

Agenda Judicial Council Standing Committee on Court Forms

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

February 10, 2020 / 12:00 to 2:00 p.m.
Judicial Council Room

1. Welcome and approval of January meeting minutes	Randy Dryer
2. Committee member terms	Brent Johnson
3. Changing title of these Council-approved forms: <ul style="list-style-type: none"> • Motion for summary judgment to declare non-parentage after genetic testing • Order granting motion for summary judgment on non-parentage to • Motion for summary judgment concerning parentage after genetic testing • Order on motion for summary judgment concerning parentage 	Nathanael Player
4. Temporary separation OCAP provisions	Clayson Quigley
5. Request to submit – probate cases	Nathanael Player
6. Certification of readiness for trial – probate cases	Nathanael Player
7. Objection to minor guardianship or conservatorship	Nathanael Player
8. Small claims <ul style="list-style-type: none"> • Complaint • Summons and notice of hearing • Counter complaint and notice to plaintiff • Judgment • Notice of appeal 	Nathanael Player
9. Discussion about need for court-approved settlement agreement forms for LPPs and ODR Justice Himonas plans to join us around 1:00 for about 15 minutes. <ul style="list-style-type: none"> • Settlement agreement • Small claims settlement agreement currently posted on website • ODR settlement agreement currently used Forms are provided as examples, not as documents to be edited.	Justice Himonas
10. Adjourn	Randy Dryer

2020 Meeting Dates

March 9
April 13
May 11
June 8

July 13
August 10
September 14
October 5 or 19

November 9
December 14

MINUTES
Utah Judicial Council
Committee on Court Forms
 Administrative Office of the Courts
 Matheson Courthouse
 Judicial Council Room
 450 South State Street
 Salt Lake City, UT 84111
 January 13, 2020
 12 - 2 pm

MEMBERS:**PRESENT****EXCUSED**

Randy Dryer, <i>Chair</i>		•
Amber Alleman – by phone	•	
Cyndie Bayles		•
Judge Randy Birch		•
Guy Galli	•	
Judge Elizabeth Lindsley	•	
Kara Mann	•	
Comm. Russell Minas		•
Nathanael Player	•	
Clayson Quigley	•	
Stewart Ralphs	•	
Judge James Taylor	•	
Jessica Van Buren	•	
Mary Westby	•	

Guest:

 Staff:
 Minhvan Brimhall

I. WELCOME, ANNOUNCEMENTS AND APPROVAL OF MINUTES:

Judge Taylor welcomed the committee members to the meeting. The Committee considered the minutes from the December 9 meeting. No revision was made to the minutes. Stewart Ralphs moved to approve the full minutes. Mary Westby seconded the motion. The motion unanimously passed.

II. REQUEST TO TRANSLATE DECLARATION OF FINANCIAL STATUS (Juvenile Court) – Should the translation be a separate document, or should the document be bilingual:

The form has been approved by the committee. The Board of Juvenile Court Judges asked that the form be translated into Spanish. Judge Taylor recommends that the form be translated in a side-by-side format of each item on the document. The bilingual translation will also create a record of what was completed .

With no further discussion, Judge Lindsley moved to create a bilingual document as recommended by Judge Taylor. Stewart Ralphs seconded the motion. The motion was unanimously approved by the committee.

III. DECLARATION OF OTHER PARENT’S EARNINGS:

These forms has been reviewed by the Family Law Forms Subcommittee. The forms are needed for a parent to proceed in a divorce case if the other parent is not providing required proof of income to the court. The form provides income information about the non-cooperating party. With no further discussion, Ms. Westby moved to approve the form. Judge Lindsley seconded the motion. The committee voted and unanimously approved the motion.

IV. NOTICE OF JUDGMENT – Part of default judgment set of forms:

This form is part of the Default Judgment forms. URCP 58A(g) and 5(a)(2)(d) on default judgment requires that the form include language that appeals may be filed with 30 days of the hearing. The committee did not have any concerns regarding the rule or the form. The committee recommended a minor language change to the form. The committee changed the notice to read, “The court has entered the attached judgment. You may appeal a judgment by filing a Notice of Appeal with this court within 30 days after the date the judgment was entered.”

With no further discussion, Mr. Ralphs moved to approve the form and accept the recommended change. Judge Taylor seconded the motion. The motion unanimously passed.

V. NOTICE OF MODIFICATION – With authority for form:

This form was discussed at the last meeting. The form provides notice to the court who made the controlling order that the order has been modified. The form has been updated to include Utah Code 78B-14-614 (specific to UIFSA) to provide clarity of whom has authority to modify an order.

Following further discussion, Mr. Ralphs moved to approve the form as modified. Judge Lindsley seconded the motion. The motion unanimously passed.

VI. REGISTERING FOREIGN ORDERS –

The request to Register Foreign Orders was approved by the Judicial Council in September 2019:

These forms allows for out of state custody or support orders to be registered in Utah so they can be modified or enforced. The forms were once separate forms that have been combined and are now one form.

- Notice of registration -

With no further discussion or modification, Mr. Ralphs moved to approve the form. Ms. Westby seconded the motion. The motion unanimously passed.

- Request for hearing –

With no further discussion or modification, Judge Lindlsey moved to approve the form. Mr. Ralphs seconded the motion. The motion unanimously passed.

- Order on confirmation –The committee discussed and made minor language changes to the form. Paragraph 3 was modified to “This court received a Request for Hearing to contest the validity of the registered order within 20 days.” The committee changed the title of the form to “Order on hearing for Confirmation of Foreign Child Custody or Parent-Time Order, or Support or Income Withholding Order.”

With no further discussion or modification, Mr. Ralphs moved to approve the form. Judge Lindsley seconded the motion. The motion unanimously passed.

- Notice of confirmation –The committee discussed and made minor language modification. The committee recommended removing the word “timely” from the first paragraph of item #1, as well as the second paragraph, as the form is an automatic order from the court and the clerk is unable to make a determination as to the timeless of the order. The committee recommended removing item #2 as a judgment of time does not need to be determined by the clerk.

