

MINUTES
Utah Judicial Council’s
Committee on Court Forms
 Administrative Office of the Courts
 450 South State Street
 Salt Lake City, UT 84111
 February 11, 2019
 12 - 2 pm
 Judicial Council Room

Members	In attendance	Excused	Guest
Randy Dryer, Chair	•		Landon Troester
Kim Allard	•		
Cyndi Bayles		•	
Judge Randy Birch	•		
Christina Cope		•	
Cathy Dupont		•	
Guy Galli	•		
Judge Elizabeth Lindsley		•	
Kara Mann	•		
Commissioner Russell Minas		•	
Nathanael Player	•		
Stewart Ralphs	•		
Judge James Taylor		•	
Jessica Van Buren	•		
Mary Westby	•		
Staff	In attendance	Excused	
Brent Johnson	•		
Minhvan Brimhall – recording secretary	•		

I. Welcome and approval of January meeting minutes:

Randy Dryer welcomed the Committee members to the meeting. The Committee discussed the minutes from the January 14 meeting. No revision was made to the minutes. Stewart Ralphs moved to approve the full minutes. Guy Galli seconded the motion. The motion unanimously passed.

II. OCAP Parentage provisions:

The committee reviewed pages 3- 50 of the parentage provisions. The committee discussed and made minor language changes.

With no concerns raised or further discussion, Mr. Ralphs moved to approve pages 3 to 50 on parentage provisions with recommended changes. Mr. Player seconded the motion. The motion was approved unanimously.

III. Motion to Grant Divorce and Decide Other Issues Later (Bifurcate Divorce):

Brent Johnson met with Judge Pettit to review recommendations made by this committee in addressing concerns she raised regarding use of the word “prejudice” in paragraph 5. After final review, Judge Pettit has approved of the recommended language change.

With no additional concerns raised or further discussion, Mr. Ralphs motioned to approved the language changes as accepted by Judge Pettit. Kara Mann seconded the motion. The motion was unanimously approved.

IV. Notice to Defendant of Disclosure Requirements in Unlawful Detainer Actions:

Judge Pettit raised a concern regarding the inclusion of Rules of Civil Procedure 37 in the notice.

The committee discussed and made minor language changes per concerns raised by Judge Pettit. Following further discussions, Mary Westby motioned to approve the notice with acceptance of recommendations made by Judge Pettit, in addition to the changes made by the committee. Mr. Ralphs seconded the motion. The motion was unanimously approved.

V. Financial declaration:

The committee reviewed and discussed the Financial Declaration forms. Mr. Player noted that this form may be used by any party ordered to provide financial information related to a case. The form is used in family law cases. The goal of this form is to reduce the amount of time needed for discovery. The committee made several changes to the form. The committee modified the notice at the end form. This notice will inform all parties of potential sanctions that may be assessed by the court for information not fully disclosed. This notice is currently stated at the end of the form, prior to the filer’s signature.

With no additional discussions, Mr. Ralph motioned to accept all changes as modified by the committee. Ms. Westby seconded the motion. The motion was unanimously approved.

VI. Additional Business

Ms. Van Buren reported that the Stylistic committee will have the Domestic Relations Injunction form (URCP 109) for review at the next Forms Committee meeting. URCP 109 becomes affected May 1, 2019, so the form must be ready for use by then.

URCP 5 is changing to allow parties to serve each other by email if an email address is provided on their documents. This rule change will require changing the certificate of service (which appears on most court forms). This change takes effect May 1, 2019. This committee will discuss proposed form changes at the next meeting.

The TRO forms are back from the Family Law Subcommittee. The content of the form has been made broader, but there are specific requirements in the family law section of the form.

VII. Adjourn

With no further discussions, the meeting was adjourned without a motion. The meeting adjourned at 1:53 PM. The next meeting will be on March 11, 2019 from noon to 2 pm in the Council Room.