

Agenda Committee on Court Forms

Administrative Office of the Courts / Scott M. Matheson Courthouse
450 South State Street

May 14, 2018 / 12:00 to 2:00 p.m.
Council Room

1. Welcome and approval of minutes for April 24 meeting	Randy Dryer
2. Changes to guardianship petition and order required by SB 182 (Recommended changes highlighted in yellow. The committee is not being asked to revise the form or approve the form. The request is to approve the changes to the existing form. Guardianship forms will be reviewed at a later date.)	Nathanael Player
3. Request for certified copy of adoption decree – district and juvenile (Returning to question about notarized signature if person isn't presenting application in person)	Jessica Van Buren
4. Order on Motion to Renew Judgment (Returning to issue of what findings should say)	Brent Johnson
5. Exhibit Summary and Affidavit in Support of Exhibit Counter Motion, Notice of Order, Notice of Judgment	Nathanael Player
6. Notice of Withdrawal of Counsel / Notice to Appear Personally or to Appoint Counsel / Notice of Appearance or Appointment of Counsel / Substitution of Counsel	Jessica Van Buren
7. Initial Disclosures	Nathanael Player
8. Parenting plan	Stewart Ralphs
8. Adjourn	Randy Dryer

2018 Meeting schedule
(12:00 - 2:00 p.m.)

June 11
July 9
August 13
September 10

October 9
November 13
December 10

MINUTES
**Utah Judicial Council's
Committee on Court Forms**
Administrative Office of the Courts
450 South State Street
Salt Lake City, UT 84111
April 24, 2018
12:00 – 2:00 p.m.
Executive Dining Room

Attendees

Kim Allard
Cyndi Byles
Commissioner T. Patrick Casey
Christina Cope
Randy Dryer
Guy Galli
Brent Johnson
Kara Mann
Nathanael Player
Stewart Ralphs
Judge James Taylor
Jessica Van Buren
Mary Westby

Excused

Judge Gregory Bown
Judge Elizabeth Lindsley

Staff

Minhvan Brimhall, Recording Secretary

Guests

Cathy Dupont

I. WELCOME AND APPROVAL OF MINUTES

Randy Dryer welcomed the committee to the meeting. The committee discussed the April 3, 2017 minutes. Judge Taylor moved to approve the minutes. Christina Cope seconded the motion and it passed unanimously.

Mr. Dryer mentioned that various rules have been published for public comments, specifically Utah Rule of Civil Procedure 101 and 105 regarding divorce, as well as Civil Procedure Rule 73 regarding attorney's fees. Jessica Van Buren states that these rules are in the final stages of completion as they will be presented to the Management Committee on Monday. These particular forms have multiple changes. The forms may be available May 8th or 9th for review.

II. WRIT OF GARNISHMENT PACKET (REVIEWING FORMS 4, 5, 8, 10 and 11)

Nathanael Player indicated that substantial changes had been made to the forms requiring that the forms be brought back to the Committee for additional feedback and revision. Ms. Van Buren stated that in an effort to gather feedback from the last meeting, the forms will be reviewed at this meeting with the goal to identify additional changes in preparation of moving forward in the forms process.

The Committee made several recommendations regarding language changes throughout the form. Following further discussion of additional forms in the garnishment packet, Judge Taylor moved to approve the motion with the recommended minor changes and to seek clarification on the issue of a caption on the first page of the forms by the Rule of Civil Procedure Committee. Stuart Ralphs seconded the motion. The motion was approved unanimously.

III. WRIT OF EXECUTION (REVIEWING CHANGES TO NOTICE OF WRIT ONLY)

Ms. Van Buren indicated that these items parallel the items listed in the garnishment packet, and asked if additional changes were needed.

With no additional changes to the packet, Mr. Player moved to approve the motion. Stuart Ralphs seconded the motion. The motion was approved unanimously.

IV. ABSTRACT OF JUDGMENT AND JUDGMENT INFORMATION STATEMENT

The committee members discussed whether the certificate of service should be included in the form. The Abstract of Judgment and Judgment Information Statement forms are not mailed out to additional parties and do not act as notice of service. The Committee made a recommendation to remove the certificate of service page.

After further discussion, with minor changes made to the form, Mary Westby moved to approve the motion. Cathy DuPont seconded the motion. The motion was approved unanimously.

V. MOTION TO RENEW JUDGMENT

The Committee discussed that when a notice on the motion to renew judgment is filed, all parties need to be given sufficient notice of the motion. The committee members made a recommendation to include the certificate of service box with a statement that the motion was sent to the most current address as known to the court.

After further discussion, with minor changes made to the form, Judge Taylor moved to approve the motion. Mr. Galli seconded the motion. The motion was approved unanimously.

Memorandum Opposing Motion to Renew Judgment:

The committee members discussed the need and usage of this form. The form is primarily used in District Court. Brent Johnson will have the Civil Rules Committee look at statutory requirements for this form.

After further discussion, and with minor language changes made to the form, Mr. Galli moved to approve the motion. Ms. Westby seconded the motion. The motion was approved unanimously.

Notice of Amount Due on Renewed Judgment:

The committee members discussed whether it is necessary to provide additional notice once notice of judgment has been given.

Following further discussion, Judge Taylor motioned to remove the form. Judge Taylor moved to approve the motion. Kim Allard seconded the motion. The motion was approved unanimously.

Findings of Facts and Conclusion of Law and Order on Motion to Renew Judgment:

The Committee made recommendations for several language changes throughout the form. Mr. Dryer made a recommendation to defer any action of this form to the Style Committee to review. Next stylistic meeting is May 10th and the next forms' meeting is May 14th. Mr. Johnson will review and address these issues and provide recommendation at the next Forms meeting.

Following further recommendations and discussion, the Committee moved to remove the Notice of Renewed Judgment and Judgment on Motion to Renew forms. _____ made the motion. _____ seconded the motion. The motion was approved unanimously.

VI. MOTION TO DECLARE JUDGMENT SATISFIED

Approved to Move Satisfaction of Judgment:

No further recommendations or changes were made to this form. Commissioner Casey motioned to approve the form. Ms. Dupont seconded the motion. The motion was approved unanimously.

Debtor's Motion to Declare the Judgment Satisfied:

No further recommendations or changes were made to this form. Mr. Stewart motioned to approve the form. Ms. DuPont seconded the motion. The motion was approved unanimously.

