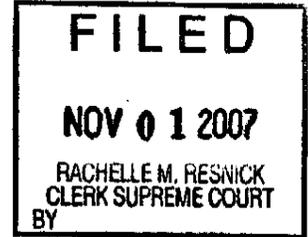


IN THE SUPERIOR COURT
OF THE STATE OF ARIZONA,
COCONINO COUNTY



ORDER AMENDING THE
LOCAL RULES OF PRACTICE,
COCONINO COUNTY SUPERIOR COURT

A majority of the judges of the Coconino County Superior Court having approved, pursuant to Rule 83, Ariz. R. Civ. Proc., the proposed amendment to the Coconino County local court rules,

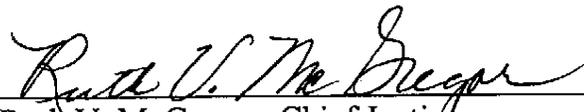
IT IS ORDERED amending the Local Rules of Practice for the Coconino County Superior Court, in accordance with the attachment hereto,* effective 10-22-, 2007.

DATED in the City of Flagstaff, Arizona, this 22 day of Oct., 2007.



Fred Newton, Presiding Judge
Coconino County Superior Court

APPROVED this 1st day of November, 2007..



Ruth V. McGregor, Chief Justice
Arizona Supreme Court

* Changes or additions in text are indicated by underlining and deletions from text are indicated by ~~strikeouts~~.

**LOCAL RULES OF PRACTICE
COCONINO COUNTY SUPERIOR COURT**

Rule 1. Hours of Court

The Court shall be open at all times, except on non-judicial days, for the transaction of business. Regular sessions of Court shall be from 8:00 a.m. to 12:00 noon and from 1:30 p.m. to 5:00 p.m., unless otherwise directed by the trial judge. ~~Trials shall be held between the hours of 9:30 a.m. to 12:00 noon and 1:30 p.m. to 5:00 p.m.~~

Rule 2. Criminal Law and Motion Day

~~(A) Every Monday shall be a Law and Motion Day for each Court Division. Law and Motion starts at 8:00 a.m. each Monday. When Monday falls on a legal holiday, the following Tuesday shall be Law and Motion Day. Law and Motion starts at 8:00 a.m. on Tuesday. Each court division holds Law and Motion for two hours in turn until all divisions have held Law and Motion.~~

~~(B) Law and Motion Calendar shall be called at times ordered by the Court.~~

~~(C) All motions placed on the calendar shall be heard on Law and Motion Day except when otherwise ordered by the Court.~~

~~(D)~~**(B)** Oral argument of motions shall be limited to ten (10) minutes for each side unless the Court grants special permission in advance for additional time.

~~(E) All requests for oral argument with respect to motions shall be made in writing by counsel at the time of filing such motion, or answering memorandum in opposition thereto, with the Clerk of the Court, by placing beneath the title of the motion, or answering memorandum, the following words: "(Oral Argument Requested)." Where no request is made for oral argument, the Court will decide the motion upon the points and authorities cited by counsel in the motion, answering memorandum and reply, and may dispose of an improper motion or reply summarily pursuant to Rule 7.1(b), Rules of Civil Procedure.~~

~~(F) Except as provided, at the time of the filing of the original, a copy of each motion, objection, exception and memorandum shall be lodged with the Judge of the division to which the case has been assigned. The original of all motions and notices shall show the lodging of a copy with the division to which the case has been assigned.~~

~~(G) No continuance of a trial or pretrial conference will be granted unless a written order for such is presented to the Judge for his signature at the time such continuance is requested and provided further that the provisions of Rule 38.1(h), Rules of Civil Procedure have been complied with.~~

Rule 3. Trial Calendar

(A) The Clerk of this Court shall maintain an Active Calendar and an Inactive Calendar and cases shall be placed thereon, respectively, by the Clerk as provided by Rule 38.1(c) and (d), Rules of Civil Procedure, or Rule 6(B), Rules of Family Law Procedure.

