

State of Arizona  
COMMISSION ON JUDICIAL CONDUCT

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Disposition of Complaint 13-263

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Judge:	No. 1102414503A
Complainant:	No. 1102414503B

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**ORDER**

The complainant alleged a superior court judge demonstrated bias against him by prejudging his case and making erroneous decisions.

The responsibility of the Commission on Judicial Conduct is to impartially determine if the judge engaged in conduct that violated the provisions of Article 6.1 of the Arizona Constitution or the Code of Judicial Conduct and, if so, to take appropriate disciplinary action. The purpose and authority of the commission is limited to this mission.

After review, the commission found no evidence of ethical misconduct and concluded that the judge did not violate the Code in this case. The commission does not have jurisdiction to review the legal sufficiency of the judge's rulings. Accordingly, the complaint is dismissed in its entirety, pursuant to Rules 16(a) and 23.

Dated: December 11, 2013.

FOR THE COMMISSION

/s/ George Riemer

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George A. Riemer  
Executive Director

Copies of this order were mailed to the complainant and the judge on December 11, 2013.

*This order may not be used as a basis for disqualification of a judge.*

Attorneys for Petitioner

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF**

**In re the Matter of:**

Case No.

**Petitioner,**

**JOINT PRETRIAL STATEMENT**

**and**

Hearing:

(Assigned to the

**Respondent.**

**COMES NOW**, Petitioner, ("Mother"), by and through her undersigned counsel, and Respondent, ("Father"), by and through his undersigned counsel, and pursuant to Rule 76(C), Arizona Rules of Procedure, hereby submit the following Joint Pretrial Statement.

**A. UNCONTESTED ISSUES OF FACT:**

1. The parties are the natural parents of two minor children, who are:

currently and currently age

2. The parents have joint legal custody of the two minor children, recently affirmed by order dated by the

1           3. Since                           Father's parenting time has been supervised pursuant to  
2 the                           order of                           and pursuant to the                           order of  
3

4           4. On                           Mother filed her "Petition for Modification of Custody &  
5 Parenting Time."  
6

7           5.                           Father filed a Response to Petition for Modification of Custody  
8 and Parenting Time.

9           6. On                           , Father filed a Counter-Petition for Modification of Parenting  
10 Time and Child Support.

11 **B. CONTESTED ISSUES.**  
12

13           1.           **Legal Decision-Making & Parenting Time.**

14 **Mother's Position:**

15           Concerning legal decision-making and parenting time, Mother is concerned with  
16 Father's substance                           his                           condition, his                           activity, his                           choices,  
17 his treatment of the children, and his                           of the children for Father's poor relationship with  
18 them. Mother should be awarded sole legal decision-making authority by the Court concerning  
19 the minor children. Father is not capable of rationale parenting of the children due to his mental  
20 state, and due to his                           behavior. Pursuant to A.R.S. §25-403, the Court should determine  
21 that the best interests of the children require Mother to have sole legal decision-making  
22 authority for the children.  
23  
24

25           Father should not be awarded any unsupervised parenting time with the children. The  
26 past behavior exhibited by Father that resulted in him having supervised parenting time with  
27 the children has not changed, and in fact, has only gotten worse. Father's supervised parenting  
28 time should be limited to not more than three visits per month, and should be at the sole cost of

1 Father for those visits. The supervised visits should be required to go through a commercial  
2 visitation facility as they do currently. Father should not be allowed to attend the school or  
3 extra-curricular activities of the children. Father has shown that he uses such occasions to

4 Mother. Father should also not be permitted to have  
5 contact with the children. The supervised visits should be scheduled for a consistent  
6 time and schedule to allow Mother to coordinate the visits so they do not interfere with  
7 Mother's employment or the children's activities and school.  
8

9 Father has abused drugs, and has been arrested for drug-related offenses. Father should  
10 be required to be drug tested at all times that he is permitted to have any contact (including  
11 supervised contact) with the children. The drug tests should include consistent and periodic  
12 hair follicle tests in addition to urine testing. A positive test result (including a missed or  
13 diluted test) should result in the immediate suspension of Father's parenting time. Testing  
14 should be at the sole expense of Father.  
15

