Maribel RICO-HERNANDEZ
Name
1555 West 650 South
Address
Orem, Utah 84058
City, State, Zip
801-301-7354
Phone
Ricomaribel1210@gmail.com
Email

FOURTH Judicial District UTAH County

Court Address 137 NORTH FREEDOM BOULEVARD, PROVO, UT, 84606

In the Matter of (select one)	**Divorce Decree**
[x] the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)	264402696 Case Number
	Tomas Low Judge
Maribel RICO-HERNANDEZ (name of Petitioner)	Marian Ito Commissioner (domestic cases)
and	
Julio Montoya-Lopez (name of Respondent)	
Other parties (if any)	

The court decrees:

Divorce

1. Maribel RICO-HERNANDEZ is granted a divorce based on the Declaration of Jurisdiction and Grounds signed by Maribel RICO-HERNANDEZ. The divorce will become final upon entry of the divorce decree.

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

2. **Maribel RICO-HERNANDEZ** and **Julio Montoya-Lopez** 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

BM born 07/2012, JM born 03/2014

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: **BM born 07/2012**
i.
Move-out Date: **This is the child's current address**
Move-in Date: **Jun 15, 1999**
Address: **1555 West 650 South, Orem, Utah 84058 United States**
(1).
Caretaker at this address: **Maribel RICO-HERNANDEZ**
Caretaker current address: **1555 West 650 South, Orem, Utah 84058 United States**

(2).
Caretaker at this address: **Julio MONTOYA-LOPEZ**
Caretaker current address: **Utah State Correctional Facility, 1480 N 800 W , Salt LakeCity, Utah 84116 United States**

b.
Child: **JM born 03/2014**
i.
Move-out Date: **This is the child's current address**
Move-in Date: **Jun 15, 1999**
Address: **1555 West 650 South, Orem, Utah 84058 United States**
(1).
Caretaker at this address: **Maribel RICO-HERNANDEZ**
Caretaker current address: **1555 West 650 South, Orem, Utah 84058**

United States

(2).
Caretaker at this address: **Julio MONTOYA-LOPEZ**
Caretaker current address: **Utah State Correctional Facility, 1480 N 800 W , Salt LakeCity, Utah 84116 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 **Maribel RICO-HERNANDEZ** and **Julio Montoya-Lopez**'s minor children in any court or government agency. This includes filed, pending, and completed cases.

6. **Maribel RICO-HERNANDEZ** and **Julio Montoya-Lopez** 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 agreed to by **Maribel RICO-HERNANDEZ** and **Julio Montoya-Lopez**.

Children - custody

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

7. It is in the children's best interest that **Maribel RICO-HERNANDEZ** be awarded Sole Legal and Sole Physical custody **Julio Montoya-Lopez** should have parent-time at reasonable times and places.

8. The parents will follow a custom parent-time schedule:

a. **The children will reside exclusively with the mother Maribel RICO_HERNANDEZ. The father, Julio MONTOYA-LOPEZ, due to the nature of his convictions and incarceration will not be allowed any overnights or unsupervised visitation with the children.**

Parent-time for special occasions

9. 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	Julio Montoya-Lopez	Maribel RICO-HERNANDEZ
Dr. Martin Luther King Jr. Day	(1) Holiday begins: (a) at the time that school is dismissed for Dr. Martin Luther King Jr. Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on Dr. Martin Luther King Jr. Day.	Only by court order	All years
Presidents' Day	(1) Holiday begins: (a) at the time that school is dismissed for Presidents' Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	Only by court order	All years
Spring Break	(1) Holiday begins at: (a) the time that school is dismissed for spring break; or (b) 5:30 p.m. on the day that school dismisses for spring break at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	Only by court order	All years
Memorial Day	(1) Holiday begins: (a) at the time that school is dismissed for Memorial Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on Memorial Day.	Only by court order	All years
Mother's Day	(1) Holiday begins at 5:30 p.m. on the day before Mother's Day. (2) Holiday ends on Mother's Day at 8:30 p.m..	None, only by court order	All years
Father's Day	(1) Holiday begins at 5:30 p.m. on the day before Father's Day. (2) Holiday ends on Father's Day at 8:30 p.m..	None, only by court order	All years
Juneteenth National Freedom Day	(1) Holiday begins at: (a) 5:30 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) 8 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at 8:30 p.m. on the day following Juneteenth National Freedom Day.	None, only by court order	All years
Independence Day	(1) Holiday begins on July 3rd at 5:30 p.m. (2) Holiday ends on July 5th at 8:30 p.m.	None, Only by court order	All years
Pioneer Day	(1) Holiday begins on July 23rd at 5:30 p.m. (2) Holiday ends on July 25th at 8:30 p.m.	None, only by court order	All years
Labor Day	(1) Holiday begins: (a) at the time that school is dismissed for Labor Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on Labor Day.	None, only by court order	All years
Fall Break	(1) Holiday begins at: (a) the time that school is dismissed for fall break; or (b) 5:30 p.m. on the day school is dismissed for fall break at the	None, only by court order	All years

