

Jacqueline Nicole Russell

Name

1212 N 75 W

Address

Layton, Utah 84041

City, State, Zip

805-665-7233

Phone

jruss7282011@gmail.com

Email

In the Court of Utah

SECOND Judicial District DAVIS County

Court Address 800 WEST STATE STREET, FARMINGTON, UT 84025

In the Matter of (select one)

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

Jacqueline Nicole Russell

(name of Petitioner)

and

Phillip Daniel Russell

(name of Respondent)

Other parties (if any)

Divorce Decree

264700569

Case Number

David J Williams

Judge

Julie Winkler

Commissioner (domestic cases)

The court decrees:

Divorce

1. Jacqueline Nicole Russell is granted a divorce based on the Declaration of Jurisdiction and Grounds signed by Jacqueline Nicole Russell. The divorce will become final upon entry of the divorce decree.

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

2. **Jacqueline Nicole Russell and Phillip Daniel Russell** 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: **Jude James Russell**

Date of Birth: **Feb 23, 2013**

b.

Child Name: **Luka Layne Russell**

Date of Birth: **Feb 19, 2014**

c.

Child Name: **Tristan Bane Russell**

Date of Birth: **Dec 24, 2014**

d.

Child Name: **Sabbath Rain Russell**

Date of Birth: **Dec 19, 2020**

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: **Jude James Russell**

Date of Birth: **Feb 23, 2013**

i.

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

Move-in Date: **Aug 15, 2025**

Address: **1212 N 75 W, Layton, Utah 84041 United States**

(1).

Caretaker at this address: **Jacqueline Russell**

Caretaker current address: **1212 N 75 W, Layton, Utah 84041 United**

States

b.

Child Name: **Luka Layne Russell**

Date of Birth: **Feb 19, 2014**

i.

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

Move-in Date: **Aug 15, 2025**

Address: **1212 N 75 W, Layton, Utah 84041 United States**

(1).

Caretaker at this address: **Jacqueline Russell**

Caretaker current address: **1212 N 75 W, Layton, Utah 84041 United States**

c.

Child Name: **Tristan Bane Russell**

Date of Birth: **Dec 24, 2014**

i.

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

Move-in Date: **Aug 15, 2025**

Address: **1212 N 75 W, Layton, Utah 84041 United States**

(1).

Caretaker at this address: **Jacqueline Russell**

Caretaker current address: **1212 N 75 W, Layton, Utah 84041 United States**

d.

Child Name: **Sabbath Rain Russell**

Date of Birth: **Dec 19, 2020**

i.

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

Move-in Date: **Aug 15, 2025**

Address: **1212 N 75 W, Layton, Utah 84041 United States**

(1).

Caretaker at this address: **Jacqueline Russell**

Caretaker current address: **1212 N 75 W, Layton, Utah 84041 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 **Jacqueline Nicole Russell** and **Phillip Daniel Russell**'s minor children in any court or government agency.

This includes filed, pending, and completed cases.

6. **Jacqueline Nicole Russell and Phillip Daniel Russell** 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 **Jacqueline Nicole Russell and Phillip Daniel Russell**.

Children - custody

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

7. It is in the children's best interest that the parties be awarded Joint Legal Custody and that **Jacqueline Nicole Russell** be awarded Sole Physical custody. **Phillip Daniel Russell** should have parent-time at reasonable times and places. **Jacqueline Nicole Russell** is filing this Parenting Plan and verifies the plan is filed in good faith.

Parent-time

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

The parents will follow a custom parent-time schedule.

a. **The children currently live with and will continue to live primarily with Jacqueline Russell, seeing as how Phillip Russell lives in California.**

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	Phillip Daniel Russell	Jacqueline Nicole Russell
All holidays	Whenever both parties agree upon		

Holiday	Period	Noncustodial Years	Custodial Years
Any	Whenever Phillip is available, able, and willing to have the children, he may.	even	odd

Parent-time transfers

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

The parties will make arrangements for pick up, delivery and return of the children prior to each scheduled 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.

