

Agenda Committee on Court Forms

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

June 10, 2019 / 12:00 to 2:00 p.m.
Judicial Council Room

1. Welcome and approval of May meeting minutes	Randy Dryer
2. Declaration supporting default judgment for use in all debt collection cases proposal – discussion	Judge Lawrence
3. Warning language in caption – discussion	Judge Lawrence
4. Signature block – discussion	Kim Allard
5. Settlement agreement forms <ul style="list-style-type: none"> • Settlement agreement – debt collection • Settlement agreement – eviction 	Nathanael Player
6. Motion to set aside default or judgment Order on motion to set aside default or judgment	Nathanael Player
7. Motion to delay enforcement of judgment Order on motion to delay enforcement of judgment	Nathanael Player
8. Additional OCAP documents <ul style="list-style-type: none"> • Certification of readiness for trial (domestic and general civil cases) • Proposed settlement • Motion for leave to amend <p>Discussion only:</p> <ul style="list-style-type: none"> • Affidavit of jurisdiction and grounds for divorce • Income verification and compliance with child support guidelines (see Nathanael's memo) • Motion to make military retirement order a private record 	Kim Allard
9. OCAP policy board subcommittee request	Kim Allard
10. Adjourn	Randy Dryer

2019 Meeting schedule

July 8
August 12
September 9

October 7
November 4
December 9

Forms Status Summary

Approved forms

Form Name	Approved Date	Approved By
Abstract of judgment	May 21, 2018	Judicial Council
Acceptance of service	January 22, 2018	Judicial Council
Adult adoption	September 19, 2017	Forms Committee
Affidavit with exhibit(s)	May 21, 2018	Judicial Council
Answer	December 18, 2017	Judicial Council
Application for temporary restraining order and Order on application for temporary restraining order	April 22, 2019	Judicial Council
Certificate of service	January 22, 2018	Judicial Council
Conditionally approved interpreter appointment order	June 19, 2018	Forms Committee
Consent to email service	January 22, 2018	Judicial Council
Counter motion	May 21, 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
Domestic relations injunction	April 22, 2019	Judicial Council
Eviction forms used in OCAP <ul style="list-style-type: none"> • Three day notice to pay or to vacate • Three day notice to comply with lease or vacate • Three day notice to vacate for criminal nuisance • Three day notice to vacate for nuisance • Three day notice to vacate for assigning or subletting contrary to rental contract • Three day notice to vacate for committing waste on premises • Three day notice to vacate for engaging in unlawful business on or in the premises • Three day notice to vacate for lease violation which cannot be brought into compliance • Three day notice to vacate for committing criminal act on the premises • Fifteen day notice to vacate • Five day notice to a tenant at will • Complaint 	December 18, 2017	Judicial Council

<ul style="list-style-type: none"> • Order of Restitution • Affidavit of Damages • Judgment for Plaintiff for Unlawful Detainer • Judgment for Defendant for Unlawful Detainer • Request for Hearing on Enforcement of Order of Restitution • Tenant Answer and Counterclaim • Motion to Set Amount of Counter Bond • Notice of Possession Bond • Order setting amount of possession bond • Request for Possession Bond hearing • Tenant Counter Bond Property • Order Setting Amount of Counterbond • Motion to Release Possession Bond • Order to Release Possession Bond 		
Eviction forms used in OCAP (additional) <ul style="list-style-type: none"> • Request for occupancy hearing • Notice of occupancy hearing • Ex parte motion for order of restitution 	January 28, 2019	Judicial Council
Exhibit summary	May 21, 2018	Judicial Council
Financial declaration Certificate of service of financial declaration	February 25, 2019	Judicial Council
Informal probate	July 17, 2017	Forms Committee
Initial disclosures	May 21, 2018	Judicial Council
Judgment information statement	May 21, 2018	Judicial Council
Military parenting plan	January 28, 2019	Judicial Council
Memorandum opposing motion	April 16, 2018	Judicial Council
Motion for alternative service	February 26, 2018	Judicial Council
Motion for genetic testing	December 17, 2018	Judicial Council
Motion for summary judgment to declare non-parentage after genetic testing Order granting motion for summary judgment on non-parentage	January 28, 2019	Judicial Council
Motion for temporary orders (domestic)	December 18, 2017	Judicial Council
Motion for temporary orders due to deployment (domestic)	January 28, 2019	Judicial Council
Motion forms	April 16, 2018	Judicial Council
Motion – juvenile court	August 13, 2018	Forms Committee
Motion to appear remotely	June 11, 2018	Judicial Council
Motion to appoint parent coordinator	August 17, 2018	Judicial Council

