

Agenda Committee on Court Forms

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

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

1. Welcome and approval of February meeting minutes	Randy Dryer
2. OCAP update	Clayson Quigley
3. Revisions to Forms Committee Procedures (to allow for electronic voting)	Nathanael Player
<i>Forms requiring review due to changes to the Utah Rules of Civil Procedure that are effective May 1, 2021</i>	
4. Motion to Enforce Order (pursuant to new URCP 7A and URCP 7B – note the links to the new rules) <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
<i>Forms requiring review due to legislation that is effective May 5, 2021</i>	
5. Forms acknowledging status as restricted person – needed to help the courts comply with HB 101 <ul style="list-style-type: none"> • Statement in Support of Guilty Plea • Acknowledgement of Firearm Restriction Question for the Committee: should these forms be approved by the Judicial Council to help with acceptance and implementation?	Nathanael Player
6. Petition for Authorization to Marry – updates required under HB 406	
7. Protective order updates – required under HB 255 <ul style="list-style-type: none"> • Ex Parte Child Protective Order • Cohabitant Protective Order 	Nathanael Player
8. Divorce/custody forms and OCAP provisions – updates required	Nathanael Player

under HB 113 and SB 122 <ul style="list-style-type: none"> • OCAP provisions (new language) • Motion for Temporary Order – with children • Parenting Plan 	
7. Guardianship of a Minor forms in OCAP – updates required under HB 358 <ul style="list-style-type: none"> • Petition • Findings of Fact and Conclusions of Law • Parental Consent 	Nathanael Player

Meeting Dates

May 10*
June 14

August 9
October 18^

December 13

* Additional meeting for legislative updates

^ Moved from the October 11 for Columbus Day

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

Webex video conferencing
 February 8, 2021
 12 - 2 pm

MEMBERS: PRESENT EXCUSED

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

Guest:
None

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 December 14, 2020 meeting. No revisions were made to the minutes. Stewart Ralphs moved to approve the full minutes. Mary Westby seconded the motion. The motion unanimously passed.

II. ELECTRONIC VOTING FOR APPROVAL OF STRAIGHTFORWARD FORMS:

As the committee previously voted to hold meetings every other month, Mr. Dryer asked if the committee should to return to monthly meetings in order to discuss forms that require a vote in between the bi-monthly meetings. Mr. Dryer expressed concerns that a backlog of forms that need to be approved will occur due to the lack of meetings. The committee discussed the most recent request for vote via electronic communication sent by Nathanael Player. The committee expressed opinions and views that the form was adequately shared by committee members through the electronic communication and the members appreciated being able to see those discussions in written format. Mr. Player recommends, when forms are decided by the Stylistics Committee to be suitable for electronic vote, the forms be attached to a Google folder for the committee to review and discussion can occur via comments through the Google share folder. Any objections to or disputes about the forms will be discussed at the following monthly meeting. Mr. Player will create a written procedure of this process for the committee's discussion and vote at April's meeting.

With no further discussion, Mr. Ralphs moved to approve electronic voting of certain forms approved by the Stylistics Committee via discussion through a shared Google folder and email communication. Any objections or dispute of the forms will result in discussion at the following monthly meeting. Ms. Westby seconded the motion. With no opposition, the motion passed.

III. OCAP UPDATE:

Clayson Quigley noted some questions had come up about LPP forms through the OCAP system. Mr. Clayson met with the LPPs to clarify the process with them. The current OCAP forms are in PDF format for use by LPPs and are not intended for electronic filing. If the PDF is signed, the electronic filing system will require the PDF to be converted and then filed as an rtf file. Mr. Clayson and his team are looking for a solution as a workaround on this issue. Mr. Clayson will provide an update to the committee at a future meeting.

IV. COVID DECLARATION DISCUSSION:

The COVID eviction declaration form was recently approved by the Judicial Council but needed minor amendments for compliance with recent legislative changes. The eviction moratorium has been extended to September 30 and a new paragraph 7 will be added to the declaration on the court's website.

Upon further discussion, Judge Lindsley moved to approve the form as discussed. Ms. Westby seconded the motion. With no opposition, the motion passed.

V. UPDATING FORMS DUE TO CHANGES TO URCP 8 AND 101, EFFECTIVE MAY 1:

Utah Rules of Civil Procedure rules 8 and 101 have been approved as amended and will go into effect May 1, 2021. The rules require that a warning be placed on pleadings notifying petitioners that a decision may be made against them if they do not appear at a scheduled hearing, and allows a written response at least 14 days prior to the hearing. Rule 8 requires this warning on dispositive motion forms, and rule 101 requires the warning on all other forms. These changes apply to all motions heard by a commissioner. Mr. Player asked the committee members if they are comfortable with the language as approved in the rule. The changes to rule 8 also require a

bilingual summons to be included on the forms. Judge Lindsley noted the language is not required on juvenile court forms. The committee discussed placement of the warning within the forms but did not have any objection to the language of the warning itself. Mr. Player will work through each of the forms to determine the best placement of the warning.

With no further discussion, it is the intent of the committee to bring each of the required forms into compliance with the updated rule requirements. Mr. Ralphs moved to approve the forms as discussed. Commissioner Minas seconded the motion. With no opposition, the motion passed.

VI. MOTION TO ENFORCE ORDER (PURSUANT TO NEW URCP 7A AND 7B):

- **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**

Rule changes have been made to the order to show cause process and how hearings are scheduled when a motion for order to show cause is filed. The rule also clarifies service of the motion under rule 4. The amended rule changes have gone out for public comment and been approved by the Supreme Court. The committee was asked to amend the forms to simplify the process. The forms have been amended to reflect changes in URCP 7A and 7B. The committee asked for additional time to review the amended rule and the amended forms.

Following further discussion, Mr. Player moved to table the discussion on these forms to the next meeting. Judge Chon seconded the motion. With no opposition, the motion passed.

- **Ex-parte verified motion to enforce domestic order(not domestic)**
- **Order on motion to enforce order (not domestic)**
This item was tabled for discussion at a future meeting.
- **Ex-parte verified motion to enforce writ of garnishment**
- **Order on motion to enforce writ of garnishment**
This item was tabled for discussion at a future meeting.

VII. ICWA MOTION TO INTERVENE FOR JUVENILE COURT:

- **ICWA motion to intervene**
- **ICWA order granting motion to intervene**
- **ICWA tribal contact information form**

The ICWA tribal contact information form began in discussion with the juvenile court rules committee. The issue that brought the form to the committee's attention was a case that involved a motion and order based on the Indian Child Welfare Act and rights of tribal representation. The chair of the committee, David Fureigh, asked the forms committee to consider revisions to the form for compliance with ICWA. The proposed changes are only for juvenile court forms and are not yet set up for district court use. If the district court wants to use the same form, the heading would only need to be changed. The committee had no concerns with the proposed changes to the form and noted the changes make the form simpler and easier to use.

Mr. Dryer asked if the committee felt a similar form should be created for use in the district court. The committee did not feel it was necessary to have at this time due to cases involving ICWA rarely occur in district court.

Following additional discussion, Judge Lindsley moved to approve amended changes to all three ICWA forms. Judge Chon seconded the motion. The motion unanimously passed.

VIII. ADULT GUARDIANSHIP:

The committee was asked to review these sets of forms.

- Petition to appoint a guardian for an adult: discussed at December 14 meeting
- List of people who must be served: discussed at December 14 meeting
- Notice of hearing (respondent): discussed at December 14 meeting
- Notice of hearing (interested persons): discussed at December 14 meeting

- Findings of fact and conclusions of law:
The petition has already been approved. The findings of facts form mirrors language in the petition. The committee noted that attorney lines do not appear on the front of the form. Mr. Player researched and found that none of the findings forms have attorney lines. Mr. Player confirmed with the prior court law librarian that this is the correct process for these forms. Mr. Player also noted that the term “minor” as used in this form is to allow a parent or legal guardian to obtain guardianship of the minor at the age of 17 ½, within six months of the minor turning 18 years old, as provided in Utah Code 75-5-317. A physician report indicating the minor will be incapacitated as an adult at age 18 is still required. The report may be submitted to the court after a court visitor has been appointed. The committee recommended a language change to paragraph 9 from “Appointment of a guardian” to “Medical report” in the petition. The same changes were made to the findings form.

Following further discussion, Judge Chon moved to approve the amended language as discussed. Mr. Player seconded the motion. With no opposition, the motion passed.

As changes were made to the previously approved petition form, Mr. Player moved to approve the petition as amended. Kara Mann seconded the motion. With no opposition, the motion passed.

- Order appointing guardian for an adult:
The order is for when the guardian has been granted guardianship of the adult. The committee did not have any concerns with the order.

With no further discussion, Mr. Player moved to approve the order as presented. Kara Mann seconded the motion. With no opposition, the motion passed.

- Acceptance of appointment:
The acceptance of appointment is signed by the petitioner when accepting responsibility for guardianship of the adult. The committee recommended an additional paragraph stating the responsible party will file all accounting and reporting requirements to the court. Paragraph 5 was added as “I will file with the court all required reports, including accounting reports, as required by law and follow all court orders.” The committee did not have additional concerns with the order.

With no further discussion, Mr. Player moved to approve the acceptance of appointment as presented. Kara Mann seconded the motion. With no opposition, the motion passed.

- Letter of limited guardianship:
The letter of limited guardianship is signed by the court clerk and identifies who has been granted legal guardianship of the adult. There is a separate letter for limited guardianship and one for full guardianship. The committee discussed whether a certificate of service is needed at that end of the form. The form is a certificate, not an order, which does not require a certificate of service. Mr. Galli will research to see if a certificate of service is needed. Mr. Galli will provide an update if one is needed.

With no further discussion, Ms. Westby moved to approve the letter of limited guardianship as amended. Ms. Mann seconded the motion. With no opposition, the motion passed.

- Letter of full guardianship:
The letter of full guardianship is a mirror of the letter of limited guardianship. The committee did not express any concerns with this form.

With no further discussion, Ms. Westby moved to approve the letter of full guardianship as amended. Judge Chon seconded the motion. With no opposition, the motion passed.

- Private information record:
The private information record is required after the court has appointed a guardian to ensure information is updated with the court. The committee changed the form from three pages to two pages, and maintained the summary page as a separate page that does not need to be filed.

With no further discussion, Mr. Player moved to approve the letter of full guardianship as amended. Ms. Mann seconded the motion. With no opposition, the motion passed.

IX. DEBT COLLECTION COMPLAINT:

This is an LPP approved form. The form has been updated by the Stylistics Committee. The form may be filed in a different county by any party and would be heard by that jurisdiction. The committee discussed the need for a tier designation to be placed within the complaint as cover sheets are generally no longer filed with these forms. The committee discussed case law that allows for debt collection complaints to be heard in a county different from where the person resides. The committee recommended amending paragraph 1 to include “venue” with jurisdiction as clarification for complaints to be heard in another location. Paragraph 1 was recommended to be amended as “Jurisdiction and Venue.” The committee also recommends removing “I am a resident of this county” from paragraph 1. The committee is still unclear as to the full extent in which case laws allow complaints to be heard in another jurisdiction. The committee discussed that additional research for examples of debt collection complaints is needed for further discussion. Judge Chon will research examples to bring to the committee for discussion at the next meeting.

