

Monica Mariela España Mogollon

Name

967 W 1055 N Apto 714

Address

Orem, Utah 84057

City, State, Zip

385-535-4007

Phone

marielaespa@gmail.com

Email

In the Court of Utah

FOURTH Judicial District UTAH County

Court Address 137 NORTH FREEDOM BOULEVARD, PROVO, UT 84606

In the Matter of (select one)

☒ the Marriage of (for a divorce with
or without children, annulment,
separate maintenance, or
temporary separation case)

Monica Mariela España Mogollon

(name of Petitioner)

and

Axel Humberto Castillo Garzona

(name of Respondent)

Other parties (if any)

Divorce Decree

264400307

Case Number

Shawn R Howell

Judge

Marla Snow

Commissioner (domestic cases)

The court decrees:

Divorce

1. Monica Mariela España Mogollon is granted a divorce. Monica Mariela España Mogollon testified at a on grounds and jurisdiction for divorce. The divorce will become final upon entry of the divorce decree.

Children (Utah Code 81-6-101(7))

2. **Monica Mariela España Mogollon** and **Axel Humberto Castillo Garzona** are the legal parents of the following children (Utah Code 81-5-102 et seq.)

- a. Any unborn child listed is expected to be born within 300 days of the entry of the decree.

Minor Children

a.

Child Name: **Alexandra Monserrat Castillo España**

Date of Birth: **Feb 9, 2016**

b.

Child Name: **Camila Anai Castillo España**

Date of Birth: **Feb 1, 2018**

Children – Jurisdiction over custody and parent-time issues (Utah Code 81-11-101, 81-11-201, and 81-11-208)

3. Utah has jurisdiction over the custody and parent-time issues in this case because:

4. During the last five years, the minor children have lived at the following places and with the following people:

a.

Child Name: **Alexandra Monserrat Castillo España**

Date of Birth: **Feb 9, 2016**

i.

Move-out Date: **This is the child's current address**

Move-in Date: **Dec 15, 2024**

Address: **967 W 1055 N Apto 714, Orem, Utah 84057 United States**

(1).

Caretaker at this address: **Monica Mariela España Mogollon**

Caretaker current address: **967 W 1055 N Apto 714, Orem, Utah 84057**

United States

ii.

Move-out Date: **Dec 13, 2024**

Move-in Date: **Nov 19, 2021**

Address: **1455 S 50 E , Orem , Utah 84057 United States**

(1).

Caretaker at this address: **Monica Mariela Espana**

Caretaker current address: **967 W 1055 N Apto 714, Orem, Utah 84057**

United States

b.

Child Name: **Camila Anai Castillo España**

Date of Birth: **Feb 1, 2018**

i.

Move-out Date: **This is the child's current address**

Move-in Date: **Dec 15, 2024**

Address: **967 W 1055 N Apto 714, Orem, Utah 84057 United States**

(1).

Caretaker at this address: **Monica Mariela España Mogollon**

Caretaker current address: **967 W 1055 N Apto 714, Orem, Utah 84057**

United States

ii.

Move-out Date: **Dec 13, 2024**

Move-in Date: **Nov 19, 2021**

Address: **1455 S 50 E , Orem, Utah 84057 United States**

(1).

Caretaker at this address: **Monica Mariela Espana**

Caretaker current address: **967 W 1055 N Apto 714, Orem, Utah 84057**

United States

Children – Other court proceedings

(Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 81-11-101 et seq.; Utah Uniform Interstate Family support Act, UIFSA, Utah Code 81-8-102 et seq.)

I say the following:

5. There are no custody, child support, or parent-time cases about **Monica Mariela España Mogollon** and **Axel Humberto Castillo Garzona**'s minor children in any court or government agency. This includes filed, pending, and completed cases.

6. **Monica Mariela España Mogollon** and **Axel Humberto Castillo Garzona** have physical custody of our child(ren), and are the only people who have custody, child support, and parent-time rights to our child(ren).

PARENTING PLAN

This Parenting Plan is being filed in good faith.

This parenting plan is proposed by **Monica Mariela España Mogollon**.

Children - custody

(Utah Code Title 81, Chapter 9, Part 3)

7. It is in the children's best interest that **Monica Mariela España Mogollon** be

awarded Sole Legal and Sole Physical custody **Axel Humberto Castillo Garzona** should have parent-time at reasonable times and places.

