

**Arizona Supreme Court**  
**Civil Petition for Review - Juvenile**

**CV-24-0079-PR**

**IN RE TERM OF PARENTAL RIGHTS AS TO B.W.**

**Appellate Case Information**

Case Filed: 18-Apr-2024  
 Case Closed:

**Dept/Composition**

**En Banc**  
 Hon. Ann A. Scott Timmer  
 Hon. John R Lopez  
 Hon. Clint Bolick  
 Hon. James P Beene  
 Hon. Kathryn H. King

**Side 1. JASON M., Appellant**

(Litigant Group) JASON M.

- Jason M.

**Attorneys for: Appellant**

Jamie R Heller, Esq. (AZ Bar No. 23930)

**Side 2. JESSICA W., B.W., Appellee**

(Litigant Group) JESSICA W.

- Jessica W.

**Attorneys for: Appellee**

Joshua A Barreda, Esq. (AZ Bar No. 32026)  
 Bonnie Platter, Esq. (AZ Bar No. 30175)

(Litigant Group) B.W.

- B. W.

**Attorneys for: Guardian Ad Litem for Minor Child**

Chad D Niven, Esq. (AZ Bar No. 24495)  
 Heidi Pircher, Esq. (AZ Bar No. 24968)

**Side 3. INDIGENT DEFENSE AGENCIES, Amicus Curiae**

(Litigant Group) INDIGENT DEFENSE AGENCIES

- Indigent Defense Agencies

**Attorneys for: Amicus Curiae**

David J Euchner, Esq. (AZ Bar No. 21768)  
 Suzanne W Sanchez, Esq. (AZ Bar No. 14091)

**Side 4. DEPARTMNET OF CHILD SAFETY, Amicus Curiae**

(Litigant Group) DEPARTMNET OF CHILD SAFETY

- Department of Child Safety

**Attorneys for: Amicus Curiae**

Autumn Spritzer, Esq. (AZ Bar No. 27374)  
 Kristin K Mayes, Esq. (AZ Bar No. 22584)

**CASE STATUS**

Aug 20, 2024....At Issue

Aug 20, 2024....Oral Argument Granted

Apr 18, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-JV 23-0202					
↔ MAR JS520409	Termination of Parental Rights		Sigmund G Popko, Authoring Judge of Order Comments: (none)		

**25 PROCEEDING ENTRIES**

- 18-Apr-2024 FILED: Appellant Jason M.'s Petition for Review; Certificate of Service; Certificate of Compliance; Appendix A - Court of Appeals Memorandum Decision; Appendix B - Superior Court Order Terminating Jason M.'s parental rights (Appellant Jason M.)
- 18-Apr-2024 FILED: Appellant Jason M.'s Appendix in Support of Petition for Review; Certificate of Service (Appellant Jason M.)
- 19-Apr-2024 FILED: Record from CofA: Electronic Record
- 7-May-2024 FILED: Appellee's Motion for Extension of Time to File Response to Petition for Review; Certificate of Service (Appellee Jessica W.)

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5. 7-May-2024 Appellee Jessica W. filed a "Motion for Extension of Time to File Response to Petition for Review" on May 7, 2024. Pursuant to Arizona Rules of Procedure for the Juvenile Court, Rule 620(i)(7), and Arizona Rules of Civil Appellate Procedure, Rule 6(b), the caption of a motion for procedural order must include the words, "Motion for Procedural Order." Therefore,  
  
IT IS ORDERED the motion is denied without prejudice to Appellee's ability to file a motion in compliance with ARCAP 6(b) on or before May 14, 2024. (Tracie K. Lindeman, Clerk)
6. 7-May-2024 FILED: Appellee's Motion for Procedural Order for Extension of Time to File Response to Petition for Review; Certificate of Service (Appellee Jessica W.)
7. 8-May-2024 Appellee Jessica W. filed a "Motion for Procedural Order for Extension of Time to File Response to Petition for Review" having been filed on May 7, 2024,  
  
IT IS ORDERED granting a first extension of time to file the response to petition for review on or before May 22, 2024. No further extensions of time shall be granted absent extraordinary circumstances. (Tracie K. Lindeman, Clerk)
8. 22-May-2024 FILED: Appellee's Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellee Jessica W.)
9. 25-Jun-2024 ORDERED: Appellant Jason M.'s Petition for Review = CONTINUED.  
  
Chief Justice Brutinel and Justice Montgomery did not participate in the determination of this matter.
10. 20-Aug-2024 ORDERED: Appellant Jason M.'s Petition for Review = GRANTED as to Issue 1 only.  
  