Following additional discussion, Judge Birch moved to table this item for discussion at another meeting. Ms. Westby seconded the motion. No vote was taken.

Following the motion, Mr. Player noted the form has been brought to the committee and has been previously tabled for discussion. Mr. Dryer would like to have feedback from those in practice who use the form to see if they feel the form is clearly defined. Judge Birch noted that prior to taking the bench he would use the form and found it to be acceptable, but the revised form raises the question that there may be confusion on the location of where the complaint may be heard.

Following further discussion, the committee confirmed adding “venue” in the header for paragraph 1, removal of “I am a resident of this county” from paragraph 1, and added “The contract is to be performed in this county.” No provision was made to other paragraphs in the form.

Due to the lack of time, the committee was unable to complete discussion on proposed amendments to the form, and no final vote was taken on the motion made by Judge Birch. As the form is used by LPPs and other litigants, additional discussion is needed and will be tabled to the next meeting. Mr. Dryer asked the committee to email Mr. Player with additional input for consideration at the next meeting.

X. SAFEGUARDED INFORMATION (MINOR REVISIONS):

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

XI. ACCEPTED OF SERVICE (MINIRO REVISIONS):

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

XII. NOTICE OF DISCLOSURE REQUIREMENTS (MINOR REVISIONS):

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

XIII. DECLARATION IN SUPPORT OF LEGAL FEES:

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

XIV. STATEMENT OF DISCOVERY ISSUES:

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

XV. STATEMENT IN SUPORT OF GUILTY PLEA:

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

XVI. ADJOURN:

The meeting adjourned without a motion. The meeting adjourned at 2:05 pm. The next meeting will be April 12, 2021, from noon to 2 pm via Webex video conferencing.

Forms Committee Procedures

Section 1. Subcommittees

Subcommittees

- The committee will create and dissolve subcommittees as appropriate.
- The Stylistics subcommittee is the only subcommittee that will not be dissolved.
- The subcommittees will meet as needed to review existing forms and propose new forms. The subcommittees will propose edits and send proposed forms, in compliance with the style guide, to the Stylistics subcommittee.
- The subcommittees may distribute the proposed forms to other groups, if any, for input and feedback prior to submission of the forms to the Stylistics subcommittee. The subcommittees should report to the committee whether input was sought from other groups.

Stylistics Subcommittee

The Stylistics subcommittee will perform the following duties:

- Identify forms currently on the website and submit them to subcommittees and the full committee as appropriate.
- Create a style guide, including a master numbering system, that will apply to all forms. The guide will be distributed to the subcommittees and they shall submit all proposed forms in compliance with the guide.
- Receive requests from third parties for new or amended forms. Review the request, refer the request to an existing subcommittee or recommend to the full committee the creation of a new subcommittee to review the requested forms.
- Review forms submitted by the subcommittees to ensure compliance with the style guide and plain language principles.
- Once the Stylistics subcommittee finalizes a form, it will be added to the agenda for the next full committee meeting.

Section 2. Forms

Style Guide

Each subcommittee must use the style guide as they create forms. All forms sent to the Stylistics subcommittee must be in the approved format.

Review of Forms

- When the Stylistics subcommittee has completed its review of a form, it will be submitted to the full committee for consideration.

- The committee will make a final decision on a form-by-form basis whether any other groups should have input on the forms.
- If the Stylistics subcommittee determines that a form involves minor changes, the subcommittee may submit the form to the committee for approval of the minor changes via electronic voting. Electronic voting will be done in such a way that objections can be seen by other committee members. If there is not consensus for approval of a form via electronic voting, the item will be brought before the committee for discussion.

Priorities for Form Review

The following are the priorities of the forms committee, in order:

1. Forms that must be amended or created because of changes in the law.
2. Forms that contain a mistake.
3. Forms that fall within one of the LPP practice areas. (Code of Judicial Administration Rule 14-802(c))
4. Forms submitted or requested by one of the boards of judges.
5. Other forms decided on a case by case basis. Requests will be evaluated on criteria including:
 - access to justice principles,
 - the mission of the courts (to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law),
 - the number of people who are or would be impacted by a form, and
 - fixing a flaw in a court process.

Final Approval of Forms

- The full committee has final approval of forms except:
 - LPP forms, which must be approved by the Judicial Council. (Code of Judicial Administration Rule 14-802(c))
 - The committee may submit a form to the Judicial Council for other reasons, such as asking to make a form mandatory.
- After a form has been approved, a form number is assigned, and the approval or revision date is added. The form is posted on the courts' website (and added to OCAP) unless it is an internal use form or a form generated by CORIS or CARE.

Forms Translation

- The subcommittees can recommend to the full committee which forms should be translated and the languages into which they should be translated.
- The committee will make a final decision about which forms should be translated.
- The committee will send the completed and approved forms to the Language Access Program Coordinator to be translated. Once translated the forms will

be distributed as appropriate.

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.)		

_____ 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 _____

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 [] has [] has not 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 [] ha [] no ha 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 If you want the court to consider your evidence:</p> <ul style="list-style-type: none"> • if your case is before a commissioner you must file your evidence 14 days before the hearing; • if your case is not before a commissioner you must file your evidence 14 days after the motion was filed. <p>If you bring evidence on the day of the hearing, the court may not consider the evidence, continue the hearing and impose fees.</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</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</p>

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

Finding help

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

Discapacidad

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

Cómo encontrar ayuda legal

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

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

Date

Signature ►

Judge

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.)		

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 _____

<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).

- ☐ 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 Respondent, Attorney or Licensed Paralegal Practitioner Signature ► _____

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 _____

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 Order</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
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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.

_____	Signature ►	_____
Date	Commissioner	_____

_____	Signature ►	_____
Date	Judge	_____

Approved as to form.

_____	Signature ►	_____
-------	-------------	-------

Date Petitioner, Attorney or Licensed Paralegal
Practitioner _____

Date Respondent, Attorney or Licensed Paralegal
Practitioner _____

Signature ► _____

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 _____

<p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p>	<p>Order on Motion to Enforce Writ of Garnishment</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
---	--

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 Petitioner, Attorney or Licensed Paralegal
 Signature ►
 Practitioner

Date Respondent, Attorney or Licensed Paralegal
 Signature ►
 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 _____

In the [] District [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff v. Defendant	Statement of Defendant in Support of Guilty Plea and Certificate of Counsel (Utah Rule of Criminal Procedure 11) Case Number _____ Judge _____
--------------------------------------	--

I understand the following facts and rights.

1. Receipt of 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 in prison, up to \$10,000 +90% surcharge</div> <div><input type="checkbox"/> F3 0-5 years in prison, up to \$5,000 +90% surcharge</div> <div><input type="checkbox"/> MA 0-364 days in jail, up to \$2,500 +90% surcharge</div> <div><input type="checkbox"/> MB 0-180 days in jail, up to \$1,000 +90% surcharge</div> <div><input type="checkbox"/> MC 0-90 days in jail, up to \$750 +90% surcharge</div> <div><input type="checkbox"/> Infraction up to \$750 fine +90% surcharge</div> <div><input type="checkbox"/> Sentencing enhancement, minimum mandatory provision (if any):</div> <div><input type="checkbox"/> Firearm restrictions (see paragraph 11 below)</div>

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 in prison, up to \$10,000 +90% surcharge <input type="checkbox"/> F3 0-5 years in prison, up to \$5,000 +90% surcharge <input type="checkbox"/> MA 0-364 days in jail, up to \$2,500 +90% surcharge <input type="checkbox"/> MB 0-180 days in jail, up to \$1,000 +90% surcharge <input type="checkbox"/> MC 0-90 days in jail, up to \$750 +90% surcharge <input type="checkbox"/> Infraction up to \$750 fine +90% surcharge <input type="checkbox"/> Sentencing enhancement, minimum mandatory provision (if any): <input type="checkbox"/> Firearm restrictions (see paragraph 11 below)

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 in prison, up to \$10,000 +90% surcharge <input type="checkbox"/> F3 0-5 years in prison, up to \$5,000 +90% surcharge <input type="checkbox"/> MA 0-364 days in jail, up to \$2,500 +90% surcharge <input type="checkbox"/> MB 0-180 days in jail, up to \$1,000 +90% surcharge <input type="checkbox"/> MC 0-90 days in jail, up to \$750 +90% surcharge <input type="checkbox"/> Infraction up to \$750 fine +90% surcharge <input type="checkbox"/> Sentencing enhancement, minimum mandatory provision (if any): <input type="checkbox"/> Firearm restrictions (see paragraph 11 below)

(Attach additional sheets if necessary.)

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 some or all of 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 maybe 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 (permanent exclusion). If I return without legal authorization I could face federal charges for illegal re-entry.

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

11. ☐ Firearm restrictions

My attorney or the prosecuting attorney has informed me that:

- conviction of the charge(s) noted above will classify me as a restricted person;
- a restricted person may not possess a firearm; and
- if I enter a plea to the criminal charges against me there will be additional criminal charges and penalties if I possess a firearm. The potential penalties will be:
 - ☐ charges for a second degree felony: 1-15 years in prison, up to \$10,000 +90% surcharge
 - ☐ charges for a third degree felony: 0-5 years in prison, up to \$5,000 +90% surcharge

I acknowledge and understand that, by pleading guilty or no contest to the criminal charge(s) I:

- will be a restricted person;
- upon conviction, will forfeit possession of each firearm that I currently possess;
- will be in violation of federal and state law if I possess a firearm.

12. Other consequences

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

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

13. 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).

Date

Signature ► _____

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.

Date

Signature ► _____

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.

Date

Signature ► _____

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	

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff	Acknowledgment of Firearm Restriction (Utah Code 76-10-503.1)	
v.		Case Number _____
Defendant		Judge _____

I acknowledge and understand that:

1. Firearm restriction as a result of a conviction from entering a plea.

If my conviction is the result of a guilty or no contest plea, I acknowledge that before entering my plea my attorney or the prosecuting attorney informed me that:

- a conviction in this case will classify me as a restricted person;
- as a restricted person, I may not possess a firearm. This means I cannot purchase, transfer, or own a firearm. I cannot have a firearm in my physical possession, own a firearm, or be perceived by others to own a firearm, and I cannot exercise control over a firearm;
- there will be additional criminal charges and penalties if I possess a firearm, which include:

(For a Category I restricted person)

[] charges for a second degree felony: 1-15 years in prison, up to \$10,000 +90% surcharge

(For a Category II restricted person)

[] charges for a third degree felony: 0-5 years in prison, up to \$5,000 +90% surcharge

I acknowledge and understand that, by pleading guilty or no contest:

- I will be a restricted person;

- upon conviction, I must forfeit possession of each firearm I possess; and
- I will be in violation of federal and state law if I possess a firearm.

2. Firearm restriction as a result of a conviction from trial.

If my conviction is the result of being found guilty at trial, I acknowledge that my attorney, the prosecuting attorney, or the court verbally informed me that:

- I am now a restricted person;
- as a restricted person, I may not possess a firearm. This means I cannot purchase, transfer, or own a firearm. I cannot have a firearm in my physical possession, own a firearm, or be perceived by others to own a firearm, and I cannot exercise control over a firearm;
- there will be additional criminal charges and penalties if I possess a firearm, which include:

(For a Category I restricted person)

- ☐ charges for a second degree felony: 1-15 years in prison, up to \$10,000 +90% surcharge

(For a Category II restricted person)

- ☐ charges for a third degree felony: 0-5 years in prison, up to \$5,000 +90% surcharge

I acknowledge and understand that:

- I am now a restricted person;
- I must forfeit possession of each firearm that I currently possess; and
- I will be in violation of federal and state law if I possess a firearm.