The parents will follow a custom parent-time schedule.

a. **The children will be with Axel Castillo: Wednesdays from 5:30 p.m. to 8:30 p.m. Saturdays from 10:00 a.m. to 10:00 p.m. All parenting time shall be without overnight visits, due to the father's lack of stable housing and his substance use. All visits shall take place outside the mother's residence. The father has a history of marijuana use and alcohol abuse. Due to concerns regarding the children's safety and supervision, the mother requests that the father refrain from using any controlled substances or alcohol during parenting time and for at least 12 hours prior to visits. Holiday and summer parent time will also be 10:00 a.m. to 10:00 p.m. for whole days without overnights. If the standard holiday/summer schedule starts in the evening, it will start the next morning at 10am instead. If the standard holiday/summer schedule ends in the morning, it will end at 10pm the day before. Amended: If mother suspects father is under the influence of alcohol or controlled substances including marihuana, mother may deny parent-time until father takes a urine analysis and can show that he is clean.**

Parent-time for special occasions

8. The parents will follow the schedule for special occasions below. If there is more than one child and the children's school schedules vary for purpose of a holiday, at the option of the parent exercising the holiday or the parent's half of the holiday, the children may remain together for the holiday period beginning the first evening that all children's schools are let out for the holiday and ending the evening before any child returns to school. (Utah Code 81-9-302, 303).

Holiday	Period Starts and ends	Years the parent is granted holiday	Years the parent is granted holiday
Holiday	Period	Noncustodial Years	Custodial Years
Labor Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the	Odd years	Even years

Holiday	Period	Noncustodial Years	Custodial Years
	election of the parent granted the holiday. (2) Holiday ends: (a) upon delivering the child to school on the day following Labor Day; or (b) at 8 a.m. on the day following Labor Day if there is no school.		
Columbus Day	(1) Holiday begins at 6 p.m. on the day before Columbus Day. (2) Holiday ends at 7 p.m. on Columbus Day.	Even years	Odd years
Fall Break	(1) Holiday begins at 6 p.m. on the day school is dismissed for fall break. (2) Holiday ends: (a) upon delivering the child to school on the day following the end of fall break; or (b) at 8 a.m. on the day following the end of fall break if there is no school.	Odd years	Even years
Halloween	(1) Holiday begins on October 31st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at 4 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	Even years	Odd years

Holiday	Period	Noncustodial Years	Custodial Years
Veterans Day	(1) Holiday begins at 6 p.m. on the day before Veterans Day. (2) Holiday ends at 7 p.m. on Veterans Day.	Odd years	Even years
Thanksgiving Break	(1) Holiday begins on Wednesday at: (a) 6 p.m.; or (b) the time school is regularly dismissed for Thanksgiving at the election of the parent granted the holiday. (2) Holiday ends: (a) upon delivering the child to school on the Monday following Thanksgiving; or (b) at 8 a.m. on the Monday following Thanksgiving if there is no school.	Even years	Odd years
Winter Break (First Half)	(1) Holiday begins at: (a) 6 p.m. on the day that school dismisses for winter break; or (b) the time school is regularly dismissed on the day that school dismisses for winter break at the election of the parent granted the holiday. (2) Holiday ends on December 27th at 7 p.m.	Odd years	Even years
Christmas Eve	(1) Holiday begins on December 24th at 4 p.m. (2) Holiday ends on December 24th at 9 p.m.	Odd years	Even years

Holiday	Period	Noncustodial Years	Custodial Years
Christmas Day	(1) Holiday begins on December 24th at 9 p.m. (2) Holiday ends on December 25th at 9 p.m.	Even years	Odd years
New Year's Eve	(1) Holiday begins on December 31st at 4 p.m. (2) Holiday ends on January 1st at 9 a.m.	Even years	Odd years
New Year's Day	(1) Holiday begins on January 1st at 9 a.m. (2) Holiday ends on January 1st at 9 p.m.	Even years	Odd years
Dr. Martin Luther King Jr. Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (1) Holiday begins Friday at: (2) Holiday ends: (a) upon delivering of the child to school on the day following Dr. Martin Luther King Jr. Day; or (b) at 8 a.m. on the day following Dr. Martin Luther King Jr. Day if there is no school.	Odd years	Even years
President's Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session	Even years	Odd years

