W., Jefferson, 6th floor, Phoenix Arizona 85003 or 14264 W. Tierra Buena Lane, Surprise, Arizona 85374. For Mesa cases you can submit your paperwork to Family Court Administration, 222 E. Javelina Drive, Mesa, Arizona 85201 to Suite 1300.

You can also submit the paperwork at the above address between 8 a.m. and 5 p.m. The final judgment/decrees will be mailed back to you in the envelopes you provide. This process takes approximately one week.

Consent Decree on Demand: You can schedule a hearing time to have your consent decree signed* on the internet at <http://ecourt.maricopa.gov/>, or by calling 602-372-3332. If you call to schedule your hearing before noon, your hearing can be scheduled for as soon as the following day. **

At the time of your hearing, you will report to the Default room on the 3 rd floor at 201 W. Jefferson if your case is filed at the Downtown Phoenix Courthouse. If your case was filed at the Northwest Courthouse you will report to the Information Center. If your case was filed at the Mesa Courthouse you will report to Suite 1300. You must prepare and bring your documents signed by all parties with you to your hearing. Please note that you may be at the Courthouse for up to 2 hours.

* All paperwork will be reviewed for deficiencies. If deficiencies are found, you may not get your documents signed that day.

** Available Downtown Phoenix only.

You must meet the following requirements:

- 60 days must have passed since service was completed
- The response fee must be paid
- Both parties must have attended the Parent Information Class if your case involves children.

What documents need to be completed to ask for a Consent Decree?

The following paperwork is required to be signed and notarized by all parties when submitting a consent decree:

- Original Stipulation to proceed by Consent Decree and 2 copies
- Original Decree of Dissolution/final Orders and 2 copies
- Two self-addressed stamped 9 x 14 envelopes

For cases with children you will also need:

- Original Parenting Plan and 2 copies
- Original Child Support Worksheet and 2 copies
- Original Child Support Order and 2 copies
- Original Order of Assignment and 2 copies
- Judgment Data Sheet
- Original Parent Information Program Certificates or conformed copies

What if we disagree on everything?

If you disagree on relief asked for in the Petition you may need to consult with an attorney for advice. You may also want to file a response within the required timeframe.

If after consultation with an attorney and/or attending a **Early Resolution Conference** you still cannot agree, you may need to ask for a Trial. In cases where a petition/complaint **and** an answer/response have been filed with the court, you can file a **"Motion to Set and Certificate of Readiness"**. This tells the court that you want to go forward with the trial and that discovery is completed.

What is a trial?

A trial in your case will decide the issues that you and the other party have not resolved. The primary issues to be resolved in any family court case involving one or more children include a determination of: 1) Custody and parenting time rights with respect to any minor child; and 2) An appropriate child support order including provisions for medical insurance, medical costs of all children not covered by insurance, and an allocation of any federal tax exemptions applicable to the minor children; and 3) Whether any party should be awarded any reasonable attorney's fees incurred in this matter. If your case is one for dissolution or separation of a marriage, the court will also determine: 1) An equitable division of community property; and 2) Responsibility for payment of any community debts.

See complete **instructions and paperwork** on how to ask for a trial.

How do I prepare for a trial?

There are 6 things you must do to prepare for a trial.

1. You must attend the Parent Education program.

If your case involves one or more minor children natural to or adopted by you and the other party you are required to attend a parental education program in accordance with A.R.S. §25-351. In such event you are directed to complete an approved Parent Education Program and file proof of completion of the program prior to, or at the time of, trial.

To assist you in completing the Parental Education Program requirements, a "Parent Information Program Notice" which details the procedures and requirements of the program, and includes a list of approved parent information classes is available to the parties at the Self-Service Center, or the Domestic Relations filing counter at the court or visit this web site:

<http://www.superiorcourt.maricopa.gov/conciliation/pip/parent.asp>

2. You must complete Disclosure and Discovery Requirements .

You are required to complete all disclosure requirements required by Rule 26.1, Arizona Rules of Civil Procedure, including an exchange of all relevant information, documents and exhibits you intend to use at trial as required by Rule 26.1, but no later than 30 days prior to your scheduled trial date.

You are also required to promptly comply with all requests for relevant information in this case made by the opposing party. In this regard, you are directed to sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any person, company or institution possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

3. You must complete the Joint Pre-Trial Statement .

You and the opposing party are required to file and provide the assigned judge with a copy of a **Joint Pretrial Statement** pursuant to Rule 6.8, Local Rules of Practice--Maricopa County (Family Court Cases), no later than **5 days prior to trial**.

The Joint Pre-trial Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances completed by each party together with a written statement as to whether the parties stipulate that the affidavits of both parties may be considered as testimony by the court as if marked as exhibits and entered into evidence pursuant to *In Re Marriage of Kells*, 182 Ariz. 480, 897 P.2d 1366 (App. 1995).
2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
5. If there are disputed issues regarding division of property, a current and detailed inventory and appraisal of property and assets of the parties, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.
6. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed

submitted in accordance with the requirements of *Schweiger v. China Doll Restaurant, Inc.*, 138 Ariz. 183, 673 P.2d 927 (App. 1983).

The failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

4. You must have your Exhibits.

If either party has more than 5 exhibits to be marked, arrangements shall be made with the Clerk of the Division that will try your case at least three days prior to trial to schedule a time to deliver said exhibits to the Clerk. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

The parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

5. You must submit your proposed Findings of Fact.

Any party filing a request for findings of fact and conclusions of law pursuant to Rule 52, Arizona Rules of Civil Procedure, **shall submit proposed findings of fact and conclusions of law to this Division no later than 30 days prior to trial**. Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than 10 days prior to trial.

6. If you notify the Court if you reach a Settlement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 5.1(c), Arizona Rules of Civil Procedure.

Where can I read more information?

For more detailed information you can read the Self-Service Guide for Divorce Cases at:

<http://www.supreme.state.az.us/dr/Pdf/prose/proseman.pdf>

<http://www.supreme.state.az.us/dr/Text/Divorce.htm>

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Child Custody and Parenting Time

Children are your first priority when making decisions concerning their lives. Research tells us that children of separated or divorced parents do better if both parents stay actively involved in their lives.

Remember: Conflict is not good for your children. The way you and the other parent act may affect them. The more you and the other parent can deal with each other without conflict, the better it will be for your children.

As part of the divorce process, parents or the Judge will decide if major decisions regarding the children's health, education, religion can be made by both parents or one parent.

In most cases, the children will likely spend time with each parent after the divorce. Arrangements regarding when and how the children will spend time with each parent are referred to as "Parenting-Time."

What does the Judge consider when determining Custody and Parenting Time?

Arizona has statutes (rules) A.R.S. 25-403 that have specific factors that the Judge follows when deciding the best interests of the children. There are other factors that may not be written in the statutes, but may be important. These factors include but are not limited to the following: The court shall determine custody, either originally or on petition for modification, in accordance with the best interests of the child. The court shall consider all relevant factors, including:

1. The wishes of the child's parent or parents as to custody.
2. The wishes of the child as to the custodian.
3. The interaction and interrelationship of the child with the child's parent or parents, the child's siblings and any other person who may significantly affect the child's best interest.
4. The child's adjustment to home, school and community.
5. The mental and physical health of all individuals involved.
6. Which parent is more likely to allow the child frequent and meaningful continuing contact with the other parent.
7. Whether one parent, both parents or neither parent has provided primary care of the child.
8. The nature and extent of coercion or duress used by a parent in obtaining an agreement regarding custody.
9. Whether a parent has complied with chapter 3, article 5 of this title.
10. Whether either parent was convicted of an act of false reporting of child abuse or neglect under section 13-2907.02

What are the types of custody in Arizona?

25-402. Definitions

1. "Joint custody" means joint legal custody or joint physical custody, or both.
2. "Joint legal custody" means the condition under which both parents share legal custody and neither parent's rights are superior, except with respect to specified decisions as set forth by the court or the parents in the final judgment or order.
3. "Joint physical custody" means the condition under which the physical residence of the child is shared by the parents in a manner that assures that the child has substantially equal time and contact with both parents.
4. "Parenting time" means the condition under which a parent has the right to have a child physically placed with the parent and the right and responsibility to make, during that placement, routine daily decisions regarding the child's care consistent with the major decisions made by a person having legal custody.
5. "Sole custody" means the condition under which one person has legal custody.

If we agree on Joint Legal Custody what paperwork do we need to complete?

You will need a parenting plan, signed by both parents that includes:

1. Each parent's rights and responsibilities for the personal care of the child and for decisions in areas such as education, health care and religious training.
2. A schedule of the physical residence of the child, including holidays and school vacations.
3. A procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of conciliation services or private counseling.
4. A procedure for periodic review of the plan's terms by the parents.
5. A statement that the parties understand that joint custody does not necessarily mean equal parenting time.

