

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2005-002000

06/12/2007

HONORABLE JEFFREY A. HOTHAM

CLERK OF THE COURT  
A. Kirkendall  
Deputy

ATLAS NO. 000908871300/N  
IN RE THE MARRIAGE OF  
JOYCE ZAVOLAS

WILLIAM D BISHOP

AND

RICHARD RUBEN VILLAVICENCIO

BOBBY O THRASHER JR.

ROBERT COTTOR  
7373 N SCOTTSDALE ROAD  
SUITE A-210  
SCOTTSDALE AZ 85253  
FRAN HARRIS  
HUMAN RESOURCES TRAINING INC  
2131 E BROADWAY RD  
STE 14  
TEMPE AZ 85282

**APPOINTMENT OF MENTAL HEALTH EXPERT FOR COURT ORDERED  
THERAPEUTIC REUNIFICATION**

1. Pursuant to A.R.S. §§25-405 and 25-410,

**IT IS ORDERED** appointing **Fran Harris, 2131 E. Broadway Rd., Ste. 14, Tempe, AZ 85282, 480-967-6895, Ext. 204** as a Therapeutic Interventionist in this matter.

The Therapeutic Interventionist serves as an expert for the Court for the primary purpose of rehabilitating relationships. The Therapeutic Interventionist provides court ordered therapeutic services to the family with the expressed goals of enhancing family functioning through: encouraging rule following behavior, educating, enhancing parental knowledge and

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2005-002000

06/12/2007

awareness of appropriate behavior, improving parental knowledge of child developmental issues, and assisting the children in their development.

The Therapeutic Interventionist shall serve pursuant to applicable case law, rules of the Court, and in a manner consistent with the Ethical Standards of the American Psychological Association.

The Therapeutic Interventionist 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 Therapeutic Interventionist 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 Therapeutic Interventionist. Sixty (60) days prior to the expiration of this appointment, the Therapeutic Interventionist shall submit to the Court and parties or their counsel, if represented, a summary of the history of the services rendered, compliance by the parties, recommendations made, and any recommendations for future involvement of the Therapeutic Interventionist.

2. The Therapeutic Interventionist shall perform the following functions:

**Therapeutic Reunification Clinician**

In this role, the interventionist shall serve as follows:

- Provide rehabilitation of a relationship between identified family members.
- Identify, establish and communicate clear boundaries, behavioral expectations, and rules in order to enhance safety and health in the family.
- Make referrals for therapy as appropriate for containment of psychological or behavioral issues regarding the parents or children as needed.
- Report child maltreatment pursuant to applicable child abuse reporting statutes.
- Facilitate the development of, or implement a court ordered, child-focused, schedule for access.
- Facilitate conflict resolutions.
- Provide education and support to obviate re-litigation.
- Assist family members in establishing rules for healthy interaction with each other;

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2005-002000

06/12/2007

rules for healthy interaction with each other;  
rules for safe touch;  
rules for appropriate child discipline;  
rules for establishing appropriate behavioral limits;  
rules for family boundaries;  
rules for what is discussed in telephone contacts between parents and children;  
rules for behavior at exchanges;  
rules regarding who is present at exchanges and access.

**IT IS FURTHER ORDERED AS FOLLOWS:**

1. The Therapeutic Interventionist shall have access to:
  - all therapists of the children;
  - all school and medical records of the children;
  - any and all psychological testing or evaluations performed on the children or the parents;
  - any and all teachers/child care provider for the children.
  
2. The Therapeutic Interventionist is authorized to interview and treat the parties or child in any combination, whether initiated by the Therapeutic Interventionist or either party. If either party provides court-related documentation to the Therapeutic Interventionist, the documentation or writing given to the Therapeutic Interventionist shall be provided by the giving party to the opposing party and counsel (if any) simultaneous to providing it to the Therapeutic Interventionist.
  
3. At the request of the Therapeutic Interventionist, each party shall execute any and all releases or consents necessary so as to authorize the Therapeutic Interventionist's access to the information contemplated herein above.

**CONFIDENTIALITY**

There is no confidentiality relating to the parties' communications with/to the Therapeutic Interventionist or concerning the Therapeutic Interventionist's activities, treatment, referrals, data collection or recommendations. This court order constitutes a complete waiver of doctor-patient privilege, as the Therapeutic Interventionist is appointed as the Court's expert. Additional rules applicable to the Therapeutic Interventionist may be ordered by the Court from time to time.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2005-002000

06/12/2007

**APPEARANCES**

(a) The Therapeutic Interventionist may appear and shall be available to testify at any court hearing upon reasonable notice to the Therapeutic Interventionist, the Court, and the opposing party, regarding any issue addressed by the Therapeutic Interventionist. Fees for testimony shall be shared between the parties unless otherwise ordered by the Court.