Holiday	Period	Noncustodial Years	Custodial Years
	and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends: (a) upon delivering the child to school on the day following President's Day; or (b) at 8 a.m. on the day following President's Day if there is no school.		
Spring Break	(1) Holiday begins at 6 p.m. on the day that school dismisses for spring break. (2) Holiday ends: (a) upon delivering the child to school on the day following the end of spring break; or (b) at 8 a.m. on the day following the end of spring break if there is no school.	Odd years	Even years
Memorial Day	(1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be with the child; (b) the time that school is regularly dismissed; or (c) 6 p.m. at the election of the parent granted the holiday. (2) Holiday ends: (a) upon	Even years	Odd years

Holiday	Period	Noncustodial Years	Custodial Years
	delivering the child to school on the day following Memorial Day; or (b) at 8 a.m. on the day following Memorial Day if there is no school.		
Mother's Day	(1) Holiday begins on Mother's Day at 9 a.m. (2) Holiday ends on Mother's Day at 7 p.m.		All Years: Monica Mariela España Mogollon is the mother
Father's Day	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 p.m.	All Years: Axel Humberto Castillo Garzona is the father	
Summer Break	Axel Humberto Castillo Garzona will have up to two weeks of uninterrupted extended summer Parent-time when school is not in session, at the option of Axel Humberto Castillo Garzona. Axel Humberto Castillo Garzona will have an additional two weeks of extended Summer Parent-time at the option of Axel Humberto Castillo Garzona, subject to weekday parent-time for Monica Mariela España Mogollon, but not weekends normally exercised by Monica Mariela España Mogollon. Axel	Odd years	Even years

Holiday	Period	Noncustodial Years	Custodial Years
	<p>Humberto Castillo Garzona will notify Monica Mariela España Mogollon of the summer break extended parent-time by May 1 each year. Monica Mariela España Mogollon will also have two weeks of uninterrupted extended parent time when school is not in session, at the option of Monica Mariela España Mogollon. Monica Mariela España Mogollon will notify Axel Humberto Castillo Garzona of the summer break extended parent-time by May 15 each year. If the notification by Axel Humberto Castillo Garzona is not timely, Monica Mariela España Mogollon may determine the schedule for extended parent-time for Axel Humberto Castillo Garzona, so long as Monica Mariela España Mogollon has provided timely notice. If neither parent provides timely notice, the first parent to</p>		

Holiday	Period	Noncustodial Years	Custodial Years
	provide notice may determine the schedule of extended parent-time for the other parent.		
Juneteenth National Freedom Day	(1) Holiday begins at: (a) 6 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or (b) 9 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at 6 p.m. on the day following Juneteenth National Freedom Day.	Even years	Odd years
Independence Day	(1) Holiday begins on July 3rd at 6 p.m. (2) Holiday ends on July 5th at 6 p.m.	Odd years	Even years
Pioneer Day	(1) Holiday begins on July 23rd at 6 p.m. (2) Holiday ends on July 25th at 6 p.m.	Even years	Odd years
Day of Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m. (3) A parent may bring other siblings along for the child's birthday.	Even years	Odd years
Day Before or After	(1) Holiday begins at 3	Odd years	Even years

Holiday	Period	Noncustodial Years	Custodial Years
Child's Birthday	p.m. (2) Holiday ends at 9 p.m. (3) A parent may bring other siblings along for the child's birthday.		
Monica Mariela España Mogollon's Birthday	Monica Mariela España Mogollon will have parent-time each year on Monica Mariela España Mogollon's birthday from 3:00 p.m. until the following morning when Monica Mariela España Mogollon delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.		All years
Axel Humberto Castillo Garzona's Birthday	Axel Humberto Castillo Garzona will have parent-time each year on Axel Humberto	All years	

Holiday	Period	Noncustodial Years	Custodial Years
	<p>Castillo Garzona's birthday from 3:00 p.m. until the following morning when Axel Humberto Castillo Garzona delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>		

Parent-time transfers

9. Pick-up and drop-off ("transfers") of the children for parent-time will be as described below:

No arrangements can be made at this time for who will pick up, deliver and return the children for parent-time.

Curbside transfers

(The parent/person picking up or dropping off the children does not leave the vehicle and the other parent/person does not leave the residence.)

10. There will be curbside transfers. The parent/person dropping-off or picking-up a child will remain in the vehicle and the other parent/person will remain in the residence, building, or other vehicle where that other parent/person has been waiting, so that the two parents/persons are never in each other's physical presence.

Decision-making

11. Each parent will make day-to-day decisions for the children during the time they are caring for the children. Either parent may 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 parent as soon as reasonably possible.