Findings of Fact, Conclusions of Law, and Order on Debtor's Motion to Declare Judgment Satisfied:

The Committee recommended adding approval of this form with other parties.

No further changes were made to the form. Ms. DuPont motioned to approve the form. Mr. Player seconded the motion. The motion was approved unanimously.

Certificate of Satisfaction of Judgment:

Recommendation was made to remove the Certificate of Service from this form.

With no further discussion, Judge Taylor motioned to remove the form. Mr. Ralphs seconded the motion. The motion was approved unanimously.

VII. REQUEST FOR CERTIFIED COPY OF ADOPTION DECREE – DISTRICT AND JUVENILE

Due to time constraint, this form will be held over to the next meeting for review.

VIII. NOTICE FOR WITHDRAWAL OF COUNSEL / NOTICE OF APPEARANCE PERSONALLY OR TO APPOINT COUNSEL / NOTICE OF APPEARANCE OR APPOINTMENT OF COUNSEL / SUBSTITUTION OF COUNSEL

This item was not addressed due to lack of time and will be addressed at a future meeting.

IX. INITIAL DISCLOSURES

This item was not addressed due to lack of time and will be addressed at a future meeting.

X. EXHIBIT SUMMARY, AFFIDAVIT IN SUPPORT OF EXHIBIT COUNTER MOTION, NOTICE OF ORDER / NOTICE OF JUDGEMENT

This item was not addressed due to lack of time and will be addressed at a future meeting.

XI. ADJOURN

Next committee is Monday, May 14th at 12 PM. Council Room.

There being no further issues, the meeting adjourned at 2:05 p.m.

Forms Status Summary

Approved forms

Form Name	Approved Date	Approved By
Acceptance of service	January 22, 2018	Judicial Council
Adult adoption	September 19, 2017	Forms Committee
Answer	December 18, 2017	Judicial Council
Certificate of service	January 22, 2018	Judicial Council
Consent to email service	January 22, 2018	Judicial Council
Counterclaim	December 18, 2017	Judicial Council
Debt collection answer	December 18, 2017	Judicial Council
Declaration of inmate filing	November 13, 2017	Forms Committee
Eviction forms used in OCAP	December 18, 2017	Judicial Council
Informal probate	July 17, 2017	Forms Committee
Motion for alternative service	February 26, 2018	Judicial Council
Motion for temporary orders (domestic)	December 18, 2017	Judicial Council
Motion forms	April 16, 2018	Judicial Council
Motion to correct clerical mistake	December 18, 2017	Judicial Council
Motion to excuse mediation	April 16, 2018	Judicial Council
Motion to excuse divorce education requirement	April 16, 2018	Judicial Council
Nonpublic information: parent, minor and safeguarded address	April 16, 2018	Judicial Council
Objection to commissioner's recommendation	December 18, 2017	Judicial Council
Objection to form of order	December 18, 2017	Judicial Council
Petition for essential treatment	October 17, 2017	Forms Committee
Proof of service	February 26, 2018	Judicial Council
Summons	January 22, 2018	Judicial Council
Supplemental proceedings	April 16, 2018	Judicial Council

Pending with Judicial Council

- Writ of execution packet
- Writ of garnishment packet
- Abstract of judgment and Judgment information statement
- Motion to declare judgment satisfied packet

Pending with Forms Committee

- Motion to renew judgment packet
- Motion forms: counter motion, affidavit in support of exhibit, exhibit summary and notice of order
- Notice of withdrawal of Counsel, Notice to appear personally or to appoint counsel, Notice of appearance or appointment of counsel, Substitution of counsel
- Initial disclosures
- Parenting plan

Pending with Style Subcommittee

- Default judgment packet
- Financial declaration
- Petition to modify child support, child custody, and parent-time
- Juvenile court motions
- OCAP divorce provisions
- Small claims packet
- Child protective orders packet
- Juvenile court fee waiver packet
- Fee waiver packet
- Motion to waive divorce waiting period packet

Pending with Family Law Subcommittee

Prioritized by the LPP Education Subcommittee

- Financial declaration packet
- Temporary Separation
- Motion for genetic testing
- Motion to appoint parent coordinator
- Motion to Bifurcate
- Motion to Appear by phone/reschedule (Commissioner)
- Motion to Set Aside (vacate dismissal and reinstate)
- Motion to Change Venue
- Motion to Dismiss
- Motion to Review Notice of Relocation under Utah Code 30-3-37 (along with Notice)
- Motion for Temporary Restraining Order
- Annulment
- Order to show cause packet (proposed rule change in the works, so this is on hold)

Lower on priority list

- Parentage (between parents; paternity, custody & support or just paternity & support)
- Judicial recognition of relationship as marriage packet
- Name change - adult packet
- Name change - minor packet
- Step-parent adoption packet
- Open adoption record
- Petition for Registration of Adoption Order from Foreign Country
- Temporary Delegation of Parental Authority
- Voluntary Relinquishment of Parental Rights
- Establishing Fact of Birth

- Emancipation of a minor
- Guardianship of a Minor
- Guardianship of an adult
- Conservatorship of a Minor
- Conservatorship of an adult
- Registering an ORS Order
- Adjudication of Paternity (not custody or support)

On Hold Pending Legislative Changes or for some other reason

- Adult Protective Orders packet
- 10-day summons
- Nonpublic information forms: Personal Information – not sure if this form is still necessary.

This is a private record.

This is a tier 2 case.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Petitioner ☐ Petitioner's Attorney (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

_____,
Respondent

Petition to Appoint a Guardian for an Adult

☐ Attorney for the respondent requested

☐ Court visitor requested

Case Number

Judge

1. I ask the court to appoint

(name of proposed guardian(s)), a competent person or persons or suitable institution,
as guardian or co-guardian for

_____ (name of respondent).

2. The court has jurisdiction under Section 75-1-302.

3. The court has venue because the respondent resides or is present in this county.

4. The interested persons who must be served are described in Schedule A, which is attached. Service of a copy of this petition and notice of the time and place of the hearing will occur as described in Schedule A.

5. Information about the respondent:

Name

Address

City, State, Zip

Phone

Social Security Number

Email

Date of Birth

Driver License Number

The respondent is an adult, or will be an adult within the next six months (Utah Code 75-5-317).

