

Agenda Committee on Court Forms

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

February 8, 2020 / 12:00 to 2:00 p.m.
Virtual Meeting

| | |
|---|------------------|
| 1. Welcome and approval of December meeting minutes | Randy Dryer |
| 2. Electronic voting for approval of straightforward forms | Nathanael Player |
| 3. OCAP update | Clayson Quigley |
| 4. COVID Declaration discussion | Nathanael Player |
| 5. Updating forms due to changes to URCP , 8 and 101, effective May 1 | Nathanael Player |
| 6. Motion to Enforce Order (pursuant to new URCP 7A and 7B) <ul style="list-style-type: none"> • Ex Parte Verified Motion to Enforce Domestic Order • Order to Attend Hearing (will be used for all three motions) • Order on Motion to Enforce Domestic Order • Ex Parte Verified Motion to Enforce Order (not domestic) • Order on Motion to Enforce Order (not domestic) • Ex Parte Verified Motion to Enforce Writ of Garnishment • Order on Motion to Enforce Writ of Garnishment | Nathanael Player |
| 7. ICWA Motion to Intervene for Juvenile Court <ul style="list-style-type: none"> • ICWA Motion to Intervene • ICWA Order Granting Motion to Intervene • ICWA Tribal Contact Information Form | Nathanael Player |
| 8. Adult guardianship <ul style="list-style-type: none"> • Petition to appoint a guardian for an adult • List of people who must be served • Notice of hearing (respondent) • Notice of hearing (interested persons) • Findings of fact and conclusions of law • Order appointing guardian for an adult • Acceptance of appointment • Letter of limited guardianship • Letter of full guardianship • Private information record | Nathanael Player |

| | |
|---|------------------|
| 9. Debt Collection Complaint | Nathanael Player |
| 10. Safeguarded Information (minor revisions) | Nathanael Player |
| 11. Acceptance of Service (minor revisions) | Nathanael Player |
| 12. Notice of Disclosure Requirements (minor revisions) | Nathanael Player |
| 13. Declaration in Support of Legal Fees | Nathanael Player |
| 14. Statement of Discovery Issues | Nathanael Player |
| 15. Statement in Support of Guilty Plea | Nathanael Player |

Meeting Dates

April 12
May 10*

June 14
August 9

October 18^
December 13

* Additional meeting for legislative updates

^ Moved from the October 11 for Columbus Day

Name

Address

City, State, Zip

Phone

Email

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

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 District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

V.

Defendant/Respondent

COVID Eviction Declaration

(P.L. 116-136 (2020) and 85 FR 55292
(September 4, 2020))

Case Number

Judge

Commissioner (domestic cases)

1. I am the plaintiff or the owner of the real property at _____ (address).

Coronavirus Aid, Relief, and Economic Security (CARES) Act Declarations

2. ☐ I have not received a forbearance on the property identified above under Section 4023 of the CARES Act (CARES Act, P.L. 116-136 (2020)).

☐ I have received a forbearance on the property identified above under Section 4023 of the CARES Act, but my forbearance ended on _____ (date).

3. I know that properties participating in one or more of the following programs, or with one of the following types of mortgages are “covered properties” under section 4024 of the CARES Act.

Housing programs eligible for federal protection through the CARES Act

- Public Housing (42 U.S.C. § 1437d)
- Section 8 Housing Choice Vouchers (42 U.S.C. § 1437f)
- Section 8 Project-Based Rental Assistance (42 U.S.C. § 1437f)
- Section 202 Supportive Housing for the Elderly (12 U.S.C. § 1701q)
- Section 811 Supportive Housing for Persons with Disabilities (42 U.S.C. § 8013)
- Low Income Housing Tax Credit (LIHTC) (26 U.S.C. § 42)
- Housing Opportunities for Persons With AIDS (HOPWA) (42 U.S.C. § 12901, et seq.)
- McKinney-Vento Homeless Assistance grants (42 U.S.C. § 11360, et seq.)
- Section 236 Preservation program (12 U.S.C. § 1715z–1)
- HOME investment partnerships (42 U.S.C. § 12741 et seq.)
- Section 514 and 516 Farm Labor Housing Grants (42 U.S.C. §§ 1484, 1486)
- Section 542 Rural Development Vouchers (42 U.S.C. 1490r)
- Section 521 Rural Rental Assistance
- Section 533 Housing Preservation grants (42 U.S.C. § 1490m)
- Mortgages purchased or securitized by Fannie Mae (check <https://www.knowyouroptions.com/loanlookup>)
- Mortgages purchased or securitized by Freddie Mac (check <https://www3.freddie.mac.com/loanlookup/>)
- Mortgages insured by the Federal Housing Administration (FHA)
- Mortgages guaranteed, directly provided by, or insured by the Department of Veterans Affairs (VA)
- Mortgages guaranteed, directly provided by, or insured by the Department of Agriculture (USDA)
- Mortgages guaranteed under HUD's Native American or Native Hawaiian Home Loan Guarantee programs

4. I reviewed my files and contacted my mortgage company and:

☐ I have evidence that the property at issue is a “covered property” under Section 4024 of the CARES Act.

☐ I do not have evidence that the property at issue is a “covered property” under Section 4024 of the CARES Act.

5. After performing a good faith investigation, the property:

☐ is subject to the CARES Act.

☐ is not subject to the CARES Act.

Centers for Disease Control (CDC) Eviction Moratorium Declaration

6. The tenant(s) in this case:

☐ have not given me a signed declaration of eligibility under the CDC eviction moratorium. (85 FR 55292, September 4, 2020)

☐ have given me a signed declaration of eligibility under the CDC eviction moratorium. I have filed this action anyway because (explain):

7. I understand that I may not take any action to remove or cause the removal of any tenant until April 1, 2021, if the tenant gives me a signed declaration of eligibility under the CDC eviction moratorium, and the moratorium applies.

Comment [NP1]: The version sent for approval by the Forms Committee included an additional paragraph (paragraph 8). That was my mistake. This is the version that the committee should have been sent and should be approved.

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

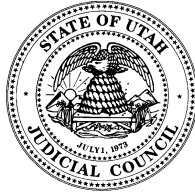
I certify that I filed with the court and am serving a copy of this COVID Eviction Declaration on the following people.

| 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



Administrative Office of the Courts

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

February 1, 2021

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Forms Committee

FROM: Nathanael Player

RE: Changes to URCP 7, 101, and 8 and accompanying form changes

Effective May 1, 2021, URCP 7, 8, and 101 will require changes to many of our forms.

- New URCP 7 will require, for all dispositive motions where the nonmoving party is unrepresented, in the top-right corner of the first page, in bold type, this warning: This motion requires you to respond. Please see the Notice to Responding Party.
- New URCP 101 will require, for all motions to be decided by the court commissioner, in the top-right corner of the first page, in bold type, this warning: This motion will be decided by the court commissioner at an upcoming hearing. If you do not appear at the hearing, the Court might make a decision against you without your input. In addition, you may file a written response at least 14 days before the hearing.
- New URCP 8 will require a pleading requesting relief against an unrepresented party or a party whose representation is unknown, in the top-right corner of the first page, in bold print, to include this warning: If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

Please find attached sample forms with the new changes:

- Attachment A shows the changes for URCP 7;
- Attachment B shows the changes for URCP 101;
- Attachment C shows the changes for URCP 8.

Attachment D lists all the forms that must be revised (and approved) under new URCP 7, 101, and 8. Many of these forms have not been reviewed by the Forms Committee. This committee is only asked to approve of the changes to conform these documents to the new rules; we will eventually review all of these forms.

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

ATTACHMENT A

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 _____

Motion for Default Judgment
(Utah Rule of Civil Procedure 55)

Plaintiff/Petitioner

v.

Defendant/Respondent

Case Number

Judge

Commissioner (domestic cases)

1. The following documents were served:
☐ Summons and Complaint/Petition
☐ Counterclaim
on _____ (date). Proof of service or an acceptance of service has
been filed or is attached.
2. The time in which to file an Answer has passed, and the
☐ plaintiff/petitioner
☐ defendant/respondent

ATTACHMENT B

Name

Address

City, State, Zip

Phone

Email

This motion will be decided by the court commissioner at an upcoming hearing. If you do not appear at the hearing, the Court might make a decision against you without your input. In addition, you may file a written response at least 14 days before the hearing.

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 _____

| | |
|-------------------------------|---|
| | Motion to |
| _____ Plaintiff/Petitioner | _____ (name of motion) |
| v. | <input type="checkbox"/> Hearing Requested |
| _____ Defendant/Respondent | _____ Case Number |
| | _____ Judge |
| | _____ Commissioner (domestic cases) |

1. I ask the court to enter an order as follows:
(Write **what** you want the court to order.)

ATTACHMENT C

Name

Address

City, State, Zip

Phone

Email

If you do not respond to this document with applicable time limits, judgment could be entered against you as requested.

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 #: _____)
☐ Petitioner's Licensed Paralegal Practitioner (Utah Bar #: _____)
☐ Respondent's Licensed Paralegal Practitioner

In the District Court of Utah

Judicial District _____ County

Court Address _____

**Petition to Modify Child Custody,
Parent-time and Child Support**
(Utah Rule of Civil Procedure 106)

☐ and Stipulation

Petitioner

v.

Case Number

Respondent

Judge

Commissioner

I ask the court to modify the child custody, parent-time and child support orders as follows.