Motion to change venue	June 11, 2018	Judicial Council
Motion to continue	June 11, 2018	Judicial Council
Motion to correct clerical mistake	December 18, 2017	Judicial Council
Motion to decide divorce and reserve other issues (bifurcate divorce)	February 25, 2019	Judicial Council
Motion to declare judgment satisfied	May 21, 2018	Judicial Council
Motion to excuse mediation	April 16, 2018	Judicial Council
Motion to remove link between personal identifying information and dismissed criminal case	June 11, 2018	Forms Committee
Motion to renew judgment	May 21, 2018	Judicial Council
Motion to vacate dismissal and reinstate case	June 11, 2018	Judicial Council
Motion to waive divorce education requirement	April 16, 2018	Judicial Council
Motion to waive divorce waiting period	August 17, 2018	Judicial Council
Nonpublic information: parent, minor and safeguarded address	April 16, 2018	Judicial Council
Notice of appearance or appointment of counsel	May 21, 2018	Judicial Council
Notice of disclosure requirements in domestic cases	February 25, 2019	Judicial Council
Notice of dismissal / Motion to voluntarily dismiss case	August 17, 2018	Judicial Council
Notice of divorce education requirement	April 16, 2018	Judicial Council
Notice of hearing (motion)	April 16, 2018	Judicial Council
Notice of relocation and Motion for orders regarding relocation	June 11, 2018	Judicial Council
Notice of withdrawal of counsel	May 21, 2018	Judicial Council
Notice to appear personally or to appoint counsel	May 21, 2018	Judicial Council
Notice to defendant of disclosure in unlawful detainer actions	February 25, 2019	Judicial Council
Objection to commissioner's recommendation	December 18, 2017	Judicial Council
Objection to form of order	December 18, 2017	Judicial Council
OCAP clauses – divorce and custody cases	May 20, 2019	Judicial Council
Order on request to excuse respondent from hearing (guardianship)	December 10, 2018	Forms Committee
Parenting plan	May 21, 2018	Judicial Council
Petition for essential treatment	October 17, 2017	Forms Committee
Proof of service	February 26, 2018	Judicial Council
Reply memorandum supporting motion	April 16, 2018	Judicial Council

Request to submit (motion)	April 16, 2018	Judicial Council
Request to submit (motion) – juvenile court	August 13, 2018	Forms Committee
Sexual violence protective order <ul style="list-style-type: none"> • Request • Temporary order • Order 	May 13, 2019	Forms Committee
Statement supporting motion	April 16, 2018	Judicial Council
Stipulated motion	April 16, 2018	Judicial Council
Stipulation of voluntary dismissal	December 17, 2018	Judicial Council
Stipulation to enter order (motion)	April 16, 2018	Judicial Council
Substitution of counsel	May 21, 2018	Judicial Council
Summons	January 22, 2018	Judicial Council
Supplemental proceedings	April 16, 2018	Judicial Council
Writ of assistance to remove children	April 22, 2019	Judicial Council
Writ of execution packet	May 21, 2018	Judicial Council
Writ of garnishment packet	May 21, 2018	Judicial Council

Pending Judicial Council Consideration

- Fee waiver (district and justice court)

Pending Forms Committee Consideration

- Declaration supporting default judgment for use in all debt collection cases
- Settlement agreement – debt collection and eviction
- Motion to set aside and order on motion
- Motion to delay enforcement of judgment and order on motion
- Certification of readiness for trial
- Settlement proposal
- Motion for leave to amend

Pending Stylistics Subcommittee Consideration

- Motion for default judgment
- Affidavit of jurisdiction and grounds for divorce
- Income verification and compliance with child support guidelines
- Motion to make military retirement order a private record
- Petition to modify child support, child custody, and parent-time
- Request to register foreign child custody, parent-time, support or income withholding order
- Petition to register administrative support order
- Fee waiver – appellate

- Fee waiver – juvenile
- Petition for order adjudicating paternity (not custody or support)
- Adult name change
- Voluntary relinquishment of parental rights
- Annulment

Pending Family Law Subcommittee Consideration

- Adult protective orders
- Child protective orders
- Temporary delegation of parental authority
- Judicial recognition of relationship as marriage packet
- Petition for order establishing fact of birth
- Motion for order to show cause – domestic cases (proposed rule change in the works, so this is on hold)

Queue

- Name change - minors
- Small claims packet
- Step-parent adoption packet
- Open adoption record
- Emancipation of a minor
- Guardianship of a minor
- Guardianship of an adult
- Conservatorship of a minor
- Conservatorship of an adult
- Petition for registration of adoption order from foreign country
- Motion to intervene in an adoption case
- Order assigning court visitor to report on the guardian's and protected person's whereabouts
- Order assigning court visitor to report on an audit of court records
- Motion to intervene in adoption case
- Statement of defendant in support of guilty plea (English and Spanish)
- Defendant's motion to release bail
- Motion to classify record and names as private (eviction)

MINUTES
Utah Judicial Council's
Committee on Court Forms
Administrative Office of the Courts
450 South State Street
Salt Lake City, UT 84111
May 13, 2019
12 - 2 pm
Judicial Council Room

MEMBERS: PRESENT EXCUSED

Randy Dryer, <i>Chair</i>		•
Kim Allard	•	
Cyndie Bayles		•
Judge Randy Birch	•	
Christina Cope	•	
Cathy Dupont	•	
Guy Galli	•	
Judge Elizabeth Lindsley	•	
Kara Mann	•	
Commissioner Minas		•
Nathanael Player	•	
Stewart Ralphs	•	
Judge James Taylor	•	
Jessica Van Buren	•	
Mary Westby	•	

Guests:
Waine Riches

Staff:
Brent Johnson
Minhvan Brimhall –
recording secretary

I. Welcome and approval of March meeting minutes:

Judge Taylor welcomed the committee members to the meeting. The Committee discussed the minutes from the April 8 meeting. No revision was made to the minutes. Mary Westby moved to approve the full minutes. Guy Galli seconded the motion. The motion unanimously passed.

II. OCAP retirement clauses:

The OCAP group has completed a review and edits of the retirement clause sections. The group reviewed the sections for plain language and congruency with the other series of divorce forms. These forms will be reviewed by the Judicial Council at the May 20 meeting. Kim Allard asks this committee for acceptance of the clauses and approval to send to the Judicial Council for review.

