

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

State of Utah, in the interest of

Last name, first name

A minor

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

Pretrial Criminal Protective Order
(Utah Code 78B-7-803)

Case Number

Judge

1. Party information

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

Accused minor:

First name:	
Middle name or initial (if any):	
Last name:	

2. The court finds

The accused minor represents a credible threat to the physical safety of the protected person.

The protected person is:

- ☐ an intimate partner of the accused minor. (The accused minor and the protected person are or were married, are the parents of a shared child, cohabitate or have cohabited together). (18 U.S.C. Sec. 921 (a)(32)).
- ☐ the child of an intimate partner of the accused minor.
- ☐ not an intimate partner of the accused minor, but is a cohabitant under Utah law.
- ☐ not an intimate partner or cohabitant, but is an alleged victim.

Commented [KT1]: 78B-7-803(1)(b)

The court orders

You, the accused minor, must obey all orders marked below.

3. ☒ No domestic violence or abuse

You must not to do any of the following to the protected person or any of the designated family or household members:

- threaten to commit or commit acts of domestic violence or abuse,
- harass,
- threaten,
- stalk,
- use, attempt to use, or threaten to use physical force that would reasonably be expected to cause bodily harm, or
- engage in any other conduct that would place the protected person or designated family or household members in reasonable fear of bodily injury.

Designated family or household members:

Name (include first and last name):

4. ☐ **No contact or limited contact**

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Commented [AH2]: Language approved by Policy and Planning Committee

☐ You must not harass, telephone, contact, or otherwise communicate with the protected person, directly or indirectly (includes email, text, social media, social media messaging or posts, mail, or other methods of contact).

☐ You and the protected person share custody of one or more minor children. You must only contact the protected person to arrange visits with the children by the methods checked below. Any approved communication must be civil and respectful.

☐ Phone

☐ Text

☐ Email

☐ Third party person (name): _____

☐ Other: _____

☐ For family related matters other than parent time, you must only communicate with the protected person through the person listed below:

First name:	
Middle name or initial (if any):	
Last name:	

Phone or other:

5. ☐ **Accused minor cannot live at protected person's residence**

You **must not** go to the protected person's residence or premises without an officer. You must remove yourself from and stay away from the protected person's residence and premises.

Warning to accused minor: Law enforcement can remove you or keep you away from the protected person's residence or premises if needed.

6. ☐ **Stay away**

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Commented [AH3]: Language approved by Policy and Planning Committee

Warning to accused minor: You **must not** go to the residence or premises of the protected person or other protected places without an officer. Law enforcement can remove you or keep you away from the places frequented by the protected person if needed.

You must stay away from:

☐ The protected person's residence;

☐ The protected person's school;

☐ The protected person's workplace;

☐ These other places frequented by the protected person and any designated family members:

(Street, City, State, ZIP)

(Street, City, State, ZIP)

☐ You must stay away from the protected person if you encounter them at any other location not listed in this order. You must not communicate or

have contact with the protected person and must leave. If leaving is not an option (such as at your place of employment or at a required court hearing), you must move as far away as possible to avoid any confrontation.

Commented [AH4]: Language approved by the Policy and Planning Committee as a checkbox

☐ 6. Personal property is transferred as follows:

To you	To the protected person

Warning to accused minor: You **must not** go to the residence of the protected person or other protected places without an officer. Law enforcement can evict you or keep you away from the places frequented by the protected person if needed.

7. ☐ **Monitoring programs**

☐ You must participate in and comply with an electronic monitoring program.
(Your location is monitored with a wearable tracking device.)

☐ You must participate in and comply with these monitoring programs:

8. ☐ **Other orders**

9. ☐ **Orders to agencies**

A law enforcement officer from:

_____ (police agency) will enforce the orders checked below:

- ☐ Remove and require you to stay away from the protected person's residence.
- ☐ Accompany you one time to get your personal property.
- ☐ Accompany the protected person to get their personal property.

Notices to accused minor:

This order is in effect until further order of the court, trial, or other resolution of the case.

Penalties for violating this order (Utah Code 78B-7-806(3))

If you do not obey this order, you can be arrested and charged with a new offense. The new offense would be Violation of a Protective Order, which is a:

- Third degree felony, if you were charged of committing a felony in this case.
- Class A misdemeanor, if you were charged of committing a misdemeanor in this case.

You may become subject to federal law because this protective order was issued against you. This would mean that it would be a crime for you to possess, transport, ship or receive any firearm or ammunition, including a hunting weapon.

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

Notice to accused minor, petitioner, and protected person:

The parties cannot change or dismiss this order. Only the court has the authority to change or dismiss this order. If you want to ask the court to change or dismiss this order, you must file a motion with the court.

— The court completes this section —

Expiration date for National Crime Information Center purposes only: 01/01/3000

Date Signature ► _____
Judge _____

— **Accused** minor fills out below —

Commented [KT5]: Is this section needed?

Accused minor accepts service of this protective order.

Date Signature ► _____
Accused minor _____

The parent, guardian or custodian of the accused minor accepts service of this protective order on behalf of the accused minor, or the accused minor has consulted with legal counsel prior to accepting service.

Date Signature ► _____
Parent, guardian or custodian _____

Date Signature ► _____
Legal counsel _____

Name

Address (omit if safeguarded)

City, State, Zip (omit if safeguarded)

Phone (omit if safeguarded)

Email (omit if safeguarded)

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

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

	Request for Sentencing (Dispositional) Protective Order (Utah Code 78B-7-804 and 78B-7-805)
Petitioner (person asking for protection)	
v.	Case Number _____
Adjudicated minor	Judge _____

Commented [KT1]: Is this the appropriate caption?

1. Case Information

The adjudicated minor has been placed on probation or entered into a plea in abeyance agreement after the court issued a formal decision.

2. Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

☐ I ask to protect additional victims. Attached is a sheet of paper that includes each additional victim's first and last name and relationship to the adjudicated minor.

