

Juan Diego Guerra
Name
7257 w Noyack road
Address
Magna, Utah 84044
City, State, Zip
385-955-8526
Phone
Juandiegogzambrano@icloud.com
Email

THIRD Judicial District SALT LAKE County

Court Address 450 SOUTH STATE STREET, P.O. BOX 1860, SALT LAKE CITY, UT, 841

In the Matter of (select one) ☒ the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case) Juan Diego Guerra (name of Petitioner) and Dayana Paola Martinez Hernandez (name of Respondent) Other parties (if any)	Divorce Decree 264903969 Case Number Chelsea Koch Judge <i>Sagers</i> Commissioner (domestic cases)
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The court decrees:

Divorce

1. Juan Diego Guerra is granted a divorce based on the Declaration of Jurisdiction and Grounds signed by Juan Diego Guerra. The divorce will become final upon entry of the divorce decree.

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

2. Juan Diego Guerra and Dayana Paola Martinez 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

MGGM 04/2018, AGGM 09/2020, HGM 09/2022

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: MGGM 04/2018

i.

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

Move-in Date: Aug 20, 2024

Address: 7257 w Noyack road, Magna, Utah 84044 United States

(1).

Caretaker at this address: Juan Diego Guerra

Caretaker current address: 7257 w Noyack road, Magna, Utah 84044

United States

(2).

Caretaker at this address: Dayana Martinez

Caretaker current address: 5672 Windsong Dr, Tooele, Utah 84074 United

States

(3).

Caretaker at this address: Janeth Zambrano

Caretaker current address: 7257 w Noyack road, Magna, Utah 84044

United States

(4).

Caretaker at this address: Juan Carlos Guerra

Caretaker current address: 7257 w Noyack road, Magna, Utah 84044

United States

b.

Child: **AGGM 09/2020**

i.

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

Move-in Date: **Aug 20, 2026**

Address: **7257 w Noyack road, Magna, Utah 84044 United States**

(1).

Caretaker at this address: **Juan Diego Guerra**

Caretaker current address: **7257 w Noyack road, Magna, Utah 84044**

United States

(2).

Caretaker at this address: **Dayana Paola Martinez Hernandez**

Caretaker current address: **5672 Windsong Dr, Tooele, Utah 84074 United**

States

(3).

Caretaker at this address: **Juan Carlos Guerra**

Caretaker current address: **7257 w Noyack road, Magna, Utah 84044**

United States

(4).

Caretaker at this address: **Janeth Zambrano**

Caretaker current address: **7257 w Noyack road, Magna, Utah 84044**

United States

c.

Child: **HGM 09/2022**

i.

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

Move-in Date: **Aug 20, 2024**

Address: **7257 w Noyack road, Magna, Utah 84044 United States**

(1).

Caretaker at this address: **Juan Diego Guerra**

Caretaker current address: **7257 w Noyack road, Magna, Utah 84044**

United States

(2).

Caretaker at this address: **Dayana Martinez**

Caretaker current address: **5672 Windsong Dr, Tooele, Utah 84074 United States**

(3).

Caretaker at this address: **Janeth Zambrano**

Caretaker current address: **7257 w Noyack road, Magna, Utah 84044 United States**

(4).

Caretaker at this address: **Juan Carlos Guerra**

Caretaker current address: **7257 w Noyack road, Magna, Utah 84044 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 **Juan Diego Guerra** and **Dayana Paola Martinez Hernandez**'s minor children in any court or government agency. This includes filed, pending, and completed cases.

6. **Juan Diego Guerra** and **Dayana Paola Martinez 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 **Juan Diego Guerra** and **Dayana Paola Martinez 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 **Juan Diego Guerra** be awarded Sole Physical custody. **Dayana Paola Martinez Hernandez** should have parent-time at reasonable times and places. **Juan Diego Guerra** is filing this Parenting Plan and verifies the plan is filed in good faith.