See a [sample parenting time plan](#) and instructions.

How do I determine the best parenting time plan for my child(ren)?

Each family situation is unique. Each child is unique. The Arizona Supreme Court developed Model Parenting Time Plans for Parent/Child Access to give parents options and suggestions regarding how to select the appropriate parenting plan. The [Model Parenting Time Plans](#) can be found at the web site listed below.

What is the Parenting Information Class (PIP)?

[Parent Information Program \(PIP\)](#) is a mandatory class that provides information to divorcing parents, or parents involved in other domestic relations actions, concerning what their children may be experiencing during this emotionally difficult period. There are certain

agencies where you can attend the class.

How can I find out more information regarding custody and parenting-time?

The Arizona Supreme Court has more general information about custody and parenting time at this web site:
<http://www.supreme.state.az.us/dr/pdf/custvis.pdf>

I am supposed to take a class on parenting skills. Who do I contact?

The Self-Service Center has a list of providers who offer classes on parenting skills. See [listing of resources](#).

The other parent is mistreating the children. How can I protect them?

If you believe the children are in harm contact Child Protective Services at 1-888-SOS-CHILD and your local police department.

You can ask for an [Order of Protection](#) that includes the children or request custody and ask for an emergency hearing. If you are married, you cannot ask for custody unless you have a divorce, annulment or legal separation filed with the court. You can contact an attorney for legal advice, or go to the Self-Service Center for emergency paperwork.

What is Supervised Parenting Time?

Supervised Parenting Time is when contact between a parent and the children occurs with a third person responsible for observing the parent and children interact and seeking to ensure the safety of those involved. "Monitored Visitation", "Supervised Child Access", and "Supervised Child Contact" are other terms with the same meaning.

What is Supervised Exchange?

Supervised Exchanges is when a third person supervises the transfer of the children from one parent to the other. Supervision is limited to the time of exchange or transfer. Supervised Exchange is needed to make sure that the two parents or other individuals exchanging the children do not have direct contact with one another.

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Child Support

How is child support determined in Arizona?

The current [Arizona Child Support Guidelines](#) follow the Income Shares Model. An income shares model is a model that takes into consideration the income of both parents. The guidelines allow for the children to be supported at the same level as when the parents and child(ren) were living together. Each parent contributes his/her proportionate share of the total child support amount.

How can I learn more about the Arizona Child Support Guidelines?

The guidelines are posted on the Arizona Supreme Court web site for you to review. Click [here](#) for the Arizona Child Support Guidelines.

How can I estimate how much child support I will pay/receive?

The Arizona Supreme Court has an [interactive child support calculator](#) that will help you estimate child support.

See more information on Child Support Services at the [Clerk of the Superior Court-Maricopa County](#).

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Division of Community Property, Assets and Debts

It is important to know the value of all community property and debts because the court is required by law make a finding that the division of community property is fair (not necessarily equal).

Is Arizona a Community property state?

Arizona is a community property state because of our state law. Community property generally means that spouses equally share ownership of anything purchased, acquired, or paid for during the marriage no matter who uses the property, who paid for the property or what name a title is under.

What are examples of community property and debts?

Examples of community property include: real estate, home furnishings, vehicles, bank accounts, investment accounts, credit card debts, student loans, car payments, and some retirement plans. All property or debt that either spouse acquires during the marriage is likely considered community property or debt unless it can be proven that certain property was acquired as a gift or inheritance.

What laws govern Community property?

| Article 2 | Property Rights and Contract Powers |
|---------------|--|
| 25-211 | Property acquired during marriage as community property; exceptions |
| 25-213 | Separate property |
| 25-214 | Management and control |
| 25-215 | Liability of community property and separate property for community and separate debts |
| 25-217 | Ownership of property acquired after moving into state |
| 25-218 | Surrogate parentage contracts; prohibition; custody; definition |

Should I list all the marital property and debt in the divorce decree?

It is important that you list all the marital property and debt in your divorce decree. If you do not list the property and debt, your final divorce paperwork may not show what property and debt each spouse will receive after divorce.

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Legal Separation

Does the court offer counseling to help my marriage?

Conciliation Counseling is offered by the Superior Court under the authority of Arizona law (ARS§ 25-381) for those spouses who are considering or who are in the process of divorce.

What is a legal separation?

In Arizona, in legal separation the marriage is not ended. A legal separation usually divides marital property and debts. Community property rights usually terminate in a legal separation case. Custody, parenting time and support of children are also usually determined.

To obtain a legal separation, you will need to tell the court that your marriage is irretrievably broken and/or that one party desires to reside

separate and apart from the other. The court cannot grant a legal separation decree if either party objects. If there is an objection, the court can hear the case as a divorce case.

State law: A.R.S. 25-313. provides:

The court shall enter a decree of legal separation if it finds each of the following:

1. That one of the parties at the time the action was commenced was domiciled in this state or was stationed in this state while a member of the armed services.
2. The conciliation provisions of section 25-381.09 and the provisions of article 5 of this chapter either do not apply or have been met.
3. The marriage is irretrievably broken or one or both of the parties desire to live separate and apart or, if the marriage is a covenant marriage, any of the grounds prescribed in section 25-904.
4. The other party does not object to a decree of legal separation. If the other party objects to a decree of legal separation, on one of the parties meeting the required domicile for dissolution of marriage, the court shall direct that the pleadings be amended to seek a dissolution of the marriage.
5. To the extent it has jurisdiction to do so, the court has considered, approved or made provisions for child custody, the support of any natural or adopted child common to the parties of the marriage entitled to support, the maintenance of either spouse and the disposition of the property.

How do I file for legal separation?

If you want to file for legal separation you should seek the advice of an attorney. You may also obtain needed paperwork from the Self-Service center. Visit the website:

If children are involved

If no children are involved

Can a legal separation become a divorce?

Legal separations can be converted to Dissolution of Marriage (Divorce) before and after the entry of the Decree of Legal Separation case. You will need to ask the court in writing to change the legal separation to a divorce action. If you are the petitioner, you can file an amended filing under your same case number. If you are the respondent, you can ask that the legal separation be changed to a divorce in your response.

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Spousal Maintenance

What is Spousal Maintenance?

Spousal Maintenance is money paid for support of a spouse. Spousal Maintenance can be agreed on between the parties or ordered or by the Court in a divorce or legal separation. Not every divorce or legal separation involves spousal maintenance.

How do I ask for Spousal Maintenance?

If you want the court to consider whether spousal maintenance is appropriate in your case, you need ask for spousal maintenance in the petition for dissolution if you are the petitioner, or in the response if you are the respondent. You can also ask for spousal maintenance in a petition for legal separation.

Under what circumstances can spousal maintenance be paid?

Generally, the parties can agree or the court can order spousal maintenance be paid by one spouse to another. The court will follow the state law when determining if spousal maintenance is appropriate:

A.R.S. 25-319.

A. In a proceeding for dissolution of marriage or legal separation, or a proceeding for maintenance following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse, the court may grant a maintenance order for either spouse for any of the following reasons if it finds that the spouse seeking maintenance:

1. Lacks sufficient property, including property apportioned to the spouse, to provide for that spouse's reasonable needs.
2. Is unable to be self-sufficient through appropriate employment or is the custodian of a child whose age or condition is such that the custodian should not be required to seek employment outside the home or lacks earning ability in the labor market adequate to be self-sufficient.
3. Contributed to the educational opportunities of the other spouse.
4. Had a marriage of long duration and is of an age that may preclude the possibility of gaining employment adequate to be self-sufficient.

How much will be paid for spousal maintenance and for how long?

Generally, an order or agreement for spousal maintenance is for a specific period of time. Spousal maintenance can end when the spouse who receives the support remarries, dies, or when the amount of time for which it is ordered or agreed upon has ended. The state law provides:

ARS 25-319.

B. The maintenance order shall be in an amount and for a period of time as the court deems just, without regard to marital misconduct, and after considering all relevant factors, including:

1. The standard of living established during the marriage.
2. The duration of the marriage.
3. The age, employment history, earning ability and physical and emotional condition of the spouse seeking maintenance.
4. The ability of the spouse from whom maintenance is sought to meet that spouse's needs while meeting those of the spouse seeking maintenance.
5. The comparative financial resources of the spouses, including their comparative earning abilities in the labor market.
6. The contribution of the spouse seeking maintenance to the earning ability of the other spouse.
7. The extent to which the spouse seeking maintenance has reduced that spouse's income or career opportunities for the benefit of the other spouse.
8. The ability of both parties after the dissolution to contribute to the future educational costs of their mutual children.
9. The financial resources of the party seeking maintenance, including marital property apportioned to that spouse, and that spouse's ability to meet that spouse's own needs independently.
10. The time necessary to acquire sufficient education or training to enable the party seeking maintenance to find appropriate employment and whether such education or training is readily available.
11. Excessive or abnormal expenditures, destruction, concealment or fraudulent disposition of community, joint tenancy and other property held in common.
12. The cost for the spouse who is seeking maintenance to obtain health insurance and the reduction in the cost of health insurance for the spouse from whom maintenance is sought if the spouse from whom maintenance is sought is able to convert family health insurance to employee health insurance after the marriage is dissolved.
13. All actual damages and judgments from conduct that results in criminal conviction of either spouse in which the other spouse or child was the victim.

