

JUDICIAL COUNCIL MEETING

AGENDA

October 28, 2019

Council Room

Matheson Courthouse

450 South State Street

Salt Lake City, Utah 84111

Chief Justice Matthew B. Durrant Presiding

1. 9:00 a.m. Annual Council Photo Fifth Floor Rotunda Geoff Fattah
2. 9:20 a.m. Welcome & Approval of Minutes..... Chief Justice Matthew B. Durrant
(Tab 1 - Action)
3. 9:25 a.m. Chair's Report Chief Justice Matthew B. Durrant
(Information)
4. 9:30 a.m. Administrator's Report Judge Mary T. Noonan
(Information)
5. 9:40 a.m. Reports: Management Committee Chief Justice Matthew B. Durrant
Ad Hoc Budget & Finance Committee Judge Mark May
Liaison Committee.....Justice Deno Himonas
Policy & Planning Committee Judge Derek Pullan
Bar Commission..... Rob Rice, esq.
(Tab 2 - Information)
6. 10:00 a.m. Judicial Performance Evaluation Commission Report Dr. Jennifer Yim
(Information) Commissioner Bridget Romano
7. 10:20 a.m. CJA Rule 4-401.02 for Final Approval..... Dr. Jennifer Yim
(Tab 3 - Action) Commissioner Bridget Romano
Judge Derek Pullan
Keisa Williams
8. 10:30 a.m. CJA Rule 4-103 for Final Action.....Keisa Williams
(Tab 3 - Action)
- 10:35 a.m. Break
9. 10:45 a.m. Board of Juvenile Court Judges Report Judge F. Richards Smith
(Information) Neira Siaperas
10. 10:55 a.m. Court Commissioner Conduct Commission Report
(Information) Judge Michele Christiansen Forster
Katie Gregory

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|-----|------------|--|--|
| 11. | 11:10 a.m. | An Action Plan for Compiling Judicial Council History | Geoff Fattah
(Tab 4 - Information) |
| 12. | 11:25 a.m. | Proposed Legislation Re: Third District Judicial Reallocation..... | Judge Mark May
Michael Drechsel
(Tab 5 - Action) |
| 13. | 11:45 a.m. | Judicial Council Composition Committee Recommendations | Michael Drechsel
(Tab 6 - Action) |
| | 12:05 p.m. | Break (Lunch) | |
| 14. | 12:10 p.m. | Retention Elections Certification | Judge Mary T. Noonan
(Tab 7 - Action) |
| 15. | 12:15 p.m. | Senior Judge Certifications | Cathy Dupont
(Tab 8 - Action) |
| 16. | 12:25 p.m. | West Valley Probation Offices Relocation | Chris Talbot
Jim Bauer
(Tab 9 - Information) |
| 17. | 12:40 p.m. | Old Business/New Business | All
(Discussion) |
| 18. | 1:00 p.m. | Executive Session | |
| 19. | 1:30 p.m. | Adjourn | |

Consent Calendar

The consent calendar items in this section are approved without discussion if no objection has been raised with the Administrative Office of the Courts or with a Judicial Council member by the scheduled Judicial Council meeting or with the Chair of the Judicial Council during the scheduled Judicial Council meeting.

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|--|-----------------|
| 1. Forms Committee Forms
(Tab 10) | Kim Allard |
| 2. Probation Policy 5.2 Revision
(Tab 11) | Neira Siaperas |
| 3. Committee Appointments | |
| • Resources for Self-Represented Parties Committee | Nancy Sylvester |
| • Facilities Planning Committee | Chris Talbot |
| (Tab 12) | |

Tab 1

Agenda

JUDICIAL COUNCIL MEETING**Minutes****September 10, 2019****Park City Sheraton****Wasatch room****1895 Sidewinder Drive****Park City, Utah 84060****12:30 p.m. – 4:00 p.m.***Chief Justice Matthew B. Durrant, Presiding***Members:**

Chief Justice Matthew B. Durrant, Chair

Hon. Kate Appleby, Vice Chair

Hon. Brian Cannell

Hon. Augustus Chin

Hon. Ryan Evershed

Hon. Paul Farr

Justice Thomas Lee

Hon. Mark May

Hon. Kara Pettit

Hon. Derek Pullan

Hon. Brook Sessions

Hon. Todd Shaughnessy

Hon. John Walton

Rob Rice, esq.

AOC Staff:

Cathy Dupont

Michael Drechsel

Shane Bahr

Tom Langhorne

Suzy Lee

Meredith Mannebach

Bart Olsen

Jim Peters

Neira Siaperas

Nancy Sylvester

Jeni Wood

Guests:

Hon. Gregory Orme, Court of Appeals

Hon. Rick Romney, Provo City Justice Court

Excused:

Hon. Mary T. Noonan

1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)

Chief Justice Matthew B. Durrant welcomed everyone to the meeting. Chief Justice Durrant welcomed Bart Olsen as the new Human Resources Director and Meredith Mannebach as the new District Court Program Coordinator.

Motion: Judge Kate Appleby moved to approve the Judicial Council minutes and the Annual Budget meeting minutes from the August 23, 2019 meetings, as amended to state: the Bar voted to increase existing funding for the licensed lawyer program. Judge Mark May seconded the motion, and it passed unanimously.

2. CHAIR'S REPORT: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant thanked the Council members for holding the Council meeting in conjunction with the Annual Judicial Conference in Park City.

3. ADMINISTRATOR'S REPORT: (Cathy Dupont)

Cathy Dupont thanked Judge Augustus Chin, Judge Kara Pettit, and Judge Mark May for their membership on the ad hoc Budget & Finance Committee, which will hold their first meeting next week. The committee will address several topics, including:

- Clerical Weighted Caseloads
- Market Comparability Analysis
- Judicial Reallocation
- Alternate Funding for the Public Outreach/Education Coordinator
- Ongoing Funding for the Self-Help Center Attorneys
- Possible Funding for Drug Court Clerks

Ms. Dupont enjoyed volunteering at the Court's Fan X booth, which hosted more than 2,000 visitors. This was a great outreach effort that provided the public with information about the courts and the programs that are offered.

The Liaison Committee, Michael Drechsel and Ms. Dupont are preparing for the 2020 Legislative Session by meeting with Legislative Leadership and legislators to discuss court budget priorities and to introduce Judge Mary Noonan as the permanent State Court Administrator.

Ms. Dupont briefly addressed the memo from the Juvenile and District Court Judges that summarized their proposal for cooperation and job-sharing of judges between juvenile and district court judges.

Judge Thomas Willmore announced his retirement for February 16, 2020 after serving more than 20 years on the bench.

4. COMMITTEE REPORTS:

Management Committee Report:

The work of this committee is reflected in the minutes.

Liaison Committee Report:

Justice Thomas Lee noted Senator Todd Weiler may sponsor the court housekeeping bill, reallocation of judicial positions, and probate rules. Justice Lee requested any comments on the upcoming special session on the medical cannabis bill be directed to Mr. Drechsel.

Policy and Planning Committee Report:

Judge Derek Pullan said the committee is reviewing the Audit of Evidence Storage and Management Among Selected Utah District and Juvenile Courts and may propose rule amendments, as necessary to comply with the Audit findings.

Bar Commission Report:

Rob Rice said President Herm Olsen is enthusiastic about speaking at the Annual Judicial Conference. Mr. Rice discussed a recent court case that upheld a mandatory integrated bar. Some states, including Utah have an integrated mandatory Bar.

5. BOARD OF APPELLATE COURT JUDGES REPORT: (Judge Gregory Orme)

Chief Justice Durrant welcomed Judge Gregory Orme. Judge Orme stated this is the first time the Board has reported to the Judicial Council. The Appellate Board is unique in that it is the only Board that involves two court levels and the only Board where all 12 appellate judges are members. The Board has the responsibility to concur with the State Court Administrator's recommendation of the Appellate Court Administrator. The Board also has authority to approve or reject applicants for the appellate representation roster; this includes appeals from individuals whose roster application was rejected. The Board meets three times a year. In addition, the Board will begin reporting semi-annually to the Council.

The appellate courts look forward to the electronic filing of appellate documents.

Chief Justice Durrant thanked Judge Orme.

6. BOARD OF JUSTICE COURT JUDGES REPORT: (Judge Rick Romney and Jim Peters)

Chief Justice Durrant welcomed Judge Rick Romney and Jim Peters. Judge Romney reviewed the Boards membership.

The Board goals are:

- Improve communication
- Study justice court judicial and clerical compensation
- Develop a proposal for justice court reform

The justice court presiding judges will attend the annual presiding judges meeting tomorrow, staffed by Michael Drechsel. There is discussion about assistance from justice courts to the district courts.

Chief Justice Durrant thanked Judge Romney and Mr. Peters.

7. EDUCATION COMMITTEE REPORT: (Tom Langhorne)

Chief Justice Durrant welcomed Tom Langhorne. Mr. Langhorne appreciates the support of the Council. The Education Committee welcomed a few new members, including Bart Olsen and Professor James Hedges, Director of Continuing Adult Education at Westminster College.

The Education Department has two new positions: 1) a juvenile justice specialist position was created (due to HB239) and 2) an online training support coordinator was transferred from the HR Department to the Education Department.

There are 275 ongoing online courses. There will be a minimum 148 live in-person classes throughout the state. There will be approximately two webinars monthly. Thus far, each

webinar has exceeded 100 participants. Mr. Langhorne presented a new method for court employees to register for courses. Mr. Langhorne noted that under a long-standing policy with the bar, the Annual Judicial Conference would qualify for the Bar's CLE credit, as it has in the past. This year the Education Department conducted 34 statewide conferences. Mr. Langhorne was successful in getting a rule amended so that CLE credit reporting will move from an annual year to a fiscal year reporting cycle for judges.

Justice court judges will be invited to the Annual Judicial Conferences beginning in 2020. The Snowbird Resort has been removed from the Annual Judicial Conference rotation.

Chief Justice Durrant thanked Mr. Langhorne.

8. COMMUNICATION MATRIX: (Cathy Dupont)

Chief Justice Durrant welcomed Cathy Dupont. Ms. Dupont discussed the requests and recommendations received by court personnel, derived from the NCSC system review. It was noted that some of the recommendations received are already in place. This can be remedied with better communication. Ms. Dupont noted that some comments suggested that the Council should be more engaged when a subject-matter expert presents at a Council meeting. One recommendation was to have minutes available on the courts website. Many committees already post their minutes on the website. In an effort to provide better communication, the TCEs recently received a list of website that contain agendas, minutes, and meeting materials. Justice Lee thought the entities that report to the Council should have more focused reporting – such as a specific topic – rather than providing a summary of information. A recommendation was made that the Council provide an outline of expectations on what is being reported – such as challenges over next 12 months or staffing resources.

Judge Shaughnessy and Ms. Dupont will prepare points as to the direction on reporting. The Council recommended a standing invitation to Board Chairs (or designees), Trial Court Executives, and Clerks of Court to attend Council meetings, in person or by video.

Chief Justice Durrant thought the Council should consider inviting additional people to attend presentations to allow for a more thorough dialogue.

Chief Justice Durrant thanked Ms. Dupont.

9. ASSIGNMENT TO THE STANDING COMMITTEE ON CHILDREN AND FAMILY LAW COMMITTEE - "A PERFORMANCE AUDIT OF CHILD WELFARE DURING DIVORCE PROCEEDINGS": (Chief Justice Matthew B. Durrant)

Chief Justice Durrant noted the Council requested this committee review the Audit. Ms. Dupont said a bill from the 2019 Legislative Session removed legislators from some committees, including this one. Senator Todd Weiler has expressed that he would like to continue his membership on this committee. Ms. Dupont noted that it would be helpful to have a legislator serve on the committee because some of the recommendations from the audit may require legislation or funding. The 2019 legislation included a provision that permits a committee to request that a legislator be allowed to continue to serve. That request is made by submitting a

letter to the Legislative Management Committee. The Council was comfortable with Judge Noonan making that request at the next Child Welfare Oversight Committee if the Chairs of the Standing Committee on Children and Family Law approved. Ms. Dupont will poll the chairs.

10. SENIOR JUDGE CERTIFICATIONS: (Nancy Sylvester)

Chief Justice Durrant welcomed Nancy Sylvester. The senior justice court judges below have terms of office that will expire on December 31, 2019. None of the senior judges has complaints pending before the Utah Supreme Court or the Judicial Conduct Commission.

Justice court senior judges seeing recertification:

Active

Judge Norman Ashton

Judge Marsha Thomas

Inactive

Judge Holly Barringham

Judge James Beesley

Judge Lesley Scott

An executive session will be held to discuss one of the recertification requests.

Chief Justice Durrant thanked Ms. Sylvester.

Motion: Judge Shaughnessy moved to approve recertification of Judge Marsha Thomas (active), Judge Holly Barringham (inactive), Judge James Beesley (inactive), and Judge Lesley Scott (inactive), as amended to move Judge Norman Ashton to inactive status until he is in compliance with the education requirements. Judge Chin seconded the motion, and it passed unanimously.

11. CERTIFICATION OF 2020 RETENTION JUDGES: (Nancy Sylvester)

Chief Justice Durrant welcomed Nancy Sylvester. JPEC rule 597-3-4(2) provides that “No later than October 1st of the year preceding each general election year, the Judicial Council shall certify to the commission whether each judge standing for retention election in the next general election has satisfied its performance standards.” All judges listed below have met the standards as required by CJA Rule 3-101.

Supreme Court	Court of Appeals
Justice John A. Pearce	Judge Michele Christiansen Forster
	Judge Diane Hagen
	Judge Ryan Harris
	Judge David Mortensen
	Judge Gregory Orme
	Judge Jill Pohlman

District Court	Juvenile Court	Justice Court
Judge Matthew Bates	Judge Steven Beck	Judge Randy Birch
Judge Matthew Bell	Judge Craig Bunnell	Judge Michael Boehm
Judge M. James Brady	Judge Sherene Dillon	Judge Augustus Chin
Judge Robert Dale	Judge Susan Eisenman	Judge Trevor Cook
Judge Lynn Davis	Judge Michelle Heward	Judge John Cox

Judge Jared Eldridge	Judge Mary Manley	Judge Morgan Laker Cummings
Judge David Hamilton	Judge Kirk Morgan	Judge John Dow
Judge Anthony Howell	Judge Robert Neill	Judge Paul Farr
Judge Elizabeth Hruby-Mills	Judge Douglas Nielsen	Judge Gary Johnson
Judge Noel Hyde	Judge Jeffrey Noland	Judge Michael Junk
Judge Thomas Kay		Judge Brian Memmott
Judge Keith Kelly		Judge Trent Nelson
Judge Wallace Lee		Judge Gary Owens
Judge Thomas Low		Judge Reed Parkin
Judge Robert Lunnen		Judge Kelly Schaeffer-Bullock
Judge Clark McClellan		Judge Thad Seegmiller
Judge John Morris, Jr.		Judge Clay Stucki
Judge Kraig Powell		Judge George Vo-Duc
Judge Todd Shaughnessy		Judge John Ynchausti
Judge Andrew Stone		
Judge James Taylor		
Judge Jennifer Valencia		
Judge John Walton		
Judge Thomas Willmore		

Chief Justice Durrant thanked Ms. Sylvester.

Motion: Justice Lee moved to approve the above listed judges for the 2020 election term, as presented. Judge May seconded the motion, and it passed with Judge Shaughnessy, Judge Chin, and Judge Farr abstaining.

12. OLD BUSINESS / NEW BUSINESS

Justice Lee has been working with a task force including Judge Shaughnessy, Judge Farr, Judge Noonan and Michael Drechsel on the composition of the Council.

Topics addressed:

- Possibly change ad hoc Budget & Finance Committee to a permanent Council executive committee and establish/amend any rules or statute as necessary.
- Be more transparent and invite advocates to Council meetings.
- Encourage Boards to send a representative to each Council meeting, remotely or in person and a Council member attend Board meetings.
- May increase Council members by two additional judges (1 – district and 1 – juvenile) and establish/amend any rules or statute necessary. Considerations included:
 - at what point does the Council have too many members;
 - additional members may minimize the Council workload on various committees;
 - the size of Council room;
 - invite Judge Connors and Judge Chiara to participate in the Council composition discussion; and
 - tentatively propose that the Second District have a dedicated seat on the Council.

Currently, the Council consists of members who represent the following courts:

Supreme Court – Chair and 1 member	Fifth District – 1 member
Court of Appeals – Vice Chair	Third District Juvenile – 1 member
First District – 1 member	Eighth District Juvenile – 1 member
Third District – 2 members	Justice Courts – 3 members
Fourth District – 1 member	Utah State Bar – 1 member

Utah Code § 78A-2-104 states:

- (1) The Judicial Council, established by Article VIII, Section 12, Utah Constitution, shall be composed of:
 - (a) the chief justice of the Supreme Court;
 - (b) one member elected by the justices of the Supreme Court;
 - (c) one member elected by the judges of the Court of Appeals;
 - (d) five members elected by the judges of the district courts;
 - (e) two members elected by the judges of the juvenile courts;
 - (f) three members elected by the justice court judges; and
 - (g) a member or ex officio member of the Board of Commissioners of the Utah State Bar who is an active member of the Bar in good standing at the time of election by the Board of Commissioners.

Judge Walton noted the Fifth, Sixth, and Seventh Districts share a seat on the Council and rotate after one term each. Board of District Court Judges recently received approval by the Council to include a dedicated seat for the Fifth District. The Council agreed to allow Justice Lee continue his participation on the Council composition as an ex officio.

13. RECOGNITION OF OUTGOING COUNCIL MEMBER: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant stated Justice Lee is the finest judicial thinker and writer and that is has been a great privilege to serve on the court with him. The Liaison Committee, with Justice Lee's leadership, made great strides to expand relationships with the legislature.

14. EXECUTIVE SESSION

Motion: Judge Appleby moved to go into an executive session to discuss a personnel matter. Judge Brian Cannell seconded the motion, and it passed unanimously.

15. CONSENT CALENDAR ITEMS

- a) **Forms Committee Forms.** 1022GE Acceptance of Service and the 1251FA Request to Register Foreign Domestic Order Approved without comment.
- b) **CJA Rule 4-202.02 and LPP Forms.** Approved without comment.