Judge Lindsley moved to approve and accept the final edits of the OCAP retirement clause sections. Mary Westby seconded the motion. The committee voted and the motion was unanimously approved.

III. Petition to modify child custody:

Waine Riches spoke to the committee about the tax provision section of the petition to modify child custody. As it is currently written, tax exemptions for dependent children would only apply to state tax filings. Mr. Riches said that federal laws have gone away from using certain terms for claiming dependency on tax filings and proposes that the committee use language that would meet both federal and state standards. The current law has two varying impact for claiming children on taxes, one to claim as a dependent and the other to claim for credit. The committee discussed using varying terms and plain language that would allow a parent to receive both federal and state tax credit for a dependent child. The committee discussed revising the title of paragraph 24 of the form to “Claiming children as dependents/exemptions for tax purposes.”

With no further discussions, Judge Lindsley moved to accept the language change as discussed by the committee. Stewart Ralphs seconded the motion. The committee unanimously voted to approve the motion.

IV. Sexual violence protective order:

The Utah Legislature approved a law this year regarding protective orders for sexual violence. The law covers those who are not cohabitants or partners but are still subjected to sexual violence. Any change made to the forms does not need to be approved by the Judicial Council because this type of protective order is not between family members..

- **Request for sexual violence protective order -**
 - The committee reviewed and made minor language changes to the order. With no further discussion, Mr. Ralphs moved to approve and accept the recommended changes. Nathanael Player seconded the motion.
- **Temporary sexual violence protective order -**
 - The committee reviewed and made minor language changes to the order. With no further discussion, Judge Lindsley moved to approve and accept the recommended changes. Mr. Ralphs seconded the motion.
- **Sexual violence protective order –**
 - The committee reviewed and made minor language changes to the order. With no further discussion, Mr. Ralphs moved to approve and accept the recommended changes. Nathanael Player seconded the motion.

V. Fee waiver forms:

This committee discussed and reviewed the fee waiver forms several previously. The form was previously two forms but has since been combined into one form.

- Motion to waive fees and statement in support –
 - The committee reviewed and made minor language changes to the motion. With no further discussion, Ms. Westby moved to approve and accept the recommended changes. Nathanael Player seconded the motion.
- Order on motion to waive fees –
 - The committee reviewed and made minor language changes to the order. With no further discussion, Mr. Ralphs moved to approve and accept the recommended changes. Nathanael Player seconded the motion.
- Memorandum Demonstrating Inability to pay fee –
 - The committee reviewed and discussed the memorandum. No recommended changes were made. No motion was needed for the memorandum.

VI. Other business: Utah Code 30-1-8(3):

Utah code 30-1-8(3) was recently passed and changed the age for minors to marry with approval from the courts to 16 years. Minors 15 years and younger are no longer allowed to marry in the state of Utah. The juvenile court has a form that minors are required to fill out and get court approval prior to marriage. As minors are required to appear before a judge for consent to marry, the forms are not available online and cannot be e-filed. The form needs to be updated immediately to reflect the new age requirement as the law will go into effect on May 14, 2019. Judge Lindsley will forward a copy of the current form to Minhvan Brimhall to circulate to this committee for comments, edits and approval via email.

*The form was sent out to the committee on May 13, 2019. The committee made minor language change recommendations and changed the age of consent to reflect the new law. The committee voted via email and unanimously approved the form with the acceptance of the recommended changes.

VII. Adjourn

With no further discussion, the meeting was adjourned without a motion. The meeting adjourned at 1:51 pm. The next meeting will be on June 10, 2019, from noon to 2 pm in the Judicial Council Room.

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

**Declaration Supporting Default
Judgment for Use in All Debt
Collection Cases**

(Utah Rule of Civil Procedure 55)

Case Number

Judge

Pursuant to Rule 55(b)(1)(D), the undersigned provides the following facts necessary to support and establish the amount of its claim.

Principal Amount

1. Plaintiff's claims are based on defendant's failure to pay a debt that arose out of a contract between

_____ (creditor) and

_____ (debtor). A

copy of that agreement is attached as Exhibit A.

2. Under that Agreement, the debtor became indebted to the creditor in the total amount of \$_____.
3. The debtor has failed to pay the total amount of the debt owed, and payment is due on the debt.
4. The debtor is entitled to offsets and credits of \$_____.
Accordingly, the principal amount due and owing herein is \$_____.
5. The last payment on the debt was made on _____ (date).

Debt Ownership

6. **Original Creditor:** Plaintiff is the original creditor.
- Assignment:** Plaintiff is the assignee of the creditor. A copy of the valid assignment documents are attached as Exhibit B.

Interest

7. Plaintiff is entitled to interest in the amount of ____% per annum pursuant to the agreement at paragraph _____.
- Plaintiff is entitled to interest at the statutory amount of ____%, pursuant to Utah Code Section _____.

Collections Costs

8. Plaintiff seeks a collection fee pursuant to Utah Code 12-1-11. The plaintiff affirms that it is a debt collection agency which is registered as such in the State of Utah. (Utah Code § 12-1-11(2)(c)).
9. The agreement between the creditor and the debtor creating the debt provides for the imposition of a collection fee. See agreement (Exhibit A) at paragraph _____. That agreement permits a collection fee of up to ____%.
10. The written agreement between the creditor and the debt collection agency reflecting the amount of the collection fee actually incurred is attached as Exhibit C. That agreement reflects an actual collection fee of ____%.
11. Plaintiff thus seeks \$_____ as a collection fee.
12. That fee does not exceed the lesser of the actual amount the creditor is required to pay the debt collection agency or 40% of the principal amount

owed to the creditor for the debt. The imposition of this collection fee is not prohibited or otherwise restricted by any other federal or state law.