8. The parents will follow a custom parent-time schedule:
- a. **The children will primarily reside with Juan Diego Guerra. Parent-time for Dayana Paola Martinez Hernandez will be reasonable and flexible based on current circumstances. Once stable housing is secured, Dayana Paola Martinez Hernández will have parent-time every Saturday from 2:00 PM to Sunday at 8:00 pm Holidays will be shared and arranged by mutual agreement.**

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	Dayana Paola Martinez Hernandez	Juan Diego Guerra
Dr. Martin Luther King Jr. Day	Children under five: (1) Holiday begins on Friday at: (a) 8 a.m. if the parent is available to be with the minor child; or (b) 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7:30 p.m. on Dr. Martin Luther King Jr. Day. Children five and older: (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.	Odd years	Even years
Presidents' Day	Children under five: (1) Holiday begins on Friday at: (a) 8 a.m. if the parent is available to be with the minor child; or (b) 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7:30 p.m. on Presidents' Day. Children five and older: (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.	Even years	Odd years
Spring Break	Children under five: (1) Holiday begins at 5:30 p.m. on the day that school dismisses for spring break. (2) Holiday ends at 7:30 p.m. on the day before school resumes. Children five and older: (1) Holiday begins at:	Odd years	Even years

Holiday	Period	Dayana Paola Martinez Hernandez	Juan Diego Guerra
	(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.		
Memorial Day	Children under five: (1) Holiday begins on Friday at: (a) 8 a.m. if the parent is available to be with the minor child; or (b) 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7:30 p.m. on Memorial Day. Children five and older: (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.	Even years	Odd years
Mother's Day	Children under five: (1) Holiday begins at 5:30 p.m. on the day before Mother's Day. (2) Holiday ends on Mother's Day at 7:30 p.m.. Children five and older: (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..	Children under 5: All years if Dayana Paola Martinez Hernandez is the mother or other parent designated Mother's Day in the order. Children five and older: All years if Dayana Paola Martinez Hernandez is the mother or other parent granted Mother's Day in the order.	Children under 5: All years if Juan Diego Guerra is the mother or other parent designated Mother's Day in the order. Children five and older: All years if Juan Diego Guerra is the mother or other parent granted Mother's Day in the order.
Father's Day	Children under five: (1) Holiday begins at 5:30 p.m. on the day before Father's Day. (2) Holiday ends on Father's Day at 7:30 p.m.. Children five and older: (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..	Children under 5: All years if Dayana Paola Martinez Hernandez is the father or other parent designated Father's Day in the order. Children five and older: All years if Dayana Paola Martinez Hernandez is the father or other parent granted Father's Day in the order.	Children under 5: All years if Juan Diego Guerra is the father or other parent designated Father's Day in the order. Children five and older: All years if Juan Diego Guerra is the father or other parent granted Father's Day in the order.
Juneteenth National Freedom Day	Children under five: (1) Holiday begins at: (a) 5:30 p.m. on the day before Juneteenth National Freedom	Even years	Odd years

Holiday	Period	Dayana Paola Martinez Hernandez	Juan Diego Guerra
	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 7:30 p.m. on the day following Juneteenth National Freedom Day. Children five and older: (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.		
Independence Day	Children under five: (1) Holiday begins on July 3rd at 5:30 p.m. (2) Holiday ends on July 5th at 7:30 p.m. Children five and older: (1) Holiday begins on July 3rd at 5:30 p.m. (2) Holiday ends on July 5th at 8:30 p.m.	Odd years	Even years
Pioneer Day	Children under five: (1) Holiday begins on July 23rd at 5:30 p.m. (2) Holiday ends on July 25th at 7:30 p.m. Children five and older: (1) Holiday begins on July 23rd at 5:30 p.m. (2) Holiday ends on July 25th at 8:30 p.m.	Even years	Odd years
Labor Day	Children under five: (1) Holiday begins on Friday at: (a) 8 a.m. if the parent is available to be with the minor child; or (b) 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 7:30 p.m. on Labor Day. Children five and older: (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.	Odd years	Even years
Fall Break	Children under five: (1) Holiday begins at 5:30 p.m. on the day school is dismissed for fall break. (2) Holiday ends at 7:30 p.m. on the day before school resumes. Children five and older: (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 election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	Odd years	Even years
Halloween	Children under five: (1) Holiday begins on October 31st or the day that Halloween is	Even years	Odd years