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

Name

Address

City, State, Zip

Phone

Email

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

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of

Petitioner

**Petition and Application for
Authorization to Marry**
(Utah Code 30-1-8(2) and 30-1-9(3))

Case Number

Judge

Certification of County Clerk

I certify:

1. Petitioner is _____ years of age.
2. Petitioner's birth date is: _____.
3. Petitioner's proposed spouse's birth date is: _____.
4. Petitioner has parental consent to marry. Petitioner has demonstrated parental consent by providing (choose one):
 - ☐ signed consent from a parent who is not divorced from the other parent and where another guardian or custodian has not been given custody of the minor.
 - ☐ consent given under oath or affirmation which states that although the parents of the minor applicant are divorced, the consenting parent has sole legal custody of the minor applicant.
 - ☐ consent given under oath or affirmation which states that although the

parents of the minor applicant are divorced the parents have been awarded joint legal custody of the minor applicant and the consenting parent has been awarded physical custody for the majority of the time.

- ☐ consent given under oath or affirmation which states that although the minor is not in the custody of a parent, the consenting party is not a parent but has been appointed as legal guardian, which was demonstrated by providing proof of the guardianship.

☐ Other (explain): _____.

5. Petitioner, the proposed spouse, and the minor's parent or legal guardian has provided documentation to support the information contained in this form.

County Clerk

Notice to Petitioner

- Your marriage license cannot be issued until the court approves the petition. This process can take **some** time.
- You and your proposed spouse will be required to complete premarital counseling unless otherwise decided by the court.
- The court will schedule a hearing. You must attend with your parent.
- There is a filing fee for this petition.

Declaration of Parent or Legal Guardian

1. I am related to the petitioner (choose one):

☐ I am the petitioner's parent. I am not divorced from the other parent. No other guardian or custodian has been given custody of the petitioner.

☐ I am the petitioner's parent. I am divorced from the petitioner's other parent. I have sole legal custody of the petitioner.

☐ I am the petitioner's parent. I am divorced from the petitioner's other parent. I have joint legal custody of the petitioner, but I have physical custody of them.

☐ I am the petitioner's legal guardian.

☐ Other (explain): _____.

2. I agree to this marriage.

3. I understand that if I knowingly agree to or allow a minor child to enter into a marriage prohibited by law I am guilty of a third degree felony.

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 _____

Petition and Application

1. I am the petitioner. Below is the required information for my proposed spouse and me.

	Petitioner	Proposed spouse
Full name (including maiden or bachelor name)		
Social security number:		
Current address:		
Date and place of birth (including town, or city, county, state, or country):		
Name of parents (including mother's maiden name)		
Birthplaces of parents (including town or city, county, state or country):		

2. The difference between my proposed spouse's age and my age is
[] less than seven years.
[] seven years or more.
3. My proposed spouse or I reside in this county.
4. I ask for authorization to marry _____.

5. I make this request to marry voluntarily of my own free will and not as a result of any threat, promise or payment.

6. I have known my proposed spouse since: _____ (date).

7. The details of how I met my proposed spouse are:

8. I want to marry my proposed spouse because:

Minor

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	_____

Proposed spouse

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	_____

Petitioner's Name

Address (may be omitted for privacy)

City, State, ZIP

Telephone (may be omitted)

IN THE _____ DISTRICT JUVENILE COURT
_____ COUNTY, STATE OF UTAH

_____ Petitioner, vs. _____ Respondent	EX PARTE CHILD PROTECTIVE ORDER Case No. _____ Judge _____
--	---

NOTICE TO RESPONDENT:

YOU CAN BE ARRESTED FOR VIOLATING THIS ORDER EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. ONLY THE COURT CAN CHANGE THE ORDER. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER.

The court having found that Petitioner is a person interested in the minor children on whose behalf the Petition was brought, that Petitioner first made a referral to the Division of Child and Family Services, and that the Court has jurisdiction over this matter, has reviewed Petitioner's Verified Petition for Child Protective Order, from which it appears that the children named below

- ☐ are being abused or are in imminent danger of being abused.
- ☐ have been abused by someone who is not the child's parent, stepparent, guardian, or custodian.

Pending further hearing in this matter,

PURSUANT TO UTAH CODE SECTION 78B-7-202, THE PETITIONER IS GRANTED AN
EX PARTE CHILD PROTECTIVE ORDER:
(The Judge shall initial each section that is included in this Order.)

- ☐ 1. The Respondent is restrained from attempting, committing, or threatening to commit abuse against the following child/ren and shall not stalk, harass, or threaten to use or attempt to use physical force that would reasonably be expected to cause physical injury to the child/ren:

Child's Name	Relationship to Respondent

- ☐ 2. Except as provided in the parent time section below, the Respondent is prohibited from harassing, telephoning, contacting, or otherwise communicating with the minor child/ren, in paragraph 1 directly or indirectly.

- ☐ 3. The Respondent shall be excluded and is ordered to stay away from the residence and its premises located at: _____
and any known subsequent residence of the minor child/ren, and Respondent is prohibited from terminating or interfering with the utility services to the residence.

- ☐ 4. The Respondent is ordered to stay away from:

☐ Child's school:

Child's name	School address (Street, City, State, ZIP)

- ☐ Respondent attends the same school as the children. Respondent is not ordered to stay away from this location, but the following restrictions apply when the respondent and the children are both there:

[] Child's place of worship:

Child's name	Address of place of worship (Street, City, State, ZIP)

[] Respondent attends the same place of worship as the children. Respondent is not ordered to stay away from this location, but the following restrictions apply when the respondent and the children are both there:

[] Child's work:

Child's name	Work address (Street, City, State, ZIP)

[] Respondent works at the same place as the children. Respondent is not ordered to stay away from this location, but the following restrictions apply when the respondent and the children are both there:

[] These places, which the child goes to often:

Child's name	Name of place and address (Street, City, State, ZIP)

[] 5. The Court having found that Respondent's use or possession of a weapon may pose a serious threat of harm to minor child/ren, the Respondent is prohibited from purchasing, using, or possessing a firearm or any of the following weapons:

[___] 6. The minor child/ren are awarded possession of the following essential personal effects:

This award is subject to subsequent orders concerning the listed property in future proceedings.

RESPONDENT'S VIOLATION OF "1" THROUGH "6" PROVISIONS OF THIS ORDER, IS A CLASS A MISDEMEANOR UNDER UTAH CODE SECTION 76-5-108. IF RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "6" OF THIS ORDER, IS A SECOND OR SUBSEQUENT DOMESTIC VIOLENCE OFFENSE, ENHANCED PENALTIES MAY BE IMPOSED UNDER UTAH CODE SECTIONS 77-36-1.1 AND 77-36-2.4.

THE COURT ORDERS THE FOLLOWING RELIEF IN THE CIVIL PORTION OF THIS EX PARTE PROTECTIVE ORDER:

(The civil portion is effective from the date and time served on the Respondent, until, after further hearing, the Respondent is served with a protective order, the protective order is denied, or this matter is dismissed).

Comment [NP1]: Is this necessary? Isn't this addressed in paragraph 21 below?

VIOLATIONS OR FAILURE TO COMPLY WITH THE CIVIL PORTION, LISTED BELOW, MAY SUBJECT A PERSON TO CONTEMPT PROCEEDINGS.

[___] 7. Temporary custody of the minor child/ren shall be as follows:

[___] 8. The Respondent shall have parent-time as follows:

- ☐ 9. The Respondent is restrained from using drugs and/or alcohol prior to or during parent-time.
- ☐ 10. The Respondent is restrained from removing the minor child/ren from the state of Utah.
- ☐ 11. Support is ordered in accordance with Title 78B, Chapter 12, Utah Child Support Act.
- ☐ 12. The Division of Child and Family Services shall provide information to the Court as to the status of Petitioner's referral.
- ☐ 13. A guardian ad litem is appointed to represent the best interests of the minor child/ren.
- ☐ 14. Law enforcement agencies with jurisdiction over the protected locations are hereby directed and authorized to render any necessary assistance to the above-named petitioner in retrieving the child/ren named in this Ex-Parte Protective Order and give physical custody of said child/ren _____ to the petitioner. Such action includes, but is not limited to, obtaining access to the child/ren through locked doors and gates and restraining any persons who may attempt to prevent the removal of said child/ren.
- ☐ 15. Law enforcement agencies with jurisdiction over the protected locations shall accompany the minor child/ren to ensure that they safely regain possession of the awarded property.
- ☐ 16. Law enforcement agencies with jurisdiction over the protected locations shall facilitate Respondent's removal of Respondent's essential personal belongings from the parties' residence. The law enforcement officer shall contact Petitioner to make these arrangements. Respondent may not contact the Petitioner or enter the residence to obtain any item.
- ☐ 17. Law enforcement agencies with jurisdiction over the protected locations shall have authority to compel Respondent's compliance with this Order, including the authority to forcibly evict and restrain Respondent from the protected areas. Information to assist with identification of the Respondent is attached to this Order.
- ☐ 18. The Respondent is ordered to bring proof of current income to the hearing. The proof should include year-to-date pay stubs or employer statements, and complete tax returns for the most recent year.
- ☐ 19. Other: _____

[] 20. (IN FOSTER CARE CASES ONLY) Remaining in the home would be contrary to the welfare of the child and it is in the best interest of the child to be removed from the home and placed in foster care. The Court makes this determination based on the evidence presented in the petition for an ex parte protective order, specifically:

21. Unless otherwise modified by the court, this Order is effective from the date and time served on Respondent, until, after further hearing in this matter, the Respondent is served with a Child Protective Order or a Child Protective Order is denied.

22. The Respondent is ordered to appear at a hearing which will be held at the date and time below, which is when this order will expire on:

Date:

Time:

Room:

Address:

DATED: _____ TIME: _____

BY THE COURT:

JUVENILE COURT JUDGE

Ex Parte Child Protective Order–Notice to Petitioner

Petitioner may provide a copy of this order to the children's school principal. (Utah Code 78B-7-105(2)(b)(ii))

Petitioner may enforce a court order if respondent violates or fails to comply with provision(s) of this order.

If the respondent fails to return custody of a minor child to the petitioner as ordered, the petitioner can get a writ of assistance from the court (Utah Code 78B-7-105(2)(b)(iii))

Each party is entitled to have an attorney present at the hearing(s).

YOU CANNOT WAIVE, ALTER, IGNORE, OR DISMISS THIS ORDER WITHOUT FURTHER COURT ACTION. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THIS ORDER.

Protective Order

(Utah Code 78B-7-603)

Case Number: _____ District: _____

County: _____ State: Utah

Judge: _____

Commissioner: _____

Petitioner (protected person):

First Name

Middle

Last

Address and phone # (to keep private, leave blank):

Street

City --- State --- Zip

Phone #

Petitioner's date of birth: _____

Petitioner's attorney (if any): _____ Phone # _____

Other people protected by this order

Name

Age

**Relationship to
Petitioner**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Respondent

(person Petitioner is protected from):

First Name

Middle

Last

Other Names Used _____

Relationship to Petitioner: _____

Address (street): _____

City --- State --- Zip

Describe Respondent

Sex

Race

Date of Birth

Ht.