With no further discussion, Mr. Ralphs moved to approve the form as modified. Judge Lindsley seconded the motion. The motion unanimously passed.

VII. PETITION AND STIPULATION TO MODIFY CHILD SUPPORT –

The committee previous reviewed and approved these forms. The Council has approved the larger packet of forms. This is a reduced version of the child custody form and modified child support forms.

- Petition and stipulation to modify child support – the committee did not have additional items for discussion. Mr. Ralphs moved to approve the form as currently presented. Judge Lindsley seconded the motion. The committee unanimously voted to approve the form.

- Findings of fact and conclusions of the law on petition to modify child support –The committee did not have further discussions on this form. Mr. Ralphs moved to approve the form as currently presented. Judge Lindsley seconded the motion. The committee unanimously voted to approve the form.
- Order –The committee did not have further discussions on this form. Mr. Ralphs moved to approve the form as currently presented. Ms. Westby seconded the motion. The committee unanimously voted to approve the form.

VIII. MOTION OR STIPULATED MOTION TO MODIFY CHILD SUPPORT -

The form allows for orders that are three years or older to be modified. A petition is not required to have the order modified. Ms. Alleman recommended that court clerks be educated on the change to avoid kick back of the form when electronically filed. Mr. Galli will discuss these changes with the clerks.

- Motion or Stipulated motion to modify child support – the committee discussed and made minor language changes to form. The committee replaced “modify” with “adjust” throughout the form as the intent of the form is to be able to make adjustments to the child support order, not to modify the order.

With no further changes, Mr. Ralphs moved to approve the form as modified. Commissioner Ralphs seconded the motion. The committee unanimously approved the motion.

- Order on motion to modify child support – the committee did not have discussions or concerns on the Order. The committee made similar changes to the Order form as the Motion form.

With no further changes, Judge Lindlsey moved to approve the form as modified. Ms. Westby seconded the motion. The committee unanimously approved the motion.

IX. SETTLEMENT:

Judge Taylor said he does not think a settlement agreement should be a court form. Other committee members pointed out that LPPs can only use court-approved forms. Also, the Online Dispute Resolution program needs a court-approved settlement agreement form.

The committee recommends tabling these forms. The committee will invite representatives from the LPP and ODR committees to the next meeting discuss the the concerns. The committee also would like input from General Counsel.

No motion was taken on these forms.

X. OBJECTION TO FORM OF ORDER – Proposal to retitle form Objection to Form of Order or Judgment:

These are generalized forms for used in objections of any orders. The committee recommended a language to the title for indication if the objection is toward the order or the judgement.

“Objection to the Form for :

[] Order

[] Judgment”

With no further discussion, Ms. Westby moved to approve the form as modified. Mr. Player seconded the motion. The committee unanimously approved the motion.

XI. OTHER BUSINESS:

Judge Lawrence will be asking the Civil Rules Committee to make summons and motions mandatory forms.

XII. ADJOURN:

With no further items for discussion, Mr. Galli moved to adjourn the meeting. Mr. Ralphs seconded the motion. The meeting adjourned at 1:12 pm. The next meeting will be February 10, 2020, from noon to 2 pm in the Judicial Council Room.

Forms Status Summary

List of forms approved for LPP use: www.utcourts.gov/forms/lpp/

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
Certification of readiness for trial	July 18, 2019	Judicial Council
Child support worksheets <ul style="list-style-type: none"> • Joint Physical Custody Worksheet and Instructions • Sole Custody Worksheet and Instructions • Split Custody Worksheet and Instructions • Children in the Father's Home Worksheet and Instructions • Children in the Mother's Home Worksheet and Instructions 	November 25, 2019	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 financial status	September 9, 2019	Forms Committee
Declaration of inmate filing	November 13, 2017	Forms Committee
Declaration of jurisdiction and grounds for divorce	July 18, 2019	Judicial Council
Declaration of other parent's earnings	January 27, 2020	Judicial Council
Default judgment <ul style="list-style-type: none"> • Default certificate • Motion for default judgment • Military service declaration • Military service order 	November 25, 2019 January 27, 2020 (notice of judgment)	Judicial Council

• Notice of Judgment		
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 • 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 	December 18, 2017	Judicial Council
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
Fee waiver – district and justice court <ul style="list-style-type: none"> • Motion to waive fees and statement supporting motion 	June 24, 2019	Judicial Council

<ul style="list-style-type: none"> • Order on motion to waive fees • Order on motion to waive fees (inmates) • Memorandum 		
Financial declaration Certificate of service of financial declaration	February 25, 2019	Judicial Council
Income verification and compliance with child support guidelines	July 18, 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 leave to amend	July 18, 2019	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 adjust child support <ul style="list-style-type: none"> • Motion or stipulated motion to modify child support • Order on motion to modify child support 	January 27, 2020	Judicial Council
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 delay enforcement of judgment and order on motion	June 24, 2019	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 set aside default or judgment	June 24, 2019	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 motion for inquiry into competency (juvenile court)	August 12, 2019	Forms Committee
Order on request to excuse respondent from hearing (guardianship)	December 10, 2018	Forms Committee
Parenting plan	May 21, 2018	Judicial Council
Petition for authorization to marry and Order on petition for authorization to marry (juvenile court)	November 25, 2019	Judicial Council
Petition for essential treatment	October 17, 2017	Forms Committee
Petition to modify child support <ul style="list-style-type: none"> • Petition and stipulation to modify child support • Findings of fact and conclusions of law on petition to modify child support 	January 27, 2020	Judicial Council

• Order on petition to modify child support		
Petition to modify child support, child custody, and parent-time <ul style="list-style-type: none"> • Petition and stipulation to modify child support, child custody, and parent-time • Findings of fact and conclusions of law on petition to modify child support, child custody, and parent-time • Order on petition to modify child support, child custody, and parent-time • Notice of modification 	December 16, 2019 January 27, 2020 (notice of modification)	Judicial Council
Proof of service	February 26, 2018	Judicial Council
Reply memorandum supporting motion	April 16, 2018	Judicial Council
Registering foreign order <ul style="list-style-type: none"> • Request to register foreign child custody, parent-time, support or income withholding order • Notice of registration of foreign order • Request for hearing on request to register foreign order • Order on confirmation of foreign order • Notice of confirmation of foreign order 	September 10, 2019 (request) January 27, 2020 (all other forms)	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
Sexual violence protective order <ul style="list-style-type: none"> • Request to extend sexual violence protective order • Order granting request to extend sexual violence protective order • Order denying request to extend sexual violence protective order 	December 9, 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
Trial issues	July 18, 2019	Judicial Council
Trial issues – domestic cases		
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