6. Information about the proposed guardian(s):

Name

Address

City, State, Zip

Phone

Social Security Number

Email

Date of Birth

Driver License Number

Name

Address

City, State, Zip

Phone

Social Security Number

Email	Date of Birth
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Driver License Number

7. Information about the proposed guardians' next of kin or other contact person:

Name _____

Address _____

City, State, Zip

Phone	Social Security Number
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Email	Date of Birth
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Driver License Number

Name _____

Address

City, State, Zip

Phone _____ Social Security Number _____

Email _____ Date of Birth _____

Driver License Number

8. The proposed guardian(s) receive priority for appointment because they:

(Choose all that apply.)

- ☐ were nominated by the respondent (Choose one.)
- ☐ in a signed writing substantially conforming to the requirements of Section 75-5-311.
- ☐ by some means other than a signed writing substantially conforming to the requirements of Section 75-5-311.
- ☐ are the respondent's spouse.
- ☐ are the respondent's adult child.
- ☐ are the respondent's parent.

- ☐ are nominated by will or other writing signed by the respondent's deceased spouse.
- ☐ are nominated by will or other writing signed by the respondent's deceased parent.
- ☐ are the respondent's relative(s) with whom the respondent has resided for more than six months before the filing of the petition.
- ☐ have been nominated by _____ (name) who is caring for the respondent or paying benefits to the respondent.
- ☐ are a specialized care professional who does not profit financially or otherwise from or receive compensation for acting as guardian, except for the direct costs of providing guardianship services, and does not otherwise have a conflict of interest in providing those services.
- ☐ had a court order granting sole legal decision making authority over the respondent when respondent turned 17 years and six months old, and this petition is being filed within 2 years after the day respondent turns 18. The case number is _____.
- ☐ are the respondent's parents, or two people who share joint legal decision-making authority over the respondent.
- ☐ are _____
(describe relationship to the respondent).

9. _____ (name)
has been nominated as guardian for the respondent but is not the proposed guardian. (If no one or the proposed guardian has been nominated, enter "no one.") The nomination was made by: (Choose all that apply.)
- ☐ the respondent;
 - ☐ the respondent's spouse;
 - ☐ the respondent's parent;
 - ☐ the respondent's caregiver.

10. The court should appoint the proposed guardian(s) because: (Choose one.)
- ☐ the proposed guardian(s) have highest priority established by statute.
 - ☐ there is good cause not to follow the statutory priority because:

11. List any other guardianship or conservatorship orders or pending cases regarding the respondent. (If there are no other orders or proceedings, enter "none.")

12. The respondent's ability to:

- ☐ receive and evaluate information; or
☐ make and communicate decisions; or
☐ provide for necessities such as food, shelter, clothing, health care, or safety

is impaired to the extent that s/he lacks the ability, even with appropriate technological assistance, to meet the essential requirements for financial protection or physical health, safety, or self-care.

13. The respondent has the following functional limitations, and a guardian is necessary or desirable as a means of providing the respondent with continuing care and supervision:

14. ☐ A report about the respondent, written by a physician or psychologist, is attached.

(Only required if respondent is a minor. Utah Code 75-5-317.)

- ☐ The report is based on an evaluation done in the last six months. I ask the court to waive any additional evaluation.

15. The respondent's incapacity is proved by the following clear and convincing evidence:

(Describe examples of the respondent's inabilities and functional limitations, so that, even with appropriate technological assistance, s/he is unable to meet the essential requirements for financial protection or physical health, safety, or self-care. Attach supporting documents, including statements of any witnesses who are familiar with the respondent and/or evaluations of respondent's physician or other evaluator.)

16. A guardianship is necessary or desirable as a means of providing the respondent with continuing care and supervision because:
(Explain what alternatives other than a guardianship have been tried and why they did not succeed. Or explain why alternatives have not been tried.)

Choose paragraph 17 or 18, but not both.

17. ☐ **Limited guardianship**

The respondent requires a guardian with limited authority to: (Choose all that apply.)

- ☐ make decisions about the respondent's custody and residence;
- ☐ make decisions about the respondent's training and education;
- ☐ provide for the respondent's care, comfort, and maintenance;
- ☐ take reasonable care of the respondent's clothing, furniture, vehicles, and other personal effects;
- ☐ commence protective proceedings if the respondent's property needs protection;
- ☐ give consent necessary to enable the respondent to receive medical or other professional care, counsel, treatment, or service;
- ☐ institute proceedings to compel a person to perform their duty to support the respondent;

☐ receive money and tangible property deliverable to the respondent and apply the money and property for the respondent's support, care, and education;

☐ other (Describe additional authority that the guardian should have.)

18. ☐ **Full guardianship**

The respondent requires a guardian with plenary or full authority because:
(Explain why nothing less than a full guardianship is adequate to provide the respondent with continuing care and supervision.)

19. The estimated value of the respondent's assets is: (Attach additional pages if needed. Refer to Paragraph 18.)

General Description	Estimated Value	Unknown
Home and other real estate	\$	<input type="checkbox"/>
Bank and credit union accounts	\$	<input type="checkbox"/>
Investments	\$	<input type="checkbox"/>
Personal property	\$	<input type="checkbox"/>
Other	\$	<input type="checkbox"/>
Total	\$	<input type="checkbox"/>

20. The respondent's estimated monthly income from all sources is: (Attach additional pages if needed. Refer to Paragraph 19.)

General Description	Estimated Monthly Amount	Unknown
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General Description	Estimated Monthly Amount	Unknown
Social Security benefits	\$	[]
Pension	\$	[]
Interest	\$	[]
Other	\$	[]
Total	\$	[]

21. The respondent: (Choose one.)

- ☐ will be represented by _____,
(name) an attorney selected by the respondent.
- ☐ needs an attorney appointed by the court, and I am filing with this petition a Request to Appoint an Attorney.
- ☐ is petitioner's biological or adopted child and is not required to be represented by an attorney (Utah Code 75-5-303(5)(d)).

22. The respondent: (Choose one.)

- ☐ will be present at the hearing.
- ☐ should be excused from attending the hearing: (Choose one.)
- ☐ and I am filing with this petition a Request to Assign a Court Visitor to inquire about whether to excuse the respondent from attending the hearing under Section 75-5-303.
- ☐ because of clear and convincing evidence from a physician that the respondent has: (Choose all that apply. Attach physician's affidavit.)
- ☐ fourth stage Alzheimer's disease;
- ☐ extended comatosis; and/or
- ☐ an intellectual disability with an IQ score under 20 to 25.

