

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

<p>_____ Petitioner, vs. _____ Respondent</p>	<p>NOTICE OF DENIAL OF EX PARTE CHILD PROTECTIVE ORDER</p> <p>Case No. _____</p> <p>Judge _____</p>
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Based on the information presented, and under Utah Code sections 78B-7-201 to 207, the Court finds that the requirements indicated below have not been met, and the request for an Ex Parte Child Protective Order is **DENIED**.

- Petitioner did not first make a referral of abuse or neglect to the Division of Child and Family Services based upon the incidents alleged in the petition.
- Based on the information presented, the Court cannot find that the child is being, or is in imminent danger of being, physically abused or sexually abused.

Other: _____

~~Petitioner: IF YOUR PETITION IS DENIED, YOU MAY REQUEST A HEARING TO OCCUR WITHIN 20 DAYS TO SHOW, BY A PREPONDERANCE OF THE EVIDENCE, THAT A PROTECTIVE ORDER SHOULD BE ISSUED BECAUSE THE CHILD IS BEING, OR IS IN IMMINENT DANGER OF BEING, PHYSICALLY ABUSED OR SEXUALLY ABUSED.~~

If you disagree with the decision, you can request a hearing. You must request a hearing within 5 days of this order. The hearing will happen within 21 days of your request. At the hearing, you need to show good proof that what you are saying in your Verified Petition for Ex Parte Child Protective Order is true.

DATED: _____ TIME: _____

BY THE COURT:

JUVENILE COURT JUDGE

Name

Address

City, State, Zip

Phone

Email

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 Hearing Held on

_____ (month, day, year)

Case Number

Judge

Commissioner

A hearing was held in this case on _____ (month, day, year) before _____ (Commissioner or Judge).

Petitioner

was was not present.

was represented by _____.

was not represented.

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 and concludes:

The court 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.

Date

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

Date

Signature ► _____
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 Findings of Fact, Conclusions of Law and Order on Hearing 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

This motion requires you to respond. Please see the Notice to Responding Party.

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

I am Petitioner Respondent
 Petitioner's Attorney Respondent's Attorney (Utah Bar #: _____)
 Petitioner's Licensed Paralegal Practitioner (Utah Bar #: _____)
 Respondent's Licensed Paralegal Practitioner (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 to Classify Record as Private
(Code of Judicial Administration
4-202.04(3)(A))

Hearing Requested

Case Number

Judge

Commissioner (domestic cases)

Court cases are made up of records. A record is anything written down or recorded, like books, letters, documents, maps, plans, photos, videos, voice recordings, or other things that people can copy. In some cases, records are automatically private. This includes divorces, guardianships and conservatorships, custody and paternity cases, and protective orders. In these cases, only the parties and their lawyers can see most records. Even when a case is private, anyone can see orders or documents signed by a

judge. They can also see records of public hearings and case histories.

1. I ask that the following records be classified as private: (List the title of the record and the date it was filed.)

2. I need to have these records classified as private to: (Choose all that apply.)

protect personal privacy.

protect personal and public safety.

protect a property interest that would be lost or devalued if opened to public view.

promote the rehabilitation of offenders, especially youthful offenders.

protect non-parties participating in the court process, such as victims, witnesses, and jurors.

other (explain) _____.

3. My need to have these records private is important. It is more important than the need to have open information that:

- educates the public;
- contributes to informed debate;
- can hold public employees accountable;
- increases public confidence;
- gives notice of important claims, rights, and obligations; and
- provides material for research.

My need is more important because: (Explain why making the records private is more important than having open information. Attach additional sheets if needed.)

4. There is no reasonable alternative that protects my needs in paragraph 2 other than classifying the records as private.

5. I request a hearing.

I do not request a hearing.

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

Petitioner or Respondent

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

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

Date

Signature ► _____

Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____

Printed Name _____

Notice to responding party

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

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

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

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

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



Scan QR code to visit page

Finding help

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



Scan QR code to visit page

Aviso para la parte que responde

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

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

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

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

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

utcourts.gov/motions-span



Para acceder esta página escanee el código QR

Cómo encontrar ayuda legal

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



Para acceder esta página escanee el código QR

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion to Classify Record as Private 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

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)

Findings of Fact, Conclusions of Law and Order on Motion to Classify Record as Private

Case Number

Judge

Commissioner

The matter before the court is petitioner's respondent's Motion to Classify Record as Private.

