

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2004-093280

09/08/2004

HON ROBERT H. OBERBILLIG

CLERK OF THE COURT  
K. Stone  
Deputy

IN RE THE MATTER OF  
TERRY JAMES STEVENS

FILED: 09/13/2004

STEVEN K LARSON

AND

AMANDA MARIE HELLIN

AMANDA MARIE HELLIN  
5919 W MONTE CRISTO AVE  
GLENDALE AZ 85306-2310

TASC - MESA  
VICTORIA ANN GRAY  
1932 ROCKY DELLS DR  
PRESCOTT AZ 86303

MINUTE ENTRY

8:35 A.M. This is the time set for hearing on Father's Emergency Petition re: Temporary Custody and Establishment of Temporary Child Support. Petitioner/Father, Terry James Stevens, is present with counsel, Steven K. Larson. Respondent/Mother, Amanda Marie Hellin, is neither present nor represented.

A record of the proceeding is made by CD and videotape in lieu of a court reporter.

Terry James Stevens is sworn.

LET THE RECORD REFLECT Mother's mother, father, and aunt are present in the courtroom.

Victoria Ann Gray, Brian Gray, and Debbie Miller are sworn.

Discussion is held regarding custody.

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8:41 A.M. Respondent/Mother, Amanda Marie Hellin, is present on her own behalf.

Amanda Marie Hellin is sworn.

Further discussion is held.

Based on agreement of the parties,

THE COURT FINDS Terry James Stevens is the natural and biological father of the minor child, Katrina (DOB: 8/19/03).

IT IS THEREFORE ORDERED Terry James Stevens is the biological father of the minor child, Katrina (DOB: 8/19/03), with all rights and responsibilities for said child.

Based on evidence and testimony presented including Mother's admission to use of methamphetamines,

IT IS ORDERED appointing a Guardian Ad Litem for the parties' minor child. (See separate minute entry to be issued at a later date.) The Guardian Ad Litem will be requested to investigate whether a petition for dependency is warranted.

IT IS ORDERED the parties must cooperate with the requests of the Guardian Ad Litem.

LET THE RECORD REFLECT the maternal grandmother states she wishes to be granted temporary custody of the minor child.

IT IS ORDERED:

1. Terry James Stevens (Petitioner/Father) and Amanda Marie Hellin (Respondent/Mother) shall participate in drug testing through TASC and shall be tested for the full spectrum of drugs, including Ecstasy.

2. Petitioner/Father and Respondent/Mother shall report before 6:00 p.m. today to TASC, located at 423 N. Country Club Drive, Suite 19, Mesa, or at 2234 North Seventh Street, Phoenix, or at 5955 West Myrtle Avenue, Suites 2-4, in Glendale. A photo I.D. must be presented.

3. Petitioner/Father and Respondent/Mother shall present to TASC the Substance Abuse Testing Order issued by the Court and shall provide the information necessary to complete the form.

4. Petitioner/Father and Respondent/Mother shall sign and deliver the consent and authorization forms required by TASC.

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5. Petitioner/Father and Respondent/Mother shall pay the costs of testing in cash, money order or cashier's check at the time of testing.

6. Petitioner/Father and Respondent/Mother must present a photo I.D. each time, along with any prescription medications currently being taken. Use of over the counter medications must also be disclosed.

7. Petitioner/Father shall submit to one Screen "A" test, one test for Ecstasy, and one hair follicle test.

Respondent/Mother shall submit to the Screen "A" drug test and the test for Ecstasy as required by TASC no less than one time a week on a random basis and said testing shall continue until further order of the Court.

8. TASC shall report the results of the tests in writing to the Court with copies provided to counsel for both parties, or directly to the parties if they are unrepresented. Test results are not confidential. They will be filed in the Court file.

9. The failure, neglect, or refusal to participate in testing may be considered an admission that the test, if conducted, would have revealed the use of an illegal substance. A diluted test specimen may be considered an attempt to conceal the presence of illicit drugs. Any failed test later claimed to be due to undisclosed medications will be deemed a failed test.