Pending Forms Committee Consideration

- OCAP temporary separation provisions
- Request to submit – probate cases
- Certification of readiness for trial – probate cases
- Objection to minor guardianship or conservatorship
- Small claims
 - Complaint
 - Summons and notice of hearing
 - Counter complaint and notice to plaintiff
 - Judgment
 - Notice of appeal
- Settlement agreement – debt collection (representatives from LPP and ODR committees invited to meeting)
- Settlement agreement – eviction

Referred to Management Committee

- Subpoena forms
 - Subpoena
 - Notice to persons served with a subpoena
 - Objection to subpoena
 - Declaration of compliance with subpoena
 - Application for subpoena under the Utah Uniform Interstate Depositions and Discovery Act
 - Notice of deposition and request for subpoena in case pending out of state

Pending Stylistics Subcommittee Consideration

- Notice to Department of Human Services (OCAP)
- Adult protective orders
- Motion to waive fees – appellate and juvenile
- Petition to register administrative support order
- Divorce answer (including affirmative defenses)
- Cover sheets – district, probate, and juvenile court
- Petition for order of adjudication of paternity (not custody or support)

- Adult name change
- Voluntary relinquishment of parental rights
- Annulment

Pending Family Law Subcommittee Consideration

- 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
- 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)

Other

- Declaration supporting default judgment for use in all debt collection cases – Judge Lawrence to continue working with debt collection bar.

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 Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p>	<p>Motion for Summary Judgment to Declare Non-Parentage Concerning Parentage After Genetic Testing (Utah Rule of Civil Procedure 56, Utah Code 78B-15-101 et seq., 78B-15-501 et seq., and 78B-15-617)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
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1. I am a party in this case.
2. I ask the court for summary judgment on the issue of parentage for the children listed below.
3. Petitioner, Respondent and the children named below participated in genetic testing.

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

4. ☐ Petitioner ☐ Respondent **is not** the biological parent of the children named below.

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

5. ☐ Petitioner ☐ Respondent **is** the biological parent of the children named below.

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

6. There are no other material facts that would justify disregarding the genetic testing results.
7. There is no genuine dispute as to any material fact.
8. I am entitled to summary judgment as a matter of law.
9. I have attached a copy of the genetic testing results.

Information required for the Utah Office of Vital Records and Statistics

10. Full name of mother as listed on the child's birth certificate (first, middle, maiden and last name):

11. Full name of father as listed on the child's birth certificate:

12. ☐ Utah Office of Vital Records and Statistics should be ordered to **remove** _____ (name)
as father from the birth certificate of the following children:

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

13. ☐ Utah Office of Vital Records and Statistics should be ordered to **add** _____ (name)
as father to the birth certificate of the following children:

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

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

Petitioner or Respondent

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 _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion for Summary Judgment ~~to Declare Non-Parentage~~ **Concerning Parentage** After Genetic Testing 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.)		

 Date

 Signature ►

 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 Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Order Granting Motion for Summary
Judgment on Non-Parentage
Concerning Parentage**

Case Number

Judge

Commissioner (domestic cases)

The matter before the court is a Motion for Summary Judgment to Declare Non-Parentage After Genetic Testing. This matter is being resolved by: (Choose all that apply.)

☐ The default of ☐ Petitioner ☐ 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.

Petitioner

☐ was present ☐ was not present.

☐ was represented by _____ (name).

☐ was not represented.

Respondent

☐ was present ☐ was not present.

☐ was represented by _____ (name).

☐ was not represented.

The court finds the following facts are undisputed:

1. Petitioner, respondent, and the following children participated in genetic testing.

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

2. The genetic testing results show ☐ petitioner ☐ respondent **is not** the biological parent of the following children.

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

3. The genetic testing results show ☐ petitioner ☐ respondent **is** the biological parent of the following children.

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

4. There are no other facts material to this motion that are in genuine dispute.

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

The court orders:

5. The Motion for Summary Judgment to Declare Non-Parentage After Genetic Testing is granted.
6. ☐ Petitioner ☐ Respondent **is not** the biological parent of the following children.

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

7. ☐ Petitioner ☐ Respondent **is** the biological parent of the following children.

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

Information required for the Utah Office of Vital Records and Statistics

8. ☐ Full name of mother as listed on the child's birth certificate (first, middle, maiden and last name):

9. ☐ Full name of father as listed on the child's birth certificate:

10. ☐ Utah Office of Vital Records and Statistics is ordered to **remove**

(name) as father from the birth certificate of the following children:

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

11. ☐ Utah Office of Vital Records and Statistics is ordered to **add**

(name) as father to the birth certificate of the following children:

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

12. ☐ 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, Attorney or Licensed
 Paralegal Practitioner _____

Date Defendant/Respondent, Attorney or Licensed
 Paralegal Practitioner _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order Granting Motion for Summary Judgment ~~on Non-Parentage~~ **Concerning Parentage** 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.)		

 Date

 Signature ►

 Printed Name

Temporary Separation [UtahCode 30-3-4.5](#)

Overview

A temporary separation case includes a Petition for Temporary Separation followed by a Motion for Temporary Orders, a Stipulation and Order on Motion for Temporary Orders. There is a filing fee and cover sheet. A temporary separation case is an alternative to filing for divorce. If within 1 year, the filer elects to proceed with a divorce, the fee for the temporary separation case is applied to the filing fee for a divorce case.

The Motion, Stipulation and Order on Motion for Temporary Orders includes much of the content used in the divorce program. To reuse tested content, to simplify maintenance and for the convenience of users, the temporary separation interview will be integrated into the OCAP divorce interview. The intent is to add a branching question at the beginning of the interview that will direct the user down a temporary separation path if selected. Design work will be undertaken to minimize adding more processing to the divorce interview. The OCAP divorce interview will be renamed “Divorce or Temporary Separation” at the interview title level.