13. To the best of my knowledge, the principal amount prayed for in the complaint, and sought in the proposed judgment, does not contain collection fees.

Attorneys Fees

14. The Agreement between the creditor and defendant provides for the collection of reasonable attorneys fees. See agreement at paragraph _____.
- Plaintiff is entitled to a reasonable attorneys fee pursuant to Utah Code Section _____.
15. Plaintiff seeks its attorneys fees pursuant to Utah Rule of Civil Procedure 73 in the amount of \$_____.
- Plaintiff seeks its attorneys fees in the amount of \$_____, as reflected in the accompanying attorneys fees affidavit, attached as Exhibit D.

Court Costs

16. Plaintiff seeks its court filing fee of \$_____, and service fee of \$_____.
- Plaintiff seeks other court costs of \$_____, as detailed in the accompanying attorneys fees affidavit, attached as Exhibit D.

Accordingly, Plaintiff seeks a default judgment as follows:

<input type="checkbox"/> Principal	\$
<input type="checkbox"/> Interest	\$
<input type="checkbox"/> Collection Fee	\$
<input type="checkbox"/> Attorneys Fees	\$
<input type="checkbox"/> Court Costs	\$
Total Judgment	\$

I certify to that to the best of my knowledge and in good faith that the amount sought was actually incurred and is due and owing, and that the claim is not barred by the applicable statute of limitations.

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 _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Declaration Supporting Default Judgment for Use in All Debt Collection Cases on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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 _____

Judge Lawrence's proposal.

This is a private record

Name

Address

City, State, Zip

Phone

Email

**THIS IS IMPORTANT. IF
YOU FAIL TO RESPOND,
JUDGMENT MAY BE
ENTERED AGAINST
YOU.**

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

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>V.</p> <p>_____ Defendant/Respondent</p>	<p>Motion to</p> <p>_____ (name of motion)</p> <p><input type="checkbox"/> Hearing Requested</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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Edited version, taking into account other elements already existing in caption and existing warning language in Motion form.

This is a private record

Name

This is a Tier 2 case.

Address

Notice! If you don't file a response with the court, a judgment may be entered against you.

City, State, Zip

Phone

Check your email. You will receive information and documents at this email address.

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 _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Motion to</p> <p>_____ (name of motion)</p> <p><input type="checkbox"/> Hearing Requested</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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1. I ask the court to enter an order as follows:
(Write **what** you want the court to order.)

Edited version, taking into account other elements already existing in caption and existing warning language in Motion form.

Notice to responding party

You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms:

www.utcourts.gov/howto/filing/motions

Finding help

The court's Finding Legal Help web page (www.utcourts.gov/howto/legalassist/) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

Aviso para el demandado (o acusado)

Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios:

www.utcourts.gov/howto/filing/motions

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal

(www.utcourts.gov/howto/legalassist/) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.

Name

Address

City, State, Zip

Phone

Check your email. You will receive information and documents at this email address.

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 _____

<p>_____ Plaintiff</p> <p>v.</p> <p>_____ Defendant</p>	<p>Settlement Agreement for Debt Collection Cases</p> <p>_____ Case Number</p> <p>_____ Judge</p>
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1. The parties agree _____ (name) will pay
\$ _____ (full amount) to
_____ (name) on this
schedule:

Amount:	Due on:	Amount:	Due on:
\$		\$	
\$		\$	

\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	

2. The court will have jurisdiction over the case until the time has passed to comply with this agreement. Future filings to enforce this agreement may be filed in this case.

3. If a payment is not received within _____ days after the due date, the balance of the full amount is due.

If the balance of the full amount is not paid within _____ days after it is due,
 _____ (name) may
 file a motion asking the court to enter judgment for the balance due.

4. When the full amount is paid,
 _____ (name) will ask
 the court to dismiss this case.

5. Other details.

Defendant

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 _____

Defendant 2 (if any)

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 _____

Plaintiff

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 _____

Name

Address

City, State, Zip

Phone

Check your email. You will receive information and documents at this email address.

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 _____

<p>_____ Plaintiff</p> <p>v.</p> <p>_____ Defendant</p>	<p>Settlement Agreement for Unlawful Detainer (Eviction) Cases</p> <p>_____ Case Number</p> <p>_____ Judge</p>
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This agreement is between _____ (plaintiff) and _____ (defendant) regarding the property at _____ (address).

The parties agree:

1. **Move out**

Defendant will move out of the unit by: _____ (date).

They must leave the unit in broom clean condition and not cause any damage between now and the move out date.

2. **Pay**

Defendant will pay \$_____ to plaintiff on this schedule:

Amount:	Due on:	Amount:	Due on:
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	

3. **Make repairs** (add pages if needed)

Who will make repair	Description of repair	Completion date

If plaintiff is required to make a repair and does not do so by the completion date, defendant may file a motion:

to enforce the agreement.

to dismiss the case.

4. The court will have jurisdiction over the case until the time has passed to comply with this agreement. Future filings to enforce this agreement may be filed in this case.