23. I ask the court to:

- schedule a hearing on this petition;
 - give notice as required by Utah Code Section 75-5-309;
 - enter an order declaring the respondent to be an incapacitated person and appointing _____ (name) as guardian with the authority requested in Paragraph 16 or 17, to serve: (Choose one.)
- ☐ without bond.

[] with bond in the amount of \$_____.

- issue a Letter of Guardianship to the guardian describing the guardian's authority.

24. [] I ask the court to make the order immediately effective upon the respondent's 18th birthday, which is _____ (date).

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____	Signature ►	_____
Date	Printed Name	_____

This is a private record.

Name

Address

City, State, Zip

Phone

Email

In the District Court of _____ County, Utah

Court Address _____

In the Matter of Protection for

_____,
Respondent

Findings of Fact and Conclusions of Law

Case Number

Judge

The matter before the court is a petition to appoint a guardian for the respondent named above. This matter is being resolved by: (Choose all that apply.)

☐ The stipulation of the parties.

☐ The pleadings and other papers of the parties.

☐ A hearing held on _____ (date), notice of which was served on all parties.

Petitioner

☐ was present.

☐ was not present.

☐ was represented by _____ (name).

☐ was not represented.

Respondent

☐ was present.

☐ was excused from attending.

☐ was represented by _____ (name).

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The court finds:

1. The court has jurisdiction under Section 75-1-302.
2. The court has venue because the respondent resides or is present in this county.
3. Service on all interested persons of a copy of the petition and notice of the time and place of the hearing has been made as required by law.
4. The respondent is an adult, **or will be an adult within the next six months.**
5. _____
(name of guardian(s)) is a competent person or persons or suitable institution to be the respondent's guardian.
6. The guardian(s) receive priority for appointment because they: (Choose all that apply.)
 - ☐ have been nominated by the respondent (Choose one.)
 - ☐ in a signed writing substantially conforming to the requirements of Section 75-5-311.
 - ☐ by some means other than a signed writing substantially conforming to the requirements of Section 75-5-311.
 - ☐ are the respondent's spouse.
 - ☐ are the respondent's adult child.
 - ☐ are the respondent's parent.
 - ☐ are nominated by will or other writing signed by the respondent's deceased spouse.
 - ☐ are nominated by will or other writing signed by the respondent's deceased parent.
 - ☐ are the respondent's relative(s) with whom the respondent has resided for more than six months before the filing of the petition.
 - ☐ have been nominated by _____
(name) who is caring for the respondent or paying benefits to the respondent.

☐ is a specialized care professional who does not profit financially or otherwise from or receive compensation for acting as guardian, except for the direct costs of providing guardianship services, and does not otherwise have a conflict of interest in providing those services.

☐ had a court order granting sole legal decision making authority over the respondent when respondent turned 17 years and six months old, and this petition is being filed within 2 years after the day the respondent turns 18.

☐ are the respondent's parents, or two people who share joint legal decision-making authority over the respondent.

☐ are _____
(describe relationship to the respondent)

7. The court should appoint the guardian because: (Choose one.)

☐ the guardian is highest in priority established by statute.

☐ There is good cause not to follow the statutory priority because:

8. There is clear and convincing evidence that the respondent's ability to:

☐ receive and evaluate information; or

☐ make and communicate decisions; or

☐ provide for necessities such as food, shelter, clothing, health care, or safety

is impaired to the extent that s/he lacks the ability, even with appropriate technological assistance, to meet the essential requirements for financial protection or physical health, safety, or self-care.

9. The respondent has the following functional limitations, and a guardian is necessary or desirable as a means of providing the respondent with continuing care and supervision:

Choose paragraph 10 or 11, but not both.

10. ☐ Limited guardianship.

The respondent requires a guardian with limited authority to: (Choose all that apply.)

- ☐ make decisions about the respondent's custody and residence;
- ☐ make decisions about the respondent's training and education;
- ☐ provide for the respondent's care, comfort, and maintenance;
- ☐ take reasonable care of the respondent's clothing, furniture, vehicles, and other personal effects;
- ☐ commence protective proceedings if the respondent's property needs protection;
- ☐ give consent necessary to enable the respondent to receive medical or other professional care, counsel, treatment, or service;
- ☐ institute proceedings to compel a person to perform their duty to support the respondent;
- ☐ receive money and tangible property deliverable to the respondent and apply the money and property for the respondent's support, care, and education;
- ☐ other (Describe additional authority that the guardian should have.)

11. ☐ Full guardianship.

The respondent requires a guardian with plenary or full authority because no alternative exists and nothing less than a full guardianship is adequate to provide the respondent with continuing care and supervision.

12. ☐ The report about the respondent written by a physician or psychologist satisfies the requirements of Utah Code 75-5-317.

The court concludes:

13. The respondent is an incapacitated person and a guardianship is necessary or desirable as a means of providing the respondent with continuing care and supervision.

14. The respondent requires a guardian: (Choose one.)

☐ with limited authority as provided in paragraph 10.

☐ with plenary or full authority.

15. _____
(name of guardian(s)) is a competent person or suitable institution to be the respondent's guardian.

16. ☐ This order should be immediately effective upon the respondent's 18th birthday, which is _____ (date).

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

Date

Signature ► _____
Judge _____

Approved as to form.

Date

Signature ► _____
Petitioner or Attorney _____

Date

Signature ► _____
Respondent's Attorney _____

Certificate of Service

I certify that I filed with the court and served a copy of this Findings of Fact and Conclusions of Law on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
(Petitioner or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Respondent's Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Interested Person or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

 Date

 Signature ►

 Printed Name

Request for Certified Copy of Adoption Decree – District Court

Utah Rule of Civil Procedure 107(a)

Name of requester

Address

City, State, Zip

Phone

Email

File this form with the clerk of the district court in Utah where the adoption was ordered.

1. Choose one:

☐ I am the adoptive parent in this case.

☐ I am the adult adoptee in this case

2. I present the following identification to prove my identity

(List the government-issued identification you are presenting to the court. **If you are not presenting this application in person at the court, you must sign this application in front of a notary and present identification.**):

3. The adoption order was entered by this court in _____ (year) and the court case number is _____ (if known).

4. The adoptee's name is _____.

5. The adoptee's date of birth is _____.

6. I ask the court to give me a certified copy of the adoption order in my case.

7. I understand that I will be charged a fee for the certified copy of the order and that I must pay the fee to the court before the court will give me the copy.