3. Adjudicated minor:

First name:	
Middle name or initial (if any):	
Last name:	

4. Relationship with the adjudicated minor

The protected person (choose all that apply):

- ☐ is married to the adjudicated minor.
- ☐ is divorced from the adjudicated minor.
- ☐ lives with the adjudicated minor as a couple.
- ☐ used to live with the adjudicated minor as a couple.
- ☐ has or had a child or children with the adjudicated minor.
- ☐ is in a consensual sexual relationship with the adjudicated minor.
- ☐ used to be in a consensual sexual relationship with the adjudicated minor.
- ☐ lives in the same home as the adjudicated minor.
- ☐ used to live in the same home as the adjudicated minor.
- ☐ is related by blood, marriage or adoption as a child, parent, aunt, uncle, niece, nephew, grandparent, grandchild, or sibling of the adjudicated minor. (Specify the relationship):

☐ is expecting a child with the adjudicated minor. (Due date in mm/dd/yyyy):

☐ other (specify the relationship with the adjudicated minor):

☐ does not or did not have a relationship with the adjudicated minor.

5. Other Court Cases

There are:

☐ No other court cases involving the protected person, adjudicated minor, or

their children.

- ☐ The following court cases involving the protected person, adjudicated minor, or their children.

(If marked, list all court cases below to the best of your knowledge.)

Court case name		Court case number	
Judge's name		County and state	
Type of case	<input type="checkbox"/> Civil litigation <input type="checkbox"/> Juvenile court proceeding <input type="checkbox"/> Criminal case <input type="checkbox"/> Order of protection		
Person involved	<input type="checkbox"/> Protected person <input type="checkbox"/> Adjudicated minor	Did the judge make an order?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Court case name		Court case number	
Judge's name		County and state	
Type of case	<input type="checkbox"/> Civil litigation <input type="checkbox"/> Juvenile court proceeding <input type="checkbox"/> Criminal case <input type="checkbox"/> Order of protection		
Person involved	<input type="checkbox"/> Protected person <input type="checkbox"/> Adjudicated minor	Did the judge make an order?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Court case name		Court case number	
Judge's name		County and state	
Type of case	<input type="checkbox"/> Civil litigation <input type="checkbox"/> Juvenile court proceeding <input type="checkbox"/> Criminal case <input type="checkbox"/> Order of protection		
Person involved	<input type="checkbox"/> Protected person <input type="checkbox"/> Adjudicated minor	Did the judge make an order?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Court case name		Court case number	
Judge's name		County and state	
Type of case	<input type="checkbox"/> Civil litigation <input type="checkbox"/> Juvenile court proceeding <input type="checkbox"/> Criminal case <input type="checkbox"/> Order of protection		
Person involved	<input type="checkbox"/> Protected person <input type="checkbox"/> Adjudicated minor	Did the judge make an order?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Request for Protective Orders

I ask the court for the following orders. (Choose all that apply.)

6. ☒ No domestic violence or abuse

Order the adjudicated minor not to do any of the following to the protected person or any of the designated family or household members:

- threaten to commit or commit acts of domestic violence or abuse,
- harass,
- threaten,
- stalk,
- use, attempt to use, or threaten to use physical force that would reasonably be expected to cause bodily harm, or
- engage in any other conduct that would place the protected person or designated family or household members in reasonable fear of bodily injury.

Designated family or household members:

Name (include first and last name)	Relationship to the protected person

7. ☐ No contact or limited contact

Notice: The adjudicated minor will not violate the protective order by:

- attending a hearing with the protected person. But they must be a party to the case or a required witness.
- serving documents they file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

☐ Order the adjudicated minor not to harass, telephone, contact, or otherwise communicate with the protected person, directly or indirectly (includes email, text, social media, social media messaging or posts, mail, or other methods of contact).

Commented [AH2]: Language approved by Policy and Planning Committee

☐ The adjudicated minor and the protected person share custody of one or more minor children. Order the adjudicated minor to only contact the protected person to arrange visits with the children by the options below. Any approved communication must be civil and nonthreatening. (Choose the preferred method(s) of contact.)

☐ Phone: _____

☐ Text: _____

☐ Email: _____

☐ Third party person (name): _____

Contact information for third party person: _____

☐ Other (specify): _____

8. ☐ **Adjudicated minor cannot live at protected person's residence**

Order the adjudicated minor to be removed from the protected person's residence and the premises. Order that the adjudicated minor cannot live at the protected person's residence and the premises.

9. ☐ **Stay away**

Notice: The adjudicated minor will not violate the protective order by:

- attending a hearing with the protected person. But they must be a party to the case or a required witness.
- serving documents they file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Commented [AH3]: Language approved by Policy and Planning Committee

Order the adjudicated minor to stay away from:

☐ The protected person's residence;

☐ The protected person's school;

☐ The protected person's workplace;

☐ These other places frequented by the protected person and any designated family members (a judge can only order the adjudicated minor to stay away from a specific place with an address listed):

Commented [KT4]: (CJA 4-202.02(8)(E)(i) says that a crime victim's personal or business addresses are safeguarded);

(Street, City, State, ZIP)

(Street, City, State, ZIP)

- [] Order the adjudicated minor to stay away from the protected person if they encounter them at any other location not listed in this order. The adjudicated minor must not communicate or have contact with the protected person and must leave. If leaving is not an option (such as at the adjudicated minor's place of employment), the adjudicated minor must move as far away as possible to avoid any confrontation.

Commented [AH5]: Language approved by Policy and Planning Committee

10. [] Property Orders

Order personal property to be transferred as follows:

To the accused minor:	To the protected person:

11. [] Monitoring programs

- [] Order the adjudicated minor to participate in and comply with an electronic monitoring program. (The adjudicated minor's location is monitored with a wearable tracking device.)
- [] Order the adjudicated minor to participate in and comply with a monitoring program (can include substance abuse testing, alcohol testing, supervised parent-time, etc.)

Requested program (describe):

11. [] No guns or weapons:

[] Order the adjudicated minor not to use, possess, have, or buy a gun or firearm.

[] Order the adjudicated minor not to use, possess, have, or buy any of these weapons (list weapons):

[] Order the adjudicated minor to hand in any guns or firearms that the adjudicated minor owns or possesses.

[] Order the adjudicated minor to hand in any of these weapons the adjudicated minor

owns or possesses (list weapons):

13. [] Restitution

Order the adjudicated minor to pay restitution to the protected person in accordance with the Crime Victims Restitution Act (Title 77, Chapter 38b).

14. [] Transfer Wireless Phone Numbers

Order the adjudicated minor and the wireless service provider to transfer the protected person's current wireless phone numbers to a new account of the protected person's choice.