Wt.

Eyes

Hair

Social Security #

(only the last 4 numbers)

Distinguishing features (like scars, tattoos, limp, etc.)

Driver's license issued by (State): _____ Expires: _____

Phone Number: _____

Warning! ☐ Weapon involved (Box to be initialed by Court, if applicable)

There was a hearing on (date): _____. The Respondent was given notice and an opportunity to be heard in the hearing that gave rise to this order. The following people were present at the hearing:

☐ Petitioner ☐ Petitioner's attorney (name): _____

☐ Respondent ☐ Respondent's attorney (name): _____

☐ Other (name) _____

The Court reviewed the *Request for Protective Order* and ☐ received argument and evidence, ☐ accepted the stipulation of the parties, ☐ entered the default of the Respondent for failure to appear,

finds that domestic violence or abuse has occurred or there is substantial likelihood of abuse or domestic violence by the Respondent, [] finds that a minor child witnessed the abuse or domestic violence, and makes the orders initialed below.

[] The petitioner is an intimate partner of the respondent.

The term "intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person. 18 USC Sec. 921 (a)(32).

[] The party to be protected is the child of an intimate partner to the respondent.

[] Mutual Protective Order (Utah Code 78B-7-108)

The court is entering a mutual protective order because:

- each party filed an independent petition against the other for a protective order and both petitions are served
- each party has made a showing at a due process protective order hearing because of abuse or domestic violence committed by the other party; and
- each party demonstrates the abuse or domestic violence did not occur in self-defense.

Warnings:

- This is a court order. No one except the court can change it. If you do not obey this order, you can be arrested, fined, and face other charges.
- This order is valid in all U.S. states and territories, the District of Columbia, and tribal lands. If you go to another U.S. state, territory or tribal land to violate this order, a federal judge can send you to prison.
- **No guns or firearms!** (See paragraph 5.)

Violence Against Women Act of 1994, 18 U.S.C. Sec. 2265, 2262, 18 U.S.C. 922(g)(8)

Respondent must obey all provisions initialed below.

Criminal orders (you can be arrested for violating these)

If you (respondent) violate orders 1-6 it is a criminal Class A Misdemeanor, punishable by up to 364 days in jail and a fine. A second or subsequent violation can result in more severe penalties.

- 1 [] **Personal Conduct Order** -- Do not commit, try to commit or threaten to commit any form of violence against the Petitioner or any person listed on the first page of this form. This includes stalking, harassing, threatening, physically hurting, or causing any other form of abuse.
- 2 [] **No Contact Order** -- Do not contact, phone, mail, e-mail, or communicate in any way with the Petitioner and the people listed on the first page of this order either directly or indirectly except as allowed by the parent-time provisions of this order.
- 3 [] **Contact during Mediation** -- You are allowed to have contact with the Petitioner **only** during mediation sessions for your divorce or custody case that are scheduled with a Court Qualified Mediator.

4 [] Stay Away Order

- [] a. Stay at least _____ (distance) from the Petitioner.
- [] b. Stay away from Petitioner's
- Home: _____ (address)
- Work : _____ (address)
- School: _____ (address)
- Place of worship: _____ (address)
- [] c. Must comply with the following restrictions while at Respondent's and Petitioner's
- Work : _____ (address)
- _____
- _____
- School: _____ (address)
- _____
- _____
- Place of worship: _____ (address)
- _____
- _____
- [] d. Stay away from the people listed on the first page of this form at their:
- Home: _____ (address)
- Work : _____ (address)
- The respondent [] does [] does not work at the same place as the people listed on the first page of this form.
- School: _____ (address)
- The respondent [] does [] does not go to the same school as the people listed on the first page of this form.
- Place of worship: _____ (address)
- The respondent [] does [] does not attend the same place of worship as the people listed on the first page of this form.
- [] e. Must comply with the following restrictions while at Respondent's and the people listed on the first page of this form's:
- Work : _____ (address)
- _____
- _____
- School: _____ (address)
- _____

Place of worship: _____ (address)

☐ f. Other (specify): _____

- 5 ☐ **No Guns or Other Weapons** -- The Court finds that your use or possession of a weapon poses a serious threat of harm to the Petitioner. You cannot possess, have, or buy a gun or firearm or any of these weapons: _____

Warning! *If a final protective order is issued against you after the hearing, you will then become subject to the federal law making it a crime to possess, transport, ship or receive any firearm or ammunition, including a hunting weapon.*

- 6 ☐ **Property Orders** -- Until further court order, Only the Petitioner can use, control and possess the following property and things, but cannot dispose of this property without court approval:

☐ a. Home at (address):

☐ b. Car, truck or other property (describe):

Civil orders (you can be in held contempt of court for violating these)

If you (respondent) violate orders 7-13, you will be in contempt of court and may be punished with jail time and fines.

- 7 ☐ **Property Orders**

☐ You cannot interfere with or change Petitioner's phone, utility or other services.

☐ You must maintain Petitioner's existing wireless phone contracts or accounts.

- 8 ☐ **Transfer Wireless Phone Number(s)**

You must transfer the Petitioner's current wireless phone number(s) to a new account of their choice.

The court will issue a separate order to the wireless service provider to transfer Petitioner's wireless phone number(s) to a new account.

- 9 ☐ **Child Custody & Parent-time Orders --**

☐ The Petitioner (the person asking for protection)

☐ _____ (name)

will have temporary custody of the minor children of the parties listed below. The person with custody may give a copy of this order to the principal or director of the child's school or daycare. If you do not obey the custody and parent-time orders listed here, the person with

custody may ask for the court's help (such as an order to show cause for contempt):

You will have parent-time as follows:

If there is a "No Contact" order, you can communicate with the Petitioner or person with custody only about parent-time matters through:

10 [] No Alcohol or Illegal Drugs -- Do not use alcohol or illegal drugs before or during visitation.

11 [] No Travel with Children -- Do not take the children listed above out of Utah.

12 [] Child Support, Spousal Support and other Expenses -- The Respondent will:

- ☐ a. Pay \$ _____ / month in child support.
- ☐ b. Have child support withheld from the Respondent's earnings. (*Utah Code 62A-11, Parts 4 and 5*)
- ☐ c. Pay \$ _____ / month in spousal support.
- ☐ d. Pay 50% of the minor children's childcare expenses.
- ☐ e. Pay 50% of the minor children's medical expenses, including premiums, deductibles and co-payments.
- ☐ f. Pay \$ _____ for the minor children's medical expenses related to the abuse and
\$ _____ for the Petitioner's medical expenses related to the abuse.

13 [] Other Assistance Needed (*List below any other orders needed to protect you and other protected people listed on page 1 of this form*): _____

Orders to Agencies

14 [] Law Enforcement to Assist A law enforcement officer from: _____

will enforce the orders checked below:

- ☐ a. Help the Petitioner gain and keep control over home, car or other personal belongings.
- ☐ b. Help the Petitioner obtain custody of the children.
- ☐ c. Help the [] Respondent or [] Petitioner remove essential personal belongings from the home.

“Essential personal belongings” means daily use items, such as clothing, medications, jewelry, toiletries, financial or personal records solely in one person’s name, or items needed to work at a job or go to school.

Warning to the Respondent: Do not go into the home or other protected places without the officer.. Law enforcement can evict you or keep you away from protected places, if needed.

15 [] Investigate Possible Child Abuse -- This matter will be referred to the Division of Child and Family Services for review and possible investigation of child abuse.

Respondent was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1796, 18 U.S.C. Sec. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States territories. This order complies with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act. (Utah Code 78B-7-105.5(4)).

<p>Paragraphs 1-6 of this protective order expires in three years, on</p> <p>_____ (date)</p> <p>(Utah Code 78B-7-606)</p>
<p>Paragraphs 7-13 of this protective order expire in 150 days, on</p> <p>_____ (date)</p> <p>(Utah Code 78B-7-606)</p> <p>The court could extend the expiration date for paragraphs 7-13.</p>

Notice to petitioner

The court may amend or dismiss a protective order after one year if it finds that the basis for the issuance of the protective order no longer exists and the petitioner has repeatedly acted in contravention of the protective order provisions to intentionally or knowingly induce the respondent to violate the protective order, demonstrating to the court that the petitioner no longer has a reasonable fear of the respondent. (Utah Code 78B-7-105(6)(c)).

The respondent can ask to dismiss the **criminal provisions** of this protective order **within two years** of the date the order is issued, but only if the petitioner agrees to the dismissal. (Utah Code 78B-7-603(10)).

If you receive services from the Office of Recovery Services (ORS) and want to keep your address confidential, you must give ORS a copy of your current Protective Order.

— The Court fills out below —

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

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

— The Respondent fills out below —

By signing here, the Respondent approves the form, and accepts service of this Protective Order and waives the right to be personally served.

Respondent's Address

_____	_____	_____	_____
Street	City	State	Zip

Respondent's Signature _____

Parent-time will be equal between the parties. «**res_name**» will have parent-time starting Monday morning and ending Wednesday morning. «**pet_name**» will have parent-time starting Wednesday morning and ending Friday morning. Each parent will alternate weekends having parent-time starting Friday morning and ending Monday morning. Transfers for parent-time will take place at the time the child's school begins or if school is not in session at 9:00 a.m., if the parent picking up the child is to be available with the children during the day.

The chart below shows how this schedule will function.

	« pet_name » overnights	« res_name » overnights
Week 1 Weeknights	Monday Night Tuesday Night	Wednesday Night Thursday Night
Week 1 Weekend Nights	Friday Night Saturday Night Sunday Night	
Week 2 Weeknights	Monday Night Tuesday Night	Wednesday Night Thursday Night
Week 2 Weekend Nights		Friday Night Saturday Night Sunday Night
The schedule then repeats.		

Each year, a parent may choose two consecutive weeks to exercise uninterrupted parent-time during the summer when school is not in session. A parent will choose at least 30 days before the day on which the chosen two-week period begins. In even numbered years, «**pet_name**» may choose at any time and «**res_name**» may choose after May 1. In odd numbered years, «**res_name**» may choose at any time and the «**pet_name**» may choose after May 1. The two consecutive weeks override all holidays except for Mother's Day and Father's Day.

Name

Address

City, State, Zip

Phone

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

Email

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 _____

	Motion for Temporary Order – With Children
	<input type="checkbox"/> Hearing Requested
Petitioner	_____
v.	Case Number _____
Respondent	Judge _____
	Commissioner _____

I ask the court to enter temporary orders in the paragraphs I have marked below.

1. ☐ **Children** (including only unborn, minor and adult incapacitated children)

The petitioner and the respondent are the parents of the following children: (Add additional pages if needed.)