16. ADJOURN

The meeting adjourned.

Tab 2

JUDICIAL COUNCIL MANAGEMENT COMMITTEE

**Minutes
October 8, 2019
Council Room
Matheson Courthouse
450 South State Street
Salt Lake City, Utah 84111
12:00 p.m. – 2:00 p.m.**

Chief Justice Matthew B. Durrant, Presiding

Members:

Hon. Kate Appleby, Vice Chair
Hon. Paul Farr
Hon. Mark May
Hon. Todd Shaughnessy

Excused:

Chief Justice Matthew B. Durrant, Chair
Cathy Dupont

AOC Staff:

Hon. Mary T. Noonan
Michael Drechsel
Shane Bahr
Geoff Fattah
Brent Johnson
Larissa Lee
Jim Peters
Neira Siaperas
Nancy Sylvester
Chris Talbot
Jeni Wood

Guests:

1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)

Judge Kate Appleby welcomed everyone to the meeting. Chief Justice Durrant arrived late. After reviewing the minutes, the following motion was made:

Motion: Judge Paul Farr moved to approve the August 23, 2019 Management Committee meeting minutes, as presented. Judge Todd Shaughnessy seconded the motion, and it passed unanimously.

2. ADMINISTRATORS REPORT: (Judge Mary T. Noonan)

Judge Mary T. Noonan introduced Larissa Lee as the new Appellate Court Administrator. Chief Justice Durrant appointed Judge Suchada Bazzelle, Fourth District Juvenile Court Judge, as a member of the Utah Commission on Criminal and Juvenile Justice.

The 2020 legislative team will include Michael Drechsel as lead, Jim Bauer, Third District Juvenile Court TCE, and Cathy Dupont, as needed. The courts will meet later this month with Patti Tobias from the National Center for State Courts to discuss the second phase of

the system review. Ron Gordon recently expressed an interest in attending bench meetings and court hearings to become more familiar with court processes. Judge Appleby noted Mr. Gordon's attendance at an appellate court conference a couple of years ago went well. Judge Appleby welcomed Mr. Gordon to visit the appellate courts.

Chris Talbot spoke briefly about the progress of the Manti Courthouse, which passed step 1 by the Building Board. Mr. Talbot noted the local government in Manti supports the new courthouse.

3. JUDICIAL COUNCIL EXECUTIVE COMMITTEE ASSIGNMENT: (Judge Mary T. Noonan)

Judge Noonan reviewed the current Council executive committee roster. Judge Noonan stated Justice Deno Himonas should replace Justice Thomas Lee on the Liaison Committee.

Motion: Judge Shaughnessy moved to approve Justice Deno Himonas' appointment to the Liaison Committee. Judge Mark May seconded the motion, and it passed unanimously.

4. PROBATION POLICY 5.2 REVISIONS: (Neira Siaperas)

Neira Siaperas stated probation policy 5.2 was last updated August 1, 2001. The purpose of the policy is to provide direction to probation officers when transporting a minor to or from a detention center. Proposed changes to this policy include specification of the circumstances under which probation staff may transport a youth in custody and a directive for law enforcement to be contacted if a youth absconds or presents a threat to themselves or others during a transport.

Motion: Judge Shaughnessy moved to approve the revisions to probation policy 5.2, as presented and to put it on the Judicial Council consent calendar. Judge Farr seconded the motion, and it passed unanimously.

5. PROPOSED AMENDMENT TO UTAH CODE § 78A-7-206 COMPENSATION TO JUSTICE COURT JUDGES: (Jim Peters)

Jim Peters presented proposed changes to Utah Code § 78A-7-206, by date:

- Effective July 1, 2021, a governing body of a municipality or county may not set a full-time justice court judge's salary at less than 70% nor more than 90% of a district court judge's salary; and
- Effective July 1, 2022, a governing body of a municipality or county may not set a full-time justice court judge's salary at less than 80% nor more than 90% of a district court judge's salary.

Mr. Peters explained that one of the Board goals is to review judicial compensation. The Board recommended the statute be amended. The committee decided to postpone the request until all requests can be identified by the Board. Judge Appleby leads a working group that is reviewing justice court processes. She will report to the Supreme Court. The Management Committee will readdress this issue in November.

Motion: Judge Farr moved to postpone this item until the November Management Committee and November Judicial Council meetings. Judge May seconded the motion, and it passed unanimously.

6. AN ACTION PLAN FOR COMPILING JUDICIAL COUNCIL HISTORY: (Geoff Fattah)

Geoff Fattah presented a preliminary action plan. One goal of the project is to preserve and prepare oral histories and primary source documents, and commission an author to write a history that is both engaging, accessible, and structured in a way to be updated every 10 years.

The following is a preliminary outline of the first steps for creating the Judicial Council history.

- I. Capture Oral Histories
- II. Preserve and Index Judicial Council Primary Documents
- III. Commission an Author

Mr. Fattah noted the Council may want to consider hiring a professional film crew to conduct the interviews. The estimated cost would be about \$10,000. As an alternative, we could seek the help of a local university, although there is no guarantee of the production value.

After brief discussion, Mr. Fattah will obtain more accurate cost estimates and address this with the Council at the October 28 meeting. Mr. Fattah will work with the Law Library on the indexing project.

7. WEST VALLEY PROBATION OFFICES RELOCATION: (Chris Talbot)

Judge Noonan explained that relocating the West Valley probation offices 1.5 miles would allow for the same amount of space and would allow the configuration supportive of the probation office needs. Additionally, this would allow the office located near the airport to relocate to the new building.

**8. COMMITTEE APPOINTMENTS: (Chris Talbot and Nancy Sylvester)
Facilities Planning Committee**

Chris Talbot addressed the committee reappointment of a second 3-year term for Archie Philips and a termination request for Lyle Knudsen, who has been consistently unresponsive to the committee.

Motion: Judge Farr moved to approve the reappointment of Archie Philips and the termination of committee member Lyle Knudsen to the Facilities Planning Committee, and to place this item on the Judicial Council consent calendar. Judge Shaughnessy seconded the motion, and it passed unanimously.

MUJI - Civil Committee

Ms. Sylvester noted the committee has three long-time members who have reached the end of their terms.

- Peter Summerill, original appointment November 19, 2007
- Tracy Fowler, original appointment February 26, 2003

- Paul Simmons, original appointment February 26, 2003

Judge Andrew Stone (Chair) recommends retaining Paul Simmons as an emeritus member. Ms. Sylvester noted Mr. Simmons takes the minutes for the meeting. The committee agreed to allow Paul Simmons remain as an ex officio member to the MUJI-Civil Committee. No motion was made.

Resources for Self-Represented Parties Committee

Ms. Sylvester noted Judge Barry Lawrence's term as Chair and on the committee has expired.

Motion: Judge Shaughnessy moved to appoint Judge Richard Mrazik and as Chair to the Resources for Self-Represented Parties Committee, and to place this item on the Judicial Council consent calendar. Judge May seconded the motion, and it passed unanimously.

9. APPROVAL OF JUDICIAL COUNCIL AGENDA: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant addressed the proposed agenda for the October 28, 2019 Judicial Council meeting. After brief discussion, there were no changes to the agenda.

Motion: Judge May moved to approve the Judicial Council agenda, as presented. Judge Shaughnessy seconded the motion, and it passed unanimously.

10. OLD BUSINESS/NEW BUSINESS: (All) There was no additional business discussed.

11. EXECUTIVE SESSION. An executive session was held.

12. ADJOURN The meeting adjourned.

Agenda

**JUDICIAL COUNCIL'S
AD HOC BUDGET & FINANCE COMMITTEE**

**Minutes
September 17, 2019
Executive Dining Room
Matheson Courthouse
450 South State Street
Salt Lake City, Utah 84111
12:00 p.m. – 2:00 p.m.**

Members Present:

Hon. Augustus Chin – by phone
Hon. Mark May
Hon. Kara Pettit

Excused:

Shane Bahr
Brent Johnson

Staff Present:

Hon. Mary T. Noonan
Cathy Dupont
Michael Drechsel
John Bell
Alisha Johnson
Bart Olsen
Jim Peters
Clayson Quigley
Neira Siaperas
Jeni Wood

Guests:

Jim Bauer, TCE Third District
Russ Pearson, TCE Eighth District
Wendell Roberts, TCE Sixth District
Larry Webster, TCE Second District
Shelly Waite, JTCE Fourth District

1. **WELCOME: (John Bell)**
John Bell welcomed everyone to the meeting.
2. **INTRODUCTION OF COMMITTEE MEMBERS AND STAFF: (Judge Mary T. Noonan)**
Judge Noonan noted the committee is comprised of Judicial Council members: Judge Augustus Chin, Judge Mark May, and Judge Kara Pettit. Committee members and staffed introduced themselves. This committee was created in a temporary capacity by the Council, however, a recommendation is expected to transition this committee to a permanent Council executive committee.
3. **SELECTION OF COMMITTEE CHAIR/VICE CHAIR: (Judge Mary T. Noonan)**
Judge Noonan explained that a Chair and Vice Chair needed to be selected. After brief discussion, a decision was made not to elect a Vice Chair at this time.

Motion: Judge Kara Pettit moved to appoint Judge Mark May as the Chair. Judge Augustus Chin seconded the motion, and it passed unanimously.

4. ROLE AND DUTIES OF THE COMMITTEE: (John Bell)

Mr. Bell presented the Judicial Council assignments for this committee.

- Clerical Weighted Caseloads
- Market Comparability Analysis
- Judicial Reallocation
- Alternate Funding for the Public Outreach/Education Coordinator
- Ongoing Funding for the Self-Help Center Attorneys
- Possible Funding for Drug Court Clerks

5. MARKET COMPARABILITY ANALYSIS (MCA): (John Bell and Bart Olsen)

For purposes of the MCA, Court employees have been divided into the following three groups:

- **Probation** (517 employees: Probation Officers including Chiefs, Deputies, and Supervisors) - This group's most recent market adjustment was in FY 2019.
- **Clerical** (488 employees: Judicial Assistants, Training Coordinators, Case Managers, Team Managers, Clerks of Court) - This group received a market adjustment in FY 2018 and a Legislative salary adjustment for FY 2020 in an attempt to relieve some salary compression issues.
- **Others** (170 employees: AOC managers, Trial Court Executives, HR staff, Administrative Assistants, Support Service Coordinators, Court Interpreters, Mediators, Attorney Law Clerks, Education, Finance, Audit, Facilities, IT, Law Library & Self-Help Center.) - Although there have been "hot spot" salary adjustments for some positions, this group generally has not received a salary adjustment for over 8 years.

After reviewing the MCA guiding principles identified below, the committee agreed the principles should not be prioritized to allow for changes as need be.

Guiding Principles

1. **Critical Function:** This analysis would consider if given below-market jobs were temporarily unavailable in court operations and the degree to which public access to justice services would be compromised.
2. **Turnover:** This analysis would consider the number of separations in a below-market job title divided by the average number of employees in that job title during the year to compare turnover rates among below-market job titles.
3. **Difficult to fill:** This analysis would consider the length of time it takes to fill positions in below-market job titles.
4. **Disparity of court policy:** This analysis would consider unintended negative impacts in below-market jobs of long-standing court policies governing salary increases (such as the HR policy that limits an internal hire's salary increase with a new position to 11% increase over the current salary).

In May 2019, the Council deliberated on the proper allocation of ongoing funds. At that time, the Council was presented an estimated need of \$684,000 to bring salaries to within 10% of what the market offers. (The final analysis issued in August 2019, shows that number to be just over \$723,500.) After considering all the budget requests, the Council was left with \$137,500 available to fund MCA compensation. The immediate challenge facing this committee is a plan to allocate these funds. Mr. Bell noted a determination about how the funding approved by the Council will be spent must be approved by the next Budget meeting because the Human Resources Department needs time to enter the salary increases into the system before January 1, 2020.

Judge May prefers to devote increases to specific individuals, perhaps starting with those who fall under the 11% rule. Mr. Bell described how the increase for clerical salary was calculated when the Legislature did not fully fund the increase. A formula was created that allocated the available money based on years of service. Mr. Bell suggested that a similar formula could be developed for this year's MCA, or that the funds could be used to give employees a one-time bonus rather than a salary increase. Mr. Olsen will prepare scenarios and email them to the committee to review prior to the next meeting.

6. JUDICIAL OFFICER REALLOCATION: (Chair)

Mr. Quigley reviewed each of the five hypothetical weighted caseload scenarios showing various options for reallocating judicial officers. The juvenile court bench is much smaller so any changes in the juvenile bench will have a higher impact. Judge May was concerned that the juvenile caseload reports do not take into consideration when juvenile court judges assist the district courts. The juvenile weighted caseload formula has not been updated for approximately 10 years.

The Fifth District has fairly new judges, therefore, moving positions through attrition might take several years. Judge Hornak (Third District Juvenile Court) announced her retirement and Judge Thomas Willmore (First District Court) announced his retirement.

The committee will recommend to the Judicial Council approaching the Legislature with a request for one new judicial officer in the third district court and a reduction of one judicial office in the third district juvenile court (upon retirement) as a method of internally funding the need for new district court judges.

7. SELECTION OF DATES FOR FUTURE MEETINGS: (John Bell)

Ms. Wood will send a Doodle poll for prospective dates the first week of the November for a 3-hour meeting. Judge Noonan requested the next few meetings be scheduled from 11:00 a.m. – 2:00 p.m.

8. OLD BUSINESS/NEW BUSINESS: (All)

Mr. Bell and Mr. Drechsel will jointly prepare a memo to the Council summarizing this meeting. No further business was discussed.

9. ADJOURN

The meeting adjourned at 1:27 p.m.

Tab 3

Agenda



Administrative Office of the Courts

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

Hon. Mary T. Noonan
Interim State Court Administrator

Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: **Judicial Council members**
FROM: **Keisa Williams, Associate General Counsel – AOC**
DATE: **October 28, 2019**
RE: **CJA 4-103 – Civil calendar management – For Final Approval**

The Judicial Council approved this rule for public comment on July 18, 2019. No comments were received during the 45-day comment period. Policy and Planning now recommends this rule to the Judicial Council for final approval with a November 1, 2019 effective date.

As part of the annual review of the Code of Judicial Administration required by CJA 2-207, Policy and Planning observed that one subsection in CJA 4-103 (Civil calendar management) creates some confusion. Policy and Planning initially recommended that the Judicial Council make revisions to this rule at the Council's May 20 meeting. At that meeting, the proposed rule was pulled from consideration so that Policy and Planning could spend additional time considering case law related to the language in the rule.

In particular, subsection (3) was added to CJA 4-103 in November 2017 as a result of Holmes v. Cannon, 2016 UT 42 (attached). In that case, the Utah Supreme Court identified that both CJA 4-103 and URCP 41(b) (attached) permit a court to dismiss an action. URCP 41(b) notes that a dismissal under URCP 41(b) "operates as an adjudication on the merits" (meaning with prejudice) "unless the dismissal order otherwise states." Prior to 2017, CJA 4-103 didn't require that dismissals under CJA 4-103 "otherwise state" (to use the parlance of URCP 41(b)). To bring clarity to the issue that arose in Holmes v. Cannon, the Judicial Council enacted CJA 4-103(3), which requires a court to include "without prejudice" language any time a case is dismissed under CJA 4-103.

That said, the specific language used in CJA 4-103(3) created confusion. The current use of "Pursuant to Rule 41 of the Utah Rules of Civil Procedure" language is what has caused confusion, as Rule 41 doesn't actually require "without prejudice" language. Making the revisions proposed by Policy and Planning will eliminate the confusion without compromising the mandate in Holmes v. Cannon.

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

Rule 4-103. Civil calendar management.**Intent:**

To establish a procedure that allows the trial courts to manage civil case processing.

To reduce the time between case filing and disposition.

Applicability:

This rule shall apply to the District Court.

Statement of the Rule:

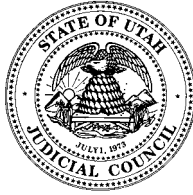
(1) If a default judgment has not been entered by the plaintiff within 60 days of the availability of default, the clerk will mail written notification to the plaintiff stating that absent a showing of good cause by a date specified in the notification, the court will dismiss the case without prejudice for lack of prosecution.

(2) If a certificate of readiness for trial has not been served and filed within 330 days of the first answer, the clerk will mail written notification to the parties stating that absent a showing of good cause by a date specified in the notification, the court will dismiss the case without prejudice for lack of prosecution.

(3) ~~Pursuant to Rule 41 of the Utah Rules of Civil Procedure, all Orders-orders~~ of dismissal entered under this rule must contain the language “without prejudice.”

(4) Any party may, pursuant to the Utah Rules of Civil Procedure, move to vacate a dismissal entered under this rule.

Effective November 1, 2019



Administrative Office of the Courts

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

Hon. Mary T. Noonan
Interim State Court Administrator

Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: **Judicial Council members**
FROM: **Keisa Williams, Associate General Counsel – AOC**
DATE: **October 28, 2019**
RE: **CJA 4-401.02 – Possession and use of portable electronic devices – JPEC Basic Evaluation Pilot – For Final Approval**

The Judicial Council approved this rule for public comment on July 18, 2019. One comment was received during the 45-day comment period. Policy and Planning reviewed the comment and made no amendments to the published draft. Policy and Planning now recommends this rule to the Judicial Council for final approval with a November 1, 2019 effective date.

The proposed amendments to CJA 4-401.02 authorize the Judicial Performance Evaluation Commission (JPEC) to engage in a pilot project using audio and video recordings of justice court hearings to create a system for courtroom observation that mimics the in-person courtroom evaluation to which all other judges are subject. The pilot will be conducted only for mid-term judges so that the effect of the pilot can be evaluated independent of any concern with actual retention elections for those judges.

Because in-person observation does not result in any permanent record beyond the documented observations of the JPEC observer, the audio and video recordings will not be retained beyond the period of time necessary to review the recordings.

By designating the records “not public,” access to the recordings will be restricted. The Court has the ability to restrict access to records under Utah Code § 63G-2-201(3), which states: “The following records are not public: (b) a record to which access is restricted pursuant to *court rule* [or] *another state statute*...”

