

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-011366

06/17/2004

JUDGE PRO TEM DEBORAH VARNEY  
FOR JUDGE WILLIAM L. TOPF

CLERK OF THE COURT  
J. Billingsley  
Deputy

IN RE THE MATTER OF  
MARIA E CALDERON

FILED: 07/07/2004

MARIA E CALDERON  
3321 W LOMA LANE  
APT #3  
PHOENIX AZ 85051

AND

MICHAEL L WILEY

DEEAN GILLESPIE

AG-CHILD SUPPORT-NORTH  
CENTRAL OFFICE  
DOCKET-FAMILY COURT CCC  
IV-D JUDICIAL ASSISTANT - CCC  
TASC - PHOENIX

MINUTE ENTRY

10:01 a.m. This is the time set for Evidentiary Hearing. Petitioner/Mother is present on her own behalf. Respondent/Father is present and represented by above-named counsel.

A record of this proceeding is made by CD (FTR) in lieu of a court reporter.

Discussion is held regarding the status of the case.

The Rule of Exclusion of Witnesses is invoked and the following persons are sworn:

Maria Calderon  
Michael Wiley  
Nicole Somers  
Harley Wiley  
Carol Calderon-Staniec

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-011366

06/17/2004

Anthony Reynolds

Petitioner's case:

Nicole Somers, having previously been sworn, testifies.

Michael Wiley, having previously been sworn, testifies.

Pursuant to the agreement of the parties,

**IT IS ORDERED** establishing paternity of the minor child, Michael David Calderon (dob: 2/16/96) and declaring Michael Lee Wiley is the biological father of the parties' minor child.

**IT IS FURTHER ORDERED** directing the Office of Vital Statistics and Records to add the name of Michael Lee Wiley as the natural father of Michael David Calderon.

**IT IS FURTHER ORDERED** directing the Office of Vital Statistics and Records to add the name of Wiley to the child's last name so that the child's name shall be Michael David Calderon Wiley.

Michael Wiley testifies further.

Maria Calderon, having previously been sworn, testifies.

Respondent's Exhibit 1 is marked for identification and received in evidence.

Petitioner rests.

Counsel for Respondent/Father and Petitioner/Mother present closing arguments to the Court.

**IT IS ORDERED** directing counsel for Petitioner/Father to submit a formal written Order of Paternity and submit that Order to the Court for the Court's signature.

Based on the testimony and evidence presented, as temporary orders,

**IT IS ORDERED** that both parties shall participate in drug and alcohol testing.

**IT IS FURTHER ORDERED:**

1. Each party shall appear in person at a location of TASC, Inc. as indicated on the TASC Referral Form by 7:00 p.m. today;

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-011366

06/17/2004

2. Each party shall present to TASC the Court Ordered Substance Abuse Testing form issued by this Court, and shall provide all information necessary for its completion;
3. Each party shall provide such samples as are reasonably required by TASC to comply with this Order. Each party shall submit to the Screen A drug test (full spectrum of drugs including alcohol).
4. Each party shall sign, execute and deliver such forms of consent and authorization as shall be reasonably required by TASC to comply with this Order;
5. The results of said testing shall be reported directly to this Court in writing by TASC, with copies provided to counsel for both parties, or directly to the parties, if unrepresented;
6. Each party shall report for subsequent testing as directed by TASC, and shall present a photo I.D. at time of testing, along with any prescription medications currently being taken;
7. Each party shall pay the costs of his or her own testing **IN CASH, MONEY ORDER, OR CASHIER'S CHECK** at the time of testing.
8. All parties are advised that the failure, neglect or refusal to participate in testing may be considered an admission by the party that the testing, if conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of the child(ren); failure to submit to a drug test, absent good cause shown, may result in a finding of Contempt of Court, incarceration in the Maricopa County Jail, issuance of a Civil Arrest Warrant or other sanctions by the Court;
9. The parties are also advised that a diluted test specimen may be considered an attempt to conceal the presence of illicit drugs, which finding is contrary to the best interest of the child(ren);
10. Each party shall be randomly tested **NOT LESS THAN TWICE PER MONTH**, commencing within 24 hours of receipt of these orders and continuing until each party can provide six negative consecutive test results;
11. The parties are hereby advised that test results **ARE NOT** confidential and will be filed in the Court file upon receipt by the Court.

**ISSUED:** Court Ordered Substance Abuse Testing (2)

**IT IS ORDERED** modifying the Order of Protection issued August 20, 2003 to remove the minor child and allow contact between the parties regarding the minor child.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-011366

06/17/2004

**IT IS FURTHER ORDERED** awarding Petitioner/Mother sole legal custody of the parties' minor child, without prejudice to later reconsideration by the Court once the Order of Protection has expired.