A user filing a temporary separation case must be able to generate the [documents listed here](#). All documents except the Petition for Temporary Separation have been previously approved by the Judicial Council. The language used in that petition follows in this document. Related language already approved or used in the divorce document is provided for reference.

	Text for Review	Text Approved by Forms Comm	Text Approved by JC	
Petition for Temporary Separation				
Caption	X			
Introduction	X			
1 Residency	X			
2 Marriage	X			
3 Children	X			
3a UCCJEA Jurisdiction	X			
3b Rule 100	X			
6 Time Period of Orders in Temporary Separation	X			
7 Other Relief	X			
8 Petition Close	X			
End of Petition				

SECTION 1 Caption Grounds Juris Sep	
Caption Before	<div> <div> Name: Clint Hill Address: 1560 Prospector Way Summit, UT 90845 Phone: (132) 412-343 Email: Clinth@gmail.com Pro Se I am the Petitioner </div> <div>Online Court Assistance Program</div> </div> <div> <p>IN THE THIRD JUDICIAL DISTRICT COURT OF SUMMIT COUNTY, STATE OF UTAH</p> <p>Third District Court - Silver Summit, 6300 Justice Center Road, Park City, Utah 84098</p> <hr/> <div> <div> Clint Hill, Petitioner, vs. Nicole Hill, Respondent. </div> <div> <p>PETITION FOR TEMPORARY SEPARATION</p> <p>Case No. _____</p> <p>Commissioner: _____</p> <p>Judge: _____</p> </div> </div> <hr/> <p>Clint Hill states as follows:</p> <p>90-DAY RESIDENCY</p> <p>1. Clint Hill and Nicole Hill are residents of the State of Utah and have been residents of the State of Utah for at least 90-days prior to the filing of this action.</p> <p>MARRIAGE</p> </div>
Caption After	Format: Follow Style Guide
Section 1 Introduction	
Petition Intro Before	<Petitioner> states as follows:
Divorce Petition Approved for Reference	I, <Petitioner>, am the petitioner. I say:
Petition Intro After	Same as approved for divorce.
Section 1.1 Residency	
TS Petition Residency Before	<p>90-DAY RESIDENCY</p> <p>«PN1». «pet_name» and «res_name» are residents of the State of Utah and have been residents of the State of Utah for at least 90-days prior to the filing of this action.</p>

Divorce Petition Residency Approved for Reference	Three-month residency 1. Jane Jetson and George Jetson were residents of Salt Lake County, Utah on the date this case was filed. Jane Jetson and George Jetson were residents for at least three months immediately before filing this case.
TS Petition Residency After	Three-month residency Same as approved for divorce.
Section 1.2 Marriage	
TS Petition Marriage Before	MARRIAGE «PN1». «pet_name» and «res_name» were married on «mar_date» in «mar_city», «IF ANSWERED(mar_county)»«mar_county» County,«END IF» «mar_state» and are presently lawfully married.
Divorce Petition Marriage Approved	Marriage 2. Jane Jetson and George Jetson were married on January 23, 2004 in Orbit City Salt Lake County, Utah. We are currently married.
TS Petition Marriage After	Marriage Same as approved for divorce.
Section 1.2 Children	
TS Petition Children Before	CHILDREN «PN1». The parties are the legal mother and legal father of the following children under Utah's Uniform Parentage Act, Utah Code 78B-15-101 et seq. This court has jurisdiction to determine the issues related to the children in this action because the parties became the legal parents of the children prior to or during the time the parties were married. The name and birth date of each minor child is listed below. «IF child_incapacitated_yes_no = TRUE» The full name and birth date is listed for any incapacitated adult child. «END IF» Born: Unborn:

	Expected Birth:
Divorce Petition Children Approved for Reference	<p>Children</p> <p>5. Jane Jetson and George Jetson are the legal parents of the following children (Utah Code 78B-15-101 et seq.). This court has jurisdiction to make orders about these children.</p> <p>a. Judy Jetson DOB</p> <p>b. Elroy Jetson Expected birthdate</p> <p>-----</p> <p>Children (Utah Code 78B-12-102(7))</p> <p>«PN1». <pet_name and <res_name> do not have any children together.</p> <ul style="list-style-type: none"> • They do not have any children together who are minors. A minor is a child under 18 who has not been married or otherwise emancipated. • They are not expecting a child. • They do not have incapacitated adult children together who are eligible for child support. • They are not asking for child support for any incapacitated adult child who is eligible for child support.
TS Petition Children Before	Use approved divorce language.
TS Petition UCCJEA Before	<p>CHILDREN – UCCJEA JURISDICTION</p> <p>«PN1». Utah has jurisdiction over the custody and parent-time issues in this case pursuant to Utah’s Uniform Child Custody Jurisdiction and Enforcement Act because Utah is the home state of the parties’ minor children under Utah Code 78B-13-102(7) and/or this case meets the criteria under Utah Code 78B-13-201(1), 207, and 208. During the last five years, the minor children have resided at the following places and with the following parties:</p> <p>Lived With: Relation: State: Began Living With: Stopped Living With:</p>

