

ANA ESTER MAGANA

Name

5678 PLUMBAGO AVE

Address

KEARNS, Utah 84118

City, State, Zip

801-910-0010

Phone

ONWTAXES@HOTMAIL.COM

Email

In the Court of Utah

THIRD Judicial District SALT LAKE County

Court Address 450 SOUTH STATE STREET, SALT LAKE CITY, UT 84114

In the Matter of (select one)

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

ANA ESTER MAGANA

(name of Petitioner)

and

OSCAR MAGANA HERNANDEZ

(name of Respondent)

Other parties (if any)

Divorce Decree

264900443

Case Number

TODD M SHAUGHNESSY

Judge

JOANNA SAGERS

Commissioner (domestic cases)

The court decrees:

Divorce

1. ANA ESTER MAGANA is granted a divorce based on the Declaration of Jurisdiction and Grounds signed by ANA ESTER MAGANA. The divorce will become final upon entry of the divorce decree.

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

2. **ANA ESTER MAGANA** and **OSCAR MAGANA HERNANDEZ** 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: **HABIB ASael MAGANA**

Date of Birth: **Jul 24, 2009**

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: **HABIB ASael MAGANA**

Date of Birth: **Jul 24, 2009**

i.

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

Move-in Date: **Jul 15, 2015**

Address: **5678 PLUMBAGO AVE , KEARNS, Utah 84118 United States**

(1).

Caretaker at this address: **ANA ESTER MAGANA**

Caretaker current address: **5678 PLUMBAGO AVE , KEARNS, Utah 84118**

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 **ANA ESTER MAGANA** and **OSCAR MAGANA HERNANDEZ**'s minor children in any court or government agency. This includes filed, pending, and completed cases.

6. **ANA ESTER MAGANA** and **OSCAR MAGANA HERNANDEZ** 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 **ANA ESTER MAGANA** and **OSCAR MAGANA HERNANDEZ**.

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 **ANA ESTER MAGANA** be awarded Sole Physical custody. **OSCAR MAGANA HERNANDEZ** should have parent-time at reasonable times and places. **ANA ESTER MAGANA** is filing this Parenting Plan and verifies the plan is filed in good faith.

8. The parents will follow the parent-time schedule in the statute(s).

Children 5-18 (Utah Code 81-9-302)

FOR CHILDREN 5 YEARS TO 18 YEARS OF AGE

Midweek – School in Session: During the time a child's school is in session, one weekday evening to be specified by the noncustodial parent, or Wednesday evening if not specified, from 5:30 - 8:30 p.m.; or, at the election of the noncustodial parent, one weekday from the time the child's school is regularly dismissed until 8:30 p.m.

Midweek – School not in Session: During the time a child's school is not in session, one weekday from approximately 9:00 a.m., accommodating the custodial parent's work schedule, until 8:30 p.m., if the noncustodial parent is available to be with the child.

Changes to Midweek Schedule: Once the weekday is designated, it may not be changed except by mutual written agreement of the parents, or court order.

Alternate Weekends: Alternating weekend parent-time shall begin the first weekend after the entry of the decree.

Alternate Weekends - School in Session: During the time a child's school is in session alternating weekend parent-time shall be from 6:00 p.m. on Friday until 7:00 p.m. on Sunday, or, at the election of the non-custodial parent, from the time a child's school is regularly dismissed on Friday until 7:00 p.m. on Sunday.

Alternate Weekends - School not in Session: During the time a child's school is not in session a noncustodial parent may elect alternating weekend parent-time to begin on Friday from approximately 9:00 a.m., if the noncustodial parent is available to be with the child and in accommodation with the custodial parent's work schedule, until 7:00 p.m. on Sunday.

Pick Up by Non-Parent: A step-parent, grandparent, or other responsible adult designated by the noncustodial parent, may pick up the child if the custodial parent is aware of the identity of the individual, and the parent will be with the child by 7 p.m.

Changes to Weekends: Weekend parent-time elections shall be made by the noncustodial parent at the time of entry of the divorce decree or court order, and may be

changed by mutual agreement, court order, or by the noncustodial parent in the event of a change in the child's schedule.

Holiday Parent-time: Holidays as specified below in the Special Occasion table.