Holiday	Period	Julio Montoya-Lopez	Maribel RICO-HERNANDEZ
	election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.		
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 3 p.m. if there is no school. (2) Holiday ends at 8:30 p.m. on the same day the holiday begins.	None, only by court order	All years
Thanksgiving	(1) Holiday begins at: (a) the time that school is dismissed for Thanksgiving; or (b) 5:30 p.m. on the day that school dismisses for Thanksgiving at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	None, only by court order	All years
Winter Break (First Half)	(1) Holiday begins at: (a) the time that school dismisses for winter break; or (b) 5:30 p.m. 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 8:30 p.m.	None, only by court order	All years
Winter Break (Second Half)	(1) Holiday begins on December 27th at 8:30 p.m. (2) Holiday ends at 8:30 p.m. on the day before school resumes after the winter break.	None, only by court order	All years
Day of Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 8:30 p.m.	None, only by court order	All years
Day Before or After Minor Child's Birthday	(1) Holiday begins at 3 p.m. (2) Holiday ends at 8:30 p.m.	None, only by court order	All years

Parent-time transfers

10. 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

11. There will not be curbside transfers. The parent/person dropping-off or picking-up a child may accompany the children to the other parent/person when parent-time transfers are made.

Decision-making

12. 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

13. The school the children will attend is based on **Maribel RICO-HERNANDEZ**'s home residence.

14. Maribel RICO-HERNANDEZ has authority to check the children out of school. Maribel RICO-HERNANDEZ has access to the children during school. If the parents cannot agree, education decisions will be made by Maribel RICO-HERNANDEZ.

Communication with each other

15. Parents will communicate with each other by any method.

Communication with the children

16. 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.

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

- By any method

Records and information sharing

18. Other terms regarding records and information sharing:

Only mother

Travel by the children

19. 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.

20. If the children will be travelling for more than **60** days, the parent arranging the travel will notify the other parent at least **7** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **7, however, Due to the nature of the father, Julio MONTOYA-LOPEZ's convictions, the mother Maribel RICO-HERNANDEZ may decide if it is in the child's best interest and for saftey concerns not to provide phone numbers, etc., to the father.** days in advance. In case of emergency, the parent will provide as much notice as possible.

Child care

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

A relative, friend, or neighbor.

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

22. If either parent moves 150 miles or more 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 150 miles or more 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.

(A) fall break if the minor child's school dismisses for fall break, beginning on the day that school dismisses for fall break and ending on the day before school resumes; or
(B) Labor Day if the minor child's school does not dismiss for a fall break, beginning on the day that school dismisses for Labor Day and ending on the day before school resumes; and

ii. the entire winter break period beginning on the day that school dismisses for the winter break and ending on 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.

(A) spring break, beginning on the day that school dismisses for the spring break and ending on the day before school resumes; or
(B) Presidents' Day if the minor child's school does not dismiss for a spring break, beginning on the day that school dismisses for Presidents' Day and ending on the day before school resumes; and

ii. Thanksgiving, beginning on the day that school dismisses for Thanksgiving and ending on the day before school resumes.

c. extended parent-time equal to half of the summer or off-track time for consecutive weeks with:

i. the noncustodial parent entitled to the first half of the summer or off-track time in years ending in an odd number; and

ii. the noncustodial parent entitled to the second half of the summer or off-track time in years ending in an even number; and

iii. the noncustodial parent will return the child 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 a weekend on which the non-custodial parent normally exercises parent-time, the non-custodial parent is entitled to the weekend before the holiday.

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 this Relocation Schedule and those days are contiguous with the noncustodial parent's monthly weekend or holiday parent-time, those days will be included in the weekend or holiday parent-time.

