

Administrative Office of the Courts

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

April 4, 2022

Ronald B. Gordon, Jr.
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Forms Committee

FROM: Nathanael Player, on behalf of OCAP

RE: SB 243, parent-time and OCAP

SB 243 amends Utah Code 30-3-32, 30-3-35, 30-3-35.1, and 30-3-35.5. These statutes all relate to parent-time in domestic actions. OCAP provides plain language explanations, in a delineated fashion applied to parties' situation, when explaining parent-time. Approval is sought from the committee to change OCAP pleadings to conform to the changes under SB 243. The changes will necessitate updates to the following interviews, as noted:

Interview	Documents affected
Divorce – Petitioner	Petition, Stipulation, Findings of Fact and Conclusions of Law, Decree
Divorce Answer – Respondent	Petition, Stipulation, Findings of Fact and Conclusions of Law, Decree
Custody and Support, or Paternity - Petitioner	Petition, Stipulation, Findings of Fact and Conclusions of Law, Decree
Custody and Support, or Paternity – Answer – Respondent	Petition, Stipulation, Findings of Fact and Conclusions of Law, Decree
Temporary Separation - Petitioner	Motion and Order

Note that the current OCAP tables delineating parent-time have only two columns – one for the occasion and one detailing how parent-time will work. SB 243 creates tables with four columns: the holiday, the time period of the holiday, a column to note which years the noncustodial parent will have the holiday and one to note when the custodial parent will have the holiday. I recommend using the legislature's four columns and replacing the terms "custodial" and "noncustodial" with the names of the parents in OCAP.

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

This document shows how the current format of Parent-time appears on OCAP documents, and will be changed based on SB 243 as detailed in memo above.

Parent-time

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

The children will live with **Darling Male Pretender** and will have parent-time with **Rinderlieu Female Rita** according to the statutory parent-time schedule. **Darling Male Pretender** will be the “custodial” parent:

A copy of the following statute(s) is attached to the Parenting Plan.

- Children under 5 (Utah Code 30-3-35.5)
- Children 5-18 (Utah Code 30-3-35)

FOR CHILDREN UNDER 5 MONTHS OF AGE:

Weekly: Six hours of parent-time per week, specified by the non-custodial parent, divided into three parent-time periods and to take place in the custodial home, established child care setting or other environment familiar to the child.

Holidays: Two hours on the holidays indicated below in the Special Occasion table, to take place preferably in the custodial home, established child care setting or other environment familiar to the child.

FOR CHILDREN 5 MONTHS TO UNDER 9 MONTHS OF AGE:

Weekly: Nine hours of parent-time per week, specified by the non-custodial parent, divided into three parent-time periods and to take place in the custodial home, established child care setting or other environment familiar to the child.

Holidays: Two hours on the holidays indicated below in the Special Occasion table, to take place preferably in the custodial home, established child care setting or other environment familiar to the child.

FOR CHILDREN 9 MONTHS TO UNDER 12 MONTHS OF AGE:

Weekly: One 8 hour visit per week to be specified by the non-custodial parent; and one 3 hour visit per week to be specified by the non-custodial parent.

Holidays: Eight hours on the holidays indicated below in the Special Occasion table, and

Electronic Communication: Brief telephone contact and other virtual parent-time, if the equipment is reasonably available, with non-custodial parent at least two times per week. If the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent’s ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

FOR CHILDREN 12 MONTHS TO UNDER 18 MONTHS OF AGE:

Alternate Weekends: One 8 hour visit on alternating weekends to be specified by the non-custodial parent; and from 6 p.m. on Friday until noon on Saturday the opposite alternating weekends.

Weekly: One 3 hour visit per week to be specified by the non-custodial parent.

Holidays: Eight hours on the holidays indicated below in the Special Occasion table, and

Electronic Communication: Brief telephone contact and other virtual parent-time, if the equipment is reasonably available, with non-custodial parent at least two times per week. If the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

FOR CHILDREN 18 MONTHS TO UNDER 3 YEARS OF AGE:

Midweek: One weekday evening for two hours between 5:30 - 8:30 p.m. to be specified by the non-custodial parent. However, if the child is being cared for during the day outside the child's regular place of residence, the non-custodial parent may, with advance notice to the custodial parent, pick up the child from the caregiver at an earlier time and return the child to the custodial parent by 8:30 p.m.

Alternate Weekends: Alternative weekends beginning on the first weekend after the entry of the decree from 6:00 p.m. Friday until 7:00 p.m. Sunday continuing each year.

Holiday Parent-time: Holidays as specified below in the Special Occasion table.

Extended Parent-time: Two one-week periods, separated by at least four weeks, at the option of the non-custodial parent;

- a. one week shall be uninterrupted time for the non-custodial parent;
- b. the remaining week shall be subject to parent-time for the custodial parent consistent with these guidelines; and
- c. the custodial parent shall have an identical one-week period of uninterrupted time for vacation.

Notification of extended parent-time or vacation weeks with the child shall be provided at least 30 days in advance to the other parent.

Electronic Communication: Brief telephone contact and virtual parent-time, if the equipment is reasonably available, with non-custodial parent at least two times per week. If the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

FOR CHILDREN 3 YEARS TO UNDER 5 YEARS OF AGE:

Midweek: One weekday evening from 5:30 - 8:30 p.m. to be specified by the non-custodial parent. However, if the child is being cared for during the day outside the child's regular place of residence, the non-custodial parent may, with advance notice to the custodial parent, pick up the child from the caregiver at an earlier time and return the child to the custodial parent by 8:30 p.m.

Alternate Weekends: Alternative weekends beginning on the first weekend after the entry of the decree from 6:00 p.m. on Friday until 7:00 p.m. on Sunday continuing each year.

Holiday Parent-time: Holidays as specified below in the Special Occasion table.

Extended Parent-time: Two two-week periods, separated by at least four weeks, at the option of the non-custodial parent;

- a. one two-week period shall be uninterrupted time for the non-custodial parent;
- b. the remaining two-week period shall be subject to parent-time for the custodial parent consistent to these guidelines; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time for vacation.

A parent shall notify the other parent at least 30 days in advance of extended parent-time or vacation weeks.

Electronic Communication: Brief telephone contact and virtual parent-time at

reasonable hours and for reasonable duration, if the equipment is reasonably available, with the non-custodial parent at least two times per week. If the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

FOR CHILDREN 5 YEARS TO 18 YEARS OF AGE:

Midweek – School in Session: During the time a child's school is in session, one weekday evening to be specified by the noncustodial parent, or Wednesday evening if not specified, from 5:30 - 8:30 p.m.; or, at the election of the noncustodial parent, one weekday from the time the child's school is regularly dismissed until 8:30 p.m.

Midweek – School not in Session: During the time a child's school is not in session, one weekday from approximately 9:00 a.m., accommodating the custodial parent's work schedule, until 8:30 p.m., if the noncustodial parent is available to be with the child.

Changes to Midweek Schedule: Once the weekday is designated, it may not be changed except by mutual written agreement of the parents, or court order.

Alternate Weekends: Alternating weekend parent-time shall begin the first weekend after the entry of the decree. Weekends include any "snow" days, teacher development days, or other days when school is not scheduled and which are contiguous to the weekend period.

School in Session: During the time a child's school is in session alternating weekend parent-time shall be from 6:00 p.m. on Friday until 7:00 p.m. on Sunday, or, at the election of the non-custodial parent, from the time a child's school is regularly dismissed on Friday until 7:00 p.m. on Sunday, continuing each year.

School not in Session: During the time a child's school is not in session a noncustodial parent may elect alternating weekend parent-time to begin on Friday from approximately 9:00 a.m., accommodating the custodial parent's work schedule, until 7:00 p.m. on Sunday, if the noncustodial parent is available to be with the child.

Pick Up by Non-Parent: A step-parent, grandparent, or other responsible adult designated by the noncustodial parent, may pick up the child if the custodial parent is aware of the identity of the individual, and the parent will be with the child by 7 p.m.

Changes to Weekends: Weekend parent-time elections shall be made by the noncustodial parent at the time of entry of the divorce decree or court order, and may be changed by mutual agreement, court order, or by the noncustodial parent in the event of a change in the child's schedule.

Holiday Parent-time: Holidays as specified below in the Special Occasion table.

Extended Parent-time: Extended parent-time with the non-custodial parent may be up to four consecutive weeks when school is not in session, at the option of the non-custodial parent including weekends normally exercised by the non-custodial parent, but not holidays;

- a. two weeks shall be uninterrupted time for the non-custodial parent;
- b. the remaining two weeks shall be subject to parent-time for the custodial parent for weekday parent-time but not weekends, except for a holiday to be exercised by the other parent; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time when school is not in session for purposes of vacation.

Both parents shall provide notification of extended parent-time or vacation weeks with the child at least 30 days prior to the end of the child's school year to the other parent and if notification is not provided timely the complying parent may determine the schedule for extended parent-time for the noncomplying parent.

Electronic communication: Telephone contact shall be at reasonable hours and for a reasonable duration. Virtual parent-time, if the equipment is reasonably available and

the parents reside at least 100 miles apart, shall be at reasonable hours and for reasonable duration, provided that if the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

For children 5-18:

Weekday parent-time will be Wednesday. (30-3-35)

On school days: Parent-time starts at the standard time (5:30 p.m. on weekdays; 6:00 p.m. on weekends). (Utah Code 30-3-35)

On days when school is not in session: Parent-time starts at the standard time (5:30 p.m. on weekdays; 6:00 p.m. on weekends). (Utah Code 30-3-35)

Parent-time for special occasions

8. The parents will follow the schedule for special occasions below. If there is more than one child and the children's school schedules vary for purpose of a holiday, at the option of the parent exercising the holiday or the parent's half of the holiday, the children may remain together for the holiday period beginning the first evening that all children's schools are let out for the holiday and ending the evening before any child returns to school. (Utah Code 30-3-32, 35)

Special Occasion	Parent-Time Schedule
Labor Day Weekend (30-3-35)	<p>Odd Years: Rinderlieu Female Rita will have parent-time on the Labor Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Darling Male Pretender will <u>not</u> have parent-time in odd years on the Labor Day Weekend or holiday.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years on the Labor Day Weekend or holiday. Darling Male Pretender will have parent-time on the Labor Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Columbus Day Weekend (30-3-35)	<p>Odd Years: Darling Male Pretender will have parent-time on the Columbus Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Rinderlieu Female Rita will <u>not</u> have parent-time in odd years on the Columbus Day Weekend or holiday.</p> <p>Even Years: Darling Male Pretender will <u>not</u> have parent-time in even years on the Columbus Day Weekend or holiday. Rinderlieu Female Rita will have parent-time on the Columbus Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at</p>

