

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0085

IN RE TERM OF PARENTAL RIGHTS AS TO C.D.

Appellate Case Information

Case Filed: 11-Apr-2023

Case Closed:

Dept/Composition

Department B

Hon. Michael J Brown
Hon. Andrew M Jacobs
Hon. David B Gass

Side 1. AARON D., Appellant

(Litigant Group) AARON D.

- Aaron D.

PRO SE

Advisory Counsel for: Appellant

Edward D Johnson, Esq. (AZ Bar No. 27437)

Side 2. DEPARTMENT OF CHILD SAFETY, C.D., Appellee

(Litigant Group) DCS

- Department of Child Safety

Attorneys for: Appellee DCS

Dawn Rachelle Williams, Esq. (AZ Bar No. 20730)

(Litigant Group) C.D.

- C. D.

Attorneys for: Appellee Child

Linda Ann Christian, Esq. (AZ Bar No. 16884)

CASE STATUS

Oct 13, 2023.....Under Advisement

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	JD508534	Termination of Parental Rights		Joshua D Rogers, Authoring Judge of Order		

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR

IC Cases

7-Nov-2023 Department B; COURTROOM 1

10:00 AM AARON D..... 20 mins.

DCS..... 20 mins.

33 PROCEEDING ENTRIES

- 11-Apr-2023 FILED: Notice of Appeal from Maricopa County Superior Court filed 04/07/2023 and Notification of Notice of Appeal Filed
- 13-Apr-2023 FILED: Appellate Clerk Notice (606(b))
- 27-Apr-2023 FILED: E-Record on Appeal: JD508534
Instrument/Minute Entries: Combined
Exhibits:
Hearing Date: 10/31/2022 - LIST # E1
Hearing Date: 12/13/2022 - LIST # E1
Hearing Date: 03/21/2023 - LIST # E1 E2 E3
- 2-May-2023 FILED: Reporter's Transcript - 03/21/2023 - Report and Review/Publication Hearing (Jan Penfield)
- 2-May-2023 FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
- 4-May-2023 FILED: Notice of Completion of Record
- 23-May-2023 FILED: Appellant Aaron D.'s Notice of No Opening Brief; Appellant's Certificate of Service (Appellant)
- 24-May-2023 ORDERED: Granting appellant's extension request in part. Appellant Aaron D. may file an opening brief on or before 06/08/2023. See Ariz. R.P. Juv. Ct. 607(e)(3). The court will grant no further extensions absent extraordinary circumstances. See Ariz. R.P. Juv. Ct. 607(e)(3). Appellant must state his current mailing address in his opening brief. If appellant does not timely file an opening brief, the court will dismiss this appeal based on counsel's notice under Rule 607(e)(4). FURTHER ORDERED: Edward Johnson remains appointed, but only as appellant's advisory counsel. Advisory counsel is an attorney who is retained merely to give advice or answer questions regarding specific issues, rather than taking the lead and actively participating in a case. FURTHER ORDERED: directing the clerk of the court to designate Edward Johnson as advisory counsel for appellant. FURTHER ORDERED: advisory counsel shall provide appellant with a copy of this order. Amber E Pershon ProTem Judge - Author
- 28-May-2023 FILED: Consent for Electronic Distribution; (Untitled) (Certificate of eFiling) (Appellant Pro Se)

Court of Appeals, Division One**Juvenile****1 CA-JV 23-0085****IN RE TERM OF PARENTAL RIGHTS AS TO C.D.****33 PROCEEDING ENTRIES**