5. If defendant does not comply with this agreement, plaintiff may file a request (application?) for an order of restitution without giving notice to the defendant. The request must include a statement describing the breach. If the order of restitution is granted, the defendant would have to move out immediately.

6. If defendant complies with all of the terms of this agreement:

plaintiff will dismiss this case with prejudice.

plaintiff will provide defendant with a neutral letter of reference.

defendant may file a motion asking the court to seal all records related to this case. (Utah Rule of Civil Procedure 7 and Utah Code of Judicial Administration 4-202.04)

7. Other details.

Defendant

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 _____

Defendant 2 (if any)

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 _____

Plaintiff _____

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 _____

This is a private record.

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

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

Motion to Set Aside

Default

Judgment
(Utah Rule of Civil Procedure 60(b))

Hearing Requested

Case Number

Judge

Commissioner

Plaintiff/Petitioner Defendant/Respondent asks the court to set aside the
 default judgment entered against them on _____ (date).

1. I ask to set aside the default or judgment for the reasons below (Choose all that apply.):

a. Because of my mistake, surprise, excusable neglect, or inadvertence. (Describe.):

b. I have learned of new evidence that I could not have discovered within 28 days after the judgment was entered. (Describe.):

c. Because of the other party's fraud, misrepresentation or other misconduct. (Describe.):

d. The judgment is void. (Describe.):

e. The judgment has been paid, released, or discharged. (Describe.):

f. The judgment in my case is based on an earlier judgment. That earlier judgment has been reversed or otherwise vacated. (Describe.):

g. It is no longer equitable that the judgment should have prospective application. (Describe.):

h. Some other reason that justifies relief. (Describe.):

2. This motion is being filed within a reasonable time because (Choose all that apply.):

I selected 1a, 1b, or 1c, and I am making this motion within 90 days of the default or judgment.

I selected 1d, 1e, 1f, 1g, or 1h. (Explain why you are filing this motion now and how that is reasonable.):

3. The reasons that I disagree with the original complaint or petition, and the facts supporting my disagreement, are:

4. I request a hearing.

I do not request a hearing.

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 _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Set Aside Default or Judgment on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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 _____

Name

Address

City, State, Zip

Phone

Email

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Order on Motion to Set Aside

Default

Judgment

(Utah Rule of Civil Procedure 60(b))

Case Number

Judge

Commissioner

The matter before the court is a Motion to Set Aside Default Judgment entered on _____ (date).

This matter is being resolved by: (Choose all that apply.)

The default of Plaintiff/Petitioner Defendant/Respondent.

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.

Plaintiff/Petitioner

was present.

was not present.

was represented by _____ (name).

was not represented.

Defendant/Respondent

was present.

was not present.

was represented by _____ (name).

was not represented.

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

The court finds:

1. The moving party

has not shown good cause to set aside the default or judgment

has shown good cause to set aside the default or judgment for the reasons selected below:

mistake, inadvertence, surprise, or excusable neglect.

newly discovered evidence which could not have been discovered in time to move for a new trial under Utah Rule of Civil Procedure 59(b).

fraud, misrepresentation or other misconduct of the other party.

the judgment is void.

the judgment has been satisfied, released, or discharged.

a prior judgment upon which it is based has been reversed or otherwise vacated.

it is no longer equitable that the judgment should have prospective application.

any other reason justifying relief.

for the reasons set forth in the motion.

because:

- 2. The motion was was not made in a reasonable time.
- 3. The moving party has has not set forth a meritorious defense to the underlying complaint/petition.

The court orders:

- 4. The Motion is granted denied.
- 5. Defendant/Respondent must file
 - an Answer
 - other pleading _____ (specify)
 - on or before _____ (date).
- 6. Other:

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

_____	Signature ►	_____
Date	Commissioner	_____
_____	Signature ►	_____
Date	Judge	_____

Approved as to form.

_____	Signature ►	_____
Date	Plaintiff/Petitioner or Attorney	_____

Date

Signature ► _____

Defendant/Respondent or Attorney _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order on Motion to Set Aside Default or Judgment on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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

Check your email. You will receive information and documents at this email address.

Email

I am the Plaintiff/Petitioner
 Defendant/Respondent
 Attorney for the Plaintiff/Petitioner Defendant/Respondent and my Utah Bar number is _____

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Motion to Delay (Stay) Enforcement of Judgment

(Utah Rule of Civil Procedure 62)

Hearing Requested

Case Number

Judge

Commissioner

I ask the court to delay (stay) enforcement of the judgment in this case entered on _____ (date).

1. I am plaintiff/petitioner defendant/respondent.
2. I ask to delay enforcement because I have filed or am filing (Choose all that apply.):
 a motion to set aside judgment.

- an appeal.
- a motion to alter or amend the judgment.
- a motion to amend findings.
- a motion for a new trial.
- a motion for directed verdict.
- I have not filed anything. I need to delay enforcement because:

3. I ask the delay be in effect until (Choose one.):

- the court rules on my motion.
- this date: _____ .

4. I ask the delay be issued:

- with security. I am willing to deposit \$_____ with the court.
- without security.

5. I request a (expedited? If so, affects timelines on next page) hearing.

- I do not request a (expedited?) hearing.