ATTACHMENT D

| Form Name | Form Number | Commissioner, Judge or both? | Motion or Petition/Complaint | Comments |
|--|-------------|------------------------------|------------------------------|---|
| Counter-Petition for Adjudication of Priority to Funds on Trustee's Sale Notice to Claimants | NA | n/a | Petition/Complaint | |
| Interpleader Affidavit and Summons | NA | n/a | Petition/Complaint | |
| Petition for Adjudication of Priority to Funds on Trustee's Sale and Notice to Claimants | NA | n/a | Petition/Complaint | |
| Petition for Civil Wrongful Lien Injunction | NA | n/a | Petition/Complaint | |
| Petition for Declaration of Emancipation of a Minor | NA | n/a | Petition/Complaint | Is warning required for Juv? |
| Petition for Judicial Review of Final Agency Action | NA | n/a | Petition/Complaint | |
| Petition for Minor's Name Change | NA | n/a | Petition/Complaint | |
| Petition for Name Change | NA | n/a | Petition/Complaint | |
| Petition for Relief Under the Post Conviction Remedies Act | NA | n/a | Petition/Complaint | |
| Petition for Review of Final Administrative Agency Action | NA | n/a | Petition/Complaint | |
| Petition for Waiver of Parental Consent to Minor's Abortion | NA | n/a | Petition/Complaint | Is warning required for Juv? |
| Petition to Adopt a Minor Stepchild | NA | n/a | Petition/Complaint | |
| Petition to Appoint a Conservator for a Minor | NA | n/a | Petition/Complaint | |
| Petitioner to Appoint a Conservator for an Adult | NA | n/a | Petition/Complaint | |
| Petition to Appoint a Guardian for an Adult | NA | n/a | Petition/Complaint | |
| Petition to Open Court's Adoption Records to Permit Insepction and Copying | NA | n/a | Petition/Complaint | |
| Petition to Re-Enter the Custody of the Division of Child and Family Services | NA | n/a | Petition/Complaint | |
| Petition to Terminate Parental Rights Upon Voluntary Relinquishment | NA | n/a | Petition/Complaint | Is warning required for Juv? |
| Verified Petition to Recognize a Relationship as a Marriage: | NA | n/a | Petition/Complaint | |
| Verified Petition for Adoption of an Adult (one petitioner) | 1001ADF | n/a | Petition/Complaint | |
| Verified Joint Petition for Adoption of an Adult (married co-petitioners) | 1002ADF | n/a | Petition/Complaint | |
| Complaint (Eviction) | 1100EV | n/a | Petition/Complaint | |
| Tenant Answer and Counterclaim | 2100EV | n/a | Petition/Complaint | |
| Verified Petition for Divorce | 1000FA | n/a | Petition/Complaint | |
| Petition and stipulation to modify child custody, parent-time and child support | 1130FAJ | n/a | Petition/Complaint | |
| Petition and stipulation to modify child support | 1135FAJ | n/a | Petition/Complaint | |
| Petition and stipulation to modify parent-time | 1140FAJ | n/a | Petition/Complaint | |
| Petition to Register Office of Recovery Services (ORS) Support Order | 1260FAJ | n/a | Petition/Complaint | |
| Counterclaim | 1012GEJ | n/a | Petition/Complaint | |
| Petition for Essential Treatment | 1001ICF | n/a | Petition/Complaint | |
| Petition for Authorization to Marry (not in effect) | 1400JU | n/a | Petition/Complaint | |
| Application for Informal Probate of Will and Appointment of Personal Representative | 1002ESF | n/a | Petition/Complaint | |
| Application for Informal Probate When There is No Will and Informal Appointment of Personal Representative | 1001ESF | n/a | Petition/Complaint | |
| | | | | |
| Motion and Declaration for Order to Show Cause (Domestic Cases) | 1150FAJ | both | Motion | Warning will be added to new Motion to Enforce |
| Motion for Default Judgment | 1351GEJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| Motion for finding of contempt bench warrant | 1305DCJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| Motion for summary judgment to declare non-parentage after genetic testing | 1553FAJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |

List of forms to be revised with warning lanaguage for compliance with URCP 7, 101, and 8

| | | | | |
|--|------------|------|--------|---|
| Motion or stipulated motion to adjust child support | 1139FAJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| Motion to Grant Divorce and Decide Other Issues Later (Bifurcate Divorce) | 1561FAJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| Motion to renew judgment and supporting affidavit | 1101DCJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| Motion to set aside default or judgment | 1070GEJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| Motion to Terminate (Minor) | NA | j | Motion | |
| | NA | j | Motion | |
| Motion to Voluntarily Dismiss Case, Counterclaim, Crossclaim, or Third-party Claim | 1151GEJ | both | Motion | dispositive warning for judge and commissioner warning for commissioner |
| | | | | |
| Motion | 1101GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion for genetic testing | 1551FAJ | both | both | forms will be split - commissioner forms will have warning |
| Motion for leave to amend | 1160GE(J?) | both | both | forms will be split - commissioner forms will have warning |
| Motion for Stay under the Servicemembers Civil Relief Act | NA | both | both | forms will be split - commissioner forms will have warning |
| Motion for Temporary Order - no children | 1101FAJ | both | both | forms will be split - commissioner forms will have warning |
| Motion for Temporary Order - with children | 1102FAJ | both | both | forms will be split - commissioner forms will have warning |
| Motion for Temporary Order Due to Deployment | 1105FAJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to appear remotely - district and justice | 1125GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to appear remotely - juvenile | 1127GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to appoint parent coordinator | 1221FAJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to change venue | 1130GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to continue hearing or trial | 1135GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to Correct Clerical Mistake | 1031GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to delay (Stay) enforcement of judgment | 1075GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to enforce writ of garnishment | 1510DCJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to excuse mandatory divorce mediation | 1301FAJ | both | both | forms will be split - commissioner forms will have warning |

| | | | | |
|---|---------|------|------|--|
| Motion to excuse mediation | 1061GEJ | both | both | forms will be split - commissioner forms will have warning |
| Motion to Vacate Stay | NA | both | both | forms will be split - commissioner forms will have warning |
| Motion to Withdraw or Transfer Funds in a Restricted Account | NA | both | both | forms will be split - commissioner forms will have warning |
| Stipulated Motion | 1102GEJ | both | both | forms will be split - commissioner forms will have warning |
| Stipulated Motion for Informal Trial | NA | c | c | |

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 #: _____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

**Ex Parte Verified Motion to Enforce
Domestic Order and for Sanctions**
(Utah Rule of Civil Procedure 7B)

Case Number

Judge

Commissioner

1. I ask the court to enforce the following order:

Case Name

Case Number

Title of Order

Date Signed

Name of Signing Judge

Name of Court State

Address of Court Phone Number of Court

2. I ask for the relief described below and any other relief as may be determined by the court.
3. I personally know the facts below to be true. If I am called as a witness I would and could testify about those facts.
4. ☐ The following amounts have not been paid as required by the order I want to enforce. I ask the court to enter judgment for these amounts. (You must attach all documents supporting the amounts you are requesting.)

☐ Past due alimony \$ _____
(If you have a contingency fee agreement with an attorney to collect alimony, use paragraph 13.)
from _____ to _____ (dates)

☐ Past due child support \$ _____
(If you have a contingency fee agreement with an attorney to collect alimony, use paragraph 13.)
from _____ to _____ (dates)

☐ Reimbursement of child care expenses \$ _____
from _____ to _____ (dates)

☐ Reimbursement of medical expenses \$ _____
from _____ to _____ (dates)

☐ Reimbursement of medical insurance premiums \$ _____
from _____ to _____ (dates)

☐ Reimbursement of the following debts I have paid: \$ _____
(Describe the debts including the amounts and to whom they were paid. You must attach proof of payment.)

☐ Other (Describe): \$ _____

5. ☐ The other party has not paid the following debts as required by the order I want to enforce. (Describe the debt, including the amount and to whom it is owed. Do not include any debts described in paragraph 4.)

I ask the court to order the party to pay the debts and order appropriate sanctions.

6. ☐ The other party has not delivered the following personal property as required by the order I want to enforce.

I ask the court order to the party to deliver the property to me and order appropriate sanctions.

7. ☐ The other party has not refinanced the following loan as required by the order I want to enforce: (Describe the loan, including the amount and to whom it is owed.)

I ask the court to order the party to refinance the loan and order appropriate sanctions.

8. ☐ The other party has not signed a quitclaim deed to the following premises as required by the order I want enforce:

I ask the court to order the party to sign a quitclaim deed and order appropriate sanctions.

9. [] The other party has not followed these parent-time provisions of the order I want to enforce: (Describe.)

I ask for additional or make-up parent-time: (Describe.)

10. [] The other party has not followed these custody provisions of the order I want to enforce: (Describe.)

I ask the court to order the party to follow the custody provisions of the order I want to enforce and order appropriate sanctions.

11. [] The other party has not done the following as required by the order I want to enforce: (Describe anything else the court has ordered the other party to do that has not been done.)

I ask the court to order the party to do this and order appropriate sanctions.

12. [] I have paid the following amount in fees to serve the motion and other costs, and I ask for reimbursement: \$_____.
(Attach receipts to prove the amount you paid. If you have a contingency fee agreement with an attorney to collect fees, use paragraph 13.)

13. [] I have a contingency fee arrangement with an attorney to collect the child support or alimony debt or both. I ask for judgment for:

- a. ☐ The principal amount due for past due alimony from _____ to _____ (dates) in the amount of \$_____ and applicable interest in the amount of \$_____.
- b. ☐ The principal amount for past due child support from _____ to _____ (dates) in the amount of \$_____, and applicable interest in the amount of \$_____.
- c. ☐ A collection fee of \$_____, as provided in the contingency fee agreement, which does not exceed the lesser of:
- ☐ the actual amount the moving party is required to pay for collection costs, or
- ☐ 40% of the principal amount owed to the moving party.
- d. Reasonable attorney fees, and
- e. Costs related to obtaining the judgment requiring the payment of the child support or alimony debt.

14. I am:

- ☐ requesting that the other party be held in contempt because the other party knew of the court's order, had the ability to follow the order, and willfully failed to follow the order.
- ☐ not requesting that the other party be held in contempt.

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 | |

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____
Printed Name _____

Certificate of Service

This certificate of service is required only if the other party is represented by an attorney, or if ORS or a Guardian ad Litem involved in the case. **The other party should be served in accordance with Utah Rule of Civil Procedure 4.**

I certify that I filed with the court and am serving a copy of this Ex Parte Verified Motion to Enforce Domestic Order and for Sanctions on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|--|---|-----------------|--------------|
| (Other party's attorney, if applicable) | <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.) | | |
| (Office of Recovery Services, if applicable) | <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.) | | |
| (Guardian ad Litem, if applicable) | <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.) | | |

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 _____

Petitioner

v.