Holiday	Period	Dayana Paola Martinez Hernandez	Juan Diego Guerra
	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 7:30 p.m. on the same day the holiday begins. Children five and older: (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.		
Thanksgiving	Children under five: (1) Holiday begins at 5:30 p.m. on the day that school dismisses for Thanksgiving. (2) Holiday ends at 7:30 p.m. on the day before school resumes. Children five and older: (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.	Even years	Odd years
Winter Break (First Half)	Children under five: (1) Holiday begins at 5:30 p.m. on the day that school dismisses for winter break. (2) Holiday ends on December 27th at 7:30 p.m. Children five and older: (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.	Odd years	Even years
Winter Break (Second Half)	Children under five: (1) Holiday begins on December 27th at 7:30 p.m. (2) Holiday ends at 7:30 p.m. on the day before school resumes. Children five and older: (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.	Even years	Odd years
Day of Minor Child's Birthday	Children under five: (1) Holiday begins at 3 p.m. (2) Holiday ends at 7:30 p.m. Children five and older: (1) Holiday begins at 3 p.m. (2) Holiday ends at 8:30 p.m.	Even years	Odd years
Day Before or After Minor Child's Birthday	Children under five: (1) Holiday begins at 3 p.m. (2) Holiday ends at 7:30 p.m. Children five and older:	Odd years	Even years

Holiday	Period	Dayana Paola Martinez Hernandez	Juan Diego Guerra
	(1) Holiday begins at 3 p.m. (2) Holiday ends at 8:30 p.m.		

Parent-time transfers

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

Transfer at beginning of parent-time will be by **Dayana Paola Martinez Hernandez** picking up/dropping off the children at this address:

Juan Diego Guerra's home
7257 w Noyack road
Magna, Utah 84044
3859558526
Juandiegogzambrano@icloud.com

Transfer at end of parent-time will be by **Dayana Paola Martinez Hernandez** picking up/dropping off the children at this address:

Juan Diego Guerra's home
7257 w Noyack road
Magna, Utah 84044
3859558526
Juandiegogzambrano@icloud.com

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.

Sole decision-making.

13. Juan Diego Guerra will make decisions about education.
14. Both Juan Diego Guerra and Dayana Paola Martinez Hernandez will make decisions about health care together.
15. Juan Diego Guerra will make decisions about religion.

Education plan

16. The school the children will attend is based on **Juan Diego Guerra's** home residence.
17. Juan Diego Guerra has authority to check the children out of school. Juan Diego Guerra and Dayana Paola Martinez Hernandez has access to the children during school. If the parents cannot agree, education decisions will be made by Juan Diego Guerra.

Communication with each other

18. Parents will communicate with each other by:

In person

By texting:	Juan Diego Guerra	(385) 955-8526
	Dayana Paola Martinez Hernandez	(385) 395-8211

Communication with the children

19. 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.
20. Parents and children may communicate with each other whenever the children choose.
 - By telephone
 - Parents will maintain voice mail so the children can leave and receive messages.
 - By text

Records and information sharing

21. 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

22. 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.

23. If the children will be travelling for more than 1 days, the parent arranging the travel will notify the other parent at least 3 days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least 3 days in advance. In case of emergency, the parent will provide as much notice as possible.

Child care

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

A licensed child care provider.

25. Other terms about child care: **Child care providers must be 18 or older know to the parent. Each parent must ensure the children are supervised by safe and appropriate caregivers. Neither parent will leave the children with individuals who pose a risk to the children's safety or wellbeing.**

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

26. 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.

27. 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.

28. 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**.

29. 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.

30. Reimbursement for the child's travel expenses must be made within 30 days of

receipt of documents detailing those expenses.

Resolving disputes

31. 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 (Juan Diego Guerra) (Utah Code 81-6-203)

32. **Juan Diego Guerra's** gross monthly income for child support purposes is **\$2750**. **Juan Diego Guerra** base child support amount using the **sole** custody calculation is **\$816**. **Juan Diego Guerra** receives the following gross monthly income:

a. Juan Diego Guerra is employed at **Lyft**. **Juan Diego Guerra** earns **\$2750** gross (pre-tax) monthly income working a 40-hour a week job or less.