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).

Petitioner

was was not present.

was represented by _____.

was not represented.

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:

1. The moving party has asked for records in this case to be classified as private.
2. The following interests favor classifying the records as private.
 - protect personal privacy.
 - protect personal and public safety.
 - protect a property interest that would be lost or devalued if opened to public view.
 - promote the rehabilitation of offenders, especially youthful offenders.
 - protect non-parties participating in the court process, such as victims, witnesses, and jurors.
 - other _____.
3. The following interests favor not classifying the record as private:
 - educates the public,
 - contributes to informed debate,
 - can hold public employees accountable,
 - increases public confidence,
 - gives notice of important claims, rights, and obligations,
 - provides material for research, and
 - other _____.
4. There are are not reasonable alternatives to classify the records as private that would protect the interests favoring making the record private.

5. The court also finds:

The court concludes:

6. On balance, the interests favor:

- classifying the records as private.
- not classifying the records as private.

7. The motion should should not be granted.

The court orders:

8. The motion:

is granted as to the documents below. The clerk of court is ordered to mark as private and make unavailable to the public the following documents filed in the case:

is denied.

9. 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 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 Findings of Fact, Conclusions of Law and Order on Motion to Classify Record as Private 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 [] Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Garnishee's Answers to Interrogatories for Earnings</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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An employer who is garnishing earnings can use the Online Court Assistance Program (OCAP - www.utcourts.gov/ocap/) to calculate the amount to be withheld and prepare the Answers to Interrogatories form for filing instead of using this form. Once you have created an OCAP account, login and go to **Garnishment / Answers to Interrogatories**.

1. Do you employ the judgment debtor?

ANSWER: [] Yes [] No

If "no," skip the remaining questions, sign this form, and mail it as indicated. If "yes," answer the remaining questions.

2. Are there other Writs of Continuing Garnishment in effect?

ANSWER: [] Yes [] No

3. If there are other Writs of Continuing Garnishment in effect, when will they expire?

ANSWER: _____

4. What is the judgment debtor's pay period?

ANSWER:

Weekly Monthly
 Biweekly Other (Describe): _____
 Semi-monthly

5. What is the pay period to which these answers relate?

ANSWER: Start Date: _____ End Date: _____ *

* The Writ served on you with this form is effective for one year after the date of service, or for 120 days after the date of service of another writ of continuing garnishment. If the days of the garnishment term end before the end date of the pay period, you are not required to withhold money from the debtor. Skip the remaining questions, sign this form, and mail it as indicated. Otherwise calculate the amount to be withheld.

6. Calculate the amount to be withheld from the judgment debtor. (Assume you are calculating this on the last day of the pay period for which these answers apply.)

(a) Gross earnings from all sources payable to the judgment debtor <u>in the possession or control of the employer</u> (Including wages, salaries, commissions, bonuses, or earnings from a pension or retirement program. Tips are generally not considered earnings for wage garnishment.)	\$
(b) Deductions required by law	
(b)(i) Federal income tax	\$
(b)(ii) State income tax	\$
(b)(iii) Social security tax (FICA)	\$
(b)(iv) Medicare tax (FICA)	\$
(b)(v) Other amounts required by law to be deducted (Describe reason for deduction.):	\$
(c) Total deductions (Calculate sum of 6(b)(i) through 6(b)(v).)	\$
(d) Disposable earnings (Calculate Line 6(a) minus Line 6(c).)	\$
(e) Calculate:	
(e)(i) 25% of the amount in Line 6(d); or, if this is a judgment for child support, 50% of the amount in Line 6(d); or some lesser amount, based on what the writ says	\$