Special Occasion	Parent-Time Schedule
	7:00 p.m.
<p>Fall School Break</p> <p>(If applicable, commonly known as U.E.A. weekend)</p> <p>(30-3-35)</p>	<p>Odd Years: Rinderlieu Female Rita will have parent-time on the Fall Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Darling Male Pretender will <u>not</u> have parent-time in odd years on the Fall Break.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years on the Fall Break. Darling Male Pretender will have parent-time on the Fall Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
<p>Halloween</p>	<p>Odd Years: Darling Male Pretender will have parent-time on Halloween in odd years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Rinderlieu Female Rita will <u>not</u> have parent-time in odd years on Halloween.</p> <p>Even Years: Darling Male Pretender will <u>not</u> have parent-time in even years on Halloween. Rinderlieu Female Rita will have parent-time on Halloween in even years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p>
<p>Veterans' Day</p> <p>(30-3-35)</p>	<p>Odd Years: Rinderlieu Female Rita will have parent-time on the Veterans' Day in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Darling Male Pretender will <u>not</u> have parent-time in odd years on the Veterans' Day holiday.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years on the Veterans' Day holiday. Darling Male Pretender will have parent-time on the Veterans' Day in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
<p>Thanksgiving Break</p> <p>(30-3-35)</p>	<p>Odd Years: Darling Male Pretender will have parent-time on the Thanksgiving Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Rinderlieu Female Rita will <u>not</u> have parent-time in odd years on the Thanksgiving Break or holiday.</p> <p>Even Years: Darling Male Pretender will <u>not</u> have parent-time in even years on the Thanksgiving Break or holiday. Rinderlieu Female Rita will have parent-time on the Thanksgiving Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
<p>Winter Break</p> <p>(30-3-35)</p>	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years the first portion of the Winter Break until 1 p.m. on the day halfway through the</p>

Special Occasion	Parent-Time Schedule
	<p>holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided.</p> <p>Darling Male Pretender will have parent-time in odd years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through the holiday period until the morning school begins again when Darling Male Pretender delivers the child to school, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, beginning at 8:00 a.m. the first day of the second half until the morning school begins again when Darling Male Pretender delivers the child to school, so long as the entire Winter Break is equally divided.</p> <p>Even Years: Rinderlieu Female Rita will have parent-time in even years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through the holiday period until the morning school begins again when Rinderlieu Female Rita delivers the child to school, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, beginning at 8:00 a.m. the first day of the second half until the morning school begins again when Rinderlieu Female Rita delivers the child to school, so long as the entire Winter Break is equally divided.</p> <p>Darling Male Pretender will have parent-time in even years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided.</p>
Christmas Eve	<p>Odd Years: Darling Male Pretender will have parent-time in odd years Christmas Eve. Rinderlieu Female Rita will <u>not</u> have parent-time in odd years Christmas Eve.</p> <p>Even Years: Darling Male Pretender will <u>not</u> have parent-time in even years Christmas Eve Rinderlieu Female Rita will have parent-time in even years Christmas Eve</p>
Christmas Day	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years Christmas Day. Darling Male Pretender will <u>not</u> have parent-time in odd years Christmas Day.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years Christmas Day Darling Male Pretender will have parent-time in even years Christmas Day</p>
New Year's Eve	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years New Year's</p>

Special Occasion	Parent-Time Schedule
	<p>Eve. Darling Male Pretender will <u>not</u> have parent-time in odd years New Year's Eve.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years New Year's Eve Darling Male Pretender will have parent-time in even years New Year's Eve</p>
New Year's Day	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years New Year's Day. Darling Male Pretender will <u>not</u> have parent-time in odd years New Year's Day.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years New Year's Day Darling Male Pretender will have parent-time in even years New Year's Day</p>
Dr. Martin Luther King Jr. Day Weekend (30-3-35)	<p>Odd Years: Rinderlieu Female Rita will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Darling Male Pretender will <u>not</u> have parent-time in odd years on the Dr. Martin Luther King Jr. Day Weekend or holiday.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years on the Dr. Martin Luther King Jr. Day Weekend or holiday. Darling Male Pretender will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Presidents' Day Weekend (30-3-35)	<p>Odd Years: Darling Male Pretender will have parent-time on the Presidents' Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Rinderlieu Female Rita will <u>not</u> have parent-time in odd years on the Presidents' Day Weekend or holiday.</p> <p>Even Years: Darling Male Pretender will <u>not</u> have parent-time in even years on the Presidents' Day Weekend or holiday. Rinderlieu Female Rita will have parent-time on the Presidents' Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Spring School Break (30-3-35)	<p>Odd Years: Rinderlieu Female Rita will have parent-time on the Spring School Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Darling Male Pretender will <u>not</u> have parent-time in odd years on the Spring School Break.</p> <p>Even Years:</p>

Special Occasion	Parent-Time Schedule
	<p>Rinderlieu Female Rita will <u>not</u> have parent-time in even years on the Spring School Break.</p> <p>Darling Male Pretender will have parent-time on the Spring School Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Mother's Day	<p>Rinderlieu Female Rita will have parent-time Mother's Day from 9 a.m. until 7 p.m.</p> <p>Darling Male Pretender will <u>not</u> have parent-time Mother's Day.</p>
Memorial Day Weekend (30-3-35)	<p>Odd Years:</p> <p>Darling Male Pretender will have parent-time on the Memorial Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p> <p>Rinderlieu Female Rita will <u>not</u> have parent-time in odd years on the Memorial Day Weekend or holiday.</p> <p>Even Years:</p> <p>Darling Male Pretender will <u>not</u> have parent-time in even years on the Memorial Day Weekend or holiday.</p> <p>Rinderlieu Female Rita will have parent-time on the Memorial Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Father's Day	<p>Darling Male Pretender will have parent-time each year Father's Day from 9 a.m. until 7 p.m..</p> <p>Rinderlieu Female Rita will <u>not</u> have parent-time Father's Day.</p>
Summer School Break / Vacation	<p>Rinderlieu Female Rita will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Rinderlieu Female Rita. Rinderlieu Female Rita will have an additional two weeks of Extended Summer Parent-time at the option of Rinderlieu Female Rita, subject to weekday parent-time and holidays for Darling Male Pretender, but not weekends normally exercised by Darling Male Pretender. Rinderlieu Female Rita will notify Darling Male Pretender of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Darling Male Pretender may determine the schedule for extended parent-time for Rinderlieu Female Rita, so long as Darling Male Pretender has provided timely notice.</p> <p>Darling Male Pretender will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Darling Male Pretender. Darling Male Pretender will have an additional two weeks of Extended Summer Parent-time at the option of Darling Male Pretender, subject to weekday parent-time and holidays for Rinderlieu Female Rita, but not weekends normally exercised by Rinderlieu Female Rita. Darling Male Pretender will notify Rinderlieu Female Rita of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Rinderlieu Female Rita may determine the schedule for extended parent-time for Darling Male Pretender, so long as Rinderlieu Female Rita has provided timely notice.</p>

Special Occasion	Parent-Time Schedule
Independence Day	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Rinderlieu Female Rita. Darling Male Pretender will <u>not</u> have parent-time in odd years Independence Day.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years Independence Day Darling Male Pretender will have parent-time in even years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Darling Male Pretender.</p>
Pioneer Day	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Rinderlieu Female Rita. Darling Male Pretender will <u>not</u> have parent-time in odd years Pioneer Day.</p> <p>Even Years: Rinderlieu Female Rita will <u>not</u> have parent-time in even years Pioneer Day Darling Male Pretender will have parent-time in even years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Darling Male Pretender.</p>
Children's Birthdays	<p>Odd Years: Rinderlieu Female Rita will have parent-time in odd years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Rinderlieu Female Rita delivers the child to school, or 8:00 a.m. if there is no school. Darling Male Pretender will have parent-time in odd years on the actual birth date from 3:00 p.m. until the following morning when Darling Male Pretender delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Even Years: Darling Male Pretender will have parent-time in even years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Darling Male Pretender delivers the child to school, or 8:00 a.m. if there is no school. Rinderlieu Female Rita will have parent-time in even years on the actual birth date from 3:00 p.m. until the following morning when Rinderlieu Female Rita delivers the child to school, or 8:00 a.m. if there is no school.</p>

Name

Address

City, State, Zip

Phone

Email

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

_____ Prosecutorial Jurisdiction	Financial Declaration for Restitution _____ Case Number _____ Judge
V.	
_____ Defendant	

The following information is true, and I have omitted nothing that is relevant to my financial status.

(1) Employment

I am unemployed because:

I am employed by: (Include self-employment.)

Name of Employer	Doing Business As (DBA)	Address & Telephone Number

(2) Dependents (Include spouse, children or other dependents in your household.)

The following people depend on me for support.

Name	Age	Relationship to Me	Name	Age	Relationship to Me

(3) Gross Monthly Income (Income before tax deductions)

I have no income because:

I have the following monthly income: (Print your pre-tax income in the boxes below. If directed to do so by the court, you must be able to produce evidence of the items listed, such as most recent pay stubs, federal and state tax returns, W-2 forms, or a work history report from the Department of Workforce Services. For income that changes from month to month, calculate the annual total and divide by 12 months to list a monthly average.)

Source of Income	Monthly Amount
Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$
Rental Income	\$
Business Income	\$
Interest and Dividends	\$
Retirement Income (Including pensions, 401(k), IRA, etc.)	\$
Worker's Compensation	\$

Source of Income	Monthly Amount
Private Disability Insurance	\$
Social Security Disability Income (SSDI)	\$
Supplemental Security Income (SSI)	\$
Social Security (Do not include SSDI or SSI)	\$
Unemployment Benefits	\$
Education Benefits	\$
Veteran's Benefits	\$
Alimony	\$
Child Support	\$
Payments from Civil Litigation	\$
Victim Restitution	\$
Public Assistance (Including AFDC, welfare, etc.)	\$
Support from household members	\$
Support from non-household members	\$
Trust Income	\$
Annuity Income	\$
Other (Describe)	\$
Other (Describe)	\$
Total	\$

(4) Monthly Tax Deductions

I have the following deductions from my income: (These are deductions required by law which you do not make voluntarily. There may be other funds withheld from your paycheck that you will report in Paragraph (6). If directed to do so by the court, you must be able to produce evidence of the items listed, such as most recent pay stubs, federal and state tax returns, W-2 forms, or a work history report from the Department of Workforce Services.)

Type of Deduction	Amount
Federal Income Tax	\$
State Income Tax	\$
Municipal Income Tax	\$
FICA	\$
Medicare	\$
Total	\$

(5) Disposable Monthly Income

I have no income.

My disposable monthly income is:

\$ _____ Gross Monthly Income from (3)
- \$ _____ Minus Monthly Tax Deductions from (4)
= \$ _____ Equals Disposable Monthly Income

(6) Monthly Expenses (Include amounts withheld from your paycheck other than tax deductions reported in Paragraph (4). For expenses that change from month to month, calculate the annual total and divide by 12 to list a monthly average. Include amounts you pay for yourself and any spouse, children or other dependents in your household. If directed to do so by the court, you must be able to produce evidence of the items listed.)

I am personally paying the following monthly expenses:

Monthly Expense	Amount
Rent or mortgage	\$
Food and Household Supplies	\$
Clothing	\$
Transportation (Such as public transportation, automobile payments, insurance, gas, maintenance)	\$
Utilities (Such as electricity, gas, water, sewer, garbage)	\$
Telephone	\$
Credit Card Payments	\$
Loans and Other Debt Payments	\$
Alimony	\$
Child Support	\$
Child Care	\$
Education	\$
Health Care Insurance	\$
Health Care Expenses (Excluding insurance listed above)	\$
Business Expenses	\$
Real Property Taxes	\$
Real Property Insurance	\$
Real Property Maintenance	\$
Other Insurance (Describe)	\$
Entertainment	\$

Monthly Expense	Amount
Laundry and Dry Cleaning	\$
Donations	\$
Gifts	\$
Health Insurance Premiums	\$
Life Insurance Premiums	\$
Union and other dues	\$
Garnishment or Income Withholding Order	\$
Retirement Deposits (Including pensions, 401(k), IRA, etc.)	\$
Restitution ordered in other cases	\$
Other (Describe)	\$
Total	\$

(7) Financial Assets You Own (If directed to do so by the court, you must be able to produce evidence of the items listed.)

