

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-071008

09/06/2012

HONORABLE MICHAEL W. KEMP

CLERK OF THE COURT

J. Bailey

Deputy

IN RE THE MATTER OF
DEBORAH RENAE DELONG

DAVID B HIGGINS

AND

LYLE TRAVIS DELONG

JON L PHELPS

DISSOLUTION TRIAL SET

Northwest Facility, Courtroom 121

10:54 a.m. This is the time set for a Return Hearing re: pre decree temporary orders. Petitioner/Mother Deborah DeLong is present and represented by counsel, David B. Higgins. Respondent/Father Lyle DeLong is present and represented by counsel, Jon L. Phelps.

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

Discussion is held regarding status of the case and pending issues.

IT IS ORDERED pursuant to agreement the parties shall have joint legal custody of their minor children, Damian DeLong (d.o.b. 02/08/04) and Aubrey DeLong (d.o.b. 05/15/05), on a temporary basis, until further order of the Court.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-071008

09/06/2012

IT IS FURTHER ORDERED pursuant to agreement the parties shall have equal parenting time on a week-on, week-off basis and exchanges of the children shall take place every Friday via school.

IT IS FURTHER ORDERED setting a **Dissolution Trial on December 4, 2012 at 2:00 p.m.** (2 hours allotted) before Honorable Michael W. Kemp at the Northwest Regional Court Center, Courtroom 121, 14264 W. Tierra Buena Lane, Surprise, Arizona 85374, Telephone: (602) 372-0608.

The Trial will address the remaining issues for dissolution of marriage.

Pursuant to Rule 77(B)(1), Arizona Rules of Family Law Procedure (A.R.F.L.P.), each party will be allowed approximately one-half of the time allotted to present his/her case. The time will not be extended absent a timely filed motion granted by the Court.

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a **Joint Pre-Trial Statement** pursuant to Rule 76, A.R.F.L.P., no later than five (5) days prior to the hearing.

IT IS FURTHER ORDERED that the Joint Pre-Trial Statement shall include a current **Parent's Worksheet for Child Support Amount** completed by each party pursuant to the Statewide Child Support Guidelines and a specific proposal for custody and visitation by each party, if applicable.

IT IS FURTHER ORDERED that each party shall file a current **Affidavit of Financial Information** and present a copy to this Division no later than five (5) days prior to the Trial. Each party shall ensure that the opposing party receives a copy of the Affidavit of Financial Information in accordance with the discovery and disclosure deadlines set forth herein.

IT IS FURTHER ORDERED with regard to discovery and disclosure requirements:

1. All depositions and discovery contemplated by Rules 49 through 65, A.R.F.L.P., shall be completed and any motions regarding discovery shall be filed no later than 5:00 p.m. on November 12, 2012.

2. Both parties shall exchange updated disclosure statements required by Rules 49 and 50, A.R.F.L.P., including an exchange of all relevant information, documents and exhibits no later than 5:00 p.m. on November 19, 2012.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-071008

09/06/2012

3. Counsel and/or both parties shall personally meet, face to face (unless there is an Order of Protection in place) at least ten (10) days prior to Trial to conduct settlement discussions and narrowing of all procedural and substantive issues in this case.

The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution/company or business/medical or health care provider/employer possessing any relevant information.

IT IS FURTHER ORDERED that the failure of counsel and/or either party to appear at the time of Trial, or to timely present the Joint Pre-Trial Statement in proper form shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 70(D), A.R.F.L.P. and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

NOTICE: You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision. If any party asks the court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

IT IS FURTHER ORDERED as follows:

1. Counsel and/or the parties shall submit all exhibits to this Division at least five (5) business days prior to the hearing. Exhibits shall not be filed at the Clerk of Court filing counter.

2. The exhibit packet shall contain a title page which states the case number, whether the exhibits are Petitioner's or Respondent's and the date for the Trial. Failure to clearly indicate which party is presenting the exhibits may result in the exhibits being marked incorrectly.

3. Each exhibit shall be stapled if it contains more than one page and shall be clearly separated from the other exhibits, preferably by placing a colored page in between each exhibit. Failure to clearly separate each exhibit may result in the exhibits being marked differently than counsel and/or the parties intended, such as multiple exhibits being marked as one exhibit.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-071008

09/06/2012

4. Exhibits will be marked in numerical order, most likely in the order received. The parties will receive an exhibit worksheet at the time of hearing which will be the master list.

5. Duplicate exhibits shall not be presented.

6. Each party shall provide the adverse party with a separate copy of all exhibits. Each party should keep a copy of the exhibits for themselves as exhibits turned into the Court are kept by the Court. Copies of exhibits may be obtained from the Exhibits Department at the Customer Service Center after conclusion of the hearing.

Counsel and/or the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, A.R.F.L.P.

WARNING: Failure of counsel and/or either party to appear at the time of hearing, shall in the absence of good cause shown result in the imposition of any and all available sanctions pursuant to Rule 70(D), A.R.F.L.P. and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party. The Court may issue a civil arrest warrant or child support arrest warrant for the non-appearing party. If both parties fail to appear, the entire case, or pending pleadings, may be dismissed without further notice to either party.

10:58 a.m. Matter concludes.

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

September 6, 2012

/s/ Michael W. Kemp

DATE

HONORABLE MICHAEL W. KEMP
SUPERIOR COURT JUDGE

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>.