Respondent

Order to Attend Hearing
Orden de Mostrar Causa

Case Number

Judge

Commissioner

To:

Petitioner Name

Respondent Name

Having reviewed the **ex parte verified motion to enforce order**, the court has scheduled a hearing at the following date and time:

Habiendo revisado la **Moción para la Orden de Mostrar Causa y la declaración de respaldo**, el tribunal ha programado una audiencia en la fecha y hora que sigue.

Courthouse Address (Dirección del tribunal): _____

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

Room (Sala): _____

Judge or Commissioner (Juez o Comisionado): _____

At which time you must personally appear or through counsel to explain whether you have violated the court order.

Purpose of Motion

The moving party seeks to enforce the following order:

(Order Name)

(Date Order was Signed)

The moving party is seeking the relief described in the attached motion and supporting statement.

Purpose of Hearing

A written response is not required, but you may file one. If you do, you must file it at least 14 days before the hearing, unless the court sets a different deadline. Any written response must follow the requirements of Utah Rule of Civil Procedure 7 or 101 if the hearing will be before a commissioner.

En cual momento el

[] peticionario [] demandado

debe mostrar causa de porque el/ella no debería ser detenido por desacato por el incumplimiento de la orden principal en este caso.

El Propósito de la Moción

~~Al presentar esta moción de orden de mostrar causa,~~ la parte actora intenta hacer cumplir la siguiente orden:

(Nombre de la Orden)

(Fecha en que fue Firmada la Orden)

La parte actora está buscando la reivindicación descrita en la moción y declaración de respaldo adjunta.

El Propósito de la Audiencia

No se requiere respuesta por escrito a la moción y a la orden de mostrar causa. Esta audiencia es una comparecencia inicial, la cual no es una audiencia de pruebas, sino que es para determinar:

- si disputa usted las acusaciones hechas en la moción;**
- si una audiencia de pruebas es necesaria y en cuales cuestiones; y**
- el tiempo aproximado necesario para una**

| | |
|--|--|
| <p>Contempt of Court The moving party</p> <p>[] has [] has not</p> <p>requested that you be held in contempt of court. If the judge finds that you are in contempt of court, the sanctions may include a fine of up to \$1000 and confinement in jail for up to 30 days.</p> | <p>audiencia de pruebas.</p> <p>Desacato al Tribunal La parte actora</p> <p>[] ha [] no ha</p> <p>solicitado que la parte contraria sea declarada en desacato a este tribunal. Si el juez lo encuentra culpable de desacato al tribunal, las sanciones pueden incluir, pero no se limitan a, una multa de hasta \$1000 dólares y confinamiento en la cárcel de hasta 30 días.</p> |
| <p>Attendance You must attend. If you do not attend, you might be held in contempt of court and the relief requested might be granted. You have the right to be represented by a lawyer.</p> <p>Evidence Bring with you any evidence that you want the court to consider.</p> <p>Interpretation If you do not speak or understand English, the court will provide an interpreter. Contact court staff immediately to ask for an interpreter.</p> <p>ADA Accommodation If you need an accommodation, including an ASL interpreter, contact court staff immediately to ask for an accommodation.</p> <p>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-</p> | <p>Asistencia Presentarse es obligatorio. Si usted no llegara a presentarse, se lo podría encontrar en desacato de las órdenes del juez y la reparación solicitada podría ser otorgada. Usted tiene el derecho de que lo represente un abogado.</p> <p>Pruebas Traiga con usted cualquier prueba que quiera que el tribunal tome en cuenta.</p> <p>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.</p> <p>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.</p> <p>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</p> |

| | |
|--|--|
| Help Center, reduced-fee attorneys, limited legal help and free legal clinics. | 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. |
|--|--|

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

Date

Signature ► _____
Judge _____

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 _____

| | |
|---|---|
| <p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p> | <p>Order on Motion to Enforce Domestic Order</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p> |
|---|---|

The matter before the court is a **Motion to Enforce Domestic Order**. 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.

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

The court finds:

1. The ☐ petitioner ☐ respondent:

☐ did ☐ did not know of the court's order;

☐ did ☐ did not have the ability to follow the order;

☐ did ☐ did not willfully fail to comply with the order.

2. The moving party:

☐ does not have a contingency fee arrangement with an attorney to collect the
 past child support, past alimony debt, or both.

☐ does have a contingency fee arrangement with an attorney to collect the
 past child support, past alimony debt, or both.

3. ☐ Other findings:

The court orders:

4. The Motion to Enforce Domestic Order is ☐ granted ☐ denied.

5. ☐ The moving party does not have a contingency fee arrangement with an
 attorney to collect the past child support, past alimony debt, or both.
 (If the moving party has a contingency fee arrangement do not complete this section.
 Instead, skip to Paragraph 6.)

☐ Judgment is entered for the following amounts and

☐ Petitioner ☐ Respondent is ordered to pay the following amounts:

- ☐ Past due alimony \$ _____
from _____ to _____ (dates)
- ☐ Past due child support \$ _____
from _____ to _____ (dates)
- ☐ Reimbursement of child care expenses \$ _____
from _____ to _____ (dates)
- ☐ Reimbursement of medical expenses \$ _____
from _____ to _____ (dates)
- ☐ Reimbursement of medical insurance premiums \$ _____
from _____ to _____ (dates)
- ☐ Reimbursement of the following debts: \$ _____
(Describe the debts including the amount and to whom it
is owed)

- ☐ Other (Describe): \$ _____

6. ☐ The moving party does have a contingency fee arrangement with an attorney to collect the child support, alimony, or both.

The Office of Recovery Services may not collect on the debts in this section of the order, with the exception of any arrears assigned to the State of Utah. This order shall not include arrears assigned to the State of Utah and does not preclude the rights of the Office of Recovery Services to collect those arrears. If you have a case open with the Office of Recovery Services, you must provide them with a copy of this order.

☐ Judgment is entered against ☐ petitioner ☐ respondent for

\$_____, which is a total of all the amounts below (Choose all that apply.):

- a. ☐ The principal amount due for past due alimony from _____ to _____ (dates) in the amount of \$_____ and applicable interest in the amount of \$_____.

- b. ☐ The principal amount for past due child support from _____
to _____ (dates) in the amount of \$_____, and
applicable interest in the amount of \$_____.
- c. A collection fee of \$_____, as provided in the
contingency fee agreement, which does not exceed the lesser of:
☐ the actual amount the moving party is required to pay for
collection costs, or
☐ 40% of the principal amount owed to the moving party.
- d. Reasonable attorney fees ☐ in the amount of \$_____.
- e. Costs related to obtaining the judgment requiring the payment of the
child support or alimony debt.
☐ in the amount of \$_____

The court further orders ☐ petitioner ☐ respondent

7. ☐ to pay the following debts: (Describe the debt, including the amount and to whom it is
owed. Omit debts described under Paragraph (5).)

8. ☐ to deliver the following personal property:

9. ☐ to refinance the following loan:

10. ☐ to execute a quit claim deed to the following premises:

11. ☐ to provide make-up parent-time as follows:

12. ☐ to do the following concerning custody of the minor children:

13. ☐ to do the following: (Describe anything else the court orders the party to do.)

14. ☐ Contempt.

☐ Petitioner ☐ Respondent

☐ is not in contempt.

☐ knew of the court's order, had the ability to follow the order, and willfully refused to do so. The party therefore is in contempt for failing to follow the previous orders of the court and is ordered:

☐ to pay a fine of \$_____.

☐ to serve _____ days in jail.

☐ to: (describe)

☐ can avoid the contempt sentence by doing the following:
(describe)

15. ☐ The court further orders: (describe)

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 ► _____
Petitioner, Attorney or Licensed Paralegal
Practitioner _____

Date

Signature ► _____
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 on Motion to Enforce Domestic Order 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 ☐ Petitioner ☐ Respondent
☐ Petitioner's Attorney ☐ Respondent's Attorney (Utah Bar #: _____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

**Ex Parte Verified Motion to Enforce
Order and for Sanctions**
(Utah Rule of Civil Procedure 7A)

Case Number

Judge

Commissioner

1. I ask the court to enforce the following order:

Case Name

Case Number

Title of Order

Date Signed

Name of Signing Judge

Name of Court State

Address of Court Phone Number of Court

2. I ask for the relief described below and any other relief as may be determined by the court.
3. I personally know the facts below to be true. If I am called as a witness I would and could testify about those facts.
4. ☐ The other party has not done the following as required by the order: (Describe WHAT the court has ordered the other party to do that has not been done.)

I ask the court to order the party to do this and order appropriate sanctions.

5. ☐ I have paid the following amount in fees to serve the motion and other costs, and I ask for reimbursement: \$_____.
(Attach receipts to prove the amount you paid. If you have a contingency fee agreement with an attorney to collect fees, use paragraph 13.)

6. I am:

☐ requesting that the other party be held in contempt because the other party knew of the court's order, had the ability to follow the order, and willfully failed to follow the order.

☐ not requesting that the other party be held in contempt.

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

This certificate of service is required only if the other party is represented by an attorney, or if ORS or a Guardian ad Litem involved in the case. **The other party should be served in accordance with Utah Rule of Civil Procedure 4.**

I certify that I filed with the court and am serving a copy of this Ex Parte Verified Motion to Enforce Order and for Sanctions on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|--|---|-----------------|--------------|
| (Other party's attorney, if applicable) | <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.) | | |
| (Office of Recovery Services, if applicable) | <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.) | | |
| (Guardian ad Litem, if applicable) | <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.) | | |

Date

Signature ►

Printed Name

Certificate of Service

This certificate of service is required only if the other party is represented by an attorney, or if ORS or a Guardian ad Litem is involved in the case. **The other party should be served in accordance with Utah Rule of Civil Procedure 4.**

I certify that I filed with the court and am serving a copy of this Order to Attend Hearing on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|--|---|-----------------|--------------|
| (Other party's attorney, if applicable) | <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.) | | |
| (Office of Recovery Services, if applicable) | <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.) | | |
| (Guardian ad Litem, if applicable) | <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.) | | |

_____ 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 Court of Utah

_____ Judicial District _____ County

Court Address _____

| | |
|------------------|---|
| | Order on Motion to Enforce Order |
| Petitioner _____ | Case Number _____ |
| v. _____ | Judge _____ |
| Respondent _____ | Commissioner _____ |

The matter before the court is a Motion to Enforce Order. 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.