~~(B) Trials which have been continued by counsel and have remained inactive for six (6) months, shall be placed on the inactive calendar, all counsel notified, and shall be dismissed without further notice sixty (60) days thereafter, unless the Court shall, on motion of any party, reset said case for trial. When a case remains inactive for six months after a trial is continued, the court shall place it on the inactive calendar with notice to the parties and dismiss it after 60 days, except that, upon a party's motion before dismissal, the court may reset it for trial.~~

Rule 4. Procedure: Civil Motions, Trial Settings, and Pretrial Conferences

(A) All civil motions, trial settings, pretrial statements and conferences shall be in accordance with Rules 7.1, 56(c)(2), 37(a)(2)(c), and 16, Rules of Civil Procedure. Rule 38.1 of the Rules of Civil Procedure will only apply where a trial date is not set by the Court at a case management conference.

Paragraph (a) of said Rule 7.1 is hereby interpreted as requiring that all specific portions of statutes and authorities relied on be set out in haec verba and in quotation marks; otherwise they will not be considered by the Court.

(B) The fact that either party has requested oral argument upon the motion, or that the motion has been set down for oral argument by the Court, shall not in any way relieve the parties from the filing of written memoranda required by Rule 7.1(a), Rules of Civil Procedure.

(C) Rule 16(d), Rules of Civil Procedure, requiring a timely filing of a Pretrial Statement shall be scrupulously adhered to. Unless otherwise specified by the Court, such statements are due no later than five (5) court days prior to commencement of trial. (A)-(C)

(D) All requests for oral argument with respect to motions shall be made in writing by counsel at the time of filing such motion, or answering memorandum in opposition thereto, with the Clerk of the court, by placing beneath the title of the motion, or answering memorandum, the following words: "(Oral Argument Requested)." Where no request is made for oral argument, the court will decide the motion upon the points and authorities cited by counsel in the motion, answering memorandum and reply, and may dispose of an improper motion or reply summarily pursuant to Rule 7.1(b), Rules of Civil Procedure.

(E) Except as provided, when a party files a motion, notice, objection, exception, or memorandum, the party will deliver a copy to the assigned division and state on the original that a copy was delivered to the assigned division.

(F) No continuance of a trial or pretrial conference will be granted unless a written order for such is presented to the Judge for signature at the time such continuance is requested, and provided further that the provisions of Rule 38.1(h), Rules of Civil Procedure, have been complied with.

Rule 5. Stipulations

No agreement, stipulation or consent between parties, or their attorneys, in respect to the proceedings in a cause before the Court shall be considered by the Court unless it be in writing filed with the Clerk or dictated in open Court, except that counsel may orally consent out of Court as to the continuance of an interlocutory matter provided proper notification to the Clerk is given.

Rule 6. Orders to Show Cause Temporary Orders and Child Support Modifications in Family Law Cases

The following requirements apply in addition to the requirements in the Rules of Family Law Procedure and Title 25 of the Arizona Revised Statutes.

~~(A) In all Orders to Show Cause, in dissolution or modification actions, where temporary child support is sought or where an existing order is requested to be modified, the petitioner shall file in the Order to Show Cause, a completed and sworn "Parents Worksheet for Child Support Amount." When a child support modification is sought through the Standard Procedure, the petitioner shall file a completed Parent's Worksheet for Child Support Amount with the petition to modify. If the respondent disputes the petitioner's Worksheet, the respondent shall serve on the petitioner or his or her attorney, by three judicial days before the hearing, a completed Parent's Worksheet for Child Support Amount. In all Orders to Show Cause, in dissolution, modification or separate maintenance actions, where temporary maintenance, attorneys fees or some other monetary award is sought, the petitioner shall file in the Order to Show Cause, an "Affidavit of Wife" or "Affidavit of Husband," as shall be appropriate, a copy of which shall be served with a copy of the Order to Show Cause. This affidavit shall correctly show the financial status of the party including assets, liabilities, income and expenses.~~

(B) When a temporary order for payment of spousal maintenance, attorney's fees or community debts is sought, the petitioner shall file a completed Affidavit of Financial Information with the petition for temporary orders and serve a blank copy of the Affidavit of Financial Information on the respondent or his or her attorney by ten judicial days before the hearing. The respondent shall serve on the petitioner or his or her attorney, by three judicial days before the hearing, a completed Affidavit of Financial Information.