16 Father has : hat may be directly related to Father's drug abuse) that  
17 causes him to have and and he involves Mother and the children  
18 in these episodes. Father has been arrested and involuntarily restrained by the police for his  
19 mental issues. Father is a danger to the safety and welfare of the children, and to Mother, and  
20 he cannot be permitted to have unsupervised contact with the children.  
21

22 Father has been arrested in the recent past for violent and drug-related offenses. His  
23 decisions concerning his lifestyle and behavior have resulted in drug addictions, illnesses,  
24 arrests, and an apparent inability to earn a living. His financial contributions to supporting his  
25 children are minimal. Father attempts children during visits to communicate with  
26 him, and alternatively he children directly for the poor relationship that Father has with  
27 the children. Father has no apparent parenting skills and shows no desire to obtain such skills  
28

1 to better communicate with his children. Father's parenting time with the children should be  
2 severely limited.

3 **Father's Position:**

4 **A. LEGAL DECISION-MAKING**

5  
6 According to the provisions outlined in A.R.S. § 25-403, it is in the minor children's  
7 best interest that the parties retain joint legal decision-making authority over their two minor  
8 children. Since the affirmation of the Court's original orders regarding legal decision-making  
9 on there has not been a change in circumstances  
10 that would warrant a modification of the current joint legal decision-making award.  
11

12 To warrant a modification of legal decision-making, the Court must find that there has  
13 been a material change in circumstances affecting the welfare of the minor children.  
14

15  
16  
17 Only after the Court finds that a change has occurred does it reach the question of whether a  
18 change of legal decision-making would be in the best interests of the children.  
19

20 In this case, there has not been a material change in circumstances affecting the  
21 welfare of the minor children. As a result, a modification of the current joint legal decision-  
22 making order is not warranted.  
23

24 The majority of issues raised by Mother in her Petition for Modification of Custody  
25 (legal decision-making) and Parenting Time related to Father's supervised visits. Specifically,  
26 Mother cited to two (2) visits where Father (1) confronted the children regarding things they  
27 had said to school officials and (2) informed the children that he was  
28 because it was too hard on him and that he was being treated like a

1 criminal. Although Father now recognizes these were inappropriate things to discuss with the  
2 children, his feelings were not unreasonable.

3 Being forced to see your children with a supervisor present, at a facility, fo  
4 is undoubtedly an aggravating situation. Father, who has been relegated to  
5 this arrangement for 1 has understandably had moments where he was not  
6 able to control his pent up frustrations. These brief and momentary lapses in judgment should,  
7 however, be given their proper weight. Specifically, it is worth noting that both incidents cited  
8 by Mother occurred in prior to her filing her petition and more  
9 tha from today's date. Since that time, there have been no reported incidents  
10 surrounding Father's visitations.  
11

12 The other noteworthy issues raised in Mother's petition relate to events that  
13 occurred on and Father admits that on he was  
14 for Father also admits that on he was arrested for  
15 Father, who admitted to smoking  
16 prior to the alleged incident. With that said, Father has taken full  
17 responsibility for his actions and has done everything within his power to comply with his  
18 sentencing requirements. It is also worth noting that Father's Disorderly Conduct charge has  
19 been dismissed.  
20

21 Father offers no excuse for his use of one year ago. Father,  
22 however, has had to deal with a number of life changing events that would have tested any  
23 man's resolve. Father, who was once a became increasingly  
24 depressed after divorcing Mother and losing time with their children. In order to cope with his  
25 depression, Father began abusing drugs. During this time, Father also learned that he was  
26  
27

28 This, of course, only added to Father's downward spiral. Father, however, has never

1 given up. Although disabled and unable to work, Father has begun to volunteer and anticipates  
2 that he will once again become able to work full-time.