If you are presenting this application in person at the court, sign here:

Date

Sign here ►

Typed or Printed Name

If you are not presenting this application in person at the court, you must sign this application in front of a notary and present identification.

Date

Signature ►

Printed Name

On this date, I certify that _____ (name)
who is known to me or who presented satisfactory identification, in the form of
_____ (form of identification), has, while in my
presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

Date

Signature ►

Printed name (Court Clerk or Notary Public)

Notary Seal

Request for Certified Copy of Adoption Decree – Juvenile Court

Utah Rule of Civil Procedure 107(a)

Name of requester

Address

City, State, Zip

Phone

Email

File this form with the clerk of the juvenile court in Utah where the adoption was ordered.

1. I am the adoptive parent in this case. I present the following identification to prove my identity
(List the government-issued identification you are presenting to the court. If you are not presenting this application in person at the court, you must sign this application in front of a notary and present identification.):

2. The adoption order was entered by this court in _____ (year) and the court case number is _____ (if known).
3. The adoptee's name is _____.
4. The adoptee's date of birth is _____.
5. I ask the court to give me a certified copy of the adoption order in this case.
6. I understand that I will be charged a fee for the certified copy of the order and that I must pay the fee to the court before the court will give me the copy.

If you are presenting this application in person at the court, sign here:

Date

Signature ► _____

Printed Name _____

If you are not presenting this application in person at the court, you must sign this application in front of a notary and present identification.

Date

Signature ► _____

Printed Name _____

On this date, I certify that _____ (name)
who is known to me or who presented satisfactory identification, in the form of
_____ (form of identification), has, while in my
presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

Date

Signature ► _____

Printed name (Court Clerk or Notary Public) _____

Notary Seal

☐ This is a private record

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Counter Motion to

(Rule 101)

(name of motion)

☐ **Hearing Requested**

Case Number

Judge

Commissioner (domestic cases)

1. I ask the court to enter an order as follows:
(Write **what** you want the court to order)

2. I ask for this order because:
(Explain **why** you want the court order.)

3. ☐ The motion is supported by the law because:
(List any statutes, ordinances, rules or appellate opinions that support/oppose the motion. For example, Utah Code 15-1-201, or Utah Rules of Civil Procedure 67. Explain why they support the motion.)

4. ☐ I request a hearing.
☐ I do not request a hearing.

5. ☐ I have attached the following documents in support of this motion:

I declare under criminal penalty of the State of Utah that everything stated in this document is true.

Date

Signature ► _____
Printed Name _____

Certificate of Service

I certify that I filed with the court and served a copy of this Counter Motion on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date

Signature ►

Printed Name

This is a private record

Name

Address

City, State, Zip

Phone

Email

I am ☐ Petitioner ☐ Respondent
☐ Petitioner's Attorney ☐ Respondent's Attorney (Utah Bar #: _____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

	Affidavit with Exhibit(s) (Commissioner cases only; Utah Rule of Civil Procedure 101)
Petitioner	Case Number _____
v.	Judge _____
Respondent	Commissioner _____

_____ (name), under oath, says:

1. I am the ☐ petitioner ☐ respondent ☐ other _____
(Describe.)
2. I am submitting the following exhibit(s) in support of my
☐ Motion to _____ (name of motion).
☐ Memorandum Opposing Motion to _____
(name of motion).

☐ Reply Memorandum Supporting Motion to _____ (name of motion).

☐ Other _____

3. For each exhibit provide a name, a brief summary of the contents, and explain the "foundation" – how you came to have the item, or what you know about the item to prove it is authentic. (Attach additional sheets if needed.)

Exhibit A

Name	
Summary of Contents	
Foundation	

Exhibit B

Name	
Summary of Contents	
Foundation	

Exhibit C

Name	
Summary of Contents	
Foundation	

4. ☐ One or more of my exhibits is longer than 10 pages. I am providing a summary of those exhibits as a chart, list, spreadsheet or calculation. Copies of the exhibits have been provided to all parties and will be available at any hearing.

For each exhibit summary provide a name, a brief summary of the contents, and explain the "foundation" – how you came to have the item, or what you know about the item to prove it is authentic. (Attach additional sheets if needed.)

Example

Name	Exhibit D
Summary of Contents	Itemized list of medical expenses.
Foundation	Compiled from statements from the insurance company.

Name	
Summary of Contents	
Foundation	

Name	
Summary of Contents	
Foundation	

Name	
Summary of Contents	
Foundation	

Date

Signature ► _____

Printed Name _____

On this date, I certify that _____ (name)
who is known to me or who presented satisfactory identification, in the form of _____
(form of identification), has, while in my
presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

Date

Signature ► _____

Printed name (Court Clerk or Notary Public) _____

Notary Seal

Certificate of Service

I certify that I filed with the court and served a copy of this Affidavit in Support of Exhibit(s) on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
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	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date

Signature ► _____

Printed Name _____

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Notice of Order (URCP 58A(g)?)

Case Number

Judge

Commissioner (domestic cases)

The court has entered the attached findings of fact, conclusions of law and order.

Date

Signature ►

Printed Name

Certificate of Service

I certify that I filed with the court and served a copy of this Notice of Order on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
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Signature ►

Date

Printed Name

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)

☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner

☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Notice of Withdrawal of Counsel
(Utah Rule of Civil Procedure 74)

Case Number

Judge

Commissioner (domestic cases)

1. I notify the court, counsel and parties that I am withdrawing as counsel for:

Client's Name _____

Address _____

City, State, _____

ZIP _____

2. ☐ There are no motions pending. There are no hearings scheduled. There is no trial scheduled.
- ☐ There are motions pending and/or there are hearings scheduled and/or there is a trial scheduled. I have filed a Motion to Withdraw.

3. [] I entered a limited appearance on behalf of my client, and the purpose for that appearance is finished.
(An attorney may withdraw after completing the purpose of a limited appearance even though a motion is pending or a hearing or trial has been scheduled, provided the limited appearance was not for the purpose of that motion, hearing or trial.)

I declare under criminal penalty of the State of Utah that everything stated in this document is true.

