

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

DR 1995-091040

01/18/2012

COMMISSIONER JAIME HOLGUIN

CLERK OF THE COURT
P. Odell
Deputy

IV-D ATLAS NO. 000076744900
STATE OF ARIZONA, EX REL, DES
YOLANDA AGUILAR

YOLANDA AGUILAR
2101 E CHICAGO ST
CHANDLER AZ 85225

AND

HARVEY SOTELO

HARVEY SOTELO
4428 E CHAMBERS ST
PHOENIX AZ 85040

AG-CHILD SUPPORT-EAST VALLEY
OFFICE
FAMILY COURT SERVICES-CCC

IV-D ENFORCEMENT REVIEW HEARING

Courtroom 305-SEA

Prior to the commencement of today's hearing, Yolanda Aguilar and Harvey Sotelo are sworn.

9:40 a.m. This is the time set for Review Hearing for the purpose of reviewing Father's ongoing child support obligation and payments made therein. Petitioner/Mother, Yolanda Aguilar (hereinafter referred to as "Mother"), is present on her own behalf. Respondent/Father, Harvey Sotelo (hereinafter referred to as "Father"), is present on his own behalf. The State is represented by Assistant Attorney General, Jennifer Mihalovich.

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A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

LET THE RECORD REFLECT that the parties met informally with the Attorney General's Office prior to the commencement of today's hearing.

Counsel for the State advises the Court that this is an arrearage only case. A Child Support Arrest Warrant was issued for Father. Father paid the \$2,000.00 purge, the warrant was quashed, and today's hearing was set. Father's has made no additional payments other than the purge. Father's monthly arrearage payment is \$250.00 and his arrears balance is approximately \$20,000. In 2011, Father made only two payments: one in September and another in October in anticipation of pending hearings. Father paid nothing in 2010 and a total of \$200.00 in 2009.

Father, having previously been sworn, now testifies that he is unemployed and has been seeking, but is unable to obtain full-time employment. Father also alleges that he had custody of the child for a period of time for which he believes he should not be responsible for support.

Counsel for the State is heard in response.

The Court informs Father that if he believes he is entitled to a credit in child support, he must file the appropriate motion to bring the matter before the Court.

Mother states her position as to the issues presented.

Counsel for the State advises the Court of the State's position and recommendations.

Based on the matters presented,

THE COURT FINDS that Father is in continuing contempt of Court for failure to comply with a valid support order of which he had knowledge. Father willfully failed to make support payments as previously ordered or some reasonable portion thereof, despite his ability to do so.

IT IS ORDERED that Father may purge the finding of contempt by cash payment of **\$1,000.00 by April 18, 2012**, and by payment of his January, February, March and April 2012 monthly child support arrearage installment of \$250.00 by April 18, 2012.

IT IS FURTHER ORDERED setting this matter for Review Hearing on **April 18, 2012 at 9:00 a.m.**, in this Division, for the purpose of reviewing Father's ongoing child support obligation and payments made therein. The parties are to check in with the Assistant Attorney General for a pre-hearing conference at the following location:

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**Maricopa County Superior Court
Southeast Court Facility
Outside of Courtroom 305
222 E. Javelina Ave.
Mesa, AZ 85210-6201**

IN THE EVENT FATHER FAILS TO APPEAR FOR THE HEARING ON THE ABOVE-STATED TIME, A CHILD SUPPORT ARREST WARRANT MAY BE ISSUED AND/OR DEFAULT JUDGMENT ENTERED.

9:55 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least 72 hours before the commencement of the proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.

NOTICE: A child should not be brought to the Courthouse to be present during a Court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the Court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.