Education plan

12. The school the children will attend is based on **Monica Mariela España Mogollon's** home residence.

13. Monica Mariela España Mogollon has authority to check the children out of school. Monica Mariela España Mogollon and Axel Humberto Castillo Garzona has access to the children during school. If the parents cannot agree, education decisions will be made by Monica Mariela España Mogollon.

Communication with each other

14. Parents will communicate with each other by:

In person

By email:

Monica Mariela España
Mogollon
Axel Humberto Castillo
Garzona

marielaespa@gmail.com
axcastillo1982@gmail.com

By texting:

Monica Mariela España
Mogollon
Axel Humberto Castillo
Garzona

(385) 535-4007
(385) 335-1548

Communication with the children

15. The parents agree they will:

- provide age-appropriate help to the children to communicate with the other parent.
- give the children privacy during their communication with the other parent. The parents will not interfere with or monitor communication between the children and the other parent.

16. Parents and children may communicate with each other whenever the children choose.

- By any method

Records and information sharing

17. Both parents will have access to records and the ability to consult with providers regarding education, child care, and health care.

Travel by the children

18. During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others.

19. If the children will be travelling for more than **3 days** days, the parent arranging the travel will notify the other parent at least **15 days** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **7 days** days in advance. In case of emergency, the parent will provide as much notice as possible.

Child care

20. A child care provider for our children must be:

- A licensed child care provider.
- A relative, friend, or neighbor.

21. Other terms about child care: **Monica has the final say as to approving child care providers. Axel may not leave the parties' children with friends, roommates or romantic partners without Monica's approval beforehand.**

Relocation of a parent (Utah Code 81-9-209)

22. If either parent moves more than 149 miles from the other, the moving parent must give the non-moving parent a written Notice of Relocation. The notice must be sent at least 60 days before the planned move.

a. The written Notice of Relocation must include:

- Information about the move;
- A proposed parent-time schedule; and
- A statement that the parents will not interfere with the other parent's parent-time.

b. If the moving parent does not give the non-moving parent a Notice of Relocation, the moving parent will be in contempt of the court's order.

23. If either parent lives more than 149 miles away from the other, or if the parents live a different countries, parent-time will be as the parties agree. If they are unable to agree, the following will be the minimum parent-time for the noncustodial parent:

Relocation Schedule (Utah Code 81-9-209)

a. in years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:

- i. Thanksgiving holiday beginning Wednesday until Sunday; and
- ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;

b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:

- i. the entire winter school break period; and
- ii. the fall school break beginning the last day of school before the holiday until the

day before school resumes; and

c. extended parent-time equal to $\frac{1}{2}$ of the summer or off-track time for consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when determining the amount of parent-time to be divided between the parents for the summer or off-track period.

The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.

d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.

i. If the noncustodial parent has not designated a specific weekend for parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.

ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.

iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.

e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

24. Other terms about relocating: **Due to Axel not having overnight parent time, upon relocation, Axel will be entitled to one weekend per month (Saturday 10am to 10pm in the state wherein Monica and the children reside, at his expense as to travel. If Axel desires more parent time than that and the parties are unable to agree, the parties will go to mediation to try to resolve the issue before seeking to litigate the issue.**

25. If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be paid by the **the parent who moved**.

26. If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

27. Reimbursement for the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

Changing the plan

This plan remains in effect until changed. A change comes from a modification of a court

order.

END OF PARENTING PLAN

Income: Petitioner (Monica Mariela España Mogollon) (Utah Code 81-6-203)

28. **Monica Mariela España Mogollon's** gross monthly income for child support purposes is **\$1257**. **Monica Mariela España Mogollon** base child support amount using the **sole** custody calculation is **\$138**. **Monica Mariela España Mogollon** receives the following gross monthly income:

- a. **Monica Mariela España Mogollon** does not have any countable income from any source.
- b. **Monica Mariela España Mogollon** has no recent work history. The court should consider **Monica Mariela España Mogollon's** wage to be the federal minimum wage of **\$7.25** an hour. This is a gross monthly income of **\$1257**. (Utah Code 81-6-203(6)(c) and (d))
- c. The adjusted gross monthly income for **Monica Mariela España Mogollon** is **\$1257**.

