Michael K. Jeanes, Clerk of Court
*** Filed ***
03/28/2012 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-071754 03/26/2012

HON. HARRIETT CHAVEZ

CLERK OF THE COURT
A. Marquis
Deputy

IN RE THE MATTER OF
STEPHEN MICHAEL MILLER STEVEN D KEIST

AND

TANYA LEGERE LAURA GILLIS

FAMILY COURT SERVICES-CCC
DOCKET-NW

MINUTE ENTRY

Courtroom 124 – NWRCC

Prior to commencement of today's proceedings, Petitioner's Exhibits 1 through 5 and Respondent's Exhibits 8 through 10 and 12 are marked for identification.

10:07 a.m. This is the time set for Evidentiary Hearing on the Petition For Paternity, Child Custody, Parenting Time and Child Support, filed September 27, 2011. Petitioner/Father, Stephen Miller, is present and represented by counsel, Steven D. Keist. Respondent/Mother, Tanya Legere, is present and represented by counsel, Laura Gillis.

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

The parties are sworn.

Counsel advises the Court that the parties have reached a partial agreement on the issues, which agreement is more fully set forth on the record and can be generally summarized as follows:

The parties agree that:

- The parties will share joint custody of their minor child, Brooklyn Legere, with Mother designated as the primary residential parent.

- From now until May 4, 2012, Father will have parenting time every Wednesday and Thursday, from after work until 8:30PM, every other Saturday from 9AM to 8:30PM and every other Sunday from 9AM to 7PM.

- Beginning Friday, May 4, 2012, Father will have parenting time on alternate weekends from Friday at 4:30PM to Sunday at 8:30PM and every Wednesday from after work until 8:30PM on Thursday.

- Father agrees to maintain the daily routine that Mother has established for the child (meals, bath and bed times) and will insure the pool is fenced at all times.

- The parties will alternate the holidays, including 3-day weekends, as agreed upon.

- The parties will exchange the child mid-point, in Anthem, at the outlet mall, in front of the food court. The receiving parent will provide the transportation; either grandparent may also effectuate pick up or return of the child.

- The non-custodial parent will be allowed telephonic contact with the child during normal waking hours.

- Each parent will have 7 consecutive days of vacation with the child each year; however, Father may not take the child out of state for vacation in 2012. The parties shall provide 30 days written notice to the other party regarding the dates of intended travel and location and shall provide all pertinent information (i.e., the itinerary, address, phone numbers, etc.) Mother will have first choice of vacation dates in even years and Father will have his choice in odd years.

- The non-custodial parent may contact the child twice during the other parent's vacation time.

- The parties shall try to jointly decide major life decisions concerning their child. If the parties, after conferring jointly, are unable to agree on any major life decision, then Mother shall have final decision-making authority on that issue. However, Mother shall first confer in good faith with Father before making a final decision regarding the issue.

- Father or Mother shall provide private medical insurance when it becomes accessible to the child and available at a reasonable cost.

Petitioner and Respondent both testify that they have heard and understood the agreement as dictated in the record / orally stated in open court, and that this is, in fact, their agreement.

THE COURT FINDS that the agreement entered into between the parties is fair, reasonable and in the best interests of the parties' minor child.

THE COURT FURTHER FINDS that the parties have knowingly, voluntarily and intelligently entered into the agreement, without duress or coercion, and that the parties are fully informed as to the contents of this agreement.

IT IS THEREFORE ORDERED approving and adopting the agreement of the parties, as stated on the record, as a binding agreement pursuant to Rule 69, Arizona Rules of Family Law Procedure.

LET THE RECORD REFLECT that a Paternity Judgment was entered in this case on February 1, 2012.

Hearing proceeds by avowal of counsel on the remaining issues:

- Current / back child support
- Tax exemption
- Mother's request that Father participate in Daddy Boot Camp

Based upon the discussion held and for the reasons set forth on the record, the Court enters the following findings and orders:

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CHILD SUPPORT / ARREARAGE ORDER.