Child's name (first, middle and last)	Month and year of birth	Type of child
Example: Jennie Eliza Jones	January 2017	<input type="checkbox"/> Unborn <input checked="" type="checkbox"/> Minor <input type="checkbox"/> Adult incapacitated
		<input type="checkbox"/> Unborn <input type="checkbox"/> Minor <input type="checkbox"/> Adult incapacitated
		<input type="checkbox"/> Unborn <input type="checkbox"/> Minor <input type="checkbox"/> Adult incapacitated
		<input type="checkbox"/> Unborn <input type="checkbox"/> Minor <input type="checkbox"/> Adult incapacitated
		<input type="checkbox"/> Unborn <input type="checkbox"/> Minor <input type="checkbox"/> Adult incapacitated
		<input type="checkbox"/> Unborn <input type="checkbox"/> Minor <input type="checkbox"/> Adult incapacitated

The children have lived at the addresses listed below and with the persons listed below for the past five years: (Add additional pages if needed.)

Child's name	Address (street, city, state, ZIP)	Dates child lived at this address	Name(s) of person(s) who lived with child at this address	Relationship(s) to child
Example: Jennie Jones	123 Maple St Mayberry, UT 84444	5/15/15 to present	Jane Doe, John Jones	Mother, maternal grandfather

2. ☐ Child custody

All orders involving children will include two types of custody: physical custody and legal custody.

Physical custody deals with where the children live and how many overnights the children spend with each parent.

Sole physical custody means that the children live primarily with one parent and have parent time (visitation) with the other parent (see parent-time options in Section 3).

Joint physical custody means that the children typically spend at least 30% of overnights with both parents each year and that both parents contribute to the expenses of the child in

addition to paying child support.

Split physical custody means that where there is more than one child, each parent is awarded sole physical custody of at least one of the children.

Legal custody deals with access to information and decision making.

Sole legal custody means that one parent has the right to make important decisions about the child.

Joint legal custody means that both parents: (1) have the right to information about the child (events, appointments, access to school and medical records, etc.); and (2) that both parents discuss and make major decisions together – (education, religion, medical, extra-curricular activities, etc.) but designate a parent to make the final decision if they cannot agree.

I ask the court to order temporary custody below (Choose one. If you ask for any joint legal custody or joint physical custody arrangement, you must file or attach a Parenting Plan based on Utah Code 30-3-10.7 to 30-3-10.10.):

☐ Custody arrangement: (Add additional pages if needed.)

Child's name	Month and year of birth	Order physical custody to	Order legal custody to
Example: Jennie Jones	January 2013	<input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal

☐ Other custody arrangement (Describe in detail.):

I ask the court to order the custody arrangement I have marked above because:

3. **[] Parent-time**

I ask the court to order temporary parent-time below (Choose one.):

☐ **Statutory parent-time schedule:** (Choose all that apply. You can find the Utah Code at le.utah.gov/xcode/code.html. Print and attach a copy of the statute(s) for the option(s) you choose.)

☐ Children under 5 (Utah Code 30-3-35.5)

☐ Children 5-18 (Utah Code 30-3-35)

☐ Children 5-18 (expanded schedule) (Utah Code 30-3-35.1)

☐ Children 5-18 (equal parent-time) (Utah Code 30-3-35.2)

☐ Parent-time described in the filed or attached Parenting Plan.

☐ Other parent-time schedule: (Describe in detail.)

I ask the court to order the parent-time schedule I chose above because:

Comment [NP1]: From SB 122

4. ☐ **Parent-time transfers**

I ask the court to order transfer (pick-up and drop-off) of the children for parent-time described below (Choose one.):

☐ Order transfer of the children for parent-time described in the filed or attached Parenting Plan.

☐ Order transfer at **beginning** of parent-time with

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

and transfer at **end** of parent-time with

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

☐ Order curbside transfers (The parent/person picking up or dropping off the children does not leave the vehicle and the other parent/person does not leave the residence).

☐ Other transfer arrangements (Describe in detail.):

I ask the court to order the transfer arrangement I chose above because:

5. ☐ **Communication between parties**

I ask the court to order communication between the parties as described below
(Choose as many options as you want.):

☐ In person

☐ Phone

Petitioner's # _____ Respondent's # _____

☐ Text

Petitioner's # _____ Respondent's # _____

☐ Email

Petitioner's email address _____

Respondent's email address _____

☐ Through a third party

Name _____ Phone # _____

☐ Other method of communication: (Describe in detail.)

☐ Communications between the parties must be civil and respectful and limited to parent-time issues only.

☐ The parties must not make negative or harmful remarks about each other in the presence of the children, must not allow other people to do so and must remove the children if anyone makes negative remarks about the other party.

☐ The parties must not discuss this case in the presence of the minor children, must not allow other people to do so and must remove the children if anyone discusses the case in the presence of the minor children.

☐ The parties must not harm or threaten to harm the other parent or the children and must not allow other people to do so and must remove the children if anyone harms or threatens harm to the other parent or children.

6. ☐ **Child support**

I ask the court to order child support based on the parties' incomes or estimate of income based on ability or work history.

- a. Petitioner's total countable gross monthly income for child support purposes is \$_____ (Utah Code 78B-12-203).

This income is from these sources:

_____.

- ☐ The court should consider petitioner's income to be \$_____ based on (Choose one.):

☐ minimum wage.

☐ historical earnings.

- ☐ Petitioner does receive or has received public assistance.

- b. Respondent's total countable gross monthly income for child support purposes is \$_____ (Utah Code 78B-12-203).

This income is from these sources:

_____.

- ☐ The court should consider respondent's income to be \$_____ based on (Choose one.):

☐ minimum wage.

☐ historical earnings.

- ☐ Respondent does receive or has received public assistance.

- c. Order ☐ petitioner ☐ respondent to pay \$_____ per month for child support. The following child support worksheet is filed or attached (Choose one.):

☐ sole physical custody worksheet

☐ joint physical custody worksheet

☐ split custody worksheet

(Choose one.)

☐ This amount is based on the Uniform Child Support Guidelines (Utah Code 78B-12-201 et seq.).

☐ This amount is **not** based on the Uniform Child Support Guidelines and I am asking for a different amount because (Choose one.):

☐ the guidelines are unjust.

☐ the guidelines are inappropriate.

☐ the guidelines amount is not in the best interest of the children.

(Utah Code 78B-12-202 and 210.)

Explain your choice:

_____.

d. Effective date (Choose one.):

☐ The child support is effective upon entry of this order.

OR

☐ The child support is effective as of this date: _____.

e. Child support will be paid as follows (Choose one.):

☐ Mandatory income withholding by the Office of Recovery Services. Unless the Office of Recovery Services gives notice that payments will be sent elsewhere, all child support payments must be made to: Office of Recovery Services, PO Box 45011, Salt Lake City, UT 84145

OR

☐ Direct payments to the parent receiving child support by:

☐ Check

☐ Deposit in bank account

☐ Cashier's check or money order

☐ Other: _____

I ask for direct payment because (Utah Code 62A-11-404):

f. I ask that child support payments be made (Choose one.):

☐ One-half on or before the 5th day of each month, and one-half on or before the 20th day of each month.

OR

☐ Other payment arrangement:

- g. Child support not paid on or before the due date is delinquent on the day after the due date.
- h. Child support arrearages will be determined by further judicial or administrative process. Any federal or state tax refund or rebate due to the non-custodial parent will be intercepted by the state of Utah and applied to child support arrearages.

7. ☐ **Child care expenses**

I ask the court to order that both parties share equally the reasonable child care expenses related to the custodial parent's work or occupational training.

The parent who pays child care expenses must **immediately** provide to the other parent written verification of the cost of the child care expenses and the identity of the child care provider when hired, within 30 calendar days after a change in the provider or the expense, and anytime upon the request of the other parent.

If the parent who pays child care expenses fails to provide written verification of child care above, that parent may be denied the right to recover or receive credit for the other parent's one-half share of the child care expense.

The other parent must begin paying one-half the child care amount on a monthly basis **immediately** after receiving proof from the parent that pays the child care expense.

☐ Other request for child care payment:

8. ☐ **Health insurance, medical and dental expenses**

Our minor children currently have health insurance coverage through:

- ☐ Petitioner's insurance
- ☐ Respondent's insurance

☐ Medicaid

☐ CHIP

☐ Other: _____

☐ Not covered by insurance

☐ I ask the court to order that ☐ petitioner ☐ respondent maintain health insurance for our minor children. Both parties must share equally:

- a. the cost of the premium paid by a parent for the children's portion of the insurance. The children's portion of the premium will be calculated by dividing the premium amount by the number of people covered by the policy and multiplying the result by the number of minor children of the parties; and
- b. all reasonable and necessary uninsured medical and dental expenses incurred for the children and paid by a parent, including deductibles and co-payments.

The parent ordered to maintain insurance must provide written verification of coverage to the other parent or the Office of Recovery Services when the children are first enrolled, on or before January 2nd of each calendar year and upon any change of insurance carrier, premium, or benefits within 30 calendar days after the date that parent knew or should have known of the change.

If the parent ordered to maintain insurance fails to provide written verification of coverage to the other parent or to the Office of Recovery Services, or if the parent incurring medical expenses fails to provide written verification of the cost and payment of the expenses to the other parent **within 30 days of payment**, that parent may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses.

The parent receiving written verification will reimburse the parent who incurred the medical or dental expenses one-half of the amount **within 30 days after receiving the written verification**.

I ask for this order because (Choose all that apply.):

☐ the insurance is available to ☐ petitioner ☐ respondent;

☐ the cost of the insurance is reasonable

☐ the custodial parent prefers this arrangement.

☐ Other reasons:

☐ I ask for these additional orders regarding health insurance and medical and dental expenses:

9. ☐ Pregnancy expenses

I ask the court to order that ☐ petitioner ☐ respondent pay 50% of my pregnancy expenses. These expenses were billed for services I received after I became pregnant and before the pregnancy ended. (You must attach all documents supporting the amounts you are requesting.)

☐ One-half of health insurance premiums not paid by an employer or government program \$ _____
from _____ to _____ (dates)

☐ One-half of medical costs related to the pregnancy not covered by insurance or government program \$ _____

10. ☐ Tax exemptions for dependent children

I ask the court to order tax exemptions for the dependent children for tax year _____, as follows:

Child's name	Month and year of birth	Parent who may claim exemption
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

☐ Other: _____

11. ☐ **Payment of bills and debts**

I ask the court to order payment of bills and debts (such as mortgage, rent, credit card, utilities, medical expenses, car payments, insurance, etc.) as follows (File or attach Financial Declaration. Add additional pages if needed.):

☐ Petitioner to pay:

Type of debt	Name of creditor	Last 4 digits of account no.	Total amount owed	Monthly amount owed
			\$	\$
			\$	\$
			\$	\$

☐ Respondent to pay:

Type of debt	Name of creditor	Last 4 digits of account no.	Total amount owed	Monthly amount owed
			\$	\$
			\$	\$
			\$	\$

The bills and debts should be paid as requested because:

12. ☐ **Property**

I ask the court to order the temporary use and possession of the following property (File or attach Financial Declaration. File or attach additional pages if needed.):

☐ To petitioner

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

☐ To respondent

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

☐ I ask the court to order that neither party sell, transfer or dispose of any property without a court order or written agreement signed by both parties.

I ask for this property order because:

13. ☐ **Temporary alimony** (Divorce cases only. (Utah Code 30-3-5(8)).)