~~(B) The respondent, in cases which concern child support, shall serve on the petitioner or his or her attorney, not less than three (3) days prior to the hearing on the Order to Show Cause, a "Parents Worksheet for Child Support Amount," as shall be appropriate, if petitioner's worksheet is disputed. Where temporary spousal maintenance, temporary attorneys fees or some other monetary award is sought, the respondent in such cases shall serve on the petitioner, or his or her attorney, not less than three (3) days prior to the hearing on the Order to Show Cause, an "Affidavit of Wife" or an "Affidavit of Husband," as shall be appropriate.~~

~~(C) At the hearing for an original order or for an order for modification, the petitioner either party may rest upon the information and financial data presented in the Parents Parent's Worksheet and/or Affidavit so presented filed, subject to the other party's right of cross examination cross-examination by the opposing party.~~

(D) All hearings shall be limited to ~~thirty~~(30) minutes unless a request for additional time ~~has been~~ is made prior to ~~before~~ the hearing and allowed by the Court.

Rule 7. Briefs, and Jury Instructions and Interrogatories to Juries

(A) Briefs. When any matter is submitted to a trial judge for decision, and the filing of briefs is allowed by the Judge, the original of each such brief shall be ~~lodged~~ filed with the Clerk of the Court and a duplicate thereof shall be ~~lodged with~~ delivered to the trial judge.

(B) Jury Instructions. All requested jury instructions shall be numbered and shall cite the authorities relied on by counsel in support thereof. To the extent possible under the circumstances of each case, all jury instructions shall be submitted to the Court as the court orders, but no later than ~~on~~ the morning of the first day of trial.

~~(C) Interrogatories. In those matters wherein interrogatories are to be submitted to the jury, they shall be submitted on plain 8.5 by 11 inch paper, each such paper being without any indication as to the party or the attorney submitting the same, and there shall be but one interrogatory to a sheet. The interrogatory number will be left blank. To the extent possible under the circumstances of each case all interrogatories shall be submitted to the Court on the morning of the first day of trial.~~

Rule 8. Dismissals for Failure of Prosecution

(A) Any civil action shall be dismissed for failure to prosecute upon written motion and notice to opposing counsel, in the discretion of the Court, upon the following grounds and conditions:

1. Failure to comply with Rule 38.1, Rules of Civil Procedure, within two ~~(2)~~ months after the date of the order for a new trial, or the date of the filing of the mandate of the Supreme Court.
2. For other appropriate reasons.

(B) No dismissal shall be ordered during any period that the Court finds that a necessary party to the action is in the military service of the United States and is unable during such period to be present at the trial by virtue of such service.

~~(C) After~~ When a civil case has been is set for trial and the parties ~~have announced~~ announce settlement without ~~presenting~~ submitting a final judgment to the Court, the case shall ~~be placed~~ court shall place it on the inactive calendar, ~~all counsel notified,~~ with notice to the parties that a final judgment is required, and shall be dismissed without further notice ~~sixty (60) days thereafter,~~ The court shall dismiss the case after 60 days unless in the meantime, a final judgment shall ~~have been filed and is~~ entered, of record, or unless the Court shall, on motion of any party, reset said case for trial except that, upon a party's motion, the court shall reset it for trial.

Rule 9. Notice of Settlement – Assessment of Jury Fees

In the event a civil case set for trial is settled before trial, the Court may ~~tax~~ assess jury fees to the party who made the original demand for a jury, or to any other party, or both, as the Court deems equitable, unless the Clerk of the Court is given notice of settlement at least ~~twenty-four~~ (24) hours one judicial day prior to trial date.

Rule 10. Law Library

(A) ~~The Librarian shall be in charge of the library~~ The library shall be open to the public at all times during regular Court hours.

(B) No books or other court or county property shall be removed from the library.

(C) Failure to comply with these rules concerning the use of the library may result in the suspension of library privileges, ~~or contempt of Court, or applicable criminal charges.~~

Rule 11. Suspension of Rules

In the discretion of the Court, the operation of any of these rules may be suspended when it is clearly shown to the Court that harm or injustice would otherwise result.