Asset	Holder (Name & Address)	Co-owner (Name & Address)	Current Value
Bank or Credit Union Account			\$
Bank or Credit Union Account			\$
Stocks, Bonds, Securities, Money Market Account			\$
Stocks, Bonds, Securities, Money Market Account			\$
Money Owed to You			\$
Cash			\$
Other (Describe)			\$
Total			

(8) Real Property You Own (If directed to do so by the court, you must be able to produce evidence of the items listed, such as mortgage statements, tax appraisal, etc.)

Address _____			
Date Acquired _____	In Whose Name? _____	\$ Original Cost	\$ Current Value
First Mortgage or Lien Holder (Name & Address) _____		\$ Amount Owed	\$ Monthly Payments
Second Mortgage or Lien Holder (Name & Address) _____		\$ Amount Owed	\$ Monthly Payments

(9) Personal Property You Own. If directed to do so by the court, you must be able to produce evidence of the items listed.)

Property (Such as vehicles, boats, trailers, major equipment, etc.)	Lien Holder (Name & Address)	Current Value	Amount Owed	Monthly Payments
Vehicle (Year, Make, Model)		\$	\$	\$
Vehicle (Year, Make, Model)		\$	\$	\$
Intellectual property		\$	\$	\$
Precious metals or gems		\$	\$	\$
Jewelry with a value of \$1,000 or more		\$	\$	\$
Other personal property with a value of \$1,000 or more (Describe)		\$	\$	\$
Total		\$	\$	\$

(10) Credit Available (If directed to do so by the court, you must be able to produce evidence of the items listed.)

Credit Card	Bank or Credit Union	Credit Limit	Credit Available
		\$	\$
		\$	\$
		\$	\$
Total		\$	\$

(11) Debts You Owe (Do not include amounts you owe on property reported in Paragraphs (8) and (9). If directed to do so by the court, you must be able to produce evidence of the items listed, such as credit card statements, loan documents, leases, bills, etc.)

Debt Owed To (Name & Address of Creditor)	Purpose of Debt (Such as credit card, cash loan, installment payment, etc.)	In Whose Name?	Amount Owed	Monthly Payments
			\$	\$
			\$	\$
Total			\$	\$

(12) Other

The following facts also are relevant to my ability to pay restitution.

I declare under criminal penalty under the law of Utah that everything stated in this document is true. A false statement made in this ~~financial~~ ~~financial~~ declaration form is punishable as a **third degree felony class B misdemeanor** under Utah Code Section 76-8-504.

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

Date

Signature ► _____
Printed Name _____

Utah District Court Cover Sheet for All Civil Actions Except Probate Cases

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

Plaintiff/Petitioner (First)

Name

Address

City, State, Zip

Phone

Email

First Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Plaintiff/Petitioner (Second)

Name

Address

City, State, Zip

Phone

Email

Second Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

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

Defendant/Respondent (First)

Name

Address

City, State, Zip

Phone

Email

First Defendant/Respondent's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Defendant/Respondent (Second)

Name

Address

City, State, Zip

Phone

Second Defendant/Respondent's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

*Attorney or LPP addresses provided by Utah State Bar.

Total Claim for Damages \$ _____ **Jury Demand** Yes No **\$250** Jury Demand

Schedule of Fees: §78A-2-301 (Choose all that apply. See Page 2 for fees for claims other than claims for damages.)

CHOOSE ONE:

- No monetary damages are requested (URCP 26: Tier 2)
- Damages requested are \$50,000 or less (URCP 26: Tier 1)
- Damages requested are more than \$50,000 and less than \$300,000 (URCP 26: Tier 2)
- Damages requested are \$300,000 or more (URCP 26: Tier 3)
- Domestic relations (URCP 26: Tier 4)
- Damages are unspecified.
Circle one: Tier 1 Tier 2 Tier 3
- This case is exempt from URCP 26. (E)

— MOTION TO RENEW JUDGMENT —
\$45 Damages \$2000 or less

- \$100 Damages \$2001 - \$9,999
- \$187.50 Damages \$10,000 & over
- COMPLAINT OR INTERPLEADER —**
- \$90 Damages \$2000 or less
- \$200 Damages \$2001 - \$9999
- \$375 Damages \$10,000 & over
- \$375 Damages Unspecified
- COUNTERCLAIM, CROSS CLAIM, THIRD PARTY CLAIM, OR INTERVENTION —**
- \$55 Damages \$2000 or less
- \$165 Damages \$2001 - \$9999
- \$170 Damages \$10,000 & over

Choose One

Fee	Case Type
----- APPEALS -----	
\$375 []	Administrative Agency Review
Sch []	Tax Court (Appeal of Tax Commission Decision) <small>Court: Refer to Clerk of Court upon filing.</small>
\$240 []	Civil (78A-2-301(1)(h)) (E)
\$240 []	Small Claims Trial De Novo (E)
\$80 []	Municipal Admin. Determination. (E)
----- GENERAL CIVIL -----	
Sch []	Civil Rights
\$0 []	Civil Stalking (E)
\$375 []	Condemnation/Eminent Domain
Sch []	Contracts
Sch []	Contract: Employment Discrimination
Sch []	Contract: Fraud
Sch []	Debt Collection
\$375 []	Essential Treatment Intervention (62A-15-1203)
Sch []	Eviction/Forcible Entry and Detainer (E)
\$375 []	Extraordinary Relief/Writs
\$375 []	Forfeiture of Property (E)
Sch []	Interpleader
Sch []	Lien/Mortgage Foreclosure
Sch []	Miscellaneous Civil
\$375 []	Post Conviction Relief: Capital (E)
\$375 []	Post Conviction Relief: Non-capital (E)
Sch []	Property Rights
\$375 []	Registry Removal (Gun/White Collar)
Sch []	Sexual Harassment
Sch []	Water Rights
\$375 []	Wrongful Lien
Sch []	Wrongful Termination
----- TORTS -----	
Sch []	Automobile Tort
Sch []	Intentional Tort
Sch []	Malpractice-Medical Tort
Sch []	Malpractice-Legal Tort; Other
Sch []	Premises Liability
Sch []	Asbestos
Sch []	Product Liability (NOT Asbestos)
Sch []	Slander/Libel/Defamation
----- DOMESTIC RELATIONS -----	
\$0 []	Protective Orders (E)
\$325 []	Marriage Adjudication (T2)
\$325 []	Divorce/Annulment (T2)
[]	Check if child support, custody or parent-time will be part of decree
[]	Check if Temporary Separation filed

Fee	Case Type
\$325 []	Custody/Visitation/Support (T2)
\$8 []	Vital Statistics §26-2-25 per form
\$130 []	Counterclaim: Divorce/Separate Maintenance
\$130 []	Counterclaim: Custody/Visit/Support
\$170 []	Counterclaim: Paternity/Grandparent Visitation
\$100 []	Domestic Modification (T2)
\$100 []	Counter-petition: Domestic Modification
\$375 []	Grandparent Visitation (T2)
\$375 []	Paternity/Parentage (T2)
\$325 []	Separate Maintenance (T2)
\$35 []	Temporary Separation (E)
\$35 []	Uniform Child Custody Jurisdiction & Enforcement Act (UCCJEA) (E)
\$35 []	Uniform Interstate Family Support Act (UIFSA) (E)
----- JUDGMENTS -----	
\$35 []	Foreign Judgment (Abstract of) (E)
\$375 []	Foreign Country Judgment (E)
\$50 []	Abstract of Judgment/Order of Utah Court/Agency (E)
\$30 []	Abstract of Judgment/Order of Utah State Tax Commission (E)
\$35 []	Judgment by Confession (E)
----- PROBATE -----	
Use the Utah District Court Cover Sheet for Probate Actions for the following:	
Adoptions/foreign adoptions; conservatorships; estate personal rep; foreign probate; gestational agreements; guardianships; minor's settlements; name changes; supervised administration cases; trusts; other probate actions	
----- SPECIAL MATTERS -----	
\$35 []	Arbitration Award (E)
\$0 []	Determination Competency-Criminal (E)
\$150 []	Expungement Petition (E)
\$0 []	Hospital Lien (E)
\$35 []	Judicial Approval of Document: Not Part of Pending Case (E)
\$35 []	Notice of Deposition in Out-of-State Case/Foreign Subpoena (E)
\$35 []	Open Sealed Record (E)
\$50 []	Petition for Adjudication of Priority to Funds on Trustee's Sale
----- OCAP -----	
(Utah Code §78A-2-501)	
\$20 []	Documents prepared using Online Court Assistance Program (OCAP)

Utah Justice Court Cover Sheet

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

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

Plaintiff/Petitioner (First)

Defendant/Respondent (First)

Name

Address

City, State, Zip

Phone

Email

Name

Address

City, State, Zip

Phone

Email

First Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner*

First Defendant/Respondent's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Name

Bar Number

Plaintiff/Petitioner (Second)

Defendant/Respondent (Second)

Name

Address

City, State, Zip

Phone

Email

Name

Address

City, State, Zip

Phone

Email

Second Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner*

Second Defendant/Respondent's Attorney or Licensed Paralegal Practitioner*

Name

Bar Number

Name

Bar Number

*Attorney or LPP addresses provided by Utah State Bar.

Total Claim for Damages \$ _____

Claim may not exceed \$11,000

Schedule of Fees: §78A-2-301.5

-- SMALL CLAIMS AFFIDAVIT --

- \$60 [] Damages \$2000 or less
- \$100 [] Damages \$2001 - \$7,499
- \$185 [] Damages \$7,500 - \$11,000

-- SMALL CLAIMS COUNTER AFFIDAVIT --

- \$50 [] Damages \$2000 or less
- \$70 [] Damages \$2001 - \$7,499
- \$120 [] Damages \$10,000 & over

-- SMALL CLAIMS APPEAL --

- \$10 [] Notice of Appeal to District Court

- \$240 [] Appeal / Trial de novo Filing Fee payable to District Court [] is attached [] to be paid at District Court

-- OTHER --

- ~~\$1350~~ [] Expungement Petition
- \$50 [] Writ
- \$35 [] Open Sealed Record

-- OCAP --

- (Utah Code §78A-2-501)
- \$20 [] Documents prepared using Online Court Assistance Program (OCAP)

Utah Juvenile Court Cover Sheet

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

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

Petitioner

Name

Address

City, State, Zip

Phone

Email

Petitioner's Attorney*

Name

Bar Number

Respondent

Name

Address

City, State, Zip

Phone

Email

Respondent's Attorney*

Name

Bar Number

*Attorney addresses provided by Utah State Bar.

Schedule of Fees: §78A-2-301 (Choose all that apply.)