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

The court finds:

1. The ☐ petitioner ☐ respondent:

☐ did ☐ did not know of the court's order;

☐ did ☐ did not have the ability to follow the order;

☐ did ☐ did not willfully fail to comply with the order.

2. ☐ Other findings:

The court orders:

4. The Motion to Enforce Order is ☐ granted ☐ denied.

3. The ☐ plaintiff/petitioner ☐ defendant/respondent to do the following: (Describe anything what the court orders the party to do.)

4. ☐ Contempt. (Choose (a) or (b).)

☐ a. The question of whether ☐ petitioner ☐ respondent should be held in contempt for failing to follow the previous orders of the court

☐ is ☐ is not

 certified by the commissioner to the district court judge for further consideration.

☐ b. ☐ Petitioner ☐ Respondent

☐ is not in contempt.

☐ knew of the court's order, had the ability to follow the order, and willfully refused to do so. The party therefore is in contempt for failing to follow the previous orders of the court and is ordered:

☐ to pay a fine of \$_____.

☐ to serve _____ days in jail.

☐ to: (describe)

☐ can avoid the contempt sentence by doing the following:
(describe)

15. ☐ The court further orders: (describe)

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.

Signature ► _____

Date

Petitioner, Attorney or Licensed Paralegal
Practitioner

Signature ►

Date

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 on Motion to Enforce Order 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 _____

| | |
|---|--|
| <p>_____ Plaintiff/Petitioner</p> <p>V.</p> <p>_____ Defendant/Respondent</p> | <p>Ex Parte Verified Motion to Enforce Writ of Garnishment (Utah Rule of Civil Procedure 7A and 64D)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p> |
|---|--|

Attach:

- Certificate of Service showing service upon the garnishee of the Writ of Garnishment
- Order to Garnishee to Show Cause

1. I personally know the facts below to be true. If I am called as a witness I would and could testify about those facts.
2. I am the judgment creditor, and I had the Writ of Garnishment served on

_____ (name),
the garnishee.

2. The deadline to comply with the Writ of Garnishment was
_____ (date), which has passed. The garnishee has not
complied with the Writ of Garnishment by failing to:

3. I have tried to settle the issue without further court action. I have in good faith
discussed or attempted to discuss the issue with the garnishee.
4. I ask the court to order the **garnishee to attend a hearing**, be held in contempt,
and reimburse me for the cost of filing this motion.

Plaintiff/Petitioner or Defendant/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

This certificate of service is required only if the other party is represented by an attorney. **The other party should be served in accordance with Utah Rule of Civil Procedure 4.**

I certify that I filed with the court and am serving a copy of this Ex Parte Verified Motion to Enforce Writ of Garnishment on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|---|---|-----------------|--------------|
| (Other party's attorney, if applicable) | <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.) | | |
| (Other party's attorney, if applicable) | <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 _____

Petitioner

v.

Respondent

**Order on Motion to Enforce Writ of
Garnishment**

Case Number

Judge

Commissioner

The matter before the court is a Motion to Enforce Writ of Garnishment. 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.

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

The court finds:

1. The ☐ petitioner ☐ respondent:

☐ did ☐ did not know of the court's order;

☐ did ☐ did not have the ability to follow the order;

☐ did ☐ did not willfully fail to comply with the order.

2. ☐ Other findings:

The court orders:

4. The Motion to Enforce Writ of Garnishment is ☐ granted ☐ denied.

3. The ☐ plaintiff/petitioner ☐ defendant/respondent to do the following: (Describe anything what the court orders the party to do.)

4. ☐ Contempt. (Choose (a) or (b).)

☐ a. The question of whether ☐ petitioner ☐ respondent should be held in contempt for failing to follow the previous orders of the court

☐ is ☐ is not

certified by the commissioner to the district court judge for further consideration.

☐ b. ☐ Petitioner ☐ Respondent

☐ is not in contempt.

☐ knew of the court's order, had the ability to follow the order, and willfully refused to do so. The party therefore is in contempt for failing to follow the previous orders of the court and is ordered:

☐ to pay a fine of \$_____.

☐ to serve _____ days in jail.

☐ to: (describe)

☐ can avoid the contempt sentence by doing the following:
(describe)

15. ☐ The court further orders: (describe)

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.

Date Signature ►
 Petitioner, Attorney or Licensed Paralegal
 Practitioner _____

Date Signature ►
 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 on Motion to Enforce Writ of Garnishment 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 ☐ Intervenor

☐ Attorney for interveor (Utah Bar #:_____)

In the Juvenile Court of Utah

Judicial District _____ County

Court Address _____

State of Utah, in the interest of:

Last name, first name

Date of birth

A minor

☐ under ☐ over 18 years of age, and

☐ represented ☐ not represented.

Indian Child Welfare Act – Motion to Intervene

(25 USC 1911 and Utah Rule of Juvenile Procedure 50(f))

Case Number

Judge

The _____ (name of tribe), a federally recognized tribe, asks to intervene in this proceeding as the Indian tribe of the child or children named above.

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 Motion to Intervene 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"/> 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"/> 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"/> 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"/> 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"/> 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 ☐ Intervenor

☐ Attorney for interveor (Utah Bar #:_____)

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

State of Utah, in the interest of:

Last name, first name

Date of birth

A minor

☐ under ☐ over 18 years of age, and

☐ represented ☐ not represented.

**Indian Child Welfare Act – Order
Granting Motion to Intervene**
(25 USC 1911)

Case Number

Judge

The court grants the Motion to Intervene filed by the _____
(name of tribe), a federally recognized Indian tribe.

Date

Signature ►

Judge

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order on Motion to Intervene 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"/> 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"/> 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"/> 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"/> 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"/> 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 ☐ Intervenor
☐ Attorney for interveor (Utah Bar #:_____)

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

State of Utah, in the interest of:

Last name, first name

Date of birth

A minor
☐ under ☐ over 18 years of age, and
☐ represented ☐ not represented.

**Notice of Designated Tribal
Representative in a Court
Proceeding Involving an Indian
Child**

(Utah Rule of Juvenile Procedure 50(f)(3))

Case Number(s)

Judge

(Choose one)

☐ I have been designated by the _____ (tribe name) as the tribal representative.

☐ _____ (Name of office) has been designated by the _____ (tribe name) as the tribal representative.

Here is the contact information:

Name:

Title:

Address:

City, State & Zip Code _____

Telephone: _____

Email: _____

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 Notice of Designated Tribal Representative in a Court Proceeding Involving an Indian Child 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"/> 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"/> 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"/> 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"/> 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"/> 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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

_____,
Respondent

**Findings of Fact and Conclusions of
Law on Petition to Appoint a
Guardian for an Adult**

Case Number

Judge

The matter before the court is a Petition to Appoint a Guardian for an Adult. This matter is being resolved by: (Choose all that apply.)

- ☐ 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 excused from attending.

☐ was represented by _____ (name).

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

The court finds:

1. The court has jurisdiction under Utah Code 75-1-302.
2. The court has venue because the respondent resides or is present in this county.
3. All interested persons have been served with a copy of the petition and notice of hearing as required by law.
4. The respondent is an adult, or will be an adult within the next six months.
5. _____ (name of guardian(s)) is a competent person or persons or suitable institution to be the respondent's guardian.
6. **Priority for appointment** (Utah Code 75-5-311 and 75-5-317)

The guardian(s) receive priority for appointment because they: (Choose all that apply.)

☐ have been nominated by:

☐ the respondent (Choose one.)

☐ in a signed document similar to Utah Code 75-5-311.

☐ in something other than a signed document similar to Utah Code 75-5-311.

☐ the respondent's deceased spouse in a will or other signed document.

☐ the respondent's deceased parent in a will or other signed document.

☐ _____ (name) who is caring for the respondent or paying benefits to the respondent.

☐ are related to the respondent as the respondent's:

☐ spouse.

☐ adult child.

☐ parent.

- ☐ parents, or two people who share joint legal decision-making authority over the respondent.
- ☐ relative with whom the respondent has resided for more than six months before the filing of the petition.
- ☐ are a specialized care professional. They do not profit, financially or otherwise, or receive compensation for acting as guardian. They may receive compensation for the direct costs of providing guardianship services. They do not otherwise have a conflict of interest in providing those services.
- ☐ are the Office of Public Guardian.
- ☐ had a court order granting sole legal decision making authority over the respondent when respondent turned 17 years and six months old. This petition is being filed within 2 years after the day respondent turns 18. The case number is _____.
- ☐ are _____
(describe connection to the respondent)

7. Reason for appointment

The court should appoint the guardian because: (Choose one.)

- ☐ the guardian is highest in priority established by statute.
- ☐ There is good cause not to follow the statutory priority because:

8. Incapacity (Utah Code 75-1-201(22)) (Choose one.)

- ☐ There is not clear and convincing evidence that the respondent is incapacitated.
- ☐ There is clear and convincing evidence that the respondent is incapacitated. They are so impaired, even with appropriate technological assistance, they cannot meet the essential requirements for financial protection or physical health, safety, or self-care. They cannot (Choose all that apply.):
 - ☐ receive and evaluate information.
 - ☐ make and communicate decisions.

☐ provide for necessities such as food, shelter, clothing, health care, or safety.

The respondent's incapacity is proved by the following clear and convincing evidence:

9. Appointment of a guardian:

☐ is not necessary or desirable as a means of providing the respondent with continuing care and supervision because:

☐ is necessary or desirable as a means of providing the respondent with continuing care and supervision because: (Utah Code 75-5-304)

10. **Firearms restrictions**

☐ The respondent, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease:

- is a danger to themselves or to others; or
- lacks the mental capacity to contract or manage their own affairs.

(27 CFR § 478.11)

As a result, the respondent may not receive, possess or transport any firearm or ammunition.

11. **Physician's report** (Only required if respondent is a minor. Utah Code 75-5-317.)