3 Father recognizes that his actions have affected his relationship with the children.  
4 Father, however, believes that his relationship with the children has improved. The only thing  
5 that currently stands in the way of Father's relationship with the children is Mother. And, if the  
6 court were to award Mother sole legal decision-making authority over the minor children,  
7 Father would lose even more control over his ability to stay active in their lives.  
8

9 Since the parties separated in , Mother has continuously attempted to alienate the  
10 children from Father. In fact, Mother has gone as far as ignoring Court orders to reduce  
11 Father's access to the children. Specifically, Mother has refused to allow Father more than  
12 isitation a month, despite the fact that the current Court orders  
13

14 allow Father supervised parenting time or up to  
15 visit." Moreover, Mother ignore from Father's counsel requesting the  
16 children's after school schedules even though Father is allowed to attend "all school and extra-  
17 curricular activities of the children at which parental participation is allowed without the  
18 presence of a supervisor as long as Mother or other adults are present at such activities."  
19

20 As these facts clearly demonstrate, Mother has actively sought to prevent and disrupt the  
21 relationship between Father and the minor children. Father's frustration over this interference,  
22 coupled with his own depression, led to Father's unfortunate relapse with drugs last summer.  
23 Since that time, however, Father has had over supervised visits with  
24 the children and has stayed completely clean from any illegal drug use. Father is as fully  
25 capable of making decisions that are in the children's best interest as he was in when the  
26 parties agreed to exercise joint custody) and when the Court confirmed that order.  
27  
28

1 The two isolated events o and should not overshadow the  
2 in which Father has worked to become a more significant part of the children's lives.  
3 Moreover, they do not constitute a substantial and continuing change in circumstances that  
4 would warrant a modification of the current joint legal decision-making arrangement. Mother's  
5 request is driven by her desire to completely remove Father from the children's lives.  
6

7 In fact, Mother has never acknowledged the potential reward that the children might  
8 experience by spending more time with their Father. Mother, who has never attempted to  
9 consult with Father before making significant decisions about the children's well-being, is now  
10 trying to minimize her own misconduct by seeking an award of sole legal decision-making.  
11 Granting her request is an extreme and unreasonable remedy considering the facts of this case.  
12

13 Instead, Father proposes the Court appoint a parenting coordinator as part of its final  
14 orders. This way, both parents can remain active in the decision-making process, but neither  
15 parent will be without recourse should a dispute regarding decision-making arise. Father  
16 believes that this alternative would work best to serve the interests of the children.  
17

18 Lastly, according to A.R.S. § 25-103, it is the declared public policy of Arizona that it is  
19 in a child's best interest to have substantial, frequent, meaningful and continuing parenting time  
20 with both parents and to have both parents participate in decision-making about the child.  
21 Father agrees with this policy and believes that the joint legal decision-making arrangement  
22 currently in place should be confirmed by this Court.  
23

#### 24 **B. PARENTING TIME**

25  
26 Or , Father was awarded "parenting time supervised by Mother, an  
27 adult approved by Mother, an agency such : an employee of Father's  
28 counsel's firm u] er week for up to visit." It was further ordered



1 that Father shall be "entitled to daily unmonitored and uncensored telephonic contact with the  
2 children between the hours of \_\_\_\_\_ p.m." Since these orders were entered, there  
3 has been a substantial and continuing change in circumstances warranting a modification of  
4 parenting time. Specifically, Mother has completely ignored the prior orders, unilaterally  
5 reducing Father's Court ordered parenting time to just 1 \_\_\_\_\_ visits a month for a  
6 \_\_\_\_\_  
7 per visit. Moreover, since the installation of the Court's  
8 orders, Father has worked hard to improve himself and his relationship with the minor children.

9 Father takes full responsibility for his past behavioral misconduct, acknowledging the  
10 effect of his prior drug abuse on his ability to effectively parent. As a result, Father has decided  
11 to dedicate himself to becoming a better Father and has started the process by pledging to  
12 remain sober. Father has also worked hard at reestablishing trust between himself and the minor  
13 children. However, in order to maintain this trust, Father must be given more time with the  
14 children than he is currently receiving. Simply put, the \_\_\_\_\_ of supervised  
15 parenting time that Mother is requesting does not allow for this trust to be maintained.  
16

17 The extremely limited visitation schedule and awkward confines of the supervisory  
18 facility have made it extremely difficult for the children to adapt to Father's presence in their  
19 lives. This, however, can change. By granting Father \_\_\_\_\_ 1 week of unsupervised  
20 visitation with the children \_\_\_\_\_ from \_\_\_\_\_ at his permanent place of residence,  
21 the Court can help to eliminate the barriers that stand in the way of a productive relationship  
22 between Father and the minor children. The children need their Father in their lives.  
23