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

f. In addition to the parent-time for which a non-custodial parent is entitled under the statute, the non-custodial parent is entitled to, at least two times a week:

i. brief telephone contact with the minor child at reasonable hours and for a reasonable duration and

ii. virtual parent-time if the equipment is reasonably available at reasonable hours and for a reasonable duration. If the parties cannot agree whether the equipment is reasonably available, the court shall decide, taking into consideration the best interest of the minor child, each parent's ability to handle any additional expense for virtual parent-time, and any other factors the court considers material.

iii. Virtual parent-time supplements, but does not replace the in-person parent-time the noncustodial parent is entitled to.

24. If either parent lives 150 miles or more 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 parent who moved**.

25. 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.

26. 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 (Maribel RICO-HERNANDEZ) (Utah Code 81-6-203)

27. **Maribel RICO-HERNANDEZ's** gross monthly income for child support purposes is **$2513**. **Maribel RICO-HERNANDEZ** base child support amount using the **sole** custody calculation is $**700**. **Maribel RICO-HERNANDEZ** receives the following gross monthly income:

a. **Maribel RICO-HERNANDEZ** is employed at **Lakeridge Junior High School**. **Maribel RICO-HERNANDEZ** earns **$2513.33** gross (pre-tax) monthly income working a 40-hour a week job or less.

b. **Maribel RICO-HERNANDEZ** receives **$2400** per month in public benefits from a housing subsidy program, the Job Training Partnership Act, Supplemental Security Income, Medicaid, SNAP, General Assistance, or other similar means-tested welfare benefits. This income does not count for child support purposes, (Utah Code 81-6-203(7)).

28. The adjusted gross monthly income for **Maribel RICO-HERNANDEZ** is **$2513**.

Income: Respondent (Julio Montoya-Lopez) (Utah Code 81-6-203)

29. **Julio Montoya-Lopez's** gross monthly income for child support purposes is **$0**. **Julio Montoya-Lopez's** base child support amount using the **sole** custody calculation is **$30**. **Julio Montoya-Lopez** receives the following gross monthly income:

a. **Julio Montoya-Lopez** does not have any countable income from any source.

30. The adjusted gross monthly income for **Julio Montoya-Lopez** is **$0**.

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

31. It is in the best interest of the children that **Julio Montoya-Lopez** be ordered to pay child support to **Maribel RICO-HERNANDEZ** as follows:

a.**$30.00** 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.

Maribel RICO-HERNANDEZ's base child support amount is **$700** per month.

Julio Montoya-Lopez's base child support amount is **$30** 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. Child support will be paid as follows:

na

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

38. **Maribel RICO-HERNANDEZ** and **Julio Montoya-Lopez** will each pay half of any ORS fee.

a. If a fee is withheld from payments to **Maribel RICO-HERNANDEZ**, **Julio Montoya-Lopez** will reimburse **Maribel RICO-HERNANDEZ** for half the fee.

39. The parties must notify each other of any change in their income as follows:

Never

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. **Maribel RICO-HERNANDEZ** 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. Heath 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. **Maribel RICO-HERNANDEZ** 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:

- **Maribel RICO-HERNANDEZ's** insurance will be primary coverage.
- **Julio Montoya-Lopez'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:

- **Maribel RICO-HERNANDEZ's** spouse's insurance will be primary coverage.
- **Julio Montoya-Lopez'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. All reasonable work, career, or occupational training-related child care expenses will be paid as follows

Maribel Rico will provide

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

47. **Maribel RICO-HERNANDEZ** has received or is receiving public benefits from a housing subsidy program, the Job Training Partnership Act, Supplemental Security Income, Social Security Disability Insurance, Medicaid, SNAP, General Assistance, or other similar means-tested welfare benefits. This income does not count for child support purposes. (Utah Code 78B-12-203(3))

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. The parties are not aware of any debts from the marriage. If any debts exist, each debt will be the responsibility of the party who incurred the debt.

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

51. Neither party will pay alimony.

Retirement money

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

Duty to sign documents

53. 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.

6/26/26
Date

Signature ▶ _____

Judge _____

_____
Date

Signature ▶ _____

Commissioner _____

Approved as to Form.

Other Party Signature ▶ _____

Other Party Name Julio Montoya-Lopez

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: **Julio Montoya Lopez**
Method of service: **Email**
Address: **UDC-USCFWardensOffice@utah.gov**
Date of Service: **Sep 28, 2026**

b.
Name: **Officer in duty**
Method of service: **Email**
Address: **UDC-USCFWardensOffice@utah.gov**
Date of Service: **Sep 28, 2026**

09/25/2026
Date

Signature ▶ Maribel Rico Hernandez

Printed Name Maribel Rico Hernandez