State Petition (no filing fees)	Private Petition	
Case Type	Fee	Case Type
<input type="checkbox"/> Child Welfare Petition	\$375	<input type="checkbox"/> Child Welfare Petitions (abuse, neglect, terminations)
<input type="checkbox"/> Termination of Parental Rights	\$375	<input type="checkbox"/> Adoptions
<input type="checkbox"/> Voluntary Relinquishment	\$8	<input type="checkbox"/> Vital Statistics Fee (per child)
<input type="checkbox"/> Adoption	\$375	<input type="checkbox"/> Administrative Appeals
	\$375	<input type="checkbox"/> Petition for Substantiation
	\$240	<input type="checkbox"/> Notice of Appeal
	\$5	<input type="checkbox"/> Petition to Marry
	\$0	<input type="checkbox"/> Petition for Expungement
	\$50	<input type="checkbox"/> Petition for Emancipation
	\$0	<input type="checkbox"/> Petition for Protective Order on Behalf of Children

Child 1 (Include information for each child named in the petition)

Name of child: _____

Address: _____

Date of birth: _____

If child welfare petition, allegation is against

Parent _____ (Name)

Parent _____ (Name)

Other _____ (Name)

Name of Parent 1 and Address (if petition relates to a child):

Name of Parent 2 and Address (if petition relates to a child):

Child's Attorney Name, Bar # and Address:

Child's Race

(Choose all that apply)

- American Indian
- Pacific Islander
- Asian
- White
- Black/African Am
- Unknown

Child's Ethnicity

(Choose only one)

- Latino/Hispanic
- Not Latino/Hispanic
- Unknown

Child's Gender

(Choose only one)

- Male
- Female
- Other

Child 2 (Include information for each child named in the petition)

Name of child: _____

Address: _____

Date of birth: _____

If child welfare petition, allegation is against

Parent _____ (Name)

Parent _____ (Name)

Other _____ (Name)

Name of Parent 1 and Address (if petition relates to a child):

Name of Parent 2 and Address (if petition relates to a child):

Child's Attorney Name, Bar # and Address:

Child's Race

(Choose all that apply)

- American Indian
- Pacific Islander
- Asian
- White
- Black/African Am
- Unknown

Child's Ethnicity

(Choose only one)

- Latino/Hispanic
- Not Latino/Hispanic
- Unknown

Child's Gender

(Choose only one)

- Male
- Female
- Other

Expungement Petitions

Provide the following information for the prosecutor's office (city attorney, county attorney, or district attorney) that prosecuted the case. (If more than one, list all.)

Name	Address

Name

Address

City, State, Zip

Phone

Email

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

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

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Motion to Remove Link Between
Personal Identifying Information and
Dismissed Criminal Case or Denied
Request for Civil Protective Order or
Civil Stalking Injunction**
(Utah Code 77-40[a-105-104.1](#))

Case Number

Judge

1. I ask the court to remove the link between this case and my name(s) and date of birth from the courts' publicly searchable database.
2. This case involves a (choose one):
 - criminal matter that was dismissed over 30 days ago.
 - request for civil protective order or civil stalking injunction that was denied over 30 days ago.
3. An appeal has not been filed.
4. This case did not include any domestic violence charges (Utah Code 77-36-1).

5. I understand the case history will remain publicly accessible by a case number search.

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

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

Date

Signature ► _____

Printed Name _____

Notice to responding party

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

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

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

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

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



Scan QR code to visit page

Finding help

The court's Finding Legal Help web page (utcourts.gov/help) 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.



Scan QR code to visit page

Aviso para la parte que responde

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

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

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

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

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios:
utcourts.gov/motions-span



Para acceder esta página escanee el código QR

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal (utcourts.gov/help-span) 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.



Para acceder esta página escanee el código QR

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Stalking Injunction on the following people.

Person's Name	Service Method	Service Address	Service Date
(Prosecuting attorney, if a criminal case)	<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

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

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

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

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Civil Stalking Injunction - Commissioner

(Utah Code 77-40-~~105404.4~~)

Case Number

Judge

1. I ask the court to remove the link between this case and my name(s) and date of birth from the courts' publicly searchable database.
2. This case involves a (choose one):
 - criminal matter that was dismissed over 30 days ago.
 - request for civil protective order or civil stalking injunction that was denied over 30 days ago.
3. An appeal has not been filed.

4. This case did not include any domestic violence charges (Utah Code 77-36-1).
5. I understand the case history will remain publicly accessible by a case number search.

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

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

Date

Signature ► _____
Printed Name _____

Notice to responding party

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

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

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

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Scan QR code to visit page

Finding help

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Scan QR code to visit page

Aviso para la parte que responde

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

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

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

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

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



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utcourts.gov/motions-span

Cómo encontrar ayuda legal

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Para acceder esta página escanee el código QR

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Stalking Injunction on the following people.

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

Date

Signature ► _____

Printed Name _____

Name

Address

City, State, Zip

Phone

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

Email

I am the Petitioner
 Attorney for the Petitioner and my Utah Bar number is _____

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:

Petitioner

**Petition to Expunge Records with
Certificate of Eligibility**
(Utah Code 77-40a-305(1)(a))

Case Number

Judge

Commented [KT1]: New URCrP 42 is out for public comment until 4-10-22. It is possible we will have to change this form and vote electronically on those changes depending on what the rule says.

1. I ask the court to expunge records of my: (choose all that apply)

Arrest. I was arrested on _____ (date). I was arrested by _____ (law enforcement agency). The law enforcement agency's file number is _____.

Conviction. I was convicted in case number _____.
(This is usually the same number that you are filing in, but if your case is old, it will be a different number.)

2. I received a certificate of eligibility from BCI. The identification number for my certificate of eligibility is _____.

3. Expunging my records will not harm the interests of the public because:

4. I ask the court to order expungement of all records related to this matter and order state, county and local government agencies to expunge related records in their possession or control.

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

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

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Petition to Expunge Records with Certificate of Eligibility on the following people.

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

_____ Signature ► _____
 Date Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

In the [] District [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:

Petitioner

**Order on Petition to Expunge
Records with Certificate of Eligibility**

Case Number

Judge

The matter before the court is a Petition to Expunge Records. This matter is being resolved by:

[] The pleadings and other papers of the parties, or

[] A hearing held on _____ (date), notice of which was served on all parties and at which the court considered the pleadings and evidence presented by the parties.

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

The Court Finds by Clear and Convincing Evidence that:

1. The petition and certificate of eligibility are sufficient.
2. The statutory requirements have been met.

3. Expunging the petitioner's records **will not harm the interests of the public.**

4. The court also finds that: (choose any that apply)

the expungement petition is for a case that was dismissed without prejudice or without condition. The prosecutor has consented to the expungement, and the prosecutor has indicated that they have not filed and do not intend to file related charges.

the court received an objection. The expungement petition is for a charge dismissed because of a plea in abeyance agreement, and the charge is eligible for enhancement, but there is good cause for the court to grant the expungement.

The Court Concludes:

5. The records of petitioner's arrest, investigation, and detention relating to: (choose one)

the following incidents: _____; (law enforcement agency file number) of _____ (law enforcement agency name) should be expunged.

case number: _____ should be expunged.

The Court Orders:

6. The records of petitioner's arrest, investigation, detention relating to:

the following incidents: _____; (law enforcement agency file number) of _____ (law enforcement agency name) will be expunged.

case number: _____ will be expunged.

- Petitioner may deliver a copy of this order to any government agency or official that may have such records.
- The Bureau of Criminal Identification must notify all criminal justice agencies affected by this order.

- The clerk of the court must expunge all related court records as provided by Rule 4-205.
- Any other government agency or official receiving this order must expunge related records as provided by Utah Code, Title 77, Chapter 40a, Part 4.
- Any government agency or official receiving this order may not divulge information identifying the petitioner.
- Any government agency or official receiving this order must respond to any inquiry as though the arrest or conviction did not occur.

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

Date

Signature ►

Judge

Name

Address

City, State, Zip

Phone

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

Email

I am the Petitioner
 Attorney for the Petitioner and my Utah Bar number is _____

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:

Petitioner

**Petition to Expunge Records with
Special Certificate**
(Utah Code 77-40a-305)

Case Number

Judge

(What are you trying to expunge?)

_____ If there was no conviction, complete number 1 and skip number 2. Then go on to number 3.

_____ If there was a conviction, skip number 1 and complete number 2. Then go on to number 3.)

Choose (1) and complete that section if you were **not** convicted of the crime you are asking to expunge.
Choose (2) and complete that section if you **were** convicted of the crime(s) you are asking to expunge.
Complete Paragraph (3) also.

1. **Records of crimes without a conviction.**

~~(A)~~ I was arrested on _____ (date) by

_____ (law enforcement
agency). The law enforcement agency's file number is
_____.

~~(B)~~ Choose one A court case:

- ~~No cases were~~ was not filed.
- ~~The following court case~~ was filed as a result of the arrest. It was filed in case number: _____.
- The case was dismissed with prejudice.
- I was acquitted at trial.

~~The following apply to me:~~ (Choose choose all that apply:)

- ~~I was not convicted of the offense.~~
- At least 30 days have passed since I was arrested.
- I have not been arrested since this arrest.
- I am not on probation or parole.
- There is not a criminal protective order or stalking injunction in effect for this case.

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2. Records of crimes with a conviction.

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~~I was convicted of a crime or crimes in court case~~ number.

_____.

~~The following apply to me:~~ (Choose all that apply:)

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- None of the crimes I am trying to expunge areis:
 - a capital or first degree felony;
 - a violent felony as defined in Utah Code§ 76-3-203.5(1)(c)(i);
 - felony automobile homicide;
 - ~~felony driving under the influence;~~
 - an offense, or a combination of offenses, that would require me to register as a sex offender, as defined in Utah Code 77-41-102
 - ~~a registerable sex offense as defined in § 77-41-102(17); or~~
 - a registerable child abuse offense as defined in Utah Code§ 77-43-102(2)
- There is no criminal case or plea in abeyance pending against me or being investigated in any jurisdiction.

I am not on probation or parole.

There is not a criminal protective order or stalking injunction in effect for this case.

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I have not been convicted in separate criminal episodes of:

- ~~two~~² or more felonies (other than for drug possession);
- ~~three~~³ or more crimes (other than for drug possession) of which ~~two~~² are class A misdemeanors;
- ~~four~~⁴ or more crimes (other than for drug possession) of which ~~three~~³ are class B misdemeanors; or
- ~~five~~⁵ or more crimes (other than for drug possession) of any degree other than infractions;
- 3 or more felonies for drug possession;
- 5 or more crimes of any degree for drug possession-

I have paid all fines, fees, restitution and interest.

The following time periods have elapsed from the date I was convicted or released from incarceration, probation or parole, whichever occurred last:

- 10 years in the case of a misdemeanor conviction of §-Utah Code 41-6a-501(2) or a felony conviction of §-Utah Code 58-37-8(2)(g);
- 7 years in the case of a felony;
- 5 years in the case of a class A misdemeanor or a felony drug possession offense;
- 4 years in the case of a class B misdemeanor; or
- 3 years in the case of any other misdemeanor or infraction.