24 Unfortunately, the circumstances surrounding their relationship have made it exceedingly  
25 difficult for the children to truly understand what they have been missing.  
26

27 Father is not asking the Court to overlook his prior mistakes or forgive his previous  
28 actions. Instead, Father is asking the Court to take perspective of the positive strides that he has

1 recently made and allow him the opportunity to continue to improve. Father recognizes that  
2 there is still a long way to go before he and the children have completely rebuilt their  
3 relationship. Unfortunately, the current parenting time orders in place make it impossible for  
4 Father to make-up for lost time. At this time, Father is only seeking                      1 week of  
5 unsupervised visits with the children because Father recognizes that the children may be  
6 reluctant to a more drastic change in parenting time. At the same time, however, Father  
7 believes that allowing the children to visit with him,                      and without the presence of a  
8  
9                      is a critical step that must be made in order for their relationship to grow.

10                      As the supervisor notes from Father's visits demonstrate, the children's ability and  
11 desire to interact with Father continues to grow with each additional minute they spend  
12 together. Recent notes show that Father and the children spend most of their limited time  
13 laughing, playing games, discussing goals and learning about one another's lives.  
14 Unfortunately, the consistent progress that seems to be made during each session risks defeat  
15 every time the children are forced to go more than                      days without seeing him again.  
16 The proof of this phenomenon can be seen in the supervisor notes that consistently reference the  
17 children's initial reluctance to interact with Father during the first half of the visits but warming  
18 attraction during the latter half.  
19  
20

21                      Father's demonstrated history of positive visits and yearlong abstention from drugs  
22 deserve recognition from this Court. Over the past year and a half, Father has had over 30  
23 consecutive positive visits with the children. Moreover, Father has randomly tested clean for  
24 drugs since the issuance of the Court's                      Minute Entry. Accordingly, the  
25  
26                      per month of supervised visitation that Mother is requesting has effectively run its  
27 course. Father does not pose any risks to the parties' children and is no longer in need of  
28 supervised access. Father's positive visitation history combined with his abstention from illegal

1 narcotics constitutes a substantial and continuing change in circumstances that warrants a  
2 modification of the current parenting time orders.

3 To that end, it is most certainly in the minor children's best interest that the Court  
4 modify its current orders to allow Father a of unsupervised parenting time at his  
5 permanent place of residence each and every from Moreover, according  
6 to A.R.S. § 25-403.01 (D), a parent is entitled to substantial, frequent, meaningful and  
7 continuing contact with their children (regardless of their decision-making authority), so long as  
8 the Court finds that parenting time would not endanger the children's physical, mental, moral or  
9 emotional health. With that said, Father is also requesting that the Court implement a "step-up"  
10 program that would allow Father's parenting time to potentially increase beyond the six (6)  
11 hours a week that he is currently requesting. Specifically, Father asks that the court review the  
12 parenting time orders after the first to see if an increase in parenting time  
13 should be granted.

14 Father recognizes that the children may have school and extra-curricular obligations that  
15 will interfere with h time. Father, however, is willing to take the children to  
16 any and all activities that are scheduled during his time. Meaning, even if the children want to  
17 spend some time with their friends on or have prior obligations, Father will make the  
18 necessary sacrifice to ensure that the children do not miss out on any important activities. All  
19 Father is requesting is that he be allowed to have some one-on-one time with each child outside  
20 of a supervised setting.

### 21 **C. SPECIFIC PARENTING TIME REQUEST**

22 In addition to the of parenting time each  
23 Father is also requesting that he receive of parenting time with  
24 so that he may take him to the that will be in on that

1 day. Father also requests that he be given some one-on-one time with                      so that he may be  
2 able to do something special with her, as well. At this time, Father does not have a specific date  
3 in mind for the request as it relates to Sage.

4 **D. HOLIDAY PARENTING TIME**

5 Father requests the following schedule for unsupervised Holiday Parenting time:

6 1.

