

**Court of Appeals, Division One**  
**Civil Appeal**

**1 CA-CV 14-0781**

**ACLU-AZ v. ADCS**

<p><b>Appellate Case Information</b></p> <p>Case Filed: 5-Dec-2014</p> <p>Case Closed:</p>	<p><b>Dept/Composition</b></p> <p><b>Department C</b></p> <p>Hon. Jon W Thompson Hon. Maurice Portley Hon. Patricia K Norris</p>
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**Side 1. AMERICAN CIVIL LIBERTIES UNION OF ARIZONA, Plaintiff/Appellant**  
**(Litigant Group) AMERICAN CIVIL LIBERTIES UNION OF ARIZONA**

- American Civil Liberties Union of Arizona
- Attorneys for: Plaintiff/Appellant**  
L Keith Beauchamp, Esq. (AZ Bar No. 12434)  
Roopali H Desai, Esq. (AZ Bar No. 24295)  
Shelley Tolman, Esq. (AZ Bar No. 30945)

**Side 2. ARIZONA DEPARTMENT OF CHILD SAFETY, Defendant/Appellee**  
**(Litigant Group) DEPARTMENT OF CHILD SAFETY**

- Department of Child Safety
- Attorneys for: Defendant/Appellee**  
Dawn Rachele Williams, Esq. (AZ Bar No. 20730)

**Side 3. GOLDWATER INSTITUTE/AZ CENTER FOR LAW IN PUBLIC INTEREST, Amicus Curiae**  
**(Litigant Group) GOLDWATER INSTITUTE/AZ CENTER FOR LAW IN PUBLIC INTEREST**

- Goldwater Institute
  - Arizona Center for Law in the Public Interest
- Attorney for: Amicus Curiae Goldwater/AZ Center**  
Carrie Ann Donnell, Esq. (AZ Bar No. 25760)

**CASE STATUS**

Aug 9, 2016.....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2014-007505	Statutory Special Action and Application for Order to Show Cause		Robert H Oberbillig, Authoring Judge of Order		

**DESCENDENT CASE(S)**

ASC CV-16-0149-PR

**CASE DECISION**

09-Jun-2016 **OPINION**

Patricia Norris.....Author  
Jon Thompson.....Concur  
Maurice Portley.....Concur

Filed: **09-Jun-2016** Mandate:

<p>Decision Disposition</p> <p><b>Affirmed in Part</b> <b>Reversed in Part</b> <b>Remand with Instructions</b></p>
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**37 PROCEEDING ENTRIES**

1. 5-Dec-2014 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/29/14  
Bond filed in Superior Court: 11/4/14  
Docketing Statement filed in Superior Court: 11/13/14
2. 5-Dec-2014 FILED: e-Record on Appeal:  
Instruments/Minute Entries  
Exhibits - not sent at this time
3. 23-Dec-2014 FILED: Notice to Counsel re: Appellant's Fee/Brief Due
4. 6-Jan-2015 FILED: Stipulation For Extension Of Time For Appellant To File Opening Brief; Certificate of Service (Appellant)
5. 6-Jan-2015 FILED: Amended Stipulation For Extension Of Time For Appellant To File Opening Brief; Certificate of Service (Appellant)