☐ The report about the respondent written by a physician or psychologist satisfies the statutory requirements.

Type of guardianship (Choose paragraph 12 or 13, but not both.) (Utah Code 75-5-304(2))

12. ☐ Limited guardianship.

The respondent requires a guardian with limited authority to: (Choose all that apply.)

- ☐ make decisions about the respondent's custody and residence.
- ☐ make decisions about the respondent's training and education.
- ☐ provide for the respondent's care, comfort, and maintenance.
- ☐ take reasonable care of the respondent's clothing, furniture, vehicles, and other personal effects.
- ☐ begin protective proceedings if the respondent's property needs protection.
- ☐ consent to medical or other professional care counsel, treatment, or service for the respondent.
- ☐ begin proceedings to require a person to perform their duty to support the respondent.
- ☐ receive money and tangible property due to the respondent and apply the money and property for the respondent's support, care, and education.
- ☐ other (Describe additional authority that the guardian should have.)

13. ☐ Full guardianship.

The respondent requires a guardian with full authority because no alternative exists and nothing less than a full guardianship is adequate to provide the respondent with continuing care and supervision.

The court concludes:

14. (Choose one.)

- ☐ The respondent is not an incapacitated person.
- ☐ The respondent is an incapacitated person and a guardianship is necessary or desirable as a means of providing the respondent with continuing care and supervision.

15. (Choose one.)

- ☐ The respondent does not require a guardian.
- ☐ The respondent requires a guardian: (Choose one.)
- ☐ with limited authority as provided in paragraph 12.
- ☐ with plenary or full authority.

16. _____ (name
of guardian(s))

- ☐ is not a competent person or suitable institution to be the respondent's guardian.
- ☐ is a competent person or suitable institution to be the respondent's guardian.

17. ☐ This order should be immediately effective upon the respondent's 18th birthday, which is _____ (date).

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

Date

Signature ► _____
Judge _____

Approved as to form.

Date

Signature ► _____
Petitioner or Attorney _____

Date

Signature ► _____
Respondent or Attorney _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Findings of Fact and Conclusions of Law on Petition to Appoint a Guardian for an Adult on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|--------------------------|---|-----------------|--------------|
| (Petitioner or Attorney) | <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.) | | |
| (Respondent or Attorney) | <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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

Respondent

Order Appointing Guardian for an Adult

Case Number

Judge

The matter before the court is a petition to appoint a guardian for the respondent named above. This matter is being resolved by: (Choose all that apply.)

☐ 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 excused from attending.

☐ was represented by _____ (name).

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

The court orders:

1. _____ (name)
is appointed as guardian of the above-named respondent, who is now a protected person, to serve:

☐ without bond.

☐ with bond in the amount of \$_____.

Choose paragraph 2 or 3, but not both.

2. ☐ **Limited guardianship.** The guardian has authority to: (Choose all that apply.)

☐ make decisions about the protected person's custody and residence.

☐ make decisions about the protected person's training and education.

☐ provide for the protected person's care, comfort, and maintenance.

☐ take reasonable care of the protected person's clothing, furniture, vehicles, and other personal effects.

☐ begin protective proceedings if the protected person's property needs protection.

☐ consent to medical or other professional care counsel, treatment, or service for the respondent.

☐ begin proceedings to require a person to perform their duty to support the protected person.

☐ receive money and tangible property due to the protected person and apply the money and property for the protected person's support, care, and education.

☐ other (Describe additional authority that the guardian should have.)

3. [] **Full guardianship.** The guardian has full authority.
4. Once the guardian is qualified and accepts their appointment, the clerk of court must issue a letter of guardianship

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

| | | |
|-------|-------------|-------|
| _____ | Signature ► | _____ |
| Date | | |
| | Judge | _____ |

Approved as to form.

| | | |
|-------|------------------------|-------|
| _____ | Signature ► | _____ |
| Date | | |
| | Petitioner or Attorney | _____ |
| | | |
| _____ | Signature ► | _____ |
| Date | | |
| | Respondent or Attorney | _____ |

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order Appointing Guardian for an Adult on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|--------------------------|---|-----------------|--------------|
| (Petitioner or Attorney) | <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.) | | |
| (Respondent or Attorney) | <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

_____,
Protected Person

**Acceptance of Appointment as
Guardian or Conservator**

(Utah Code 75-5-305, 75-5-413 and Code of
Judicial Administration Rule 6-501(1)(B))

Case Number

Judge

1. I accept the court's appointment as: (Choose all that apply.)
[] guardian
[] conservator
2. I submit to the jurisdiction of the court.
3. I will keep the court informed of any change in my contact information.
4. I understand I will be sent notice of any proceeding about the protected person.
Notice will be sent using the contact information on file with the courts.
5. I will report to the court as required by law and follow all court orders.

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 Acceptance of Appointment as Guardian or Conservator on the following people.

| Person's Name | Service Method | Service Address | Service Date |
|--------------------------|---|-----------------|--------------|
| (Petitioner or Attorney) | <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.) | | |
| (Respondent or Attorney) | <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 ☐ Petitioner ☐ Petitioner's Attorney (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

_____,
Protected Person

Letter of Limited Guardianship

Case Number

Judge

This letter proves the appointment, qualification and authority of _____ (name)
as guardian for the above-named protected person. This is a limited guardianship.

The guardian has authority to: (Choose all that apply.)

- ☐ make decisions about the protected person's custody and residence.
- ☐ make decisions about the protected person's training and education.
- ☐ provide for the protected person's care, comfort, and maintenance.
- ☐ take reasonable care of the protected person's clothing, furniture, vehicles, and other personal effects.
- ☐ begin protective proceedings if the protected person's property needs protection.
- ☐ consent to medical or other professional care counsel, treatment, or service for the respondent.

- ☐ begin proceedings to require a person to perform their duty to support the protected person.
- ☐ receive money and tangible property due to the protected person and apply the money and property for the protected person's support, care, and education.
- ☐ other. (Describe additional authority the guardian has.)

- ☐ This order is immediately effective upon the protected person's 18th birthday, which is _____ (date).

Witness my signature and the seal of this court.

| | | |
|-------|--------------------|-------|
| _____ | Signature ► | _____ |
| Date | Clerk of the Court | _____ |

Name

Address

City, State, Zip

Phone

Email

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

Protected Person

Letter of Full Guardianship

Case Number

Judge

This letter proves the appointment, qualification and authority of _____ (name)
as guardian for the above-named protected person. This is a full guardianship.

☐ This order is immediately effective upon the protected person's 18th birthday,
which is _____ (date).

Witness my signature and the seal of this court.

Date Sign here ► _____

Clerk of the Court _____

Private Information Record in Guardianship and Conservatorship cases

You must file this form with the court within 7 days after the court appoints you as a guardian or conservator. (Utah Code of Judicial Administration Rule 6-501).

You must notify the court if your address and phone number changes, or if the protected person's address or phone number changes. Fill out this form and mail it to the court:

_____.

Case Number

Information About Guardian/Conservator

Name

Address

City, State, Zip

Phone

Email

Social Security Number

Date of Birth

Driver License Number

Information About Protected Person

Name

Address

City, State, Zip

Phone

Email

Social Security Number

Date of Birth

Driver License Number

Next of kin or other contact person who will know how to reach you.

Contact Person's Name

Address

City, State, Zip

Phone

Email

**Private Information Record
in Guardianship and Conservatorship cases**

If the Protected Persons include school age children, please list the school they will be attending.

| Child's Name | School Name |
|--------------|-------------|
| | |
| | |
| | |
| | |

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 | _____ |

Summary of What is Expected of Guardians and Conservators

This is only a summary. For more information about your responsibilities and forms, please visit the court's website at <https://www.utcourts.gov/howto/family/gc/>.

Duties to the Court

What you must do:

- File an Inventory of the estate within 90 days after your appointment.
- File an Annual Status Report every year within 60 days after the anniversary of your appointment. (guardian only)
- File a Financial Accounting every year within 60 days after the anniversary of your appointment.
- Notify the court if you or the protected person move.
- Notify the court if the protected person dies or no longer needs a guardian or conservator.
- File a final accounting when the guardianship or conservatorship ends.

Duties to the Protected Person

What you must do:

- Make the decisions that the protected person would make, unless that decision would cause harm.

What you must not do:

- Mix your personal or business money and property with the protected person's money and property.
- Use the protected person's money or property for the benefit of anyone other than the protected person.
- Abuse, neglect or isolate the protected person.

Duties to the Protected Person (cont.)

What the guardian may do (unless the court's order limits your authority):

- Make decisions for the protected person about:
 - health care or other service;
 - custody and residence;
 - care, comfort, and maintenance;
 - training and education; and
 - clothing, furniture, vehicles and personal effects.

What the conservator – or guardian if there is no conservator – must do:

- Identify, locate and control the protected person's estate.
- Collect money owed to the protected person, including income and benefits, and start legal proceedings if needed.
- Manage the protected person's estate to so that needs are met throughout his or her expected life.
- Pay taxes, expenses and debts owed by the protected person.

What the conservator may do:

- Make the gifts and donations that the protected person would make.
- Invest the protected person's money and property.

Duties to Interested Persons

What you must do:

- Notify the interested persons of your appointment right away; notify others as needed.
- Notify the interested persons if the protected person dies or no longer needs a guardian or conservator.

Name

Address

City, State, Zip

Phone

Email

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

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

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

| | |
|-----------|----------------------------------|
| _____ | Debt Collection Complaint |
| Plaintiff | _____ |
| v. | Case Number |
| _____ | _____ |
| Defendant | Judge |

1. Jurisdiction

This is the correct court location to file in because (Choose all that apply):

☐ Defendant is a resident of this county.

☐ Defendant is doing business in this county.

☐ The contract was created in this county.

☐ I am a resident of this county.

☐ Other: _____

2. Contract or Agreement

☐ I made the following contract or agreement with the defendant:

(Describe what each person agreed to do and the date you made the agreement.)

- ☐ My claims are based on defendant's failure to pay a debt owed to someone else. I have the right to collect that debt. Defendant had a contract with: _____ (name of creditor). A copy of that agreement is attached as Exhibit A. The defendant agreed to the following:

3. The agreement allowed for:

- ☐ interest in the amount of _____.
☐ attorney fees for the prevailing party.
☐ collection costs.