10. A failure to comply with this order may result in a finding of contempt. Sanctions could include issuance of an arrest warrant and incarceration.

9:33 A.M. The Court stands at recess.

9:39 A.M. The Court reconvenes with the parties and Father's counsel present.

A record of the proceeding is made by CD and videotape in lieu of a court reporter.

THE COURT FINDS Mother has admitted to the use of methamphetamines within the last week.

THE COURT FINDS Father has not had overnight parenting time with the minor child by himself in the recent past and has unilaterally chose to limit his participation with the child on a consistent basis.

THE COURT FINDS, based on observation of the conduct of the parties in the courtroom, this is a situation where the parties should not be involved with each other with the child present in the near future.

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THE COURT FINDS the child is being used as leverage by the parties and the Court is concerned how the relationship of the parties is affecting the child.

THE COURT FINDS it is not in the best interests of the minor child that the child remain with Mother or be placed with Father.

THE COURT FINDS the maternal grandmother has been the primary caretaker for the minor child in the past and the child lived with the maternal grandmother for several months until recently.

THE COURT FINDS the maternal grandmother, Victoria Ann Gray, stands *in loco parentis* to the minor child and is a fit and proper person to care for the child at this time.

IT IS ORDERED awarding temporary legal and physical custody of the minor child to the maternal grandmother, Victoria Ann Gray.

IT IS ORDERED the minor child shall reside with the maternal grandmother, Victoria Ann Gray, 1932 Rocky Dells Drive, Prescott, Arizona 86303, and the maternal grandmother shall be responsible for all major decisions regarding the child.

IT IS ORDERED Father may have supervised parenting time with the child at the maternal grandmother's home every Saturday from 12:00 P.M. to 4:00 P.M. This parenting time shall be supervised by the maternal grandmother or her husband at all times.

IT IS ORDERED Mother may reside with the maternal grandmother but she must leave the home during the time that Father is exercising his parenting time. Mother's parenting time shall be supervised by her mother or other supervisor selected by Victoria Gray.

IT IS ORDERED setting this matter for evidentiary hearing regarding custody, parenting time, and child support on **OCTOBER 12, 2004 AT 11:15 A.M.**, Southeast, Courtroom 207, 222 East Javelina Drive, Mesa, Arizona. Time allotted: 45 minutes.

IT IS ORDERED that the parties, and if represented, counsel shall meet in person no less than five (5) days prior to the date set for hearing, unless an Order of Protection is in effect. At this meeting, the parties and if represented, counsel shall use their best efforts to resolve the issues raised in the petition or motion now scheduled for hearing.

IT IS ORDERED that the parties, and if represented, counsel shall exchange and provide to the Court no less than five (5) days prior to the hearing current affidavits of financial information, any worksheets for support, any exhibits they shall seek to admit into evidence, along with an attached exhibit coversheet, and any lists of witnesses they intend to call at the

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hearing. Any objections to the proposed evidence must be filed within three (3) days prior to the hearing.

**IT IS ORDERED any evidence intended to be submitted as exhibits at the time of the Evidentiary Hearing must be brought to Courtroom 207 at least two (2) business days prior to the hearing, along with an attached cover sheet listing the description of the exhibits.**

9:52 A.M. Hearing concludes.

IT IS ORDERED that the requirements of Rule 58(d), Arizona Rules of Civil Procedure, are waived and this minute entry is signed as the formal written order of the Court.

DATED the 8<sup>th</sup> day of September, 2004.

/s/ HON. ROBERT H. OBERBILLIG

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JUDICIAL OFFICER OF THE SUPERIOR COURT

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>.

**PLEASE NOTE: IMPORTANT INFORMATION RE: CD/VIDEO  
TAPE FEE CURRENTLY IN EFFECT**

This is a JAVS courtroom. 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 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.

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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.