Are Spousal Maintenance payments taxable?

It is possible that **spousal maintenance** may be deductible by the paying spouse and may have to be included as income by the receiving spouse. If you have questions about the tax consequences of a spousal maintenance order you are seeking, you should consult a qualified tax attorney or accountant.

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FREQUENTLY ASKED QUESTIONS — POST-DECREE MATTERS

Divorce | Modification of Child Custody and Parenting Time | Modification of Child Support
Enforcement of Child Custody and Parenting Time | Child Support
Paternity Cases | DNA Testing to Establish Paternity

Dissolution (Divorce) Matters

What are post-decree petitions?

"Post-decree" petitions are those filed **after** a Decree of Dissolution of Marriage, Legal Separation or Annulment, or Judgment of Paternity is entered, and are usually filed to modify or enforce existing orders of the Court.

How do I start a post-decree action?

You must file the appropriate paperwork with the court if you want the court to change or enforce a current court order. Consult with an attorney for legal advice. Forms are located at:

To Make Someone Obey a Court Order (*Enforcement of a Court Order that Already Exists*)

To Change a Court Order (*Modification of a Court Order that Already Exists*)

For additional information see the **Arizona State Bar** Web site.

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Modification of Child Custody and Parenting Time

I need to modify child custody or parenting time. What do I do?

Your divorce decree or paternity judgment may require you to participate in mediation before you can ask for a modification of child custody or parenting time. Check your paperwork. You can participate in mediation at the court or through a private provider. See information about **court mediation at Conciliation Services**.

To request mediation with Conciliation Services you must complete paperwork. See **information and forms**.

See information about [private mediators](#).

If you need to go to court you must file paperwork to modify child custody and parenting time. See [information and forms](#).

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Modification of Child Support

Can I change the amount of child support that I am paying/receiving?

Yes, if the amount you pay will increase or decrease by 15%. You can also ask for a modification of child support every 3 years, regardless of the amount of increase or decrease. See [information and forms](#) to modify child support.

My child is over 18 and I am still paying child support. How can I have it stopped?

It will take a new Court Order to stop the child support payments. Unless a child is disabled, child support can be stopped once a child turns 18, if he/she is no longer attending high school. If he/she is still attending high school at age 18, support can be stopped when he/she graduates from high school or turns 19, which ever happens first.

There are two things that need to be stopped. You must stop the Court's child support order that is requiring you to pay child support and the Order of Assignment, which tells your employer to stop withdrawing money from your paycheck.

Contact an attorney for legal advice or obtain the forms from the Self-Service Center. See [instructions and forms](#).

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Enforcement of Child Custody and Parenting Time Issues

How can I enforce a Court Order about Child Custody or Parenting Time Issues?

You can seek advice from a lawyer.

You can ask a Document Preparer to assist you in completing documents.

You can get the required forms at the Superior Court Self-Service Center at a nominal fee. See [information and forms](#).

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Child Support

How can I enforce a Court Order about Child Support or Child Support Arrears?

There are several options for you. You can file an Expedited Request to Enforce with Expedited Services.

You can ask [The Department of Economic Security, Division of Child Support Enforcement \(DCSE\)](#) to assist

you. The DCSE Customer Service Hot Line number is: 602-252-4045.

You can seek advice from a lawyer.

You can ask a **Document Preparer** to assist you in completing documents.

You can get the required forms at the Superior Court Self-Service Center at a nominal fee. The **information and forms** can be downloaded at no cost from the Superior Court Self-Service Center web site.

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Paternity Cases

What is Paternity?

Paternity is the term used to describe a court matter when children are born of parents who are not married to each other.

How do I establish paternity?

There are several ways to establish paternity. To establish paternity a judge or other official may enter a court order or the Division of Child Support Enforcement (DCSE) may establish paternity without going to court. Also, an Acknowledgment of Paternity may be signed by both parents at the hospital when the child is born or anytime thereafter and filed with the court.

For more information visit the following web sites:

- **[Division of Child Support Enforcement \(DCSE\)](#)**
- **[Bureau of Public Health Statistics- Office of Vital Records](#)**

Where can I get forms to assist me in establishing paternity?

Forms are available from the Self-Service Center, DES, DHS or at hospitals. In Maricopa County, forms are available through the Self-Service Center located at the downtown, the southeast and northwest courthouses. **Forms** also may be obtained on the Internet.

I am supposed to take a class on parenting skills. Who do I contact?

The Self-Service Center has a list of providers who offer classes on parenting skills. See a **[listing of resources](#)**.

The other parent is mistreating the children. How can I protect them?

If you believe the children are in harm contact Child Protective Services at 1-888-SOS-CHILD and your local police department.

You can ask for an **Order of Protection** that includes the children or request custody and ask for an emergency hearing. If you are married, you cannot ask for custody unless you have a divorce, annulment or legal separation filed with the court. You can contact an attorney for legal advice, or go to the Self-Service Center for emergency paperwork.

How do I apply for Title IV-D services?

You must contact the Division of Child Support Enforcement (DCSE). DCSE is a Division of DES that is charged

with the statewide administration and operation of the Child Support Enforcement Program as established by Title IV-D of the Social Security Act. The web site is: <http://www.de.state.az.us/dcse/applycs.asp>

What are IV-D services?

Title IV-D services are for any person with custody of a child who needs help to establish a child support or medical support order, any parent who already has a support order who needs help to collect support payments, or any noncustodial parent can apply for IV-D child support.

If you are receiving public assistance from Temporary Assistance for Needy Families (TANF), or Medicaid or federally-assisted Foster Care programs, you have been automatically referred to the Division of Child Support Enforcement (DCSE) for services. See the [DCSE web site](#) for more information.

How do I add a Father's name to the birth certificate?

There are several ways to add the Father's name to the birth certificate.

If both parents agree who the biological father is, you can sign a statement called an Acknowledgment of Paternity. These forms are available at all birthing hospitals, the [Office of Vital Records](#), the Arizona Department of Economic Security's [Child Support Enforcement](#) offices and many of the county registrar's offices.

You can also establish court ordered paternity by completing paperwork and filing it with the court. A court order to change a birth certificate must have the child's birthday on it. If you have a court order for paternity, the order may be filed with the Office of Vital Records directly by the Court, the agency that petitioned the Court for the order, or one of the parents may deliver it in person. If you decide to bring a court order to the Office of Vital Records in person, you must bring a [certified copy](#) of the court order with you.

See the [Office of Vital Records](#) web site for more information.

The father of my children agrees that he is the father. How can we get an order from the court?

If the Father's name is on the birth certificate you may not need a court order. If you need a court order you can establish paternity voluntarily by completing paperwork. The father may also sign a notarized affidavit, which declares that he is the father. This form must then be filed with the Court. The [information and forms](#) can be downloaded at no cost from the Superior Court Self-Service Center web site.

For more information regarding Paternity, see the [Arizona Supreme Court](#) web site.

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DNA Testing to Establish Paternity

Where can I obtain genetic testing?

There are many places where you can have DNA testing. A few examples testing facilities are listed here. If you are interested in DNA testing, please contact the location of choice for exact cost and testing requirements. The cost listed here may not reflect the current cost.