Income: Respondent (Axel Humberto Castillo Garzona) (Utah Code 81-6-203)

29. **Axel Humberto Castillo Garzona's** gross monthly income for child support purposes is **\$4500**. **Axel Humberto Castillo Garzona** receives the following gross monthly income:

- a. **Axel Humberto Castillo Garzona** is employed at **a** and grosses **\$4160** per month. **Axel Humberto Castillo Garzona** is voluntarily underemployed and is capable of working at a job which pays more. Based upon **Axel Humberto Castillo Garzona's** work experience, gross monthly income should be attributed to **Axel Humberto Castillo Garzona** in the amount of **\$4500** per month. (Utah Code 81-6-203)

30. The adjusted gross monthly income for **Axel Humberto Castillo Garzona** is **\$4500**.

Child support (Utah Code Title 81, Chapter 6, Parts 1 and 2)

31. It is in the best interest of the children that **Axel Humberto Castillo Garzona** be ordered to pay child support to **Monica Mariela España Mogollon** as follows:

- a. **\$990.00** per month base support. This amount complies with the Utah Child Support Act.

32. Once a child is no longer eligible to receive child support, the support amount for the eligible children should be recalculated using the child support worksheet (Utah Code Title 81, Chapter 6, Parts 1 and 2). The parties may not divide the base child support award by the number of children and subtract that amount from the prior child support amount.

33. The **sole** custody worksheet was used to calculate child support.

Monica Mariela España Mogollon's base child support amount is **\$138** per month.

Axel Humberto Castillo Garzona's base child support amount is **\$990** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 81-6-104(4) and 81-6-205(8)(a)).

Child support reduction for extended parent-time

34. If a child lives with the non-custodial parent by court order or written agreement of the parties for:

- 25 of any 30 consecutive days, base child support will be reduced by 50% for each child who lives with the non-custodial parent during that time. (Utah Code 81-6-211(1)(a)).
- 12 of any 30 consecutive days, base child support will be reduced by 25% for each child who lives with the non-custodial parent during that time. (Utah Code 81-6-211(1)(b)).

The custodial parent's normal parent-time and holiday parent-time do not count as an interruption of the consecutive day requirement.

35. If a child receives cash assistance through the T.A.N.F. or F.E.P. programs, any agreement by the parties to reduce child support during extended parent-time must be approved by the Office of Recovery Services.

36. **Monica Mariela España Mogollon** will give **Axel Humberto Castillo Garzona** the information needed to set up direct deposit through **Axel Humberto Castillo Garzona's** employer. Once **Axel Humberto Castillo Garzona** has the information, **Axel Humberto Castillo Garzona** will have **Axel Humberto Castillo Garzona's** employer set up direct deposit to an account of **Monica Mariela España Mogollon's** choice. One half of the child support is due by the 5th of each month, and the other half is due by the 20th of each month.

37. The issue of past-due child support may be decided by future court or administrative action.

38. **Monica Mariela España Mogollon** and **Axel Humberto Castillo Garzona** will each pay half of any ORS fee.

- a. If a fee is withheld from payments to **Monica Mariela España Mogollon**, **Axel Humberto Castillo Garzona** will reimburse **Monica Mariela España Mogollon** for half the fee.

39. The parties must notify each other within 30 days of any change in their income.

40. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and
- the amount previously ordered was not a deviation from the child support guidelines.

If the children receive TANF funds at the time an adjustment is sought, ORS will review the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

41. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

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

(Utah Code 81-6-202 and 81-6-212)

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines. The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 81-6-202(8))

42. The Office of Recovery Services (<https://ors.utah.gov/>) provides services to individuals who are seeking assistance in the collection or enforcement of child support orders.

Dependent children for tax purposes

43. **Monica Mariela España Mogollon** may claim the parties' children as dependents/exemptions for tax purposes.

Child health care (Utah Code 81-6-208)

44. The parties must provide health care coverage for the medical expenses of the dependent children. Health care coverage means coverage under which medical services are provided to a dependent child through: fee for service, a health maintenance organization, a preferred provider organization, any other type of private health insurance, or public health care coverage. Utah Code 81-6-101(14),

45. Both parents must maintain medical, hospital, and dental care insurance for the dependent children if it is available at reasonable cost. If medical insurance is not available at reasonable cost then both parents must ensure the children have health care coverage. This may require applying for public health care coverage, such as CHIP or Medicaid.

a. If, at any time, a dependent child is covered by the medical, hospital, or dental insurance plans of both parents, the coverage will be as follows:

- **Monica Mariela España Mogollon's** insurance will be primary coverage.

