

Desiree Mares

Name

SAFEGUARDED -

Address

-, --

City, State, Zip

Phone

-

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)

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

Desiree Mares

(name of Petitioner)

and

wilfredo garcia

(name of Respondent)

Other parties (if any)

Divorce Decree

264903097

Case Number

Daynes

Judge

Sagers

Commissioner (domestic cases)

The court decrees:

Divorce

1. Desiree Mares is granted a divorce. Desiree Mares testified at a on grounds and jurisdiction for divorce. The divorce will become final upon entry of the divorce decree.

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

2. **Desiree Mares** and **wilfredo garcia** 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: **Isabelle Garcia**

Date of Birth: **Jun 4, 2015**

b.

Child Name: **Aliza Garcia**

Date of Birth: **Mar 11, 2017**

c.

Child Name: **Avah Garcia**

Date of Birth: **Sep 13, 2019**

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: **Isabelle Garcia**

Date of Birth: **Jun 4, 2015**

i.

Move-out Date: **Mar 2, 2026**

Move-in Date: **Nov 15, 2019**

Address: **SAFEGUARDED, -, -, - - United States**

(1).

Caretaker at this address: **Desiree Mares**

Caretaker current address: **SAFEGUARDED, -, -, - - United States**

b.

Child Name: **Aliza Garcia**

Date of Birth: **Mar 11, 2017**

i.

Move-out Date: **Mar 2, 2026**

Move-in Date: **Mar 8, 2019**

Address: **SAFEGUARDED, -, -, - - United States**

(1).

Caretaker at this address: **Desiree Mares**

Caretaker current address: **SAFEGUARDED, -, -, - - United States**

c.

Child Name: **Avah Garcia**

Date of Birth: **Sep 13, 2019**

i.

Move-out Date: **Mar 2, 2026**

Move-in Date: **Mar 1, 2019**

Address: **SAFEGUARDED, -, -, - - United States**

(1).

Caretaker at this address: **Desiree Mares**

Caretaker current address: **SAFEGUARDED, -, -, - - 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 **Desiree Mares** and **wilfredo garcia**'s minor children in any court or government agency. This includes filed, pending, and completed cases.

6. **Desiree Mares** and **wilfredo garcia** 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 proposed by **Desiree Mares**.

Children - custody

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

7. It is in the children's best interest that **Desiree Mares** be awarded Sole Legal and Sole Physical custody **wilfredo garcia** should have parent-time at reasonable times and places.

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

a. **Full time custody and care with Desiree Mares**

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	wilfredo garcia	Desiree Mares
Dr. Martin Luther King Jr. Day	(1) Holiday begins: (a) at the time that school is dismissed for Dr. Martin Luther King Jr. Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on Dr. Martin Luther King Jr. Day.	Odd years	Even years
Presidents' Day	(1) Holiday begins: (a) at the time that school is dismissed for Presidents' Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	Even years	Odd years
Spring Break	(1) Holiday begins at: (a) the time that school is dismissed for spring break; or (b) 5:30 p.m. on the day that school dismisses for spring break at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	Odd years	Even years
Memorial Day	(1) Holiday begins: (a) at the time that school is dismissed for Memorial Day; or (b) Friday at 5:30 p.m. at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on Memorial Day.	Even years	Odd years
Mother's Day	(1) Holiday begins at 5:30 p.m. on the day before Mother's Day. (2) Holiday ends on Mother's Day at 8:30 p.m..	All years if wilfredo garcia is the mother or other parent granted Mother's Day in the order.	All years if Desiree Mares is the mother or other parent granted Mother's Day in the order.
Father's Day	(1) Holiday begins at 5:30 p.m. on the day before Father's Day. (2) Holiday ends on Father's Day at 8:30 p.m..	All years if wilfredo garcia is the father or other parent granted Father's Day in the order.	All years if Desiree Mares is the father or other parent granted Father's Day in the order.
Juneteenth National Freedom Day	(1) Holiday begins at: (a) 5:30 p.m. on the day before Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is not Father's Day; or (b) 8 a.m. on Juneteenth National Freedom Day if the day before Juneteenth National Freedom Day is Father's Day. (2) Holiday ends at 8:30 p.m. on the day following Juneteenth National Freedom Day.	Even years	Odd years
Independence Day	(1) Holiday begins on July 3rd at 5:30 p.m. (2) Holiday ends on July 5th at 8:30 p.m.	Odd years	Even years
Pioneer Day	(1) Holiday begins on July 23rd at 5:30 p.m. (2) Holiday ends on July 25th at 8:30 p.m.	Even years	Odd years
Labor Day	(1) Holiday begins: (a) at the time that school is dismissed for Labor Day; or	Odd years	Even years