Rule 12. Effective Date

~~These rules shall take effect and be in force after September 1, 1978, on which date all other rules adopted by the Court are hereby repealed.~~

Rule ~~13-12~~. Mandatory Use of Conciliation Court in Contested Custody Cases

(A) ~~Pursuant to Conciliation Court shall be established in accordance with A.R.S. § 25-381.23 and the Arizona Rules of Family Law Procedure, a hearing or hearings before the Court of Conciliation shall be held in any case for annulment, legal separation or dissolution of marriage where child custody is contested.~~

~~1. The attorney for the respondent or a respondent acting pro per shall at the time of filing the Response, notify the Clerk of the Superior Court that custody is contested, and designate on the caption that it is contested as follows:~~

RESPONSE
(Contested Custody)

~~2. The Clerk of the Superior Court shall notify the Clerk of the Court of Conciliation when child custody is contested in a case. The Clerk of the Court of Conciliation shall set a conference for the litigants with a person competent to do family counseling designated by the Judge of the Conciliation Court as soon as possible. The person designated thereafter shall recommend action to the Court, including additional counseling conferences (with the children if the person deems this advisable) and orders for temporary relief under A.R.S. § 25-381.17, and the Judge of the Court of Conciliation may make such orders deemed just and proper in regard thereto.~~

~~3. In a contested custody case, no Orders to Show Cause concerning temporary child custody or related problems will be set until the Judge of the Court of Conciliation approves such orders.~~

~~4. Temporary Restraining Orders will be issued only upon a showing that there is no other adequate remedy, taking into account the services offered by the Court of Conciliation.~~

~~(B) To further the aims and service of the Court of Conciliation, every attorney who represents a litigant in an action for annulment, legal separation or dissolution of marriage shall furnish to the client at the first interview or as early in the case as conveniently possible an information letter about the Court of Conciliation. This letter will be a form furnished to the attorneys free of charge by the Court of Conciliation. The Clerk will likewise furnish said forms to parties acting pro per.~~

~~(C) These rules shall take effect and be in force after January 31, 1979.~~

~~(B) Only a written petition for conciliation court invokes the stay in A.R.S. Title 25, Article 7.~~

Rule ~~14-13~~. Discovery Papers

[No change in text.]

Rule ~~15-14~~. Forms of Papers

~~Title page. The following information shall be stated upon the first page of every document and may be presented for filing single spaced:~~

~~(a) The name, address, telephone number and State Bar of Arizona attorney identification number of the attorney causing the document to be filed. There shall also be included an identification of the party being represented by the attorney, e.g., plaintiff, defendant, third party plaintiff, et cetera. This information shall be typewritten or printed in the space to the left of the center of the page and beginning at line one (1) on the first page. The space to the right of the center shall be reserved for the filing marks of the Clerk.~~

~~(b) If the document is being presented by a litigant representing himself or herself (in propria persona), the information required in paragraph one shall be included with the exception of the State Bar of Arizona attorney identification number.~~

~~(c) The title of the court shall commence on or below line six (6) of the first page.~~

~~(d) Below the title of the court, there shall be inserted in the space to the left of the center of the paper the title of the action or proceeding. In the space to the right of the center and below the title of the court, there shall be inserted (1) the number of the action or proceeding and (2) a brief description of the nature of the document.~~

The required format of proposed orders listed in Rule 5(j)(1), Rules of Civil Procedure, shall apply to every document presented for filing. The space on the first page to the right of center and between lines one and six shall be left blank for the Clerk's filing stamp.

Rule ~~16~~15. Attachments to ~~P~~Pleadings and ~~M~~Memoranda

~~(A) Attachments. No copy of a pleading, exhibit or minute entry which has been filed in a case shall be attached to the original of a subsequent pleading, motion or memorandum of points and authorities.~~

~~(B) Incorporation by reference. If parties desire to call the court's attention to anything contained in a previous pleading, motion or minute entry, they shall do so by incorporation by reference.~~

~~(C) Authorities cited in memoranda. Copies of authorities cited in memoranda shall not be attached to the original of any motion or memorandum of authorities.~~

~~(D) Attachments to judge. Nothing herein shall be construed as prohibiting a party from attaching copies of pleadings, motions, exhibits, minute entries or texts of authorities to the judge's copy of a pleading or memorandum.~~

~~(E) Sanctions. The purpose of this rule is to reduce bulk in the clerk's files. Therefore violation is punishable by imposing microfilming cost at the rate of 15 cents per page upon offenders.~~

(A) If a paper listed in Rule 5(g)(2), Rules of Civil Procedure, has been filed or an exhibit submitted, a party shall not attach it to a subsequent filing, except that a party may attach it to the judge's copy.

