

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2006-092774

06/28/2007

PRO TEM JAMES F WEES  
FOR HONORABLE JO LYNN GENTRY-LEWIS

CLERK OF THE COURT  
D. Fisk  
Deputy

IN RE THE MATTER OF  
RUTH JOSEPHINE VALENZUELA

IRIS G MAES

AND

TROY JAY MILLEA

CORY A STUART

JAMES F WEES  
CONCILIATION SERVICES-SE

MINUTE ENTRY

Courtroom 302 – SE

10:42 a.m. This is the time set for Resolution Management Conference. Petitioner/Mother, Ruth Josephine Valenzuela, is present on her own behalf. Respondent/Father, Troy Jay Millea, is present and represented by counsel, Monica H. Donaldson appearing for Cory A. Stuart.

A digital audio recording of this proceeding is being made by "For The Record" recording system in lieu of a court reporter.

Discussion is held.

Based upon Petitioner's information,

IT IS ORDERED granting Father's Motion to Consolidate the Petition to Modify Parenting Time and Child Support and the Petition to Enforce.

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Further discussion is held.

On an interim basis,

IT IS ORDERED terminating the Order of Assignment effective immediately as to Father.

IT IS FURTHER ORDERED affirming that neither party shall consume alcoholic beverages while the minor child is with that party.

IT IS FURTHER ORDERED that Father shall not direct any communications to Mother at her place of employment. Father may continue to communicate with Mother via telephone, e-mail or regular mail sent to a non-work address.

IT IS FURTHER ORDERED setting this matter for Evidentiary Hearing on **September 25, 2007, at 9:00 a.m.**, 2 hours allotted (1 hour each side) before:

Honorable Jo Lynn Gentry-Lewis  
Southeast Judicial District  
Courtroom 302  
222 East Javelina Avenue  
Mesa, Arizona 85210

Issues to be addressed at the hearing include custody, parenting time and child support.

Failure of counsel or of any party to appear at the hearing or to comply with the Orders below may result in the imposition of any or all available sanctions authorized by Rule 6.2, Local Rules of Superior Court, Maricopa County, including hearing this matter as a default.

IT IS FURTHER ORDERED:

1. The parties shall exchange lists of witnesses and exhibits thirty days prior to hearing. The lists shall disclose the testimony of each witness. A complete, numbered set of the exhibits listed shall be supplied to the other party together with the list, even if the exhibits have been previously produced. **Absent good cause, exhibits not exchanged will not be admitted, witnesses not listed will not testify, and testimony not disclosed will not be admitted.**

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2. **Any objection to the exchanged exhibits shall be filed no later than seven (7) days prior to the hearing. Failure to file written objections shall be deemed a waiver of the right to object at the hearing.**
3. All discovery shall be completed no later than **August 24, 2007**.
4. The parties shall file the following documents **September 18, 2007**.
  - a. A Joint Pretrial Statement required by Rule 6.8(b), Local Rules of Superior Court, Maricopa County.
  - b. An Affidavit of Financial Information, if an affidavit has not been filed within the past six (6) months that is substantially accurate at the time of the hearing.**
  - c. If either party believes child support is an issue, a Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.
  - d. Any written objections to the admission into evidence of exhibits listed and exchanged by an opposing party. Objections that are not made are waived unless the basis for the objection was not known or could not reasonably have been known by counsel or the party making the objection.**
  - e. If spousal maintenance is requested, the party requesting spousal maintenance shall prepare a document listing the amount of spousal maintenance requested, the need for spousal maintenance, including a list of monthly expenses, and the factors under A.R.S. § 25-319 justifying the amount of spousal maintenance. The document shall be provided to the other party no later than **five (5) days** prior to the date set for hearing.
  - f. If division of debts is at issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred and who should pay the debt.

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IT IS FURTHER ORDERED that any exhibits to be used at the hearing shall be delivered to the Clerk of this Division in **Courtroom #302**, no later than **September 18, 2007, by 12:00 p.m. (noon)**. Exhibits shall be accompanied with a numbered list of each exhibit and shall be separated with a blank sheet of paper. If either party fails to comply with the steps for marking exhibits, that party's exhibits may be precluded from being marked at the hearing. Any exhibit not received by the Clerk of this Division by that date may not be admitted or other sanction may be imposed.

The parties may present to the Court a Stipulation resolving any issues for a Stipulated Agreement, with accompanying documents subject to the Court's review of sufficiency, for immediate entry should the entire case be settled.

**POSTPONEMENTS AND SCHEDULE CHANGES**

Postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

**NOTE:** All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division three (3) court business days before the scheduled hearing.

It appearing to the Court that there exists one or more contested issues pertaining to the custody and/or parenting- time of the minor child, the Court having determined that this is an appropriate matter to be referred to Conciliation Services for a non-confidential Parenting Conference, and the Court having contacted Conciliation Services in open Court to determine a time for the conference,

IT IS ORDERED referring this matter to Conciliation Services for a non-confidential Parenting Conference on **August 6, 2007, at 8:30 a.m.** The Court requests an interview with the minor child to determine his preferences. Father shall ensure that the child complies with the Court's order for an interview.

IT IS FURTHER ORDERED that immediately following this hearing the parties shall report to Conciliation Services on the first floor of the Southeast Facility, 222 East Javelina Drive, Mesa, Arizona, to complete the required documents.

IT IS FURTHER ORDERED that the parties shall fully cooperate and comply with all directives of Conciliation Services.

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IT IS FURTHER ORDERED that no party may notice any deposition of any staff member of Conciliation Services for any purpose without first obtaining permission from this division.

Should you fail to appear for your scheduled Parenting Conference appointment, the Court may impose sanctions and/or require that you participate in private services.

Discussion is held regarding child support.

IT IS ORDERED that Mother shall send any current child support monies directly to Father's counsel, made payable to Father and counsel shall provide an affidavit of direct payment. The Court enters no child support orders at this time. Mother shall mark her check as child support and retain receipts from counsel. Mother is free to pay her child support arrearages through the Clearinghouse.

11:02 a.m. Matter concludes.

FILED: Order Stopping Order of Assignment

**LATER:**

Due to a calendar conflict,

IT IS ORDERED vacating the Evidentiary Hearing set for September 25, 2007, at 9:00 a.m.

IT IS FURTHER ORDERED resetting same to **October 1, 2007, at 9:00 a.m.**, 2 hours allotted.

IT IS FURTHER ORDERED that all previously set Evidentiary Hearing deadlines shall remain the same.

**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

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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 48 hours 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.

**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.

**In the event that the parties have any difficulties interpreting, enforcing or otherwise complying with provisions of this Order, they shall first seek mediation through a qualified mediator of their mutual selection to attempt to reach agreement prior to seeking Court intervention.**

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>.