FURTHER ORDERED: The case shall be set for oral argument.  
  
FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than September 12, 2024. Any amicus briefs are due on or before September 26, 2024 and any responses to amicus briefs are due on or before October 16, 2024. Any amicus briefs or responses may not exceed 20 pages in length.  
  
Justice Brutinel and Justice Montgomery did not participate in the determination of this matter.
11. 28-Aug-2024 NOTICE OF ORAL ARGUMENT: Set for Tuesday, October 29, 2024 at 9:30 A.M. [twenty (20) minutes per side]
12. 28-Aug-2024 FILED: Notice of Acknowledgment of Oral Argument (Bonnie Platter will argue) (Appellee Jessica W.)
13. 29-Aug-2024 FILED: Notice of Acknowledgment of Oral Argument (Jamie Heller will argue) (Appellant Jason M.)
14. 29-Aug-2024 RECEIVED: Record from CofA: Additional Record on Appeal (Entire Remaining Record)  
  
Physical Exhibits: Hearing Date: 8/10/2023 - List # 1 2 3 4 in Manilla Envelope
15. 29-Aug-2024 FILED: Record from CofA: Entire Electronic Record
16. 30-Aug-2024 FILED: Motion for Procedural Order: Motion for Amici Curiae to Have Access to Briefs Filed in This Case; Certificate of Service (Amicus Indigent Defense Agencies)
17. 30-Aug-2024 FILED: (Duplicate) Motion for Procedural Order: Motion for Amici Curiae to Have Access to Briefs Filed in This Case (Amicus Indigent Defense Agencies)
18. 4-Sep-2024 On August 30, 2024, Pima County Public Defender's Office and Maricopa County Office of the Public Advocate (Indigent Defense Agencies) filed a "Motion for Procedural Order: Motion for Amici Curiae to Have Access to Briefs Filed in This Case." Upon consideration,  
  
IT IS ORDERED granting the motion.  
  
IT IS FURTHER ORDERED Amici Curiae Indigent Defense Agencies will not disseminate the briefs beyond the attorneys within the Indigent Defense Agencies joining the amicus curiae brief. (Hon. Ann A. Scott Timmer)
19. 10-Sep-2024 FILED: Motion for Procedural Order Allowing Amicus Curiae Department of Child Safety Access to Appellate Briefs; Certificate of Service (Amicus DCS)
20. 10-Sep-2024 FILED: Motion for Permission to File as Amicus; Copy of ARCAP 16 (Amicus DCS)

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21. 12-Sep-2024 On September 10, 2024, Amicus Curiae Department of Child Safety (DCS) filed a "Motion for Procedural Order Allowing Amicus Curiae Department of Child Safety Access to Appellate Briefs" and "Motion for Permission to File as Amicus." Upon consideration,
- IT IS ORDERED granting the motions.
- IT IS FURTHER ORDERED Amicus DCS will not disseminate the briefs beyond the attorneys joining the amicus curiae brief.
- IT IS FURTHER ORDERED Amicus DCS may file an amicus brief on or before September 26, 2024. (Hon. Ann A. Scott Timmer)
22. 12-Sep-2024 FILED: Appellant Jason M.'s Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellant Jason M.)
23. 13-Sep-2024 FILED: Appellee's Motion for Procedural Order for Extension of Time to File Supplemental Brief; Certificate of Service (Appellee Jessica W.)
24. 16-Sep-2024 FILED: Appellant Jason M.'s Response and Objection to Appellee's Motion for Procedural Order for Extension of Time to File Supplemental Brief; Certificate of Service; Appendix A (Appellant Jason M.)
25. 16-Sep-2024 On August 20, 2024, this Court entered its minute letter granting this case advising parties that "any supplemental briefs may be filed no later than September 12, 2024." On September 13, 2024, Appellee Jessica W. filed a "Motion for Procedural Order for Extension of Time to File Supplemental Brief," and on September 16, 2024, Appellant Jason M. filed a "Response and Objection to Appellee's Motion for Procedural Order for Extension of Time to File Supplemental Brief." This Court notes that the motion for extension of time was untimely filed and offered without explanation. But in light of the subject of this case, and because permitting the late-filed brief will not prejudice the other party,
- IT IS ORDERED granting the motion. Appellee Jessica W. may file a supplemental brief no later than September 26, 2024. No further extensions of time shall be granted absent extraordinary circumstances.
- IT IS FURTHER ORDERED that Appellee shall file her brief as if it were filed simultaneously with Appellant's brief. In other words, Appellee should not respond to the arguments raised in Appellant's supplemental brief. (Hon. Ann A. Scott Timmer)