(e)(ii) The difference between Line 6(d) and the federal minimum hourly wage \$7.25) times 30 times the number of weeks in this pay period For example: (Weekly): Line 6(d) minus \$7.25 X 30 X 1 week) (Biweekly): Line 6(d) minus \$7.25 X 30 X 2 weeks) (Semi-monthly): Line 6(d) minus \$7.25 X 30 X 2.16 weeks) (Monthly): Line 6(d) minus \$7.25 X 30 X 4.33 weeks)	\$
(f) Record the lesser amount from Line 6(e)(i) and Line 6(e)(ii).	\$
(g) Amount of any other garnishment or income withholding order.	\$
(h) Calculate and record Line 6(f) minus Line 6(g)	\$
(i) Amount deducted for an undisputed debt owed to you by the (Check one, both or neither.) <input type="checkbox"/> judgment creditor <input type="checkbox"/> judgment debtor	\$
(j) Calculate and record Line 6(h) minus Line 6(i).	\$
(k) What is the balance owed on the judgment? (You may contact the judgment creditor or judgment creditor's attorney to obtain the outstanding balance.)	\$
(l) Record the lesser amount from Line 6(j) and Line 6(k). (This is the amount to be withheld.)	\$

Person Completing Answers to Interrogatories

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 Garnishee's Answers to Interrogatories for Earnings on the following people.

Person's Name	Service Method	Service Address	Service Date
(Judgment creditor 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.)		
(Judgment debtor 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.)		
(Person claiming interest in property 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.)		

_____ Signature ► _____
 Date Printed Name _____

Procedure to Recommend Court Forms Translations

The Court Forms Committee (the "committee") will recommend approved court forms to the Language Access Committee for translation. The Language Access Committee or their designated subcommittee will have the final decision on which court forms should be translated and which languages the forms should be translated into following the Department of Justice's guidelines.

The committee will determine which approved court forms to recommend for translation, using a three-factor analysis as a guideline. Court forms will be prioritized for translation based on:

- the case type (severity/harm);
- the likelihood of encountering self-represented parties; and
- the volume of cases.

I. Prioritizing Court Forms Based on Case Type

The committee will prioritize the recommendation of court forms translations based on the case types that the forms serve, and the forms' potential effect on parties and their families. This will be accomplished by asking the three following questions:

1. What forms are vital to proceedings that affect basic human needs and freedoms?
2. What forms are vital to proceedings that affect minor children or other vulnerable individuals?
3. What forms are vital to proceedings that affect property or money?

The committee will consider the gravity of consequences and the impact on access to justice for not having that court form available in other languages as it makes recommendations of court forms to be translated.

II. Prioritizing Court Forms Based on Self-Represented Parties

The committee will consider which case types have a high number of self-represented parties (whether both parties or one party) and the court forms involved in those case types. Forms will be prioritized for translation if the intended user of the form will likely be self-represented. The Director of the Self-Help Center and the Law Library will provide the committee with a yearly report on the case types encountering many self-represented parties. The committee will use that information as a factor when determining which forms to recommend for translation.

III. Prioritizing Court Forms Based on Volume

The committee will prioritize form translation recommendations based on high volume case types and which court forms are viewed the most on the court's website.

Stylistics will provide the committee with a yearly report on which case types are being filed and which court forms are viewed online in high volumes. The committee will use that information, as the final factor, to determine the likelihood of limited English proficiency populations encountering the approved court form.

Court Forms Translation (General Policies)

- The subcommittees can recommend to the full committee which forms should be translated and the languages into which they should be translated.
- The full committee will determine which approved forms should be submitted to the Language Access Committee for translation consideration.
- The committee will review and revise a form to ensure it is written in plain language prior to recommending the form to the Language Access Committee for translation if the form has not been reviewed by the full committee in the past four years.
- The committee will submit forms to be considered for translation to the Language Access Committee on at least a semi-annual basis.
- The committee will submit the recommended approved forms to be considered for translation to the Language Access Program Coordinator, or will send a representative to the next Language Access Committee meeting to make the recommendations.
- The Language Access Committee will make the final decision as to which forms will be translated.
- The committee may recommend which languages a court form should be translated into for the Language Access Committee to consider. However, the Language Access Committee will make the final decision based on language data and state demographics.
- The Language Access Committee will send the completed and approved forms to the Language Access Program Coordinator to be translated. Once translated, the forms will be distributed as appropriate.