I am unable to meet my own financial needs, and I ask the court to order temporary alimony as follows (File or attach Financial Declaration.):

☐ petitioner ☐ respondent shall pay to ☐ petitioner ☐ respondent temporary alimony in the amount of \$ _____ per month by:
(Choose one.):

☐ Check

☐ Deposit in bank account

☐ Cashier's check or money order

☐ Other: _____

☐ Petitioner ☐ Respondent needs temporary alimony because :

☐ Petitioner ☐ Respondent has the financial ability to pay temporary alimony because:

14. ☐ **Attorney fees**

I ask the court to order the other party to pay \$_____ to my attorney. (You can only ask for this if you are paying an attorney to represent you in this case. You must file or attach a Financial Declaration.)

I ask for attorney fees because:

15. ☐ **Other**

I ask the court for these additional orders:

I ask for these additional orders because:

16. Documents

I have filed or attached the following documents in support of this Motion for Temporary Order (Check all that apply. Forms can be found at www.utcourts.gov):

- ☐ Parenting Plan (Utah Code 30-3-10.7 to 30-3-10.10)
☐ Parent time Schedule (Utah Code 30-3-35; 30-3-35.5; 30-3-35.1)
☐ Child Support Obligation Worksheet (Utah Code 78B-12)
☐ Financial Declaration (Utah Rule of Civil Procedure 26.1)
☐ Income verification (Most recent tax return and pay stub)
☐ Other supporting documents: _____

Petitioner or Respondent

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

Signed at _____ (city, and state or country).

Date Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date Signature ► _____
Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion for Temporary Order – With Children on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date

Signature ►

Printed Name

Name

Address

City, State, Zip

Phone

Email

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

	Order on Motion for Temporary Order – With Children
Petitioner	Case Number _____
v.	Judge _____
Respondent	Commissioner (domestic cases) _____

The matter before the court is a Motion for Temporary 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 ☐ was not present
- ☐ was represented by _____

☐ was not represented.

Respondent

☐ was ☐ was not present

☐ was represented by _____

☐ was not represented.

The court orders:

1. ☐ **Child custody**

☐ Custody arrangement:

Child's name	Month and year of birth	Physical custody to	Legal custody to
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint physical	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Joint legal

☐ Other custody arrangement (Describe in detail.):

2. ☐ **Parent-time** (Choose one.):

☐ Statutory parent-time schedule:

☐ Children 5-18 (Utah Code 30-3-35)

☐ Children under 5 (Utah Code 30-3-35.5)

☐ Children 5-18 (expanded schedule) (Utah Code 30-3-35.1)

☒ Children 5-18 (equal parent-time) (Utah Code 30-3-35.2)

☐ Parent-time described in the filed or attached Parenting Plan.

☐ Other parent-time schedule: (Describe in detail.)

3. ☐ **Parent-time transfers** (Choose one.):

☐ Transfer of the children for parent-time described in the filed or attached Parenting Plan.

☐ Transfer at **beginning** of parent-time with

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

and transfer at **end** of parent-time with

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

☐ Curbside transfers (The parent/person picking up or dropping off the children does not leave the vehicle and the other parent/person does not leave the residence).

☐ Other transfer arrangements (Describe in detail.):

4. ☐ **Communication between parties** (Choose all that apply.):

☐ In person

☐ Phone

Petitioner's # _____ Respondent's # _____

☐ Text

Petitioner's # _____ Respondent's # _____

☐ Email

Petitioner's email address _____

Respondent's email address _____

☐ Through a third party

Name _____ Phone # _____

☐ Other method of communication: (Describe in detail.)

☐ Communications between the parties must be civil and respectful and limited to parent-time issues only.

☐ The parties must not make negative or harmful remarks about each other in the presence of the children, must not allow other people to do so and must remove the children if anyone makes negative remarks about the other party.

☐ The parties must not discuss this case in the presence of the children, must not allow other people to do so and must remove the children if anyone discusses the case in the presence of the children.

☐ The parties must not harm or threaten to harm the other parent or the children and must not allow other people to do so and must remove the children if anyone harms or threatens harm to the other parent or children.

5. ☐ **Child support**

- a. Petitioner's total countable gross monthly income for child support purposes is \$_____ (Utah Code 78B-12-203).
- ☐ Petitioner's income is imputed based on
- ☐ minimum wage.
- ☐ historical earnings.
- ☐ Petitioner does receive or has received public assistance.
- b. Respondent's total countable gross monthly income for child support purposes is \$_____ (Utah Code 78B-12-203).
- ☐ Respondent's income is imputed based on
- ☐ minimum wage.
- ☐ historical earnings.
- ☐ Respondent does receive or has received public assistance.
- c. ☐ Petitioner ☐ Respondent must pay \$_____ per month for child support. The following child support worksheet is attached (Choose one.):
- ☐ sole physical custody worksheet
- ☐ joint physical custody worksheet
- ☐ split custody worksheet
- (Choose one.)
- ☐ This amount is based on the Uniform Child Support Guidelines (Utah Code 78B-12-2).
- ☐ This amount deviates from the Uniform Child Support Guidelines. The court finds that a deviated child support amount is in the best interests of the ~~minor~~ children based on:
- ☐ the standard of living and situation of the parties.
- ☐ the relative wealth and income of the parties.
- ☐ the ability of the obligor to earn.
- ☐ the ability of the obligee to earn.
- ☐ the ability of an incapacitated adult child to earn, or other benefits received by the adult child or on the adult child's behalf including Supplemental Security Income.

- ☐ the needs of the obligee, the obligor, and the child.
- ☐ the ages of the parties.
- ☐ the responsibilities of the obligor and the obligee for the support of others.
- ☐ other. (Describe.):

The reason for the deviated child support amount is:

_____.

d. Effective date (Choose one.):

- ☐ The child support will be effective upon entry of this order.

OR

- ☐ The child support will be effective as of this date: _____.

e. Child support must be paid as follows (Choose one.):

- ☐ Mandatory income withholding by the Office of Recovery Services.
Unless the Office of Recovery Services gives notice that payments should be sent elsewhere, all child support payments must be made to: Office of Recovery Services, PO Box 45011, Salt Lake City, UT 84145

OR

- ☐ Direct payments to the parent receiving child support by:

- ☐ Check

- ☐ Deposit in bank account

- ☐ Cashier's check or money order

- ☐ Other: _____

f. Child support payments must be made (Choose one.):

- ☐ One-half on or before the 5th day of each month, and one-half on or before the 20th day of each month.

OR

☐ Other payment arrangement:

- g. Child support not paid on or before the due date is delinquent on the day after the due date.
- h. Child support arrearages will be determined by further judicial or administrative process. Any federal or state tax refund or rebate due to the non-custodial parent will be intercepted by the state of Utah and applied to child support arrearages.

6. ☐ **Child care expenses**

Both parties must share equally the reasonable child care expenses related to the custodial parent's work or occupational training.

The parent who pays child care expenses must **immediately** provide to the other parent written verification of the cost of the child care expenses and the identity of the child care provider when hired, within 30 calendar days after a change in the provider or the expense, and anytime upon the request of the other parent.

If the parent who pays child care expenses fails to provide written verification of child care above, that parent may be denied the right to recover or receive credit for the other parent's one-half share of the child care expense.

The other parent must begin paying one-half the child care amount on a monthly basis **immediately** after receiving proof from the parent that pays the child care expense.

☐ Other order for child care payment:

7. ☐ **Health insurance, medical and dental expenses**

The minor children currently have health insurance coverage through:

- ☐ Petitioner's insurance
- ☐ Respondent's insurance
- ☐ Medicaid
- ☐ CHIP

☐ Other: _____

☐ Not covered by insurance

☐ ☐ Petitioner ☐ Respondent must maintain health insurance for the minor children if it is available to that parent at a reasonable cost. Both parties must share equally:

- a. the cost of the premium paid by a parent for the children's portion of the insurance. The children's portion of the premium will be calculated by dividing the premium amount by the number of people covered by the policy and multiplying the result by the number of minor children of the parties; and
- b. all reasonable and necessary uninsured medical and dental expenses incurred for the children and paid by a parent, including deductibles and co-payments.

The parent ordered to maintain insurance must provide written verification of coverage to the other parent or the Office of Recovery Services when the children are first enrolled, on or before January 2nd of each calendar year and upon any change of insurance carrier, premium, or benefits within 30 calendar days after the date that parent knew or should have known of the change.

If the parent ordered to maintain insurance fails to provide written verification of coverage to the other parent or to the Office of Recovery Services, or if the parent incurring medical expenses fails to provide written verification of the cost and payment of the expenses to the other parent **within 30 days of payment**, that parent may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses.

The parent receiving written verification must reimburse the parent who incurred the medical or dental expenses one-half of the amount **within 30 days after receiving the written verification**.

8. ☐ **Tax exemptions for dependent children**

Tax exemptions for the dependent children for tax year _____ is ordered as follows:

Child's name	Month and year of birth	Parent who may claim exemption
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

☐ Other: _____

9. ☐ Pregnancy expenses

A judgment for pregnancy expenses in the amount of \$_____ is entered against (choose one):

☐ petitioner.

☐ respondent.

These expenses were billed for services received after the pregnancy began and before the pregnancy ended. This judgment will become part of the final order in this case.

10. ☐ Payment of bills and debts

☐ Petitioner must make at least minimum payments on:

Type of debt	Name of creditor	Last 4 digits of account no.	Total amount owed	Monthly amount owed
			\$	\$
			\$	\$
			\$	\$

☐ Respondent must make at least minimum payments on:

Type of debt	Name of creditor	Last 4 digits of account no.	Total amount owed	Monthly amount owed
			\$	\$
			\$	\$
			\$	\$

11. ☐ **Property**

Temporary use and possession of property will be as follows:

☐ To petitioner

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

☐ To respondent

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

☐ Neither party may sell, transfer or dispose of any property without a court order or written agreement signed by both parties.

12. ☐ **Temporary alimony** (Divorce cases only. (Utah Code 30-3-5(8)).)

☐ Petitioner ☐ Respondent must pay to ☐ petitioner ☐ respondent temporary alimony in the amount of \$ _____ per month by:

(Choose one.):

☐ Check

- ☐ Deposit in bank account
- ☐ Cashier's check or money order
- ☐ Other: _____

13. ☐ **Attorney fees**

☐ Petitioner ☐ Respondent must pay \$_____ to

☐ Petitioner's attorney

☐ Respondent's attorney

14. ☐ **Other orders**

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

	Signature ►	
Date	Commissioner	
	Signature ►	
Date	Judge	

Approved as to form.

	Signature ►	
Date	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 for Temporary Order – With Children on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Signature ►

Date

Printed Name

Name

Address

City, State, Zip

Phone

Email

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

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 _____

Petitioner

V.

Respondent

Parenting Plan

(Utah Code 30-3-10.7 through 30-3-10.10)

Case Number

Judge

Commissioner

Utah law requires the following:

- A joint physical custody arrangement may result in denial of cash assistance under the Employment Support Act, Title 35A, Chapter 3, of the Utah Code.
- The objectives of a parenting plan are to:
 - provide for the children's physical care and emotional stability;
 - provide for the children's changing needs in a way that minimizes the need to change the parenting plan;
 - minimize the children's exposure to conflict between the parents;
 - state the authority and responsibilities of each parent to the children;
 - encourage the parents to meet their responsibilities to their children through agreement rather than judicial decision; and

- protect the best interests of the children.
- Each parent must follow the parenting plan even if the other does not. If a parent does not follow the parenting plan, the court may find that parent in contempt of court.
- For further guidance, see Utah Code 30-3-33

This parenting plan is: (Choose all that apply.)