- The adjudicated minor is the account holder for the following wireless phone numbers:

- The numbers are assigned to phones that are primarily used by the protected person, or by people who will live with the protected person while the protective order is in effect.
- The protected person will have full financial responsibility for each wireless phone number, beginning on the day of transfer. This includes monthly service costs and costs for any mobile device associated with the wireless phone numbers.

- A wireless service provider may apply standard requirements for account establishment to the protected person when transferring financial responsibility.

10. ☐ Other orders

Other orders requested (List any other orders needed to protect the protected person and the protected person's immediate family or household members.)

13. ☐ Requested orders to agencies

Order a law enforcement officer from:

_____ (police agency) to enforce the orders checked below:

- ☐ Remove and require the adjudicated minor to stay away from the protected person's residence.
- ☐ Accompany the adjudicated minor one time to get their personal property.
- ☐ Accompany the protected person to get their personal property.

Petitioner

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

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

Signature ►

Date

Printed Name

or

Prosecutor or attorney (if applicable)

Signature ►

Date

Printed Name

In the Juvenile Court of Utah

_____ Judicial District, _____ County

Court Address _____

State of Utah, in the interest of

Last name, first name

A minor

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

Sentencing (Dispositional) Protective Order
(Utah Code 78B-7-804 and 78B-7-805)

Case Number

Judge

1. Party information

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

Adjudicated minor:

First name:	
Middle name or initial (if any):	
Last name:	

The court finds

The adjudicated minor has been placed on probation or entered into a plea in abeyance agreement after the court issued a formal decision. The adjudicated minor represents a credible threat to the physical safety of the protected person.

The protected person is:

- ☐ an intimate partner of the adjudicated minor. (The adjudicated minor and the protected person are or were married, are the parents of a shared child, cohabit or have cohabited together). (18 U.S.C. Sec. 921 (a)(32)).
- ☐ the child of an intimate partner of the adjudicated minor.
- ☐ not an intimate partner of the adjudicated minor, but is a cohabitant under Utah law.
- ☐ not an intimate partner or cohabitant, but is a **victim**.

Commented [KT1]: 78B-7-803(1)(b)

The court orders

You, the adjudicated minor must obey all orders marked below.

3. ☒ No domestic violence or abuse

You must not do any of the following to the protected person or any of the designated family or household members:

- threaten to commit or commit acts of domestic violence or abuse,
- harass,
- threaten,
- stalk,
- use, attempt to use, or threaten to use physical force that would reasonably be expected to cause bodily harm, or
- engage in any other conduct that would place the protected person or designated family or household members in reasonable fear of bodily injury.

Designated family or household members:

Name (include first and last name):

4. ☐ No contact or limited contact

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.

- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Commented [AH2]: Language approved by Policy and Planning Committee

- ☐ You must not harass, telephone, contact, or otherwise communicate with the protected person, directly or indirectly (includes email, text, social media, social media messaging or posts, mail, or other methods of contact).
- ☐ You and the protected person share custody of one or more minor children. You must only contact the protected person to arrange visits with the children by the methods checked below. Any approved communication must be civil and respectful.

☐ Phone

☐ Text

☐ Email

☐ Third party person (name): _____

☐ Other: _____

5. ☐ Adjudicated minor cannot live at protected person's residence

You **must not** go to the protected person's residence or premises without an officer. You must remove yourself from and stay away from the protected person's residence and premises.

Warning to adjudicated minor: Law enforcement can remove you or keep you away from the protected person's residence or premises if needed.

6. ☐ Stay away

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Commented [AH3]: Language approved by Policy and Planning Committee

Warning to adjudicated minor: You **must not** go to the residence or premises of the protected person or other protected places without an officer. Law enforcement can remove you or keep you away from the places frequented by the protected person if needed.

You must stay away from:

- ☐ The protected person's residence;

☐ The protected person's school;

☐ The protected person's workplace;

☐ These other places frequented by the protected person and any designated family members:

(Street, City, State, ZIP)

(Street, City, State, ZIP)

☐ You must stay away from the protected person if you encounter them at any other location not listed in this order. You must not communicate or have contact with the protected person and must leave. If leaving is not an option (such as at your place of employment or at a required court hearing), you must move as far away as possible to avoid any confrontation.

Commented [AH4]: Language approved by the Policy and Planning Committee as a checkbox

☐ 6. Personal property is transferred as follows:

To you	To the protected person

Warning to accused minor: You **must not** go to the residence of the protected person or other protected places without an officer. Law enforcement can evict you or keep you away from the places frequented by the protected person if needed.

7. ☐ **Monitoring programs**

☐ You must participate in and comply with an electronic monitoring program.
(Your location is monitored with a wearable tracking device.)

☐ You must participate in and comply with these monitoring programs:

8. ☐ **No guns or weapons:**

☐ You must not use, possess, have, or buy a gun or firearm.

☐ You must not use, possess, have, or buy any of these weapons:

☐ You must turn over any guns or firearms that you own or possess by:

_____ to:

(date: mm/dd/yyyy)

☐ A law enforcement agency _____
(law enforcement agency)

☐ A family member who does not live with you. The family member must agree to keep the gun or firearms from you in a sworn affidavit submitted to the courts for this option.
(name): _____

☐ Other (specify): _____

☐ You must turn over any of these weapons you own or possess:

by: _____

(date: mm/dd/yyyy)

You must turn over these weapons listed above to:

☐ A law enforcement agency _____
(law enforcement agency)

☐ A family member who does not live with you. The family member must agree to keep these weapons from you in a sworn affidavit submitted to the courts for this option. A family member
(name): _____

☐ Other (specify): _____

9. ☐ Restitution

You must pay restitution to the protected person in accordance with the Crime Victims Restitution Act (Title 77, Chapter 38b).

10. ☐ **Transfer Wireless Phone Number(s)**

You and the wireless service provider must transfer the protected person's current wireless phone numbers to a new account of the protected person's choice.

11. ☐ **Other orders**

12. ☐ **Orders to agencies**

A law enforcement officer from:

_____ (police agency) will enforce the orders checked below:

- ☐ Remove and require you to stay away from the protected person's residence.
- ☐ Accompany you one time to get your personal property.
- ☐ Accompany the protected person to get their personal property.
- ☐ Receive and hold your guns or firearms for safekeeping until further order of the court.

Commented [AH5]: https://le.utah.gov/xcode/Title53/Chapter53C/53-5c-S201.html?v=C53-5c-S201_2017050920180101

Notices to adjudicated minor:

This order is in effect until further order of the court.