34. Certificate of eligibility.

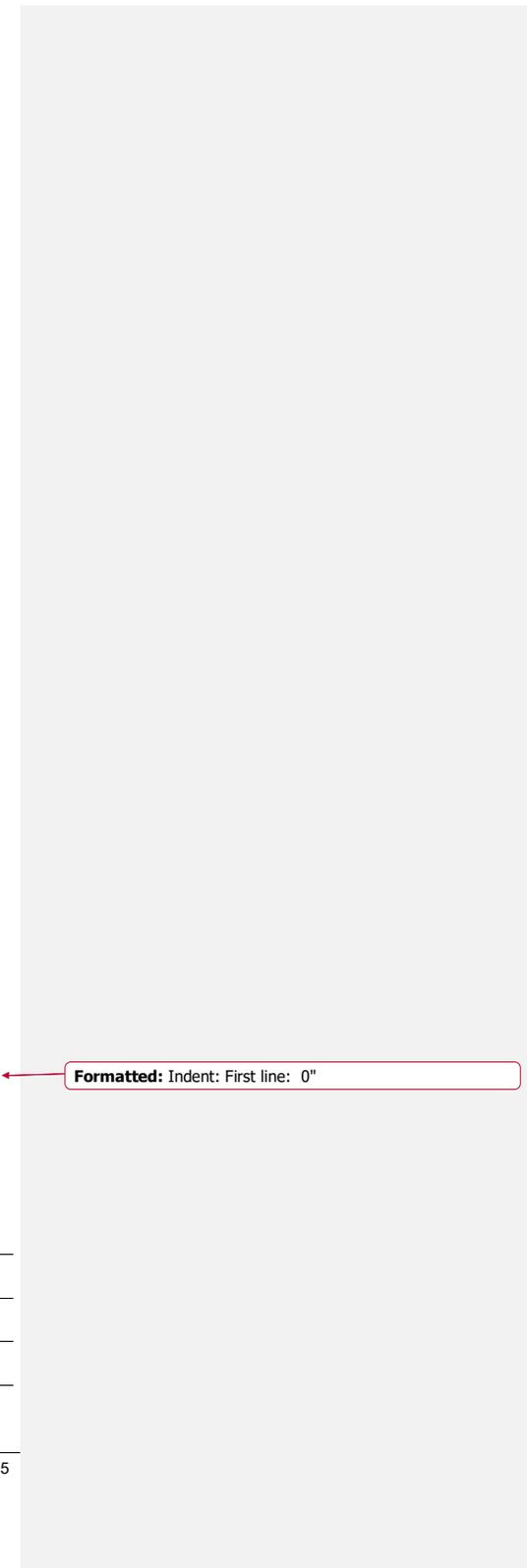
BCI was unable to find information about the outcome of my criminal case ~~determine an appropriate disposition of my criminal history.~~ BCI has ~~therefore~~ issued a special expungement certificate ~~for the court to determine my eligibility for expungement.~~ A copy of the special expungement certificate. The identification number for my special certificate is:

_____.

~~_____ [] was forwarded to the court by BCI; or~~

~~_____ [] is attached.~~

~~All of the information that BCI found about this case is located on the certificate.~~ The following is why I believe ~~that~~ I am eligible for expungement because:



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4. **Public interest.**

~~Expunging my records will not harm the interests of the public because: The following explains why expunging the crimes is not contrary to the public's interests.~~

5. **Request.**

I ~~request~~ ask that the court order expungement of the crimes or alleged crimes identified above and order state, county and local government agencies to expunge related records in their possession or control.

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

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

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Petition to Expunge Records with Special Certificate on the following people.

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

Date

Signature ► _____

Printed Name _____

Name

Address

City, State, Zip

Phone

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

Email

In the [] District [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:

**Order on Petition to Expunge
Records ~~w/With Special~~
(~~Special Certificate from BCI~~)**

Petitioner

Case Number

Judge

The matter before the court is a Petition to Expunge Records. This matter is being resolved by:

[] The pleadings and other papers of the parties, or

[] A hearing held on _____ (date), notice of which was served on all parties and at which the court considered the pleadings and evidence presented by the parties.

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

The Court Finds by Clear and Convincing Evidence that:

1. The petition is sufficient.
2. The statutory requirements have been met.

3. Expunging the petitioner's records ~~is not contrary to~~ will not harm the interests of the public.

The Court Concludes:

4. ~~The records of petitioner's arrest, investigation, and detention relating to: (choose one) [] The records of petitioner's arrest, investigation, and detention, and conviction relating to court case number _____ should be expunged.~~

~~[] If charges were never filed the records related to the following incident: _____ (LEA file number) of _____ (LEA name) should be expunged.~~

~~[] the following incidents: _____; (law enforcement agency file number) of _____ (law enforcement agency name) should be expunged.~~

~~[] case number: _____ should be expunged.~~

~~The Court~~

The Court Orders:

5. ~~[] The records of petitioner's arrest, investigation, detention, and conviction relating to court case number _____ shall be expunged.~~

~~[] If charges were never filed the records related to the following incident: _____ (LEA file number) of _____ (LEA name) shall be expunged.~~

The records of petitioner's arrest, investigation, detention relating to:

~~[] the following incidents: _____; (law enforcement agency file number) of _____ (law enforcement agency name) ~~will~~ be expunged.~~

~~[] case number: _____ ~~will~~ be expunged.~~

- Petitioner ~~shall~~ may deliver a copy of this order to any government agency or official that may have such records.

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- The Bureau of Criminal Identification ~~must~~ shall notify all criminal justice agencies affected by this order.
- ~~The Bureau of Criminal Identification shall provide to the petitioner clear written directions on expungement, along with a list of agencies known to be affected by this order.~~
- The clerk of the court ~~must~~ shall expunge all related court records as provided by Rule 4-205.
- Any other government agency or official receiving this order ~~must~~ shall expunge related records as provided by ~~§ 77-40-102 and § 77-40-108, Utah Code, Title 77, Chapter 40a, Part 4.~~
- Any government agency or official receiving this order ~~may~~ shall not divulge information identifying the petitioner.
- Any government agency or official receiving this order ~~must~~ shall respond to any inquiry as though the arrest or conviction did not occur.

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

_____ Signature ► _____
 Date _____ Judge _____

This is a private record.

Name

Address

City, State, Zip

Phone

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

Email

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

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In Re:</p> <p>_____</p> <p>Petitioner</p>	<p>Petition to Expunge Records (Cannabis Conviction) Utah Code 77-40a-103(5)305((4))</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p>
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1. **Conviction record**

I was convicted of cannabis possession in court case number _____.

2. **Certificate of eligibility**

I am not ~~qualified-required~~ to receive a certificate of eligibility for expungement to proceed with this petition for this conviction., but I qualify for expungement of this record under Utah Code 77-40a-103305(54).

3. **Qualifying condition** (Utah Code 26-61a-104)

At the time of my arrest or citation leading to the conviction, I had the following qualifying condition which would have allowed me to use medical cannabis to treat symptoms (Choose all that apply):

HIV or acquired immune deficiency syndrome

- [] Alzheimer's disease
- [] amyotrophic lateral sclerosis
- [] cancer
- [] cachexia
- [] persistent nausea not significantly responsive to traditional treatment, but not nausea related to:
 - pregnancy;
 - cannabis-induced cyclical vomiting syndrome; or
 - cannabinoid hyperemesis syndrome
- [] Crohn's disease or ulcerative colitis
- [] epilepsy or debilitating seizures
- [] multiple sclerosis or persistent and debilitating muscle spasms
- [] post-traumatic stress disorder (meeting the requirements described in Utah Code 26-61a-104(2)(j))
- [] autism
- [] a terminal illness when the patient's remaining life expectancy is less than six months
- [] a condition resulting in the individual receiving hospice care
- [] a rare condition or disease that:
 - affects less than 200,000 individuals in the United States, as defined in Section 526 of the Federal Food, Drug, and Cosmetic Act; and
 - is not adequately managed despite treatment attempts using:
 - conventional medications other than opioids or opiates; or
 - physical interventions;
- [] pain lasting longer than two weeks that is not adequately managed, in the qualified medical provider's opinion, despite treatment attempts using:
 - conventional medications other than opioids or opiates; or
 - physical interventions
- [] a condition approved by the Compassionate Use Board. I have attached proof of the Board's approval.

4. **Form of cannabis** (Utah Code 26-61a-102(32))

At the time of my arrest or citation leading to the conviction, the cannabis in my possession was in the following form to medicinally treat my condition (Choose all that apply).

Processed medical cannabis or a medical cannabis product:

a tablet

a capsule

a concentrated liquid or viscous oil

a liquid suspension

a topical preparation

a transdermal preparation

a sublingual preparation

a gelatinous cube, gelatinous rectangular cuboid, or lozenge in a cube or rectangular cuboid shape

a resin or wax

Unprocessed cannabis flower in a container described in [Section-Utah Code 4-41a-602](#) that:

- contains cannabis flowers in a quantity that varies by no more than 10% from the stated weight at the time of packaging;
- at any time the medical cannabis cardholder transports or possesses the container in public, is contained within an opaque, child-resistant bag that the medical cannabis pharmacy provides; and
- is labeled with the container's content and weight, the date of purchase, the legal use termination date.

A form measured in grams, milligrams, or milliliters.

5. **Amount of cannabis** (Utah Code 26-61a-102(16))

At the time of my arrest or citation leading to the conviction, the cannabis in my possession was in an amount to medicinally treat my condition and did not exceed (Choose all that apply):

113 grams by weight (unprocessed cannabis in a medicinal dosage form)

20 grams of total composite tetrahydrocannabinol (cannabis product in a medicinal dosage form)

6. **Public interest**

~~The following explains why e~~Expunging the crime(s) ~~is not contrary to the~~ will not harm the public's interests because: -

7. **Request**

I ask the court to order expungement of the record identified above, and order state, county and local government agencies to expunge related records in their possession or control.

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

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

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Stalking Injunction on the following people.

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

Date _____ Signature ► _____
Printed Name _____

Name

Address

City, State, Zip

Phone

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

Email

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:

**Order on Petition to Expunge
Records
(Cannabis Conviction)**
~~Utah Code 77-40-103(5)~~

Petitioner

Case Number

Judge

The matter before the court is a Petition to Expunge Records. This matter is being resolved by:

- The pleadings and other papers of the parties, or
- A hearing held on _____ (date), notice of which was served on all parties and at which the court considered the pleadings and evidence presented by the parties.

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

The court finds by clear and convincing evidence:

Utah Code 77-40~~a-306(1)(d)~~~~197(8)~~

1. The petition is sufficient.

2. The statutory requirements have been met.
3. At the time of petitioner's arrest or citation leading to the conviction, they had a qualifying condition which would have allowed them to use medical cannabis to treat symptoms. (Utah Code 26-61a-104).
4. At the time of petitioner's arrest or citation leading to the conviction, the cannabis in their possession was in a form and amount to medicinally treat their condition. (Utah Code 26-61a-102(16) and (32)).
5. Expunging the petitioner's records ~~is not contrary to~~ will not harm the public interest.

The court concludes:

6. The records of petitioner's arrest, investigation, detention, and conviction relating to court case number noted above should be expunged.

The court orders:

7. The records of petitioner's arrest, investigation, detention, and conviction relating to court case number noted above ~~will shall~~ be expunged.
 - Petitioner may deliver a copy of this order to any government agency or official that may have such records.
 - The Bureau of Criminal Identification must notify all criminal justice agencies affected by this order.
 - The clerk of the court must expunge all related court records as provided by Rule 4-205.
 - Any other government agency or official receiving this order must expunge related records as provided by Utah Code, Title 77, Chapter 40a, Part 4.
 - Any government agency or official receiving this order may not divulge information identifying the petitioner.
 - Any government agency or official receiving this order must respond to any inquiry as though the arrest or conviction did not occur.

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

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Date

Signature ► _____
Judge _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order on Petition to Expunge Records – Cannabis Conviction on the following people.

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

_____ Signature ► _____
Date Printed Name _____

This is a private record.

Name

Address

City, State, Zip

Phone

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

Email

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

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In Re:</p> <p>_____</p> <p>Petitioner</p>	<p>Petition to Expunge Records (Traffic Conviction) Utah Code 77-40a-305(3)</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p>
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1. **Conviction record**

I was convicted of a traffic violation in court case number

_____.

2. **Certificate of eligibility**

I am not required to receive a certificate of eligibility for expungement to proceed with this petition. Utah Code 77-40a-305(3).

3. **Enough time has passed**

Enough time has passed to expunge this case:

- for a class C misdemeanor or infraction, at least 3 years from the date of conviction;
- for a class B misdemeanor, at least 4 years from the date of conviction.