Under Utah Code § 78A-12-206(1)(c) and (d), JPEC reports and information obtained in connection with evaluations are protected. Reports only become public on the day following the last day on which a judge may file a declaration of candidacy for a retention election. Because this pilot will only involve mid-term judges that aren’t subject to retention, the recordings remain protected under both 78A-12-206 and CJA 4-401.02.

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

Rule 4-401.02. Possession and use of portable electronic devices.**Intent:**

To permit the use of portable electronic devices in courthouses and courtrooms, subject to local restrictions.

Applicability:

This rule applies to the courts of record and not of record.

Statement of the Rule:**(1) Definitions.**

(1)(A) "Judge" as used in this rule means the judge, justice, or court commissioner who is presiding over the proceeding.

(1)(B) "Portable electronic device" as used in this rule means any device that can record or transmit data, images or sounds, or access the internet, including a pager, laptop/notebook/personal computer, handheld PC, PDA, audio or video recorder, wireless device, cellular telephone, or electronic calendar.

(2) Possession and use of portable electronic devices in a courthouse.

(2)(A) A person may possess and use a portable electronic device anywhere in a courthouse, except as limited by this rule or directive of the judge.

(2)(B) All portable electronic devices are subject to screening or inspection at the time of entry to the courthouse and at any time within the courthouse in accordance with Rule 3-414.

(2)(C) All portable electronic devices are subject to confiscation if there is reason to believe that a device is or will be used in violation of this rule. Violation of this rule or directive of the judge may be treated as contempt of court.

(2)(D) For the limited purpose of conducting a pilot project to evaluate the performance of justice court judges using courtroom observation, the Judicial Performance Evaluation Commission may record and transmit video and sound of court proceedings. These recordings and transmissions are not public, pursuant to Utah Code sections 63G-2-201(3) and 78A-12-206.

(3) Restrictions.

(3)(A) Use of portable electronic devices in common areas. The presiding judges may restrict the time, place, and manner of using a portable electronic device to

maintain safety, decorum, and order of common areas of the courthouse, such as lobbies and corridors.

(3)(B) Use of portable electronic devices in courtrooms.

(3)(B)(i) A person may silently use a portable electronic device inside a courtroom.

(3)(B)(ii) A person may not use a portable electronic device to record or transmit images or sound of court proceedings, except in accordance with Rule 4-401.01 or subsection (2)(D) above.

(3)(B)(iii) A judge may further restrict use of portable electronic devices in his or her courtroom. Judges are encouraged not to impose further restrictions unless use of a portable electronic device might interfere with the administration of justice, disrupt the proceedings, pose any threat to safety or security, compromise the integrity of the proceedings, or threaten the interests of a minor.

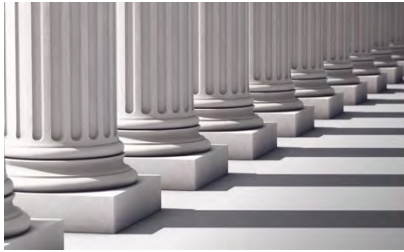
(3)(B)(iv) During trial and juror selection, prospective, seated, and alternate jurors are prohibited from researching and discussing the case they are or will be trying. Once selected, jurors shall not use a portable electronic device while in the courtroom and shall not possess an electronic device while deliberating.

(4) Use of portable electronic devices in court chambers. A person may not use a portable electronic device in chambers without prior approval from the judge.

(5) Instruction to witnesses. It should be anticipated that observers in the courtroom will use portable electronic devices to transmit news accounts and commentary during the proceedings. Judges should instruct counsel to instruct witnesses who have been excluded from the courtroom not to view accounts of other witnesses' testimony before giving their own testimony.

Effective November 1, 2019

Tab 4



UTAH STATE COURTS

Utah Judicial Council History

Proposed Action Plan

During the Judicial Council's June 2019 retreat, the Council identified the need for a comprehensive history of the Judicial Council, including its formation, subsequent decisions, and changes (1973 – present). It was also recognized that key figures involved in the formative years of the Judicial Council are progressing in age, and that there is a need to capture their perspective sooner than later. The purpose of this project is to ensure that the primary focus and mission of the Judicial Council is not lost; so that it may inform future members of the Council, court staff, and the public at large.

Preservation and preparation of oral histories and primary source documents is a priority, with the ultimate intent to commission an author to write a history that is both engaging, accessible, and structured in a way to be updated every 10 years.

The following is a preliminary outline of the first three key steps. Also included is the scope of work, available resources, and possible needed resources.

- I. Capture Oral Histories
 - II. Preserve and Index Judicial Council Primary Documents
 - III. Commission an Author
-

I. Capture Oral Histories

Scope of Work: Oral histories of key figures involved in the formative years of the Judicial Council need to be captured and preserved. It is recommended that these oral histories be captured on video for historical value. The following individuals have so far been identified:

- Chief Justice Richard Howe
- Chief Justice Michael Zimmerman
- Chief Justice Christine Durham
- Judge Gregory Orme, Utah Court of Appeals
- Tim Shea, former Appellate Courts Administrator
- Dan Becker, former State Court Administrator



UTAH STATE COURTS

Available Resources: Communication Director Geoffrey Fattah has the basic equipment to conduct on-camera interviews. It is advisable to have someone with solid institutional knowledge, such as Brent Johnson or Tim Shea, to advise on what questions to ask, or to help conduct the interviews.

Possible Needed Resources: If identified as needed, there is the option to hire a professional film crew to conduct the interviews. The estimated cost would be about \$10,000. As an alternative, we could seek the help of a local university, although there is no guarantee of the production value.

II. Preserve and Index Judicial Council Primary Documents

Scope of Work: There are 28 linear feet of binders of Judicial Council materials located in the Utah State Law Library that include early council meetings starting in 1973. There are also 22 additional volumes of materials in binders located at the AOC. Using a standard formula of 1,800 pages per linear foot, that comes to an estimated 61,200 pages.

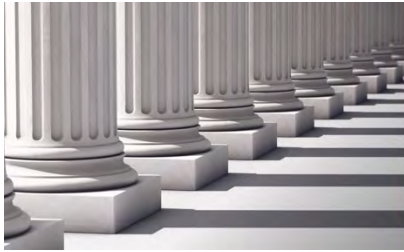
Judicial Council minutes from 1997 to current year are available on the public website and are searchable. These documents should be searchable by keyword. There are gaps in earlier years, however.

Earlier Council minutes starting from September 1972 are available on the courts intranet, however, there are issues with how some of these documents were scanned that may prevent OCR (optical character recognition).

In order to prepare for the Council History, all Judicial Council documents must be indexed by time and topic, as well as searchable by keyword.

Available Resources: The Utah State Law Library has offered to begin indexing Council documents.

Library staff will need time to analyze the documents further before being able to estimate how long this aspect of the project might take. Ideally, documents should be searchable by date, keyword, and topic.



UTAH STATE COURTS

Possible Needed Resources: Depending on the estimate on time and scope of indexing Council documents, there may be a need to hire a scanning service, temporary help for indexing/metadata entry, or both.

III. Commission an Author

Scope of Work: The Judicial Council, with the assistance of the AOC, will likely need to post an RFP to commission a writer to create this historical work. The writer preferably will need to be demonstrably proficient in established historical research methods, have a level of familiarity with Utah courts and law in general, and must be able to take a large amount of complex information and write in an engaging and accessible manner. Research needs to be done to determine the current market value of such a commission.

Available Resources: An RFP committee, as well as a project working group, will need to be formed. We will then need to seek the assistance of Council members, judges, law professors, and other attorneys to recruit and encourage prospective authors to apply.

AOC legal should also be involved in reviewing the contract to ensure that the Utah State Courts retain the appropriate rights over the final work.

Possible Needed Resources: Once the work is completed, a working group will be needed to fact check and advise on content. It is recommended that the final product be formally published, including registration with the Library of Congress.

###

Tab 5

Agenda



Administrative Office of the Courts

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

Hon. Mary T. Noonan
State Court Administrator

Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council
 FROM: Michael C. Drechsel, Staff to *Ad hoc* Budget and Finance Committee
 DATE: Wednesday, October 16, 2019
 RE: Recommendation to Judicial Council Regarding Judicial Reallocation

On the issue of Judicial Reallocation, the *ad hoc* Budget and Finance Committee recommends to the Judicial Council:

1. **Upon retirement of one juvenile court judge from Third District Juvenile Court, the position should be reallocated through legislation during the 2020 Session to a district court position in Third District; and**
2. **The judicial districts should carefully review capacity and determine how the juvenile courts can (continue to) provide assistance to the district courts in meeting workload needs (particularly in Third District and Fifth District).**

RECOMMENDATION BACKGROUND: On August 23, 2019, the Judicial Council addressed budget priorities and building block requests for FY2021. The Council agreed that no new funding should be pursued for additional judicial officers during the coming 2020 legislative session. The Council then tasked the *ad hoc* Budget and Finance Committee (the BFC) to review possible options for reallocation of judicial resources and to make recommendation to the Judicial Council regarding advisable legislation to implement that reallocation. On September 17, 2019, the members of the BFC met. The discussion at the BFC meeting was wide ranging. It included consideration of the following (not in priority order):

- the FY2019 District Court Judicial Weighted Caseload Report;
- the FY2019 Juvenile Court Judicial Weighted Caseload Report;
- the political ramifications of reallocation of judicial resources in light of current data;
- the need to update the juvenile court caseload measures;
- the capacity for the juvenile courts to assist with existing need in the district courts (and the need for data to quantify and account for that assistance);
- the proposals from the Board of Juvenile Court Judges, the Board of District Court Judges, the Liaison Committee, and input received from judicial districts around the State;
- previous reallocation legislation (SB0140-2002); and

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 and independent system for the advancement of justice under the law.**

- a memo from Court Services regarding hypothetical judicial officer distributions.

MEMORANDUM

TO: Judicial Council
FROM: Fifth & Seventh Districts
RE: Options for Judicial Coverage
DATE: October 28, 2019

Background

The Fifth District Judicial Weighted Caseload reached 116% of the statewide standard in FY 2019. The Bench currently holds six judicial seats and the FY 2019 Judicial Weighted Caseload indicates a shortage of 1.0 Judicial Officers. The Fifth District has determined that the primary coverage need is located in the St. George Courthouse.

The Fifth District has been and continues to take steps toward maximization of internal resources. The Fifth District Juvenile Judges have been assisting the district court with the following:

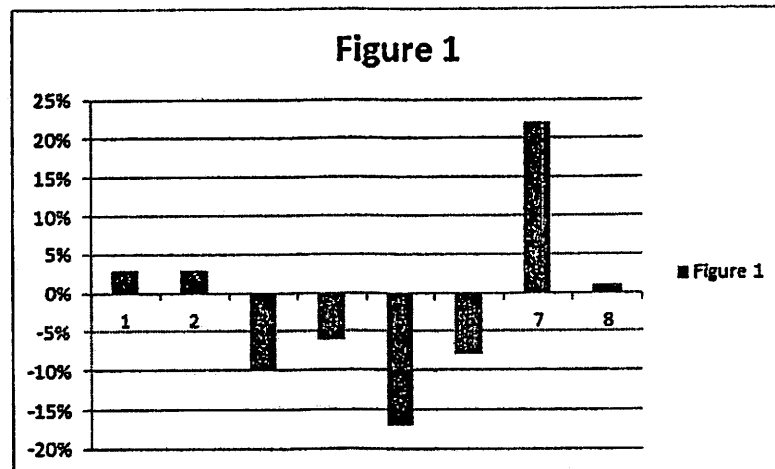
- In Iron and Beaver County - Judge Little handles mental health court, which convenes two times per month, and he handles two half-day adult misdemeanor bench trial calendars per month.
- In Washington County - Judge Dame and Judge Leavitt are currently assisting with:
 - Protective order and civil stalking injunction evidentiary hearings as part of the rotation with the district court judges. Each juvenile judge covers these filings for one week out of every seven week cycle.
 - Adult misdemeanor bench trials and appeals from Justice Court. Judge Leavitt handles them every 1st and 3rd Wednesday and Judge Dame every 2nd and 4th Thursday.
- A District Bench Meeting will be held on October 30th to discuss what further assistance the juvenile judges can offer the district judges. Some options that are on the table for consideration are:
 - Hearing all orders to show cause
 - Requests for temporary orders
 - Other domestic law and motion matters
 - Adoptions

- Preliminary hearings
- Presiding over domestic trials
- Considerations:
 - Judge Little is currently at capacity with the assistance he is already giving the district court so the other options on the table will not include assistance from him.
 - Regarding the juvenile court covering adult misdemeanor bench trials and appeals from justice court, the vast majority of these are being scheduled with Judge Dame. This is largely due to the fact that (1) the time Judge Dame has blocked out for these trials appears to be more convenient for most of the attorneys involved than the time Judge Leavitt has blocked out and (2) because of a family relationship between Judge Leavitt and a St. George City prosecutor, Judge Leavitt is recusing himself on those appeals that involve St. George City. Because of these conflicts, Judge Dame has agreed to do all of these trials. At their October 30th meeting the bench will discuss how Judge Leavitt can further assist the district court. This should expand what the juvenile court is already doing in district court.

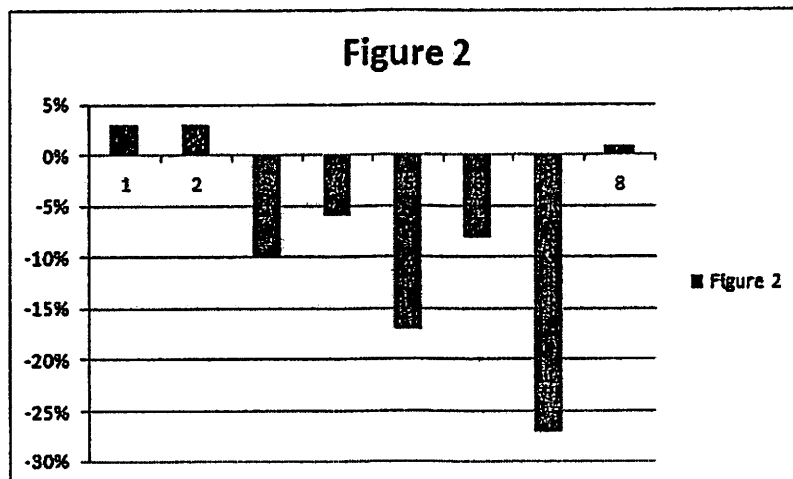
To meet the needs of the current Fifth District workload additional opportunities for out of district judicial coverage should be evaluated.

Options for Judicial Coverage

Figure 1 represents the statewide 2019 District Court Judicial Weighted Caseloads and illustrates a current shortage in Fifth District and the availability of district court judicial capacity in the Seventh District.



The Seventh District coverage capacity will be affected for a period of time due to Judge Thomas' retirement and pending the confirmation of new district court judge. Figure 2 reflects the anticipated temporary caseload change we project from January 2020 to about March 2020.



Following the fulfillment of the judicial vacancy Seventh District bench capacity will be restored to the levels estimated in Figure 1.

Fifth District and Seventh District Trial Court Executives, Presiding Judges, and Clerks of Court have studied both districts needs and abilities. The following factors were considered.

- Judicial Time and Travel

- In order to provide ongoing coverage of hearings on-site and in-person, regular travel would be required. For purposes of additional discussion and analysis, the following round trip travel distances apply.

Travel	Distance
Price to St. George	570 miles
Moab to St. George	678 miles
Provo to St. George	516 miles
Salt Lake to St. George	604 miles

- In order to accommodate in-person coverage, any of these travel distances would require the use of a hotel stay the evening prior to and the night following the day of the in-court coverage. The round trip travel and court coverage time for a single out of district day would effectively remove the covering judge from their home district duties for about 3 days.
- Limited Local Legal Community / Courtroom Availability
 - Fifth and Seventh Districts utilize many attorneys who share their time between two or more counties as does each judge. In order to facilitate this use of these limited legal communities, the districts have established careful rotations so that court settings occur on days and at times when the judges and attorneys are available to serve a given calendar.
 - Periodic travel to provide judicial coverage based on the ebb and flow of Seventh District case work is manageable. Members of the Seventh District bench will prioritize requests for in-person judicial assistance from the Fifth District.
- Clerical Resources
 - The Fifth and Seventh Districts lack available Judicial Support staff in order to facilitate additional hearings on-site or remote.
 - The Clerical Weighted Caseload aspires to fully trained judicial support staff. However, at present, there is a high percentage of the judicial support teams of the Fifth and Seventh Districts that remain either vacant or actively in the training process.

- Conducting Hearings Remotely

- The following resources are needed in order to conduct remote hearings:
 - Security, clerical, and courtroom resources needed in the Fifth
 - Fifth District lacks updated courtrooms with reliable Vidyo technology
- In order to effectively conduct remote hearings, additional clarification is needed to determine how to ensure procedural fairness and to determine the most appropriate hearing types or activities for remote versus face to face communication.

The Fifth and Seventh District conclude that given the current Fifth District judicial shortage, temporary electronic caseload sharing offers the most efficient and sustainable of the available options for support.

RECOMMENDATIONS

Temporary Electronic Case Load Sharing

Seventh District could share a portion of the Fifth District uncontested civil, domestic, and probate case load. The Fifth and Seventh Districts are currently seeking additional information about the percentage of caseload standard assigned per office or per judge. This information is needed to determine the appropriate case type and assignment weights to best distribute the workload.

The Fifth and Seventh Districts would need to coordinate to develop business rules and clerical best practices to manage the shared caseload and monitor and report on standards for time to disposition, case pending, and matters under advisement. This approach addresses emerging clerical duties resulting from the electronically shared caseload. The districts would also work together on a process for facilitating the electronic review of pro se filings and determine the process of judge reassignment back to Fifth District when needed.

Fifth and Seventh Districts would regularly review individual district needs and abilities in order to determine whether additional caseload support is needed and what opportunities exist.