(B) Violation of this rule is punishable by the sanctions listed in Rule 5(g)(4), Rules of Civil Procedure.

Rule ~~17~~16. Arbitration

~~All civil cases, which are filed with the Clerk of the Superior Court in which the court finds or the parties agree that the amount in controversy does not exceed \$50,000.00 the limit set in A.R.S. § 12-133, except those specifically excluded by Rules 72 through ~~76-77~~, Rules of Civil Procedure, may be submitted to and decided by an arbitrator or arbitrators in accordance with the provisions of A.R.S. § 12-133 and Rules 72 through ~~76-77~~, Rules of Civil Procedure.~~

Rule ~~18~~17. Alternative Dispute Resolution

~~(A) This ~~R~~Rule authorizes and establishes an Alternative Dispute Resolution (ADR) program in Coconino County. The ADR program is an alternative to litigation. ~~Alternative processes available include, but are not limited to, arbitration, mediation, independent case evaluation, negotiation, mini-trial, summary jury trial, summary bench trial and summary arbitration in all civil cases, except for administrative appeals and lower court appeals which are~~~~

~~not tried de novo. Domestic relations cases shall be processed through Conciliation Court, shall operate in accordance with the rules set forth in the Arizona Rules of Civil Procedure and the Arizona Rules of Family Law Procedure. ADR is available in all cases, including those subject to compulsory arbitration, upon a party's or the court's motion.~~

~~(B) The ADR program is an alternative to litigation. The purpose of this rule is to afford litigants substantive justice while minimizing the expense and delay inherent in litigation. This rule will be applied and interpreted consistently with this purpose.~~

~~(C) The Coconino County ADR program will be administered by an ADR coordinator appointed by the Presiding Judge.~~

~~(D) Rules of Civil Procedure and Rules of Evidence shall apply only as provided in these rules or to the extent deemed necessary by the ADR provider, the hearing officer or the Court, after consultation with the parties.~~

~~(E) No later than 90 days following the first appearance of a defendant, the Court will hold a case management conference to discuss ADR. Prior to the conference each party shall submit the form required under ARCP Rule 16(g) to the ADR coordinator.~~

~~(F) At the conclusion of the ADR conference, the Court shall order the case submitted to a specific ADR process, unless the court makes an affirmative finding, on the record, that the case is inappropriate for an available ADR proceeding. All proceedings, with the exception of summary judgment motions made pursuant to ARCP 56, motions to dismiss pursuant to ARCP 12(b)(1), orders to show cause and motions made pursuant to these rules are stayed pending the conclusion of the ADR proceedings ordered by the Court. The court may make whatever other orders may be appropriate to facilitate resolution of any case.~~

~~(G) The ADR provider shall be determined and compensated as follows:~~

~~1. The court will maintain a list of court approved ADR providers.~~

~~2. The parties may agree to choose any person to conduct the ADR proceeding, whether or not they appear on the court approved ADR provider list.~~

~~3. If the parties cannot agree, or upon request of any party, the Court will order that a person or persons from a court approved list of ADR providers conduct the ADR proceedings.~~

~~4.(C) If When a case is ordered to ADR under subsection G(2), the fees charged by the ADR provider program will be determined according to a fee schedule established by the Court Board of Supervisors unless deferred or waived in the discretion of the Court.~~

~~5.(D) The parties will be responsible for all costs and the fees required for the specific ADR process assigned, if any, of the ADR provider. The fee charged for a court connected ADR process shall not be greater than \$200.00 per party and those fees and costs shall be borne equally by all parties, unless the parties otherwise agree or the court for good cause shown, upon its own motion or the motion of a party, otherwise orders.~~