(b) If transcripts, tape recordings or videotapes have been made of any portions of the Therapeutic Interventionist proceedings, they shall be submitted to the Court. There will be no videotaping or audio taping of the interventionist, the child or the parties without the written consent of the interventionist.

**DISCLOSURES**

The parties shall keep the Therapeutic Interventionist advised of their and the child(ren)'s addresses, telephone number 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 Therapeutic Interventionist.

**IMMUNITY**

The Therapeutic Interventionist is cloaked with judicial immunity consistent with 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 allegations of impropriety by the Therapeutic Interventionist shall be brought to the attention of the Court in writing prior to submission to any administrative bodies.

**FEES**

**IT IS FUTHER ORDERED** the **Father** shall be responsible for and pay **100%** of the Therapeutic Interventionist's fees, until further order of the Court. All fees shall be paid in advance or as determined by the Therapeutic Interventionist. The Therapeutic Interventionist shall keep accurate records of services rendered and fees paid by each party.

**IT IS FURTHER ORDERED** that should the Therapeutic Interventionist determine that one of the parties is using her services unnecessarily and is thereby

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2005-002000

06/12/2007

causing greater expense for the other party as a result thereof, the Therapeutic Interventionist may recommend to the Court a different allocation for payment of fees.

**IT IS FURTHER ORDERED** that the fees ordered to be paid to the Therapeutic Interventionist hereunder are considered to be in the nature of and enforceable as child support. If the parties do not remain current with payment of fees, the Court shall consider endorsing the fees as an adjustment within the guidelines as more clearly set forth in the parent's worksheet for child support.

**IT IS FURTHER ORDERED** that:

1. The Therapeutic Interventionist shall provide brief 90-day treatment summaries to the Court. Copies are to be provided to the parties or counsel.
2. No other psychologist, mental health professional, or therapist shall be involved with any parent, step-parent, party or child related to this case without the express written consent of the Therapeutic Interventionist, or via Court order.
3. The attorneys may not engage in ex parte communications regarding substantive issues with the Therapeutic Interventionist but rather communications shall be conducted personally or through conference calls, unless otherwise determined by the Court. Procedural issues and scheduling may be discussed at the discretion of the Therapeutic Interventionist. The Therapeutic Interventionist may choose to communicate with counsel about procedural issues and may schedule intervention sessions at his/her discretion.
4. While the Therapeutic Interventionist will espouse collegial inter-professional relations with counsel, the Therapeutic Interventionist does not have to report to the attorneys and any threats or intimidation by counsel or the parties toward the interventionist shall be promptly reported to the Court. The Therapeutic Interventionist may seek guidance from the Court in order to achieve clarity with regard to the procedural aspects of the intervention should disputes arise. If the litigant(s) is/are Pro Per, the Therapeutic Interventionist may communicate with the judge regarding how to proceed.
5. The Therapeutic Interventionist has the authority to make recommendations regarding implementation, clarification, amendment and enforcement of any temporary or permanent treatment or reunification orders of the Court. Such recommendations are made in writing and copies to counsel or the parties. The

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2005-002000

06/12/2007

Therapeutic Interventionist is to report non-compliance by either party or family member and may recommend appropriate sanctions for such behavior.

6. The Therapeutic Interventionist may interview and request participation of any and all family members, or persons, the Therapeutic Interventionist deems relevant to the intervention. The Therapeutic Interventionist is to be provided, by counsel or the pro per litigants, with notice of all judicial proceedings affecting the children or the intervention process.
7. The Therapeutic Interventionist shall meet with the parties individually or jointly to discuss limitations on confidentiality, informed consent to proceed, parameters of the work, the role of the Therapeutic Interventionist, the methodology for the intervention, and the behavioral expectations of all family members.

The parties shall be responsible for the following:

1. Keep the Therapeutic Interventionist informed of concerns;
2. Meet the behavioral expectations outlined in the court order;
3. Meet the behavioral expectations outlined by the Therapeutic Interventionist during the course of the work;
4. Promote a healthy relationship between their child(ren) and the other parent;
5. Work toward fostering healthy familial relationships;
6. Provide the Therapeutic Interventionist with any legal, medical, scholastic and/or psychological records relevant to the case, upon the request of the Therapeutic Interventionist.

**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*.

/S/ HON. JEFFREY A. HOTHAM

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SUPERIOR COURT JUDGE  
HON. JEFFREY A. HOTHAM

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>.