Genetic Paternity Testing

| | | |
|---|---|-------------------------------|
| All Tests International Mailing Address: PMB 287 | Swab \$350.00 \$25-50 collection fee Nationwide testing | 3 people Results: 48 hours |
|---|---|-------------------------------|

| | | | |
|---|---------------|---|--|
| 4 Valley Locations (East/West) 1-800-833-0680 | | | |
| Arizona Paternity Testing Services 11811 N. Tatum Blvd. Suite 3031 Phoenix, AZ 85004 (602) 796-9224 | Swab \$350.00 | \$25 collection fee Mobile AABB Certified | 2-3 people Results: 3-5 business days |
| Blood Systems Laboratory 2424 W. Erie Dr. Tempe, AZ 85282 (602) 343-7010 Ext. 5 | Swab \$585.00 | No collection fee Nationwide testing AABB Certified | 3 people Results: 2-3 weeks |
| B & S Mobile Lab Services 15779 W. Caribbean Lane Surprise, AZ 85379 (623) 297-6228 (623) 556-9563 | Swab \$450.00 | \$35 collection fee Nationwide testing AABB Certified | 3 people Results: 10 business days |
| Chromosomal Laboratories, Inc. 2020 W. Lone Cactus Dr. Phoenix, AZ 85027 (877) 434-0292 (623) 434-0292 | Swab \$410.00 | No collection fee Nationwide testing AABB Institutional Member | 3 people Results: 3-5 days |
| DNA Diagnostic Center 205 Corporate Court Fairfield, OH 45014 1-888-362-2875 | Swab \$420.00 | \$70.00 collection fee Nationwide testing AABB Certified | 2-3 people Results: 5 business days |
| DNA Genelex 3000 1 st Ave Seattle, WA 98128 1-800-523-6487 | Swab \$475.00 | \$ 25-45 collection fee Nationwide testing AABB Certified | 2 -3 people Results: 10 business days |
| Genescreen 5698 Springboro Pike Dayton, OH 45449 1-800-362-8378 | Swab \$525.00 | \$15-40 collection fee Nationwide testing AABB Certified | 2-3 people Results: 5-7 business days |
| Genetica DNA Laboratories, Inc 8740 Montgomery Rd. Cincinnati, OH 45236 1-888-433-6848 | Swab \$450.00 | \$15-35 collection fee Nationwide testing AABB Certified | 3 people Results: 2 business days |
| Genetic Identity 303 Mackin Ave Eugene, OR 97404 1-866-437-1597 | Swab \$360.00 | No collection fee Nationwide testing AABB Certified | 2 people Results: 5-7 business days |
| Genetic Technologies, Inc. P.O. Box 242 Glencoe, MO 63038 1-877-451-4363 | Swab \$297.00 | \$25 collection fee Nationwide testing AABB Certified Mobile | 2-3 people Results: 3-5 business days |
| Identigene, Inc. 7400 Fannin, Suite 1250 Houston, TX 77054 1-800-809-0758 | Swab \$495.00 | \$15-35 collection fee Nationwide testing AABB Certified | 3 people Results: 3-5 business days |

| | | | |
|---|---------------|--|--|
| Lab Express, Inc. 505 W. McDowell, Building A Phoenix, AZ 85003 (602) 273-9000 | Swab \$475.00 | \$25 collection fee Nationwide testing AABB Certified | 3 people Results: 10 business days |
| Paternity Testing Corp 300 Portland Columbia, MO 65201 1-888-837-8323 | Swab \$495.00 | \$20-40 collection fee Nationwide testing AABB Certified | 2-3 people Results: 5 business days |
| People Screen 3003 LBJ Freeway, Suite 100 Dallas, TX 75234 1-866-566-9362 | Swab \$460.00 | No collection fee Nationwide testing AABB Certified | 2-3 people Results: 5 business days |

Misc. Info

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FREQUENTLY ASKED QUESTIONS — ALTERNATE DISPUTE RESOLUTION

General Questions

What is a settlement conference?

A pre-trial meeting between parties and their attorneys (if parties are represented) and a judicial officer acting as a neutral facilitator, who evaluates the strengths and weaknesses of their case and assists them in reaching agreement.

What types of cases are eligible for a family settlement conference?

All pre- and post-decree dissolution cases, paternity and maternity matters, as well as grandparent visitation cases.

What are the advantages of a settlement conference?

Decreased cost: By settling the case and avoiding trial, parties can save the expenses associated with a traditional trial.

Quicker solution: The traditional trial process is often time-consuming. By settling a dispute before trial, parties avoid the possibility of a long trial and can move on with their lives.

Increased satisfaction: Court clients participating in a settlement conference generally experience a higher level of satisfaction with the process than those who go through the traditional trial process.

Where are settlement conferences held and how long do they last?

Most settlement conferences are held at Alternative Dispute Resolution, 3rd Floor, Central Court Building, Phoenix, Arizona. In some cases, settlement conferences are held at the Southeast facility (some Mesa cases), the Northwest facility (some Northwest cases), and at judges *pro tempore*'s offices.

Who presides over a settlement conference?

A judicial officer acting as a neutral facilitator (judge *pro tempore*) presides over a settlement conference. A judge *pro tempore* is a neutral attorney who is court-appointed to perform specific duties for the courts based on their experience and qualifications.

What do I need to do to prepare for a settlement conference?

Be prepared for the following: give a general description of the issues in the suit, including your views; explain all

previous negotiations and results; discuss the possible consequences if your case proceeds to trial; bring any relevant financial, property, debt, and income information; bring any other relevant information for discussion; and communicate your needs fully, honestly, and respectfully with the judge *pro tempore* and with the other party.

Who can attend the settlement conference?

Typically, the judge *pro tempore*, petitioner, respondent, and counsel (if represented) are the only people included in the settlement conference; however, there are exceptions under certain circumstances.

What happens if we reach an agreement prior to a settlement conference?

Pursuant to Rule 5.1(c), Arizona Rules of Civil Procedure, notify Alternative Dispute Resolution immediately (602-506-7884). Upon notification: The parties may present to the Court a Stipulation resolving any issues or a stipulated agreement, with accompanying documents (e.g., decree, parenting plan, etc.). Such documents are subject to the Court's review for sufficiency and will be immediately entered once approved. All parties representing themselves should go to the Self-Service Center to obtain the appropriate forms for submission to the Court.

What happens if we reach an agreement in a settlement conference?

If you reach a full or partial agreement in a settlement conference, ADR will alert the judge that you participated in a settlement conference and a full or partial agreement was reached. The trial date may be vacated for full agreements.

What happens if we don't reach an agreement in a settlement conference?

If you do not reach an agreement, ADR will alert the judge that you participated in a settlement conference but did not reach an agreement.

Is the settlement conference taped or recorded?

Only if the parties reach a full or partial settlement, then the settlement agreement is taped.

For more information go to the web site: www.superiorcourt.maricopa.gov/adr/

FREQUENTLY ASKED QUESTIONS — CONCILIATION

General Questions | Conciliation Counseling | Mediation | Parenting Conference
Parent Information Program (PIP) | Parental Conflict Resolution Class (PCR)
Premarital Underage Counseling

General Questions

Where are you located?

Downtown Phoenix Office: 201 W. Jefferson East Court Building. 3rd Floor The office is located in the Maricopa County Superior Court Complex. Parking is available in area public parking garages

Northwest Office: 14264 W. Tierra Buena Lane Surprise, Arizona 85374 The office is located in the Northwest Regional Court Complex. Free parking is available at the building.

| | | |
|-------------------|---|--|
| Northwest Office: | 14264 W. Tierra Buena Lane Surprise, Arizona 85374 | The office is located in the Northwest Regional Court Complex. Free parking is available at the building. |
| Southeast Office: | 222 East Javelina, Suite 1300 Mesa, Arizona 85210 | The office is in Southeast Superior Court Complex on the First Floor. Free parking is available on the north side of the building. |

What are your hours?

Our office hours are 7:30 a.m. until 5 p.m. Monday through Friday.

What are the qualifications for professional staff?

Clinical Staff have a Master's degree or Doctorate in a mental health or related field and at least two years experience in counseling or social work.

Are there any fees for your services?

There are no fees for any of the services offered in Conciliation Services if you have an active case in Family Court.

Are these services available anywhere else?

Counseling for parties contemplating divorce, mediation and custody evaluations are available in the community through mental health agencies, private counselors, private mediators, psychologists and psychiatrists, typically for a fee. For a list of mental health providers [click here](#).

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Conciliation Counseling

What is Conciliation Counseling?

Conciliation Counseling is offered by the Superior Court under the authority of Arizona law (ARS§ 25-381) for spouses who are considering or who are in the process of divorce. The focus of this brief counseling is to assist spouses in making an informed and thoughtful decision regarding their future. A petition for Conciliation Counseling puts a stay or hold on the divorce for up to 60 days; and petitions for annulment, dissolution of marriage or legal separation cannot be filed during that time period.

How do I/we request Conciliation Counseling?

The petition for Conciliation Counseling can be picked up at Conciliation Services or downloaded from http://www.superiorcourt.maricopa.gov/ssc/forms/fc_dradc1.asp. The petition must be filed with Conciliation Services. There is no charge for filing the petition for Conciliation Counseling. You will also be asked to complete the information in this form to assist Conciliation staff.

[Information Sheet](#)
[Information Sheet \(Spanish\)](#)

If I file for Conciliation Counseling does my spouse have to attend the appointments?

It is required that each party attend the initial appointment.

How long before we get an appointment?

Typically, staff meets with each spouse individually and then determines if a joint conference would be beneficial. The first appointment is usually within four weeks of filing the petition.

If I decide later that I do not want counseling, how do I cancel the petition?

Contact Conciliation Services and request a **Petition for Withdrawal**. Once the petition is completed and filed with Conciliation Services, the jurisdiction is terminated.

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Mediation

What is mediation?