Extended Parent-time: Extended parent-time with the non-custodial parent may be up to four consecutive weeks when school is not in session, at the option of the non-custodial parent including weekends normally exercised by the noncustodial parent, but not holidays;

- a. two weeks shall be uninterrupted time for the noncustodial parent;
- b. the remaining two weeks shall be interrupted parent-time and be subject to parent-time for the custodial parent for weekday parent-time but not weekends, except a custodial parent may exercise a holiday as specified below in the Special Occasion table. Within ten days of receiving notice of a parent's intent and schedule for taking interrupted parent-time, the parent receiving that notice must give notice of any plan to interrupt the parent-time; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time when school is not in session for purposes of vacation.

Each parent shall provide notice to the other of their plan to exercise extended parent-time during summer break as follows:

Extended Parent-time notice - in odd numbered years, the noncustodial parent shall provide notification of extended parent-time to the custodial parent by May 1st and the custodial parent shall provide notification to the noncustodial parent of uninterrupted extended parent-time by May 15th.

Extended Parent-time notice - In even numbered years, the custodial parent shall provide notification of uninterrupted extended parent-time with a child to the noncustodial parent by May 1st and the noncustodial parent shall provide notification to the custodial parent of extended parent-time by May 15th.

Extended Parent-time notice - if not provided timely by a parent, the complying parent may determine the schedule for non-complying parent, so long as the complying parent's notification is timely.

Extended Parent-time notice - if neither parent's notification is timely, the first parent to give notice may determine the schedules of both parents for extended parent-time.

Electronic communication: Telephone contact shall be at reasonable hours and for a reasonable duration. Virtual parent-time, if the equipment is reasonably available and the parents reside at least 100 miles apart, shall be at reasonable hours and for reasonable duration, provided that if the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

Weekday parent-time will be Friday. (81-9-302)

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 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 on 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 at 7 p.m. on Labor Day. | Odd years | Even years |
| 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 6 p.m. on the day that school dismisses for fall break. (2) Holiday ends at 7 p.m. on the day before school resumes. | Odd years | Even years |
| Halloween | (1) Holiday begins on | Even years | Odd years |

| Holiday | Period | Noncustodial Years | Custodial Years |
|---------------------------|--|--------------------|-----------------|
| | 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. | | |
| 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 at 7 p.m. on day before school resumes. | 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 | Odd years | Even years |

| Holiday | Period | Noncustodial Years | Custodial Years |
|--------------------------------|--|--------------------|-----------------|
| | 27th at 7 p.m. | | |
| 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 |
| 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. (2) Holiday ends at 7 p.m. on Dr. Martin Luther King Jr. Day. | Odd years | Even years |
| President's Day | (1) Holiday begins Friday at: (a) 9 a.m. if school is not in session and the parent can be | Even years | Odd years |

| Holiday | Period | Noncustodial Years | Custodial Years |
|--------------|--|---|---|
| | 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 at 7 p.m. on the day before school resumes. | | |
| Spring Break | (1) Holiday begins at 6 p.m. on the day that school dismisses for spring break. (2) Holiday ends at 7 p.m. on the day before school resumes. | 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 at 7 p.m. on Memorial Day. | Even years | Odd years |
| 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: ANA ESTER MAGANA 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: OSCAR MAGANA HERNANDEZ is the father | |
| Summer Break | OSCAR MAGANA HERNANDEZ will have | Odd years | Even years |

| Holiday | Period | Noncustodial Years | Custodial Years |
|---------|---|--------------------|-----------------|
| | <p>up to two weeks of uninterrupted extended summer Parent-time when school is not in session, at the option of OSCAR MAGANA HERNANDEZ. OSCAR MAGANA HERNANDEZ will have an additional two weeks of extended Summer Parent-time at the option of OSCAR MAGANA HERNANDEZ, subject to weekday parent-time for ANA ESTER MAGANA, but not weekends normally exercised by ANA ESTER MAGANA. OSCAR MAGANA HERNANDEZ will notify ANA ESTER MAGANA of the summer break extended parent-time by May 1 each year. ANA ESTER MAGANA will also have two weeks of uninterrupted extended parent time when school is not in session, at the option of ANA ESTER MAGANA. ANA ESTER MAGANA will notify OSCAR MAGANA</p> | | |

