



Zachary J. Starr (11773)
Moody Brown Law, LLC
2525 North Canyon Road
Provo, Utah 84604
Telephone (801) 356-8300
Facsimile (801) 356-8400
Email: zstarr@moodybrown.com
Counsel for Respondent

IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY
STATE OF UTAH

<i>In the Matter of the Marriage of:</i> RACHEL BOWERS (fka Kirby), Petitioner, and JOHN TAYLOR KIRBY, Respondent.	ORDER ON HEARING -and- JUDGMENT (Hearing Held: 7/27/2026) Civil No. 184400580 Judge Christine Johnson Commissioner Dustin Hardy
---	---

This matter was held on July 27, 2026, before the Honorable Commissioner Dustin Hardy for hearing on Respondent’s Verified Motion to Enforce and Request for Sanctions. Petitioner (Mother) was present in court, pro se. Respondent (Father) appeared and was

represented by counsel of record. The Court, having reviewed the file and received information and argument from the parties enters the following findings and orders:

FINDINGS & ORDERS

1. The court notes the elements required for making a finding of contempt of court, by clear and convincing evidence, which occurs when a party has knowledge of an order, has the ability to comply with the order, and willfully disobeys the order.
2. The court notes that Mother was personally served the Verified Motion to Enforce and associated exhibits, and Order to Attend Hearing, and despite Mother's allegation that she received poor advice of counsel regarding attending the hearing, she was properly served, notified, and is present in court.

BACK DUE CHILD SUPPORT

3. The court finds that on the issue of back-due child support, Mother made some partial payments pursuant to the February 2026 Order on Temporary Orders but was behind in the amount of \$705 as of March 31, 2026*. Therefore, only partial payments were made at that time despite Mother's employment as a nurse and VA disability income received. [**since attendance at the hearing Mother has provided proof of additional payments which reduce the amount entered as judgment at the hearing but are accurately reflected herein*]
4. Additionally, since April 1, 2026, to the date of hearing, no payments have been made to Father for child support.
5. The court finds that Mother has at best dedicated 10 hours per week to the issue of finding employment and income, which is not sufficient. The court finds that Mother

had some income and that non-payment for at least four months is unacceptable under existing case law.

6. Therefore, the court finds by clear and convincing evidence that Mother is in contempt of court regarding her lack of support payments.

7. Father is awarded a judgment in and for child support in the amount of \$4,909 through July 26, 2026, the date of the hearing, which includes the amount due and owing during July 2026. Any amount Mother pays prior to the end of July 2026 shall be credited against this judgment amount.

8. As a part of Mother's duty to purge her contempt, the court orders Mother to spend at least 30 hours per week attempting to gain employment and to keep a log/journal of those efforts, until gainfully employed.

9. The court orders Mother to make timely payment for ongoing child support each month and \$500 additional each month towards this back-due judgment.

DISPARAGEMENT, HARASSMENT, VIOLATION OF RESTRAINING ORDERS

10. The court finds the prior orders listed in paragraph 9 of the Order on Temporary Orders, paragraphs 1, 11a, 11d, 11e, 11f of the Supplemental Parenting Plan Orders, and paragraph 4 of the Order Modifying Decree, all pertain to violations by Mother as alleged and evidenced by Father in his Verified Motion to Enforce and exhibits.

11. The court finds by clear and convincing evidence that Mother is in contempt of court by violating these prior orders.

12. Specifically:

- a. Mother has harassed Father by sending numerous text messages preceded by a video recording of her mocking Father's religious beliefs and sacred ceremonial rites;
- b. Mother has admitted in open court that she communicated with the children about parenting issues or disputes, disparaged Father to the children, referred to him with insulting nicknames, discussing and complaining to the children about her parent time schedule, and otherwise attempting to align the children with her viewpoints and disdain of Father;
- c. Mother, despite there being clear order from seven years ago to not post anything negative about Father on social media, made an anonymous public post on a Facebook page with a photo of Father and salacious allegations against Father that, even if true, were completely defamatory and abhorrent.
- d. Additionally, Mother used the likeness of Father in her Facebook post which violated existing orders.

13. The court finds that Mother is in contempt on at least four (4) counts of prior court orders, and one (1) count regarding child support non-payment.

14. To address these violations and as a condition of Mother purging her contempt, the court orders Mother as follows:

- a. Mother shall pay and sign up for the "High Conflict Co-Parenting" course offered online by Dr. Natalie Malovich at <https://www.learncoparenting.com/> Mother shall pay and begin the course by August 15, 2026, and complete the course by October 1, 2026, and provide and file a certificate of completion to counsel for Father and this court.

b. Mother shall find five qualified professional therapists who are AFCC informed to conduct a Forensic Psychological Evaluation and provide those names to counsel for Father by August 15, 2026, who will select one of the five and notify Mother by August 22, 2026. The evaluation shall be completed by December 1, 2026, and a summary report provided to counsel for Father and the court including findings, treatment recommendations, and clinical diagnoses, if any. Father shall be included as a part of the evaluation as a collateral party to provide information and context to the evaluator on the parties' co-parenting and conflict.

c. Given the court finding of four counts of egregious violations of the parties' restraining orders, the court enters as a sanction four (4) days of jail time for Mother, however, the court is staying enforcement of this sanction against Mother so long as there are no additional violations of any restraining order in this matter for the next two years (until July 27, 2028), at which time Mother will have successfully purged her contempt.

ATTORNEY FEES

15. The court finds based on Mother's contempt of court herein, and pursuant to Utah Code 81-1-203(2) awards Father attorney fees and costs in the amount of \$2,827.50 related to this current Motion to Enforce action.

16. However, so long as Mother pays for and completes the High Conflict Co-Parenting course ordered herein, she shall be permitted to reduce this award of attorney fees by the amount incurred for said course, upon proof of payment to counsel for Father.

17. Additionally, so long as Mother pays for and completes the Forensic Psychological Evaluation ordered herein, she shall be permitted to reduce this award of attorney fees by the amount incurred for said evaluation, upon proof of payment to counsel for Father.

THIS IS THE SIGNED ORDER OF THE COURT WHEN SIGNED ELECTRONICALLY BY
THE COURT ON THE FIRST PAGE OF THIS DOCUMENT

APPROVED AS TO FORM:

/s/ Rachel Miracle*

August 5, 2026*

Rachel Miracle

Date

Petitioner, pro se

**approval via email to counsel*

NOTICE OF INTENT TO SUBMIT FOR SIGNATURE

Pursuant to Rule 7(j)(4) of the Utah Rules of Civil Procedure, you are hereby notified that the forgoing will be sent to the Court for signing upon the expiration of seven (7) days from the date of this notice, plus three (3) days if service is by mail, unless a written objection is filed with the Court prior to that time.

DATED this 5th day of August, 2026,

/s/ Zachary J. Starr

Zachary J. Starr

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I personally submitted a true and correct copy of the foregoing
and any referenced attachments on this 5th day of August 2026 to the following:

Rachel Miracle

4793 S. Olive Ave.

Mapleton, UT.

rlbowers2018@gmail.com

Sent via:

☐ Electronic Filing with Court

☐ Mailed (U.S. Mail, postage prepaid)

☒ Email

/s/ Zachary J. Starr

☐ Secretary

☒ Attorney