Penalties for violating this order (Utah Code 78B-7-806(3))

If you do not obey this order, you can be arrested and charged with a new offense. The new offense would be Violation of a Protective Order, which is a:

- Third degree felony, if you were adjudicated of committing a felony in this case.
- Class A misdemeanor, if you were adjudicated of committing a misdemeanor in this case.

You may become subject to federal law because this protective order was issued against you. This would mean that it would be a crime for you to possess, transport, ship or receive any firearm or ammunition, including a hunting weapon.

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

Notice to adjudicated minor, petitioner, and protected person:

The parties cannot change or dismiss this order. Only the court has the authority to change or dismiss this order. If you want to ask the court to change or dismiss this order, you must file a motion with the court.

— The court completes this section —

Expiration date for National Crime Information Center purposes only: 01/01/3000

Date

Signature ► _____
Judge _____

— Adjudicated minor fills out below —

Commented [KT6]: Is this section needed?

Adjudicated minor accepts service of this protective order and waives the right to be personally served.

Date

Signature ► _____
Adjudicated minor _____

The parent, guardian or custodian of the adjudicated minor accepts service of this protective order, or the adjudicated minor has consulted with legal counsel prior to accepting service.

Date

Signature ► _____
Parent, guardian or custodian _____

Date

Signature ► _____
Legal counsel _____

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of Protection for:	Findings of Fact, Conclusions of Law, and Order Assigning Court Visitor to Report on the Protected Person's Well- being
Protected Person	Case Number
	Judge

The court finds that:

- 1 It requires further information regarding the protected person's well-being.
- 2 The court concludes that Utah Code Sections 75-5-303, 75-5-308 and 75-5-407 permit the court to assign a visitor to make inquiries on behalf of the court and report on those inquiries.
- 3 _____ (name)
has no personal interest in these proceedings.

Commented [NP1]: Paragraphs 1 and 3 are "findings
Paragraph 2 is a "conclusion of law"
The subsequent paragraphs are orders.

We should format and style this like an order on a motion

Therefore the court orders:

- 4 The person named in paragraph 3 is assigned as Court Visitor in this case, and will inquire regarding the protected person's circumstances.
- 5 The Court Visitor Program Coordinator _____ (name)
may accompany the Court Visitor on all visits.
- 6 The Court Visitor will interview:
☐ Protected person

<input type="checkbox"/>	Protected person's physicians or other medical personnel that have provided or are providing treatment to the protected person
<input type="checkbox"/>	Guardian(s) / Conservators(s)
<input type="checkbox"/>	Interested parties or persons
<input type="checkbox"/>	Other _____ (list)

7 The Court Visitor will file a report detailing the inquiries and observations from the assignment, on or before _____ (date)

The Court Visitor assignment ends on _____ (date)

8 The person named in paragraph 3 will be able to present a copy of this order and photo identification.

9 Any person the Court Visitor contacts must cooperate with the Court Visitor and assist in gathering information.

1 Upon request, the Court Visitor must have access to all records relating to the protected person, including protected health information under 45 CFR 164.512(e).

1 The Court Visitor's interviews may not be recorded, photographed, or transmitted to other devices except by the Court Visitor or the Program Coordinator.

1 If the Court Visitor does make a recording, that recording must be preserved until further order of the court.

1 A Court Visitor is a representative of the court. Communication and interaction with the Court Visitor is as if made with the judge.

1 No person may unreasonably interfere with another person in their compliance with this order.

1 The visitor must not disclose the information and records provided under this order to anyone other than to the court, interested persons and others as ordered by the court.

1 Any person who fails to comply with or violates this order may be found in contempt of court, which is punishable by a fine or jail time.

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

_____	Signature ►	_____
Date	Judge	_____

Notice to the Parties Regarding the Court Visitor Program

A Court Visitor is a volunteer with no personal interest or connection to your case. The Court Visitor is appointed by the judge.

The Court Visitor will investigate and serve as the “eyes and ears” of the judge. The Court Visitor will do things like interview people, write down what they see when they interview and visit people, and read papers. Eventually, the Court Visitor will write a report for the judge. The report will summarize the investigation.

The Court Visitor is important and essential. They help the court make informed decisions about guardianship and conservatorship cases. the Court Visitor is neutral and not on anyone’s side in the case.

The Court Visitor works under the Court Visitor Program. This document will refer to both the Court Visitor and the Court Visitor Program as the CVP. The CVP follows guidelines to make sure that the investigation is neutral and reliable.

- The Court Visitor is an extension of the judge. They are appointed by the judge.
- The CVP’s responsibilities end on the date listed on the court order.
- The CVP does not take sides or represent any party in the case.
- The CVP does not participate in mediation. A Court Visitor’s assignment is placed on hold if mediation is ordered.
- The CVP will not talk to you or your lawyer about the investigation or contents of the report.
- The CVP will not share or let people see the report until it is finished and given to the judge.
- The CVP is not allowed to file papers in the case or respond to papers filed in the case. The CVP will not respond to any requests that the CVP be penalized or disciplined.
- The CVP does not change reports that have already been submitted.
- After the CVP submits a report, the CVP does not actively participate in the case. ~~It is the role of~~ The court will determine the meaning and impact of the report and what happens next.

The CVP takes its unique role and purpose in assisting the courts seriously.

Certificate of Service

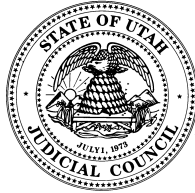
I certify that I filed with the court and am serving a copy of this Findings of Fact, Conclusions of Law, and Order Assigning Court Visitor to Report on the Protected Person's Well-being on the following people.

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



Administrative Office of the Courts

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

July 30, 2022

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

MEMORANDUM

TO: Forms Committee

FROM: Nathanael Player, on behalf of the Family Law Forms Subcommittee

RE: Health care coverage in OCAP

Karla Block, the attorney who represents ORS from the AG's office, contacted me with concerns regarding missing language in our OCAP provisions. Her office is asking the Forms Committee to consider adding language to OCAP and to our temporary orders:

The parents must provide health care coverage, as defined by Utah Code Section 78B-12-102, for the medical expenses of the dependent child.