Mediation is a process in which parents meet with a staff member to try and reach an agreement with respect to child custody and parenting time. In mediation, parents are encouraged to discuss their present and future plans, as well as the needs of their child(ren) in an open and problem-solving manner. The mediator is neutral and objective. His/her role is to help parents work cooperatively to resolve their disputes regarding child custody and parenting time. Mediation is confidential and no information or recommendations from the sessions will be revealed to the judge or attorneys. You will be asked to sign the **Mediation Guidelines** and complete the **Mediation Information Form**.
(Spanish version)

How do I petition for mediation?

You must complete a motion or petition for mediation. Petitions are available at the Self-Service Center at 101 West Jefferson (First Floor) in the Law Library, in the Southeast Self-Service Center at 222 East Javelina or they can be downloaded from http://www.superiorcourt.maricopa.gov/ssc/forms/fc_dradm1.asp

If you and the other party agree to attend mediation, you can complete a Joint Petition for mediation and file it with Conciliation Services. Petitioners should make three copies, the original and one copy are provided to Conciliation Services.

If you do not have a court order for custody or parenting time and want to participate in mediation, you must complete the "**Motion for Pre-Decree Mediation**" form and the "**Order for Referral to Mediation**", and file it with the Judge assigned to your case. Motions for mediation must be served upon the other party, and proof of service is required before the court will accept it.

If you already have a court order regarding custody and parenting time and you want to change it, you must complete "**Petition for Post-Decree Mediation**" and "**Certificate of Service**" and file it with Conciliation Services. Petitions for mediation must be served upon the other party, and proof of service is required before Conciliation Services will accept it.

Why did the judge send us to mediation?

Typically, the judge will refer parents to mediation if they are in dispute regarding child custody and parenting time plans and there is an indication that parents can cooperate to resolve issues involving the care of their children.

Will I have to meet with the other party?

Conciliation Services staff will determine if a joint meeting is appropriate. If there is an Order of Protection in place, staff will meet with the parties individually at first to determine whether or not to proceed with mediation.

What if the other party fails to appear for the mediation appointment?

The mediator may attempt to reschedule if there is good cause for the missed appointment. Otherwise, mediation may end and the mediator will report the missed appointment to the judge. The mediator may also assess a \$200.00 no show fee.

What if I must reschedule my mediation conference?

You need to contact Conciliation Services immediately. Under certain circumstances, mediation appointments can be rescheduled with the agreement of the other party. If both parties are not in agreement to reschedule the mediation, the mediation appointment will continue as scheduled.

What if I don't have a current address for the other parent?

Conciliation Services must have a current address for the other party in order to provide proper notification of appointments. If there is a child support order, it may be possible to request this information through the court.

May I bring evidence to present during the mediation conference?

Since mediation is confidential and geared towards problem solving, there is no need to provide evidence or documentation.

Who can attend the mediation conference?

Typically, the parents and the mediator are the only people included in the mediation sessions; however there are exceptions under certain circumstances.

What happens if we reach an agreement in mediation?

If you reach a full or partial agreement in mediation, Conciliation Services will prepare a parenting plan outlining your agreements. The agreement will be mailed to you so you can review the document and determine if the agreement is accurate. After an objection period, if no objections are filed, the plan will be forwarded to the judge to become a court order. In the alternative, the parents can request that the agreement be forwarded to the parents and/or attorneys for further consideration. In this case, the parents or attorneys would be responsible to submit the agreement to the court so that it can be adopted as an order. If an objection is filed by one of the parties, the mediator will contact the parties and attempt to resolve the areas in dispute.

Proper litigants may sign an 80D agreement upon reaching an agreement. An 80D agreement is a binding agreement and does not require an objection period.

What happens if we do not reach an agreement in mediation?

If you do not reach an agreement, Conciliation Services will alert the judge that you participated in mediation, but no agreement resulted. You may be scheduled for other appointments in Conciliation Services.

How long before the mediation conference is scheduled?

Typically appointments are set within 30 days; however, the waiting period for appointment times can vary depending on the Conciliation Services caseload.

How many sessions will we attend?

Typically, mediations conclude in one or two sessions, but if parents make progress, additional sessions may be required.

Are children interviewed in mediation?

Children are typically not interviewed in mediation since the goal is to help the parents reach an agreement regarding their child(ren)'s care, not to make assessments.

Why was my petition for mediation denied?

Petitions for mediation are reviewed by staff and a determination is made regarding whether mediation is appropriate. If mediation is deemed inappropriate, the parties will be notified of the reason for the denial by letter or minute entry.

How long do I have to wait to file for mediation again after our last mediation?

Typically six months, however, there may be exceptions.

Do I have to serve the other party with the petition for mediation?

Yes, instructions for services are in the packets available at
http://www.superiorcourt.maricopa.gov/ssc/forms/fc_dradm1.as

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Parenting Conference

What is a Parenting Conference?

A Parenting Conference is a non-confidential process that identifies areas of agreement and significant issues in dispute regarding custody and/or parenting time. Parental concerns and parental fitness are assessed when necessary. The Parenting Conference meeting typically will include a joint meeting with the parents and may include individual meetings with the parents and interviews an/or observations with the child(ren). Other parties involved with the family may be interviewed at the discretion of staff. You will be asked to read and sign the **parenting conference guidelines** and also complete the **parenting conference questionnaire**.

Do I need to bring the children to the first appointment?

No, unless you are notified by appointment letter that the children have appointments, do not bring the children.

How long does it take to get a Parenting Conference completed?

Typically, a Parenting Conference report is provided to the Judge, the parties and attorneys 65 days from the date of the first appointment.

Can we reach agreements in a Parenting Conference?

Yes, you can reach agreements in a Parenting Conference. Negotiations in a Parenting Conference are not confidential and staff may also provide recommendations to the Judge.

At what age are children interviewed?

Young children may be interviewed depending on their verbal skills. Typically children under five are not interviewed; however, the evaluator may observe young children interacting with the parents in a playroom.

Are the interviews taped or recorded?

No, Conciliation Services does not use tape-recording devices, nor are such devices allowed in the interviews.

What if I am afraid to be interviewed with the other parent?

Notify Conciliation Services if you fear for your safety or are afraid to be interviewed with the other parent. If you can, call before your appointment and ask to speak to staff assigned to your case, or let the receptionist know as soon as you arrive for your appointment. The staff may need to interview you individually to determine how best to proceed under the circumstances.

More Parenting Conference information:

If determined to be appropriate by Conciliation Services, or by order of the Court, Conciliation Services may conduct a Parenting Conference. The purpose of the non-confidential Parenting Conference is to assist the Court in determining the best interests of the child(ren) by providing information, and frequently including recommendations, with respect to the children's residential arrangements, the amount of time they spend with each parent, and how the parents might assume decision-making responsibility for their children.

The Conciliation Services Parenting Conference is a non-confidential process that identifies areas of agreement and significant issues in dispute regarding custody and/or parenting time. Parental concerns and parental fitness are assessed when necessary. The process consists of the following:

1. **Initial Referral:** During the court hearing the judge will refer the parties to Conciliation Services. The courtroom clerk will call Conciliation Services for a Parenting Conference appointment date. After the court hearing, the parties need to report to Conciliation Services to complete paper work. The parties' identifying data are used to acquire information from law enforcement agencies and Child Protective Services. The Court Conciliator may refer to the information from such records during the Parenting Conference process.
2. **Collateral Information:** Child Protective Services, law enforcement records, and other relevant information may be reviewed. The parties will be asked to complete a Parenting Conference questionnaire regarding themselves and the other parent. The questionnaires will be given to the parties when they report to Conciliation Services after the court hearing. The parties need to bring the completed questionnaire to their initial meeting. Information from additional sources may be collected when deemed necessary. Any information given to the Court Conciliator by any party must be copied and given to the other party.
3. **Appointments:** The Parenting Conference meeting typically will include a joint meeting with the parents and may include individual meetings with the parents and interviews and/or observations with the child(ren). Other parties involved with the family may be interviewed at the discretion of the Court Conciliator.

The parties may reach agreement on some or all of the parenting issues during the Parenting Conference. If the parties' agreement appears to be in the best interests of the child(ren), the Conciliator may recommend the agreement to the court. However, if the Conciliator has identified issues of concern, the Conciliator will address those issues in the report. The Conciliator may report impressions regarding areas of the disagreement as well as possible solutions. The dispute may require an assessment that could involve collecting information from outside sources and the report may include recommendations to the court.

4. **Written Report:** The goal of the written report is to provide sufficient information to the court for determining appropriate orders regarding custody and/or parenting time. In most cases, the report will address areas such as : Referral, Background, Areas of Agreement, Issues in Dispute, Summary of Parental Concerns, Impressions/Assessment, and Conclusions/Recommendations.

Typically, **Conciliation Services** will provide a report to the court within 65 days of the initial appointment date.

