

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2009-050847

03/27/2012

COMMISSIONER ALYSSON H. ABE

CLERK OF THE COURT  
L. Hart  
Deputy

IV-D ATLAS NO. 001093401501  
STATE OF ARIZONA, EX REL, DES  
ELIZABETH MCCAFFREY

HOPE E FRUCHTMAN

AND

WILLIAM D MCCAFFREY

WILLIAM D MCCAFFREY  
8335 E SUTTON DR  
SCOTTSDALE AZ 85260

AG-CHILD SUPPORT-EAST VALLEY  
OFFICE

**IV-D REVIEW HEARING SET**

Courtroom: 304 SEF

9:36 a.m. This is the time set for Enforcement Hearing arising from Mother's *Petition to Enforce Child Support/Child Support Arrears* filed on May 10, 2011. Petitioner/Mother, Elizabeth McCaffrey (hereinafter referred to as "Mother"), is present with above-named counsel. Respondent/Father, William McCaffrey (hereinafter referred to as "Father"), is present on his own behalf. The State is represented by Assistant Attorney General, Kathie A. Pearson.

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

Prior to commencement of proceedings, Elizabeth McCaffrey and William McCaffrey are sworn.

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

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The Court is advised that Father's bankruptcy has changed to a Chapter 7 (from a Chapter 13). The parties agree that Father will pay \$1,000.00 today and the State will monitor Father's compliance with making his regular child support obligations. The parties agree to set this for review hearing.

Ms. Fruchtman advises the Court that the parties also agree that the State will prepare an updated arrears calculation.

Father and Mother both testify that they have heard and understood the agreement as read on the record and that this is, in fact, their agreement.

Based upon the matters presented herein,

**IT IS ORDERED** setting this matter for **Review Hearing Re: Child Support on August 7, 2012 at 9:30 a.m. (15 minutes allotted)** before Comm. Alysson Abe.

The parties are to meet with the Assistant Attorney General for a pre-hearing conference at the following location:

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

The parties will be directed to the appropriate courtroom at that time.

**PLEASE BE ADVISED** that due to the high volume of IV-D matters, all IV-D cases are set for a 30-minute Conference (with the Assistant Attorney General), followed by a 15-minute hearing (with the commissioner). If the parties anticipate that the disputed issues can not be resolved within the time allotted for hearing (15 minutes), a Request for Additional Time can be submitted to the Court. If the Court grants the Request for Additional time, an evidentiary hearing will be set for a future date. Given the volume of cases on the Court's calendar and depending upon length of time requested, the evidentiary hearing date will typically be set two months out from the date of the Court's ruling concerning the request for additional time.

**DIRECTIONS:**

Request for Additional Time/Evidentiary Hearing, must be submitted in writing. The Request should clearly list the issues to be raised and briefly summarize the nature of each

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dispute. The Request must be made within ten (10) days upon the filing date of this minute entry.

(Note: If the requesting party would like an expedited ruling, please include the non-requesting party's position in the Request. Otherwise, the non-requesting party has ten (10) days to respond.)

Unless a request for Additional Time is made or granted, the time allotted for the hearing is 15 minutes.

**Father is hereby advised that in the event he fails to appear, the Court will proceed in his absence and make a decision based on the testimony and information presented, which may include entering a default judgment and/or issuing a Child Support Arrest Warrant.**

**IT IS ORDERED** directing the Attorney General to provide an updated arrears calculation/payment history and to provide copies of same to each of the parties and this division prior to the aforesaid hearing.

Father testifies that there is approximately \$10,000.00 being held by the bankruptcy trustee and advises the Court that it is his hope that these funds will go to Mother.

Ms. Fruchtman advises the Court that a portion of the \$10,000.00 will be paid to Father's bankruptcy counsel and approximately \$4,000.00 will go to Mother.

**IT IS ORDERED** affirming Father's current child support obligation of \$1,500.00 per month.

**IT IS FURTHER ORDERED** affirming Father's payment on child support arrears of \$495.33 per month.

It is the responsibility of the party obligated to pay support/maintenance to pay the support to the following:

**Support Payment Clearinghouse  
P. O. Box 52107  
Phoenix, Arizona 85072-2107**

Payment should show the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

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**WARNING:** If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

**IT IS FURTHER ORDERED** that Father remain current in his child support obligation by making the payments as ordered through the Clerk of the Court. The payment is due on the first of each month and is late at the end of each month.

**As of June 26, 2012, due to judicial rotation, the Honorable Veronica Brame will be assuming the caseload in this division that is currently being handled by the Honorable Alysson Abe.**

**This represents a change in judicial assignment and both parties are on notice thereof in accordance with Rule 6 of the Arizona Rules of Family Law Procedure and Rule 42 of the Arizona Rules of Civil Procedure.**

9:42 a.m. Matter concludes.

Father is directed to the Self-Service Center of the Maricopa County Superior Court if he believes there is a significant and/or ongoing change of circumstance warranting modification of this child support order.

**Self-Service Center**, 201 West Javelina, Mesa, AZ. Automated telephone number: (602) 506-SELF. (Provides a variety of forms and instructions.) The parties may also obtain various forms from the Self-Service Center website at:  
<<http://www.superiorcourt.maricopa.gov/ssc/sschome.html>>

**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.

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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: IMPORTANT INFORMATION RE: CD/VIDEOTAPE  
FEE CURRENTLY IN EFFECT**

This Courtroom uses an electronic recording system for the record. All CDs and videotapes 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. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the JAVS and FTR courtrooms.

If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least seven (7) days before the commencement of the proceedings.

A person requesting a daily copy CD or videotape must complete the appropriate request form and pay the applicable fee at 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 or videotape in the customary manner.

A person wanting a copy of a hearing from a previous occasion must contact Ken Crenshaw at 602-506-7100.