

MINUTES  
**Utah Judicial Council's  
Committee on Court Forms**  
Administrative Office of the Courts  
450 South State Street  
Salt Lake City, UT 84111  
May 14, 2018  
12:00 – 2:00 p.m.  
Council Room

**Attendees**

Cyndi Bayles  
Randy Dryer - Chair  
Guy Galli  
Brent Johnson  
Judge Elizabeth Lindsley  
Kara Mann  
Nathanael Player  
Steward Ralphs  
Judge James Taylor  
Jessica Van Buren  
Mary Westby

**Excused**

Kim Allard  
Judge Greg Bown  
Christina Cope  
Cathy Dupont

**Staff**

Minhvan Brimhall, Recording Secretary

**Guests**

None

**I. WELCOME AND APPROVAL OF MINUTES**

Randy Dryer welcomed the Committee members to the meeting. The Committee discussed the April 24, 2018 minutes. Guy Galli suggested changes in the “Motion to Renew Judgment” section. Judge James Taylor then moved to approve the full minutes with the change. Nathaniel Player seconded the motion and it passed unanimously.

**II. CHANGES TO GUARDIANSHIP PETITION AND ORDER REQUIRED BY SB 182**

The Legislature passed SB 182 which allows a person to ask for adult guardianship of a person who is at least 17 ½ years old.

With no further discussion or changes to the form, Ms. Westby moved to approve the form as proposed. Mr. Ralphs seconded the motion. There was no objection and the form was unanimously approved.

**Findings of Facts and Conclusions of Law:**

This form is a mirror of the Petition. With no further discussion or changes to the form, Mr. Ralphs moved to approve the form as proposed. Mr. Player seconded the motion. There was no objection and the form was unanimously approved.

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

The Committee members discussed the issue of having two different forms. Though this form is not required when requesting copies of adoption decrees, the Juvenile Court has requested a separate form from that of District Court regarding requirements for mature and adult adoptees. URCP 107(a) does not address adoption decrees of mature adoptees. This rule may need to be modified to comply with statute. Mr. Galli proposed listing adult adoptees on the form and making both Juvenile and District Court forms identical to each other. Mr. Galli also proposed language changes regarding requirements of notary verification.

With no further discussion or changes to the form, Mr. Galli moved to approve the form as proposed. Judge Lindsley seconded the motion. There was no objection and the form was unanimously approved.

**IV. ORDER ON MOTION TO RENEW JUDGMENT**

The current statute states that if a judge finds the statements in the affidavit to be correct, the judge would enter a judgment. Mr. Johnson proposes a form that can be used for both contested and uncontested motions. The judge will not enter a new judgment but will simply determine whether the judgment remains unpaid and order renewal of the judgment.

With no further discussion or changes to the form, Judge Taylor moved to approve the form with Mr. Johnson's proposal. Ms. Westby seconded the motion. There was no objection and the form was unanimously approved.

**V. EXHIBIT SUMMARY AND AFFIDAVIT IN SUPPORT OF EXHIBIT**

**Counter Motion under URCP Rule 101:**

The Committee members discussed and made minor language changes to this form. With no further discussion or changes to the form, Mr. Ralphs moved to approve the form with the proposed changes. Mr. Player seconded the motion. There was no objection and the form was unanimously approved.

**Affidavit with Exhibits:**

The Committee members discussed and made proposed changes to the form that requires exhibits of 10 pages or more be submitted on an additional form. The additional form would include a summary of the contents being submitted.

With no further discussion or changes to the form, Mr. Ralphs moved to approve the form with the suggested proposal. Ms. Bayles seconded the motion. There was no objection and the form was unanimously approved.

**Notice of Order:**

The Committee members discussed and determined that this form can be removed as this form is not required by statute. With no further discussion, Mr. Player moved to remove this form. Ms. Van Buren seconded the motion. With no objection, the motion was approved unanimously.

**VI. NOTICE OF WITHDRAWAL / NOTICE TO APPEAR PERSONALLY OR TO APPOINT COUNSEL / NOTICE OF APPEARANCE OR APPOINTMENT OF COUNSEL / SUBSTITUTION OF COUNSEL**

**Notice of Withdrawal:**

The Committee members discussed recommendations to include LPPs in addition to attorneys. Mr. Galli made a recommendation to remove the option for additional notice.

With no further discussion, Mr. Ralphs moved to approve the form with proposed changes. Mr. Player seconded the motion. With no objection, the motion was approved unanimously.

**Notice to Appear Personally to Appoint Counsel:**

The Committee members discussed and made minor language changes and included the same reference to LPPs. With no further discussion or changes to the form, Mr. Ralphs moved to approve the form with the proposed changes. Mr. Player seconded the motion. There was no objection and the form was unanimously approved.

**Notice of Personal Appearance or Notice of Counsel's Appearance:**

The Committee members had no suggested changes to this form. With no further discussion, Mr. Ralphs moved to approve the form with proposed changes. Mr. Player seconded the motion. With no objection, the motion was approved unanimously.

**Substitution of Counsel:**

The Committee members had no suggested changes to this form. With no further discussion, Mr. Ralphs moved to approve the form with proposed changes. Mr. Player seconded the motion. With no objection, the motion was approved unanimously.

**VII. INITIAL DISCLOSURES**

This is a new form. There are no clear definitions of the types of initial disclosures requested. The Committee members discussed possible changes to the form, to include specific examples or clearly defined items to be disclosed, and to describe any items that may not be capable of delivery through the initial discovery. The Committee also made recommendations for additional language changes to the form.

With no further discussion, Mr. Ralphs moved to approve the form with proposed changes. Mr. Player seconded the motion. With no objection, the motion was approved unanimously.

**Certificate of Service for Initial Disclosures:**

The Committee members had no suggested changes to this form. With no further discussion, Mr. Ralphs moved to approve the form with proposed changes. Ms. Westby seconded the motion. With no objection, the motion was approved unanimously.

**VIII. PARENTING PLAN**

A Parenting Plan is required by law to help parents involved in divorce or separation matters. Paragraph 17 references “Advisory guidelines.” The Committee discussed and decided this is not needed and may cause confusion to those submitting the form. Judge Taylor proposed removing this section from the form. The Committee members discussed moving the guideline to the front of the form or referencing the guidelines in other parts of the form. The Committee decided to remove paragraph 17.

With no further discussion, Ms. Mann moved to remove the advisory guidelines as proposed by Judge Taylor. Mr. Player seconded the motion. There being no opposition, the motion was approved.

The Committee members discussed and made recommendations regarding language throughout several areas of the remainder of the form. Minor changes were made to maintain consistency and conformity throughout the form. With no additional discussions, Mr. Ralphs moved to approve the proposed changes. Mr. Player seconded the motion. There being no opposition, the motion was approved unanimously.

**IX. ADJOURN**

Meeting adjourned at 2:06 PM. Next committee meeting is Monday, June 11<sup>th</sup> at 12 PM in the Council Room.