4. **Only convictions for traffic offenses**
All convictions in this case are for traffic offenses.

5. **Public interest**
Expunging the crimes will not harm the public's interests because:

6. **Request**
I ask the court to order expungement of the record identified above, and order state, county and local government agencies to expunge related records in their possession or control.

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

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

Date

Signature ► _____
Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Stalking Injunction on the following people.

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

_____ Signature ► _____
 Date _____ Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

In the [] District [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:

Petitioner

**Order on Petition to Expunge
Records (Traffic Conviction)**

Case Number

Judge

The matter before the court is a Petition to Expunge Records (Traffic Conviction). This matter is being resolved by:

[] The pleadings and other papers of the parties, or

[] A hearing held on _____ (date), notice of which was served on all parties and at which the court considered the pleadings and evidence presented by the parties.

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

The Court Finds by Clear and Convincing Evidence that:

1. The petition is sufficient.
2. The statutory requirements have been met.

3. Expunging the petitioner's records will not harm the interests of the public.

The Court Concludes:

4. Case number: _____ should be expunged.

The Court Orders:

5. Case number: _____ will be expunged.

- Petitioner may deliver a copy of this order to any government agency or official that may have such records.
- The Bureau of Criminal Identification must notify all criminal justice agencies affected by this order.
- The clerk of the court must expunge all related court records as provided by Rule 4-205.
- Any other government agency or official receiving this order must expunge related records as provided by Utah Code, Title 77, Chapter 40a, Part 4.
- Any government agency or official receiving this order may not divulge information identifying the petitioner.
- Any government agency or official receiving this order must respond to any inquiry as though the arrest or conviction did not occur.

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

Date

Signature ► _____
Judge _____

This is a tier 2 case.

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.

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

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In the Matter of Protection for _____,</p> <p>Respondent</p>	<p>Petition to Appoint a Guardian for an Adult</p> <p><input type="checkbox"/> Attorney for the respondent requested</p> <p><input type="checkbox"/> Court visitor requested</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p>
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- I request that the court appoint _____ (name of proposed guardian), who is a competent person or suitable institution, as guardian for _____ (name of respondent).
- The court has jurisdiction under ~~Section~~ [Utah Code](#) 75-1-302.
- The court has venue because the respondent resides or is present in this county.
- The interested persons who must be served are described in Schedule A, which is attached. Service of a copy of this petition and notice of the time and place of the hearing will occur as described in Schedule A.

5. Information about the respondent:

Name

Address

City, State, Zip

Phone

Email

Social Security Number

Date of Birth

Driver License Number

6. Information about the proposed guardian:

Name

Address

City, State, Zip

Phone

Email

Social Security Number

Date of Birth

Driver License Number

7. Information about the proposed guardian's next of kin or other contact person:

Name

Address

City, State, Zip

Phone

Email

8. The proposed guardian has priority for appointment because they: (Choose all that apply.)
- have been nominated by the respondent (Choose one.)
 - in a signed writing substantially conforming to the requirements of ~~Section~~ Utah Code 75-5-311.
 - by some means other than a signed writing substantially conforming to the requirements of ~~Section~~ Utah Code 75-5-311.
 - are the respondent's spouse.
 - are the respondent's adult child.
 - are the respondent's parent.
 - are a person nominated by will or other writing signed by the respondent's deceased spouse.
 - are a person nominated by will or other writing signed by the respondent's deceased parent.
 - are the respondent's relative with whom the respondent has resided for more than six months before the filing of the petition.
 - have been nominated by _____ (name) who is caring for the respondent or paying benefits to the respondent.
 - are a specialized care professional who does not profit financially or otherwise from or receive compensation for acting as guardian, except for the direct costs of providing guardianship services, and does not otherwise have a conflict of interest in providing those services.
 - are the Office of Public Guardian.
 - had a court order granting sole legal decision making authority over the respondent when respondent turned 17 years and six months old, and this petition is being filed within 2 years after the day respondent turns 18. The case number is _____.
 - are the respondent's parents, or two people who share joint legal decision-making authority over the respondent.
 - are _____
(describe relationship to the respondent)

9. _____ (name) has been nominated as guardian for the respondent but is not the proposed guardian. (If no one or the proposed guardian has been nominated, enter "no one.") The nomination was made by: (Choose all that apply.)

- the respondent;
- the respondent's spouse;
- the respondent's parent;
- the respondent's caregiver.

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

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

11. List any other guardianship or conservatorship orders or pending cases regarding the respondent. (If there are no other orders or proceedings, enter "none.")

12. The respondent's ability to:

- receive and evaluate information; or
- make and communicate decisions; or
- provide for necessities such as food, shelter, clothing, health care, or safety

is impaired to the extent that they lack the ability, even with appropriate technological assistance, to meet the essential requirements for financial protection or physical health, safety, or self-care.

13. The respondent has the following functional limitations, and a guardian is necessary or desirable as a means of providing the respondent with continuing care and supervision:

14. A report about the respondent, written by a physician or psychologist, is attached.

(Only required if respondent is a minor. Utah Code 75-5-317.)

The report is based on an evaluation done in the last six months. I ask the court to waive any additional evaluation.

15. The respondent's incapacity is proved by the following clear and convincing evidence: (Describe examples of the respondent's inabilities and functional limitations, so that, even with appropriate technological assistance, they unable to meet the essential requirements for financial protection or physical health, safety, or self-care. Attach supporting documents, including statements of any witnesses who are familiar with the respondent and/or evaluations of respondent's physician or other evaluator.)

16. A guardianship is necessary or desirable as a means of providing the respondent with continuing care and supervision because:

(Explain what alternatives other than a guardianship have been tried and why they did not succeed. Or explain why alternatives have not been tried.)

Choose paragraph 17 or 18, but not both.

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

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

(name) should be notified if the respondent receives significant health care or treatment;

- institute proceedings to compel a person to perform their duty to support the respondent;
- receive money and tangible property deliverable to the respondent and apply the money and property for the respondent's support, care, and education;
- other (Describe additional authority that the guardian should have.)

18. Full guardianship. (name) should be notified if the respondent receives significant health care or treatment;

_____ The respondent requires a guardian with plenary or full authority because:
(Explain why nothing less than a full guardianship is adequate to provide the respondent with continuing care and supervision.)

19. The estimated value of the respondent's assets is: (Attach additional pages if needed. Refer to paragraph 19.)

General Description	Estimated Value	Unknown
Home and other real estate	\$	[]
Bank and credit union accounts	\$	[]
Investments	\$	[]
Personal property	\$	[]
Other	\$	[]
Total	\$	[]

20. The respondent's estimated monthly income from all sources is: (Attach additional pages if needed. Refer to paragraph 20.)

General Description	Estimated Value	Unknown
Home and other real estate	\$	[]
Bank and credit union accounts	\$	[]
Investments	\$	[]
Personal property	\$	[]
Other	\$	[]
Total	\$	[]

21. The respondent: (Choose one.)

- will be represented by _____, (name) an attorney selected by the respondent.
- needs an attorney appointed by the court, and I am filing with this petition a Request to Appoint an Attorney.

22. The respondent: (Choose one.)

- will be present at the hearing.
- should be excused from attending the hearing: (Choose one.)
 - and I am filing with this petition a Request to Assign a Court Visitor to inquire about whether to excuse the respondent from attending the hearing under Section Utah Code 75-5-303.

because of clear and convincing evidence from a physician that the respondent has: (Choose all that apply. Attach physician's affidavit.)

fourth stage Alzheimer's disease;

extended comatosis; and/or

an intellectual disability with an IQ score under 20 to 25.

23. I request that the court:

- schedule a hearing on this petition;
- give notice as required by Utah Code Section 75-5-309;
- enter an order declaring the respondent to be an incapacitated person and appointing _____ (name) as guardian with the authority requested in paragraph 17 or 18, to serve: (Choose one.)
 - without bond.
 - with bond in the amount of \$_____.
- issue a Letter of Guardianship to the guardian describing the guardian's authority.

24. I ask the court to make the order immediately effective upon the respondent's 18th birthday, which is _____ (date).

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

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

Date

Signature ► _____
Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

Respondent

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

Case Number

Judge

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

- The stipulation of the parties.
- The pleadings and other papers of the parties.
- A hearing held on _____ (date), notice of which was served on all parties.

Petitioner

- was present.
- was not present.
- was represented by _____ (name).
- was not represented.

Respondent

was present.

was excused from attending.

was represented by _____ (name).

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

The court finds:

1. The court has jurisdiction under ~~Section~~ Utah Code 75-1-302.
2. The court has venue because the respondent resides or is present in this county.
3. Service on all interested persons of a copy of the petition and notice of the time and place of the hearing has been made as required by law.
4. The respondent is an adult, or will be an adult within the next six months.
5. _____
(name of guardian(s)) is a competent person or persons or suitable institution to be the respondent's guardian.
6. The guardian(s) receive priority for appointment because they: (Choose all that apply.)
 - have been nominated by the respondent (Choose one.)
 - in a signed writing substantially conforming to the requirements of ~~Section~~ Utah Code 75-5-311.
 - by some means other than a signed writing substantially conforming to the requirements of ~~Section~~ Utah Code 75-5-311.
 - are the respondent's spouse.
 - are the respondent's adult child.
 - are the respondent's parent.
 - are nominated by will or other writing signed by the respondent's deceased spouse.
 - are nominated by will or other writing signed by the respondent's deceased parent.
 - are the respondent's relative(s) with whom the respondent has resided for more than six months before the filing of the petition.

- have been nominated by _____
(name) who is caring for the respondent or paying benefits to the respondent.
- is a specialized care professional who does not profit financially or otherwise from or receive compensation for acting as guardian, except for the direct costs of providing guardianship services, and does not otherwise have a conflict of interest in providing those services.
- had a court order granting sole legal decision making authority over the respondent when respondent turned 17 years and six months old, and this petition is being filed within 2 years after the day the respondent turns 18.
- are the respondent's parents, or two people who share joint legal decision-making authority over the respondent.
- are _____
(describe relationship to the respondent)

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

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

8. There is clear and convincing evidence that the respondent's ability to:

- receive and evaluate information; or
- make and communicate decisions; or
- provide for necessities such as food, shelter, clothing, health care, or safety

is impaired to the extent that s/he lacks the ability, even with appropriate technological assistance, to meet the essential requirements for financial protection or physical health, safety, or self-care.

9. The respondent has the following functional limitations, and a guardian is necessary or desirable as a means of providing the respondent with continuing care and supervision:

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

12. The report about the respondent written by a physician or psychologist satisfies the requirements of Utah Code 75-5-317.

The court concludes:

13. The respondent is an incapacitated person and a guardianship is necessary or desirable as a means of providing the respondent with continuing care and supervision.
14. The respondent requires a guardian: (Choose one.)
 with limited authority as provided in paragraph 10.
 with plenary or full authority.
15. _____
(name of guardian(s)) is a competent person or suitable institution to be the respondent's guardian.
16. This order should be immediately effective upon the respondent's 18th birthday, which is _____ (date).