~~6. The fees of the ADR provider(s) will be borne equally by all parties, unless the parties otherwise agree or the court for good cause shown, upon its own motion or the motion of a party, otherwise orders.~~

~~7.(E) Failure of any party to pay an ADR provider's fee or cost may be punishable as contempt of court, and/or may subject the offending party to sanctions under ARCP Rule 16(f), Rules of Civil Procedure.~~

~~(H) The ADR provider will have powers reasonably necessary to fulfill his/her responsibilities, including but not limited to the power to administer oaths or affirmations to the parties and witnesses.~~

~~(I) The Clerk of the Superior Court shall issue subpoenas in matters assigned to ADR, and the subpoenas shall be served and enforceable as provided by law.~~

~~(J) Within ten (10) days of the conclusion of ADR proceedings, the ADR provider will give notice of the result of the ADR proceeding to the Court and submit an affidavit of fees and costs, on a form provided by the court.~~

~~(K) The result of the ADR proceeding(s) will be entered on the record by the Court. If ADR has resulted in final or partial resolution of the case, the Court may make whatever orders may be appropriate, including an order dismissing all or part of a claim or claims.~~

~~(L) The Court may, from time to time, appoint ADR hearing officers to conduct the ADR case management conferences described in paragraph D. The term "the Court" in this rule includes commissioners.~~

~~Rule 19. Expired February 28, 1997~~

~~Rule 20. Appointment of Special Masters in Dissolution Cases~~

~~At the request of either party or sua sponte, the court may, in its sole discretion, prior to, simultaneously with, or after entry of a decree in a dissolution proceeding involving children, order a mental health professional, mediator, family law attorney, or other qualified third person to act as special master for further proceedings. There shall be no delegation to the special master of the court's authority respecting any modification of child custody or extended visitation schedule, any child support order, or any child support arrearage collection proceeding. The special master shall act to resolve parental disagreements involving children, and for this purpose may employ the help of psychiatrists, psychologists, attorneys, marital and family counselors, or other persons whom the court deems qualified. This Rule XX may be supplemented by Implementing Guidelines to be issued by the presiding judge.~~

IMPLEMENTING GUIDELINES

~~For parties involved in dissolution proceedings, using a Special Master to help make decisions about their child(ren) can be a useful alternative to repeatedly going to court and having a judge make decisions.~~

~~A Special Master is a mental health professional, mediator, or family law attorney, who can assist in helping parents resolve disputes about what is best for the child(ren) and can make decisions about child(ren) if the parents are unable to do so.~~

~~The Court may appoint, or parents may want to consider hiring of a Special Master when other avenues of problem resolution have not resulted in an ability to make decisions about their child(ren) and there continue to be disagreements about such issues as schedules, overnight visitation, choice of schools, extracurricular activities, troubles at the point of transferring the child, holiday scheduling, the handling of the child(ren)'s behavior, religious training, health issues, and problematic behavior on the part of one or both parents. Most often the family has already participated in a custody/access evaluation. When the court appoints or parents hire a Special Master, they give the Special Master the POWER TO MAKE BINDING DECISIONS ABOUT THEIR CHILDREN.~~

~~Parents may agree to use a Special Master and agree to a specific person or the court may appoint a Special Master and may appoint a specific person to be Special Master of the court's own choosing.~~

~~After a Special Master has been ordered, he/she will want to meet the parents, perhaps meet the child(ren) and review evaluations and other documents that will help them get to know the family and types of problems that have come up in the past. With some Special Masters and with some families, there will be regular meetings; in other families or with other Special Masters, meetings will only happen when a problem arises. When a dispute occurs, the Special Master may try to help the parents mediate the problem. The Special Master might want to get other information such as the child's opinion, information from doctors, therapists, schools, or other caretakers. If the parents cannot come to an agreement, the Special Master then makes a decision. When the decision is about a major issue, the Special Master's written decision may be filed with the court.~~

