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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)

**Order on Motion for Temporary
Order Due to Deployment**
(Utah Code 81-10-301 through 311)

Case Number

Judge

Commissioner

The matter before the court is a Motion for Temporary Order Due to Deployment. This matter is being resolved by: (Choose all that apply.)

The default of petitioner respondent intervenor.

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 present was not present.

was represented by _____ (name).

was not represented.

Respondent

was present was not present.

was represented by _____ (name).

was not represented.

Intervenor

was present was not present.

was represented by _____ (name).

was not represented.

The court finds:

1. A Military Parenting Plan (Choose one.):

was agreed to by the parties and will be enforced.

was agreed to by the parties but is contrary to the best interest of the children.

was not agreed to by the parties.

The court orders:

2. The Motion for Temporary Order Due to Deployment is granted denied.

3. _____ (name) is deployed.

Caretaking authority of the parties' children is given to (Choose all that apply.):

the parent who is not deployed.

the deployed parent will keep some caretaking authority.

_____ (Name.)

Both parties are deployed. Caretaking authority of the parties' children is given to (Choose all that apply.):

_____ (Name.)

_____ (Name.)

4. The people given caretaking authority above will have decision-making authority to:

- Make day-to-day decisions for the children during the time they are caring for the children.
- Make emergency decisions affecting the health or safety of the children. A parent who makes an emergency decision must share the decision with the other people who have caretaking authority as soon as reasonably possible.

(Choose one.)

Joint decision-making.

The people given caretaking authority above will share responsibility for making major decisions about the children. If there is a disagreement, the people given caretaking authority will resolve the dispute as provided in the resolving disputes section below.

Other details about joint decision-making:

Specified decision-making.

The following people given caretaking authority will make decisions about:

Education

_____ (Name.)

_____ (Name.)

Health care

_____ (Name.)

_____ (Name.)

Religious upbringing

_____ (Name.)

_____ (Name.)

Extracurricular activities

_____ (Name.)

_____ (Name.)

Travel

_____ (Name.)

_____ (Name.)

Other:

5. **Visitation for nonparents**

The nonparents listed below will have visitation with the children as follows:

Full name of person	Schedule

6. **Resolving disputes**

If the people given caretaking authority need to resolve a dispute about the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for the children.

If the people given caretaking authority are unable to agree, they will participate in the following before bringing the issue to the court (Choose all that apply.):

mediation

arbitration

counseling

Other agreements about resolving disputes:

7. **Contact with the deployed parent**

There will be contact with the children and the deployed parent.

_____ (Name.)
will arrange for the contact. Contact will be as follows:

Frequency (For example, daily, weekly)	
Duration (For example, 20 minutes, 1 hour)	
Method (For example, email, Skype)	

8. **Contact when deployed parent is on leave or is otherwise available**

When the deployed parent is on leave or is otherwise available, contact with the children will be as follows:

9. **Child support modification**

The existing child support order is modified based on the parties' incomes or estimate of income based on ability or work history.

a. Petitioner's total countable gross monthly income for child support purposes is \$_____ (Utah Code 81-6-203).

The court should consider petitioner's income to be \$_____ based on (Choose one.):

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 81-6-203).

The court should consider respondent's income to be \$_____ based on (Choose one.):

minimum wage.

historical earnings.

Respondent does receive or has received public assistance.

c. Petitioner Respondent must pay \$_____ per month for child support to _____(name).

The following child support worksheet is filed or attached (Choose one.):

sole physical custody worksheet

joint physical custody worksheet

split custody worksheet

(Choose one.)

This amount is based on the Uniform Child Support Guidelines (Utah Code Title 81, Chapter 6).

This amount deviates from the Uniform Child Support Guidelines. The court finds that a deviated child support amount is in the best interests of the minor children based on:

the standard of living and situation of the parties.

the relative wealth and income of the parties.

the ability of the obligor to earn.

the ability of the obligee to earn.

the ability of an incapacitated adult child to earn, or other benefits received by the adult child or on the adult child's behalf including Supplemental Security Income.

the needs of the obligee, the obligor, and the child.

the ages of the parties.

the responsibilities of the obligor and the obligee for the support of others.

other. (Describe.):

The reason for the deviated child support amount is:

_____.

d. Effective date (Choose one.):

The child support is effective upon entry of this order.

OR

The child support is effective on: _____ (date).

e. Child support will be paid as follows (Choose one.):

Mandatory income withholding by the Office of Recovery Services. Unless the Office of Recovery Services gives notice that payments will be sent elsewhere, all child support payments must be made to: Office of Recovery Services, PO Box 45011, Salt Lake City, UT 84145

OR

Direct payments to the parent receiving child support by:

Check

Deposit in bank account

Cashier's check or money order

Other: _____

f. Child support payments must be made (Choose one.):

One-half by the 5th day of each month, and one-half by the 20th day of each month.

OR

Other payment arrangement:

g. Child support not paid by the due date is past due on the day after the due date.

h. Past-due child support will be decided by future court or administrative action. Any federal or state tax refund or rebate due to the non-custodial parent will be intercepted by the state of Utah and applied to past-due child support.

10. Other orders :

11. This order terminates:
- immediately upon return of the deployed parent.
 - 30 days after the deployed parent gives notice of the return from deployment.
 - other: _____

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 ► _____
Plaintiff/Petitioner, Attorney or Licensed
Paralegal Practitioner _____

Date

Signature ► _____
Defendant/Respondent, Attorney or Licensed
Paralegal Practitioner _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order on Motion for Temporary Order Due to Deployment 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/MyCase <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/MyCase <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/MyCase <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.)		

_____ Signature ► _____
 Date Printed Name _____