7 on Christmas in all even numbered years and ;

8 Christmas Eve on all odd numbered years;

9 2. Thanksgiving: Father shall receive

10 3. New Year's Eve/New Years Day: Father shall receive :

11 parenting time on New Year's Eve in

12 of parenting time on

13 4. Mother's Day: Mother will always have the children on Mother's Day;

14 5. Father's Day: since Father's day always falls on a                      , Father asks for the  
15 regular parenting time schedule to apply;

16 6. Father's Birthday: Father shall receive                      parenting time on

17 For all other holidays, the regular parenting time schedule shall apply.

18 **E. EXTRA-CURRICULAR ACTIVITIES/SPORTING EVENTS**

19 As a result of Mother's prior refusal to abide by the current Court order allowing Father  
20 to attend the children's after school activities, Father requests that the Court grant him specific  
21 permission to attend all of the children's sporting, school and extra-curricular events.  
22  
23  
24  
25  
26  
27  
28

1  
2 **F. TRANSPORTATION**

3 Father proposes that the receiving parent be the one responsible for picking-up the  
4 children.

5 **2. Child Support.**

6 **Mother's Position:**

7  
8 A new child support order should be entered that complies with the Arizona Child  
9 Support Guidelines. Mother should be permitted to claim the federal tax deductions for the  
10 minor children on her income tax returns.

11 Father has alleged that Mother has not actively participated in obtaining Social Security  
12 benefits for the minor children. The prior Court Advisor made reference to the  
13 fact that Father claimed he fabricated his disability to obtain benefits. Mother cannot actively  
14 participate in any fraud initiated by Father and cannot be punished or chastised for failing to do  
15 so.  
16

17 **Father's Position:**

18  
19 Father proposes that child support be ordered according to the Arizona Child Support  
20 Guidelines. According to the Father's proposed child support worksheet attached hereto as  
21 "Exhibit A", Father would owe monthly child support. Father, however, is  
22 entitled to have his monthly child support obligation reduced by the amount of money that  
23 Mother is eligible to receive through as a result of Father's  
24 contributions.  
25

26 According to the section 26(B) of the Arizona Child Support Guidelines, "Benefits, such  
27 as Social Security Disability or Insurance, received by a custodial parent on behalf of a child, as  
28 a result of contributions made by the parent paying child support shall be credited as follows:

1 1. If the amount of the child's benefit for a given month is equal to or greater  
2 than the paying parent's child support obligation, then that parent's obligation is  
3 satisfied."

4 Based on information and belief, Mother is eligible to collect significantly more than

5 from

6 Mother, however, has refused to

7 pursue this monthly allowance because of her own subjective belief that she would be  
8 perpetrating fraud. At this time, Father is currently disabled and currently receiving disability  
9 from the federal government. Meaning, Mother's own subjective belief is contrary to the  
10 position of th Accordingly, Mother should not be allowed to  
11 purposely refuse available benefits for the children because of her own unreasonable and  
12 unfounded belief that she would be breaking the law.  
13

14 Therefore, Father requests that Mother be ordered to obtain the Social Security  
15 Disability benefits that are currently available to her. Until that time, Father requests that child  
16 support be suspended. Father recognizes that he is required to provide proper support for the  
17 parties' children. At this time, however, Father does not believe that Mother will comply with  
18 the Court order unless strict penalties are imposed. Once Mother begins receiving the Social  
19 Security Disability payments, Father asks that child support be reinstated and he be given  
20 proper credit for the amount of money that Mother is receiving on his behalf.  
21

22 Lastly, Father requests that all unreimbursed medical expenses and tax exemptions be  
23 divided pursuant to the Arizona Child Support Guidelines. According to Father's proposed  
24 worksheet, the unreimbursed medical expenses should be divided as follows and  
25

26 As for tax exemptions, Father shall be entitled to claim the parties'

27 in all Mother shall have all other tax exemptions.  
28

1  
2           **3.     Attorney Fees.**

3   **Mother's Position:**

4           Mother is entitled to an award of her reasonable attorney's fees incurred in this matter,  
5   pursuant to A.R.S. §§25-324. Father has not acted reasonably in these proceedings and Father  
6   should be ordered to reimburse Mother for the attorney's fees incurred by her.  
7