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

Date

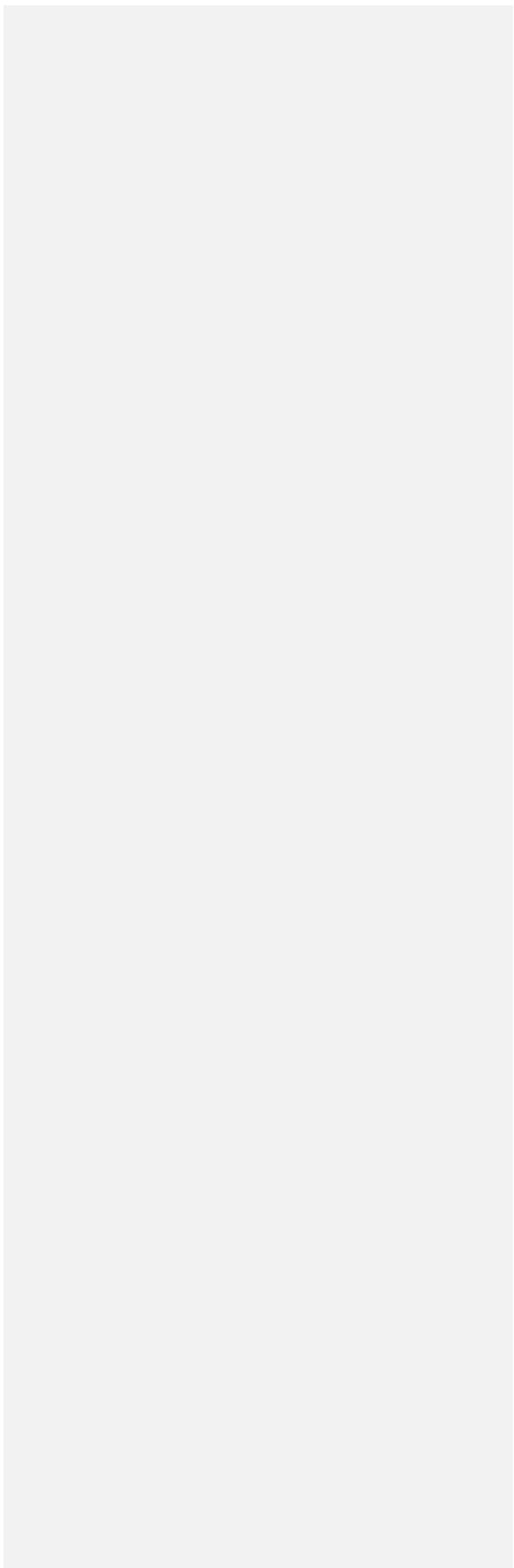
Signature ► _____
Judge _____

Approved as to form.

Date

Signature ► _____
Petitioner or Attorney _____

_____ Signature ► _____
Date Respondent or Attorney _____



Certificate of Service

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

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

_____ Signature ► _____
 Date Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for _____ Respondent	Order Appointing Guardian for an Adult _____ Case Number _____ Judge
--	---

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

- The stipulation of the parties.
- The pleadings and other papers of the parties.
- A hearing held on _____ (date), notice of which was served on all parties.

Petitioner

- was present.
- was not present.
- was represented by _____ (name).
- was not represented.

Respondent

was present.

was excused from attending.

was represented by _____ (name).

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

The Court Orders:

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

without bond.

with bond in the amount of \$_____.

Choose (2) or (3), but not both.

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

make decisions about the protected person's custody and residence;

make decisions about the protected person's training and education;

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

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

commence protective proceedings if the protected person's property needs protection;

give consent necessary to enable the protected person to receive medical or other professional care, counsel, treatment, or service;

institute proceedings to compel a person to perform their duty to support the protected person;

receive money and tangible property deliverable to the protected person and apply the money and property for the protected person's support, care, and education;

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

- (3) [] Full guardianship. The guardian has plenary or full authority.
- (4) [] The guardian must notify the following interested person of any significant health care or treatment the respondent receives:

- (5) Upon qualification of and acceptance by the guardian, the clerk of court shall issue an appropriate letter of guardianship.

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

Date

Signature ► _____
Judge _____

Approved as to form.

Date

Signature ► _____
Petitioner or Attorney _____

Date

Signature ► _____
Respondent or Attorney _____

Certificate of Service

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

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

_____ Signature ► _____
 Date Printed Name _____

3. I ask the court to: (choose all that apply)
- review the management activity of the guardian.
 - terminate or end the guardianship or conservatorship.
 - remove the guardian or conservator. I understand this does not terminate the guardianship or conservatorship.

4. I ask for this because: (choose all that apply)
- there is a dispute that cannot be resolved regarding the guardian's management.
 - the protected person has been adopted.
 - the protected person is no longer incapacitated.
 - the protected person has died.
 - the protected person is a minor and has married.
 - the guardian or conservator is incapacitated, has resigned, or has been removed.
 - the guardian or conservator is unable to perform their duties due to illness.
 - the guardian fails to perform the duties in Utah Code 75-5-312.
 - the conservator fails to meet the standard of care in Utah Code 75-7-902.
 - the guardian or conservator obtained their appointment by fraud, deceit, or gross misrepresentation.
 - the guardian fails to use reasonable care and diligence in managing the protected person's estate.
 - the guardian or conservator has interests that are adverse to their duties and there is a risk they will not faithfully perform their duties.
 - the guardian was found by the court to have filed the petition for guardianship frivolously or in bad faith.
 - removing the guardian or conservator would be in the best interest of the protected person.

5. In support of my choices in paragraph 4 above, the court should know that:
(give details to explain your choice above)

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

7. I have attached the final accounting for the protected person's estate.

8. Because I am asking that the guardianship or conservatorship be terminated, I ask that the court enter an order transferring title of the protected person's estate to: (choose one)

- the protected person.
- the protected person's personal representative (executor).
- the protected person's successor in interest (beneficiaries).

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

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

Date

Signature ► _____

Printed Name _____

Notice to responding party

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

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

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

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

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



Scan QR code to visit page

Finding help

The court's Finding Legal Help web page (utcourts.gov/help) 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.



Scan QR code to visit page

Aviso para la parte que responde

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

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

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

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

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

utcourts.gov/motions-span



Para acceder esta página escanee el código QR

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal (utcourts.gov/help-span) 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.



Para acceder esta página escanee el código QR

Certificate of Service

I certify that I filed with the court and served a copy of this Order on Motion to Review, Terminate, or Remove Guardian or Conservator on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by 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 (Person agreed to service by 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 (Person agreed to service by 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

My Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah, _____ County
Court Address _____

In the Matter of Protection for

a protected person.

Findings of Fact, Conclusions of Law and Order on Motion to Review, Terminate, or Remove Guardian or Conservator

Case Number

Judge

The matter before the court is a motion to review, terminate, or remove guardian or conservator. This matter is being resolved by: (Choose all that apply.)

- The default of the interested parties.
- 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.

The protected person

- was present.
- was not present.
- was represented by _____ (name).
- was not represented.

Guardian or Conservator

- was present.
- was not present.

- was represented by _____ (name).
- was not represented.

- Interested Party _____ (name).
- 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 that:

- 1. there is a dispute that cannot be resolved regarding the guardian's management.
 - the protected person has been adopted.
 - the protected person is no longer incapacitated.
 - the protected person has died.
 - the protected person is a minor and has married.
 - the guardian or conservator is incapacitated, has resigned, or has been removed.
 - the guardian or conservator is unable to perform their duties due to illness.
 - the guardian has failed to perform the duties in Utah Code 75-5-312.
 - the conservator has failed to meet the standard of care in Utah Code 75-7-902.
 - the guardian or conservator obtained their appointment by fraud, deceit, or gross misrepresentation.
 - the guardian has failed to use reasonable care and diligence in managing the protected person's estate.
 - the guardian or conservator has interests that are adverse to their duties and there is a risk they will not faithfully perform their duties.
 - the guardian was found by the court to have filed the petition for guardianship frivolously or in bad faith.
 - removing the guardian or conservator would be in the best interest of the protected person.
2. The court also finds that:

The court concludes that:

Certificate of Service

I certify that I served a copy of this Order on Motion to Review, Terminate, or Remove the Guardian or Conservator on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by 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.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by 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"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by 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"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by 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.)		

_____ Sign here ► _____

Date _____
 Typed or Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

I am Guardian/Conservator Other party _____
 Guardian/Conservator's Attorney Other party's Attorney (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

a protected person.

**Notice of Right to Object to Motion
Review, Terminate, or Remove
Guardian or Conservator**

Case Number

Judge

To:

Name and Address

I have filed the attached Motion to Review, Terminate, or Remove Guardian or Conservator with the court. If, after reviewing the documents, you don't agree with something in them, you may file a written objection with the court. The objection must state the reasons for your objection. And the court must receive your objection no later than 30 days from the date this notice was mailed. If you file an objection, the court will schedule a hearing of which you will be notified.

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Notice of Right to Object to Motion to Review, Terminate, or Remove Guardian or Conservator on the following people.

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

_____ Signature ► _____
 Date _____ Printed Name _____

This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am the Guardian/Conservator
 Attorney for the Guardian/Conservator and my Utah Bar number is _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

a protected person.

**Motion to Change Accounting
Report Requirements**
(Utah Code 75-5-312(4))

Case Number

Judge

1. I was appointed on _____ (date).
2. I ask to change the following accounting report requirements:
 - the reporting period. I ask that it be changed each year as follows:
 - Begin date: _____
 - End date: _____
 - the reporting frequency. I ask that I be required to provide an accounting every: (list how often a report will be needed, such as, every 2 years)
_____.
 - the information required in the report. I ask that I only be required to report on: _____.

3. I ask for this change because (explain):

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

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

_____	Signature ►	_____
Date	Printed Name	_____

Certificate of Service

I certify that I filed with the court and served a copy of this Motion to Change Accounting Report Requirements on the following people.

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

_____ Signature ► _____
 Date _____
 Printed Name _____

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

a protected person.

Findings of Fact, Conclusions of Law, and Order on Motion to Change Accounting Report Requirements

Case Number

Judge

The matter before the court is Guardian's or Conservator's Motion to Change Accounting Report Requirements. This matter is being resolved by: (Choose all that apply.)

- The default of the interested parties.
- 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.

Guardian or Conservator

- was present.
- was not present.
- was represented by _____ (name).
- was not represented.

Interested Party _____ (name).

- 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 that:

1. The guardian or conservator has asked to change the accounting report requirements.
2. The court also finds that:

The Court Concludes that:

2. The reporting requirements:
 should be changed.
 should not be changed.

The Court Orders that:

3. The Motion is granted denied.
4. The reporting requirements are changed as follows:
 the reporting period will begin on _____ and end on _____.
 the reports must be provided (frequency) _____.
 the reports only need to include the following information:

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

Date

Signature ► _____
Judge _____

Approved as to form.

_____	Signature ►	_____
Date	Guardian or Attorney	_____
_____	Signature ►	_____
Date	Protected Person or Attorney	_____

Certificate of Service

I certify that I filed with the court and served a copy of this Order on Motion to Change Reporting Period on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by 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 (Person agreed to service by 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 (Person agreed to service by 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 Guardian/Conservator Other party _____
 Guardian/Conservator's Attorney Other party's Attorney (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for

a protected person.

**Notice of Right to Object to Motion
to Change Accounting Report
Requirements**

Case Number

Judge

To:

Name and Address

I have filed the attached Motion to Change Accounting Report Requirements with the court. If, after reviewing the documents, you don't agree with something in them, you may file a written objection with the court. The objection must state the reasons for your objection. And the court must receive your objection no later than 30 days from the date this notice was mailed. If you file an objection, the court will schedule a hearing of which you will be notified.

