

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-052200

07/25/2011

HONORABLE DANIEL J. KILEY

CLERK OF THE COURT

Y. Gano

Deputy

IN RE THE MATTER OF
JOHN A ZULLO

JOHN A ZULLO
1547 W TARO LN
PHOENIX AZ 85027

AND

KRISTEN M TEDQUIST

KRISTEN M TEDQUIST
16240 N 45TH DR
GLENDALE AZ 85306

JUDGE VIOLA

MINUTE ENTRY

Courtroom 601 - CCB

11:03 a.m. This is the time set for Evidentiary Hearing on the Motion for Pre-Decree Temporary Order Without Notice for Child Custody filed by Petitioner on July 19, 2011. Petitioner/Father, John A. Zullo, is present on his own behalf. Respondent/Mother, Kristen M. Tedquist, is present on her own behalf.

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

Discussion is held with the Court regarding the status of the case.

By agreement of the parties,

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IT IS ORDERED that the parties shall participate in a paternity test. The test shall be done at Respondent's expense, subject to possible reallocation in subsequent proceedings.

Based on the fact that Petitioner is on the birth certificate and is therefore presumed to be the father of the minor child, the Court will continue with today's proceeding with the understanding that Petitioner is the father of the minor child until proven otherwise.

Discussion continues.

By agreement of the parties, on a temporary basis pending the results of the paternity test,

IT IS ORDERED that the parties shall share joint legal custody of the minor child Haidan Rachelle Zullo (DOB: 3/8/08).

John A. Zullo, Kristen M. Tedquist and Robert Dunivan are sworn.

John A. Zullo, previously sworn, testifies.

Kristen M. Tedquist, previously sworn, testifies.

Robert Dunivan, previously sworn, testifies.

Michael Kelly is sworn and testifies.

Discussion continues.

IT IS ORDERED that each party shall respect the other's role as a parent to the minor child, and not encourage the minor child to call anyone else "Mom" or "Dad".

Discussion continues.

By agreement of the parties,

IT IS ORDERED that the minor child shall attend the Head Start program at Desert Winds Elementary School. Both parents shall attend the orientation and become familiar with the program. The child will attend this Head Start program unless the parties find another Head Start that they mutually agree she should attend.

Discussion continues.

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By agreement of the parties,

IT IS ORDERED that the parties shall follow a week-on/week-off parenting time schedule. The parenting time exchanges shall take place Sundays at 6:00 p.m. The parent that is ending parenting time shall be responsible for bringing the minor child to the other parent's home.

IT IS FURTHER ORDERED that each party's exercise of parenting time according to this schedule shall not be deemed a violation of the existing Orders of Protection.

IT IS FURTHER ORDERED that each parent shall, during his or her own parenting time week, be permitted to take the minor child to the Head Start program at the beginning of the school day and to pick her up at the end of the school day. Each party's delivery and pick up of the child shall not be deemed a violation of the existing Orders of Protection.

Discussion continues.

IT IS ORDERED that the minor child shall not be left alone in the presence of Erik Tedquist.

IT IS FURTHER ORDERED that the minor child shall not stay overnight in a home in which Erik Tedquist is sleeping.

THE COURT FINDS it appropriate to appoint a Court-Appointed Advisor in this case due to allegations that a registered sex offender resides, at times, in Respondent's home.

THE COURT FURTHER FINDS that the parties lack the financial resources to pay for the services of a Court-Appointed Advisor. Therefore,

IT IS ORDERED referring this matter to the Children's Law Center for appointment of a Court-Appointed Advisor. The Court-Appointed Advisor will submit a report to the Court in advance of the September evidentiary hearing.

Discussion continues.

IT IS ORDERED that Petitioner's parenting time shall commence this Sunday, July 31, 2011 at 6:00 p.m.

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IT IS FURTHER ORDERED signing this Minute Entry as a formal written order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ HONORABLE DANIEL J. KILEY

HONORABLE DANIEL J. KILEY
JUDGE OF THE SUPERIOR COURT

12:10 p.m. Matter concludes.

LATER:

IT IS ORDERED setting a Resolution Management Conference on **October 3, 2011 at 8:30 a.m. (time allotted: 30 minutes)** before Judge Danielle Viola at:

**Maricopa County Superior Court
Northeast Regional Court
18380 N. 40th Street
Courtroom 111
Phoenix, AZ 85032**

Both parties, together with their counsel, if represented, shall appear in person, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. **IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.**

MANDATORY RESOLUTION STATEMENT

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), Arizona Rules of Family Law Procedure, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349. The Resolution Statement may be obtained through the Self Service Center or online at: www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/Forms/FamilyCourt

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PRE-CONFERENCE SETTLEMENT MEETING

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), Arizona Rules of Family Law Procedure.

DISCLOSURE

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, Arizona Rules of Family Law Procedure (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

PARENT EDUCATION PROGRAM

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

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 the division three (3) court business days before the scheduled hearing.

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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>.