Utah Code 78B-12-102(13) defines health care coverage to mean "coverage under which medical services are provided to a dependent child through: (a) fee for service; (b) a health maintenance organization; (c) a preferred provider organization; (d) any other type of private health insurance; or (e) public health care coverage." Karla wrote that our OCAP provisions do not cover "public health care coverage." Here is context from her message:

The federal requirement for States to add the health care coverage statute was in part a response to the Affordable Care Act's expansion of Medicaid to larger pool of people and this public health care coverage was not covered by the previous insurance requirements that are reflected in the court's forms. For example, under the court's current forms if insurance is available to the parents at a reasonable cost then they are required to enroll the children in that insurance. But if they do not have insurance available from their employers at a reasonable cost then they do not need to do anything else. On the other hand, if the order contained the health care coverage requirement from the statute then if insurance was not available at a reasonable cost but the children were eligible for Medicaid or another form of public health care coverage then they would be required to enroll the children in that program.

Sample OCAP provisions and my recommended changes, based on ORS' concerns, are below. These recommended changes would be made to all relevant pleadings in the Divorce, Divorce

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

Answer, Custody, Custody Answer, and any other needed interviews (temporary order forms are attached).

Child health care (Utah Code 78B-12-212)

The parties must provide health care coverage for the medical expenses of the dependent children. Health care coverage means coverage under which medical services are provided to a dependent child through: fee for service, a health maintenance organization, a preferred provider organization, any other type of private health insurance, or public health care coverage. Utah Code 78B-12-102(13).

PARENT ONE must maintain medical, hospital, and dental care insurance for the **dependent children if it is available at reasonable cost.** If medical insurance is not available at reasonable cost then both parents must work to ensure the children have health care coverage. This may require applying for public health care coverage, such as CHIP or Medicaid.

a. If, at any time, a dependent child is covered by the medical, hospital, or dental insurance plans of both parents, the coverage will be as follows:

- PARENT ONE's insurance will be primary coverage.
- PARENT TWO's insurance will be secondary coverage.

b. If a parent remarries and that parent's dependent child is not covered by that parent's health, hospital, or dental insurance plan but is covered by a step-parent's plan, the coverage will be as follows:

- PARENT ONE's insurance will be primary coverage.
- PARENT TWO spouse's insurance will be secondary coverage.

c. Both parties will equally share the out-of-pocket costs of the insurance premiums.

d. Both parties will equally share all uninsured and unreimbursed medical and dental expenses that are reasonable and necessary. This includes deductibles, co-insurance, and co-payments paid by a party for the dependent children.

e. The party who pays health care expenses must provide the other party written verification of the cost and payment within 30 days.

f. If a party does not follow this order and provide written verification, they may not be able to receive credit for health care expenses or recover the other party's share of the expenses.

g. On or before January 2 of each year, the party ordered to maintain coverage must provide verification of coverage to the other party, and ORS, if they are involved.

h. If there is any change in coverage, within 30 days of the change the party

ordered to maintain coverage must notify the other party and ORS, if they are involved.

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of (select one)

- ☐ the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)
☐ the Children of (to establish custody, parent-time or child support)
☐ the Parentage of the Children of (for a paternity case)

(name of Petitioner)

and

(name of Respondent)

Other parties (if any)

Motion for Temporary Order – With Children - Commissioner

☐ **Hearing Requested**

Case Number

Judge

Commissioner

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

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

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

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

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

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

2. ☐ Child custody

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

Physical custody deals with where the children live and how many overnights the children

spend with each parent.

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

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

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

Legal custody deals with access to information and decision making.

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

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

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

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

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

☐ Other custody arrangement (Describe in detail.):

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

3. ☐ **Parent-time**

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

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

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

☐ Children 5-18 (Utah Code 30-3-35)

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

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

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

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

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

4. ☐ **Parent-time transfers**

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

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

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

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

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

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

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

☐ Other transfer arrangements (Describe in detail.):

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

5. ☐ **Communication between parties**

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

☐ In person

☐ Phone

Petitioner's # _____ Respondent's # _____

☐ Text

Petitioner's # _____ Respondent's # _____

☐ Email

Petitioner's email address _____

Respondent's email address _____

☐ Through a third party

Name _____ Phone # _____

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

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

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

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

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

6. ☐ **Child support**

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

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

This income is from these sources:

_____.

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

☐ minimum wage.

☐ historical earnings.

- ☐ Petitioner does receive or has received public assistance.

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

This income is from these sources:

_____.

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

☐ minimum wage.

☐ historical earnings.

- ☐ Respondent does receive or has received public assistance.

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

☐ sole physical custody worksheet

☐ joint physical custody worksheet

☐ split custody worksheet

(Choose one.)

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

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

☐ the guidelines are unjust.

☐ the guidelines are inappropriate.

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

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

Explain your choice:

_____.

d. Effective date (Choose one.):

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

OR

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

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

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

OR

☐ Direct payments to the parent receiving child support by:

☐ Check

☐ Deposit in bank account

☐ Cashier's check or money order

☐ Other: _____

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

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

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

OR

☐ Other payment arrangement:

g. Child support not paid on or before the due date is delinquent on the day after the due date.

h. Child support arrearages will be determined by further judicial or administrative process. Any federal or state tax refund or rebate due to the non-custodial parent will be intercepted by the state of Utah and applied to child support arrearages.

7. ☐ **Child care expenses**

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

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

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

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

☐ Other request for child care payment:

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

Our minor children currently have health insurance coverage through:

- ☐ Petitioner's insurance
- ☐ Respondent's insurance
- ☐ Medicaid
- ☐ CHIP
- ☐ Other: _____
- ☐ Not covered by insurance

Both parties must provide health care coverage for the medical expenses of the dependent children. Health care coverage means coverage under which medical services are provided to a dependent child through: fee for service, a health maintenance organization, a preferred provider organization, any other type of private health insurance, or public health care coverage. Utah Code 78B-12-102(13).

- ☐ I ask the court to order that ☐ petitioner ☐ respondent maintain health insurance for our minor children. Both parties must share equally:
 - a. the cost of the premium paid by a parent for the children's portion of the insurance. The children's portion of the premium will be calculated by dividing the premium amount by the number of people covered by the policy and multiplying the result by the number of minor children of the parties; and
 - b. all reasonable and necessary uninsured medical and dental expenses incurred for the children and paid by a parent, including deductibles and co-payments.

If medical insurance is not available at reasonable cost then both parents must work to ensure the children have health care coverage. This may require applying for public health care coverage, such as CHIP or Medicaid.