Holiday	Period	wilfredo garcia	Desiree Mares
	(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.		
Fall Break	(1) Holiday begins at: (a) the time that school is dismissed for fall break; or (b) 5:30 p.m. on the day school is dismissed for fall break at the 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	(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.	Even years	Odd years
Thanksgiving	(1) Holiday begins at: (a) the time that school is dismissed for Thanksgiving; or (b) 5:30 p.m. on the day that school dismisses for Thanksgiving at the election of the parent granted the holiday. (2) Holiday ends at 8:30 p.m. on the day before school resumes.	Even years	Odd years
Winter Break (First Half)	(1) Holiday begins at: (a) the time that school dismisses for winter break; or (b) 5:30 p.m. on the day that school dismisses for winter break at the election of the parent granted the holiday. (2) Holiday ends on December 27th at 8:30 p.m.	Odd years	Even years
Winter Break (Second Half)	(1) Holiday begins on December 27th at 8:30 p.m. (2) Holiday ends at 8:30 p.m. on the day before school resumes after the winter break.	Even years	Odd years
Day of Minor Child's Birthday	(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	(1) Holiday begins at 3 p.m. (2) Holiday ends at 8:30 p.m.	Odd years	Even years

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.

Education plan

13. The school the children will attend is based on **Desiree Mares's** home residence.

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

Communication with each other

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

Communication with the children

16. The parents agree they will:

- provide age-appropriate help to the children to communicate with the other parent.
- give the children privacy during their communication with the other parent. The parents will not interfere with or monitor communication between the children and the other parent.

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

- By any method

Records and information sharing

18. Other terms regarding records and information sharing:

Desiree Mares will only have access to records

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 **5** days, the parent arranging the travel will notify the other parent at least **5** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **14** 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.

Relocation of a parent

22. Neither parent may relocate with the minor children more than **5000** miles from their current residence without a written agreement signed by the parties or further court order.

23. 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**.

24. 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.

25. Reimbursement for the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

Changing the plan

This plan remains in effect until changed. A change comes from a modification of a court order.

END OF PARENTING PLAN

Income: Petitioner (Desiree Mares) (Utah Code 81-6-203)

26. **Desiree Mares's** gross monthly income for child support purposes is **\$2400**.

Desiree Mares base child support amount using the **sole** custody calculation is **\$756**.

Desiree Mares receives the following gross monthly income:

- a. **Desiree Mares** does not have any countable income from any source.
- b. **Desiree Mares** has the following income from any of these sources:

Source: Rental income, Monthly amount: \$2,400.00

Income: Respondent (wilfredo garcia) (Utah Code 81-6-203)

27. **wilfredo garcia's** gross monthly income for child support purposes is **\$0**. **wilfredo garcia's** base child support amount using the **sole** custody calculation is **\$30**. **wilfredo garcia** receives the following gross monthly income:

- a. **wilfredo garcia** does not have any countable income from any source.

28. The adjusted gross monthly income for **wilfredo garcia** is **\$0**.

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

29. It is in the best interest of the children that **wilfredo garcia** be ordered to pay child support to **Desiree Mares** as follows:

- a. **\$30.00** per month base support. This amount complies with the Utah Child Support Act.

30. 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.

31. The **sole** custody worksheet was used to calculate child support.

Desiree Mares's base child support amount is **\$756** per month.

wilfredo garcia's base child support amount is **\$30** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 81-6-104(4) and 81-6-205(8)(a)).

Child support reduction for extended parent-time

32. 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.

33. 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.

34. **Desiree Mares** will give **wilfredo garcia** the information needed to set up direct deposit through **wilfredo garcia's** employer. Once **wilfredo garcia** has the information, **wilfredo garcia** will have **wilfredo garcia's** employer set up direct deposit to an account of **Desiree Mares'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.

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

36. **wilfredo garcia** will pay any ORS fees. If **Desiree Mares** is the ORS applicant and the fees are withheld from payments to **Desiree Mares**, **wilfredo garcia** will reimburse **Desiree Mares**.

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

38. 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).

39. 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))

40. 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

41. **Desiree Mares** may claim the parties' children as dependents/exemptions for tax purposes.

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

42. 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),

43. 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.

- 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:

- **Desiree Mares's** insurance will be primary coverage.
 - **wilfredo garcia'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:
- **Desiree Mares's** spouse's insurance will be primary coverage.
 - **wilfredo garcia'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)

44. 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))

45. 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)

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

Debts

47. 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

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

Alimony

49. Neither party will pay alimony.

Retirement money

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

Duty to sign documents

51. 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.

9/23/2026
Date

Signature



Judge

Richard W. Daynes

Date

Signature

Commissioner

Approved as to Form.

Other Party

Signature

Other Party

Name wilfredo garcia

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: **wilfredo garcia**

Method of service: **Email**

Address: **gwilfredo492@gmail.com**

Date of Service: **Aug 31, 2026**

07/29/2026

Date

Signature



Desiree Mares

Printed
Name

Desiree Mares