Submitted for your consideration by the Fifth and Seventh District Court Benches,
 Stamp Affixed Under the Direction of

Fifth District Associate Presiding Judge

By: *[Signature]*

Seventh District Presiding Judge

By: *[Signature]*

Tab 6

Agenda



Administrative Office of the Courts

Chief Justice Matthew B. Durrant

Utah Supreme Court
Chair, Utah Judicial Council

Hon. Mary T. Noonan

State Court Administrator

Catherine J. Dupont

Deputy Court Administrator

MEMORANDUM

TO: Judicial Council
FROM: Michael C. Drechsel, Assistant State Court Administrator (committee staff)
DATE: Wednesday, October 16, 2019
RE: Composition of the Judicial Council and Executive Committees

In June 2019, the Judicial Council tasked an *ad hoc* Composition Committee with assessing the ideal composition of the Judicial Council and its four Executive Committees (Management Committee, Liaison Committee, Policy and Planning Committee, and the soon-to-be-formed Budget and Finance Committee). The assignment was to consider the Council's composition in terms of both size and representativeness. The committee was chaired by Associate Chief Justice Lee, with Judge Todd Shaughnessy, Judge John Walton, and Judge Paul Farr as members. Additional assistance was provided by State Court Administrator Judge Mary Noonan, Deputy State Court Administrator Cathy Dupont, and Assistant State Court Administrator Michael Drechsel. Since June 2019, the committee met on multiple occasions, conducted research, and consulted with members of the various benches. Having concluded its work, the committee now advances the following four recommendations to the Judicial Council.

Council Member	Position	Management Committee	Liaison Committee	Policy & Planning Committee	Budget & Finance Committee
Chief Justice Durrant	Presiding	•			
Justice Himonas	Supreme		•		
Judge Appleby	Appeals	•			
Judge Cannell	District			•	
Judge Pettit	District		•		•
Judge Pullan	District			•	
Judge Shaughnessy	District	•			
Judge Walton	District			•	
PROPOSED MEMBER	District	?	?	?	?
Judge Evershed	Juvenile		•	•	
Judge May	Juvenile	•			•
PROPOSED MEMBER	Juvenile	?	?	?	?
Judge Chin	Justice			•	•
Judge Farr	Justice	•			
Judge Sessions	Justice		•		
Mr. Rob Rice	Bar			•	
TOTAL		5	4	6	3

1) SIZE OF COUNCIL: ¹

In order to facilitate the work of the Judicial Council and its Executive Committees, the committee recommends that the Council be increased by adding two new members: one additional district court judge and one additional juvenile court judge.

¹ Because the membership of the Judicial Council is defined by statute, changes to the composition of the Council requires legislative action. See [Utah Code § 78A-2-104\(1\)](#). A bill file is already open at the Legislature that can accommodate this recommendation if approved by the Council.

Prior to deciding on this recommendation, the committee considered the possible benefits and drawbacks of adding more than two members. Too many Council members risks making the Council less nimble, more difficult to organize, and more complicated to schedule. Council meetings may become less effective with insufficient time to hear the perspective of each member. And practical considerations were also relevant to the committee (i.e., how many members can sit around the existing table in the Judicial Council room). After significant consideration, adding two new members appeared to strike the right balance between having sufficient members to allow the Executive Committees to be staffed without introducing inefficiencies to the Council's work.

If the Council approves this recommendation, two rules in the Code of Judicial Administration will need to be amended: Rule 6-102 (regarding District Court judges on the Council); and 7-101 (regarding Juvenile Court judges on the Council).

The Additional District Court Judge

The committee recommends that Second District Court be provided a dedicated seat on the Council.² The committee recognizes that various permutations of how to allocate the remaining seat that is currently shared by the First and Second Districts are possible: a) two seats could be shared between the First, Fifth, Sixth, Seventh, and Eighth Districts;³ or b) First District could also have a dedicated seat.⁴ See Attachment 1 to review these options in drafted form.

The Additional Juvenile Court Judge

The committee recommends that the new juvenile court position be determined by the Juvenile Bench consistent with its existing practice, as outlined in the Code of Judicial Administration Rule 7-101(6). See Attachment 2.

2) BUDGET AND FINANCE COMMITTEE:

The committee recommends that the *ad hoc* Budget and Finance Committee be formally established as a permanent Executive Committee.

In order to initially staff the *ad hoc* Budget and Finance Committee, each of the other three Executive Committees (Management, Liaison, and Policy and Planning) nominated a member from among their ranks. **Moving forward, the committee recommends that the procedure for assigning Council members to serve on the Budget and Finance Committee mirror the procedure for the other Executive Committees.** Consistent with the other Executive Committees, there would not be a requirement that each of the three members represent any particular level of court. The committee recommends that the Policy and Planning Committee assist in drafting the duties of the Budget and Finance Committee, primarily to be drawn from a restructured Rule 3-406. See Attachments 3 (Rule 1-204) and 4 (Rule 3-406).

² Second District has 14 judges. Having a dedicated seat in Second District compares well with the seat for Fourth District (13 judges) and the two seats for Third District (31 judges).

³ This would equate to two seats for 18 judges.

⁴ This would equate to one seat for four judges.

3) COMMUNICATION AND TRANSPARENCY:

The committee recommends that any group advancing a recommendation to the Judicial Council or any of its Executive Committees be invited to participate in any meeting where that matter is being deliberated.

Effective communication habits foster transparency in Council processes and actions. This will require the careful attention of the Council, each Executive Committee, and staff to those groups to ensure that those seeking action from the Council remain apprised of meeting times and locations. It also will require attentiveness on the part of those groups advancing recommendations.

4) PARTICIPATION IN COUNCIL PROCESS:

The committee recommends that each Board of judges (Appellate, District, Juvenile, and Justice) determine how that Board can proactively be involved in Council processes and implement a plan to effectuate the desired level of involvement.

There are different ways that each board could be involved in Council processes. For instance, the Board of Justice Court Judges has created a model where the justice court members of the Judicial Council also serve on the Board of Justice Court Judges as non-voting members. This facilitates involvement and sharing of information.

The committee recognizes that there is no one-size-fits-all approach in this regard. Each Board needs to determine what level of involvement with the Council is most beneficial to that Board and its constituent judges. To the extent a Board determines it to be necessary, in the absence of replicating the Board of Justice Court Judges' model, there should be an expectation that at least one member of each Board (Appellate, District, and Juvenile) will attend Judicial Council meetings to ensure involvement with, and awareness of, Council activity.

Attachment 1

Rule 6-102

Rule 6-102. Election of District Court judges to the Judicial Council.**Intent:**

To establish a procedure for the election of District Court judges to the Judicial Council as provided in this Code.

Applicability:

This rule shall apply to the election process of the District Court judges to the Judicial Council.

Statement of the Rule:

(1) The District Court has ~~five~~six representatives on the Council. These representatives shall serve staggered three-year terms with ~~one or~~ two District Court judges being elected to the Council each year. The election of a District Court judge to the Council shall occur at the Annual Business Meeting of the State District Court Judges.

(2) District court positions on the Judicial Council shall be as follows:

(2)(A) one from the ~~First or~~ Second Judicial District;

(2)(B) two from the Third Judicial District;

(2)(C) one from the Fourth Judicial District; and

(2)(D) ~~one~~two from the First, Fifth, Sixth, Seventh, or Eighth Judicial District.

OR

(2) District court positions on the Judicial Council shall be as follows:

(2)(A) one from the First Judicial District;

(2)(B) one from the Second Judicial District;

(2)(C) two from the Third Judicial District;

(2)(D) one from the Fourth Judicial District; and

(2)(E) one from the Fifth, Sixth, Seventh, or Eight Judicial Districts.

(3) Nominations must come from a sitting District Court judge in the district or districts where the vacancy exists. Voting shall be by all District Court judges present at the annual business meeting. Those present at the business meeting will constitute a quorum.

Attachment 2

Rule 7-101

Rule 7-101. Juvenile Court Board, Executive Committee and Council Representatives.**Intent:**

- To establish a Board of Juvenile Court Judges.
- To establish an Executive Committee of the Board.
- To establish the authority and duties of the Board and the Executive Committee.
- To establish the election procedure for Board members, Chair elect of the Board and the Judicial Council representatives.

Applicability:

- This rule shall apply to the Board of Juvenile Court Judges.

Statement of the Rule:

- (1) Juvenile court board.
 - (1)(A) Establishment. There is hereby established a Board of Juvenile Court Judges.
 - (1)(B) Membership. The Board shall be composed of seven juvenile court judges elected at the Annual Judicial Conference Juvenile Court business meeting by sitting Juvenile Court Judges.
 - (1)(C) Representation. Representation from each judicial district shall be as follows:
 - (1)(C)(i) Five Board members from the Second, Third and Fourth Judicial Districts with at least one representative from each District; and
 - (1)(C)(ii) Two Board members from the First, Fifth, Sixth, Seventh or Eighth Districts.
 - (1)(D) Election. The juvenile court judges present at the annual business meeting shall constitute a quorum. Nominations for board positions may be made by sitting Juvenile Court Judges only. Nominations must come from the Judicial District or Districts in which the vacancy exists. All sitting judges shall be entitled to vote for all members of the Board.
 - (1)(E) Terms. The terms of the initial Board members shall be determined by lot, with four members selected to serve three year terms and three members selected to serve two year terms. Successors shall be elected for three year terms.
 - (1)(F) Vacancies. If a vacancy occurs for any reason on the Board between Annual Judicial Conferences, the Board shall elect a replacement for the unexpired term

- 31 of the vacancy. In filling the vacancy, the Board shall adhere to and perpetuate
32 the District representation in effect at the time of the vacancy.
- 33 (2) Chair and vice chair.
- 34 (2)(A) Establishment. There shall be a Chair and Vice Chair of the Board.
- 35 (2)(B) Chair's term. The Chair shall serve a one year term beginning immediately after
36 the Annual Judicial Conference in the year following election as Vice Chair.
- 37 (2)(C) Responsibilities. The Chair shall preside over all meetings of the Board and the
38 Juvenile Court Judges Meeting at the Annual Judicial Conference, and perform
39 other duties as set forth in the Juvenile Court Act, this Code and as directed by
40 the Board.
- 41 (2)(D) Vacancy in office of chair. In the event that the Chair resigns or leaves the Board
42 for any reason, the Vice Chair shall become Chair, serving both the unexpired
43 term of the Chair and the full term as Chair.
- 44 (2)(E) Election. The Vice Chair shall be elected by the Board members at the
45 commencement of the first or second year of the Vice Chair's three year term on
46 the Board. The Vice Chair shall serve as Chair in the absence of the Chair or at
47 the request of the Chair.
- 48 (2)(F) Vice chair's term. The Vice Chair shall become Chair of the Board for a one year
49 term immediately following the Annual Judicial Conference next succeeding his
50 election as Vice Chair.
- 51 (2)(G) Vacancy in office of vice chair. In the event that the Vice Chair resigns or leaves
52 the Board for any reason, a new Vice Chair shall be elected by the Board from
53 among its members to serve the unexpired term of the Vice Chair and to succeed
54 as Chair as otherwise provided in this rule.
- 55 (3) Meetings of the board.
- 56 (3)(A) The Board shall meet a minimum of once every two months to transact any and
57 all business that is within its jurisdiction. This meeting shall be presided over by
58 the Chair of the Board or the Vice Chair in the absence of the Chair or at the
59 request of the Chair.
- 60 (3)(B) The Board shall rule by majority vote. All Board members have the right to vote.
61 Four members of the Board constitute a quorum.
- 62 (3)(C) The Board meetings shall be conducted in accordance with Roberts' Rules of
63 Order and this Code.

- (3)(D) When a Board member is unable to attend a Board meeting, that member may designate a juvenile court judge to attend the meeting on behalf of the absent member. The substitute and the absent member must be from the same district group identified by paragraph (1)(C) above. The substitute judge shall be provided with a copy of the agenda and other meeting materials, may attend the open and closed sessions of the meeting, and may participate in the discussion of agenda items. The substitute judge may make motions and vote.
- (4) Executive committee.
- (4)(A) Membership. There is hereby established an Executive Committee of the Board. The committee shall be comprised of three members: the Chair of the Board, the Vice Chair and one member of the Board selected by the Board members to serve at large.
- (4)(B) Duties and responsibilities of the executive committee. The duties and responsibilities of the Executive Committee are as follows:
- (4)(B)(i) Assist the Board in establishing a planning capability in assessing and projecting needs, resources, and policies.
- (4)(B)(ii) Act as liaison with other agencies and parties who seek contact with the Board.
- (4)(B)(iii) Screen and reduce the number of matters presented to the full Board for its consideration to ensure that all matters referred to it require full Board consideration.
- (4)(B)(iv) Review initiatives, proposals and questions that will be submitted to the full Board to ensure that information is complete and in proper form to facilitate expeditious handling by the Board.
- (4)(B)(v) Assist the Administrative Office in staff work as assigned by the Board where judicial guidance may be required in carrying out Board policy.
- (4)(B)(vi) Consult with the Administrative Office on matters requiring immediate attention or on matters needing judicial consideration but not requiring full Board consideration.
- (4)(B)(vii) Accomplish all other assignments as may be directed by the Board.
- (5) Procedures of the board.
- (5)(A) The Chair of the Board shall serve as Chair of the Executive Committee. When the Chair of the Board is not available, the Chair elect shall act in the Chair's behalf.

- 98 (5)(B) All action taken by the Executive Committee shall be reported to the full Board in
99 the form of minutes and reports and may be subject to ratification by the full
100 Board.
- 101 (5)(C) A time and date certain shall be established for Executive Committee meetings.
102 The juvenile court administrator or designee shall serve as secretariat to the
103 Committee.
- 104 (6) Judicial council representatives.
- 105 (6)(A) The Juvenile Court shall have ~~two~~three representatives on the Council.
- 106 (6)(B) The Juvenile Court judges shall elect one representatives to the Council at the
107 Annual Judicial Conference Juvenile Court business meeting in September ~~in~~
108 ~~those years when the term of office for a Council representative expires.~~
109 Nominations can be made by any sitting judge for any Council representative.
- 110 (6)(C) Council representatives shall serve staggered three year terms beginning
111 October 1 of the year in which elected.
- 112 (6)(D) A vacancy in the Council position resulting from resignation, retirement or other
113 reasons shall be filled by election at the next Board of Judges meeting. The term
114 shall begin immediately and terminate at the next annual Judicial Conference
115 when the judges elect a new representative for the unexpired term.

116 *Effective May/November 1, 20__*

Attachment 3

Rule 1-204

Rule 1-204. Executive committees.**Intent:**

- To establish executive committees of the Council.
- To identify the responsibility and authority of the executive committees.
- To identify the membership and composition of the executive committees.
- To establish procedures for executive committee meetings.

Applicability:

- This rule shall apply to the judiciary.

Statement of the Rule:

- (1) The following executive committees of the Council are hereby established: (a) the Management Committee; (b) the Policy and Planning Committee; ~~and~~ (c) the Liaison Committee; and (d) the Budget and Finance Committee.
- (2) The Management Committee shall be comprised of at least four Council members, one of whom shall be the Presiding Officer of the Council. Three Committee members constitute a quorum. The Presiding Officer of the Council or Presiding Officer's designee shall serve as the Chair. When at least three members concur, the Management Committee is authorized to act on behalf of the entire Council when the Council is not in session and to act on any matter specifically delegated to the Management Committee by the Council. The Management Committee is responsible for managing the agenda of the Council consistently with Rule 2-102 of this Code. The Management Committee is responsible for deciding procurement protest appeals.
- (3) The Policy and Planning Committee shall recommend to the Council new and amended rules for the Code of Judicial Administration. The committee shall recommend to the Council new and amended policies, or repeals, for the Human Resource Policies and Procedures Manual, pursuant to Rule 3-402. The committee shall recommend to the Council periodic and long term planning efforts as necessary for the efficient administration of justice. The committee shall research and make recommendations regarding any matter referred by the Council.
- (4) The Liaison Committee shall recommend to the Council legislation to be sponsored by the Council. The committee shall review legislation affecting the authority, jurisdiction, organization or administration of the judiciary. When the exigencies of the legislative

process preclude full discussion of the issues by the Council, the Committee may endorse or oppose the legislation, take no position or offer amendments on behalf of the Council.

(5) The Budget and Finance Committee shall assist the Council in attending to its duties under Rule 3-406. The committee shall make recommendations to the Council regarding . . . [Policy and Planning should assist the Judicial Council in drafting the balance of this rule amendment].

(5)(6) Members of the executive committees must be members of the Council. Each executive committee shall consist of at least three members appointed by the Council to serve at its pleasure. The members of the Policy and Planning Committee, ~~and~~ the Liaison Committee, and the Budget and Finance Committee shall elect their respective chairs annually and select a new chair at least once every two years.

(6)(7) Each committee shall meet as often as necessary to perform its responsibilities, but a minimum of four times per year. Each committee shall report to the Council as necessary.

(7)(8) The Administrative Office shall serve as the secretariat to the executive committees.

Effective May/November 1, 20__

Attachment 4

Rule 3-406

Rule 3-406. Budget and fiscal management.**Intent:**

To develop and maintain the policies and programs of the judiciary through sound fiscal management.

To provide for sound fiscal management through the coordinated and cooperative effort of central and local authorities within the judiciary.

To maintain accountability for appropriated funds, and to maintain a balanced budget.

To cooperate with the Governor and the Legislature in managing the fiscal resources of the state

Applicability:

This rule shall apply to the management of all funds appropriated by the state to the judiciary.

Statement of the Rule:

(1) Fiscal programs and program directors established. For purposes of fiscal management, the judiciary is divided into programs. Each program budget is managed by a program director designated by the state court administrator and approved by the Management Committee. The budget of a geographic division shall be managed by the court executive subject to the general supervision of the program director.

(2) Budget management.

(2)(A) Responsibility of the council. The responsibility of the Council is to:

(2)(A)(i) cooperate with the Governor and the Legislature in managing the fiscal resources of the state;

(2)(A)(ii) assure that the budget of the judiciary remains within the limits of the appropriation set by the Legislature; and

(2)(A)(iii) allocate funds as required to maintain approved programs and to assure a balanced judicial budget.