8   **Father's Position:**

9           Mother should be responsible for paying a reasonable amount of Father's attorney's  
10   fees and costs as a result of her unreasonableness throughout this matter. Specifically, Mother  
11   unilaterally decided to                           orders and ignore           atters in an effort to  
12   reduce Father's parenting time. For example, since the issuance of the Court's  
13   parenting time orders, Mother has never allowed Father the parenting time access to which  
14   he was rightfully entitled.  
15

16           As previously mentioned, o                           Father was awarded "parenting time  
17   supervised by Mother, an adult approved by Mother, an agency such a                           or an  
18   employee of Father                           up to three times per week for up to two hours per visit."  
19   In direct contradiction to these orders, Mother has only allowed Father to exercise parenting  
20   time                           per month for up to one hour each visit. Moreover, Mother has only  
21   allowed Father's visits to be                           by an agency such a:                           As a result,  
22   Father has had to incur substantial costs just to see the parties' children.  
23  
24

25           Father hoped that using an individual to supervise his visits would help the children feel  
26   more comfortable when around him. Unfortunately, Father's requests were continuously  
27   rebuffed by Mother without any attempt at compromise. More discouraging, however, is the  
28

fact that Mother continuously refused to compromise on the number of visits per month that Father could have, even when Father's requests were extremely reasonable.

For example, on [redacted] Father's counsel sent Mother's counsel a letter regarding Father's request for [redacted] parenting time session per month.

Considering that Father is the sole party responsible for paying for his supervised visits, and considering the fact that the [redacted] orders allow him access of up to [redacted]

Father's request was most certainly reasonable. Mother, however, refused to accept Father's request. Unfortunately, however, Mother's unreasonableness did not stop there

According to the Court's [redacted] orders, Father is allowed to attend "all school and extra-curricular activities of the children at which parental participation is allowed without the presence of a supervisor as long as Mother or other adults are present at such activities."

Despite this fact, however, Mother refused to provide Father with copies of the children's after school schedules. In fact, Father's counsel sent [redacted] Mother's counsel from [redacted] specifically requesting that Mother comply with the Court's prior orders. Unfortunately, Mother never complied.

In fact, according to Mother's own admission, she would not disclose the children's after school schedules until after the Court ruled upon her current Petition for a Modification of Custody and Parenting Time. Meaning, Mother believed that she could temporarily modify the parties' current orders without any involvement from the Court. Clearly, Mother's actions in this regard were extremely unreasonable.

Lastly, on [redacted] Father filed a Response to Mother's Petition for a Modification of Custody and Parenting Time that included an affirmative allegation that Mother was entitled to receive social security benefits on behalf of the children as a result of his disability. [redacted] Father's counsel sent a letter to Mother's counsel reminding



1 Mother of the availability of these potential benefits. Lastly, at the Resolution  
2 Management Conference, a discussion was held in front of the Court regarding the availability  
3 of additional social security benefits for the children. Unfortunately, to this date, Mother has  
4 never affirmatively confirmed whether or not she has even investigated her ability to receive  
5 these benefits.

6  
7 As these examples clearly demonstrate, Mother has continuously placed her own  
8 assumptions about the law and about the parties' children over and above the significance of the  
9 Court's current orders. As a result of this, Father has incurred substantial attorney's fees and  
10 costs just so that he may receive the things to which he has always been entitled. Mother's  
11 complete disregard for Court orders has not only been unreasonable, but at times, even  
12 contemptuous.

13  
14 Mother has never lived up to the parties' current joint legal decision-making orders and  
15 has even gone as far as to remove Father's name from the emergency contact forms from the  
16 children's school. Mother does not seek out Father's opinion on any major issues regarding the  
17 children and shows no remorse for doing so. With that said, Father believes that he should be  
18 reimbursed for a reasonable amount of his attorney's fees and costs as they have undeniably  
19 increased as a result of Mother's unreasonable behavior.