<p>Divorce Petition UCCJEA Approved for Reference</p>	<p>Children – Jurisdiction over custody and parent-time issues (Utah Code 78B-13-102(7), 201(1), and 208)</p> <p>6. Utah has jurisdiction over the custody and parent-time issues in this case because:</p> <ul style="list-style-type: none"> • Utah is the home state of the parties' minor children under Utah Code 78B-13-102(7), or • This case meets the criteria under Utah Code 78B-13-201(1), 207, and 208. <p>During the last five years, the minor children have lived at the following places and with the following people:</p> <p>a. Judy Jetson State: UT Address: 14 Little Dipper Drive, Orbit City, UT 12341 Began living there: 01/11/2010; Resided With: Jane Jetson; Relationship to this child: Mother; Current Address of Jane Jetson: 14 Little Dipper Drive, Orbit City, UT 12341</p> <p>b. Elroy Jetson State: UT Address: 14 Little Dipper Drive, Orbit City, UT 12341 Began living there: 01/13/2013; Resided With: Jane Jetson; Relationship to this child: Mother; Current Address of Jane Jetson: 14 Little Dipper Drive, Orbit City, UT 12341</p>
<p>TS Petition UCCJEA After</p>	<p>Use approved divorce language.</p>
<p>TS Petition Rule 100 Before</p>	<p>CHILDREN – RULE 100 INFORMATION</p> <p>«PN1». Pursuant to Rule 100 of the Utah Rules of Civil Procedure, The Uniform Child Custody Jurisdiction and Enforcement Act, Utah Code 78B-13-101 et Seq. and The Uniform Interstate Family Support Act, Utah Code 78B-14-101 et Seq., the parties state upon information and belief, that:</p> <p>«PN2:abc». There are proceedings in a court of law or governmental agency for custody, child support, parent-time or visitation concerning the parties' minor children which have been filed, or are pending, or have been completed with an order. These proceedings are described as follows:</p> <p>Case InformationCo Court or Agency: Address: Case Number:</p>

	<p>Judge or Commissioner: Nature of Proceeding:</p> <p>OR</p> <p>The parties are unaware of any criminal, delinquency or protective order cases involving a party or the parties' children.</p> <p>«PN2:abc». The parties know of the following criminal, delinquency or protective order cases involving a party or the parties' children:</p> <p>Case Information: Name of Court: Address: Case Number: Judge or Commissioner: Nature of Proceeding:</p> <p>The parties are unaware of any person who is <u>not</u> a party to these proceedings who has physical custody of the parties' minor child «child_name_first[COUNTER]» «child_name_last[COUNTER]» and who claims to have custody, child support, and/or parent-time or visitation rights with respect to «child_name_first[COUNTER]» «child_name_last[COUNTER]».</p> <p>«PN2:abc». The parties know of a person who is <u>not</u> a party to these proceedings who has physical custody of the parties' minor child «child_name_first[COUNTER]» «child_name_last[COUNTER]» and who claims to have custody, child support, and/or parent-time or visitation rights with respect to «child_name_first[COUNTER]» «child_name_last[COUNTER]».</p> <p>Name: Address: Phone: Relation: Situation:</p>
--	--

<p>Divorce Petition Rule 100 Approved for Reference</p>	<p>Children – Other court proceedings (Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 78B-13-101 et seq.; Utah Uniform Interstate Family Support Act, UIFSA, Utah Code 78B-14-101 et seq.)</p> <p>7. I say the following: Jane Jetson and George Jetson's minor children are involved in the following custody, child support, or parent-time cases. This includes filed, pending, and completed cases.</p> <p> i. Case Information Court or Agency: Third District Court Address: 450 State St Case Number: 13451345 Judge or Commissioner: Carnine Nature of Proceeding: Visitation case filed by George's parent</p> <p> a. Jane Jetson knows of the following criminal, delinquency, or protective order cases involving Jane Jetson, George Jetson, or their children.</p> <p> Case Information Name of Court: 3rd Juvenile Court Address: 450 State Case Number: qwerqew Judge or Commissioner: Smith Nature of Proceeding: Judy shoplifted some cosmetics from the Milky Way Mall. She is paying restitution.</p> <p> b. Jane Jetson and George Jetson have physical custody of Judy Jetson, our child. We are the only people who have custody, child support, and parent-time rights to Judy Jetson.</p> <p>-----</p> <p>«pet_name» does not know of any criminal, delinquency, or protective order cases involving «pet_name», «res_name», or their children.</p> <p>«PN2:abc». Someone who is not a party in this case has physical custody of «child_name_first[COUNTER]» «child_name_last[COUNTER]», our child. This person claims to have custody, child support, or parent-time rights to «child_name_first[COUNTER]» «child_name_last[COUNTER]».</p> <p>Name: Address: Phone: Relation: Situation:</p>
<p>TS Petition</p>	<p>Same as approved for divorce.</p>

Rule 100 After	
TIME PERIOD OF ORDERS IN TEMPORARY SEPARATION	
TS Petition	TIME PERIOD OF ORDERS IN TEMPORARY SEPARATION
TIME PERIOD OF ORDERS IN TEMPORARY SEPARATION	«PN1». «pet_name» understands that any temporary orders entered in this temporary separation case are valid for one year from the date of the hearing, or until one of the following occurs:
Before	<ul style="list-style-type: none"> a. a petition for divorce is filed and consolidated with the petition for temporary separation; or b. this temporary separation case is dismissed.
TS Petition	Duration of temporary order (Utah Code 30-3-4.5)
TIME PERIOD OF ORDERS IN TEMPORARY SEPARATION	«PN1». Temporary orders entered in this temporary separation case are in effect for one year from the date of the hearing unless:
After	<ul style="list-style-type: none"> • The case is dismissed earlier. • A petition for divorce is filed and consolidated with the petition for temporary separation. The orders will remain in effect in the divorce case.
OTHER RELIEF IF EQUITABLE AND JUST	
TS Petition	OTHER RELIEF IF EQUITABLE AND JUST
OTHER RELIEF IF EQUITABLE AND JUST	«PN1». The Court should grant such other and further relief as it may deem just and appropriate in this matter.
Before	
Divorce Petition for reference	Other relief if equitable and just
OTHER RELIEF IF EQUITABLE AND JUST	<p>The Court should grant such other and further relief as it may deem just and appropriate in this matter.</p> <p>We missed this in the divorce update. Does Forms Committee want to rewrite. We will then retrofit the approved language all programs.</p>
TS Petition	Stylistics members remember deciding to remove this clause from the divorce documents.