☐ agreed to by petitioner and respondent.

☐ proposed by ☐ petitioner ☐ respondent.

1. Family information

Petitioner

Name	
Street Address	
City, State, Zip	
Phone	
Email	

Respondent

Name	
Street Address	
City, State, Zip	
Phone	
Email	

Minor Children

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

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

2. **Parent-time** (Choose one.)

☐ The parents will follow the parent-time schedule in the statute(s).

The children will live with ☐ petitioner ☐ respondent and will have parent-time with the other parent according to the statutory parent-time schedule. That parent will be the "custodial" parent:

(You can find the Utah Code at le.utah.gov/xcode/code.html. Print and attach a copy of the statute(s) for the option(s) you choose.)

☐ Children under 5 (Utah Code 30-3-35.5)

☐ Children 5-18 (Utah Code 30-3-35)

☐ Children 5-18 (expanded schedule) (Utah Code 30-3-35.1)

☒ Children 5-18 (equal parent-time) (Utah Code 30-3-35.2)

For children 5-18 the parents choose the following.

Weekday parent-time will be on this day: (Choose one.)

☐ Monday

☐ Thursday

☐ Tuesday

☐ Friday

☐ Wednesday

If not specified, the weekday is Wednesday.

On school days parent-time starts: (Choose one.)

☐ at the standard time (5:30 p.m. on weekdays; 6:00 p.m. on weekends).

☐ when school is out.

On days when school is not in session parent-time starts: (Choose one.)

☐ at the standard time (5:30 p.m. on weekdays; 6 p.m. on weekends).

☐ at the morning time listed in the statute (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child:

- 9:00 a.m. (30-3-35).

- 8:00 a.m. (30-3-35.1).

☐ The parents will make our own parent-time schedule.

The children will live with ☐ petitioner ☐ respondent and will have parent-time with the other parent for the following days and times:

☐ The above choices do not fit this parenting plan. Instead, the parent-time schedule will be as follows:

3. **Parent-time for special occasions**

(Choose one.)

☐ The parents will follow the holiday schedule in the statute(s) for special occasions. The

☐ petitioner

☐ respondent

will be the custodial parent for purposes of the holiday.

☐ **On school days**, holiday parent-time starts: (Choose one.)

☐ at the time listed for the holiday.

☐ when school is out until 7:00 p.m. on the last day of the holiday weekend.

☐ **On days when school is not in session**, holiday parent-time starts: (Choose one.)

☐ at the time listed for the holiday

[] at approximately 9:00 a.m. on the first day of the holiday period until 7:00 p.m. on the last day of the holiday weekend (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child.

[] The parent-time schedule for special occasions is as described below. If a schedule for a special occasion is not described, the regular schedule applies.

(Describe the children's parent-time schedule as needed. For example, Thanksgiving: Even-numbered years with petitioner; odd-numbered years with respondent. From Wednesday at 6 p.m. to Friday at 6 p.m.)

Special Occasion	Parent-Time Schedule
Labor Day Weekend	
Columbus Day Weekend	
Fall School Break	
Halloween	
Veterans' Day	
Thanksgiving Break	
Winter School Break	
Christmas Eve	
Christmas Day	
New Year's Eve	
New Year's Day	
Dr. MLK, Jr. Day Weekend	
Presidents' Day Weekend	
Spring School Break	

Special Occasion	Parent-Time Schedule
Mother's Day	
Memorial Day Weekend	
Father's Day	
Summer School Break / Vacation	
Independence Day	
Pioneer Day	
Children's Birthdays	
Petitioner's Birthday	
Respondent's Birthday	
Other Religious Holiday	
Other Civic or School Holiday	
Other Special Occasion	
Other Special Occasion	

4. **Parent-time transfers**

Pick-up and drop-off ("transfers") of the children for parent-time will be as described below (Choose one.):

☐ Transfer at **beginning** of parent-time will be by:

☐ Petitioner

☐ Respondent

☐ Other adult _____ (name)

picking up/dropping off the children at this address:

and transfer at **end** of parent-time by:

- ☐ Petitioner
☐ Respondent
☐ Other adult _____ (name)

picking up/dropping off the children at this address:

☐ Curbside transfers (The parent/person picking up or dropping off the children does not leave the vehicle and the other parent/person does not leave the residence).

☐ Other pick-up/drop-off arrangement (Describe in detail.):

5. **Decision-making**

The following applies to the Parenting Plan:

- Each parent will make day-to-day decisions for the children during the time they are caring for the children.
- Either parent may make emergency decisions affecting the health or safety of the children. A parent who makes an emergency decision must share the decision with the other parent as soon as reasonably possible.

(Choose one.)

☐ **Joint decision-making.**

The parents will share responsibility for making major decisions about the children. If there is a disagreement, the parents will resolve the dispute as provided in the Resolving disputes section below.

Other:

☐ **Sole decision-making.**

The following parent will make decisions about:

Education

☐ Petitioner ☐ Respondent

Health care

☐ Petitioner ☐ Respondent

Religious upbringing

☐ Petitioner ☐ Respondent

Other:

6. Education plan

Location of school (Choose one.)

☐ The school the children will attend is based on:

☐ Petitioner's home residence

☐ Respondent's home residence

☐ Other specific plan for where the children will attend school:

School access

The following people have authority to check the children out of school:

☐ Petitioner

☐ Respondent

☐ Other _____ (name)

The following people have access to the children during school:

☐ Petitioner

☐ Respondent

☐ Other _____ (name)

Education decisions

If the parents cannot agree, education decisions will be made by:

- ☐ Petitioner
☐ Respondent

7. Communication with each other

Parents will communicate with each other: (Choose all that apply.)

- ☐ by any method
☐ in person
☐ by telephone
☐ by texting
☐ by letter
☐ by e-mail
☐ other (describe): _____

8. Communication with the children

The parents agree they will:

- provide age-appropriate help to the children to communicate with the other parent.
- give the children privacy during their communication with the other parent. The parents will not interfere with or monitor communication between the children and the other parent.

Parents and children may communicate with each other: (Choose all that apply.)

- ☐ Whenever the children choose.
☐ At any reasonable times (Specify.):
☐ weekends and holidays:
between _____ am/pm and _____ am/pm
☐ school days:
between _____ am/pm and _____ am/pm
☐ school vacation days:
between _____ am/pm and _____ am/pm

Parents may communicate with the children by following method: (Choose all that apply.)

- ☐ by any method
☐ in person

☐ by telephone

☐ parents will maintain voice mail so the children can leave and receive messages.

☐ by texting

☐ by letter

☐ by e-mail

☐ other (describe): _____

☐ Other terms about communication with the children:

9. Records and information sharing

(Choose all that apply.)

☐ Both parents will have access to records and the ability to consult with providers regarding education, child care, and health care.

☐ Other terms regarding records and information sharing:

10. Travel by the children

During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others.

☐ If the children will be travelling for more than _____ days, the parent arranging the travel will notify the other parent at least _____ days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least _____ days in advance. In case of emergency, the parent will provide as much notice as possible.

☐ Other agreements about travel by the children:

11. Military service by a parent

(Choose one.)

- ☐ One or both parents are servicemembers and a Military Parenting Plan is attached .
- ☐ Neither parent is a servicemember.

12. Child care

(Choose all that apply.)

- ☐ A child care provider for our children must be:
- ☐ a licensed child care provider.
 - ☐ a relative, friend or neighbor.
 - ☐ over the age of _____.
 - ☐ other qualifications: _____
- ☐ Other terms about child care:

13. Relocation of a parent

(Choose all that apply.)

- ☐ If either parent moves more than 149 miles from the other parent, Utah Code 30-3-37 will apply.
- ☐ Neither parent may relocate with the minor children more than ____ miles from their current residence without a written agreement signed by the parties or further court order.

☐ Other terms about relocating:

14. Changing the plan

This plan remains in effect until changed. A change must be agreed to by both of us and in the following manner:

☐ All changes must be in writing

☐ Major or permanent changes must be in writing, but minor or temporary changes can be made orally

☐ Other

15. Resolving disputes

If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children.

If the parents are unable to agree, they will go to the following before bringing the issue to the court (Choose all that apply.):

☐ mediation

☐ arbitration

☐ counseling

☐ Other agreements about resolving disputes:

16. ☐ **Other terms that are important to us or our children**

(Describe)

17. ☐ Additional parenting responsibilities, expectations or commitments:

18. This plan is made in good faith and is in the best interests of the children.

Petitioner

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 _____

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	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Parenting Plan on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Signature ► _____
 Date _____
 Printed Name _____

«IF emancipation_yes_no = FALSE»«SET PN1 TO "1"»

Name: «pet_name»

Address: «pet_street»

«pet_city» «pet_state» «pet_zip»

Phone: «pet_phone»

Email: «IF ANSWERED(pet_email)»«pet_email»«END IF»«IF NOT

Pro Se ANSWERED(pet_email)» «END IF»

IN THE «court_district» JUDICIAL DISTRICT COURT

OF «court_county_uc» COUNTY, STATE OF UTAH

«court_address»

<p>IN THE MATTER OF THE GUARDIANSHIP OF:</p> <p>«REPEAT Child Info Looping DI» «child_name[COUNTER]», under the age of 18.</p>	<p>VERIFIED PETITION FOR APPOINTMENT OF GUARDIAN OF A MINOR (Must complete Guardian Testing)</p> <p>Case No. _____</p> <p>Judge: _____</p>
--	---

«PN1». The court should appoint one or more guardians for each child as set out below. Each of the proposed guardians is genuinely interested in the physical, mental, moral, and emotional health needs of the minor(s).

«IF ANSWERED(guardianship_type) AND guardianship_type = "Full" AND
school_attendance_yes_no != TRUE»

«PN1». The following persons should be appointed as guardians over the following minors with full and complete guardianship.

«END IF»

«IF school_attendance_yes_no = TRUE»

«PN1». The following persons should be appointed guardian(s) over the above Minor(s) with authority for this guardianship limited to that necessary for the Ward(s) to enroll in and attend school.

«END IF»

«IF ANSWERED(guardianship_type) AND guardianship_type = “Limited” AND
school_attendance_yes_no != TRUE»

«PN1». The following persons should be appointed guardian(s) over the above Minor(s) as follows:

«END IF»

Child:

«REPEAT Child Info Looping DI»

«IF gua_pet_yes_no = TRUE»

«child_name[COUNTER]»

Guardian:

«pet_name»

Relation:

«pet_child_relation»«IF
pet_child_relation =
“Other”»
(«pcr_other»)«END IF»

«END IF»

«IF gua_gua_yes_no = TRUE»

«child_name[COUNTER]»

«REPEAT Guardian Looping
DI»«gua_name»

«gua_child_relation»«IF
gua_child_relation =
“Other”»
(«gcr_other»)«END IF»

«END IF»

«END REPEAT»

«PN1». The authority for this guardianship should be limited as follows:

«limitations_describe»

«PN1». Each of the minors currently resides or is present within «court_county» County.