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheets, which the Court hereby incorporates and adopts as its findings with respect to child support.

FILED: Child Support Worksheets (3)

IT IS ORDERED that **Father shall pay to Mother as and for child support the sum of $582.76 per month**, plus a $5.00 Clearinghouse Handling Fee, payable through the Support Payment Clearinghouse on the 1st day of each month **effective January 1, 2012** by Wage Assignment. **Father's first payment is due April 1, 2012.**

THE COURT FINDS that, for the period of June 1, 2010 through January 31, 2012, Father owes Mother past child support in the amount of $3,514.54.

IT IS ORDERED entering judgment in favor of Mother, Tanya Legere, and against Father, Stephen Miller, in the amount of $3,514.54.

IT IS FURTHER ORDERED that **Father shall pay to Mother as and for child support arrearages the sum of $50.00 per month**, payable through the Support Payment Clearinghouse on the 1st day of each month **commencing April 1, 2012** by Wage Assignment, until paid in full.

IT IS FURTHER ORDERED that at any time an Order of Assignment is not paying the child support obligation in full, Father shall make full and timely payments directly to the Support Payment Clearinghouse. All checks must show the **ATLAS case number** and the **payer's name** to ensure positive identification and receive proper credit. Your ATLAS number may be on your order or you may call (602) 506-3762 to obtain the ATLAS number. Mail payments only to:

Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107

LET THE RECORD REFLECT an Order of Assignment is initiated electronically by the above-named deputy clerk.

IT IS FURTHER ORDERED that Mother shall complete the Parent Information Program within the next 30 days. Mother shall not seek to modify the Court's orders entered this date until proof of completion is filed.

IT IS FURTHER ORDERED that Father shall enroll and complete the Daddy Boot Camp within the next 60 days. Father is obligated to pay the first $100.00 of the class fee; if additional monies are required, Mother shall pay the difference. If Mother cannot pay the difference, Father is not obligated to attend the class. Mother shall provide Father with all enrollment information within the next 7 days.

Financial Information Exchanged.

IT IS ORDERED that every six months hereafter, the parties shall exchange financial information, including tax returns (if any), spousal affidavits and earnings statements.

On the Court's own motion,

Petitioner's Exhibits 1 and 2 and Respondent's Exhibits 8, 9 and 12 are received in evidence.

11:25 a.m. Matter concludes.

FILED: Exhibit Worksheet

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

March 26, 2012 /s/ Hon. Harriett Chavez

Date The Honorable Harriett Chavez
Judge of the Superior Court

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked or their written designee. Counsel/party or written designee shall have the right to refile relevant exhibits as

needed in support of any appeal. Refiled exhibits must be accompanied by a Notice of Refiling Exhibits and presented to the Exhibit Department of the Clerk's Office. The Court's exhibit tag must remain intact on all refiled exhibits.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Forms (2)

LATER:

TAX EXEMPTION SPLIT.

IT IS ORDERED that the federal tax exemptions applicable to the parties' child shall be divided between the parties as follows:

Father. Father is entitled to utilize the exemptions for the child in **all odd calendar years** provided he is current in the payment of all current child support and child support arrearage payments due by December 31 of the year applicable to the exemption. If these conditions are met, Mother shall execute the necessary IRS forms to transfer the exemptions to Father. If not, Mother shall be entitled to claim the exemptions.

Mother. In addition to any exemptions which Father is not eligible to utilize as set forth above, Mother is entitled to utilize the exemptions for the child in **all even calendar years** commencing 2012 and continuing in like manner thereafter.

IT IS FURTHER ORDERED that the parties shall sign any necessary tax form(s) to insure the deduction is claimed according to this order. In the event either party wrongfully claims the other party's exemption, they shall be liable for any costs and expenses related to any audit or re-file.

This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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.