	Signature ►	
Date	Printed Name	

Certificate of Service

I certify that I filed with the court and served a copy of this Notice of Withdrawal of Counsel on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
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Date

Signature ► _____

Printed Name _____

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #: _____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Notice to Appear or to Appoint Counsel (Utah Rule of Civil Procedure 74)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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1. I am notifying you that because your counsel has withdrawn from this case, you must file a Notice of Personal Appearance or Appointment of Counsel.
2. No further proceedings will be held in this case until at least 21 days after _____ (Date on which this notice is filed.).
3. A Notice of Personal Appearance or Appointment of Counsel form is attached for your convenience.

I declare under criminal penalty of the State of Utah that everything stated in this document is true.

Date

Signature ►

Printed Name

Certificate of Service

I certify that I filed with the court and served a copy of this Notice to Appear Personally or to Appoint Counsel on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date

Signature ► _____

Printed Name _____

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #: _____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

☐ **Notice of Personal Appearance**
OR
☐ **Notice of Counsel's Appearance**

Case Number

Judge

Commissioner (domestic cases)

1. _____ (name of former attorney) has filed a Notice of Withdrawal.

(Check 2 or 3, whichever applies.)

2. ☐ I now represent myself.

OR

3. ☐ I now represent _____ (name of client).

I declare under criminal penalty of the State of Utah that everything stated in this document is true.

_____	Signature ►	_____
Date	Printed Name	_____

Certificate of Service

I certify that I filed with the court and served a copy of this Notice of Personal Appearance or Notice of Counsel's Appearance on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
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	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

 Date

 Signature ►

 Printed Name

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)

☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner

☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Substitution of Counsel (Utah Rule of Civil Procedure 74)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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1. I notify the court, counsel and parties that I am replacing _____ (name of lawyer) as counsel for _____ (name of client).

2. I will comply with the existing hearing schedule and deadlines.

Date _____ Signature ► _____

Printed name of former counsel _____

Date _____ Signature ► _____

Printed name of client _____

Date _____ Signature ► _____

Printed name of new counsel _____

Certificate of Service

I certify that I filed with the court and served a copy of this Substitution of Counsel on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date

Signature ► _____
Printed Name _____

☐ This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

	Initial Disclosures (Utah Rule of Civil Procedure 26(a)(1))
Plaintiff/Petitioner	Case Number _____
v.	Judge _____
Defendant/Respondent	Commissioner (domestic cases) _____

I _____ (name) provide the following initial disclosures:

1. **Discoverable information** (Utah Rule of Civil Procedure 26(a)(1)(A)) (Choose one):

☐ These are the people who likely have discoverable information supporting my claims or defenses:

Name	
------	--

Address (if known)	
Phone (if known)	
Information they have about the case	

Name	
Address (if known)	
Phone (if known)	
Information they have about the case	

Name	
Address (if known)	
Phone (if known)	
Information they have about the case	

☐ I do not know of any people who likely have discoverable information supporting my claims or defenses.

2. **Witnesses** (Utah Rule of Civil Procedure 26(a)(1)(A)) (Choose one):

☐ These are the witnesses I may call.

Name	
Address (if known)	
Phone (if known)	
Summary of expected testimony	

Name	
Address (if known)	
Phone (if known)	
Summary of expected testimony	

Name	
Address (if known)	
Phone (if known)	
Summary of expected testimony	

☐ I do not plan to call any witnesses.

3. **Documents supporting my case** (Utah Rule of Civil Procedure 26(a)(1)(B)) (Choose one):

☐ I have attached copies of all documents supporting my case.

☐ I do not know of or have any documents supporting my case.

4. **Documents referred to in my pleadings** (papers you filed) (Utah Rule of Civil Procedure 26(a)(1)(E)) (Choose one):

☐ I have attached copies of all documents referred to in my pleadings.

☐ I do not refer to any documents in my pleadings, or any documents referred to in my pleadings have already been filed.

5. **Damages** (Utah Rule of Civil Procedure 26(a)(1)(C)) (Choose one):

☐ My estimate of damages claimed is \$_____. I have attached documents supporting this amount.

☐ Not applicable.

6. **Agreement to Satisfy / Indemnify / Reimburse** (Stewart's suggested title) (Utah Rule of Civil Procedure 26(a)(1)(D)) (Choose one):

☐ I have attached a copy of any agreement where someone else might have to pay the judgment, or reimburse me for the judgment.

☐ Not applicable.

I will updated these disclosures if any additional information becomes available. (Utah Rule of Civil Procedure 26(d)(5)).

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____

Printed Name _____

Need a note saying not to file this with the court. Edit the Certificate of Service that goes w/ the Financial Declaration to include this document as an option?

(f) Filing. Except as required by these rules or ordered by the court, a party shall not file with the court a disclosure, a request for discovery or a response to a request for discovery, but shall file only the certificate of service stating that the disclosure, request for discovery or response has been served on the other parties and the date of service.

This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p>	<p>Certificate of Service of Initial Disclosures (Utah Rule of Civil Procedure 26(f))</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
---	---

I certify that I served a copy of my Initial Disclosures on the following people.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____

Printed Name _____

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Signature ► _____
 Date _____
 Printed Name _____

This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p>	<p>Parenting Plan (Utah Code 30-3-10.7 - 30-3-10.10)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
---	---

This parenting plan is: (Choose all that apply.)

- ☐ agreed to by petitioner and respondent.
☐ proposed by ☐ petitioner ☐ respondent.

There ☐ is ☐ is not an existing plan on file with the court.

Utah law requires the following:

- ~~Any parent in a shared parenting arrangement must file a parenting plan, whether they are seeking to establish parental rights and responsibilities or to modify parental rights and responsibilities.~~

- A joint physical custody arrangement may result in denial of cash assistance under the Employment Support Act, Title 35A, Chapter 3, of the Utah Code.
- The objectives of a parenting plan are to:
 - provide for the children's physical care and emotional stability;
 - provide for the children's changing needs in a way that minimizes the need to change the parenting plan;
 - minimize the children's exposure to conflict between the parents;
 - state the authority and responsibilities of each parent to the children;
 - encourage the parents to meet their responsibilities to their children through agreement rather than judicial decision; and
 - protect the best interests of the children.
- ~~A parenting plan must include provisions for:~~
 - ~~○ resolving disputes between the parents;~~
 - ~~○ allocating decision-making authority;~~
 - ~~○ residence of the children; and~~
 - ~~○ notice and parenting responsibilities if a parent relocates.~~
- ~~Each parent must provide the other with their current address, telephone numbers, email address, and other virtual parent-time information unless the court orders otherwise. Each parent must inform the other parent and the court of any change in that information as soon as reasonably possible.~~
- Each parent must follow the parenting plan even if the other does not. If a parent does not follow the parenting plan, the court may find that parent in contempt of court.
- ~~Either parent may file a Petition to Modify Child Custody when there has been a substantial change in circumstances such that it is in the best interest of the children that the plan be changed by the court.~~

1. Family information

Petitioner

Name	
Street Address	
City, State, Zip	
Phone	
Email	

Respondent

Name	
Street Address	

City, State, Zip	
Phone	
Email	

Minor Children

Child's name (first, middle and last)	Child's gender	Month and year of birth

2. **Parent-time** (Choose one.)