4. **Broken Contract or Agreement**

The defendant broke the agreement as follows:

(Explain how the defendant broke the agreement and what the defendant owes you.)

5. **Request for Relief**

I ask the court to:

- ☐ Order defendant to pay me \$ _____.
☐ Order defendant to pay _____% interest, with interest starting on this date: _____.
☐ Order defendant to pay my legal costs and any attorney fees.
☐ Order defendant to pay me a collection fee of \$ _____.
☐ Other:

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

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).

| | | |
|-------|--------------|-------|
| _____ | Signature ► | _____ |
| Date | Printed Name | _____ |

Attorney or Licensed Paralegal Practitioner of record (if applicable)

| | | |
|-------|--------------|-------|
| _____ | Signature ► | _____ |
| Date | Printed Name | _____ |

This is a safeguarded record.

**Non-public Information –
Safeguarded Contact Information**

Case Number _____

Utah Code of Judicial Administration Rule 4-202.02

Instructions:

If your case is one of the types listed below and you want to safeguard your contact information (or that of your child) from the other party, write the information on this form and omit the information from the other documents you file in the case. File this form with the court, but **do not** serve this form on the other party.

Keep the following contact information private. Do not provide the contact information to the other party because (Choose all that apply.):

- ☐ I have a court order or agency order authorizing me to safeguard my contact information.
- ☐ this proceeding is about:
- a protective order (Utah Code 78B-7-109).
 - a stalking injunction (Utah Code 78B-7-701).
 - a parentage order (Utah Code 62A-11-304.4).
 - a custody order (UCCJEA, Utah Code 78B-13-209).
 - a support order (UIFSA, Utah Code 78B-14-312).

| | | | |
|---|---|---------------|--|
| Name | | | |
| Residential Address | | | |
| City, State, ZIP | | | |
| Phone | | Email address | |
| Reason for safeguarding contact information | <input type="checkbox"/> court or agency order <input type="checkbox"/> parentage order <input type="checkbox"/> protective order <input type="checkbox"/> custody order (UCCJEA) <input type="checkbox"/> stalking injunction <input type="checkbox"/> support order (UIFSA) | | |

| | | | |
|---|---|---------------|--|
| Name | | | |
| Residential Address | | | |
| City, State, ZIP | | | |
| Phone | | Email address | |
| Reason for safeguarding contact information | <input type="checkbox"/> court or agency order <input type="checkbox"/> parentage order <input type="checkbox"/> protective order <input type="checkbox"/> custody order (UCCJEA) <input type="checkbox"/> stalking injunction <input type="checkbox"/> support order (UIFSA) | | |

| | | | |
|---|---|---------------|--|
| Name | | | |
| Residential Address | | | |
| City, State, ZIP | | | |
| Phone | | Email address | |
| Reason for safeguarding contact information | <input type="checkbox"/> court or agency order <input type="checkbox"/> parentage order <input type="checkbox"/> protective order <input type="checkbox"/> custody order (UCCJEA) <input type="checkbox"/> stalking injunction <input type="checkbox"/> support order (UIFSA) | | |

| | | | |
|---|---|---------------|--|
| Name | | | |
| Residential Address | | | |
| City, State, ZIP | | | |
| Phone | | Email address | |
| Reason for safeguarding contact information | <input type="checkbox"/> court or agency order <input type="checkbox"/> parentage order <input type="checkbox"/> protective order <input type="checkbox"/> custody order (UCCJEA) <input type="checkbox"/> stalking injunction <input type="checkbox"/> support order (UIFSA) | | |

Plaintiff/Petitioner or Defendant/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 _____

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>Acceptance of Service (Utah Rule of Civil Procedure 4(d)(3))</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p> |
|---|---|

1. I received and accept service of the following documents in this case (Choose all that apply.):

- ☐ Summons
- ☐ Complaint or Petition
- ☐ Amended Complaint or Petition

- ☐ Parenting Plan
- ☐ Notice of Divorce Education Requirements

☐ Notice of URCP 26.1 Disclosure and Discovery Requirements in Domestic Relations Actions

☐ Notice of URCP 26.3 Disclosure Requirements in Unlawful Detainer Actions

☐ Other: _____ (describe)

2. I understand that service is effective on the date I sign this document.

3. I know I can still respond to the complaint or petition in this case.

4. If other documents in this case need to be served on me they can be sent to:
_____ (physical address or email address).

Plaintiff/Petitioner or Defendant/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 Acceptance of Service 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 ☐ Petitioner ☐ Respondent
☐ Petitioner's Attorney ☐ Respondent's Attorney (Utah Bar #: _____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

**Notice of Disclosure Requirements
in Domestic Relations Cases**
(Utah Rule of Civil Procedure 26.1)

Case Number

Judge

Commissioner

To: _____
(Respondent Name or Name of Joined Party)

1. Because you are involved in one of these cases:

- divorce
- temporary separation
- separate maintenance
- parentage
- child custody
- child support
- domestic order modification

You must give to the petitioner ("disclose") the following documents:

- **Initial Disclosures.** (The court-approved Initial Disclosures form is available at www.utcourts.gov.)
- **Financial Declaration and required attachments.** (The court-approved Financial Declaration form is available at www.utcourts.gov.)
 - Documents verifying the amounts for every item listed in the Financial Declaration (excluding monthly expenses).
 - Federal and state income **tax returns** for the **past two tax years** before the petition in this case was filed. If you don't have these, contact the IRS or the State Tax Commission.
 - **Pay stubs** and other evidence of income for the **past 12 months**.
 - All loan applications and financial statements from the 12 months before the petition was filed.
 - Documents verifying the value of all real estate in which you have an interest. This includes the most recent appraisal, tax valuation, and refinance documents.
 - All statements for the 3 months before the petition was filed for all financial accounts. This includes checking, savings, money market funds, certificates of deposit, brokerage, investment, and retirement.
 - If you do not have some of the above documents, you may estimate the amounts. You must explain on the Financial Declaration how you chose the estimated amount and why the documents are not available.

2. You must send the completed Initial Disclosures form, the Financial Declaration, and all required attachments to the petitioner within:

- 42 days after filing of the first answer, or
- 28 days after your appearance in this case, whichever is later.

The petitioner must send their completed Initial Disclosures form, the Financial Declaration, and all required attachments to you within 14 days after service of your first answer to the petition.

3. If you do not disclose all assets and income in the Financial Declaration and attachments, you may be subject to sanctions. (Utah Rule of Civil Procedure 37). Sanctions may include awarding assets to the other party, requiring you to pay the other party's attorney's fees, or other sanctions decided by the court.
4. If you and the petitioner agree to settle all the terms of your case, you may not have to send the Initial Disclosures form and the Financial Declaration.

Certificate of Service

I certify that I filed with the court and am serving a copy of this Notice of Disclosure Requirements in Domestic Relations 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.) | | |

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'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 in Support of Legal Fees
(Utah Rule of Civil Procedure 73)

Case Number

Judge

Commissioner (domestic cases)

1. I am the attorney or licensed paralegal practitioner for the (choose one):

☐ plaintiff or petitioner

☐ defendant or respondent

☐ other: _____

2. I was hired to represent the above party on _____ (date).

3. My billing rate is \$_____ (amount) per hour.

4. I have been licensed as a legal professional since _____ (date).

5. ☐ I have had assistance on this case from a (choose all that apply):
- ☐ Legal secretary and their hourly billing rate is \$_____.
- ☐ Private investigator and their hourly billing rate is \$_____.
- ☐ _____ (job title)
and their hourly billing rate is \$_____.
- (Attach additional sheets if needed.)

6. We have spent time on the following aspects of the case (Include time records and descriptions of work performed. Attach additional sheets if needed.):

| Amount of time spent on task | Description of task |
|------------------------------|---------------------|
| | |
| | |
| | |
| | |
| | |
| | |

(Attach additional sheets if needed.)

7. I am entitled to legal fees totaling \$_____ (amount).

8. This amount is reasonable because (explain):

Attorney or Licensed Paralegal Practitioner of record

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Declaration in Support of Legal Fees 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 Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Statement of Discovery Issues
(Utah Rule of Civil Procedure 37)

☐ **Hearing Requested**

Case Number

Judge

Commissioner (domestic cases)

1. I ask the court enforce the disclosure and discovery rules against (choose one):
☐ plaintiff or petitioner.
☐ defendant or respondent.
☐ Other: _____.
2. I served these documents on the other party(choose all that apply):
☐ interrogatories on _____ (date).

- ☐ requests for production of documents on _____ (date).
- ☐ requests for admission on _____ (date).
- ☐ Other (explain): _____

3. I served these documents by:

- ☐ Mail to: _____
_____ (address)
- ☐ Hand Delivery to: _____ (name)
- ☐ Email to: _____ (address)

4. The other party has not provided me with the required disclosures or discovery responses.

5. I ask the court to order the other party to (choose all that apply):

- ☐ send me a completed financial declaration by _____ (date).
- ☐ send me completed initial disclosures by _____ (date).
- ☐ send me a response to my interrogatories by _____ (date).
- ☐ send me a response to my requests for production of documents by _____ (date).
- ☐ send me a response to my requests for admission by _____ (date).
- ☐ Other (explain): _____

6. If the other party does not provide me with the required disclosures or discovery responses, there should be a consequence. The consequence should be (explain):

7. I have a right to this order because the other party (choose all that apply):

- ☐ is required to send me a financial declaration under Utah Rule of Civil Procedure 26.1.
- ☐ is required to send me initial disclosures under Utah Rule of Civil Procedure 26.1, 26.2, or 26.3.

[] is required to respond to my discovery requests under Utah Rule of Civil Procedure 33, 34, or 36.

[] Other (explain): _____

8. The information I am seeking is proportional because:

(The court will consider the factors below when deciding whether the request is proportional:

- the needs of the case;
- the amount in dispute;
- the complexity of the case;
- the parties' resources;
- the importance of the issues;
- the importance of the discovery to resolve the issues;
- whether the benefits of the proposed discovery are greater than the burden or expense;
- whether the discovery is consistent with the overall case management;
- whether the discovery will help the case move along in a more fair and quick manner;
- whether the discovery is unreasonably asking for information that you already have;
- whether you cannot get the information in different a way that is more convenient or less expensive; and
- whether you have not had enough of a chance to get the information by discovery when taking into account the other party's relative access to the information.)