**IT IS FURTHER ORDERED** that both parties shall have regular telephonic contact with the minor child while the child is in the care and control of the other party.

**IT IS FURTHER ORDERED** that Petitioner/Mother shall provide a copy of all school records of the minor child to counsel for Respondent/Father.

**IT IS FURTHER ORDERED** that Petitioner/Mother shall list Respondent/Father as a contact person for any and all school records and medical providers by no later than one week from today. Petitioner/Mother shall also provide Respondent/Father the name and addresses of all medical providers for the minor child.

**IT IS FURTHER ORDERED** that both parties are to exchange current addresses and telephone numbers immediately. Further, both parties shall notify each other of any change of address in telephone number within two (2) days of said change.

**IT IS FURTHER ORDERED** that Petitioner/Mother shall provide a written statement from her oncologist or her primary care physician regarding the diagnosis of her cancer, as well as the dates of past treatments, and plans for future treatment, to counsel for Respondent/Father within thirty (30) days of today's date.

**IT IS FURTHER ORDERED** that Respondent/Father shall have parenting time with the parties' minor child, Michael, Sunday, June 20, 2004 at 12:00 p.m. through Wednesday, June 23, 2004 at 12:00 p.m. Thereafter, Respondent/Father shall have parenting time with the minor child from July 1, 2004 through August 12, 2004.

**IT IS FURTHER ORDERED** that Petitioner/Mother shall have parenting time during that six week period on alternate weekends from Friday morning at 11:00 p.m. through 4:00 p.m. on Mondays. Petitioner/Mother shall pick-up the minor child and return the minor child to Respondent/Father's wife's place of employment. Respondent/Father's wife shall provide transportation of the minor child from their residence to her place of employment.

**IT IS FURTHER ORDERED** that Respondent/Father shall have parenting time every weekend from Friday after school through return to school on Monday mornings during the school year.

**IT IS FURTHER ORDERED** that Respondent/Father shall arrange to transport the minor child to Maricopa County. Exchanges shall occur at the work place of Father's wife in Scottsdale, except as otherwise ordered or agreed between the parties.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 2000-011366

06/17/2004

**IT IS FURTHER ORDERED** that Petitioner/Mother shall ensure that the minor child and Respondent/Father have regular and meaningful contact. Further, Petitioner/Mother shall facilitate a meaningful relationship between Respondent/Father and the minor child.

**IT IS FURTHER ORDERED** directing counsel for Respondent/Father to notify the Court if further hearing is necessary in this matter.

**IT IS FURTHER ORDERED** that both parties shall complete the Parental Conflict Resolution Class and file a Certificate of Completion with the Court.

**IT IS FURTHER ORDERED** that the requirements of Rule 58(d) are waived out of necessity, on the part of the court, to shorten the administrative time involved in the processing of a separate written order and to conserve judicial resources. This minute entry is accordingly signed as the formal written order of the court.

FILED: Trial Worksheet; Exhibit Worksheet

ISSUED and FILED: Hearing Order re Order of Protection; Modified Order of Protection; Affidavit of Service

12:32 p.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/ssc/sschome.html>.

**LATER:**

**IT IS FURTHER ORDERED** referring this matter to the IV-D Commissioner for calculation of child support.

/ s / JUDGE PRO TEM DEBORAH VARNEY

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JUDICIAL OFFICER OF THE SUPERIOR COURT

## **PARENTAL CONFLICT RESOLUTION CLASS**

Conciliation Services and the Clerk of the Court Family Support Center provide a resource for parents who have experienced long-term conflict over custody and parenting time issues.

The class was created especially for parents who either are not following their court ordered parenting plan, or have found themselves back in court over and over in attempts to modify their parenting plan.

A great amount of research has been conducted on what is behind these conflicts. This class presents these research findings in clear and practical terms. Additionally, the class addresses specific strategies that parents can use to *reduce their conflict*. Family court battles are very frustrating and extremely costly in both legal fees and emotional turmoil. *But the most vulnerable family members, the children, suffer the most from these entrenched battles.*

Because it serves both the parents and their children, this educational resource currently is offered *at no charge*.

Classes are held several times a month at the Central Court Building in downtown Phoenix and the Southeast Adult Court facility.

To inquire about the PARENTAL CONFLICT RESOLUTION CLASS or to register:

Call (602) 506-2300 (Phoenix)