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Parent Information Program (PIP)

Pursuant to Arizona law (ARS§ 25-351: "Domestic Relations Education on Children's Issues") the Superior Court in Maricopa County has implemented a Parent Information Program to provide information to divorcing parents, or parents involved in other domestic relations actions, concerning what their children may be experiencing during this emotionally difficult period.

Completion of the **Parent Information Program** is a requirement for all parents involved in a divorce, legal separation, or paternity case in which a party requests that the Court determine custody, specific visitation, or child support. Parties involved in other types of domestic relations actions, such as modification or enforcement of custody or parenting time, as well as child support matters, may also be ordered to attend the Parent Information Program at the Court's discretion.

Approved Parent Information classes are offered by a number of community-based providers at various locations throughout Maricopa County. For more information about the Parent Information Program in Maricopa County, please call (602)506-1448, or [click here](#) for a list of providers and locations.

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Parental Conflict Resolution Class (PCR)

What is PCR?

The Parental Conflict Resolution Class (PCR) is a single four-hour class taught at the court. This class is designed specifically for high conflict parents. A great amount of research has been conducted on what is behind these conflicts. This class presents the research findings in clear and practical terms. Additionally, the class addresses specific strategies that parents can use to reduce their conflict.

The PCR class differs from the standard "parent education" classes in that it focuses on the problem cases that take up a greatly disproportionate amount of family court time and is intended to be remedial. The parents are required to attend separate classes.

How do I register for PCR?

The PCR class is offered at no charge. To register for the class contact Conciliation Services.

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Premarital Underage Counseling

What is PREMARITAL UNDERAGE COUNSELING?

A.R.S. 25-102

Persons under sixteen years of age shall not marry without the consent of the parent or guardian having custody of such person and the approval of the presiding family court judge. Prior to the issuance of a marriage license in Maricopa County, individuals under the age of 16 are required to attend pre-marital counseling. In circumstances where only one individual is under the age of 16, both parties must attend pre-marital counseling. The counselor makes recommendations to the Court regarding whether the underage minors should be allowed to marry. Final decision rests with the presiding judge of the Family Court.

How do we schedule an appointment?

To set up an appointment you need to contact Conciliation Services, Monday through Friday before 3:00 p.m.

What do I bring to the appointment?

The minors will need to bring a copy of their birth certificate and if one of the parties is over 16 they will need to bring a picture ID. The parent or guardian must also come to the appointment.

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FREQUENTLY ASKED QUESTIONS — EXPEDITED SERVICES

[Mission and Beliefs](#) | [General Questions](#) | [Child Support](#) | [Conferences / Conference Officers](#)
[Objections/Hearings](#) | [Reports](#) | [Spousal Maintenance](#) | [Visitation](#)

Mission and Beliefs

The Mission of Expedited Services is to support the Court by providing mediation and problem solving techniques to meet each individual family's emotional and financial needs.

We believe when the parties reach their own agreement they are more apt to follow the order, which reduces litigation and enriches the lives of their children.

We believe children benefit when both parents are invested in their lives, emotionally and financially.

We believe that providing an alternate and expedited form of resolution to issues of support and parenting time is

beneficial to families, as well as the Court.

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General Questions

What is Expedited Services?

Family Support Center's Expedited Services is committed to helping parents find constructive ways to resolve their disputes, so that children may grow up in a healthier climate, and become successful.

In 1987, the Arizona legislature established new procedures to expedite public access to the courts for the enforcement of court orders concerning child support, spousal support (maintenance), and parenting time. Expedited Services was created in 1988 by the Clerk's office to assist the Court, and on July 1, 2004, was transferred to Superior Court. At Expedited Services, parents are provided an opportunity to pursue enforcement either on their own, or through an attorney.

If support payments are not paid, are late, or parents are interfering with court-ordered parenting time, parties may file a request for enforcement of the orders.

What hours is Expedited Services available?

On all non-holiday business days, Monday through Friday, 8 a.m. to 5 p.m. -- **Court Holidays**

Where is Expedited Services located?

201 W. Jefferson Third Floor, Phoenix, Arizona 85003
Phone: 602-506-3762 or FAX: 602-506-5711

222 E. Javelina Suite 1300, Mesa, Arizona 85210
Phone: 602-506-3762 or FAX: 602-506-3272

14264 W. Tierra Buena Lane, Surprise, Arizona 85324
Phone: 602-506-3762 or FAX: 602-506-5711

18380 N. 40th Street, Phoenix, Arizona 85032
Phone: 602-506-3762 or FAX: 602-506-5711

What Services are available at Expedited Services?

Through either a court referral or a specialized filing Expedited Services will assist parties with:

- Establishment of Child Support
- Modification of Child Support
- Enforcement of Child Support
- Enforcement of Child Support Arrears
- Enforcement of Spousal Support
- Enforcement of Spousal Support Arrears
- Enforcement of Medical Insurance Coverage
- Enforcement of Parenting Time
- Enforcement of Uncovered Medical and Dental Expenses

The Court may also order Expedited Services to monitor:

Child Support
Spousal Maintenance
Parenting Time
Uncovered Medical and Dental Expenses

Where can I obtain forms to file with Expedited Services?

The specialized filings regarding the above issues may be found at the **Self-Service Centers of Superior Court**.

Who conducts the Conference?

The Conference Officer is a court employee, who is neutral and does not represent either party.

What do I need to bring with me to the Conference?

You will need three (3) copies of all documents—one set each for the Conference Officer, the other party, and you. Copies must be given to the other party at the same time they are provided to the Court. Mailed or faxed documents must indicate copies have been mailed or faxed to the other party.

Can I attend the Conference by phone? How do I make those arrangements?

A request to attend the conference by telephone must be in writing (mail, fax or hand deliver) and made as soon as possible. A party attending the conference telephonically may not have anyone else, other than their attorney, in the room during the proceeding.

What will occur during the Conference?

The parties will meet with a Conference Officer. The issues the parties filed with the court will be addressed. Each party will be able to state their position and respond to the other parties' position. The Conference Officer will attempt to mediate an agreement between the parties on the issues. The Conference Officer will relay the outcome of the conference to the Court in a report.

Parties have the option of signing a stipulation if they come to an agreement during the conference. If the parties choose to stipulate, the conference officer will create a stipulation and order, witness the parties' signatures and submit it to the Court for approval.

What occurs after the conference?

If a stipulation is not reached during a conference, the Conference Officer submits a Report to the Court within two (2) business days of the conference. If there are complex issues or additional documentation is necessary additional time may be needed. The report will indicate what brought the parties to Expedited Services, any agreements of the parties, and the Conference Officers' recommendations on issues that are not agreed upon. The Court can adopt the recommendation as an interim order or enter separate orders. A copy of the report will be sent to the parties and their attorneys.

If a party objects to the report or to the Interim Court Order the objection must be filed within twenty-five (25) calendar days from the date the Court Order is filed by the Clerk of the Court. The original objection must be filed with the Clerk of the Court and copies mailed, faxed or hand-delivered to the assigned Judge or Commissioner, the other party, the other party's attorney, and Expedited Services. An objection form is available at Expedited Services, or on the Clerk of Courts web site e-form link and the fax back system.

Can I talk to the Conference Officer after the conclusion of the Conference?

In order to maintain their neutral position, all communication must take place in the presence of all parties. This applies to both written and oral communication. After the conference has concluded, all questions or information regarding the case must be in writing with a copy to the other party.

How long will the conference take?

Conference times vary, but you should plan on the conference lasting as long as two (2) hours.

Can I record the conference?

The conference will be recorded by the Conference Officer. Parties to the case may request a copy of the recording in the form of a CD or transcripts. A fee is required for both.

Tape recorders, laptops, and cameras, cannot be taken into a conference. Phones or pagers need to be turned off during the conference.

What happens to the documents submitted at the conference?

Documentation provided at the conference will be kept in a working file. The documentation will not be marked as an exhibit and will not become part of the legal file. Working files are confidential and are protected from public viewing based on Rule 123 of the Arizona Supreme Court entitled Public Access to the Judicial Records of the State of Arizona.

Where do the Child/Spousal support payments get mailed?

Payments should include the Obligor's name, ATLAS number, Court case number, and be mailed to:

Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

I filed for Expedited Services. How much time do I have to serve the other party?

Your action will be dismissed after 120 days if you do not have the other party served.

***I filed for Expedited Services and I cannot get the other party served.
Service has been attempted at least 3 times.***

What can I do?

You may wish to seek legal advice from an attorney as to the next step of action to take when you are unable to serve the other party, or if the other party is avoiding service.

How long after the conference do I have to wait before I receive a copy of the Report, Recommendation, and Order?

Generally, two to three weeks.

How long after receiving the Report, Recommendation, and Order do I have to file an objection?

An objection to a recommendation made by a conference officer shall be filed no later than 25 days from the date the order was filed by the Clerk of the Superior Court. There will be a stamp in the upper right hand corner indicating the date the order is filed.