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6. 7-Jan-2015 ORDERED: Stipulation For Extension Of Time For Appellant To File Opening Brief = GRANTED. Due date EXTENDED from Monday, 02-02-2015 to Tuesday, 02-17-2015. Melina Brill ProTem Judge - Author
7. 9-Jan-2015 RECEIPT No.: 2015-00027 ; \$280.00, Authorization: 08014406459, Applied to: AMERICAN CIVIL LIBERTIES UNION OF ARIZONA - Class A Filing Fee (\$280.00) Paid for: Coppersmith Brockelman PLC - By Integrated Resource Systems IN
8. 9-Jan-2015 FILED: DCS's Notice of Appearance; DCS's Certificate of Service for Notice of Appearance (Appellee)
9. 20-Jan-2015 FILED: Appellee's Notice re: No Appellee's Fee Due/Appellant's Brief Due
10. 17-Feb-2015 FILED: Appellant's Opening Brief; Appellant's Certificate of Compliance; Appellant's Certificate of Service
11. 17-Feb-2015 FILED: Appellant's Request for Oral Argument; Certificate of Service (Appellant)
12. 3-Apr-2015 FILED: Stipulation for Extension of Time to File Answering Brief; DCS's Certificate of Service for Stipulation (Appellee)
13. 7-Apr-2015 ORDERED: Stipulation for Extension of Time to File Answering Brief = GRANTED. Due date EXTENDED from Monday, 04-06-2015 to Monday, 05-04-2015. Melina Brill ProTem Judge - Author
14. 4-May-2015 FILED: Stipulation for Second Extension of Time to File Answering Brief; Certificate of Service for Stipulation for Second Extension of Time to File Answering Brief (Appellee)
15. 5-May-2015 ORDERED: Stipulation for Second Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 05-04-2015 to Monday, 05-11-2015. Melina Brill ProTem Judge - Author
16. 11-May-2015 FILED: Appellee Department of Child Safety's Answering Brief; Appellee Arizona Department of Economic Security's Certificate of Compliance; Appellee Arizona Department of Economic Security's Certificate of Service
17. 14-May-2015 FILED: Stipulation for Extension of Time for Appellant to File Reply Brief; Certificate of Service (Appellant)
18. 18-May-2015 ORDERED: Stipulation for Extension of Time for Appellant to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-08-2015 to Monday, 06-22-2015. Melina Brill ProTem Judge - Author
19. 16-Jun-2015 FILED: Stipulation for Extension of Time for Appellant to File Reply Brief; Certificate of Service (Appellant)
20. 17-Jun-2015 ORDERED: Stipulation for Extension of Time for Appellant to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 06-22-2015 to Tuesday, 07-07-2015. Melina Brill ProTem Judge - Author
21. 7-Jul-2015 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
22. 27-Jul-2015 FILED: Brief Of Amici Curiae Goldwater Institute And Arizona Center For Law In The Public Interest In Support Of Plaintiff/Appellant American Civil Liberties Union; Certificate Of Compliance Of Brief Of Amici Curiae Goldwater Institute And Arizona Center For Law In The Public Interest In Support Of Plaintiff/Appellant American Civil Liberties Union; Certificate Of Service Of Brief Of Amici Curiae Goldwater Institute And Arizona Center For Law In The Public Interest In Support Of Plaintiff/Appellant American Civil Liberties Union; Consent to File Brief of Amici Curiae (Amicus Curiae)
23. 29-Jul-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24. 7-Aug-2015 FILED: Additional Record on Appeal:  
Exhibits: HD 9/30/14 - List and # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 46 47 48 49 50 51 52 53 in white box.
25. 7-Aug-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including Judgmetn of Dismissal filed 6/10/15; Order vactaing dismissal for lack fo prosecution. Nunc Pro Tunc filed 6/23/15)
26. 14-Aug-2015 ORDERED: Appellant's Request for Oral Argument = GRANTED. Hon Michael J Brown - Author
27. 29-Jan-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 3-2-16, 11:00 am, COURTROOM 2.
28. 3-Feb-2016 FILED: Notice of Oral Argument
29. 9-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by Dawn Williams on 2/3/16 (Appellee State)
30. 9-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by Keith Beauchamp on 2/3/16; Certificate of Service (Appellant)
31. 22-Feb-2016 FILED: DCS's Notice of Supplemental Authority; DCS's Certificate of Service for Notice of Supplemental Authority (Appellee)

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- 32. 10-Mar-2016 FILED: Sign-in Sheet/Case is Under Advisement (3/02/16) (Dept C)
- 33. 9-Jun-2016 OPINION (Affirmed in Part, Reversed in Part, Remand with Instructions) Hon Patricia K Norris - Author; Hon Jon W Thompson - Concur; Hon Maurice Portley - Concur
- 34. 9-Jun-2016 FILED: Opinion Distribution List
- 35. 6-Jul-2016 FILED: ASC Order filed 7/6/16 re: extending time to file Petition for Review to 8/8/16
- 36. 9-Aug-2016 FILED: Email Notice from ASC re: Petition for Review filed 8/8/16; request for partial record
- 37. 9-Aug-2016 FILED: Letter forwarding partial record to Arizona Supreme Court