

APPROVED

MINUTES
Utah Judicial Council's
Committee on Court Forms
Administrative Office of the Courts
450 South State Street
Salt Lake City, UT 84111
April 8, 2019
12 - 2 pm
Judicial Council Room

Members	In attendance	Excused	Guest
Randy Dryer, Chair	•		
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	•		By phone
Judge James Taylor	•		
Jessica Van Buren	•		
Mary Westby	•		
Staff	In attendance	Excused	
Brent Johnson		•	
Minhvan Brimhall – recording secretary	•		

I. Welcome and approval of March meeting minutes:

Randy Dryer welcomed the Committee members to the meeting. The Committee discussed the minutes from the March 11 meeting. No revision was made to the minutes. Mary Westby moved to approve the full minutes. Cyndie Bayles seconded the motion. The motion unanimously passed.

II. Petition to modify child custody, parent-time and child support, stipulation and order:

These forms were previously approved by the Board of District Court Judges and are available on the website. The new version of the forms has been reviewed by the Family Law Subcommittee and the Stylistics Committee and is ready for review by this committee.

The committee discussed verifying aspects of the child's location over a five year period, as well as with whom the child resided. The committee recommended adding additional information under the jurisdiction section of paragraph 2 to establish where the child resided at the time of the petition to modify the order was filed. The committee also discussed including an option to indicate whether the case has transferred from another state to the State of Utah, as well as the date of when the transfer occurred.

Paragraph 11 asks for the current living arrangements of the child. The committee recommended that this section be placed in between paragraphs 4 and 5 as these sections are related to the child's place of residents and to whom the child resides. The committee agreed that this change will allow for congruency of the form.

The committee discussed and made minor language changes to other sections of the form for clarity and alignment with statutory requirements.

With no further changes, Mr. Player moved to approve the petition as modified by the committee. Ms. Westby seconded the motion. The motion was unanimously approved.

The committee reviewed the stipulation to the petition to modify child custody form. The committee did not recommend any changes to the form. With no further discussion, Mr. Player moved to approve the stipulation form. Commissioner Minas seconded the motion. The motion was approved unanimously.

The committee reviewed the order on the petition to modify child custody form and made minor language changes. With no further discussion, Mr. Player moved to approve the order form. Commissioner Minas seconded the motion. The motion was approved unanimously.

III. Petition for name change, order and certification regarding sex offender registry (adult and minor):

The Utah Legislators recently passed a bill that would allow registered sex offenders to change their name if they meet certain requirements. Name change is not an LPP practice area. The committee discussed and made language change recommendations that would align the form with the statutory changes.

Mr. Player moved to approve the petition for name change and adopt the recommended changes. Judge Taylor seconded the motion. The motion was unanimously approved.

With no additional changes, Judge Taylor moved to approve the order on petition for name change. Mr. Player seconded the motion. The motion was unanimously approved.

With no additional changes, Judge Taylor moved to approve the Department of Corrections Certification Regarding Sex Offender and Child Abuse Offender Registries - Adult form. Mr. Player seconded the motion. The motion was unanimously approved. This form will be further reviewed by this committee at a future date.

The committee discussed the petition to change minor's name. The committee did not have any revisions to recommend. The committee did not make a motion to approve the form.

With no additional changes, Judge Taylor moved to approve the order to change a minor's name Mr. Player seconded the motion. The motion was unanimously approved.

The committee discussed the Department of Corrections Certification Regarding Sex Offender and Child Abuse Offender Registries – Minor Child form. The committee did not have any revisions to recommend. The committee did not make a motion to approve the form.

IV. Notice of garnishment exemptions:

HB 230 added a new exemption for money saved for college under the 529 plan. The Notice of Garnishment and Exemptions has been updated to include this new exemption.

With no further discussion, Ms. Westby moved to approve and accept the changes under HB 230. Mr. Player seconded the motion. The motion was unanimously approved.

V. SB 243 – Adoption Amendments:

SB 243 made several statutory changes in adoption of a step child. Background checks no longer need to be done by both BCI and FBI. Background checks need only be completed through the FBI. The new law also does not require a home visit prior to the adoption of a step child. The bill also allows a parent's rights to be terminated by implied consent.

With no further discussion or additional changes, Mr. Player moved to approve the petition to adopt a minor stepchild form as amended by the committee. Ms. Westby seconded the motion. The committee unanimously approved the motion. The petition will move to the Judicial Council for review and approval.

VI. OCAP update:

The OCAP group has reviewed and approved all of the divorce language. Wayne Riches has completed a thorough review of the forms for errors and made any necessary corrections. The next step is to send the forms to the Judicial Council for their consent calendar. Ms. Allard plans to have the forms ready for the Council to review at the May meeting.

Ms. Allard noted that she has put in a request with Judge Mary Noonan and members of the Judicial Council to delay her retirement and continue her employment with the courts on a part-time basis. Ms. Allard will be focusing on OCAP forms in preparation for usage by the first group of LPP graduates. Ms. Allard is willing to continue serving on the Forms Committee. Mr. Dryer proposed a letter be drafted to send to the Judicial Council in support of Ms. Allard's request and continuation in the Forms Committee. No members of the committee objected to Mr. Dyer's proposal. Mr. Dryer will draft the letter and circulate a copy to members of the Forms Committee.

VII. Adjourn

With no further discussion, the meeting was adjourned without a motion. The meeting adjourned at 1:57 pm. The next meeting will be on May 13, 2019 from noon to 2 pm in the Judicial Council Room.