☐ We will follow the parent-time schedule in the statute(s).

The children will live with ☐ petitioner ☐ respondent and will have parent-time with the other parent according to the statutory parent-time schedule. That parent will be the "custodial" parent:

(You can find the Utah Code at le.utah.gov/xcode/code.html. Print and attach a copy of the statute(s) for the option(s) you choose.)

☐ Children under 5 (Utah Code 30-3-35.5)

☐ Children 5-18 (Utah Code 30-3-35)

☐ Children 5-18 (expanded schedule) (Utah Code 30-3-35.1)

For children 5-18 we choose the following.

Weekday parent-time will be on this day: (Choose one.)

☐ Monday

☐ Thursday

☐ Tuesday

☐ Friday

☐ Wednesday

If not specified, the weekday is Wednesday.

On school days parent-time starts: (Choose one.)

- ☐ at the standard time (5:30 p.m. on weekdays; 6:00 p.m. on weekends).
- ☐ when school is out.

On days when school is not in session parent-time starts: (Choose one.)

- ☐ at the standard time (5:30 p.m. on weekdays; 6 p.m. on weekends).
- ☐ at the morning time listed in the statute (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child:
- 9:00 a.m. (30-3-35).
 - 8:00 a.m. (30-3-35.1).

- ☐ We will make our own parent-time schedule.

The children will live with ☐ petitioner ☐ respondent and will have parent-time with the other parent for the following days and times:

- ☐ The above choices do not fit this parenting plan. Instead, the parent-time schedule will be as follows:

3. Parent-time for special occasions

(Choose one.)

- ☐ We will follow the holiday schedule in the statute(s) for special occasions. The
- ☐ petitioner

☐ respondent

will be the custodial parent for purposes of the holiday.

☐ **On school days**, holiday parent-time starts: (Choose one.)

☐ at the time listed for the holiday.

☐ when school is out until 7:00 p.m. on the last day of the holiday weekend.

☐ **On days when school is not in session**, holiday parent-time starts: (Choose one.)

☐ at the time listed for the holiday

☐ at approximately 9:00 a.m. on the first day of the holiday period until 7:00 p.m. on the last day of the holiday weekend (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child.

☐ The residential schedule for special occasions is as described below. If a schedule for a special occasion is not described, the regular schedule applies.

(Describe the children's residential schedule as needed. For example, Thanksgiving: Even-numbered years with petitioner; odd-numbered years with respondent. From Wednesday at 6 p.m. to Friday at 6 p.m.)

Special Occasion	Residential Schedule
Labor Day Weekend	
Columbus Day Weekend	
Fall School Break	
Halloween	
Veterans' Day	
Thanksgiving Break	
Winter School Break	
Christmas Eve	

Special Occasion	Residential Schedule
Christmas Day	
New Year's Eve	
New Year's Day	
Dr. MLK, Jr. Day Weekend	
Presidents' Day Weekend	
Spring School Break	
Mother's Day	
Memorial Day Weekend	
Father's Day	
Summer School Break / Vacation	
Independence Day	
Pioneer Day	
Children's Birthdays	
Petitioner's Birthday	
Respondent's Birthday	
Other Religious Holiday	
Other Civic or School Holiday	
Other Special Occasion	

Special Occasion	Residential Schedule
Other Special Occasion	

4. **Parent-time transfers**

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

☐ Transfer at **beginning** of parent-time will be by:

☐ Petitioner

☐ Respondent

☐ Other adult _____ (name)

picking up/dropping off the children at this address:

and transfer at **end** of parent-time by:

☐ Petitioner

☐ Respondent

☐ Other adult _____ (name)

picking up/dropping off the children at this address:

☐ 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).

☐ Other pick-up/drop-off arrangement (Describe in detail.):

5. **Decision-making**

We understand the following applies to our Parenting Plan:

- 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.

(Choose one.)

☐ **Joint decision-making.**

We will share responsibility for making major decisions about the children. If there is a disagreement, we will resolve the dispute as provided in the Resolving disputes section below.

Other:

☐ **Sole decision-making.**

The following parent will make decisions about:

Education

☐ Petitioner ☐ Respondent

Health care

☐ Petitioner ☐ Respondent

Religious upbringing

☐ Petitioner ☐ Respondent

Other:

6. **Education plan**

Location of school (Choose one.)

☐ The school the children will attend is based on:

☐ Petitioner's home residence

☐ Respondent's home residence

☐ Other specific plan for where the children will attend school:

School access

The following people have authority to check the children out of school:

- ☐ Petitioner
☐ Respondent
☐ Other _____ (name)

The following people have access to the children during school:

- ☐ Petitioner
☐ Respondent
☐ Other _____ (name)

Education decisions

If the parents cannot agree, education decisions will be made by:

- ☐ Petitioner
☐ Respondent

7. Communication with each other

Parents will communicate with each other: (Choose all that apply.)

- ☐ by any method
☐ in person
☐ by telephone
☐ by texting
☐ by letter
☐ by e-mail
☐ other (describe): _____

8. Communication with the children

We agree we 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. We will not interfere with or monitor communication between the children and the other parent.

Parents and children may communicate with each other: (Choose all that apply.)

- ☐ Whenever the children choose.
☐ At any reasonable times (Specify.):

- ☐ weekends and holidays:
between _____ am/pm and _____ am/pm
- ☐ school days:
between _____ am/pm and _____ am/pm
- ☐ school vacation days:
between _____ am/pm and _____ am/pm

Parents may communicate with the children by following method: (Choose all that apply.)