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

If the parent ordered to maintain insurance fails to provide written verification of coverage to the other parent or to the Office of Recovery Services, or if the parent incurring medical expenses fails to provide written verification of the cost and payment of the expenses to the other parent

within 30 days of payment, that parent may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses.

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

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

☐ the insurance is available to ☐ petitioner ☐ respondent;

☐ the cost of the insurance is reasonable

☐ the custodial parent prefers this arrangement.

☐ Other reasons:

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

9. ☐ **Pregnancy expenses**

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

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

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

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

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

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

☐ Other: _____

11. ☐ **Payment of bills and debts**

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

☐ Petitioner to pay:

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

☐ Respondent to pay:

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

The bills and debts should be paid as requested because:

12. ☐ **Property**

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

☐ To petitioner

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

☐ To respondent

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

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

I ask for this property order because:

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

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

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

☐ Check

☐ Deposit in bank account

☐ Cashier's check or money order

☐ Other: _____

☐ Petitioner ☐ Respondent needs temporary alimony because :

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

14. ☐ **Attorney fees**

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

I ask for attorney fees because:

15. ☐ **Other**

I ask the court for these additional orders:

I ask for these additional orders because:

16. **Documents**

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

☐ Parenting Plan (Utah Code 30-3-10.7 to 30-3-10.10)

☐ Parent time Schedule (Utah Code 30-3-35; 30-3-35.5; 30-3-35.1; 30-3-35.2)

☐ Child Support Obligation Worksheet (Utah Code 78B-12)

☐ Financial Declaration (Utah Rule of Civil Procedure 26.1)

☐ Income verification (Most recent tax return and pay stub)

☐ Other supporting documents: _____

Petitioner or Respondent

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

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

_____	Signature ► _____
Date	Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

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



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



Para acceder esta página
escanee el código QR

about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.	(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.
--	---

Certificate of Service

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

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

 Date

 Signature ►

 Printed Name

Name

Address

City, State, Zip

Phone

Email

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of (select one)

- ☐ the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)
- ☐ the Children of (to establish custody, parent-time or child support)
- ☐ the Parentage of the Children of (for a paternity case)

(name of Petitioner)

and

(name of Respondent)

Other parties (if any)

Order on Motion for Temporary Order – With Children

Case Number

Judge

Commissioner (domestic cases)

The matter before the court is a Motion for Temporary Order. This matter is being resolved by: (Choose all that apply.)

- ☐ The default of ☐ petitioner ☐ respondent.
- ☐ The stipulation of the parties.
- ☐ The pleadings and other papers of the parties.

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

Petitioner

☐ was ☐ was not present

☐ was represented by _____

☐ was not represented.

Respondent

☐ was ☐ was not present

☐ was represented by _____

☐ was not represented.

The court orders:

1. ☐ **Child custody**

☐ Custody arrangement:

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

☐ Other custody arrangement (Describe in detail.):

2. ☐ **Parent-time** (Choose one.):

☐ Statutory parent-time schedule:

☐ Children 5-18 (Utah Code 30-3-35)

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

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

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

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

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

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

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

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

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

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

☐ petitioner

☐ respondent

☐ other adult (Name) _____

transferring the children at this address:

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

☐ Other transfer arrangements (Describe in detail.):

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

☐ In person

☐ Phone

Petitioner's # _____ Respondent's # _____

☐ Text

Petitioner's # _____ Respondent's # _____

☐ Email

Petitioner's email address _____

Respondent's email address _____

☐ Through a third party

Name _____ Phone # _____

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

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

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

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

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

5. ☐ **Child support**

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

☐ Petitioner's income is imputed based on

☐ minimum wage.

☐ historical earnings.

☐ Petitioner does receive or has received public assistance.

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

☐ Respondent's income is imputed based on

☐ minimum wage.

☐ historical earnings.

☐ Respondent does receive or has received public assistance.

- c. ☐ Petitioner ☐ Respondent must pay \$_____ per month for child support. The following child support worksheet is attached (Choose one.):

☐ sole physical custody worksheet

☐ joint physical custody worksheet

☐ split custody worksheet

(Choose one.)

☐ This amount is based on the Uniform Child Support Guidelines (Utah Code 78B-12-2).

☐ This amount deviates from the Uniform Child Support Guidelines. The court finds that a deviated child support amount is in the best interests of the ~~minor~~ children based on:

☐ the standard of living and situation of the parties.

☐ the relative wealth and income of the parties.

☐ the ability of the obligor to earn.

- ☐ the ability of the obligee to earn.
- ☐ the ability of an incapacitated adult child to earn, or other benefits received by the adult child or on the adult child's behalf including Supplemental Security Income.
- ☐ the needs of the obligee, the obligor, and the child.
- ☐ the ages of the parties.
- ☐ the responsibilities of the obligor and the obligee for the support of others.
- ☐ other. (Describe.):

The reason for the deviated child support amount is:

_____.

d. Effective date (Choose one.):

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

OR

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

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

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

OR

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

- ☐ Check

- ☐ Deposit in bank account

- ☐ Cashier's check or money order

- ☐ Other: _____

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

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

OR

☐ Other payment arrangement:

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

6. ☐ **Child care expenses**

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

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

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

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

☐ Other order for child care payment:

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

The minor children currently have health insurance coverage through:

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

- ☐ Medicaid
☐ CHIP
☐ Other: _____
☐ Not covered by insurance

Both parties must provide health care coverage for the medical expenses of the dependent children. Health care coverage means coverage under which medical services are provided to a dependent child through: fee for service, a health maintenance organization, a preferred provider organization, any other type of private health insurance, or public health care coverage. Utah Code 78B-12-102(13).

- ☐ ☐ Petitioner ☐ Respondent must maintain health insurance for the minor children if it is available to that parent at a reasonable cost. Both parties must share equally:
- a. the cost of the premium paid by a parent for the children's portion of the insurance. The children's portion of the premium will be calculated by dividing the premium amount by the number of people covered by the policy and multiplying the result by the number of minor children of the parties; and
 - b. all reasonable and necessary uninsured medical and dental expenses incurred for the children and paid by a parent, including deductibles and co-payments.

If medical insurance is not available at reasonable cost then both parents must work to ensure the children have health care coverage. This may require applying for public health care coverage, such as CHIP or Medicaid.

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

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

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

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

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

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

☐ Other: _____

9. ☐ **Pregnancy expenses**

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

☐ petitioner.