(2)(B) Responsibility of the state court administrator. It is the responsibility of the state court administrator to:

(2)(B)(i) implement the directives of the Council;

(2)(B)(ii) direct the management of the judiciary's budget, including orders to reduce or redirect allocations upon notice to the Council; and

- 31 (2)(B)(iii) negotiate on behalf of the Council the position of the judiciary with the
32 executive and legislative branches.
- 33 (2)(C) Responsibility of the administrative office. It is the responsibility of the
34 administrative office to:
- 35 (2)(C)(i) clear all warrants and other authorizations for the payment of
36 accounts payable for the availability of funds;
- 37 (2)(C)(ii) monitor all expenditures;
- 38 (2)(C)(iii) provide monthly expenditure reports by court to court executives,
39 program directors, the state court administrator, Boards of Judges and
40 the Council; and
- 41 (2)(C)(iv) develop a manual of procedures to govern the payment of accounts
42 payable and the audit thereof. The procedures shall be in conformity
43 with generally accepted principles of accounting and budget
44 management.
- 45 (2)(D) Responsibility of the program directors. Within their respective programs, it is the
46 responsibility of the program directors to:
- 47 (2)(D)(i) comply with the directives of the Council and the state court
48 administrator;
- 49 (2)(D)(ii) administer the reduction or redirection of allocations;
- 50 (2)(D)(iii) monitor all expenditures;
- 51 (2)(D)(iv) supervise and manage court budgets in accordance with the manual
52 of procedures; and
- 53 (2)(D)(v) develop recommendations for fiscal priorities, the allocation of funds,
54 and the reduction or redirection of allocations.
- 55 (2)(E) Responsibility of court executives. Within their respective courts, it is the
56 responsibility of court executives to:
- 57 (2)(E)(i) comply with the directives of the Council, the state court administrator,
58 and the program director, and to consult with the presiding judge and
59 the individual judges of that jurisdiction concerning budget
60 management;
- 61 (2)(E)(ii) develop work programs that encumber no more funds than may be
62 allocated, including any reduction in allocation;
- 63 (2)(E)(iii) amend work programs as necessary to reflect changes in priorities,
64 spending patterns, or allocation;

- 65 (2)(E)(iv) credit and debit accounts that most accurately reflect the nature of the
66 planned expenditure;
- 67 (2)(E)(v) authorize expenditures;
- 68 (2)(E)(vi) prepare warrants and other authorizations for payment of accounts
69 payable for submission to the Administrative Office;
- 70 (2)(E)(vii) monitor all expenditures; and
- 71 (2)(E)(viii) develop recommendations for fiscal priorities, the allocation of funds,
72 and the reduction or redirection of allocations.
- 73 (2)(F) Process. After the legislative general session the state court administrator shall
74 consider all sources of funds and all obligated funds and develop a
75 recommended spending plan that most closely achieves the priorities established
76 by the Council at the prior annual planning meeting. The state court administrator
77 shall review the recommended spending plan with the Management Committee
78 and present it to the Judicial Council for approval.
- 79 (3) Budget development.
- 80 (3)(A) Responsibility of the council. It is the responsibility of the Council to:
- 81 (3)(A)(i) establish responsible fiscal priorities that best enable the judiciary to
82 achieve the goals of its policies;
- 83 (3)(A)(ii) develop the budget of the judiciary based upon the needs of
84 organizations and the priorities established by the Council;
- 85 (3)(A)(iii) communicate the budget of the judiciary to the executive and
86 legislative branches; and
- 87 (3)(A)(iv) allocate funds to the geographic divisions of courts in accordance with
88 priorities established by the Council.
- 89 (3)(B) Responsibility of the boards. It is the responsibility of the Boards to:
- 90 (3)(B)(i) develop recommendations for funding priorities; and
- 91 (3)(B)(ii) review, modify, and approve program budgets for submission to the
92 Council.
- 93 (3)(C) Responsibility of the state court administrator. It is the responsibility of the state
94 court administrator to:
- 95 (3)(C)(i) negotiate on behalf of the Council the position of the judiciary with the
96 executive and legislative branches; and
- 97 (3)(C)(ii) develop recommendations to the Council for fiscal priorities and the
98 allocation of funds.

- (3)(D) Responsibility of the administrative office. It is the responsibility of the Administrative Office to:
- (3)(D)(i) develop a schedule for the timely completion of the budget process, including the completion of all intermediate tasks;
 - (3)(D)(ii) assist program directors and court executives in the preparation of budget requests; and
 - (3)(D)(iii) compile the budget of the judiciary.
- (3)(E) Responsibility of the program directors. Within their respective programs, it is the responsibility of program directors to review, modify, and approve budget requests.
- (3)(F) Responsibility of court executives. Within their respective courts, it is the responsibility of court executives to:
- (3)(F)(i) work closely with presiding judges, judges, and staff to determine the needs of the organization; and
 - (3)(F)(ii) develop a budget request that adequately and appropriately meets those needs.
- (3)(G) Process.
- (3)(G)(i) Each Board of Judges, each court and committee and each department of the administrative office of the courts may develop, prioritize and justify a budget request. The courts shall submit their requests to the appropriate Board of Judges. The committees and the departments of the AOC shall submit their requests to the state court administrator.
 - (3)(G)(ii) The Boards shall consolidate and prioritize the requests from the courts and the requests originated by the Board. The state court administrator shall consolidate and prioritize the requests from the committees and departments.
 - (3)(G)(iii) The state court administrator shall review and analyze all prioritized budget requests and develop a recommended budget request and funding plan. The state court administrator shall review the analysis and the recommended budget request and funding plan with the Council.
 - (3)(G)(iv) At its annual planning meeting the Council shall consider all prioritized requests and the analysis and recommendations of the state court

133 administrator and approve a prioritized budget request and funding
134 plan for submission to the governor and the legislature.

135 (4) General provisions.

136 (4)(A) Appropriations dedicated by the Legislature or allocations dedicated by the
137 Council shall be expended in accordance with the stated intent.

138 (4)(B) All courts and the Administrative Office shall comply with the provisions of state
139 law and the manual of procedures.

140 (4)(C) Reductions in allocations, reductions in force, and furloughs may be ordered by
141 the state court administrator with notice to the Council. In amending the work
142 program to reflect a budget cut, reductions in force and furloughs shall be used
143 only when absolutely necessary to maintain a balanced budget. If reductions in
144 force are necessary, they shall be made in accordance with approved personnel
145 procedures. If furloughs are necessary, they should occur for no more than two
146 days per pay period.

147 *Effective May/November 1, 20__*

Tab 7

Agenda



Administrative Office of the Courts

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

MEMORANDUM

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

To: Judicial Council
From: Nancy Sylvester *Nancy D. Sylvester*
Date: September 24, 2019
Re: 2020 Retention Elections and Compliance with Rule 3-101 Performance Standards

JPEC rule 597-3-4(2) provides that "No later than October 1st of the year preceding each general election year, the Judicial Council shall certify to the commission whether each judge standing for retention election in the next general election has satisfied its performance standards." Rule 3-101 of the Utah Code of Judicial Administration establishes three performance standards:

- a maximum number of cases under advisement;
- a minimum number of continuing education hours; and
- physical and mental competence.

In September, the Council certified all of the judges who are due for retention except one. Judge Julie Lund did not submit her self-declaration because she plans to retire soon. Upon learning of this, JPEC advised Judge Lund that given the timing of her retirement, it was best that she go through the certification process. JPEC is willing to accept a late certification decision regarding Judge Lund from the Council.

Judge Lund's self-declaration is attached and it appears appropriate to certify her to stand for retention.

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



Self Declaration Form
Julie Lund

	Yes	No
1) From 1/5/2015 to the present, have you held more than 13 cases under advisement more than two months after submission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) From 1/5/2015 to the present, have you held more than 6 cases under advisement more than two months after submission in any one year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) From 1/5/2015 to the present, have you held any case under advisement more than six months after submission?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Are you mentally and physically fit for office?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5) Please enter your education hours for the following years during which you were in office:

<u>54.75</u>	<u>42.5</u>	<u>33.5</u>	<u>41</u>	<u>31</u>
2015	2016	2017	2018	2019

If you have fewer than 30 hours for the current year, list any courses you will complete before the end of the year and the number of hours associated with the courses.

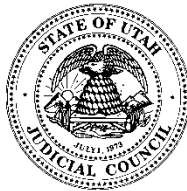
September 20, 2019 Sign here ► Julie V Lund.
Date Julie Lund
Judge, Juvenile Court

Please complete this form and return it no later than Tuesday, August 20 to:

Nancy Sylvester
P. O. Box 140241
Salt Lake City, Utah 84114-0241
FAX: 801-578-3843
nancyjs@utcourts.gov

Tab 8

Agenda

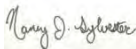


Administrative Office of the Courts

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

M E M O R A N D U M

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

To: Judicial Council
From: Nancy Sylvester 
Date: October 10, 2019
Re: Certification of Senior Judges

The senior judge evaluation and appointment processes are governed by the following Utah Code of Judicial Administration rules:

- [Rule 3-111](#): governs senior judge evaluations;
- [Rule 11-201](#): governs the appointment of senior judges of courts of record.
- [Rule 11-203](#): governs the appointment of senior judges of courts not of record.

The senior judges below have terms of office that will expire on December 31, 2019. None has complaints pending before the Utah Supreme Court or the Judicial Conduct Commission.

Judge Carolyn Howard has submitted a new application for senior judge status following her resignation from the Saratoga Springs Justice Court.

The Board of Justice Court Judges will make its recommendations regarding all of the justice court judges on October 24, 2019. Jim Peters will come prepared to discuss those recommendations with the Council.

Last_Name	First_Name	Salute	Court	Geographic_Division
Barker	Dennis J.	Judge	Justice Court	Inactive
Butcher	Darold M.	Judge	Justice Court	Active
Hansen	Steve	Judge	District Court	Active

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

A. CERTIFICATION PROCESS

You may consider the information regarding each judge in an executive session, but your decision of whether to certify must be made at a public hearing.

If a judge meets all of the certification standards, it is presumed that the Council will certify the individual for senior judge status. If the judge fails to meet all of the standards, it is presumed you will not certify the individual. However, the Council has the discretion to overcome a presumption against certification upon a showing of good cause. *Before declining to certify a judge for senior status, you must invite him or her to meet with you to present evidence and arguments of good cause. If you decline to certify a judge for senior status, the person will not be retained after the end of his or her term of office (if applicable).*

Any judge you certify for senior status will be sent to the Supreme Court for its consideration in the reappointment process.

B. PERFORMANCE STANDARDS FOR ACTIVE SENIOR JUDGES

i. Attorney Surveys of Senior Judges

A satisfactory score for an attorney survey question is achieved when the ratio of favorable responses is 70% or greater. The Judicial Council shall determine whether the senior judge's survey scores are satisfactory.

ii. Cases Under Advisement

A case is considered to be under advisement when the entire case or any issue in the case has been submitted to the senior judge for final determination. The Council shall measure satisfactory performance by the self-declaration of the senior judge or by reviewing the records of the court.

A senior judge in a trial court demonstrates satisfactory performance by holding:

- no more than three cases per calendar year under advisement more than 60 days after submission; and
- no case under advisement more than 180 days after submission.

iii. Education

Active senior judges must comply annually with judicial education standards, which is at least 30 hours of continuing education per year.

iv. Substantial Compliance with the Code of Judicial Conduct

A senior judge's performance is satisfactory if their responses in their application demonstrate substantial compliance with the Code of Judicial Conduct, and if the Council's review of formal and informal sanctions leads you to conclude they are in substantial compliance with the Code of Judicial Conduct.

Under Rules 11-201 and 11-203, any sanction of a senior judge disqualifies the senior judge from reappointment.

v. Physical and Mental Competence

If the response of the senior judge demonstrates physical and mental competence to serve in office and if the Council finds the responsive information to be complete and correct, the senior judge's performance is satisfactory.

vi. Survey of Presiding Judges and Court Staff.

The Council also measures the performance of active senior judges by a survey of all presiding judges and trial court executives of districts in which the senior judge has been assigned. Those are provided to the extent that they are available.

ACTIVE SENIOR JUDGES



Senior Judge Application Active Status

I, Darold M. Butcher, apply for the office of active senior judge and declare as follows:

- (1) I was certified by the Judicial Council for retention election or reappointment the last time the Council considered me for certification.
- (2) I voluntarily resigned from judicial office, was laid off pursuant to a reduction in force, retired upon reaching the mandatory retirement age, or, if involuntarily retired due to disability, recovered from or have accommodated that disability.
- (3) I demonstrate appropriate ability and character.
- (4) I was in office for at least five years.
- (5) I comply with the restrictions on secondary employment provided by the Utah Code.
- (6) I am physically and mentally able to perform the duties of judicial office.
- (7) I am familiar with current statutes, rules and case law, the use of the electronic record, and judicial workspace.
- (8) I am a current resident of Utah.
- (9) I will satisfy the education requirements of an active justice court judge.
- (10) I will accept assignments, subject to being called, at least two days per calendar year.
- (11) I will conform to the Code of Judicial Conduct, the Code of Judicial Administration and rules of the Supreme Court.
- (12) I obtained results on the most recent judicial performance evaluation prior to termination of service sufficient to have been certified for retention regardless of whether the evaluation was conducted for self-improvement or certification;
- (13) I will continue to meet the requirements for certification as those requirements are determined by the Judicial Council to apply to active senior justice court judges.
- (14) I was not removed from office or involuntarily retired on grounds other than disability.
- (15) I was not suspended during my final term of office or final four years in office, whichever is greater. and
- (16) I did not resign from office as a result of negotiations with the Judicial Conduct Commission or while a complaint against me was pending before the Supreme Court or pending before the Judicial Conduct Commission after a finding of reasonable cause.
- (17) I will submit relevant information as requested by the Judicial Council.
- (18) My date of birth is PRIVATE and my retirement date is 8/15/2014.
- (19) I have not been subject to any order of discipline for conduct as a senior judge.

- (20) There ☐ is ☒ is not a complaint against me pending before the Supreme Court or before the Judicial Conduct Commission after a finding of reasonable cause.
- (21) During my current term there have been ~~No~~ orders of discipline against me entered by the Supreme Court, and I have attached a copy of each.
- (22) The address at which I can be contacted after retirement is:

My email address & phone #:

PRIV

PRIVATE

JUDICIAL PERFORMANCE EVALUATION INFORMATION

I further declare as follows:

- (23) I have not had more than an average of three cases per calendar year under advisement more than two months after submission with no more than half of the maximum exceptional cases in any one calendar year; and
- (24) I have had no cases under advisement more than six months after submission.
- (25) I am in substantial compliance with the Code of Judicial Conduct.
- (26) I am physically and mentally fit for office.
- (27) I have obtained the following judicial education hours for the years indicated.

2017	2018	2019
30	35	30

If you have fewer than 30 hours for the current year, list any course you will complete before the end of the year and the number of hours associated with the course.

- (28) I have attended the spring conference in the years indicated.

2017	2018	2019
Yes	Yes	Yes

- (29) I understand that I must contact the Administrative Office of the Courts and request transfer to inactive status prior to any planned leaves of absence that could interfere with my ability to fully comply with annual education requirements.

I waive my claim of confidentiality and request that a copy of any complaints submitted to the Judicial Conduct Commission be sent to the person shown below, if requested.

9/7/19

Date

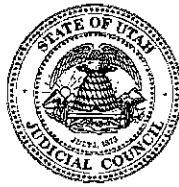


Darold M. Butcher

Please complete and return by July 22, 2019 to:

Nancy Sylvester
P.O. Box 140241
Salt Lake City, Utah 84114-0241

Phone: 801-578-3808
Fax: 801-578-3843
Email: nancyjs@utcourts.gov



**Senior Judge Application
Active Status**

Qualifications for Office

I, Steve Hansen, hereby apply for the office of Active Senior Judge and declare as follows:

- 1) I was retained in the last election in which I stood for election.
- 2) I voluntarily resigned from judicial office, retired upon reaching the mandatory retirement age, or, if involuntarily retired due to disability, have recovered from or have accommodated that disability.
- 3) I am physically and mentally able to perform the duties of judicial office.
- 4) I demonstrate appropriate ability and character.
- 5) I am admitted to the practice of law in Utah, but I do not practice law.
- 6) I am eligible to receive compensation under the Judges' Retirement Act, subject only to attaining the appropriate age.
- 7) I am familiar with current statutes, rules and case law, the use of the electronic record, and judicial workspace.
- 8) I am a current resident of Utah and available to take cases.
- 9) I will satisfy the education requirements of an active judge.
- 10) I will accept assignments at least two days per calendar year, subject to being called.
- 11) I will conform to the Code of Judicial Conduct, the Code of Judicial Administration, and rules of the Supreme Court.
- 12) I obtained results on the most recent judicial performance evaluation prior to termination of service sufficient to have been certified for retention regardless of whether the evaluation was conducted for self-improvement or certification;
- 13) I continue to meet the requirements for certification for judicial performance evaluation as those requirements are established for active senior judges.
- 14) I was not removed from office or involuntarily retired on grounds other than disability.

- 15) I was not suspended during my final term of office or final six years in office, whichever is greater.
- 16) I did not resign as a result of negotiations with the Judicial Conduct Commission or while a complaint against me was pending before the Supreme Court or pending before the Judicial Conduct Commission after a finding of reasonable cause.
- 17) I will submit relevant information as requested by the Judicial Council.
- 18) My date of birth is PRIVATE and my retirement date is _____.
- 19) I have not been subject to any order of discipline for conduct as a senior judge.
- 20) There ☐ is ☒ is not a complaint against me pending before the Supreme Court or before the Judicial Conduct Commission after a finding of reasonable cause.
- 21) During my current term there have been _____ orders of discipline against me entered by the Supreme Court, and I have attached a copy of each, if applicable.
- 22) The address at which I can be contacted after retirement is:

My email address and phone
number are:

PRIVATE

Judicial Performance Evaluation Information

I further declare as follows:

- 23) I have held no more than three cases per calendar year under advisement more than 60 days after submission.
- 24) I have held no cases under advisement more than 180 days after submission.
- 25) I am in substantial compliance with the Code of Judicial Conduct.
- 26) I am physically and mentally fit for office.
- 27) I have obtained the following judicial education hours for the years indicated.

2017	2018	2019
0	33	34

If you have fewer than 30 hours for the current year, list any course you plan to complete before the end of the year and the estimated number of hours associated with the course.

- 28) I understand that I must contact the Administrative Office of the Courts and request transfer to inactive status prior to any planned leaves of absence that could interfere with my ability to fully comply with annual education requirements.

I waive my claim of confidentiality and request that a copy of any complaints submitted to the Judicial Conduct Commission be sent to the person shown below, if requested.