- ☐ by any method
- ☐ in person
- ☐ by telephone
 - ☐ parents will maintain voice mail so the children can leave and receive messages.
- ☐ by texting
- ☐ by letter
- ☐ by e-mail
- ☐ other (describe): _____
- ☐ Other terms about communication with the children:

9. **Records and information sharing**

(Choose all that apply.)

- ☐ Both parents will have access to records and the ability to consult with providers regarding education, child care, and health care.
- ☐ Other terms regarding records and information sharing:

10. **Travel by the children**

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.

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

[] Other agreements about travel by the children:

11. **Military service by a parent**

Changes in the parent-time schedule due to deployment are temporary changes. After return of the military parent, this plan will be fully in effect. (Utah Code 78B-20-4).

12. **Child care**

(Choose all that apply.)

[] A child care provider for our children must be:

[] a licensed child care provider.

[] a relative, friend or neighbor.

[] over the age of _____.

[] other qualifications: _____

[] Other terms about child care:

13. Relocation of a parent

(Choose all that apply.)

- ☐ If either parent moves more than 149 miles from the other parent, Utah Code 30-3-37 will apply.
- ☐ Neither parent may relocate with the minor children more than ____ miles from their current residence without a written agreement signed by the parties or further court order.
- ☐ Other terms about relocating:

14. Changing the plan

This plan remains in effect until changed. A change must be agreed to by both of us and in the following manner:

- ☐ All changes must be in writing
- ☐ Major or permanent changes must be in writing, but minor or temporary changes can be made orally
- ☐ Other

15. Resolving disputes

If we need to resolve a dispute regarding the children, we will discuss the issues in good faith and try to reach an agreement based on what is best for our children.

If we are unable to agree, we will go to the following before bringing the issue to the court (Choose all that apply.):

- ☐ mediation
- ☐ arbitration

☐ counseling

☐ Other agreements about resolving disputes:

16. ☐ **Other terms that are important to us or our children**

(Describe)

17. ☐ **Advisory guidelines** (Utah Code 30-3-33)

Stylistics ask:

Do we want all provisions, or just some of them? Do we want to delete this section entirely? If we keep this language, should we clean this up? If so, should this be sent back to the Family Law Subcommittee?

The Advisory Guidelines below should be incorporated in my parenting plan.

- Parent-time schedules mutually agreed upon by both parents are preferable to a court-imposed solution.
- The parent-time schedule shall be used to maximize the continuity and stability of the child's life.
- Special consideration shall be given by each parent to make the child available to attend family functions including funerals, weddings, family reunions, religious holidays, important ceremonies, and other significant events in the life of the child or in the life of either parent which may inadvertently conflict with the parent-time schedule.
- The responsibility for the pick-up, delivery, and return of the child shall be determined by the court when the parent-time order is entered, and may be changed at any time a subsequent modification is made to the parent-time order.

- If the noncustodial parent will be providing transportation, the custodial parent shall have the child ready for parent-time at the time the child is to be picked up and shall be present at the custodial home or shall make reasonable alternate arrangements to receive the child at the time the child is returned.

If the custodial parent will be transporting the child, the noncustodial parent shall be at the appointed place at the time the noncustodial parent is to receive the child, and have the child ready to be picked up at the appointed time and place, or have made reasonable alternate arrangements for the custodial parent to pick up the child.

- Regular school hours may not be interrupted for a school-age child for the exercise of parent-time by either parent.
- The court may make alterations in the parent-time schedule to reasonably accommodate the work schedule of both parents and may increase the parent-time allowed to the noncustodial parent but may not diminish the standardized parent-time provided in Sections 30-3-35 and 30-3-35.5.
- The court may make alterations in the parent-time schedule to reasonably accommodate the distance between the parties and the expense of exercising parent-time.
- Neither parent-time nor child support is to be withheld due to either parent's failure to comply with a court-ordered parent-time schedule.
- The custodial parent shall notify the noncustodial parent within 24 hours of receiving notice of all significant school, social, sports, and community functions in which the child is participating or being honored, and the noncustodial parent shall be entitled to attend and participate fully.
- The noncustodial parent shall have access directly to all school reports including preschool and daycare reports and medical records and shall be notified immediately by the custodial parent in the event of a medical emergency.
- Each parent shall provide the other with the parent's current address and telephone number, email address, and other virtual parent-time access information within 24 hours of any change.
- Each parent shall permit and encourage, during reasonable hours, reasonable and uncensored communications with the child, in the form of mail privileges and virtual parent-time if the equipment is reasonably available, 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 interests of the child;

- each parent's ability to handle any additional expenses for virtual parent-time; and
- any other factors the court considers material.
- Parental care shall be presumed to be better care for the child than surrogate care and the court shall encourage the parties to cooperate in allowing the noncustodial parent, if willing and able to transport the children, to provide the child care. Child care arrangements existing during the marriage are preferred as are child care arrangements with nominal or no charge.
- Each parent shall provide all surrogate care providers with the name, current address, and telephone number of the other parent and shall provide the noncustodial parent with the name, current address, and telephone number of all surrogate care providers unless the court for good cause orders otherwise.
- Each parent shall be entitled to an equal division of major religious holidays celebrated by the parents, and the parent who celebrates a religious holiday that the other parent does not celebrate shall have the right to be together with the child on the religious holiday.
- If the child is on a different parent-time schedule than a sibling, based on Sections 30-3-35 and 30-3-35.5, the parents should consider if an upward deviation for parent-time with all the minor children so that parent-time is uniform between school aged and non-school aged children, is appropriate.
- When one or both parents are service members or contemplating joining a uniformed service, the parents should resolve issues of custodial responsibility in the event of deployment as soon as practicable through reaching a voluntary agreement pursuant to Section 78B-20-201 or through court order obtained pursuant to Section 30-3-10. Service members shall ensure their family care plan reflects orders and agreements entered and filed pursuant to Title 78B, Chapter 20, Uniform Deployed Parents Custody, Parent-Time, and Visitation Act.

[] Additional parenting responsibilities, expectations or commitments:

18. This plan is made in good faith and is in the best interests of the children.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date
Signature ► _____
Petitioner's Printed Name _____

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date
Signature ► _____
Respondent's Printed Name _____

Certificate of Service

I certify that I filed with the court and served a copy of this Parenting Plan on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date

Signature ►

Printed Name