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

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 _____

Notice to responding party

You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within **14 days** of this motion being filed, if the motion will be decided by a judge, or
- at least **14 days** before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms:

www.utcourts.gov/howto/filing/motions

Finding help

The court's Finding Legal Help web page (www.utcourts.gov/howto/legalassist/) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

Aviso para el demandado (o acusado)

Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios:

www.utcourts.gov/howto/filing/motions

Cómo encontrar ayuda legal

La página de la internet del tribunal **Cómo encontrar ayuda legal** (www.utcourts.gov/howto/legalassist/) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Stay Execution of Judgment on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>V.</p> <p>_____ Defendant/Respondent</p>	<p>Order on Motion to Delay (Stay) Enforcement of Judgment</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
---	---

The matter before the court is a Motion to Delay (Stay) Enforcement of Judgment. This matter is being resolved by: (Choose all that apply.)

The default of Plaintiff/Petitioner Defendant/Respondent.

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.

Plaintiff/Petitioner

was present.

was not present.

was represented by _____ (name).

was not represented.

Defendant/Respondent

was present.

was not present.

was represented by _____ (name).

was not represented.

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

The court finds:

1. The moving party:

needs to delay enforcement of the judgment in this case entered on _____ (date).

does not need to delay enforcement of the judgment

2. The moving party needs to delay enforcement because:

they have filed:

a motion to set aside judgment.

an appeal.

a motion to alter or amend the judgment.

a motion to amend findings.

a motion for a new trial.

a motion for directed verdict.

for this other reason:

The court orders:

- 3. The motion is granted denied.
- 4. The delay of enforcement (stay) remains in effect until:
 - the court rules on the finding in paragraph 2.
 - this date: _____ .
- 5. Security:
 - is not required.
 - is required in the amount of \$_____. The delay of enforcement (stay) will not be in effect until security is deposited with the court.

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

Date Signature ► _____

Commissioner _____

Date Signature ► _____

Judge _____

Approved as to form.

Date Signature ► _____

Plaintiff/Petitioner or Attorney _____

Date Signature ► _____

Defendant/Respondent or Attorney _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order on Motion to Delay Enforcement of Judgment on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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

Check your email. You will receive information and documents at this email address.

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

Certification of Readiness for Trial
(Utah Rule of Civil Procedure 16)

Request for Pretrial Conference

Case Number

Judge

Commissioner (domestic cases)

I certify the following:

1. This case is ready for trial.
2. **Pretrial conference.** (Required in districts 1-4; optional in districts 5-8.)
 I request a pretrial conference.
 I do not request a pretrial conference.
3. **Pleadings.** All required pleadings have been filed.

4. **Discovery.** All required discovery has been completed. (Utah Rule of Civil Procedure 26, 26.1, 26.2 and 26.3, as applicable.)
5. **Mediation.**
 - All required mediation has been completed, or
 - mediation has been excused, or
 - mediation is not required in this case.
6. **Pending motions.** There are no pending motions.
7. **Proposed settlement.** I am serving a copy of a completed
 - Proposed Settlement – Domestic Cases
 - Proposed Settlement
 along with this document on the other party.

Complete 8 & 9 only if this is a domestic case.

8. **Divorce education requirement.**
 - I have attended the required divorce education classes, or
 - there are no children of this marriage, or
 - this is not a divorce case.
9. **Notice to Office of Recovery Services** (Utah Code 78B-12-113)
 (Applicable in domestic cases in which a party received public assistance.)
 - I have notified the Office of Recovery Services about this case, or
 - notice to the Office of Recovery Services is not required.

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 _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Certification of Readiness for Trial on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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 _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Proposed Settlement</p> <p>_____ Case Number</p> <p>_____ Judge</p>
---	---

I am the [] plaintiff/petitioner [] defendant/respondent.

My proposed settlement for the unresolved issues is stated below.

Issue	My Position

(no certificate of service, since this isn't filed with the court?)

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 _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Proposed Settlement – Domestic Cases</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
---	---

I am the [] plaintiff/petitioner [] defendant/respondent.

My proposed settlement for the unresolved issues is stated below.

Issue	My Position
Child Custody	
Child Support	
Parent-time	
Alimony	
Child Care	
Health Insurance	

Life Insurance	
Real Property	
Vehicles	
Financial Accounts	
Retirement Money	
Attorney Fees	
Other	
Other	
Other	
Other	

(no certificate of service, since this isn't filed with the court?)

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 _____

This is a private record

Name

Address

City, State, Zip

Phone

Check your email. You will receive information and documents at this email address.

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>Motion for Leave to Amend (Utah Rule of Civil Procedure 15)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
---	--

1. I ask the court for permission to amend my _____ (name of document).
2. I make this request because more than 21 days have passed since I was served with the other party's answer, counterclaim, or motion to dismiss the document named in paragraph 1.
3. The other party agrees with this motion and a stipulation is being filed.

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 _____

Notice to responding party

You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms:

www.utcourts.gov/howto/filing/motions

Finding help

The court's Finding Legal Help web page (www.utcourts.gov/howto/legalassist/) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

Aviso para el demandado (o acusado)

Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios:

www.utcourts.gov/howto/filing/motions

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal (www.utcourts.gov/howto/legalassist/) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion for Leave to Amend on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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 <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 <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 _____

Name: **Darla Doe**
Address: **450 State**
Salt Lake City, UT 58756
Phone:
Email: **asdf**
Pro Se I am the Petitioner

Online Court Assistance Program

IN THE THIRD JUDICIAL DISTRICT COURT
OF SALT LAKE COUNTY, STATE OF UTAH
Salt Lake City - Third District Court, 450 South State Street, Salt Lake City, UT 84114

Darla Doe,
Petitioner,

John Doe,
Respondent.