9. I tried in good faith to resolve this issue with the other party before filing this Statement of Discovery Issues.

10. I also want the court to know that:

Plaintiff/Petitioner or Defendant/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 | _____ |

Attorney or Licensed Paralegal Practitioner of record (if applicable)

| | | |
|-------|--------------|-------|
| _____ | Signature ► | _____ |
| Date | Printed Name | _____ |

Notice to responding party

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

- within 7 days of this statement of discovery issues being filed.

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

If you do not respond to this statement of discovery issues or attend the hearing, the person who filed the statement 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 la parte que responde

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 **statement of discovery issues**

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 **statement of discovery issues** ni se presenta a la audiencia, la persona que presentó la **statement** 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 Statement of Discovery Issues 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.) | | |
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| | <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 _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

| | |
|-----------------|--|
| Plaintiff _____ | Statement of Defendant in Support of Guilty Plea and Certificate of Counsel |
| V. _____ | |
| Defendant _____ | |
| | Case Number _____ |
| | Judge _____ |

I understand the following facts and rights.

1. Information

I have received a copy of the Information(s) (charging document(s)). I have read it or had it read or explained to me.

2. Notification of charges

I am entering a plea(s) to the charges listed below:

| Crime, Code Citation, Case Number | Degree & Punishment (Min/Max and or Minimum Mandatory) |
|-----------------------------------|---|
| | <div><input type="checkbox"/> F1 5-life in prison, up to \$10,000 +90% surcharge</div> <div><input type="checkbox"/> F1 other: _____</div> <div><input type="checkbox"/> F2 1-15 years prison, up to \$10,000 +90% surcharge</div> <div><input type="checkbox"/> F3 0-5 years prison, up to \$5,000 +90% surcharge</div> <div><input type="checkbox"/> MA 0-364 days jail, up to \$2,500 +90% surcharge</div> <div><input type="checkbox"/> MB 0-180 days jail, up to \$1,000 +90% surcharge</div> <div><input type="checkbox"/> MC 0-90 days jail, up to \$750 +90% surcharge</div> <div><input type="checkbox"/> Infraction up to \$750 fine +90% surcharge</div> |
| Crime, Code Citation, Case Number | Degree & Punishment (Min/Max and or Minimum Mandatory) |
| | <div><input type="checkbox"/> F1 5-life in prison, up to \$10,000 +90% surcharge</div> <div><input type="checkbox"/> F1 other: _____</div> <div><input type="checkbox"/> F2 1-15 years prison, up to \$10,000 +90% surcharge</div> <div><input type="checkbox"/> F3 0-5 years prison, up to \$5,000 +90% surcharge</div> <div><input type="checkbox"/> MA 0-364 days jail, up to \$2,500 +90% surcharge</div> |

| | |
|-----------------------------------|--|
| | <input type="checkbox"/> MB 0-180 days jail, up to \$1,000 +90% surcharge <input type="checkbox"/> MC 0-90 days jail, up to \$750 +90% surcharge <input type="checkbox"/> Infraction up to \$750 fine +90% surcharge |
| Crime, Code Citation, Case Number | Degree & Punishment (Min/Max and or Minimum Mandatory) |
| | <input type="checkbox"/> F1 5-life in prison, up to \$10,000 +90% surcharge <input type="checkbox"/> F1 other: _____ <input type="checkbox"/> F2 1-15 years prison, up to \$10,000 +90% surcharge <input type="checkbox"/> F3 0-5 years prison, up to \$5,000 +90% surcharge <input type="checkbox"/> MA 0-364 days jail, up to \$2,500 +90% surcharge <input type="checkbox"/> MB 0-180 days jail, up to \$1,000 +90% surcharge <input type="checkbox"/> MC 0-90 days jail, up to \$750 +90% surcharge <input type="checkbox"/> Infraction up to \$750 fine +90% surcharge |

(Attach additional sheets if necessary.)

Comment [NP1]: NP add break between tables

3. Plea(s)

I am entering a plea of:

☐ **Guilty to the charges of:**

I understand pleading guilty means I admit I committed the crime(s) listed above.

☐ **No contest to the charges of:**

I understand pleading no contest means I am not contesting that I committed the crimes listed above. I am agreeing that the State could likely prove the facts below and do not dispute them.

☐ **Plea in abeyance to the charges of:**

I understand a plea in abeyance means my plea will not be entered. Instead, there will be conditions that I must complete during a certain period of time. If I meet the conditions, the court will dismiss or reduce the charges, depending upon the terms of the plea in abeyance agreement. If I do not meet the conditions, the court may enter my plea and I will be sentenced.

☐ **Other** (Explain. For example, Alford Plea or Sery Plea):

4. Elements

Each crime has certain facts that must be proven. These are called elements. The elements of the crime(s) I am pleading to are:

5. Factual basis

The facts below provide a basis for the court to accept my plea and prove the elements of the crime I am pleading to:

6. Waiver of constitutional rights

I understand that if I plead guilty or no contest I will give up all the following rights:

Right to a lawyer

I have the right to be represented by a lawyer. If I cannot afford one, the court will give me a lawyer to represent me for free.

I understand that I might be required to pay for the appointed lawyer's service to me. This could happen if a judge decides that I am able to pay for the lawyer's service to me.

☐ I have not waived my right to a lawyer. My lawyer and I have talked about this form, my rights, and the consequences of my plea.

☐ If I have waived my right to a lawyer, I have done so knowingly, intelligently, and voluntarily for the following reasons:

Right to jury trial

I have a right to a speedy and public trial by an impartial (unbiased) jury.

Right to confront and cross-examine witnesses

At trial, I would have the right to see and observe the witnesses who testify against me. My attorney would have the opportunity to ask all of the witnesses questions in a process called cross-examination. If I am representing myself, I could question and cross-examine witnesses.

Right to compel witnesses

At trial I could call witnesses. I would be able to require them to come and testify. If I could not afford to pay for the witnesses to appear, the State would pay those costs.

Right to testify and privilege against self-incrimination

At trial, I would have the right to testify, but if I chose not to, no one could make me. If I did not testify, the jury would be told they cannot hold that decision against me.

Presumption of innocence and burden of proof

I am presumed innocent until the State proves that I am guilty of the charged crime(s). If I choose to fight the charges against me, I can plead not guilty, and my case will be set for a trial.

At trial, the State would have the burden of proving each element of the charge(s) beyond a reasonable doubt.

If the trial is before a jury, the verdict must be unanimous, meaning that each juror would have to find me guilty.

I understand that if I plead guilty or no contest, I give up the presumption of innocence and will be admitting that I committed the crime(s) stated above.

Appeal

If I were convicted by a jury or judge, I would have the right to appeal my conviction and sentence. If I could not afford the costs of an appeal, the State would pay those costs.

If I plead guilty or no contest, I am giving up my right to appeal my conviction. I can still appeal my sentence if I plead, but I must file a notice of appeal within **30 days** after I'm sentenced.

Preliminary hearing

I have a right to a preliminary hearing before a trial if I am charged with a felony or class A misdemeanor.

At the preliminary hearing the State would have to provide evidence a crime was committed and I committed it. This is called "probable cause." If I plead guilty or no contest, I give up the right to a preliminary hearing.

Consequences of Entering a Guilty or No Contest Plea

7. Potential penalties

I read the maximum sentence for each crime I am pleading to. If I plead guilty or no contest to a crime that carries a mandatory penalty, I will get that penalty.

I know my sentence could include jail or prison time, a fine, or both. If there is a fine, a 90% surcharge will be added. I may be charged an additional fine for each crime that I plead to.

I may be ordered to pay victim(s) for damages caused by my crimes. This is called "restitution." This could include restitution for charges that are dismissed as part of a plea agreement.

8. Consecutive/concurrent prison terms

If there is more than one crime involved, the judge can choose to have the sentences run consecutively or concurrently.

If the sentences are consecutive, I will serve one term before the next one starts. If the sentences are concurrent, I will serve the terms at same time.

If I am on probation or parole or awaiting sentencing on another offense, my plea now may result in consecutive sentences.

If the offense I am now pleading guilty to occurred when I was imprisoned or on parole, my sentences will run consecutively unless the court finds it would be inappropriate.

9. Trial judge not bound

The judge is not required to go along with a plea agreement, including a suspended sentence or reduction of charges, even if my attorney and the prosecutor agree on the terms.

My attorney and the prosecutor cannot guarantee what the judge will do.

10. Immigration

If I am not a United States citizen, my immigration status could be negatively affected by my plea decision. This could include deportation and never being allowed to return.

If I have questions about the effect of my plea on my immigration status, I should talk to an immigration attorney.

11. Other Consequences

There could be other negative consequences to my guilty plea. This includes things like my driving privileges, public benefits, my right to own guns, housing options, and registry requirements.

I should talk to an attorney about these consequences if I have concerns.

12. Defendant's Certification

I am entering this plea of my own free will and choice.

- No force, threats of unlawful influence of any kind have been made to get me to plead guilty or no contest.
- No promises except those contained in this statement have been made to me.

I have read this statement or have had it read to me by my attorney. I understand its contents. I do not wish to make any changes because all of the statements are correct.

- I am satisfied with the advice and assistance of my attorney.
- I can read and understand the English language. If I do not understand English, an interpreter has been provided to me.
- I was not under the influence of any drugs, medication, or intoxicants that would impair my judgment when I decided to plead guilty.
- I am not presently under the influence of any drug, medication, or intoxicants that impair my judgment.
- I believe myself to be of sound and discerning mind and to be mentally capable of understanding these proceedings and the consequences of my plea.
- I am free of any mental disease, defect, or impairment that would prevent me from understanding what I am doing or from knowingly, intelligently, and voluntarily entering my plea.