- **Axel Humberto Castillo Garzona's** insurance will be secondary coverage.
- b. If a parent remarries and that parent's dependent child is not covered by that parent's health, hospital, or dental insurance plan but is covered by a step-parent's plan, the coverage will be as follows:
 - **Monica Mariela España Mogollon's** spouse's insurance will be primary coverage.
 - **Axel Humberto Castillo Garzona's** spouse's insurance will be secondary coverage.
- c. Both parties will equally share the out-of-pocket costs of the insurance premiums.
- d. Both parties will equally share all uninsured and unreimbursed medical and dental expenses that are reasonable and necessary. This includes deductibles, co-insurance, and co-payments paid by a party for the dependent children.
- e. The party who pays health care expenses must provide the other party written verification of the cost and payment within 30 days.
- f. If a party does not follow this order and provide written verification, they may not be able to receive credit for health care expenses or recover the other party's share of the expenses.
- g. On or before January 2 of each year, the party ordered to maintain coverage must provide verification of coverage to the other party, and ORS, if they are involved.
- h. If there is any change in coverage, within 30 days of the change the party ordered to maintain coverage must notify the other party and ORS, if they are involved.

Child care expenses (Utah Code 81-6-209)

46. Both parties will equally share all reasonable work, career, or occupational training-related child care expenses.
- a. The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.
 - b. The party not directly paying for child care must pay their share of child care expenses as soon as they receive verification of the expenses.
 - c. If a party does **not** follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

Public assistance statement – Office of Recovery Services (ORS) (Utah Code 81-6-106(2)-(3))

47. Neither party has received or is receiving public assistance from the State of Utah.

Personal property (Utah Code Title 81, Chapters 1, 4, 6, and 9)

48. All personal property not addressed in the divorce should be divided as the parties

have already divided it.

Debts

49. Each party will be ordered to assume and pay debts as follows. The party assuming the debt must put the debt in their name and pay it. If they can't put the debt in their name, they must still pay it. If a party pays a debt they are not responsible for, they can recover that amount from the responsible party.

Other Debt

a.

Account Number: **none**

Institution Name: **Bakston Immigration**

Address: **10837 San Pablo Ave El cerrito Ca 94530**

Amount owed on debt (in US Dollars): **\$8,000.00**

Minimum Monthly Payment (in US Dollars): **\$350.00**

Owner: **Monica Mariela España**

The debt will be paid as follows: **Monica Mariela España Mogollon will pay half of the debt. Axel Humberto Castillo Garzona will pay half of the debt. Monica Mariela España Mogollon will provide a copy of the divorce decree to the lender.**

Real property

50. The parties do not have any real property that is marital property. The parties do not need a court order about real property.

Alimony

Monica Mariela España Mogollon's Financial Need

51. **Monica Mariela España Mogollon's** ability to earn (after taxes) is **\$1,257.00** per month. This amount is based on these sources of income:

Monthly Ability to Earn	
Source	Monthly income
Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$ 1257
Rental income	\$
Business income	\$
Interest	\$
Income from interest refers to the money you earn as a result of lending money to others or	

depositing money in an interest-bearing account.

Dividends \$

Dividends refer to a portion of a company's profits paid out to its shareholders as a form of return on their investment.

Retirement income \$
(including pensions, 401(k),
IRA, etc.)

Worker's Compensation \$

Social Security Disability \$
(SSDI)

Supplemental Security \$
Income (SSI)

Social Security (Other than \$
SSDI or SSI)

Private Disability Insurance \$

Unemployment benefits \$

Education benefits \$
(Including grants, loans,
cash scholarships, etc.)

Veteran's Benefits \$

Alimony (from a prior \$
marriage)

Child Support (from a prior \$
order)

Payments from civil litigation \$

Payments from civil litigation refer to the compensation received by an individual or entity as a result of a legal dispute settled through the court system, such as a settlement or court-awarded damages.

Victim restitution \$

Victim restitution refers to the court-ordered payment made by a convicted offender to their victim(s) as a form of compensation for the harm or losses caused by their criminal actions.

Utah Cash Assistance \$

Family Employment Program (FEP), etc.

Federal Cash Assistance \$

Temporary Assistance for Needy Families (TANF), etc.

Financial support from \$
household members

Financial support from household members refers to the money received by an individual from other members of their household, such as a spouse, parent, or child, to help cover living expenses or other financial obligations.