☐ respondent.

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

10. ☐ **Payment of bills and debts**

☐ Petitioner must make at least minimum payments on:

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

☐ Respondent must make at least minimum payments on:

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

11. ☐ **Property**

Temporary use and possession of property will be as follows:

☐ To petitioner

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

☐ To respondent

☐ Residence (Address): _____

☐ Vehicle(s) (Make/model/year): _____

☐ Personal property items:

☐ Other: _____

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

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

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

☐ Check

☐ Deposit in bank account

☐ Cashier's check or money order

☐ Other: _____

13. ☐ **Attorney fees**

☐ Petitioner ☐ Respondent must pay \$ _____ to

☐ Petitioner's attorney

☐ Respondent's attorney

14. ☐ **Other orders**

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

Date

Signature ► _____

Commissioner _____

Date

Signature ► _____

Judge _____

Approved as to form.

_____	Signature ►	_____
Date	Petitioner, Attorney or Licensed Paralegal Practitioner	_____

_____	Signature ►	_____
Date	Respondent, Attorney or Licensed Paralegal Practitioner	_____

Certificate of Service

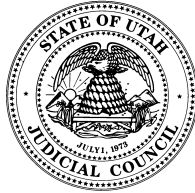
I certify that I filed with the court and am serving a copy of this Order on Motion for Temporary Order – With Children on the following people.

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

Date

Signature ►

Printed Name



Administrative Office of the Courts

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

July 30, 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 and the Self-Help Center

RE: Temporary Separation provisions in OCAP

Previously, this committee approved provisions for a temporary separation interview in OCAP. The current provisions are largely the same as the provisions approved for a motion for temporary order in the divorce interview. When a user completes an interview in OCAP for temporary separation, depending on their choices, OCAP can generate a petition, stipulation, findings of fact and conclusions of law, and an order. Due to some confusion with these pleadings, and some deficiencies, I recommend the following changes to these OCAP provisions for temporary separation:

1. Cite to Utah Code 30-3-4.5 in the caption of all of the relevant documents (petition, motion, stipulation, order, etc.);
2. Retitle the order, currently called "Order on Motion for Temporary Order," to "Temporary Separation Order;"
3. Add to the caption of the order, a note that says the order expires in one year;
4. Add a provision to the order that says that the order expires one year, to make this consistent with Utah Code 30-3-4.5(2).

The Committee is asked to authorize OCAP to make these changes.

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of (select one)

- ☐ the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)
- ☐ the Children of (to establish custody, parent-time or child support)
- ☐ the Parentage of the Children of (for a paternity case)

(name of Petitioner)

and

(name of Respondent)

Other parties (if any)

Summons for Publication

Case Number

Judge

Commissioner (domestic cases)

The State of Utah To: _____ (name of defendant/respondent):

A lawsuit has been started against you. You must respond in writing for the court to consider your side. You can find an Answer form on the court's website: utcourts.gov/ans

The complaint is on file with this court. You must file your Answer with this court:

_____ (court name and address).

You can contact them to request a copy.

You must file your Answer with this the court and ~~You must also~~ email, mail or hand deliver a copy of your Answer to the other party or their attorney:

_____ (party or attorney name and address).

Your response must be filed with the court

Se ha iniciado una demanda en su contra. Usted debe responder por escrito para que el tribunal considere su versión. Puede encontrar el formulario de Respuesta en el sitio de la red del tribunal: utcourts.gov/ans-span

Usted debe presentar su Respuesta en este tribunal: _____ (nombre y dirección del tribunal). También debe enviar por correo electrónico, correo postal o entregar personalmente una copia de su Respuesta a la otra parte o a su abogado:

_____ (nombre y dirección de la parte o de su abogado).

Usted debe presentar su Respuesta en

and served on the other party within 30 days of the last day of this publication, which is _____ (date).

If you do not file and serve an Answer by the deadline, the other party can ask the court for a default judgment. A default judgment means the other party wins, and you do not get the chance to tell your side of the story.

Read the complaint or petition carefully. It explains what the other party is asking for in their lawsuit. You are being sued for (briefly describe the subject matter and the sum of money or other relief demanded):

el tribunal y entregarla formalmente a la otra parte dentro de 30 días después del último día de esta publicación, que es _____ (fecha).

Si no presenta y entrega formalmente una respuesta antes de la fecha límite, la otra parte puede solicitar al juez que dicte un fallo por incumplimiento. Un fallo por incumplimiento significa que la otra parte gana, y usted no tiene la oportunidad de exponer su versión de los hechos.

Lea cuidadosamente la demanda o la petición. En esa se explica lo que la otra parte está pidiendo en su demanda. Se le está demandando por (describa brevemente el asunto y la cantidad de dinero u otra reivindicación exigida):

Date

Signature ►

Printed Name

Name

Address

City, State, Zip

Phone

Email

I am ☐ Intervenor

☐ Attorney for intervenor (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of

(child's name)

Indian Child Welfare Act – Motion to Intervene

(25 USC 1911 and **URCP 24(e)**)

Case Number

Judge

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

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

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

Signature ►

Date

Printed Name

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Intervene on the following people.

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

Date

Signature ►

Printed Name

Name

Address

City, State, Zip

Phone

Email

I am ☐ Intervenor

☐ Attorney for intervenor (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of

(child's name)

Plaintiff/Petitioner

v.

Defendant/Respondent

**Indian Child Welfare Act – Order
Granting Motion to Intervene**
(25 USC 1911 and URCP 24(e))

Case Number

Judge

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

Date

Signature ►

Judge

Certificate of Service

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

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

 Date

 Signature ►

 Printed Name

Name

Address

City, State, Zip

Phone

Email

I am ☐ Intervenor
☐ Attorney for intervenor (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of

(child's name)

Plaintiff/Petitioner

v.

Defendant/Respondent

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

URCP 24(e))

Case Number(s)

Judge

(Choose one)

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

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

Here is the contact information:

 Name:

Title: _____	
Address: _____	
City, State & Zip Code _____	
Telephone: _____	Email: _____

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

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

_____	Signature ►	_____
Date	Printed Name	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Notice of Designated Tribal Representative in a Court Proceeding Involving an Indian Child on the following people.