~~If one parent is opposed to the decision, he or she can file an objection within ten days and the decision can be reviewed by the court, much like an Appeals Court would do. THE DECISION STANDS AND IS IN EFFECT THROUGHOUT THIS APPEALS PROCESS UNTIL FURTHER ORDER OF THE COURT. For major decisions, such as the change in basic custody or a significant change in the visitation schedule, the Special Master may submit an opinion (not a decision) to the court. The judge may then review the opinion and make a decision, or set the matter for hearing so the Court can hear evidence on the matter before ruling.~~

~~Hiring a Special Master is a serious matter that can be very helpful. It is especially helpful for families who continue to have disagreements. Special Masters are also useful in families where parents have concerns about drugs, alcohol, abuse, or the stability of the other parent.~~

~~Once the court or the parents decide to have a Special Master and have named that person in a court order, that person may continue as Special Master for the whole term that is defined in the order. If the Special Master feels that he/she cannot be helpful to the family, he/she can resign. If one parent is unhappy with the Special Master, that parent cannot solely discharge the Special Master. If the Special Master makes a decision that seems wrong to one parent or if the Special Master acts in a manner that seems unprofessional, the parent should first talk with the~~

~~Special Master about his or her complaints. If the parent is still unsatisfied, he or she should submit a written statement/complaint to the two attorneys, the Special Master, the child's attorney (if there is one), and to the other parent. The Special Master will meet with the parent and his or her attorney. If the complaint is still not resolved after that meeting, the parent can make a motion to the court to have the Special Master removed. The judge will then review the complaint and make a decision.~~

~~Special Masters' records cannot be subpoenaed and they cannot be made to testify about their decisions. The reason for giving the Special Masters this protection is that they may be making decisions that one parent may not like. If every time they made a decision that was unpopular they could be forced to disclose their records, professionals would soon stop doing this kind of work.~~

~~The Special Master's goals are somewhat different from that of a judge. A judge's job is to make decisions that are legally sound and in the best interest of the child(ren). A Special Master's job must be legally sound and in the best interest of the child(ren), and additionally may help families learn effective problem-solving strategies. WHENEVER POSSIBLE, A MAJOR GOAL IS TO HELP FAMILIES DEVELOP THEIR SKILLS SO THEY DO NOT NEED A SPECIAL MASTER. IF THIS CAN BE ACCOMPLISHED, THE POWER TO MAKE DECISIONS ABOUT THEIR CHILD(REN) IS BACK IN THE HANDS OF THE PARENTS.~~

~~The fees for the services of a Special Master are paid by the parents, usually equally and usually in advance. Most Special Masters request a retainer when they begin their work with a family. Before a Special Master is appointed, the judge will decide what portion of the fee will be paid by each parent. However, the Special Master is free to adjust their division of payment in special circumstances.~~

~~THE USE OF A SPECIAL MASTER WILL USUALLY REDUCE THE NEED TO GO TO COURT TO RESOLVE DIFFERENCES, AND THEREFORE SHOULD BE VERY COST EFFECTIVE. YOUR ATTORNEY CAN BE VERY BENEFICIAL IN DEALING WITH THE SPECIAL MASTER.~~

~~IT SHOULD BE CLEAR TO THE PARTIES THAT AFTER THE INITIAL MEETING OR MEETINGS TO GET ACQUAINTED WITH THE SPECIAL MASTER, THERE MAY BE NO FURTHER NEED TO MEET REGULARLY WITH THE SPECIAL MASTER. THE SPECIAL MASTER IS THERE TO HELP SOLVE THE PROBLEMS THAT ARISE WITHOUT THE PARTIES NEEDING TO GO TO COURT. THE AMOUNT OF TIME REQUIRED WITH THE SPECIAL MASTER OR THE NUMBER OF MEETINGS WITH THE SPECIAL MASTER WILL BE DETERMINED BY THE CONDUCT OF THE PARTIES. THE SPECIAL MASTER WILL DETERMINE THE ACTUAL NUMBER OF MEETINGS THAT ARE NECESSARY FOR ANY SPECIFIC ISSUE/ISSUES.~~

~~THE JUDGE WHO HAS SIGNED THE ORDER OF APPOINTMENT IN THIS MATTER WISHES THE PARTIES WELL, AND SINCERELY HOPES THAT THE PROBLEMS ARISING CAN BE RESOLVED AMICABLY.~~