Date

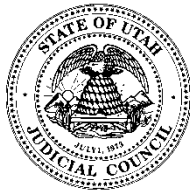
7/16/19


Steve Hansen

Please complete and return by July 29, 2019 to:

Nancy J. Sylvester
P.O. Box 140241
Salt Lake City, Utah 84114-0241
Fax: 801-578-3843
Email: nancyjs@utcourts.gov

INACTIVE SENIOR JUDGES



Senior Judge Application Inactive Status

I, Dennis J. Barker, apply for the office of senior judge, inactive status, and declare as follows:

- 1) I was certified by the Judicial Council for retention election or reappointment the last time the Council considered me for certification.
- 2) I voluntarily resigned from judicial office, was laid off pursuant to a reduction in force, retired upon reaching the mandatory retirement age, or, if involuntarily retired due to disability, recovered from or have accommodated that disability.
- 3) I demonstrate appropriate ability and character.
- 4) I was in office for at least five years. My separation date is 10/6/2014.
- 5) I comply with the restrictions on secondary employment provided by the Utah Code.
- 6) There ☐ is ☒ is not a complaint against me pending before the Supreme Court or before the Judicial Conduct Commission after a finding of reasonable cause.
- 7) During my current term there have been 0 orders of discipline against me entered by the Supreme Court, and I have attached a copy of each.
- 8) The mailing address and phone number at which I can be contacted after retirement are:

P.O. Box 2

Newton, Utah 84327

My email address and phone
number are:

PRIVATE

I waive my claim of confidentiality and request that a copy of any complaints submitted to the Judicial Conduct Commission be sent to the person shown below, if requested.

October 3, 2019

Date

/s/Nancy Sylvester at the direction of Judge Dennis J. Barker

Barker

If you wish to apply for appointment, please complete and return no later than July 22, 2019 to:

Nancy J. Sylvester
P.O. Box 140241
Salt Lake City, Utah 84114-0241
Fax: 801-578-3843
Email: nancyjs@utcourts.gov

NEW APPLICANTS



**Senior Judge Application
Active Status**

I, Carolyn E. Howard, apply for the office of active senior judge and declare as follows:

- (1) I was certified by the Judicial Council for retention election or reappointment the last time the Council considered me for certification.
- (2) I voluntarily resigned from judicial office, was laid off pursuant to a reduction in force, retired upon reaching the mandatory retirement age, or, if involuntarily retired due to disability, recovered from or have accommodated that disability.
- (3) I demonstrate appropriate ability and character.
- (4) I was in office for at least five years.
- (5) I comply with the restrictions on secondary employment provided by the Utah Code.
- (6) I am physically and mentally able to perform the duties of judicial office.
- (7) I am familiar with current statutes, rules and case law, the use of the electronic record, and judicial workspace.
- (8) I am a current resident of Utah.
- (9) I will satisfy the education requirements of an active justice court judge.
- (10) I will accept assignments, subject to being called, at least two days per calendar year.
- (11) I will conform to the Code of Judicial Conduct, the Code of Judicial Administration and rules of the Supreme Court.
- (12) I obtained results on the most recent judicial performance evaluation prior to termination of service sufficient to have been certified for retention regardless of whether the evaluation was conducted for self-improvement or certification; *Unaware of any evaluation results*
- (13) I will continue to meet the requirements for certification as those requirements are determined by the Judicial Council to apply to active senior justice court judges. *but was retained in 2016*
- (14) I was not removed from office or involuntarily retired on grounds other than disability.
- (15) I was not suspended during my final term of office or final four years in office, whichever is greater. and
- (16) I did not resign from office as a result of negotiations with the Judicial Conduct Commission or while a complaint against me was pending before the Supreme Court or pending before the Judicial Conduct Commission after a finding of reasonable cause.
- (17) I will submit relevant information as requested by the Judicial Council.
- (18) My date of birth is **PRIVATE** my retirement date is *UNKNOWN* **PRIVATE**
- (19) I have not been subject to any order of discipline for conduct as a senior judge.

- (20) There ☐ is ☒ is not a complaint against me pending before the Supreme Court or before the Judicial Conduct Commission after a finding of reasonable cause.
- (21) During my current term there have been 0 orders of discipline against me entered by the Supreme Court, and I have attached a copy of each.
- (22) The address at which I can be contacted after retirement is:

PRIVATE

PRIVATE

My email address & phone #:

PRIVATE

JUDICIAL PERFORMANCE EVALUATION INFORMATION

I further declare as follows:

- (23) I have not had more than an average of three cases per calendar year under advisement more than two months after submission with no more than half of the maximum exceptional cases in any one calendar year; and
- (24) I have had no cases under advisement more than six months after submission.
- (25) I am in substantial compliance with the Code of Judicial Conduct.
- (26) I am physically and mentally fit for office.
- (27) I have obtained the following judicial education hours for the years indicated.

2017	2018	2019
32.5	36	Approx 21

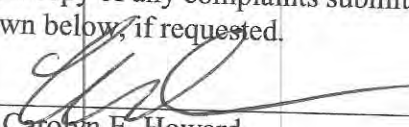
If you have fewer than 30 hours for the current year, list any course you will complete before the end of the year and the number of hours associated with the course.

I am registered for the Fall Conference for Justice Court Judges towards CLE credits - other conferences available to attend as well -

- (28) I have attended the spring conference in the years indicated.
- | 2017 | 2018 | 2019 |
|------|------|------|
| True | True | True |
- (29) I understand that I must contact the Administrative Office of the Courts and request transfer to inactive status prior to any planned leaves of absence that could interfere with my ability to fully comply with annual education requirements.

I waive my claim of confidentiality and request that a copy of any complaints submitted to the Judicial Conduct Commission be sent to the person shown below, if requested.

Date

September 9, 2019

 Carolyn E. Howard

Please complete and return by September 20, 2019 to:

Nancy Sylvester
 P.O. Box 140241
 Salt Lake City, Utah 84114-0241

Phone: 801-578-3808
 Fax: 801-578-3843
 Email: nancvjs@utcourts.gov

September 9, 2019

Dear Judicial Council,

Thank you for your consideration of my application for Active Senior Justice Court Judge. I have served for almost 6 years in Saratoga Springs City, Utah as a Justice Court Judge. I love serving in the Justice Court, and have found much satisfaction serving as a Justice Court Judge.

In approximately 2016, I underwent a JCC complaint. The complaint was ultimately dismissed, however I subsequently agreed with the AOC to undergo 1 year of mentoring with Judge Paul Farr. I began the mentoring in January of 2019 and am continuing to be mentored by Judge Farr, which mentoring is expected to conclude in December of 2019.

I have found my mentoring with Judge Farr to be an excellent opportunity. Judge Farr has spent hours with me training me to be a better Judge. I believe that I have become a better Judge because of the mentoring with Judge Farr. I have learned a great deal. I am thankful to Judge Farr for his time and energy on my behalf and look forward to his mentoring for the next three months.

If I were to be accepted as an Active Senior Judge, I plan to fully be involved in the Justice Courts and do anything that is asked of me. I plan to volunteer to help at conferences and substitute when opportunities arise. I am also on a rotating schedule to do the PC bail statements for the Fourth District Justice Courts. If permitted, I would love to remain on the rotating schedule for the Fourth District Justice Courts for the PC bail statements.

In addition, I enjoy the conferences and wish to continue in the Justice Court system as an Active Senior Judge, with the responsibilities the position carries.

Again, thank you for your consideration of my application for Active Senior Justice Court Judge.

/s/ Carolyn E. Howard, J.D.

Tab 9

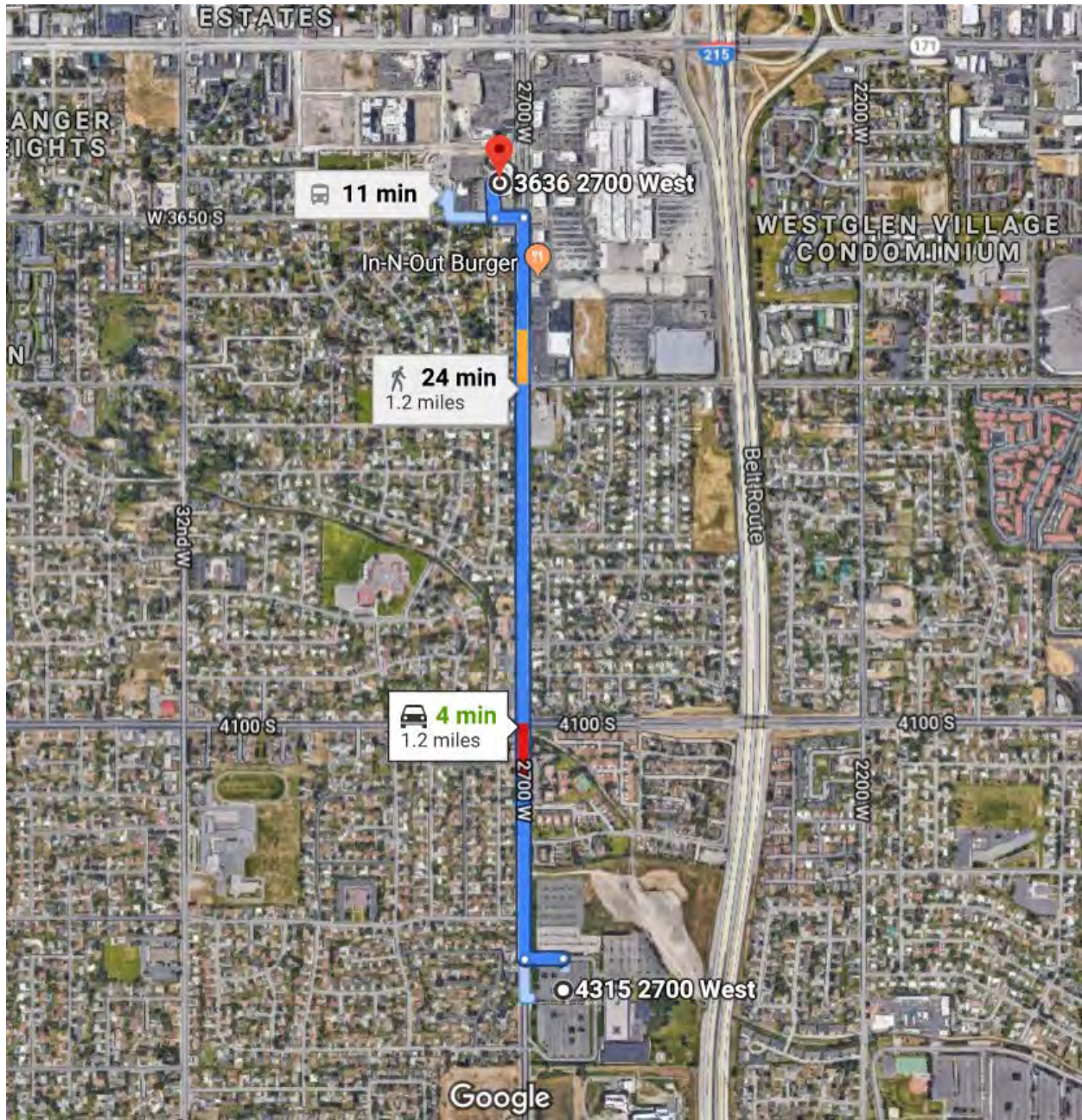
Agenda

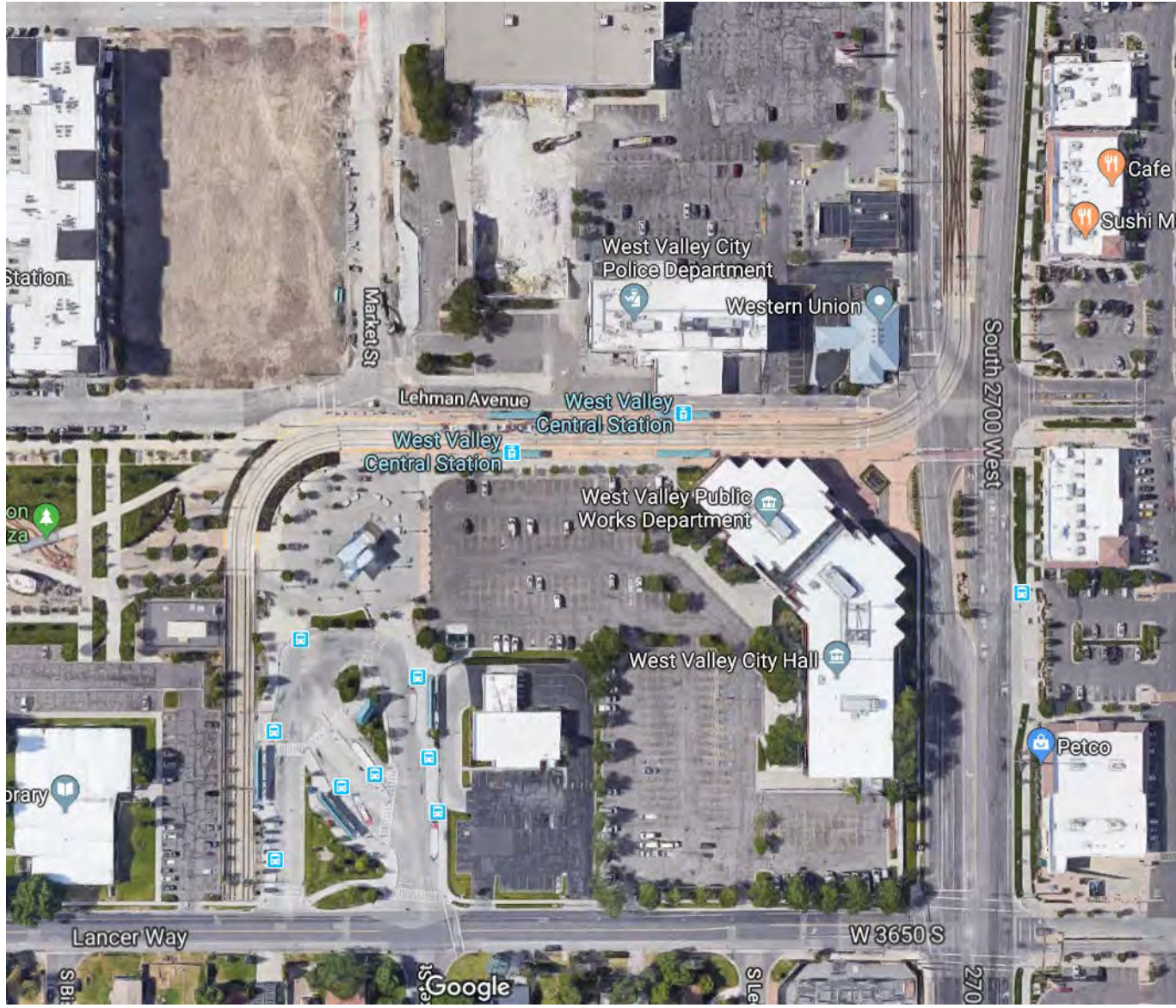


Existing Court Juvenile Probation Offices



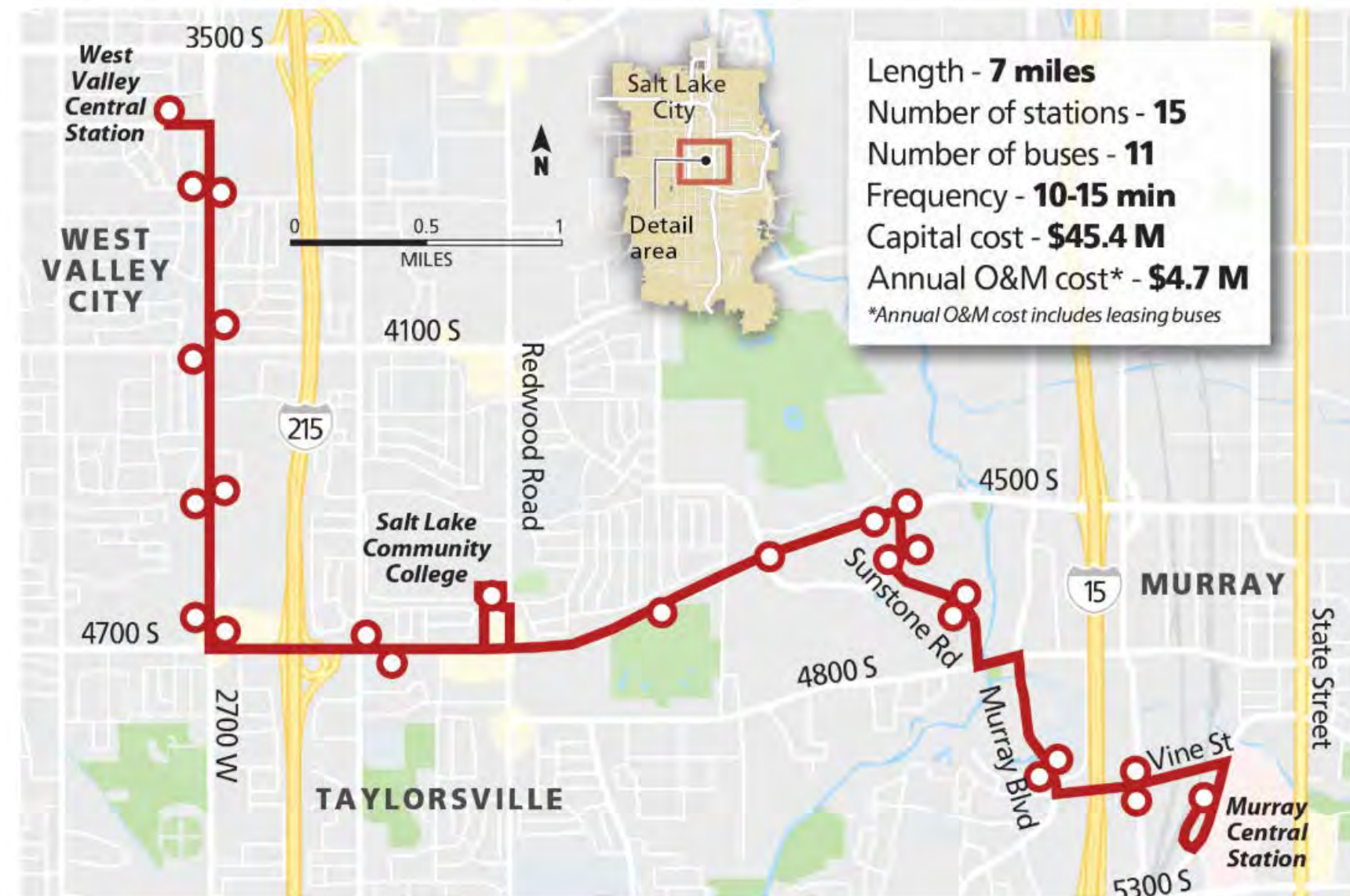
Proposed Court Juvenile Probation Offices (Old American Express)





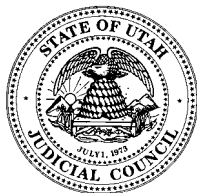
Proposed route for UTA's new 'Midvalley Connector' line

An advisory committee to the Utah Transit Authority is recommending the following route for a bus rapid transit line through West Valley City, Taylorsville and Murray.