The order says I have 25 days to file an objection from the date the order is filed by the Clerk of the Superior Court. I received it in the mail yesterday and it is now 10 days since the order was filed.

How long do I have to file an objection?

Fifteen days.

How do I get a copy of the Maricopa County Plan for Expedited Process?

Contact Expedited Services at (602) 506-3762.

Is my case still open with Expedited Services?

Contact Expedited Services at (602) 506-3762.

My case has been closed with Expedited Services.

How do I reopen it?

Re-file a Request for **Expedited Services**. Go to the **Self-Service Center** for forms.

I have a case with Expedited Services. I turned in a non-compliance report three weeks ago. What can I do?

Contact Expedited Services at (602) 506-3762.

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Child Support

Child Support is part of the personal privilege and legal responsibility of caring for your children. It is highly rewarding to ensure that your child receives appropriate physical, medical, educational, and emotional support, in order to lead a healthy and productive life. There is no better investment to be made.

If your circumstances change, warranting a modification in your child support obligation, you can seek information from the **Self-Service Center**.

To consult the Arizona statute relating to child support, Title 25, [click here](#).

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Conferences/Conference Officers

What is a conference officer?

An employee of the Family Support Center's Expedited Services department, appointed by the Presiding Judge, or his/her designee, pursuant to Rule 53 Arizona Rules of Civil Procedure and Maricopa County Local Rule 6.9.

What is a conference?

A proceeding conducted by an Expedited Services conference officer to obtain information and/or agreements related to support and parenting time issues, and, ultimately, to make recommendations to the court regarding those issues.

I have filed an Expedited Request to enforce my court order.

How long will it be before a conference is scheduled?

You will receive notice that a conference has been scheduled by Expedited Services within 20 days after Expedited Services has received a copy of:

1. the AFFIDAVIT OF SERVICE or
2. the FILED CROSS-PETITION for Expedited enforcement.

Can I talk to the conference officer individually?

This is called "ex parte" communication where one party speaks to a court officer outside the other party's presence. Per office policy, the conference officer is unable to speak individually to the parties of the case. This policy is to ensure fairness to the parties.

Can I bring my children to the conference?

Children are not permitted in the conference since adult issues are discussed, and they may not be left unattended.

Can my significant other attend the conference?

Only the parties to the action and their attorneys may attend the conference.

Do I need an attorney for the conference?

No, parties may represent themselves; however, attorneys representing the parties are welcome.

What information do I need to bring to the conference?

Any documentation that pertains to the issues and/or the items listed on the documents that you received at the time of service; or the pink minute entry you received in the mail that informed you of the date, time and location of the conference.

I lost/misplaced the documents that inform me what I need to bring to the conference.

How do I find out what I need to bring?

Contact Expedited Services at (602) 506-3762.

I missed my conference date. What can I do?

Contact Expedited Services at (602) 506-3762.

Where is the conference held?

Expedited Services' locations are:

201 W. Jefferson Street, Phoenix;

222 E. Javelina Avenue, Mesa

14264 Tierra Buena Lane, Surprise

18380 N. 40th Street, Phoenix

The location of the conference is indicated on the conference notice.

If you do not know the location for your conference, contact Expedited Services at (602) 506-3762.

What is the date and time of the conference?

The date and time of the conference is indicated on the conference notice; however, if you cannot locate your

conference notice, contact Expedited Services at (602) 506-3762.

***I cannot attend the conference at the date and/or time indicated on the conference notice.
Can I get the conference rescheduled?***

Immediately put your request in writing to reschedule your conference. You may mail, fax, or hand deliver your request to Expedited Services. You must provide a copy of the request to the other party by mail, fax, or hand delivery. The original should state how the copy was provided to the other party. We cannot guarantee that the conference will be rescheduled. Requests to reschedule submitted later than three (3) days before the conference will not be considered.

Can I attend the conference by phone?

Immediately put your request in writing to attend the conference by phone. You may mail, fax, or hand deliver your request to Expedited Services. You must provide a copy of the request to the other party by mail, fax, or hand delivery. The original should state how the copy was provided to the other party. We cannot guarantee that the conference will be conducted telephonically.

What is the authority to hold a conference?

The Maricopa County Plan for Expedited Process.

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Objections/Hearings

How long after receiving the Report, Recommendation, and Order do I have to file an objection?

An objection to a recommendation made by a conference officer shall be filed no later than 25 days from the date the order was filed by the Clerk of the Superior Court. There will be a stamp in the upper right hand corner indicating the date the order is filed.

***The order says I have 25 days to file an objection from the date the order is filed by the Clerk of the Superior Court. I received it in the mail yesterday and it is now 10 days since the order was filed.
How long do I have to file an objection?***

Fifteen days.

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Reports

***I attended a conference and a Report, Recommendation, and Order was signed by the judge or commissioner. I want to file an Objection.
Where do I get the Objection Form?***

You may obtain the form from Expedited Services; the FC Filing Counter and the **Self Service Centers** located in Mesa, Surprise, downtown Phoenix, and Northeast Phoenix.

How long after the conference do I have to wait before I receive a copy of the Report, Recommendation, and Order?

Generally, two to three weeks.

How long after receiving the Report, Recommendation, and Order do I have to file an objection?

An objection to a recommendation made by a conference officer shall be filed no later than 25 days from the date the order was filed by the Clerk of the Superior Court. There will be a stamp in the upper right hand corner indicating the date the order is filed.

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Spousal Maintenance

Depending on the circumstances, Spousal Maintenance may be Court-ordered when a marriage is dissolved. The Court may authorize payments to be made via wage assignment or directly to the obligee, who is to be paid.

For more information, you may wish to seek legal advice, or consult the Attorney roster at the **Self-Service Center**.

To consult the Arizona statutes concerning spousal maintenance, [click here](#).

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Visitation

How do I get supervised parenting time?

You may wish to seek legal advice from an attorney. If you have a Maricopa County parenting time order, you may petition the Court for a hearing and request supervised parenting time. Ultimately, the Court makes the decision.

The judge referred my case to Expedited Services. When will I start getting my supervised parenting time?

Expedited Services will notify you in writing of the scheduled date and time of a conference. Supervised parenting time can be discussed during this conference. Ultimately, the Court makes the decision.

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Change of Address Form *Attachment #47*

Party Updating Information is:

- Petitioner/Plaintiff
 Respondent/Defendant

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

CASE NO.: _____

Name of Petitioner/Plaintiff*

ATLAS NO.: _____

Name of Respondent/Defendant*

*(Write Names above as on Court Documents)

UPDATE INFORMATION ON
 ADDRESS and/or NAME

If your address is protected by Court Order DO NOT use this form**I UNDERSTAND:**

1. This Notice is to tell the Clerk of the Court that my address or name has changed.
2. This form does NOT legally change my name.
3. Address and name changes that are not sealed or confidential will be entered on both the support payment and the court's automated system, and will be available to the public as a public record.
4. I may only submit changes for my own address and name.

INFORMATION I WANT TO CHANGE: (PLEASE PRINT)

My name was: _____

My current name is: _____

My old address was: _____
(Street Address, City, State, Zip Code)My new address is: _____
(Street Address, City, State, Zip Code)My new *mailing* address (if different from above): _____
(Street Address, City, State, Zip Code)My telephone number is: (_____) _____
My Date of Birth is: _____
(optional)My e-mail address is: _____
(optional)

- There is an order for payments through the Clearinghouse for **Child Support and/or Spousal Maintenance** (if so, fax to **602-506-6690.**) **OR**
- There is an order for payments through the Clerk of the Superior Court for **Restitution** (if so, fax this form to **602-506-5127.**) **OR**
- This update is for *other than* Support, Maintenance or Restitution (if so, fax to **602-506-6690.**)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____
Date _____
Signature of Person Requesting Change

- Please send me information on direct deposit for Child Support and/or Spousal Maintenance.
 iCIS Address updated (FOR COURT USE ONLY)



Judge Davis Child Support Calculator
Attachment #48

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

#REF!

and

Petitioner/Plaintiff)

Case No. #REF!

ATLAS No. [REDACTED]

#REF!

Respondent/Defendant)

CHILD SUPPORT ORDER

THE COURT FINDS that:

1. _____ #REF! and _____ #REF!
owe a duty to support the following child:

Name

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date of Birth

#REF!
#REF!
#REF!
#REF!
#REF!
#REF!

2. The required financial factors and any discretionary adjustments pursuant to the Arizona Child Support Guidelines are as set forth in the Child Support Worksheet, attached and incorporated herein by reference.

3. **Current Support.** #REF!
Guidelines in the amount of #REF! per month.
No Deviation. [REDACTED]

4. **Arrears.** #REF! period of [REDACTED] through [REDACTED] for the time

5. **Past Care and Support.** #REF! [REDACTED]

IT IS ORDERED that:

1. #REF! #REF! per month, payable on the 1st day of each month starting [REDACTED] by wage assignment.