10.	8-Jun-2023	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
11.	9-Jun-2023	FILED: Form of Brief / Form 16 (Blank); Proof of Service; Proof of Service (Duplicate) (Appellant Pro Se)
12.	9-Jun-2023	FILED: Appellant's Opening Brief; Proof of Service; Certificate of Compliance (blank); Proof of Service; Proof of Service (Duplicate) (Appellant Pro Se)
13.	12-Jun-2023	ORDERED: Accepting the opening brief filed on 06/09/2023. FURTHER ORDERED: directing the clerk of this court to include a copy of appellant's opening brief with this order. Amber E Pershon ProTem Judge - Author
14.	23-Jun-2023	FILED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief; Certificate of Service for DCS's Motion for Procedural Order for Extension of Time to File Answering Brief (Appellee)
15.	26-Jun-2023	ORDERED: DCS's Motion for Procedural Order for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-03-2023 to Wednesday, 08-02-2023. The court will not grant any further extension absent extraordinary circumstances. Hon Kent E Cattani - Author
16.	27-Jun-2023	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee)
17.	2-Aug-2023	FILED: Appellee Department of Child Safety's Answering Brief; DCS's Certificate of Compliance; Appellee Department of Child Safety's Certificate of Service (Appellee)
18.	4-Aug-2023	FILED: Appellee Department of Child Safety's Amended Answering Brief; DCS's Certificate of Compliance; Appellee Department of Child Safety's Certificate of Service (Appellee)
19.	4-Aug-2023	FILED: Notice of Errata (DCS's Answering Brief) (Motion for a Procedural Order); Appellee Department of Child Safety's Certificate of Service (Duplicate) (Appellee)
20.	7-Aug-2023	ORDERED: Appellant Aaron D. may file an objection to the amended answering brief by 08/14/2023. FURTHER ORDERED: vacating the reply brief due date. No reply brief will be due until further order. Amber E Pershon ProTem Judge - Author
21.	16-Aug-2023	ORDERED: Notice of Errata (DCS's Answering Brief) (Appellee DCS) = GRANTED/ accepting DCS's amended answering brief and notice of errata filed on 08/04/2023. FURTHER ORDERED: appellant Aaron D. may file a reply brief on or before 08/30/2023. Amber E Pershon ProTem Judge - Author
22.	25-Aug-2023	CLNDR: CONFERENCE, Department B, 10-13-23, CONFERENCE ROOM.
23.	29-Aug-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24.	7-Sep-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record (JD508534)
25.	6-Oct-2023	ORDERED: The supplementary briefing will address the following issues: (1) Because paternity has not been established, does this court have jurisdiction to hear the alleged father's appeal? (2) Assuming jurisdiction, did the superior court have statutory authority to terminate the alleged father's parental rights without first establishing his paternity? FURTHER ORDERED: no later than 10/23/2023, the parties file simultaneous supplemental briefs of 2,000 words or less. Though counsel for the alleged father filed a Notice of No Opening Brief, counsel for alleged father is directed to confer with father and file the supplemental brief. The supplemental briefs need not include a statement of facts, and the parties may reference relevant facts by referring to their previously submitted briefs. See ARCAP 3(a)(l). FURTHER ORDERED: motions for extension of time will not be entertained. FURTHER ORDERED: upon submission of the briefs ordered above, this court shall re-conference the case. A separate order will issue setting the case for oral argument. Hon Michael J Brown - Author
26.	12-Oct-2023	ORDERED: Setting oral argument in this matter on Tuesday, 11/07/2023, at 10:00 a.m. in Courtroom 1, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Attached to this order is a Return Receipt for Oral Argument. Please complete and file this document with the Court of Appeals Clerk's Office no later than one week before the scheduled argument. Hon Michael J Brown - Author
27.	20-Oct-2023	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)
28.	20-Oct-2023	FILED: Return Receipt for Notice of Oral Argument, Signed by Dawn R. Williams on 10/12/23 (Appellee DCS)
29.	23-Oct-2023	FILED: Appellee's (sic) Certificate of Service (Appellant's Simultaneous Supplemental Brief); Certificate of Compliance; Certificate of Service (Appellant)
30.	23-Oct-2023	FILED: Return Receipt for Notice of Oral Argument, Signed by Edward D. Johnson on 10/12/2023 (Appellant)
31.	23-Oct-2023	FILED: Appellee Department of Child Safety's (Simultaneous) Supplemental Brief; Department of Child Safety's Certificate of Compliance; Department of Child Safety's Certificate of Service (Appellee DCS)
32.	7-Nov-2023	FILED: Sign-in Sheet/Case is Under Advisement as of 11/07/2023
33.	8-Nov-2023	FILED: DCS's Notice of Change of Counsel; DCS's Certificate of Service for Notice of Change of Counsel (Appellee DCS)

Court of Appeals, Division One

Juvenile

1 CA-JV 23-0085

IN RE TERM OF PARENTAL RIGHTS AS TO C.D.

33 PROCEEDING ENTRIES