Tab 10

Agenda



Administrative Office of the Courts

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

September 20, 2019

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council members
FROM: Kim Allard
DATE: Sept 18, 2019
RE: Plain Language Update to Online Court Assistance Interview: Parentage

The Standing Committee on Forms has reviewed and edited the language used in the Online Court Assistance parentage interview. That edited language was used to prepare the attached sample petition, stipulation, findings of fact and parentage decree.

There are number of pages, but little content to review. Much of the language has already been approved by the Council during the divorce language interview review. Language already approved is in gray.

Thank you for reviewing these documents.

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

Morticia Voss
56 Miner Dr
Price, UT 43242
(879) 879-8799
sharylp@gmail.com

Online Court Assistance Program

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

I am the Petitioner

In the District Court of Utah
 Fifth Judicial District, Iron County
 Cedar Hall of Justice, 40 North 100 East, Cedar City, Utah 84720

Morticia Voss
 Petitioner

v.

Gomez Addams
 Respondent

Verified Parentage Petition
 (Paternity, Custody and Support)
 (Genetic Testing Requested)

Case Number: **190443434**

Judge: **Smith**

Commissioner: _____

I, **Morticia Voss**, am the petitioner. I say:

Venue (Utah Code 78B-15-605)

1. Venue is proper because the children live in or are present in this county. They live with **Morticia Voss**.

Children (Utah Code 78B-15-101 et seq.)

2. This parentage petition is about the following children. The full name and birth date is listed for any incapacitated adult child.

a. Pugsley Addams	Born 01/01/2005
b. Karina Voss	Born 01/01/2019
c. Wednesday Addams	Born 01/01/1997

Jurisdiction over custody and parent-time issues (Utah Code 78B-13-102(7), 201(1), and 208)

3. Utah has jurisdiction over the custody and parent-time issues in this case because:

- Utah is the home state of the parties' minor children under Utah Code 78B-13-102(7), or
- This case meets the criteria under Utah Code 78B-13-201(1), 207, and 208.

During the last five years, the minor children have lived at the following places and

with the following people:

a. **Pugsley Addams**

i. State: **Utah**

Address: **56 Miner Dr, Price, UT 43242**

Began living there: **08/05/2019**;

Resided With: **Morticia Voss**;

Relationship to this child: **Mother**;

Current Address of **Morticia Voss**: **56 Miner Dr, Price, UT 43242**

b. **Pugsley Addams**

i. State: **Utah**

Address: **874 Equinox Road, Huntington, Utah 13453**

Began living there: **01/01/2005**;

Resided With: **Morticia Voss and Gomez Addams**;

Relationship to this child: **Parents**;

Current Address of **Morticia Voss and Gomez Addams**: **Morticia Voss: 56 Miner Dr, Price, UT 43242; Gomez Addams: 874 Equinox Road, Huntington, Utah 13453**

c. **Karina Voss**

i. State: **Utah**

Address: **56 Miner Dr, Price, UT 43242**

Began living there: **01/01/2019**;

Resided With: **Morticia Voss**;

Relationship to this child: **Mother**;

Current Address of **Morticia Voss**: **56 Miner Dr, Price, UT 43242**

Other court proceedings

(Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 78B-13-101 et seq.; Utah Uniform Interstate Family support Act, UIFSA, Utah Code 78B-14-101 et seq.)

4. I say the following:

a. **Morticia Voss** knows of no custody, child support, or parent-time cases about **Morticia Voss** and **Gomez Addams'** minor children in any court or government agency. This includes filed, pending, and completed cases.

b. **Morticia Voss** knows of the following criminal, delinquency, or protective order cases involving **Morticia Voss**, **Gomez Addams**, or their children.

i. Case Information

Name of Court: **Third District Court, Salt Lake County, State of Utah**

Address: **450 State SLC UT**

Case Number: **19094092343**

Judge or
Commissioner:
Nature of
Proceeding:

Custody support Parentage

Wednesday Addams has a misdemeanor case and a jay walking ticket.

c. **Morticia Voss** and **Gomez Addams** have physical custody of **Pugsley Addams**, our child. We are the only people who have custody, child support, and parent-time rights to **Pugsley Addams**.

d. **Morticia Voss** and **Gomez Addams** have physical custody of **Karina Voss**, our child. We are the only people who have custody, child support, and parent-time rights to **Karina Voss**.

Genetic testing

(Utah Code 78B-15-501 et seq., Utah Code 78B-15-502)

5. Paternity is an issue for the children listed below. A separate Motion for Genetic Testing is being filed.

a. **Karina Voss** Born **01/01/2019**

Biological father information

6. **Gomez Addams** is the biological parent of the children named below:

a.	Pugsley Addams	Born	01/01/2005
b.	Karina Voss	Born	01/01/2019
c.	Wednesday Addams	Born	01/01/1997

Children birth records (Required by Utah Office of Vital Records and Statistics)

7. Petitioner Information

a. Name: **Morticia Voss**
b. Gender: **Female**
c. Full birth name as it appears on her birth certificate: **Morticia Voss**

8. Respondent Information

a. Name: **Gomez Addams**
b. Gender: **Male**
c. Full birth name as it appears on his birth certificate: **Not Available**

9. Child: **Karina Voss**

a. Child's full name as currently listed on the child's birth certificate: **Karina Voss**
b. Child's date of birth: **01/01/2019**

- c. Father's full name as it should appear on **Karina Voss's** birth certificate: **Gomez Adams**

Custody

10. It is in the children's best interest that **Morticia Voss** be awarded sole legal and sole physical custody. **Gomez Addams** will have parent-time at reasonable times and places.

11. The adult incapacitated children will live with **Morticia Voss** and are listed for the sole purpose of determining child support. The parties have not asked that the court award custody of adult incapacitated children.

Parent-time

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

The children will live with **Morticia Voss** and will have parent-time with **Gomez Addams** according to the statutory parent-time schedule. **Morticia Voss** will be the "custodial" parent.

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

For children 5-18: **Weekday parent-time** will be **Wednesday until Thursday Morning**.

On days when school is not in session: Parent-time starts at 9:00 a.m. the morning time listed in the statute (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child. (Utah Code 30-3-35)

Parent-time for special occasions

13. The parents will follow the schedule for special occasions below.

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

Special Occasion	Parent-Time Schedule
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Special Occasion	Parent-Time Schedule
Labor Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Labor Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Labor Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Labor Day Weekend or holiday. Morticia Voss will have parent-time on the Labor Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Columbus Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Columbus Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Columbus Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Columbus Day Weekend or holiday. Gomez Addams will have parent-time on the Columbus Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Fall School Break (If applicable, commonly known as U.E.A. weekend)	<p>Odd Years: Gomez Addams will have parent-time on the Fall Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Fall Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Fall Break or holiday. Morticia Voss will have parent-time on the Fall Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Halloween	<p>Odd Years: Morticia Voss will have parent-time on Halloween in odd years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on Halloween from after school until 9 p.m. if on a school day,</p>

Special Occasion	Parent-Time Schedule
	<p>or from 4 p.m. until 9 p.m.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will have parent-time on Halloween in even years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p>
Veterans' Day	<p>Odd Years: Gomez Addams will have parent-time on the Veterans' Day in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Veterans' Day or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Veterans' Day or holiday. Morticia Voss will have parent-time on the Veterans' Day in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Thanksgiving Break	<p>Odd Years: Morticia Voss will have parent-time on the Thanksgiving Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Thanksgiving Break or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Thanksgiving Break or holiday. Gomez Addams will have parent-time on the Thanksgiving Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Winter Break	<p>Odd Years: Gomez Addams will have parent-time in odd years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided. Morticia Voss will have parent-time in odd years the second portion of the Winter Break beginning 1:00 p.m. on the day</p>

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

Special Occasion	Parent-Time Schedule
	<p>Gomez Addams will <u>not</u> have parent-time in even years Christmas Day Morticia Voss will have parent-time in even years Christmas Day</p>
New Year's Eve	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Eve. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Eve.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Eve Morticia Voss will have parent-time in even years New Year's Eve</p>
New Year's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Day. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Day Morticia Voss will have parent-time in even years New Year's Day</p>
Dr. Martin Luther King Jr. Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Dr. Martin Luther King Jr. Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Dr. Martin Luther King Jr. Day Weekend or holiday. Morticia Voss will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Presidents' Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Presidents' Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Presidents' Day Weekend or holiday.</p>

Special Occasion	Parent-Time Schedule
	<p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Presidents' Day Weekend or holiday. Gomez Addams will have parent-time on the Presidents' Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Spring School Break	<p>Odd Years: Gomez Addams will have parent-time on the Spring School Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Spring School Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Spring School Break or holiday. Morticia Voss will have parent-time on the Spring School Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Mother's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Mother's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Mother's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Mother's Day Morticia Voss will have parent-time in even years Mother's Day from 9 a.m. until 7 p.m.</p>
Memorial Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Memorial Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Memorial Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Memorial Day Weekend or holiday. Gomez Addams will have parent-time on the Memorial Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>

Special Occasion	Parent-Time Schedule
Father's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Father's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Father's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Father's Day Morticia Voss will have parent-time in even years Father's Day from 9 a.m. until 7 p.m.</p>
Summer School Break / Vacation	<p>Gomez Addams will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Gomez Addams. Gomez Addams will have an additional two weeks of Extended Summer Parent-time at the option of Gomez Addams, subject to weekday parent-time and holidays for Morticia Voss, but not weekends normally exercised by Morticia Voss. Gomez Addams will notify Morticia Voss of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Morticia Voss may determine the schedule for extended parent-time for Gomez Addams, so long as Morticia Voss has provided timely notice.</p> <p>Morticia Voss will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Morticia Voss. Morticia Voss will have an additional two weeks of Extended Summer Parent-time at the option of Morticia Voss, subject to weekday parent-time and holidays for Gomez Addams, but not weekends normally exercised by Gomez Addams. Morticia Voss will notify Gomez Addams of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Gomez Addams may determine the schedule for extended parent-time for Morticia Voss, so long as Gomez Addams has provided timely notice.</p>
Independence Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Independence Day.</p>

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

Special Occasion	Parent-Time Schedule
	Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.
Gomez Addams's Birthday	Gomez Addams will have parent-time each year on Gomez Addams' birthday from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.

Parent-time transfers

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

Transfer at **beginning** of parent-time will be by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharylpl@gmail.com

and transfer at **end** of parent-time by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharylpl@gmail.com

Decision-making

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

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

Education plan

16. The school the children will attend is based on **Morticia Voss'** home residence. **Morticia Voss** has authority to check the children out of school. **Gomez Addams** has authority to check the children out of school. **Gomez Addams** has access to the children during school.

Communication with each other

17. Parents will communicate with each other by any method.

Communication with the children

18. The parents agree they will:

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

Parents and children may communicate with each other whenever the children choose.

Records and information sharing

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

Travel by the children

20. During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others. If the children will be travelling for more than **2** days, the parent arranging the travel will notify the other parent at least **3** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **3** days in advance. In case of emergency, the parent will provide as much notice as possible.

Other agreements about travel by the children: **If there are significant costs in the travel, we will split those costs.**

Military service by a parent (Utah Code 78B-20-4)

21. Neither parent is a servicemember.

Child care

22. A child care provider for our children must be:

- Over the age of **16**.

Relocation of a parent (Utah Code 30-3-37)

23. If either parent moves more than 149 miles from the other, the moving parent must give the non-moving parent a written Notice of Relocation. The notice must be sent at least 60 days before the planned move.

The written Notice of Relocation must include:

- Information about the move;
- A proposed parent-time schedule; and
- A statement that the parents will not interfere with the other parent's parent-time.

If the moving parent does not give the non-moving parent a Notice of Relocation, the moving parent will be in contempt of the court's order.

24. If either parent lives more than 149 miles away from the other, or if the parents live a different countries, parent-time will be as the parties agree. If they are unable to agree, the following will be the minimum parent-time for the noncustodial parent:

Relocation Schedule (Utah Code 30-3-37)

- a. in years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:
 - i. Thanksgiving holiday beginning Wednesday until Sunday; and
 - ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;
- b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:
 - i. the entire winter school break period; and
 - ii. the fall school break beginning the last day of school before the holiday until the day before school resumes; and
- c. extended parent-time equal to $\frac{1}{2}$ of the summer or off-track time for consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when

determining the amount of parent-time to be divided between the parents for the summer or off-track period. The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.

d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.

- i. If the noncustodial parent has not designated a specific weekend for parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.
- ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.
- iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.

e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

25. If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be shared equally.

If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

Reimbursement the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

Changing the plan

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

- Major or permanent changes must be in writing, but minor or temporary changes

can be made orally.

Resolving disputes

27. If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children. If the parents are unable to agree, they will go to the following before bringing the issue to the court:

Mediation

Other agreements about resolving disputes: **We will attempt to work it out. If that doesn't work, we will flip a coin.**

Other terms that are important to us or our children

28. **We will not speak badly about the other.**

Additional parenting responsibilities, expectations or commitments

29. **No additional provisions.**

Income: Morticia Voss (Utah Code 78B-12-203)

30. **Morticia Voss'** gross monthly for child support purposes is **\$802.00**. Her base child support amount using the sole custody calculation is **\$158.88** per month. She receives the following gross monthly income:

- a. **Morticia Voss** is employed at **In N Out Burger**. She earns **\$801.67** gross (pre-tax) monthly income working a 40-hour a week job or less.
- b. **Morticia Voss** receives **\$100.00** per month in public benefits from the Family Employment Program (T.A.N.F./F.E.P). This income does not count for child support purposes. (Utah Code 78B-12-203(3)).
- c. **Morticia Voss** receives **\$100.00** per month in public benefits from a housing subsidy program, the Job Training Partnership Act, Supplemental Security Income, Social Security Disability Insurance, Medicaid, SNAP, General Assistance, or other similar means-tested welfare benefits. This income does not count for child support purposes. (Utah Code 78B-12-203(3)).

Income: Gomez Addams (Utah Code 78B-12-203)

31. **Gomez Addams'** gross monthly income for child support purposes is **\$9,750.00**. His base child support amount using the sole custody calculation is **\$1,827.12** per

month. He receives the following gross monthly income:

- a. **Gomez Addams** is employed at **IHC**. He earns **\$9,750.00** gross (pre-tax) monthly income working a 40-hour a week job or less.

Child support (Utah Code 78B-12-202 et seq.)

32. **Gomez Addams** should be ordered to pay child support to **Morticia Voss** as follows:

- a. **\$1,827.12** per month base support. This amount complies with the Utah Child Support Act. Unless the court orders otherwise, support for each child ends when:

- high school during the child's normal and expected year of graduation, whichever occurs later, or
- a child dies, marries, becomes a member of the United States armed forces, or is emancipated (Utah Code 78A-6-801).

33. The following children are 18 years or older and incapacitated from earning a living and therefore not capable of supporting themselves by their own means, even if they are able to provide some financial resources to the family. Child support for these children will continue throughout the life of each child.

i. **Wednesday Addams**

Born 01/01/1997

34. Once a child is no longer eligible to receive child support, the support amount for the eligible children should be recalculated using the child support worksheet (Utah Code 78B-12-202 et seq.). The parties may not divide the base child support award by the number of children and subtract that amount from the prior child support amount.

35. Child support payments will start the month immediately following entry of the order. The payment schedule will be:

- one half by the 5th day of each month, and
- the other half by the 20th day of each month.

Child support not paid by the 5th day of the month is past due on the 6th day of the month. Child support not paid by the 20th day of the month is past due on the 21st day of the month. If the Office of Recovery Services is used to collect support, their payment schedule will be followed.

36. The sole custody worksheet was used to calculate child support.

- **Morticia Voss'** base child support amount is **\$158.88** per month.
- **Gomez Addams'** base child support amount is **\$1,827.12** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 78B-12-108).

Child support reduction for extended parent-time

37. If a child lives with the non-custodial parent by court order or written agreement of the parties for:

- 25 of any 30 consecutive days, base child support will be reduced by 50% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(a)).
- 12 of any 30 consecutive days, base child support will be reduced by 25% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(b)).

The custodial parent's normal parent-time and holiday parent-time do not count as an interruption of the consecutive day requirement.

38. If a child receives cash assistance through the T.A.N.F. or F.E.P. programs, any agreement by the parties to reduce child support during extended parent-time must be approved by the Office of Recovery Services.

39. The person ordered to receive child support can request mandatory income withholding (Utah Code 62A-11 parts 4 and 5). If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed. Withheld income will be sent to the Office of Recovery Services (ORS) until all past-due support is paid. Child support payments will be sent to:

Office of Recovery Services
PO Box 45011
Salt Lake City, Utah 84145-0011

unless ORS gives notice that payments should be sent elsewhere. If ORS begins mandatory income withholding, child support is due on the first day of each month and will be past due on the first day of the next month.

40. **Morticia Voss** and **Gomez Addams** will each pay half of any ORS fee. If a fee is withheld from payments to **Gomez Addams**, **Morticia Voss** will reimburse **Gomez Addams** for half the fee. If a fee is withheld from payments to **Morticia Voss**, **Gomez Addams** will reimburse **Morticia Voss** for half the fee.

41. The issue of past-due child support may be decided by future court or administrative action.

42. The parties must notify each other within 30 days of any change in their income.

43. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and
- the amount previously ordered was not a deviation from the child support guidelines. (Utah Code 78B-12-210(8)).