#### 20 21 **C. FINANCIAL AFFIDAVITS.**

22 The parties' Affidavits of Financial Information have previously been filed in this  
23 matter, and their respective Affidavits of Financial Information may be considered evidence by  
24 the Court as if marked as an exhibit and entered into evidence pursuant to  
25

#### 26 27 **D. WITNESSES.**

#### 28 **Mother's Witnesses:**

1. Petitioner/Mother.
2. Respondent/Father.
3. Court-Appointed
- 4.
5. All witnesses listed by Father.
6. Rebuttal witnesses if necessary.

**Father's Witnesses:**

1. Respondent/Father;
2. Petitioner/Mother;
3. Court-Appointed
4. All witnesses listed by Mother;
5. Rebuttal witnesses if necessary.

**E. TRIAL EXHIBITS.**

**Mother's Exhibits:**

1. Results for Father.
2. Mother's
3. Father'
4. Records from and re Father.
5. Records from re Father.
6. Letter from to Court (2 pages).
7. Text Messages from Father to Children (4 pages).
8. Summary (5 pages).
9. Letter from o Court (12 pages).
10. Text Messages from Father to Children (3 pages).

11 re Father.

12. Emails and Notices Between Father and (10 pages).

13. Receipt (2 pages).

14. Email from Father.

15. Emails Between Father and (2 pages).

16. Child Interview Memorandum dated (4 pages).

17. Email from Father to Mother.

18. Handwritten Texting Payout Sheet from Father.

19. Court Advisor Report.

20. Communications between Attorneys.

21. Communications between Attorneys and pro per party.

22. Copies of Exhibits attached to Mother's Petition to Modify Custody and Parenting Time, (

**Father's Exhibits:**

1. Parenting Skills Program's supervised visitation records

2. Family Service Agency's supervised visitation records

3. Child Interview Memorandum dated

4. Respondent's test results;

5. Respondent's with dated

6. Respondent's Affidavit of Financial Information filed on

7. Petitioner's Responses to Request for Admissions dated

8. Petitioner's Answers to Non-Uniform Family Law Interrogatories dated

1 9. Petitioner's Answers to Uniform Family Law Interrogatories dated

2 10. Petitioner and Income tax returns;

3 11. Medical releases signed by Respondent;

4 12. Petitioner's Affidavit of Financial Information;

5 13. Court-Appointed Advisor's Report and Recommendations;

6 14. Letter from & dated

7  
8  
9 15. Psychiatric Evaluation Note from &

10 dated (bates

11 16. Neuropsychology report from dated (bates

12  
13  
14 17. Progress Notes from from through

15 (bates

16 18. Pictures of Respondent with

17  
18 19. Respondent's Certificate of Completion from Parenting Class Series "Parents of  
19 Children K-12 and Positive Parenting for Children with Challenging Behaviors" dated

20  
21 20. Notice of Dismissal on State v bates number

22  
23 21. Final Report from bates number

24  
25  
26 22. Receipt and print out from on State v dated

23. Motor Vehicle Division Ignition Interlock Order – Notice dated (bates  
number

24. Letter from to Respondent dated (bates number

25. E-mail from Respondent to dated (bates number

26. Family Service Agency notice dated (bates number

27. Letter from to Respondent (bates number

28. E-mail from to Respondent dated (bates number

29. E-mail from Respondent to dated (bates number

30. Arrest/Booking Record dated and

31. Father's Proposed Child Support Worksheet.

32. Mail and e-mail correspondence between and dated:

\*\*\*please fill in dates here.\*\*\*

#### **F. OBJECTIONS TO TRIAL EXHIBITS.**

##### **Mother's Objections To Father's Exhibits:**

Mother objects to any and all exhibits not previously disclosed.

##### **Father's Objections To Mother's Exhibits:**

Father objects to any and all exhibits not previously disclosed.

#### **G. PRETRIAL DISCOVERY AND DISCLOSURE**

The parties' have complied with all disclosure requirements of Rules 49 and 50,  
*Arizona Rules of* and have exchanged all relevant information,  
documents and exhibits.

#### **H. GOOD FAITH SETTLEMENT DISCUSSIONS**

The parties' settlement discussions have been unsuccessful.

#### **I. VERBATIM RECORD OF TRIAL**

The parties request an electronic record of the proceedings.

**J. OTHER ISSUES**

None.

ORIGINAL filed and COPY delivered