2. **Arrears Judgment.** No judgment for child support arrears is entered.
3. **Past Care and Support.** No judgment for past care and support is entered.
4. All payments shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignment signed this date. Any time the full amount of support ordered is not withheld, the obligor remains responsible for the full monthly amount ordered. Payments not made directly through the Support Payment Clearinghouse shall be considered *gifts* unless otherwise ordered. All payments shall be made payable to and mailed directly to:

Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

Payments must include the **obligor's name, ATLAS number, and Social Security Number**.

5. Pursuant to A.R.S. §25-322, the parties shall submit current address information in writing to the Clerk of the Superior Court and the Support Payment Clearinghouse immediately. The obligor shall submit the names and addresses of the obligor's employers or other payors within 10 days. The parties shall submit address changes within 10 days of the change.
6. Both Father and Mother are responsible for providing medical insurance for the child(ren).
7. The costs of medical, dental and vision expenses not paid by insurance shall be shared as follows:
 Father: _____ Mother: _____
8. The costs of travel related to parenting time over 100 miles away shall be shared as follows:
 Father: _____ Mother: _____
9. The parties shall exchange financial information such as copies of tax returns, earnings statements, a Parent's Worksheet for Child Support Amount, residential addresses and the names and addresses of their employers every 24 months.
10. #REF!

| Child's Name | Date of Birth | Parent Entitled To Deduction For Each Calendar Year | | |
|--------------|---------------|---|-------|-------|
| | | #REF! | #REF! | #REF! |
| #REF! | #REF! | | | |

For any years following those listed above while this Child Support Order remains in effect, the parties shall repeat the above pattern of claiming deductions for each child.

Each year, the obligor may claim these exemptions only if the obligor has paid all child support and arrears ordered for the year by December 31 of that year.

IMPORTANT INFORMATION:

If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.

Pursuant to Arizona Revised Statutes §25-503(l), the right to get a judgment for unpaid child support ends three years after all children included in the Child Support Order have emancipated. To collect the unpaid support, the person owed child support must file a court action to obtain a written judgment for the unpaid amount before the end of the three-year period. (Limited exceptions exist and are found in A.R.S. §25-320(B)).

Although the obligation to pay support may continue, a child is emancipated:

- On the date of the child's marriage.
- On the child's 18th birthday.
- When the child is adopted.
- When the child dies.

#REF!

Date

Judicial Officer

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

#REF! _____
Petitioner/Plaintiff)
)
and)
)
#REF! _____
Respondent/Defendant)
A.R.S. § 25-504

(1) Case No. #REF! _____
(2) ATLAS No. #REF! _____

ORDER OF ASSIGNMENT

TO: CURRENT AND FUTURE EMPLOYERS OR OTHER PAYORS OF THE OBLIGOR:

(3) Name: _____ SSN: _____

You shall withhold court-ordered monthly payments as follows:

| | |
|-----------------------------------|-----------|
| Current Child Support | _____ |
| Current Spousal Maintenance | _____ |
| Child Support Arrearages/Interest | _____ |
| Spousal Maintenance | _____ |
| Clearinghouse Handling Fee | \$ 2.25 * |
| Total Amount Per Month | ** |

*The \$2.25 Handling Fee is subject to statutory change pursuant to A.R.S. §25-510. ** No more than 50% of the employee's disposable earnings may be taken to satisfy an order issued for support or spousal maintenance.

This **Order of Assignment** modifies any previously dated Orders of Assignment with the same case number as listed in (1). This **Order of Assignment** is effective immediately upon receipt by an employer or other payor, including self-employed persons, and continues until further order, or until a period of 90 continuous days from the last payment to the obligor (person ordered to make support payments). If you are again obligated to pay monies to the Obligor within 90 days, you are again bound by this **Order of Assignment**. Payments must be sent to the Clearinghouse within two business days after the obligor is paid.

This Order of Assignment terminates on _____ #REF! #REF! unless it includes an arrearage payment, in which case, the total amount listed above shall continue to be withheld until further order.

All payments shall be sent to:

Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

The ATLAS number above in (2) and the employee's name and social security number in (3) must appear on the transmittal payment form or check. You shall not discharge or otherwise discipline the person named in this assignment, because of service of this **Order of Assignment**.

#REF!
Date

Judicial Officer or Clerk of the Superior Court

CURRENT EMPLOYER INFORMATION

This form is also available as an interactive form on the Family Support Center Website.
<http://www.familysupportcenter.maricopa.gov>

CASE NUMBER: #REF!**ATLAS NUMBER:** #REF!**PAYOR NAME:**

(PERSON TO MAKE PAYMENTS)

SSN:

LIST ONLY THE EMPLOYER'S NAME AND PAYROLL ADDRESS WHERE THE ORDER OF ASSIGNMENT OR STOP

CURRENT EMPLOYER NAME: #REF!**PAYROLL ADDRESS:** #REF!
#REF!**STATE:** #REF!**ZIP:** #REF!**EMPLOYER TELEPHONE:** #REF!**EMPLOYER FAX:** #REF!**WA/FSC**

WA/LOG ID: _____

TYPE OF W/A: _____

DATE: _____

AMOUNT TO ORDER: _____

EMPLOYER STATUS: _____

ENTERED BY: _____

NEW W/A: _____

SUB: _____

AG: _____

DCSE: _____

Case No. _____
ATLAS No. _____

JUDGMENT DATA SHEET (FOR INTERNAL USE ONLY*)

*ATTENTION: COURT DIVISION AND STAFF. DO NOT FILE THIS DOCUMENT. DO NOT DISTRIBUTE THE COMPLETED JUDGEMENT DATA SHEET TO THE PARTIES. THIS FORM IS FOR CLERK OF THE COURT INTERNAL USE ONLY.

PERSON TO RECEIVE PAYMENTS:

Name: _____

Gender: Male Female

Date of Birth: _____

SSN: _____

Mailing Address:

Address 1: _____

Address 2: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

Evening Phone: _____

Other (cell,pager): _____

Email Address: _____

PERSON TO MAKE PAYMENTS:

Name: _____

Gender: Male Female

Date of Birth: _____

SSN: _____

Mailing Address:

Address 1: _____

Address 2: _____

City: _____

State: _____ Zip: _____

Daytime Phone: _____

Evening Phone: _____

Other (cell,pager): _____

Email Address: _____

EMPLOYER INFORMATION FOR PERSON MAKING PAYMENTS:

Firm Name: _____

Payroll Mailing Address 1: _____

Address2: _____

City: _____

State: _____ Zip: _____

Phone: _____ Email Address: _____

CHILDREN:

Name _____ Gender (M/F) _____

Date of Birth _____

Social Security No. (if available) _____

Additional children listed on attached sheet.

FOR COURT USE ONLY

Order Date: _____

Type of Order: _____

Current Child Support

Amount: _____

Arrearages

Amount: _____

Current Spousal Maint.

Amount: _____

Arrearages

Amount: _____

Miscellaneous

Med Ins: _____

Frequency: _____

Frequency: _____

Due Date: _____

Med Bills: _____

Total: _____

Frequency: _____

Thru Date: _____

Due Date: _____

Due Date: _____



Judicial Rotation Recommendations

Attachment #49

To: Presiding Judge Colin Campbell
From: Committee on Family Court Rotations
Date: December 14, 2004

The Committee on Family Court Rotations has met and concluded its recommendation on rotations to the Family Court. The following recommended guidelines would replace the family court guidelines set forth in the attached Judicial Assignment and Rotation Guidelines as approved by the Bench on September 27, 2000:

1. Each department and assignment of the court is entitled to equal dignity and professionalism. Every superior court judge should have an expectation of serving a proportionate share of the judge's career in assignments proportionate to the work generated by each of the departments. The Committee recommends that the bench unanimously approve this principle and declare their willingness to participate in all assignments equally.
2. A practice of assigning judges to the family court with varied experience, including both senior and newly appointed judges, is beneficial to the court, the public and the family court department.
3. Experienced family court judges who desire to remain in a family court assignment after their first scheduled rotation should be encouraged to remain to provide experienced leadership and stability to the department. The Committee also recommends, however, that normally the total family court assignment should be divided into 2 separate rotations—one in the first 10 years of service and the second in the final 10 years.
4. Variations of 7 total plans submitted by the bench and members of the Committee were reviewed and considered with the following final recommendation on family court rotations:

Each judge should serve a 4 to 5-year rotation in family court divided into 2 separate assignments—the first rotation being normally 2 to 3 years during the first 10 years of a judge's career (absent the desire of a judge to extend for more years), and the second an additional 2 to 3-year rotation during the last 10 years of the career. The exact schedule and timing should accommodate the needs of the court, the prior experience and suitability of the judge to serve in the assignment, and the desires of the judge.