Joint decision-making. The parents will share responsibility for making major decisions about the children. If there is a disagreement, the parents will resolve the dispute as provided in the Resolving disputes section below.

Education plan

13. The school the children will attend is based on **Jacqueline Nicole Russell's** home residence.

14. Jacqueline Nicole Russell and Phillip Daniel Russell has authority to check the children out of school. Jacqueline Nicole Russell and Phillip Daniel Russell has access to the children during school. If the parents cannot agree, education decisions will be made by Jacqueline Nicole Russell.

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. 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

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 3 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 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 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. 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 parties as follows: **Father shall be responsible for 100% of the childrens travel expenses for any parent-time. Any travel arrangements shall be made by the father.**

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.

Resolving disputes

27. If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children. If the parents are unable to agree, they will go to the following before bringing the issue to the court:

a. Mediation

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 (Jacqueline Nicole Russell) (Utah Code 81-6-203)

28. Jacqueline Nicole Russell's gross monthly income for child support purposes is **\$1257**. **Jacqueline Nicole Russell** base child support amount using the **sole** custody calculation is **\$226**. **Jacqueline Nicole Russell** receives the following gross monthly income:

Income: Respondent (Phillip Daniel Russell) (Utah Code 81-6-203)

29. Phillip Daniel Russell's gross monthly income for child support purposes is **\$7791**. **Phillip Daniel Russell's** base child support amount using the **sole** custody calculation is **\$1607**. **Phillip Daniel Russell** receives the following gross monthly income:

30. The adjusted gross monthly income for Phillip Daniel Russell is \$7351.

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

31. It is in the best interest of the children that Phillip Daniel Russell be ordered to pay child support to Jacqueline Nicole Russell as follows:

a. \$1,607.00 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. Jacqueline Nicole Russell's base child support amount is \$226 per month. Phillip Daniel Russell's base child support amount is \$1607 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. **Jacqueline Nicole Russell** will give **Phillip Daniel Russell** the information needed to set up direct deposit through **Phillip Daniel Russell's** employer. Once **Phillip Daniel Russell** has the information, **Phillip Daniel Russell** will have **Phillip Daniel Russell's** employer set up direct deposit to an account of **Jacqueline Nicole Russell'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. **Jacqueline Nicole Russell** and **Phillip Daniel Russell** will each pay half of any ORS fee.

- a. If a fee is withheld from payments to **Jacqueline Nicole Russell**, **Phillip Daniel Russell** will reimburse **Jacqueline Nicole Russell** for half the fee.

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

Whenever they feel necessary to benefit the children

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. **Phillip Daniel Russell** 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. The parent who is able to obtain the most affordable medical, hospital, and dental insurance for the dependent children 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.

- 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:
 - **Phillip Daniel Russell's** insurance will be primary coverage.
 - **Jacqueline Nicole Russell's** insurance will be secondary coverage.
- 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:
 - **Phillip Daniel Russell's** spouse's insurance will be primary coverage.
 - **Jacqueline Nicole Russell's** spouse's insurance will be secondary coverage.
- Both parties will equally share the out-of-pocket costs of the insurance premiums.
- 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.

Vehicles

49. Vehicles will be divided as follows:

a.

Year: **2015**

Make: **chevy**

Model: **suburban**

VIN: **1GNSCJKCXFR263993**

Owner (before divorce): **Jacqueline Russell**
Current value: **\$1,300.00**
Amounts Estimated: **no**
Ownership After Divorce: **Jacqueline Nicole Russell**
Loan: **N/A**

Debts

50. 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

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

Alimony

52. Neither party will pay alimony.

Retirement money

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

Duty to sign documents

54. 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.

06/05/26
Date

Signature

► 

Judge

Judge David Williams



Date

Signature

► _____

Commissioner

Approved as to Form.

Other Party

Signature ►

Other Party Name Phillip Daniel Russell

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: **Phillip Daniel Russell**
Method of service: **Email**
Address: **selseversea@yahoo.com**
Date of Service: **May 26, 2026**

05/26/2026

Date

Signature ►

Jacqueline Russell

Printed
Name

Jacqueline Russell