**AFFIDAVIT OF JURISDICTION AND
GROUNDS FOR DIVORCE**

Case No. **190423424**

Commissioner: _____

Judge: **Smith**

1. My name is **Darla Doe**.
2. **Darla Doe was a bona fide resident of Salt Lake County** for at least three months immediately preceding the filing of my VERIFIED PETITION FOR DIVORCE on **May 6, 2018**.
3. **John Doe** and I were married on **June 15, 2014**, in **Provo, Utah County, Utah**, and are presently married.
4. We separated on **12/11/2018**.
5. During my marriage to **John Doe**, irreconcilable differences developed. The irreconcilable differences are:

We were not able to agree on financial matters. We tried marriage counseling on three occasions.
6. All attempts to reconcile have failed. I do not feel this marriage can continue.
7. To the best of my knowledge the FINDINGS OF FACT AND CONCLUSIONS OF LAW

and DECREE OF DIVORCE conform to the parties' STIPULATION.

I declare under criminal penalty under the law of Utah that everything stated in this document is true. Signed at: **Salt Lake City, Utah**

May 21, 2019

Date

Signature

Darla Doe

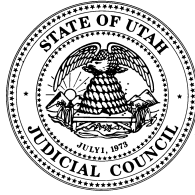
CERTIFICATE OF DELIVERY

On **May 23, 2019** I served by **email** a copy of this AFFIDAVIT OF JURISDICTION AND GROUNDS FOR DIVORCE, to:

John Doe
131 Mockingbird Lane
Lindon, MO 23451

Sign here

Darla Doe



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

April 1, 2019

Hon. Mary T. Noonan
Interim State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Stylistics Forms Subcommittee

FROM: Nathanael Player, for the Family Law Forms Subcommittee

RE: Statement of Income Verification and Compliance with Child Support Guidelines

We reviewed the Statement of Income Verification and Compliance with Child Support Guidelines, which is generated by OCAP when a party is preparing documents for a divorce or custody/parentage case. There is an inconsistency between OCAP and the web-based forms – there is not a Word/PDF version of this form for parties needing to file documents for a petition to modify a domestic decree. We viewed the form in this context, deciding that if it is needed for divorces or custody/parentage cases then it is also needed for modifications.

The form is based on Utah Code 78B-12-201. The statute requires, in any matter in which child support is ordered, for the moving party to submit:

- a completed child support worksheet,
- the financial verification required by Utah Code 78B-12-203(5) (requiring income to be computed on an annual basis and then recalculated to determine the average monthly gross income, and requiring parents to provide verification of current income including year-to-date pay stubs, complete copies of tax returns from at least the most recent year or in lieu of pay stubs and tax returns, verification of income from DWS.)
- a statement indicating whether or not the amount of child support requested is consistent with the guidelines, and
- upon entry of an order, identifying information including SSNs, driver's license numbers, residential and mailing addresses, telephone numbers, address and phone numbers for employers and any other data required by the United States Secretary of Health and Human Services.

Only the third bullet point mentions a statement of compliance. The statute does not mandate a separate form, and this statement is included in any petition. It is also included in any stipulation. We recommend discontinuing this form and instead making clear on the courts' website what documents are required.

**The mission of the Utah judiciary is to provide an open, fair,
efficient, and independent system for the advancement of justice under the law.**

Name: **Darla Doe**
Address: **450 State**
Salt Lake City, UT 58756

Online Court Assistance Program

Phone:

Email: **asdf**

Pro Se I am the Petitioner

IN THE THIRD JUDICIAL DISTRICT COURT
OF SALT LAKE COUNTY, STATE OF UTAH

Salt Lake City - Third District Court, 450 South State Street, Salt Lake City, UT 84114

Darla Doe,
Petitioner,

John Doe,
Respondent.

**INCOME VERIFICATION AND
COMPLIANCE WITH THE UNIFORM
CHILD SUPPORT GUIDELINES**

Case No. **190423424**

Commissioner: _____

Judge: **Smith**

Darla Doe states that the income of the parties has been verified pursuant to Utah Code 78B-12-201 in that:

CHILD SUPPORT WORKSHEETS

1. A **Sole Custody Worksheet** was used to determine the child support amount requested:
2. The **Sole Custody Worksheet**:
 - a. has been submitted.
 - b. is attached.

EVIDENCE OF INCOME

3. The year-to-date income for **Darla Doe**:
 - a. is attached.
 - Darla Doe's Social Security Number has been blacked out.**
 - b. has been submitted.
 - c. is not applicable.
4. The year-to-date income for **John Doe**:
 - a. is attached.
 - John Doe's Social Security Number has been blacked out.**

- b. has been submitted.
- c. is not applicable.

5. Tax returns are attached for

- a. **Darla Doe.**
 - Darla Doe's Social Security Number has been blacked out.**
- b. **John Doe.**
 - John Doe's Social Security Number has been blacked out.**

6. A verified statement of defaulting party's income has been previously served upon that party.

INCOME: DARLA DOE

7. Pursuant to Utah Code 78B-12-203 **Darla Doe's** total countable gross monthly income rounded for child support purposes is **\$5,290.00**. **Darla Doe** receives the following gross monthly income from all sources:

- a. **Darla Doe** is employed at **Ikea** and grosses **\$6,500.00** per month working the equivalent of one full-time 40-hour a week job or less.