OTHER RELIEF IF EQUITABLE AND JUST After	The next section includes an "equitable and just" language. This clause is not needed
Petition Close	
TS Petition Close Before	WHEREFORE, « pet_name » asks that: 1. TEMPORARY ORDERS be entered based on « pet_name_possessive » MOTION FOR TEMPORARY ORDERS and supporting evidence. 3. For such other relief as the court deems equitable and just.
Divorce Petition for Reference Close	<<Petitioner>> asks that << possessive>> be granted a divorce pursuant to the terms of this petition, and for such other relief as the court deems equitable and just.
TS Petition for reference Close After	<<Petitioner>> asks that << pronoun >> be granted temporary orders pursuant to the terms of this petition, and for such other relief as the court deems equitable and just.
	END OF PETITION

Motion for Temporary Orders

The Motion for Temporary Orders, the Stipulation on Temporary Orders and the Order on Motion should conform to the forms already approved by the Judicial Council.

Caption					
	Motion		Stipulation		Order
Introduction					
Minor Children					
1 Children - Custody					
2 Children - Parent-time					
3 Children - Transfers (formerly Pick up and Delivery)					

4 Children - Communication Between Parties					
5 Child Support					
6 Child Care Expenses					
7 Health insurance, medical and dental expenses					
8 Tax Exemptions for Children					
9 Payment of Bills and Debts					
10 Property: Temporary Use and Possession					
• 10a Residence					
• 10b Vehicles					
• 10c Items					
• 10d Other					
11 Temporary Alimony					
12 Attorney Fees					
13 Other Orders					
14 Documents					
END					

Name

Address

City, State, Zip

Phone

Email

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

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the matter of protection for

Respondent or minor

**Request to Submit for Decision –
Probate Case**

(Code of Judicial Administration Rule 6-506(c)(2)(E))

☐ Hearing Requested

Case Number

Judge

1. A petition for _____ (name of petition)
was filed on _____ (date).
2. An oral objection
☐ was not made ☐ was made on _____ (date).
3. A written objection
☐ was not filed ☐ was filed on _____ (date).

4. A stipulation
[] was not filed [] was filed on _____ (date).
5. Mediation
[] was not required [] was completed on _____ (date).
6. A hearing
[] has been requested [] has not been requested.
7. I request the petition be submitted for decision.

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	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Request to Submit for Decision – Probate Case 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.)		

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 #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the matter of protection for

Respondent or minor

**Certification of Readiness for Trial –
Probate Case**

(Utah Rule of Civil Procedure 16)

☐ **Request for Pretrial Conference**

Case Number

Judge

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 and 26.4.)

5. **Mediation.** (Code of Judicial Administration Rule 6-506.)

- ☐ All required mediation has been completed, or
- ☐ mediation has been excused, or
- ☐ mediation is not required.

Petitioner or Respondent

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	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Certification of Readiness for Trial – Probate Case 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.)		

Date

Signature ► _____

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 Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

_____,
A minor

**Objection to Petition to Appoint a
Guardian or Conservator for a Minor**

Case Number

Judge

1. I am the (Choose all that apply.):

☐ Minor's parent

☐ Minor's guardian

☐ Minor's conservator

☐ Other (describe) _____

2 I object to the petition because:

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	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Objection to Petition to Appoint a Guardian or Conservator for a Minor 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.)		

Date

Signature ► _____

Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

In the Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

_____ Plaintiff	Small Claims Complaint (Utah Rule of Small Claims Procedure 2 and Utah Code 78A-8-101 et seq.)
v.	_____ Case Number
_____ Defendant	_____ Judge

1. Defendant owes me:

This amount for what I described below.	\$
Plus, applicable attorney fees. (Attach statute or contract authorizing claim for attorney fees.)	\$
Plus, the amount I paid to file this case.	\$
Plus, the amount I paid to have the papers served.	\$
Total	\$

I also ask for pre-judgment interest.

2. Defendant owes me money because:
(Include facts and dates that support your claim)

3. I am filing in this court because: (Choose at least one.)
(Utah Code 78A-8-102)
- ☐ Defendant resides within the jurisdiction of the court.
- ☐ The events happened within the jurisdiction of the court.
4. I am not suing a government entity. I am not suing a government employee for the employee's on-the-job conduct. (Utah Code 63G-7-501)
5. This is not an assigned claim. (Utah Code 78A-8-103)
6. I understand that if I am suing for property damage from a motor vehicle accident (such as the cost to repair my car), I can sue for bodily injuries in the same small claims action. I can also file a separate action for bodily injuries. Otherwise I have to join all of my claims against the defendant into one action. (Utah Code Section 78A-8-102).
7. ☐ I am filing this affidavit in the First District Court for Cache County because:
- the defendant resides in unincorporated Cache County or in a municipality within Cache County that does not have a justice court, and
 - the events happened in unincorporated Cache County or in a municipality within Cache County that does not have a justice court.

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

Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____	Signature ►	_____
Date	Printed Name	_____

Name

Address

City, State, Zip

Phone

Email

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

In the Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff

v.

Defendant

**Small Claims Summons and Notice
of Trial**

(Utah Rule of Small Claims Procedure 2)

Case Number

Judge

The State of Utah to

_____ (party's name):

You are summoned to appear at trial as detailed below.

Courthouse Address (Dirección del tribunal):

Date (Fecha): _____ Time (Hora): _____ ☐ a.m. ☐ p.m.

Room (Sala): _____

Judge (Juez): _____

A small claims case has been filed against you. A trial will be held at the date, time and place shown above. The trial is your chance to tell your side of the story.

You have the right to be represented by a lawyer.

If you do not come to the trial, judgment may be entered against you for the total amount claimed.

You can find small claims information at www.utcourts.gov/howto/smallclaims/.

Read the complaint

The complaint explains what the other party is asking for in their lawsuit. Read it carefully.

Evidence

Bring with you any evidence that you want the court to consider. This includes witnesses, photographs, documents, and other things that support your side of the story.

Interpretation

If you do not speak or understand English, the court will provide an interpreter. Contact court staff immediately to ask for an interpreter.

ADA Accommodation

If you need an accommodation, including an ASL interpreter, contact court staff immediately to ask for an accommodation.

Right to Jury Trial

Se le cita a comparecer a juicio para responder al reclamo arriba descrito. El juicio tendrá lugar en la dirección del tribunal que se muestra arriba. Si usted no comparece, se podría dictar un fallo contra usted por el total de la cantidad reclamada.