«PN1». Notice of the time and place of hearing on this petition should be mailed to each of the following interested parties:

Name	Address	Relationship to Minor
«REPEAT Child Info Looping DI»	«IF mother_alive = “Dead”»	Mother
«PN2:abc». «mother»	Deceased	(«child_name[COUNTER]»)
	«ELSE»	
	«mother»	
	«mother_street»	
	«mother_city»,	
	«mother_state»	
	«mother_zip»	
	«END IF»	

«REPEAT Child Info Looping DI» «PN2:abc». «father»	«IF father_alive = “Dead”» Deceased «ELSE» «father» «father_street» «father_city», «father_state» «father_zip» «END IF»	Father («child_name[COUNTER]»)
«REPEAT Other Caregivers Looping DI» «PN2:abc». «ocg_name»	«ocg_name» «ocg_street» «ocg_city», «ocg_state» «ocg_zip»	Care Provider for 60 days prior to petition filing date
«END REPEAT» «REPEAT Other Party Looping DI» «PN2:abc». «oip_name»	«oip_name» «oip_street» «oip_city», «oip_state» «oip_zip»	Other Interested Party
«END REPEAT» «REPEAT Other Guardian Looping DI» «PN2:abc». «ogua_name»	«ogua_name» «ogua_street» «ogua_city», «ogua_state» «ogua_zip»	Guardian by will or Inst who did not accept appt.
«END REPEAT» «REPEAT Child Info Looping DI»«IF ANSWERED(child_school) AND child_school = TRUE» «PN2:abc». «sd_name»	«sd_name» «sd_street» «sd_city», «sd_state» «sd_zip»	Local School Dist. («child_name[COUNTER]»)
«END IF» «IF ANSWERED(child_school) AND child_school = FALSE» «PN2:abc».		Local School Dist. («child_name[COUNTER]»)
«END IF»«END REPEAT» «REPEAT Child Info Looping DI»«IF child_age >= 14» «PN2:abc».	«child_name[COUNTER]» «child_street» «child_city», «child_state» «child_zip»	Minor if 14 or older («child_name[COUNTER]»)
«ELSE»		

«PN2:abc».

Minor if 14 or older
(«child_name[COUNTER]»)

«END IF»«END REPEAT»

«PN1». The court should grant this request for guardianship because

<OPTION 1> each parent of the minor acknowledges that they understand the legal effect of the guardianship and consents.

<OPTION 2> all parental rights have been terminated. OR

<OPTION 3> each parent is unwilling or unable to exercise their parental rights.

Parental custody rights have been terminated or suspended by waiver of living parent(s),
circumstances, or prior court order (see submitted documentation).

«PN1». The Minors listed in this petition are not emancipated and do not currently have a guardian by instrument or appointment; nor are there any currently pending guardianship proceedings.

«REPEAT Child Info Looping DI»

«PN1». Minor «child_name[COUNTER]» was born on «child_dob» and at the time of the hearing will be «child_age» «age_years» old.

«END REPEAT»

«REPEAT Child Info Looping DI»

«PN1». The total value of the estate of Minor «child_name[COUNTER]» which will come into the possession of the guardian is \$«child_estate» (total taken from attached worksheet).

«END REPEAT»

WHEREFORE, «pet_name» requests:

«SET PN1 TO "1"»

«PN1». The Court fix a date and time for hearing on this petition.

«PN1». Notice to be given as required by Utah Code 75-5-207.

«IF bonding_yes_no = FALSE»

«PN1». The Court to appoint a guardian or guardians as requested in this petition.

«END IF»

«IF bonding_yes_no = TRUE»

«PN1». The Court to appoint a guardian or guardians as requested in this petition to serve with bond in the amount of \$«bonding_amount».

«END IF»

«PN1». Letters of Guardianship to be issued by the Court to the Guardian(s).

(This document must be dated and signed in front of Notary Public or Deputy Court Clerk)

Date _____ Sign here ► _____
«pet_name»

I certify that «pet_name», who is known to me or who presented satisfactory identification, has, while in my presence and while under oath or affirmation, voluntarily signed this document and declared that it is true.

Date _____ Sign here ► _____
Typed or printed name: _____
Clerk or Notary Public

«END IF»

«IF emancipation_yes_no = FALSE»«SET PN1 TO "1"»

Name: «pet_name»

Address: «pet_street»

«pet_city» «pet_state» «pet_zip»

Phone: «pet_phone»

Email: «IF ANSWERED(pet_email)»«pet_email»«END IF»«IF NOT

Pro Se ANSWERED(pet_email)» «END IF»

IN THE «court_district» JUDICIAL DISTRICT COURT

OF «court_county_uc» COUNTY, STATE OF UTAH

«court_address»

IN THE MATTER OF THE
GUARDIANSHIP OF:

«REPEAT Child Info Looping DI»
«child_name[COUNTER]»,
under the age of 18.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Case No. _____

Judge: _____

FINDINGS OF FACT

Upon consideration of the Petition for Appointment of Guardian of Minor filed by

«pet_name» on _____ (date) the Court finds, after hearing, that:

«PN1». Petitioner has petitioned the Court to appoint a qualified person as Guardian of the Minor named above, in accordance with Utah Code 75-5-206(1).

«PN1». Venue is proper because the Minor(s) resides or is present in «court_county» County in accordance with Utah Code 75-5-205.

«PN1». Notice of the hearing for Guardianship of Minor was mailed to all interested parties in accordance with Utah Code 75-1-401 and 75-5-207(1).

Name

Address

Relationship to Minor

«REPEAT Child Info Looping DI»

«PN2:abc». «mother»

«IF mother_alive = "Dead"»

Deceased

«ELSE»

Mother

(«child_name[COUNTER]»)

	«mother» «mother_street» «mother_city», «mother_state» «mother_zip» «END IF»	
«REPEAT Child Info Looping DI» «PN2:abc». «father»	«IF father_alive = “Dead”» Deceased «ELSE» «father» «father_street» «father_city», «father_state» «father_zip» «END IF»	Father («child_name[COUNTER]»)
«REPEAT Other Caregivers Looping DI» «PN2:abc». «ocg_name»	«ocg_name» «ocg_street» «ocg_city», «ocg_state» «ocg_zip»	Care Provider for 60 days prior to petition filing date
«END REPEAT» «REPEAT Other Party Looping DI» «PN2:abc». «oip_name»	«oip_name» «oip_street» «oip_city», «oip_state» «oip_zip»	Other Interested Party
«END REPEAT» «REPEAT Other Guardian Looping DI» «PN2:abc». «ogua_name»	«ogua_name» «ogua_street» «ogua_city», «ogua_state» «ogua_zip»	Guardian by will or Inst who did not accept appt.
«END REPEAT» «REPEAT Child Info Looping DI»«IF ANSWERED(child_school) AND child_school = TRUE» «PN2:abc». «sd_name»	«sd_name» «sd_street» «sd_city», «sd_state» «sd_zip»	Local School Dist. («child_name[COUNTER]»)
«END IF» «IF ANSWERED(child_school) AND child_school = FALSE»		

«PN2:abc».

Local School Dist.
(«child_name[COUNTER]»)

«END IF»«END REPEAT»

«REPEAT Child Info Looping DI»«IF child_age >= 14»

«PN2:abc».

«child_name[COUNTER]»

Minor if 14 or older
(«child_name[COUNTER]»)

«child_street»

«child_city», «child_state»

«child_zip»

«ELSE»

«PN2:abc».

Minor if 14 or older
(«child_name[COUNTER]»)

«END IF»«END REPEAT»

«PN1». <OPTION 1> each parent of the minor acknowledges that they understand the legal effect of the guardianship and consents.

<OPTION 2> all parental rights have been terminated.

<OPTION 3> each parent is unwilling or unable to exercise their parental rights.

All previous rights of custody have been terminated or suspended by consent of living parent(s), circumstances, or prior court order in accordance with Utah Code §75-5-204.

«PN1». Minor is not emancipated and does not currently have a Guardian by instrument or appointment; nor are there any currently pending guardianship proceedings.

«REPEAT Child Info Looping DI»

«PN1». Minor «child_name[COUNTER]» was born on «child_dob» and at the time of the hearing will be «child_age» «age_years» old.

«END REPEAT»

«REPEAT Child Info Looping DI»

«PN1». The total value of the estate of Minor «child_name[COUNTER]» which will come into the possession of the guardian is \$«child_estate» (total taken from attached worksheet).

«END REPEAT»

CONCLUSIONS OF LAW

Based upon the findings listed above, this Court concludes that:

«SET PN1 TO “1”»

«PN1». Pursuant to Utah Code 75-5-206, the welfare and best interests of the Minor will be served by the requested appointment of guardianship.

«IF ANSWERED(guardianship_type) AND guardianship_type = “Full” AND school_attendance_yes_no != TRUE»

«PN1». The following persons should be appointed as guardians over the following minors with full and complete guardianship.

«END IF»

«IF school_attendance_yes_no = TRUE»

«PN1». The following persons should be appointed guardian(s) over the above Minor(s) with authority for this guardianship limited to that necessary for the Ward(s) to enroll in and attend school.

«END IF»

«IF ANSWERED(guardianship_type) AND guardianship_type = “Limited” AND school_attendance_yes_no != TRUE»

«PN1». The following persons should be appointed guardian(s):

«END IF»

Child:	Guardian:	Relation:
«REPEAT Child Info Looping DI» «IF gua_pet_yes_no = TRUE» «child_name[COUNTER]»	«pet_name»	«pet_child_relation»«IF pet_child_relation = “Other”» («pcr_other»)«END IF»
«END IF» «IF gua_gua_yes_no = TRUE» «child_name[COUNTER]»	«REPEAT Guardian Looping DI»«gua_name»	«gua_child_relation»«IF gua_child_relation = “Other”» («gcr_other»)«END IF»
«END IF» «END REPEAT»		

«PN1». The authority for this guardianship should be limited as follows:

«limitations_describe»

«IF bonding_yes_no = FALSE»

«PN1». The Guardian(s) should be appointed without bond.

«END IF»

«IF bonding_yes_no = TRUE»

«PN1». The Guardian(s) should be appointed with bond in the amount of \$«bonding_amount».

«END IF»

Date: _____

District Court Judge

«END IF»

Name: **PAT PETITIONER**
Address: **asdl;fjk**
asdf UT 45987-9798
Phone: **(546) 545-649**
Email:
Pro Se

Online Court Assistance Program

IN THE FIFTH JUDICIAL DISTRICT COURT
OF BEAVER COUNTY, STATE OF UTAH
Beaver District Court, 2270 South 525 West, PO Box 1683, Beaver, UT 84713

IN THE MATTER OF THE
GUARDIANSHIP OF:

CHILDFIRST CHILDLAST,
under the age of 18.

**MOTHER'S CONSENT TO
APPOINTMENT OF GUARDIAN**

Case No. _____

Judge: _____

mmmmmmmmmm swears and affirms that:

1. I am the natural Mother of the above named Minor child(ren).
2. I **completely agree that** the appointment of the following persons as Guardian(s) of my Minor child(ren) would be in the best interest of my Minor child(ren) and voluntarily support and give my consent to such an appointment by the Court.

Child:	Guardian:	Relation:
CHILDFIRST CHILDLAST	PAT PETITIONER	Cousin

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

August 1, 2018
Date

Signature _____
mmmmmmmmmm