INCOME: JOHN DOE

8. Pursuant to Utah Code 78B-12-203 **John Doe's** total countable gross monthly income rounded for child support purposes is **\$5,417.00**. **John Doe** receives the following gross monthly income from all sources:

- a. **John Doe** is employed at **Walmart** and grosses **\$5,416.67** per month working the equivalent of one full-time 40-hour a week job or less.

STATEMENT OF NON-COMPLIANCE WITH GUIDELINES

9. The child support amount requested deviates from the minimum level of support required under the Utah Child Support Guidelines.

I declare under criminal penalty under the law of Utah that everything stated in this document is true. Signed at: **Salt Lake City, Utah**

May 21, 2019
Date

Signature _____
Darla Doe

CERTIFICATE OF DELIVERY

On **May 23, 2019** I served by **email** a copy of this INCOME VERIFICATION AND COMPLIANCE WITH CHILD SUPPORT GUIDELINES, to:

John Doe
131 Mockingbird Lane
Lindon, MO 23451

Sign here _____
Darla Doe

Name: **Darla Doe**
Address: **450 State**
Salt Lake City, UT 58756
Phone:
Email: **asdf**
Pro Se I am the Petitioner

Online Court Assistance Program

IN THE THIRD JUDICIAL DISTRICT COURT
OF SALT LAKE COUNTY, STATE OF UTAH
Salt Lake City - Third District Court, 450 South State Street, Salt Lake City, UT 84114

Darla Doe,
Petitioner,

John Doe,
Respondent.

**MOTION TO CLASSIFY AS PRIVATE
DOCUMENT ORDER DIVIDING
MILITARY RETIRED PAY**

Case No. **190423424**

Commissioner: _____

Judge: **Smith**

1. This motion is made pursuant to Rule 4-202.04 of the Utah Rules of Judicial Administration.
2. The ORDER DIVIDING MILITARY RETIRED PAY in this matter contains the parties' full Social Security numbers, birthdates, last known addresses, and branch of military service. This personal information is required by the Defense Finance and Accounting Service under 10 U.S.C. 1408 and Title 32, Code of Federal Regulations, Part 63, to make monthly payments to the parties in accordance with the order of this court. The Defense Finance and Accounting Service is the federal agency which distributes military retirement pay, and is also known as dfas.
3. Except for the personal information mentioned above, the DECREE OF DIVORCE in this matter contains the full language found in the proposed ORDER DIVIDING MILITARY RETIRED PAY.
4. Because the parties' DECREE OF DIVORCE contains the full language found in the proposed ORDER DIVIDING MILITARY RETIRED PAY, with the exception of the personal information mentioned above, the result of making the ORDER DIVIDING MILITARY

RETIRED PAY a private document is to protect the parties' personal information without limiting access for the public to the remainder of the order.

5. **Darla Doe** asks that the proposed ORDER DIVIDING MILITARY RETIRED PAY be made a private document as provided for by Rule 4-202.04 of the Utah Rules of Judicial Administration. A copy of the proposed ORDER DIVIDING MILITARY RETIRED PAY is being submitted with this motion.

I declare under criminal penalty under the law of Utah that everything stated in this document is true. Signed at: **Salt Lake City, Utah**

May 21, 2019

Date

Signature

Darla Doe

CERTIFICATE OF DELIVERY

On **May 23, 2019** I served by **email** a copy of this MOTION TO CLASSIFY AS PRIVATE DOCUMENT ORDER DIVIDING MILITARY RETIRED PAY to:

John Doe
131 Mockingbird Lane
Lindon, MO 23451

Sign here

Darla Doe

Name: **Darla Doe**
Address: **450 State**
Salt Lake City, UT 58756
Phone:
Email: **asdf**
Pro Se I am the Petitioner

Online Court Assistance Program

IN THE THIRD JUDICIAL DISTRICT COURT
OF SALT LAKE COUNTY, STATE OF UTAH

Salt Lake City - Third District Court, 450 South State Street, Salt Lake City, UT 84114

Darla Doe,
Petitioner,

John Doe,
Respondent.

**DECLARATION IN SUPPORT OF
MOTION TO CLASSIFY AS PRIVATE
DOCUMENT ORDER DIVIDING
MILITARY RETIRED PAY**

Case No. **190423424**

Commissioner: _____

Judge: **Smith**

1. The ORDER DIVIDING MILITARY RETIRED PAY contains the parties' full Social Security numbers, birthdates, last known address, and branch of military service.
2. This personal information is required by the Defense Finance and Accounting Service under 10 U.S.C. 1408 and Title 32, Code of Federal Regulations, Part 63, to make monthly payments to the parties in accordance with the order of this court. The Defense Finance and Accounting Service is the federal agency which distributes military retirement pay, and is also known as dfas.
3. Except for the personal information mentioned above, the DECREE OF DIVORCE in this matter contains the full language found in the proposed ORDER DIVIDING MILITARY RETIRED PAY.

I declare under criminal penalty under the law of Utah that everything stated in this document is true. Signed at: **Salt Lake City, Utah**

May 21, 2019
Date

Signature _____
Darla Doe

CERTIFICATE OF DELIVERY

On **May 23, 2019** I served by **email** a copy of this DECLARATION IN SUPPORT OF MOTION TO CLASSIFY AS PRIVATE DOCUMENT ORDER DIVIDING MILITARY RETIRED PAY to:

John Doe
131 Mockingbird Lane
Lindon, MO 23451

Sign here _____
Darla Doe