Un caso de reclamos menores ha sido presentado contra usted. Esto le impone a usted ciertos derechos y obligaciones. Usted puede encontrar información e instrucciones sobre reclamos menores en www.utcourts.gov/howto/smallclaims/index-sp.asp.

Lea la demanda o petición

La demanda o petición fue presentada en el tribunal y ésta explica lo que la otra parte pide. Léala cuidadosamente.

Pruebas

Traiga con usted cualquier prueba que quiera que el tribunal tome en cuenta.

Interpretación

Si usted no habla ni entiende el Inglés el tribunal le proveeré un intérprete. Contacte a un empleado del tribunal inmediatamente para pedir un intérprete.

Adaptación o Arreglo en Caso de Discapacidad

Si usted requiere una adaptación o arreglo, que incluye un intérprete de la lengua de signos americana, contacte a un empleado del tribunal inmediatamente para pedir una adaptación.

El derecho a juicio por jurado.

If you want to have a jury trial in this case, you must file documents to remove the case to district court. You can find information about that process and forms at:
www.utcourts.gov/howto/smallclaims/.

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.

Si usted quiere tener un juicio con jurado, usted deberá presentar documentos pidiendo que el caso sea transferido al tribunal de distrito. Vea la página de internet de Reclamos Menores para más información sobre el proceso y formularios:
www.utcourts.gov/howto/smallclaims/index-sp.asp.

Cómo encontrar ayuda legal

Para información sobre maneras de obtener ayuda legal, vea nuestra página de Internet Cómo encontrar ayuda legal. Algunas maneras de hablar con un abogado son por medio de una visita a un taller jurídico gratuito, o mediante el Centro de Ayuda. Estos talleres proveen información legal general y dan consejo legal breve. También hay ayuda legal a precios de descuento.

Date

Signature ►

Court Clerk

Name

Address

City, State, Zip

Phone

Email

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

In the Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

_____ Plaintiff	Small Claims Counter Complaint and Notice to Plaintiff (Utah Rule of Small Claims Procedure 4)
v.	_____ Case Number
_____ Defendant	_____ Judge

1. Plaintiff owes me:

This amount for what I described below.	\$
Plus, applicable attorney fees. (Attach statute or contract authorizing claim for attorney fees.)	\$
Plus, the amount I paid to file this case.	\$
Total	\$

I also ask for pre-judgment interest.

2. Plaintiff owes me money because:
(Include facts and dates that support your claim)

3. I am not suing a government entity. I am not suing a government employee for the employee's on-the-job conduct. (Utah Code 63G-7-501)
4. This is not an assigned claim. (Utah Code 78A-8-103)
5. I understand that if I am suing for property damage from a motor vehicle accident (such as the cost to repair my car), I can sue for bodily injuries in the same small claims action. I can also file a separate action for bodily injuries. Otherwise I have to join all of my claims against the defendant into one action. (Utah Code Section 78A-8-102).
6. I am waiving my right to a jury trial by handling this case in justice court. I understand if I want a jury trial, I must move this case to district court.

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).

_____	Signature ►	_____
Date	Printed Name	_____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____	Signature ►	_____
Date	Printed Name	_____

Notice to Plaintiff

To:

Para:

Plaintiff Name and Address

Nombre y dirección del Demandante

You must appear at trial to answer the above counterclaim. **If you fail to appear, judgment may be entered against you for the total amount claimed.**

Se le cita a comparecer a juicio para responder al reclamo arriba descrito. Si usted no comparece, se podría dictar un fallo contra usted por el total de la cantidad reclamada.

The original trial date
[] has not changed
[] has been changed to:

La fecha original para juicio
[] no ha sido cambiada
[] ha sido cambiada para:

Courthouse Address (Dirección del tribunal):

Date (Fecha): _____ Time (Hora): _____ [] a.m. [] p.m.

Room (Sala): _____

Judge (Juez): _____

A counterclaim has been filed against you. This imposes upon you certain rights and responsibilities. You can find small claims information and instructions at www.utcourts.gov/howto/smallclaims/.

Attendance

You must attend. If you do not attend, the relief requested might be granted. You have the right to be represented by a lawyer.

Evidence

Un contrademanda ha sido presentado contra usted. Esto le impone a usted ciertos derechos y obligaciones. Usted puede encontrar información e instrucciones sobre reclamos menores en www.utcourts.gov/howto/smallclaims/.

Asistencia

Presentarse es obligatorio. Si usted no llegara a presentarse, la reparación solicitada podría ser otorgada. Usted tiene el derecho de que lo represente un abogado.

Pruebas

Bring with you any evidence that you want the court to consider. This includes witnesses, photographs, documents, and other things that support your side of the story.

Interpretation

If you do not speak or understand English, the court will provide an interpreter. Contact court staff immediately to ask for an interpreter.

ADA Accommodation

If you need an accommodation, including an ASL interpreter, contact court staff immediately to ask for an accommodation.

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.

Traiga con usted cualquier prueba que quiera que el tribunal tome en cuenta.

Interpretación

Si usted no habla ni entiende el Inglés el tribunal le proveeré un intérprete. Contacte a un empleado del tribunal inmediatamente para pedir un intérprete.

Adaptación o Arreglo en Caso de Discapacidad

Si usted requiere una adaptación o arreglo, que incluye un intérprete de la lengua de signos americana, contacte a un empleado del tribunal inmediatamente para pedir una adaptación.

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal (www.utcourts.gov/howto/legalassist/index-sp.html) 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.

Date _____

Signature ► _____

Court Clerk _____

Clerk's Certificate of Service

I certify that I mailed a copy of this document to the following people.

Person's Name	Service Address	Service Date

Date _____

Signature ► _____

Court Clerk _____

Name
Address
City, State, Zip
Phone
Email

In the Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff	Judgment (Small Claims)
v.	Case Number _____
Defendant	Judge _____

1. **Hearing**

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

Plaintiff

[] was present [] was not present.

[] was represented by _____ (name).

[] was not represented.

Defendant

[] 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 orders judgment as follows.