I understand that:

- if I want to withdraw my guilty or no contest plea(s), I must file a written motion to withdraw my plea(s) before the judge sentences me.
- if my plea is held in abeyance, a motion to withdraw from the plea agreement must be made within 30 days of pleading guilty or no contest.
- I will only be allowed to withdraw my plea if I show that it was not knowingly and voluntarily made.

- any challenge to my plea(s) made after sentencing must be pursued under the Post-Conviction Remedies Act (Utah Code 78B-9-101 et seq.) and Utah Rule of Civil Procedure 65C.

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 Defense Attorney

I certify that I am the attorney for the defendant named above. I know they have read the statement or I have read it to them. I have discussed it with them and believe they fully understand the meaning of its contents and they are mentally and physically competent. To the best of my knowledge and belief, after an appropriate investigation, the elements of the crime(s) and the factual synopsis of the defendant's criminal conduct are correctly stated; and these, along with the other representations and declarations made by the defendant in the foregoing affidavit, are accurate and true.

Signature ► _____

_____ Date

Printed Name _____

Certificate of Prosecuting Attorney

I certify that I am the attorney for the State of Utah in the case against the named defendant. I have reviewed this Statement of Defendant and find the factual basis of the defendant's criminal conduct which constitutes the offense(s) is true and correct. No improper inducements, threats, or coercion to encourage a plea have been offered defendant. The plea negotiations are fully contained in the Statement and in the attached Plea Agreement or as supplemented on the record before the court. There is reasonable cause to believe the evidence would support the conviction of defendant for the offense(s) for which the plea(s) is/are entered and that the acceptance of the plea(s) would serve the public interest.

Signature ► _____

_____ Date

Printed Name _____

Order

Based on the facts set forth in the foregoing Statement and the certification of the defendant and counsel, and based on any oral representations in court, the Court witnesses the signatures and finds the defendant's guilty or no contest plea(s) is/are freely, knowingly, and voluntarily made.

IT IS HEREBY ORDERED the defendant's guilty or no contest plea(s) to the crime(s) set forth in the Statement be accepted and entered.

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

Signature ► _____

Date

Judge _____

MINUTES
Utah Judicial Council
Committee on Court Forms
 Administrative Office of the Courts

Webex video conferencing
 December 14, 2020
 12 - 2 pm

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

| | | |
|---------------------------|---|---|
| Randy Dryer, <i>Chair</i> | • | |
| Amber Alleman | • | |
| Judge Randy Birch | | • |
| Guy Galli | • | |
| Judge Elizabeth Lindsley | • | |
| Kara Mann | • | |
| Comm. Russell Minas | • | |
| Nathanael Player | • | |
| Clayson Quigley | • | |
| Stewart Ralphs | • | |
| Judge James Taylor | • | |
| Mary Westby | • | |

Guest:
 Judge Su Chon

Staff:
 Brent Johnson
 Minhvan Brimhall

I. WELCOME AND APPROVAL OF MINUTES:

Randy Dryer welcomed the committee members to the meeting. The Committee considered the minutes from the October 16 meeting. No revisions were made to the minutes. Judge Lindsley moved to approve the full minutes. Judge Taylor seconded the motion. The motion unanimously passed.

Mr. Dryer expressed appreciation to Judge Taylor for his service on the committee. Judge Taylor will retire on January 1, 2021. Judge Taylor expressed his appreciation for the opportunity to serve and thanked the committee members for their commitment to the work of ensuring court forms are accessible and available to all court patrons.

II. ANNUAL COMMITTEE REPORT TO JUDICIAL COUNCIL:

Mr. Dryer met with the Judicial Council on November 23. Mr. Dyer provided an annual report to the Council on the committee's activities for the past year. Mr. Dyer noted the Council and Chief Justice Durrant expressed appreciation for the committee's continued work and service.

III. OCAP UPDATE:

Clayson Quigley did not have any new items to report to the committee at this time. The OCAP group continues to work on improvements in their current projects and just need time to work through all the issues and programming needs.

IV. UPDATES:

Nathanael Player reported that the Rules of Civil Procedure Committee enacted rules to require bilingual options in some forms. The mandatory rules will become effective May 1, 2021. Mr. Player also noted that work is in progress to increase access to the forms.

As discussed from the last meeting, Mr. Player researched the statute and determined that the recognition of a relationship as a marriage form is not within the scope of practice for a licensed paralegal practitioner. The forms are accessible to self-represented litigants on the website and the Self-Help Center continues to be available to anyone who needs assistance.

V. MISCELLANEOUS PROTECTIVE ORDER FORMS:

Mr. Player noted these forms are part of a response to legislative changes from last year and that all protective orders have an expiration date.

New forms:

- Motion to extend cohabitant protective order form:
The form allows a party to ask for an extension of a cohabitant protective order. The committee discussed plain language used throughout the form and providing an opportunity for the petitioner to convey their reason for the extension. The committee discussed possible reasons why a judge would approve or deny the order based on the information provided by the petitioner. The committee made minor language changes to the form to provide for clarity and consistency with statutory requirements.

Following further discussions, Mr. Player moved to approved the form as amended. Commissioner Minas seconded the motion. With no opposition, the motion passed.

- Order extending cohabitant protective order:
From discussion at the last meeting, Guy Galli researched the usage and history of the form. Mr. Galli will continue to reach out to clerks in other districts throughout the state for input on how forms are being filed in the different districts. Mr. Galli notes that some districts are still wet signing, rather using a signature stamp when filing. The process of filing is not consistent throughout the state and perhaps there could be a way to change that.

The committee discussed different methods of modifying an existing protective order to avoid the need to create a new order. The process would need to be streamlined to allow all districts to act in the same manner. The committee discussed how these orders affect DPS processes and any orders that come through their agency. The committee discussed the potential for extra work that would fall on the responsibility of court clerks in these types of filings and any impact the orders would have on law enforcement officials. The committee discussed that there may be a need to have a conversation with the domestic violence program group on the impact these orders would have on domestic violence cases. The committee recognized that some judges may not be on board with their electronic signature stamp being used and this may need to be a training item for those judges.

Upon further discussion, Mr. Player moved to table these forms to another meeting and to bring the forms back to the Stylstic Committee for additional review. Mr. Player will meet with the domestic violence program coordinator, Amy Hernandez, about the impact of electronic signature stamp filings on domestic violence matters.

Mr. Galli moved to amend all previous passed motions in regards to these sets of form and to table them for another meeting. This will allow for further discussion and input with various groups. The committee will be able to have a more in-depth discussion on these forms based on input provided from those groups. Judge Chon seconded the motion. With no opposition, the motion passed.

All remaining forms in this set are held over for discussion at another meeting.

- Order denying motion to extend cohabitant protective order
- Motion to extend dating violence protective order
- Order extending dating violence protective order
- Order denying motion to extend dating violence protective order

Edits to existing forms:

- Motion to extend sexual violence protective order
- Order extending cohabitant protective order
- Order denying motion to extend cohabitant protective order

VI. ADULT GUARDIANSHIP:

The committee was asked to review these sets of forms.

- Petition to appoint a guardian for an adult:
The committee further discussed concerns of language vagueness. The committee expressed concern that the language use may not fall in line with the statute, and that pro se litigants may not fully understand the context of the form.

The committee recommended language amendments in paragraph 10 to make the form consistent with current practice. Paragraph 10 was modified to read as: “The respondent may not receive, possess, or transport any firearm or ammunition as a result of mental illness, incompetency, condition, disease, or having been adjudicated as a mental defect. The respondent . . .”

Following further discussion, the committee expressed concern that the changes will need to be revisited if approved as the statute and form do not mirror with each other. The committee recommended holding this form over for further discussion at the next meeting.

No motion was made on this form.

- List of people who must be served:
The committee noted the form adequately lists all parties to be served. The committee made minor language changes for consistency throughout the form. “Check all that apply.”, “[] Respondent spouse should not be sued because they are deceased.”, and “[] Respondent spouse is living in this state, and their answer is . . .” was added to each section.

No further changes were made to this form. Mr. Player moved to approve the form as amended. Mary Westby seconded the motion. With no opposition, the motion passed.

- Notice of hearing (respondent):
This form informs the respondent of the consequences when guardianship is granted to them. The form was amended for plain language and is cleaner from previous forms.

No further changes were made to this form. Judge Taylor moved to approve the form. Judge Chon seconded the motion. With no opposition, the motion passed.

- Notice of hearing (interested persons):
No change was made to this form. Mr. Player moved to approve the form. Judge Chon seconded the motion. With no opposition, the motion passed.
- Findings of fact and conclusions of law:
Due to the lack of time, this item will be discussed at a future meeting.
- Order appointing guardian for an adult:
Due to the lack of time, this item will be discussed at a future meeting.
- Acceptance of appointment:
Due to the lack of time, this item will be discussed at a future meeting.
- Letter of limited guardianship:
Due to the lack of time, this item will be discussed at a future meeting.
- Letter of full guardianship:
Due to the lack of time, this item will be discussed at a future meeting.
- Private information record:
Due to the lack of time, this item will be discussed at a future meeting.

VII. DEBT COLLECTION COMPLAINT:

Due to the lack of time, this item will be discussed at a future meeting.

VIII. REPLY TO REQUEST FOR ADMISSIONS:

The Resources for Self-Represented Parties Committee asked for a review of the reply to request for admissions form to see if any improvement is needed. The form allows for any party to request an answer and approval or denial of discovery items submitted in a case.

The committee discussed whether the form currently serves its purpose under the Rules of Civil Procedure rule 36 and decided changes are not needed to the format of the form. The committee recommended additional language to clarify that items not answered will be admitted. The committee added, "I understand that requests for admission which are not answered are admitted" on page 1 of the form, and additional lines were added to allow for further explanation or comment.

With no further discussions, Mr. Player moved to approve the form as amended. Judge Taylor seconded the motion. With no opposition, the motion passed.

IX. SAFEGUARDED INFORMATION (MINOR CORRECTION):

Due to the lack of time, this item will be discussed at a future meeting.

X. ADJOURN:

With no further items for discussion, the meeting adjourned without a motion. The meeting adjourned at 2:04 pm. The next meeting will be February 8, 2021, from noon to 2 pm via Webex video conferencing.