

\_\_\_\_\_  
Name  
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Address  
\_\_\_\_\_  
City, State, Zip  
\_\_\_\_\_  
Phone  
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Email

In the District Court of Utah

\_\_\_\_\_ Judicial District \_\_\_\_\_ County

Court Address \_\_\_\_\_

In the Matter of (select one)

- the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)
- the Children of (to establish custody, parent-time or child support)
- the Parentage of the Children of (for a paternity case)

\_\_\_\_\_  
(name of Petitioner)

and

\_\_\_\_\_  
(name of Respondent)

\_\_\_\_\_  
Other parties (if any)

**Findings of Fact and Conclusions of Law on Petition to Modify Child Custody, Parent-time and Child Support**

(Utah Rule of Civil Procedure 106)

\_\_\_\_\_  
Case Number

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Commissioner

The matter before the court is a Petition to Modify Child Custody, Parent-time and Child Support. This matter is being resolved by: (Choose all that apply.)

- The default of  petitioner  respondent.
- The stipulation of the parties.
- The pleadings and other papers of the parties.

A hearing held on \_\_\_\_\_ (date), notice of which was served on all parties.

Petitioner

was  was not present

was represented by \_\_\_\_\_

was not represented.

Respondent

was  was not present

was represented by \_\_\_\_\_

was not represented.

**The court finds:**

1. The order controlling child custody, parent-time and child support is:

Title of order:			
Name of Court:		State	
Address of Clerk of Court:		Phone Number of Clerk of Court:	
Case Number:		Case Name	
Date Signed:		Signed by Judge:	

2. There are \_\_\_\_\_ (number) minor children included in the controlling order.

Child's name (first, middle and last)	Child's gender	Month and year of birth

3. Utah  does  does not have jurisdiction in this case.

4. A material and substantial change in circumstances  has  has not occurred since the controlling order was entered. The court considered the following factors:

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**Child custody findings**

5. Changing custody and parent-time  is  is not in the best interest of the children. The court considered the following factors:

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6. The parties  have  have not complied with the pre-filing dispute resolution requirements. (Utah Code 30-3-10.4(1)(c))

**Child support findings**

7.  The order has not been modified within the last three years, and
- there is a difference of 10% or more between the support amount as ordered and the support amount as required under the guidelines; and
  - the difference is not temporary.

- There are one or more material changes that affect the child support calculation. There is a difference of 15% or more from the current support order. The difference is not temporary. There is a change (Choose all that apply.):

- in custody.
- in the relative wealth or assets of the parties.
- of 30% or more in the income of a parent.
- in the employment potential and ability of a parent to earn.
- in the medical needs of the child.
- in the legal responsibilities of a parent for the support of others.

(Utah Code 78B-12-210(9))

\_\_\_\_\_ (child's name) is emancipated.

there has been a change:

(At least one must apply, but choose all that do apply.)

in the availability, coverage, or reasonableness of cost of health care insurance of the  payor  payee;

in work-related or education-related child care expenses of the  payor  payee.

a. Petitioner's total countable gross monthly income for child support purposes is \$ \_\_\_\_\_ (Utah Code 78B-12-203).

Petitioner's income is imputed based on:

minimum wage.

historical earnings.

Petitioner does receive or has received public assistance.

b. Respondent's total countable gross monthly income for child support purposes is \$ \_\_\_\_\_ (Utah Code 78B-12-203).

Respondent's income is imputed based on:

minimum wage.

historical earnings.

Respondent does receive or has received public assistance.

**The court concludes:**

8. The court  does  does not have jurisdiction.

9. There  are  are not grounds to modify the controlling order.

10.  Other:

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Commissioner's or judge's signature may instead appear at the top of the first page of this document.

\_\_\_\_\_  
Date Signature ► \_\_\_\_\_  
Commissioner \_\_\_\_\_

\_\_\_\_\_  
Date Signature ► \_\_\_\_\_  
Judge \_\_\_\_\_

Approved as to form.

\_\_\_\_\_  
Date Signature ► \_\_\_\_\_  
Petitioner, Attorney or Licensed Paralegal Practitioner \_\_\_\_\_

\_\_\_\_\_  
Date Signature ► \_\_\_\_\_  
Respondent, Attorney or Licensed Paralegal Practitioner \_\_\_\_\_

### Certificate of Service

I certify that I filed with the court and am serving a copy of this Findings of Fact and Conclusions of Law on Petition to Modify Child Custody, Parent-time and Child Support on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

\_\_\_\_\_  
 Date

Signature ► \_\_\_\_\_  
 Printed Name \_\_\_\_\_