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Notice of Right to Object to Motion to Change Accounting Report Requirements 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

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

Email

I am Guardian Conservator
 Guardian's Attorney Conservator's Attorney (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of:

(Protected Person Ward)

Guardian's Financial Accounting to Conservator (Utah Code Section 75-5-312)

Guardian's / Conservator's Financial Accounting to the Court (Utah Code Sections 75-5-312 and 75-5-419)

Case Number

Judge

1. I am the following to the above-named ~~Ward~~ Protected person:
 Guardian
 Conservator
 Guardian and Conservator
2. (Check all of the boxes which apply. Fill in the blanks if appropriate.)
 This is my first report.

My previous report covered the period from _____ to _____.

This is my final report.

3. This accounting covers the period from _____ to _____.

4. There is an estate plan to guide investment and distribution:

No

Yes

The plan is on file with the court.

The plan is being submitted along with this accounting.

5. The value of the estate (excluding the residence) is less than \$50,000.
(If you check this box, fill out paragraph 5 and then skip to the signature. You do not need to complete any other sections.)

a. Assets. The protected person has the following assets. (Attach additional sheets if needed.)

Description	Beginning balance	Ending balance

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b. Income. The protected person had the following income during the reporting period. (Attach additional sheets if needed.)

Source	Amount

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- c. Spending. Money was spent on the following during the reporting period.
(Attach additional sheets if needed.)

Expense	Amount

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- d. Other expenses. The protected person's estate also paid for these other expenses. (Attach additional sheets if needed.)

Expense	Amount

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6. The value of the estate (excluding the residence) is \$50,000 or more.
Balance Summary (Beginning Balance must agree with Ending Balance of the Inventory or the previous accounting, whichever is later.)

Schedule	Category	Beginning Balance	Gains and Losses	Ending Balance
A	Real Estate			
B	Stocks and Bonds			
C	Money Owed to Ward Protected Person			
<u>D</u>	<u>Investments of Trusts</u>			
DE	Miscellaneous Property			
EF	Debts and Encumbrances			

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FG	Cash and Cash Accounts		**	*
	Total			

* This amount should equal the money in all of the Ward's Protected Person's bank accounts on the last day of the reporting period for this accounting.

** The total Gains and Losses for Cash and Cash Accounts should equal the total for Receipts and Payments.

Summary of Receipts and Payments

1	Receipts Total	
2	Payments Total	
3	Total	**

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**The total Gains and Losses for Cash and Cash Accounts should equal the total for Receipts and Payments.

Receipts during the reporting period

Item	Description	Amount
1	Wages	
2	Interest	
3	Dividends	
4	Social Security	
5	Annuities	
6	Insurance	
7	Real Estate Sold	
8	Stocks/Bonds Sold	
9	Money owed to <u>Ward-Protected Person</u> that was received	
10	Miscellaneous Property Sold	
11	Other (Describe)	
12	Total	

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Payments during the reporting period

Item	Category	(Amount)
1	Mortgage/Rent	
2	Utilities (gas, electricity, water, sewage, phone, internet, etc.)	
3	Home Maintenance (Include maintenance, cleaning, repairs, etc.)	

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4	Home Improvement (Include additions, remodeling, etc.)	
5	Home Furnishings	
6	Health Care (physicians, dentists, psychiatrists, psychologists, etc.)	
7	Food	
8	Education	
9	Clothes	
10	Personal Effects	
11	Activities	
12	Transportation	
13	Taxes	
14	Charge for Conservator's Services	
15	Charge for Guardian's Services	
16	Charge for other Professional Services	
17	Court Fees	
18	Expenditures or fees charged to the protected person's estate. 75-5-312(3)(f)(vi)(E)	
19	Any other expenses incurred by the protected person's estate. 75-5-312(#)(f)(vi)(F) (Describe)	
20	Total	

Commented [NP1]: Required by new 75-5-312(3)(f)(vi)(E)

Commented [NP2]: Required by 75-5-312(f)(vi)(F)

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Schedule A – Real Estate*

Item	Description	Value on First Day of this Reporting Period	Value on Last Day of this Reporting Period	Amount of Gain (Loss)
1				
2				
3				

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* Attach a copy of the most recent tax assessment for each piece of real property.

Schedule B – Stocks and Bonds*

Item	Description	Value on First Day of this Reporting Period	Value on Last Day of this Reporting Period	Amount of Gain (Loss)

Formatted Table

1				
2				
3				
4				
5				

* Attach a copy of the most recent account statement if one has been issued.

Schedule C – Money owed to ~~Ward~~Protected Person

Item	Description	Value on First Day of this Reporting Period	Value on Last Day of this Reporting Period	Amount of Gain (Loss)
1				
2				
3				
4				
5				

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Schedule D – Investments or trusts held for the protected person's benefit

<u>Item</u>	<u>Description</u>	<u>Value on First Day of this Reporting Period</u>	<u>Value on Last Day of this Reporting Period</u>	<u>Amount of Gain (Loss)</u>
<u>1</u>				
<u>2</u>				
<u>3</u>				
<u>4</u>				
<u>5</u>				

Formatted Table

Schedule E – Miscellaneous Property ~~including any investments or trusts that are held for the person's benefit (75-5-312(#)(f)(vi)(D))~~

Item	Description	Value on First Day of this Reporting Period	Value on Last Day of this Reporting Period	Amount of Gain (Loss)

Formatted Table

1				
2				
3				
4				
5				

Schedule F – Debts and Encumbrances

Item	Description	Debts on First Day of this Reporting Period	Debts on Last Day of this Reporting Period	Amount of Gain (Loss)
1				
2				
3				
4				
5				

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Schedule G – Cash Accounts (Such as checking or savings accounts)*

Item	Description	Amount on First Day of this Reporting Period	Amount on Last Day of this Reporting Period	Amount of Gain (Loss)
1				
2				
3				
4				
5				

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* Attach a copy of the most recent bank statement for each account.

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

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

Date Signature ►

Printed Name _____

Name

Address

City, State, Zip

Phone

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

Email

I am Guardian Conservator
 Guardian's Attorney Conservator's Attorney (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of:

(WardProtected person)

**Report on the Status of the
WardProtected Person**

Case Number

Judge

1. I am Guardian of the above-named Wardprotected person.
2. The Ward-protected person was born on _____
(Wardprotected person's birth __ date).
3. (Check all of the boxes which apply. Fill in the blanks if appropriate)
 This is my first report.
 My previous report covered the period from _____ to _____
 This is my final report.
4. This report covers the period from _____ to _____.
(Note: The beginning date must be one day later than the ending date of the previous report.)

5. During the reporting period, I had contact with the Wardprotected person approximately _____ (number of) times.
6. During the reporting period, the Wardprotected person has engaged in the following education, training or social activities:

7. The Wardprotected person lives at:

Name of facility (if applicable): _____

Street Address: _____

Mailing Address: _____

8. (Check all boxes which apply. Fill in the appropriate blanks)

The Wardprotected person has been at this location since

_____.

The Wardprotected person has moved during the reporting period year because

_____.

9. The Wardprotected person's living arrangement is best described as:

The Wardprotected person's home.

A relative's home. Describe the relationship _____.

My home.

A care facility.

10. If the Wardprotected person is living in a private home, the following people are living in the same household with the Wardprotected person:

Name	Relationship to the <u>Wardprotected person</u>

11. If the Wardprotected person is living in a care facility, I would describe the care facility as follows:

The name of the care facility is: _____.

My description of the care facility is: _____.

The following person at the care facility can be contacted for further information:

Name: _____.

Mailing Address: _____.

City, State, Zip _____.

Phone: _____.

Email: _____.

12. I rate the living situation as:

excellent

average

below average

Explain: _____.

_____.

13. I believe the Wardprotected person's feelings about the living situation are as follows:

content

unhappy

Explain: _____.

_____.

14. I recommend a more suitable living arrangement.

No

Yes

Explain: _____
_____.

15. The Wardprotected person's primary medical care provider is:

Name: _____

Mailing Address: _____

City / State / Zip: _____

16. During the reporting period, the Wardprotected person has been treated or evaluated by: (Include Physicians, Dentists, Psychiatrists, Psychologists, Social workers, etc.)

Name: _____.

Mailing Address: _____.

City, State, Zip _____.

Date: _____

Purpose: _____.

Findings: _____

_____.

Name: _____.

Mailing Address: _____.

City, State, Zip _____.

Date: _____

Purpose: _____.

Findings: _____

_____.

Name: _____.

Mailing Address: _____.

City, State, Zip _____.

Date: _____

Purpose: _____.

Findings: _____

_____.

17. During the reporting period, the Wardprotected person has received the following treatment, therapy or assistive devices:

18. Currently, the Wardprotected person is taking the following medications:

Name: _____

Dosage: _____

Reason: _____

19. Describe the Wardprotected person's cognitive and emotional functioning:

20. Describe the Wardprotected person's everyday functioning, such as ability care for self, make medical decisions, and make daily living decisions:

21. During the reporting period, the Wardprotected person's mental health condition has: ~~(75-5-312(2)(i))~~

- remained about the same
 improved
 deteriorated

Explain:

22. During the reporting period, the Wardprotected person's physical health condition has: ~~(75-5-312(2)(i))~~

- remained about the same
 improved
 deteriorated

Explain:

23. During the reporting period, the Wardprotected person has been diagnosed with a terminal illness.

- No
 Yes

Diagnosing Doctor: _____

Telephone: _____

Diagnosis: _____

24. There is a current plan for the Wardprotected person's care, training or treatment:

No

Yes

The plan is on file with the court.

The plan is being submitted along with this Status Report.

25. I recommend that the guardianship should be

continued

modified as follows:

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

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

Date

Signature ► _____
Printed Name _____

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah in the interest of:

**Notice of Rights and Responsibilities
When Appealing a Juvenile Court
Order in a Child Welfare Case**
(Utah Code Section 78A-6-359)

Child(ren) under 18 years of age

Juvenile Court Case Number

TO ALL PARTIES:

If you disagree with a decision in a child welfare case, you have a right to appeal. The appeal would be considered by the Utah Court of Appeals. There are strict deadlines and requirements for an appeal:

- You must file a Notice of Child Welfare Appeal. You must file within **15 days** of when the judge’s decision is filed. File the notice with the juvenile court that issued the decision you are appealing. You can find the form and information online at: www.utcourts.gov/child
- **You must sign** the Notice of Child Welfare Appeal, even if someone else fills out the form for you. If you don’t, your appeal will be rejected.
- You have the right to be represented by a lawyer for free if you cannot afford one. The lawyer will be assigned after you file a Notice of Child Welfare Appeal.
- During the appeal you must keep in regular contact with your lawyer. Tell your lawyer your current address and phone number, and tell them right away if they change. You must also give your address and phone number to the other parties in the case and to the Court of Appeals.



Scan QR code
to visit page

Notice to Judicial Assistant: If a party is not present in the courtroom, the court must mail a copy of this notice to the party at their last known address. See Utah Code Section 78A-6-359(4).

I certify that on _____, I mailed a copy of this form, with first-class postage prepaid, to the following:

Party’s name	Address	City / State / ZIP
		Clerk

Name

Address

City, State, Zip

Phone

Email

I am the Appellant
 Attorney for the Appellant and my Utah Bar number is _____

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

State of Utah, in the interest of

Last name, first name

Date of birth

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

Notice of Child Welfare Appeal
(Utah Rule of Appellate Procedure 52)

Case Number

Incident(s)

Judge

1. _____ (name) appeals the final order or judgment in this case to the Utah Court of Appeals.
2. The appeal is for (choose one):
 the entire order or judgment, which was entered on _____ (date).
 the part of the order or judgment entered on _____ (date), that says:

_____ Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Notice of Child Welfare Appeal 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