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

Date _____ Signature ► _____
 Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Objection to Petition to Expunge
Civil Protective Order or Civil
Stalking Injunction**

(Utah Code 78B-7-1003)

Case Number

Judge

Commissioner (only for protective orders)

1. I filed for a civil protective order or civil stalking injunction in this case.
2. I object to the Petition to Expunge Civil Protective Order or Civil Stalking Injunction.
3. I don't think the civil protective order or civil stalking injunction should be expunged because: (explain)

4. [] I have attached the following documents in support of this objection:

I declare under criminal penalty under the law of Utah that everything stated in this document is true.
Signed at _____ (city, and state or country).

Date
Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date
Signature ► _____
Printed Name _____

Certificate of Service

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

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

_____ Signature ► _____
 Date _____
 Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

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

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Objection to Petition to Expunge
Juvenile Protective Order**
(Utah Code 78B-7-1003)

Case Number

Judge

1. I filed for a protective order in this case.
2. I object to the Petition to Expunge Juvenile Protective Order.
3. I don't think the protective order should be expunged because: (explain)

4. [] I have attached the following documents in support of my objection:

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 Objection on the following people.

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

_____ Signature ► _____
 Date _____
 Printed Name _____

Name

Address

City, State, Zip

Phone

Email

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

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Motion for Leave to Amend
(Utah Rule of Civil Procedure 15)

Case Number

Judge

Commissioner (domestic cases)

Commented [KT1]: We will prepare a standard version of this form as well as Family Law versions (judge and commissioner) and a probate version.

1. I ask the court for permission to amend my _____ (name of document).

2. I make this request because: (choose all that apply)

☐ more than 21 days have passed since I was served with the other party's answer, counterclaim, or motion to dismiss the document named in paragraph 1.

☐ I have previously amended the document in paragraph 1.

☐ more than 21 days have passed since I served the document named in paragraph 1 on the other party.

3. This motion is timely because (choose all that apply):

- ☐ Discovery in this case has not closed
- ☐ Trial has not been scheduled yet
- ☐ An order of dismissal has not been entered
- ☐ This case has not been pending for several years

Commented [KT2]: The factors below come from *Evans v. B&E Pace Investment LLC*, 424 P.3d 963

4. This motion will not prejudice the other party because they will still have time to prepare a response to the new information in my pleading because (explain):

5. I did not raise these issues before because (explain):

6. ☐ The other party agrees with this motion and a stipulation is being filed.

7. I have attached a copy of the amended document.

Plaintiff/Petitioner or Defendant/Respondent

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

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

Date
Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date
Signature ► _____
Printed Name _____

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 for Leave to Amend on the following people.

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

Signature ►

Date

Printed Name

Name

Address

City, State, Zip

Phone

Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Order on Motion for Leave to Amend</p> <p>_____ (name of motion)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
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The matter before the court is ☐ plaintiff/petitioner's ☐ defendant/respondent's
Motion to _____ (name of motion).

This matter is being resolved by (Choose all that apply.):

- ☐ The default of ☐ plaintiff/petitioner ☐ defendant/respondent.
- ☐ The stipulation of the parties.
- ☐ The pleadings and other papers of the parties.
- ☐ A hearing held on _____ (date).

Plaintiff/Petitioner

☐ was ☐ was not present.

☐ was represented by _____.

☐ was not represented.

Defendant/Respondent

☐ was ☐ was not present.

☐ was represented by _____.

☐ was not represented.

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

The court finds:

☐ the proposed amendment is not untimely, unjustified, or prejudicial.

☐ the proposed amendment is untimely, unjustified, or prejudicial because:

The court orders:

☐ the motion is granted.

☐ the motion is denied.

The court further orders:

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

Date

Signature ►

Commissioner

Date

Signature ►

Judge

Approved as to form.

_____	Signature ►	_____
Date	Plaintiff/Petitioner, Attorney or Licensed Paralegal Practitioner	_____

_____	Signature ►	_____
Date	Defendant/Respondent, Attorney or Licensed Paralegal Practitioner	_____

Certificate of Service

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

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

Signature ►

Date

Printed Name

Name

Address

City, State, Zip

Phone

Email

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

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

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Motion to Consolidate
(Utah Rule of Civil Procedure 42)

☐ **Hearing Requested**

Plaintiff/Petitioner

v.

Defendant/Respondent

Case Number

Judge

Commissioner (domestic cases)

1. I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent.
2. There are two cases that involve the same parties, facts and circumstances.
3. The case number for the case that was filed first is: _____.
4. The case number for the case that was filed second is:
_____.
5. All issues of law can be resolved in a single case.

Commented [NP1]: Will need commissioner/non-commissioner warning

6. I ask the court to consolidate the second case into the first case.
7. I am filing a Motion to Consolidate in both cases.
8. ☐ I request a hearing.
☐ I do not request a hearing.

Plaintiff/Petitioner or Defendant/Respondent

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

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

Date Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date Signature ► _____
Printed Name _____

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:

www.utcourts.gov/howto/filing/motions

Finding help

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Aviso para el demandado (o acusado)

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:

www.utcourts.gov/howto/filing/motions

Cómo encontrar ayuda legal

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(www.utcourts.gov/howto/legalassist/) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion (and Notice of Motion) to Consolidate on the following people.

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

Signature ►

Date

Printed Name

Name

Address

City, State, Zip

Phone

Email

In the [] District [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner V. Defendant/Respondent	Order on Motion to Consolidate

Case Number

Judge

Commissioner (domestic cases)

The matter before the court is a Motion to Consolidate. This matter is being resolved by:
(Choose all that apply.)

[] The default of [] Plaintiff/Petitioner [] Defendant/Respondent.

[] The stipulation of the parties.

[] The pleadings and other papers of the parties.

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

Plaintiff/Petitioner

[] was present [] was not present.

[] was represented by _____ (name).

[] was not represented.

Defendant/Respondent

☐ was present ☐ was not present.

☐ was represented by _____ (name).

☐ was not represented.

The court finds:

1. ☐ Case number _____ and this case involve the same parties, facts and circumstances. All issues of law can be resolved in a single case.

The court orders:

2. The Motion to Consolidate is:

☐ denied

☐ granted. Case number _____ is consolidated into this case, which is case number _____.

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

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

Approved as to form.

_____	Signature ►	_____
Date	Plaintiff/Petitioner or Attorney	_____
_____	Signature ►	_____
Date	Defendant/Respondent or Attorney	_____

Certificate of Service

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

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

Signature ► _____

Printed Name _____