| Holiday | Period | Noncustodial Years | Custodial Years |
|---------------------------------|--|--------------------|-----------------|
| | <p>HERNANDEZ of the summer break extended parent-time by May 15 each year. If the notification by OSCAR MAGANA HERNANDEZ is not timely, ANA ESTER MAGANA may determine the schedule for extended parent-time for OSCAR MAGANA HERNANDEZ, so long as ANA ESTER MAGANA has provided timely notice. If neither parent provides timely notice, the first parent to provide notice may determine the schedule of extended parent-time for the other parent.</p> | | |
| Juneteenth National Freedom Day | <p>(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.</p> | Even years | Odd years |

| Holiday | Period | Noncustodial Years | Custodial Years |
|---|---|---------------------------|------------------------|
| | on the day following Juneteenth National Freedom Day. | | |
| 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 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. | Odd years | Even years |
| ANA ESTER MAGANA's Birthday | ANA ESTER MAGANA will have parent-time each year on ANA ESTER MAGANA's birthday from 3:00 p.m. until the following morning when ANA ESTER MAGANA 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 | | All years |

| Holiday | Period | Noncustodial Years | Custodial Years |
|---|--|--------------------|-----------------|
| | <p>Mother's Day and Father's Day.</p> <p>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> | | |
| OSCAR MAGANA HERNANDEZ's Birthday | <p>OSCAR MAGANA All years</p> <p>HERNANDEZ will have parent-time each year on OSCAR MAGANA HERNANDEZ's birthday from 3:00 p.m. until the following morning when OSCAR MAGANA HERNANDEZ 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.</p> <p>Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's</p> | | |

| Holiday | Period | Noncustodial Years | Custodial Years |
|---------|--------|--------------------|-----------------|
|---------|--------|--------------------|-----------------|

residence for the
uninterrupted extended
parent-time.

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

(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.)

11. 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

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 **ANA ESTER MAGANA's** home residence.

14. **ANA ESTER MAGANA** and **OSCAR MAGANA HERNANDEZ** has authority to check the children out of school. **ANA ESTER MAGANA** and **OSCAR MAGANA HERNANDEZ** has access to the children during school. If the parents cannot agree, education decisions will be made by **ANA ESTER MAGANA**.

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 7 days, the parent arranging the travel will notify the other parent at least 30 days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least 30 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 licensed child care provider.

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 in 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 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.

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

END OF PARENTING PLAN

Income: Petitioner (ANA ESTER MAGANA) (Utah Code 81-6-203)

28. **ANA ESTER MAGANA's** gross monthly income for child support purposes is **\$2145**. **ANA ESTER MAGANA** base child support amount using the **sole** custody calculation is **\$248**. **ANA ESTER MAGANA** receives the following gross monthly income:

a. **ANA ESTER MAGANA** is employed at **UTAH OLYMPIC OVAL**. **ANA ESTER MAGANA** earns **\$2145** gross (pre-tax) monthly income working a 40-hour a week job or less.

Income: Respondent (OSCAR MAGANA HERNANDEZ) (Utah Code 81-6-203)

29. **OSCAR MAGANA HERNANDEZ's** gross monthly income for child support purposes is **\$5833**. **OSCAR MAGANA HERNANDEZ** receives the following gross monthly income:

a. **OSCAR MAGANA HERNANDEZ** is employed at **DIBA TRUCKING INC**. **OSCAR MAGANA HERNANDEZ** earns **\$5833** gross (pre-tax) monthly income working a 40-hour a week job or less.

30. The adjusted gross monthly income for **OSCAR MAGANA HERNANDEZ** is **\$5833**.

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

31. **ANA ESTER MAGANA** believes the guideline amount for child support is unjust, inappropriate, or not in the best interest of our children for the following reasons:

Both parents are in a functional relationship where both parents are supporting the child with his needs evenly.

32. It is in the best interest of the children that **OSCAR MAGANA HERNANDEZ** be ordered to pay child support to **ANA ESTER MAGANA** as follows:

a. **\$400.00** per month. This deviates from the Utah Uniform Child Support Guidelines.

b. Unless the Court orders otherwise, support for each child ends when:

- a child turns 18 or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later, or
- a child dies, marries, becomes a member of the United States armed forces, or is

emancipated (Utah Code 78A-6-801).

33. 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.

34. Child support will be paid as follows:

RESPONDENT WILL PAY VIA CHECK, MONEY ORDER OR CASHIERS CHECK DIRECTLY TO ANA ESTER MAGANA.