2. On plaintiff's claim, the court enters judgment for:

☐ Plaintiff

Principal	\$
Attorney fees (if represented by counsel and if authorized by contract or statute)	\$
Filing fee	\$
Service fee	\$
Total	\$

☐ at _____ % interest per year (the current state post-judgment rate) OR

☐ at _____ % interest per year (pursuant to the contract between the parties)

☐ Defendant

3. ☐ On defendant's counterclaim, the court enters judgment for:

☐ Defendant

Principal	\$
Attorney fees (if represented by counsel and if authorized by contract or statute)	\$
Filing fee	\$
Service fee	\$
Total	\$

☐ at _____ % interest per year (the current state post-judgment rate) OR

☐ at _____ % interest per year (pursuant to the contract between the parties)

☐ Plaintiff

4. The court further orders:

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

Date

Signature ► _____
Judge _____

Certificate of Service

☐ I certify that I delivered a copy of this Judgment to ☐ Plaintiff ☐ Defendant.

☐ I certify that I mailed or emailed a copy of this Judgment to the following people.

Person's Name	Address	Date Sent

Date _____

Signature ► _____

Court Clerk _____

Name

Address

City, State, Zip

Phone

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

Email

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

In the Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff

v.

Defendant

Notice of Appeal – Small Claims Case

Case Number

Judge

I request a new trial in the district court.

Plaintiff or 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

Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____	Signature ►	_____
Date	Printed Name	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Notice of Appeal – Small Claims Case 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.)		

Date

Signature ► _____
Printed Name _____

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

v.

Defendant

Settlement Agreement

Case Number

Judge

The parties agree:

1. The amount requested in the complaint is \$ _____ (complaint amount).
2. _____ (name) will pay
\$ _____ (settlement amount, which may or may not be the same as the complaint
amount) to _____ (name).

The settlement amount consists of:

Amount of unpaid debt	\$
Interest	\$

Attorney fees	\$
Cost to file this case	\$
Cost to have the papers served	\$
Other (describe)	\$
Total	\$

3. The amount in paragraph 2 (choose one):
- ☐ is a reduction of \$ _____ from the amount requested in the complaint.
- ☐ is not a reduction from the amount requested in the complaint.

4. The amount in paragraph 2 will be paid on this schedule:

Amount	Date due	Amount	Date due
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	
\$		\$	

☐ Other arrangements:

5. Payments must be made:

By the following method (such as bank transfer, online payment, check, cash, money order, some combination of these methods, or note payment can be by any method):

To the following destination (address or account number):

-
-
6. Scheduled payments must be received on or before the due date. If not (choose one),
- ☐ the complaint amount in paragraph 1, minus any payments received, is immediately due.
- ☐ the settlement amount in paragraph 2, minus any payments received, is immediately due.
- ☐ Plaintiff will deliver notice to the defendant and allow them _____ days from the date of delivery to make the late payment. Notice will be delivered by:
- ☐ Mail ☐ Text Message
- ☐ Hand Delivery ☐ Other _____
- ☐ Email
- to the following address:
-

If the defendant does not make timely payment after notice, the following is immediately due (choose one):

- ☐ the complaint amount in paragraph 1, minus any payments received.
- ☐ the settlement amount in paragraph 2, minus any payments received.

(we don't need a stay because entry of the settlement agreement is a case disposition that takes it off pending)

7. If a scheduled payment is not received,
- _____ (name) may file a motion for judgment for the amount in paragraph 6 less any payments made.
8. When the amount in paragraph 2 is paid, plaintiff will ask the court to dismiss this case with prejudice.
9. ☐ Other details. (Write "none" if there are no other details.)

-
-
-
-
10. The court will have jurisdiction to enforce this agreement.

Defendant

Date

Signature ► _____
Printed Name _____

Defendant's Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____
Printed Name _____

Second Defendant (if any)

Date

Signature ► _____
Printed Name _____

Second Defendant's Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____
Printed Name _____

Plaintiff

Date

Signature ► _____
Printed Name _____

Plaintiff's Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____
Printed Name _____

In the Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____</p> <p>Plaintiff</p> <p>v.</p> <p>_____</p> <p>Defendant</p> <p>And</p> <p>_____</p> <p>Defendant</p>	<p>Settlement Agreement (Small Claims)</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p>
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The parties have agreed to settle this case as follows:

- (1) The parties believe that they will comply with this Settlement Agreement by _____ (date), and the court may continue the trial until then.
- (2) Instead of going to trial on their claims and defenses, the parties agree that _____ (name) will pay \$ _____ (full amount) to _____ (name) as follows:

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

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

_____ (name) may ask the court to (A) enter judgment for the balance due or (B) schedule a trial on the affidavit and/or counter affidavit.

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

(5) Other details. (Write "none" if there are no other details.)

(6) Did a mediator help you reach this agreement?

☐ Yes ☐ No If "yes," mediator's name: _____

(7) I agree to the terms stated.

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 _____

Mediator (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 _____

(8) The trial is continued. The clerk will review the status of the case on the date stated in paragraph 1.

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

Date

Signature ► _____
Judge _____

In the West Valley Justice Court of Utah
Third Judicial District, Salt Lake County
3590 South 2700 West, West Valley, UT 84119

<hr/> Plaintiff v. <hr/> Defendant and <hr/> Defendant	Small Claims Settlement Agreement <hr/> Case Number <hr/> Judge
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The parties have agreed to settle this case.

1. Instead of going to trial on their claims and defenses, the parties agree that
_____ (name)
will pay \$_____ (full amount) to
_____ (name)
on this schedule:

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

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

If the balance is not paid within _____ days after it is due,
_____(name)
may ask the court to:

- enter judgment for the balance due or
- schedule a trial on the affidavit and/or counter affidavit.

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

4. Other details. (Write "none" if there are no other details.)

5. I agree to the terms stated.

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

Defendant

Date Signature ► _____
Defendant's Printed Name _____

Second Defendant

Date Signature ► _____
Second Defendant's Printed Name _____

Plaintiff

Date

Signature ► _____

Plaintiff's Printed Name _____

Submitted by Facilitator

Date

Signature ► _____

Facilitator's Printed Name _____