

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2012-091741

02/12/2014

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT  
C. Kiesling  
Deputy

IN RE THE MATTER OF  
JULIE MARIE STEINPREIS

JULIE MARIE STEINPREIS  
25565 W NORTH STAR LN  
BUCKEYE AZ 85326

AND

ROBERT GLENN HEISS

ALYSON FOSTER

JUDITH LEWIS-THOME  
PO BOX 10735  
PHOENIX AZ 85064  
BARB KIFFMEYER  
PO BOX 10698  
TEMPE AZ 85284

MINUTE ENTRY

Petitioner Julie Steinpreis has filed a Petition to Modify Child Parenting Time and Child Support, Motion for Post-Decree Temporary Order Without Notice for Modification of Legal Decision-Making and Parenting Time, and a Motion to Appoint Parenting Coordinator. Also before the Court is a letter from the current Parenting Coordinator, Judith Lewis-Thome, in which Ms. Lewis-Thome asks to withdraw.

The parties in this case have a history of persistent conflict. The present petition to modify the parenting plan is the third since the entry of the Consent Decree in July 2012. There have also been four petitions or motions to enforce the existing parenting plan, and two petitions

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to modify child support under the simplified process that does not involve parenting plan changes.

The Court appointed a Parenting Coordinator to create a forum for dispute resolution and thereby to insulate the children from conflict. The appointment order says “before either party will be allowed to file any petitions regarding parenting time or enforcement of the Court’s various parenting orders, the parties shall first consult with the Parenting Coordinator, unless there is an emergency relating to the child’s health, safety or welfare.” But Ms. Lewis-Thome’s letter states “I have had only brief telephonic contact with both parents . . . . Neither parent has made any payment to date.” The Court infers from this that the parties have no Parenting Coordinator to consult because of their own non-compliance with the Court’s order.

Mother asks that “parenting time be cancelled until [Father] and I meet with Ms. Kiffmeyer.” Under Family Court Rule 48(A)(1), the Court may not enter such an order without notice (that is, without the other party having had an opportunity to appear and give his or her side of the story) unless it “clearly appears . . . that irreparable damage will result to . . . a minor child of the party if no order is issued *before the other party can be heard in opposition*” (emphasis added). That standard has not been met here. Even assuming it is true that Father exercised such poor judgment as Mother alleges, it does not “clearly appear” that the only way to keep the children safe is to summarily take them from Father before anyone has even spoken to him about what happened and why.

IT IS THEREFORE ORDERED the Motion for Post-Decree Temporary Order Without Notice for Modification of Legal Decision-Making and Parenting Time is denied.

IT IS FURTHER ORDERED that the request for an order directing Father to appear for a hearing in connection with the Petition to Modify Child Parenting Time and Child Support is denied without prejudice. Mother shall have the petition served on Father along with a notice of his right to file a written response, as required by Family Court Rule 91(D). The Court will decide whether to set further proceedings after a response (if any) and a Request for Hearing have been filed and the Parenting Coordinator has had an opportunity to address the issues as set forth below. Because less than a year has elapsed since the date of the most recent order modifying the parenting plan (August 8, 2013), a hearing will be set only if the Court finds “that there is reason to believe the child’s present environment may seriously endanger the child’s physical, mental, moral or emotional health.” A.R.S. section 25-411(A).

IT IS FURTHER ORDERED directing the Clerk to file and docket Ms. Lewis-Thome’s letter. Ms. Lewis-Thome’s request in the letter, to vacate the order appointing her as Parenting Coordinator, is granted.

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IT IS FURTHER ORDERED Mother's request to appoint Barb Kiffmeyer as Parenting Coordinator is granted. A separate minute entry order will issue setting out the terms of the appointment.

IT IS FURTHER ORDERED both parties must cooperate with the Parenting Coordinator process in all respects including immediate payment of fees upon request. A parent who obstructs the use of the Parenting Coordinator by non-payment or other non-cooperation is subject to sanctions including adverse modification of the parenting plan.

IT IS FURTHER ORDERED that the parties shall immediately consult with Ms. Kiffmeyer regarding the issues raised in Mother's petition. In addressing those issues, the Parenting Coordinator may direct the parties to participate in and/or request the Court to order ancillary services such as an interview of the children or a focused assessment of the family, as the Parenting Coordinator may deem appropriate under the circumstances.

IT IS FURTHER ORDERED that if Ms. Kiffmeyer determines parenting or family issues or circumstances exist that are significantly detrimental to the welfare of the children such that a change in legal decision-making authority or a substantial change in parenting time is warranted, on either a temporary or permanent basis, she shall submit her concerns in a written report to the Court and the parties as provided in Family Court Rule 74(E).

FILED: Ms. Lewis-Thome's Letter

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> .