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

36. **ANA ESTER MAGANA** will pay any ORS fees. If **ANA ESTER MAGANA** is the ORS applicant and the fees are withheld from payments to **ANA ESTER MAGANA**, **OSCAR MAGANA HERNANDEZ** will reimburse **ANA ESTER MAGANA**.

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

38. 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

39. **ANA ESTER MAGANA** may claim the parties' children as dependents/exemptions for tax purposes.

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

40. 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),

41. **ANA ESTER MAGANA** 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:

- **ANA ESTER MAGANA's** insurance will be primary coverage.
- **OSCAR MAGANA HERNANDEZ'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:

- **ANA ESTER MAGANA's** spouse's insurance will be primary coverage.
 - **OSCAR MAGANA HERNANDEZ'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)

42. 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))

43. 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)

44. All personal property not addressed in the divorce should be divided as the parties have already divided it.

Debts

45. 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

46. The parties acquired the following real property during the marriage:

a.

Description: **HOUSE**

Address: **5678 PLUMBAGO AVE , KEARNS, SALT LAKE, Utah 84118 United**

States

Tax ID: **N/A**

Legal Description: **PERSONAL HOME PROPERTY**

Date property acquired: **Jul 15, 2015**

Names on title: **OSCAR MAGANA HERNANDEZ AND ANA ESTER MAGANA**

Original cost: **\$210,000**

Current value: **\$450,000.00**

Property values estimated: **yes**

Estimation basis for property value: **BASED ON HOMES IN THE SAME**

NEIGHBORHOOD

Disposal: **ANY DAMAGE OR REPAIRS EXCEEDING \$1,000.00 BOTH PARTIES WILL SPLIT THE COST; IF EXPENSES ARE UNDER \$1,000.00, THE PETITIONER WILL BE RESPONSIBLE FOR THE COST. IN THE EVENT THAT THE PETITIONER DEFAULTS ON THE MORTGAGE PAYMENTS, THE PETITIONER, AT HIS DISCRETION, WITH THE FIRST OPTION, MAY TAKE BACK FULL OWNERSHIP OF THE HOME AND BRING THE MORTGAGE CURRENT WITH THE PAYMENTS, OR AS A SECOND OPTION, HE MAY CHOOSE TO SELL THE HOME AND DIVIDE EQUALLY ANY EQUITY AFTER EXPENSES FOR SALE OF HOME HAVE BEEN PAID. IN THE EVENT THAT ANA DECIDES TO SELL THE HOME, BOTH PARTIES SHALL DIVIDE EQUALLY ANY EQUITY AFTER EXPENSES FOR SALE OF HOME HAVE BEEN PAID.**

i.

Creditor: **N/A**

Names on mortgage: **OSCAR MAGANA HERNANDEZ**

Date mortgage acquired: **Jul 15, 2015**

Mortgage balance: **\$150,000.00**

Monthly payment: **\$1,445.00**

Mortgage values estimated: **no**

This mortgage will be paid as follows after the divorce: **ANA ESTER MAGANA will pay the entire debt. OSCAR MAGANA HERNANDEZ will provide a copy of the divorce decree to the lender.**

Alimony

47. Neither party will pay alimony.

Retirement money

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

Duty to sign documents

49. 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)

Name after divorce

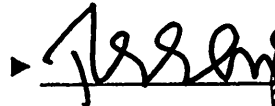
50. **ANA ESTER MAGANA** changed her name when the parties married. **ANA ESTER MAGANA's** name will be **ANA ESTER CAMPOS** after the divorce.

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

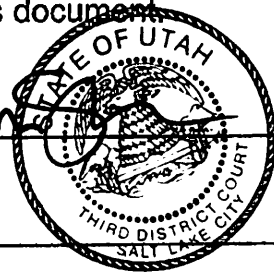
Date

5/1/24

Signature



Judge



Signature

Date

Commissioner

Approved as to Form.

Other Party
Signature



Other Party
Name

OSCAR MAGANA HERNANDEZ

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: **OSCAR MAGANA HERNANDEZ**

Method of service: **Hand Delivery**


Address: 5431 RIDGE FLOWER WAY KEARNS UT 84118

Date of Service: Mar 1, 2026

02/09/2026

Date

Signature



Printed
Name

Ana Ester Magana