Financial support from non-household members \$

Financial support from non-household members refers to the money received by an individual from someone who is not a member of their household, such as a friend, relative, or member of a charitable organization, to help cover living expenses or other financial obligations.

Trust income \$

Trust income refers to the money earned by a trust, a legal arrangement where a trustee holds and manages assets on behalf of beneficiaries, typically through investments, rental income, or interest on financial instruments.

Annuity income \$

Annuity income refers to the periodic payments received by an individual from an annuity, a financial product that provides a guaranteed stream of income for a fixed period or for the rest of the individual's life in exchange for a lump sum or series of payments made to the annuity provider.

\$

\$

Total Gross Monthly Income \$1257

Monthly Tax Deductions from Ability to Earn

Type of Deductions	Amount
Federal Income Tax	\$
State Income Tax	\$
Municipal Income Tax	\$
FICA	\$
Medicare	\$
Total Monthly Tax Deductions	\$

52. **Monica Mariela España Mogollon** will be receiving per month in child support in this case.

53. **Monica Mariela España Mogollon's** current reasonable monthly expenses are as follows:

Rent or Mortgage \$1450

Real estate taxes (if not included in mortgage)	\$ 0
Real estate insurance (if not included in mortgage)	\$ 0
Real estate maintenance	\$ 0
Food and household supplies	\$ 500
Clothing	\$ 150
Automobile payments	\$ 250
Automobile insurance	\$ 150
Automobile fuel	\$ 120
Automobile maintenance	\$ 100
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 200
Telephone	\$ 75
Paid television, cable, satellite	\$ 0
Internet	\$ 0
Credit card payments	\$ 500
Loans and other debt payments	\$ 0
Alimony from previous marriages	\$ 0
Child support	\$ 0
Child care	\$ 80
Extracurricular activities for children	\$ 150
Education (children)	\$ 0
Education (self)	\$ 0
Health care insurance	\$ 0
Health care expenses (excluding insurance listed)	\$ 0

above)	
Other insurance	\$0
Entertainment	\$50
Laundry and dry cleaning	\$0
Donations	\$0
Gifts	\$0
Union and other Dues	\$0
Garnishment or income withholding order	\$0
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$0
Other	\$0
Other	\$0
Total current monthly expenses	\$3775

54. **Monica Mariela España Mogollon's** marital monthly expenses (expended during the marriage) are as follows:

Rent or Mortgage	\$1300
Real estate taxes (if not included in mortgage)	\$0
Real estate insurance (if not included in mortgage)	\$0
Real estate maintenance	\$0
Food and household supplies	\$500
Clothing	\$200
Automobile payments	\$380
Automobile insurance	\$200
Automobile fuel	\$150
Automobile maintenance	\$0
Other transportation costs	

(public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 200
Telephone	\$ 85
Paid television, cable, satellite	\$ 0
Internet	\$ 20
Credit card payments	\$ 350
Loans and other debt payments	\$ 0
Alimony from previous marriages	\$ 0
Child support	\$ 0
Child care	\$ 0
Extracurricular activities for children	\$ 100
Education (children)	\$ 0
Education (self)	\$ 0
Health care insurance	\$ 0
Health care expenses (excluding insurance listed above)	\$ 0
Other insurance	\$ 0
Entertainment	\$ 0
Laundry and dry cleaning	\$ 0
Donations	\$ 0
Gifts	\$ 0
Union and other Dues	\$ 0
Garnishment or income withholding order	\$ 0
Retirement deposits (including pensions, 401(k),	\$ 0

IRA, etc.)	
Other _____	\$ 0
Other _____	\$ 0
Total marital monthly expenses	\$3485

55. The difference between **Monica Mariela España Mogollon's** monthly net income (including child support) and monthly expenses is **\$2,518.00** based on **current** expenses. This is **Monica Mariela España Mogollon's** monthly financial need.

Axel Humberto Castillo Garzona's Ability To Pay

56. **Axel Humberto Castillo Garzona's** ability to earn is **\$4,160.00** per month. This amount is based on these actual sources of income or imputation of possible sources of income – especially if not earning at **Axel Humberto Castillo Garzona's** ability.

Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$ 4160
Rental income	\$
Business income	\$
Interest	\$
Dividends	\$
Retirement income (including pensions, 401(k), IRA, etc.)	\$
Worker's Compensation	\$
Social Security Disability (SSDI)	\$
Supplemental Security Income (SSI)	\$
Social Security (Other than SSDI or SSI)	\$
Private Disability Insurance	\$
Unemployment benefits	\$
Education benefits (Including grants, loans, cash scholarships, etc.)	\$

Veteran's Benefits	\$	
Alimony (from a prior marriage)	\$	
Child Support (from a prior order)	\$	
Payments from civil litigation	\$	
Victim restitution	\$	
Utah Cash Assistance	\$	
Federal Cash Assistance	\$	
Financial support from household members	\$	
Financial support from non-household members	\$	
Trust income	\$	
Annuity income	\$	
	\$	
	\$	
Total Gross Monthly Income		\$ 4160

Monthly Tax Deductions

Type of Deductions	Amount
Federal Income Tax	\$
State Income Tax	\$
Municipal Income Tax	\$
FICA	\$
Medicare	\$

57. **Axel Humberto Castillo Garzona** will be paying per month in child support in this case.

58. **Axel Humberto Castillo Garzona's** current reasonable monthly expenses are as follows:

Rent or Mortgage	\$ 0
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Real estate taxes (if not included in mortgage)	\$ 0
Real estate insurance (if not included in mortgage)	\$ 0
Real estate maintenance	\$ 0
Food and household supplies	\$ 0
Clothing	\$ 0
Automobile payments	\$ 0
Automobile insurance	\$ 0
Automobile fuel	\$ 0
Automobile maintenance	\$ 0
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 0
Telephone	\$ 0
Paid television, cable, satellite	\$ 0
Internet	\$ 0
Credit card payments	\$ 0
Loans and other debt payments	\$ 0
Alimony from previous marriages	\$ 0
Child support	\$ 0
Child care	\$ 0
Extracurricular activities for children	\$ 0
Education (children)	\$ 0
Education (self)	\$ 0
Health care insurance	\$ 0
Health care expenses (excluding insurance listed)	\$ 0

above)	
Other insurance	\$ 0
Entertainment	\$ 0
Laundry and dry cleaning	\$ 0
Donations	\$ 0
Gifts	\$ 0
Union and other Dues	\$ 0
Garnishment or income withholding order	\$ 0
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$ 0
Other	\$ 0
Other	\$ 0
Total marital monthly expenses	\$ 0

59. The difference between **Axel Humberto Castillo Garzona's** monthly net income and monthly expenses (including child support) is **\$4,160.00**. This is **Axel Humberto Castillo Garzona's** ability to pay alimony each month.

60. **Axel Humberto Castillo Garzona** and **Monica Mariela España Mogollon** have been married for **11** years and **9** months.

61. The value of real property during the marriage is **\$0.00**

62. The value of personal property during the marriage is **\$0.00**.

Alimony Payment

63. **Axel Humberto Castillo Garzona** will pay **Monica Mariela España Mogollon** **\$2,518.00** in alimony each month.

64. Alimony will start the month immediately following entry of the divorce decree.

65. The payment schedule will be:

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

66. Alimony not paid by the 5th day of the month is past due on the 6th day of the month. Alimony not paid by the 20th day of the month is past due on the 21st day of the month. If the Office of Recovery Services is used to collect child support then ORS may also collect alimony and their payment schedule will be followed.

67. **Axel Humberto Castillo Garzona's** alimony obligation will end the earliest of the following:

- 11 years and 9 months.
- If **Monica Mariela España Mogollon** dies.
- If **Monica Mariela España Mogollon** remarries.



Retirement money


68. The parties do not need a court order about retirement money.

Duty to sign documents

69. The parties will sign all documents necessary to comply with the divorce decree within 60 days from entry of the decree. If a party fails to sign a document within 60 days, the other party may ask the court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

Judge's signature may instead appear at the top of the first page of this document.

Date 5-19-26 Signature 
 Judge 
 Date _____ Signature _____
 Commissioner _____



Approved as to Form.

Other Party
Signature _____

Other Party Axel Humberto Castillo Garzona
Name

Certificate of Service

I certify that I filed with the court and am serving a copy of this Divorce Decree on the following people.

- a.
- Name: **Axel Humberto Castillo Garzona**
 Method of service: **Left At Home**
 Address: **2068 S nevada avenue provo 84606**
 Date of Service: **Apr 29, 2026**

04/29/2026

Date

Signature



Monica Mariela Espana Mogollon

Printed
Name

Monica Mariela Espana Mogollon