33. The adjusted gross monthly income for **Juan Diego Guerra** is **\$2750**.

Income: Respondent (Dayana Paola Martinez Hernandez) (Utah Code 81-6-203)

34. **Dayana Paola Martinez Hernandez's** gross monthly income for child support purposes is **\$1257**. **Dayana Paola Martinez Hernandez's** base child support amount using the **sole** custody calculation is **\$189**. **Dayana Paola Martinez Hernandez** receives the following gross monthly income:

a. Dayana Paola Martinez Hernandez's occupation is unknown. The court should consider **Dayana Paola Martinez Hernandez** wage to be the federal minimum wage of **\$7.25** an hour. This is a gross monthly income of **\$1257**. (Utah Code 81-6-203(c) and (d))

35. The adjusted gross monthly income for **Dayana Paola Martinez Hernandez** is **\$1257**.

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

36. It is in the best interest of the children that **Dayana Paola Martinez Hernandez** be ordered to pay child support to **Juan Diego Guerra** as follows:

a. **\$189.00** per month base support. This amount complies with the Utah Child Support Act.

37. 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.

38. The sole custody worksheet was used to calculate child support.

Juan Diego Guerra's base child support amount is **\$816** per month.

Dayana Paola Martinez Hernandez's base child support amount is **\$189** 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

39. 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.

40. 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.

41. The person ordered to receive child support can request mandatory income withholding (Utah Code 62A-11 parts 4 and 5). If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed.

a. Withheld income will be sent to the Office of Recovery Services (ORS) until all past-due support is paid. Child support payments will be sent to:

450 South State Street Salt Lake City, Utah 84114

unless ORS gives notice that payments should be sent elsewhere.

42. If ORS begins mandatory income withholding, child support is due on the first day of each month and will be past due on the first day of the next month.

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

44. **Dayana Paola Martinez Hernandez** will pay any ORS fees. If **Juan Diego Guerra** is the ORS applicant and the fees are withheld from payments to **Juan Diego Guerra**, **Dayana Paola Martinez Hernandez** will reimburse **Juan Diego Guerra**.

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

46. 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).

47. 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))

48. 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

49. **Juan Diego Guerra** may claim the parties' children as dependents/exemptions for tax purposes.

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

50. 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),

51. **Juan Diego Guerra** 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:

- **Juan Diego Guerra's** insurance will be primary coverage.
- **Dayana Paola Martinez 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:

- **Juan Diego Guerra's** spouse's insurance will be primary coverage.
- **Dayana Paola Martinez 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)

52. All reasonable work, career, or occupational training-related child care expenses will be paid as follows

Each parent is responsible for child care expenses during their own parent time.

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

53. 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)

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

Vehicles

55. Vehicles will be divided as follows:

a.

Year: **2011**

Make: **Nissan**

Model: **Rouge**

VIN: **N/A**

Owner (before divorce): **Juan Diego Guerra Zambrano**

Current value: **\$3,000.00**

Amounts Estimated: **yes**

Basis of Estimation: **Estimated based on mileage (130K+), condition, and comparable listings (KBB)**

Ownership After Divorce: **Juan Diego Guerra**

Loan: **N/A**

Debts

56. Each party will be ordered to assume and pay debts as follows. The party assuming

the debt must put the debt in their name and pay it. If they can't put the debt in their name, they must still pay it. If a party pays a debt they are not responsible for, they can recover that amount from the responsible party.

Credit Card Debt

a.

Account Number: **0284**

Institution Name: **Mountain America Credit Union**

Address: **N/A**

Amount owed on debt (in US Dollars): **\$2,590.00**

Minimum Monthly Payment (in US Dollars): **\$275.00**

Owner: **Juan Guerra**

The debt will be paid as follows: **Juan Diego Guerra will pay the entire debt. Juan Diego Guerra will provide a copy of the divorce decree to the lender.**

Real property

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

Alimony

58. Neither party will pay alimony.

Retirement money

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

Duty to sign documents

60. 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.

September 10, 2026

Date

Signature



A. Onelset



Judge

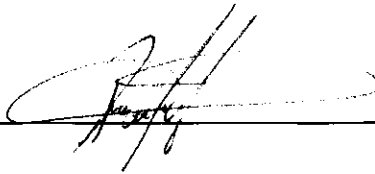
KOCH

Date Signature ▶ _____

Commissioner

Approved as to Form.

Other Party
Signature ▶



Other Party
Name Dayana Paola Martinez 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: **Dayana Paola Martinez Hernandez**
Method of service: **Hand Delivery**
Address: **5652 Windsong Dr Tooele Ut 84074**
Date of Service: **Sep 8, 2026**

Date Signature ▶ Juan D Guerra

Printed Name Juan D Guerra