

# Agenda Committee on Court Forms

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

October 18, 2021 / 12:00 to 2:00 p.m.  
Virtual Meeting

<https://utcourts.webex.com/utcourts/j.php?MTID=m8db002cfe71d1b036820bcd1bb4df764>

1. Welcome and approval of August meeting minutes	Randy Dryer
<b>Follow Up Items</b>	
2. Updates on topics from July meeting	Randy Dryer
3. Rules update CJA 3-117 and posting RTFs online	Nathanael Player
<b>Family Law Forms</b>	
4. Gender Neutral Child Support Worksheets	Nathanael Player
5. Declaration of Unmarried Father	Nathanael Player
6. OCAP Child Support and Parent-time Language Changes Language can appear in the following documents for Divorce and Custody cases: <ul style="list-style-type: none"> <li>• Petition</li> <li>• Stipulation</li> <li>• Findings of Fact and Conclusions of Law Decree</li> </ul>	Kaden Taylor and Nathanael Player
7. Financial Declaration	Nathanael Player
<b>Miscellaneous Forms</b>	
8. Request to Translate Consent to Email Service and Notification and update on translation policy	Kara Mann
9. Name and Sex Change Forms <ul style="list-style-type: none"> <li>• Petition for Minor's Name Change</li> <li>• Order Changing Minor's Name</li> <li>• Petition for Name Change</li> <li>• Order on Petition for Name Change</li> <li>• Petition for Sex Change</li> </ul>	Nathanael Player
10. Review of Guardianship Reports form	Nathanael Player

11. Three Day Notice to Pay or Vacate form	Nathanael Player
12. Acceptance of Service Form	Nathanael Player
<b>Expungement Forms</b>	
13. Expungement Forms <ul style="list-style-type: none"> <li>• Petition to Expunge Records (Charges Never Filed)</li> <li>• Petition to Expunge Records (Conviction)</li> <li>• Petition to Expunge Records (Dismissal or Acquittal)</li> <li>• Petition to Expunge Records (Drug Possession Conviction)</li> <li>• Petition to Expunge Records (Special Certificate from BCI)</li> </ul>	Jake Smith
14. Motion to Reduce Conviction	Jake Smith

#### Meeting Dates

December 13

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

Webex video conferencing  
August 9, 2021  
12 - 2 pm

**MEMBERS:                      PRESENT                      EXCUSED**

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

Guest:  
Amy Hernandez

Staff:  
Minhvan Brimhall (excused)

**I. WELCOME AND APPROVAL OF MINUTES:**

Randy Dryer welcomed the committee members to the meeting. The Committee considered the minutes from the June meeting. No revisions were made to the minutes. Stewart Ralphs moved and Judge Lindsley seconded a motion to approve the minutes. They were approved.

## **II. Emancipation:**

- Petition for Emancipation of a Minor – Judge Lindsley moved to approve and Mary Westby seconded a motion to approve. This was approved. On 9/1/21 the correct citation will be 80-7-103 and the cite in the form should be amended.
- Declaration of Income and Expenses in Support of Petition for Emancipation – Judge Lindsley moved to approve and Stewart Ralphs seconded. This was approved.
- Notice of Petition for Emancipation – Judge Lindsley moved to table this form because it is not necessary. Nathanael Player will ask for confirmation from the Clerks of Court. If they think it is needed then he will bring it back on the October agenda. Nathanael Player seconded the motion. The Committee approved the motion.
- Order on Petition for Emancipation of a Minor – the committee revised the form. Judge Lindsley moved to approve the form and Stewart Ralphs seconded the motion. The form was approved.

## **III. Juvenile Protective Order forms:**

- Sentencing (Dispositional) Protective Order – the committee made minor amendments. Judge Lindsley moved and Stewart Ralphs seconded a motion to approve this form with the amendments.
- Pretrial Criminal Protective Order – Judge Lindsley moved and Judge Chon seconded a motion to approve this form.

## **IV. Child Protective Order forms:**

- Verified Petition for Ex Parte Child Protective Order – the Committee only reviewed the minor change highlighted in the forms to bring the form into compliance with legislative changes. Mary Westby moved to approve and Judge Lindsley seconded the motion. The form was approved.
- Ex Parte Child Protective Order – Stewart Ralphs moved and Judge Lindsley seconded a motion to approve this form and give instructions to the administrator of the Protective Order System to ensure the forms are consistent.

## **V. Acknowledgement of Firearm Restriction:**

- The Committee discussed that this form should be plain language to ensure comprehensibility and to act consistent with our mandate under CJA 3-117.
- The Committee discussed that domestic violence is just one part of what could make someone a restricted person.
- Judge Chon moved to approve the form with revisions and to not include domestic violence in the form and Stewart seconded the motion.
- The form was approved.

## **VI. Name and Sex Change Forms:**

- Order on Petition for Sex Change – Judge Chon moved to approve and Mary Westby seconded a motion to approve this form but to reconsider the form for possible changes. The form was approved.

- Order on Petition for Name Change – Judge Chon moved to table review of this form and Mary Westby seconded the motion. The motion was approved and the form was tabled.

**VII. Review of Guardianship Reports form:**

This item was not addressed.

**VIII. Three Day Notice to Pay or Vacate:**

This item was not addressed.

**IX. Acceptance of Service:**

This item was not addressed.

**X. Gender Neutral Child Support Worksheets**

This item was not addressed.

**XI. Declaration of Unmarried Father:**

This item was not addressed.

**XII. OCAP Child Support and Parent-Time Language Changes:**

Petition  
Stipulation  
Findings of Fact and Conclusions of Law  
Decree

These items were not addressed.

**XIII. Financial Declaration:**

This item was not addressed.

**XIV. MyCase Demonstration**

This item was not addressed.

**XV. ADJOURN:**

The meeting adjourned without a motion. The meeting adjourned at 2:00 pm. The next meeting will be October 18, 2021, (one week later than normal to accommodate Columbus/Indigenous People's Day) from noon to 2 pm via Webex video conferencing.

## **Rule 3-117. Committee on Court Forms**

### **Intent:**

To establish a committee to determine the need for forms and to create forms for use by litigants in all court levels.

### **Applicability:**

This rule shall apply to the judiciary.

### **Statement of the Rule:**

(1) The committee shall conduct a comprehensive review of the need for court forms to assist parties and practitioners in all court levels.

(2) The committee shall create forms as it deems necessary for use by parties and practitioners, including forms for the Online Court Assistance Program.

(3) Process for form creation.

(3)(a) The committee shall adopt procedures for creating new forms or making substantive amendments to existing forms, procedures for eliminating obsolete and outdated forms, procedures for recommending which forms should be translated into other languages, and procedures for expediting technical or non-substantive amendments to forms.

(3)(b) Forms should be:

1. developed to promote and expand access to justice,
2. structured to eliminate redundancy and unnecessary steps,
3. written in plain language and reference the statutes and rules to which the forms apply
4. user tested before approval, as much as possible:

(3)(c) The committee shall solicit input from other interested groups as it deems appropriate. The committee may establish subcommittees using non-committee members to facilitate its work.

(3)(d) The committee may recommend to the Judicial Council mandatory use of particular forms. However the Judicial Council's designation of a form as mandatory is not binding on a decision-maker asked to review the legal correctness of the form.

(3)(e) The Office of General Counsel shall staff the committee and shall review all forms for legal correctness before final approval by the committee.

(4) The State Law Librarian shall be responsible for maintaining and archiving the forms.