If the children receive TANF funds at the time an adjustment is sought, ORS will review the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

44. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

- custody
 - the relative wealth or assets of the parties
 - income of a parent of 30% or more
 - the employment potential and ability of a parent to earn
 - the medical needs of the child or
 - the legal responsibilities of either parent for the support of others.
- (Utah Code 78B-12-210(7) and (9)).

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines. The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 78B-12-210(7)).

Dependent children for tax purposes

45. **Gomez Addams** may claim the parties' children as dependents/exemptions for tax purposes.

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

46. **Gomez Addams** must maintain medical, hospital, and dental care insurance for the dependent children if it is available at reasonable cost.

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:

- **Gomez Addams's** insurance will be primary coverage.
- **Morticia Voss'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:

- **Gomez Addams spouse's** insurance will be primary coverage.
- **Morticia Voss spouse's** insurance will be secondary coverage.

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

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.

Child care expenses (Utah Code 78B-12-214)

47. Both parties will equally share all reasonable work, career, or occupational training-related child care expenses.

a. The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.

b. The party not directly paying for child care must pay their share of child care expenses as soon as they receive verification of the expenses.

c. If a party does **not** follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

Public assistance statement – Office of Recovery Services (ORS)

(Utah Code 78B-12-113)

48. **Morticia Voss** has received or is receiving public assistance from the State of Utah. ORS may join this case as a party. **Morticia Voss** has given ORS the right to collect child support accrued during the time she was receiving public assistance.

Child name change

49. It is in the best interest of **Karina Voss** that the name of **Karina Voss** be changed to **Karina Addams**.

Duty to sign documents

50. The parties will sign all documents necessary to comply with the parentage decree within 60 days from entry of the decree. If a party fail to signs a document within 60 days, the other party may ask the court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

Other relief if equitable and just

51. The court should grant such other and further relief as it may deem just and appropriate in this matter.

Morticia Voss asks that she be granted a parentage decree pursuant to the terms of this petition, and for such other relief as the court deems equitable and just.

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

August 27, 2019

Date

Signature

Morticia Voss

Morticia Voss
56 Miner Dr
Price, UT 43242
(879) 879-8799
sharyl@p@gmail.com

Online Court Assistance Program

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

I am the Petitioner

In the District Court of Utah
 Fifth Judicial District, Iron County
 Cedar Hall of Justice, 40 North 100 East, Cedar City, Utah 84720

<p>Morticia Voss Petitioner</p> <p>V.</p> <p>Gomez Addams Respondent</p>	<p>Stipulation (Paternity, Custody and Support) (Genetic Testing Requested)</p> <p>Case Number: 190443434</p> <p>Judge: Smith</p> <p>Commissioner: _____</p>
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Morticia Voss and **Gomez Addams** stipulate as follows:

Venue (Utah Code 78B-15-605)

1. Venue is proper because:
2. Venue is proper because the children live in or are present in this county. They live with **Morticia Voss**.

Children (Utah Code 78B-15-101 et seq.)

3. This parentage petition is about the following children. The full name and birth date is listed for any incapacitated adult child.

- | | |
|----------------------------|------------------------|
| a. Pugsley Addams | Born 01/01/2005 |
| b. Karina Voss | Born 01/01/2019 |
| c. Wednesday Addams | Born 01/01/1997 |

Jurisdiction over custody and parent-time issues (Utah Code 78B-13-102(7), 201(1), and 208)

4. Utah has jurisdiction over the custody and parent-time issues in this case because:
 - Utah is the home state of the parties' minor children under Utah Code 78B-13-

102(7), or

- This case meets the criteria under Utah Code 78B-13-201(1), 207, and 208.

During the last five years, the minor children have lived at the following places and with the following people:

a. **Pugsley Addams**

i. State: **Utah**

Address: **56 Miner Dr, Price, UT 43242**

Began living there: **08/05/2019**;

Resided With: **Morticia Voss**;

Relationship to this child: **Mother**;

Current Address of **Morticia Voss**: **56 Miner Dr, Price, UT 43242**

b. **Pugsley Addams**

i. State: **Utah**

Address: **874 Equinox Road, Huntington, Utah 13453**

Began living there: **01/01/2005**;

Resided With: **Morticia Voss and Gomez Addams**;

Relationship to this child: **Parents**;

Current Address of **Morticia Voss and Gomez Addams**: **Morticia Voss: 56 Miner Dr, Price, UT 43242; Gomez Addams: 874 Equinox Road, Huntington, Utah 13453**

c. **Karina Voss**

i. State: **Utah**

Address: **56 Miner Dr, Price, UT 43242**

Began living there: **01/01/2019**;

Resided With: **Morticia Voss**;

Relationship to this child: **Mother**;

Current Address of **Morticia Voss**: **56 Miner Dr, Price, UT 43242**

Other court proceedings

(Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 78B-13-101 et seq.; Utah Uniform Interstate Family support Act, UIFSA, Utah Code 78B-14-101 et seq.)

5. We say the following:

- a. There are no custody, child support, or parent-time cases about **Morticia Voss** and **Gomez Addams'** minor children in any court or government agency. This includes filed, pending, and completed cases.

- b. **Morticia Voss** and **Gomez Addams** know of the following criminal, delinquency,

or protective order cases involving **Morticia Voss**, **Gomez Addams**, or their children.

i. Case Information

Name of Court:	Third District Court, Salt Lake County, State of Utah
Address:	450 State SLC UT
Case Number:	19094092343
Judge or Commissioner:	Custody support Parentage
Nature of Proceeding:	Wednesday Addams has a misdemeanor case and a jay walking ticket.

c. **Morticia Voss** and **Gomez Addams** have physical custody of **Pugsley Addams**, our child. We are the only people who have custody, child support, and parent-time rights to **Pugsley Addams**.

d. **Morticia Voss** and **Gomez Addams** have physical custody of **Karina Voss**, our child. We are the only people who have custody, child support, and parent-time rights to **Karina Voss**.

Genetic testing

(Utah Code 78B-15-501 et seq., Utah Code 78B-15-502)

6. Paternity is an issue for the children listed below. A separate Motion for Genetic Testing is being filed.

a.	Karina Voss	Born	01/01/2019
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Biological father information

7. **Gomez Addams** is the biological parent of the children named below:

a.	Pugsley Addams	Born	01/01/2005
b.	Karina Voss	Born	01/01/2019
c.	Wednesday Addams	Born	01/01/1997

Children birth records (Required by Utah Office of Vital Records and Statistics)

8. Petitioner Information

a.	Name: Morticia Voss
b.	Gender: Female

c. Full birth name as it appears on her birth certificate: **Morticia Voss**

9. **Respondent Information**

- a. Name: **Gomez Addams**
- b. Gender: **Male**
- c. Full birth name as it appears on his birth certificate: **Not Available**

10. **Child: Karina Voss:**

- a. Child's full name as currently listed on the child's birth certificate: **Karina Voss**
- b. Child's date of birth: **01/01/2019**
- c. Father's full name as it should appear on **Karina Voss's** birth certificate: **Gomez Adams**

Custody

11. It is in the children's best interest that **Morticia Voss** be awarded sole legal and sole physical custody. **Gomez Addams** will have parent-time at reasonable times and places.

12. The adult incapacitated children will live with **Morticia Voss** and are listed for the sole purpose of determining child support. The parties have not asked that the court award custody of adult incapacitated children.

Parent-time

~~13. The parents will follow the parent-time schedule in the statute(s).~~

~~The children will live with **Morticia Voss** and will have parent time with **Gomez Addams** according to the statutory parent-time schedule. **Morticia Voss** will be the "custodial" parent.~~

Parent-time

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

The children will live with **Morticia Voss** and will have parent-time with **Gomez Addams** according to the statutory parent-time schedule. **Morticia Voss** will be the "custodial" parent.

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

For children 5-18: **Weekday parent-time** will be **Wednesday until Thursday Morning**.

On days when school is not in session: Parent-time starts at 9:00 a.m. the morning time listed in the statute (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child. (Utah Code 30-3-35)

Parent-time for special occasions

15. The parents will follow the schedule for special occasions below.

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

Special Occasion	Parent-Time Schedule
Labor Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Labor Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Labor Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Labor Day Weekend or holiday. Morticia Voss will have parent-time on the Labor Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Columbus Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Columbus Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Columbus Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Columbus Day Weekend or holiday. Gomez Addams will have parent-time on the Columbus Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>

Special Occasion	Parent-Time Schedule
<p>Fall School Break</p> <p>(If applicable, commonly known as U.E.A. weekend)</p>	<p>Odd Years: Gomez Addams will have parent-time on the Fall Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Fall Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Fall Break or holiday. Morticia Voss will have parent-time on the Fall Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
<p>Halloween</p>	<p>Odd Years: Morticia Voss will have parent-time on Halloween in odd years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will have parent-time on Halloween in even years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p>
<p>Veterans' Day</p>	<p>Odd Years: Gomez Addams will have parent-time on the Veterans' Day in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Veterans' Day or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Veterans' Day or holiday. Morticia Voss will have parent-time on the Veterans' Day in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
<p>Thanksgiving Break</p>	<p>Odd Years: Morticia Voss will have parent-time on the Thanksgiving</p>

Special Occasion	Parent-Time Schedule
	<p>Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Thanksgiving Break or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Thanksgiving Break or holiday. Gomez Addams will have parent-time on the Thanksgiving Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Winter Break	<p>Odd Years: Gomez Addams will have parent-time in odd years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided. Morticia Voss will have parent-time in odd years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through the holiday period until the morning school begins again when Morticia Voss delivers the child to school, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, beginning at 8:00 a.m. the first day of the second half until the morning school begins again when Morticia Voss delivers the child to school, so long as the entire Winter Break is equally divided.</p> <p>Even Years: Gomez Addams will have parent-time in even years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through the holiday period until the morning school begins again when Gomez Addams delivers the child to school, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, beginning at 8:00 a.m. the first day of the second half until the morning school begins again when Gomez Addams delivers the child to school, so long as the entire Winter Break is equally divided. Morticia Voss will have parent-time in even years the first portion of the Winter Break until 1 p.m. on the day halfway</p>

Special Occasion	Parent-Time Schedule
	through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided.
Christmas Eve	<p>Odd Years: Gomez Addams will have parent-time in odd years Christmas Eve. Morticia Voss will <u>not</u> have parent-time in odd years Christmas Eve.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Christmas Eve Morticia Voss will have parent-time in even years Christmas Eve</p>
Christmas Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Christmas Day. Morticia Voss will <u>not</u> have parent-time in odd years Christmas Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Christmas Day Morticia Voss will have parent-time in even years Christmas Day</p>
New Year's Eve	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Eve. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Eve.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Eve Morticia Voss will have parent-time in even years New Year's Eve</p>
New Year's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Day. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Day.</p>

Special Occasion	Parent-Time Schedule
	<p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Day Morticia Voss will have parent-time in even years New Year's Day</p>
Dr. Martin Luther King Jr. Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Dr. Martin Luther King Jr. Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Dr. Martin Luther King Jr. Day Weekend or holiday. Morticia Voss will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Presidents' Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Presidents' Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Presidents' Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Presidents' Day Weekend or holiday. Gomez Addams will have parent-time on the Presidents' Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Spring School Break	<p>Odd Years: Gomez Addams will have parent-time on the Spring School Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Spring School Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Spring School Break or holiday. Morticia Voss will have parent-time on the Spring School</p>

Special Occasion	Parent-Time Schedule
	Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.
Mother's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Mother's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Mother's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Mother's Day Morticia Voss will have parent-time in even years Mother's Day from 9 a.m. until 7 p.m.</p>
Memorial Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Memorial Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Memorial Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Memorial Day Weekend or holiday. Gomez Addams will have parent-time on the Memorial Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Father's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Father's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Father's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Father's Day Morticia Voss will have parent-time in even years Father's Day from 9 a.m. until 7 p.m.</p>
Summer School Break / Vacation	Gomez Addams will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Gomez Addams. Gomez Addams will have an additional two weeks of Extended Summer Parent-time at the option of Gomez Addams, subject to weekday parent-time and holidays for Morticia Voss, but not

Special Occasion	Parent-Time Schedule
	<p>weekends normally exercised by Morticia Voss. Gomez Addams will notify Morticia Voss of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Morticia Voss may determine the schedule for extended parent-time for Gomez Addams, so long as Morticia Voss has provided timely notice.</p> <p>Morticia Voss will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Morticia Voss. Morticia Voss will have an additional two weeks of Extended Summer Parent-time at the option of Morticia Voss, subject to weekday parent-time and holidays for Gomez Addams, but not weekends normally exercised by Gomez Addams. Morticia Voss will notify Gomez Addams of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Gomez Addams may determine the schedule for extended parent-time for Morticia Voss, so long as Gomez Addams has provided timely notice.</p>
Independence Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Independence Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Independence Day Morticia Voss will have parent-time in even years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Morticia Voss.</p>
Pioneer Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Pioneer Day.</p>

Special Occasion	Parent-Time Schedule
	<p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Pioneer Day Morticia Voss will have parent-time in even years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Morticia Voss.</p>
Children's Birthdays	<p>Odd Years: Gomez Addams will have parent-time in odd years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school. Morticia Voss will have parent-time in odd years on the actual birth date from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school. Even Years: Morticia Voss will have parent-time in even years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school. Gomez Addams will have parent-time in even years on the actual birth date from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school.</p>
Morticia Voss's Birthday	<p>Morticia Voss will have parent-time each year on Morticia Voss' birthday from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>
Gomez Addams's Birthday	<p>Gomez Addams will have parent-time each year on Gomez Addams' birthday from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-</p>

Special Occasion	Parent-Time Schedule
	time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.

Parent-time transfers

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

Transfer at **beginning** of parent-time will be by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharyl@p@gmail.com

and transfer at **end** of parent-time by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharyl@p@gmail.com

Decision-making

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

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

Education plan

18. The school the children will attend is based on **Morticia Voss'** home residence.

Morticia Voss has authority to check the children out of school. **Gomez Addams** has authority to check the children out of school. **Gomez Addams** has access to the children during school.

Communication with each other

19. Parents will communicate with each other by any method.

Communication with the children

20. The parents agree they will:

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

Parents and children may communicate with each other whenever the children choose.

Records and information sharing

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

Travel by the children

22. During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others. If the children will be travelling for more than **2** days, the parent arranging the travel will notify the other parent at least **3** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **3** days in advance. In case of emergency, the parent will provide as much notice as possible.

Other agreements about travel by the children: **If there are significant costs in the travel, we will split those costs.**

Military service by a parent (Utah Code 78B-20-4)

23. Neither parent is a servicemember.

Child care

24. A child care provider for our children must be:

- Over the age of **16**.

Relocation of a parent (Utah Code 30-3-37)

25. If either parent moves more than 149 miles from the other, the moving parent must give the non-moving parent a written Notice of Relocation. The notice must be sent at least 60 days before the planned move.

The written Notice of Relocation must include:

- Information about the move;
- A proposed parent-time schedule; and
- A statement that the parents will not interfere with the other parent's parent-time.

If the moving parent does not give the non-moving parent a Notice of Relocation, the moving parent will be in contempt of the court's order.

26. If either parent lives more than 149 miles away from the other, or if the parents live a different countries, parent-time will be as the parties agree. If they are unable to agree, the following will be the minimum parent-time for the noncustodial parent:

Relocation Schedule (Utah Code 30-3-37)

- a. in years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:
 - i. Thanksgiving holiday beginning Wednesday until Sunday; and
 - ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;
- b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:
 - i. the entire winter school break period; and
 - ii. the fall school break beginning the last day of school before the holiday until the day before school resumes; and
- c. extended parent-time equal to $\frac{1}{2}$ of the summer or off-track time for consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when determining the amount of parent-time to be divided between the parents for the summer or off-track period. The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.

d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.

- i. If the noncustodial parent has not designated a specific weekend for parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.
- ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.
- iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.

e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

27. If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be shared equally.

If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

Reimbursement the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

Changing the plan

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

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

Resolving disputes

29. If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children. If the parents are unable to agree, they will go to the following before bringing the issue to the court:

Mediation

Other agreements about resolving disputes: **We will attempt to work it out. If that doesn't work, we will flip a coin.**

Other terms that are important to us or our children

30. **We will not speak badly about the other.**

Additional parenting responsibilities, expectations or commitments

31. **No additional provisions.**

Income: Morticia Voss (Utah Code 78B-12-203)

32. **Morticia Voss'** gross monthly for child support purposes is **\$802.00**. Her base child support amount using the sole custody calculation is **\$159.00** per month. She receives the following gross monthly income:

- a. **Morticia Voss** is employed at **In N Out Burger**. She earns **\$801.67** gross (pre-tax) monthly income working a 40-hour a week job or less.
- b. **Morticia Voss** receives **\$100.00** per month in public benefits from the Family Employment Program (T.A.N.F./F.E.P). This income does not count for child support purposes. (Utah Code 78B-12-203(3)).
- c. **Morticia Voss** receives **\$100.00** per month in public benefits from a housing subsidy program, the Job Training Partnership Act, Supplemental Security Income, Social Security Disability Insurance, Medicaid, SNAP, General Assistance, or other similar means-tested welfare benefits. This income does not count for child support purposes. (Utah Code 78B-12-203(3)).

Income: Gomez Addams (Utah Code 78B-12-203)

33. **Gomez Addams'** gross monthly income for child support purposes is **\$9,750.00**.

His base child support amount using the sole custody calculation is **\$1,827.00** per month. He receives the following gross monthly income:

- a. **Gomez Addams** is employed at **IHC**. He earns **\$9,750.00** gross (pre-tax) monthly income working a 40-hour a week job or less.

Child Support (Utah code 78B-12-202 et seq.)

34. **Gomez Addams** will be ordered to pay child support to **Morticia Voss** as follows:

- a. **\$1,827.00** per month base support. This amount complies with the Utah Child Support Act. Unless the Court orders otherwise, support for each child ends when:
 - a child turns 18 or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later, or
 - a child dies, marries, becomes a member of the United States armed forces, or is emancipated (Utah Code 78A-6-801).

35. The following children are 18 years or older and incapacitated from earning a living and therefore not capable of supporting themselves by their own means, even if they are able to provide some financial resources to the family. Child support for these children will continue throughout the life of each child.

i. **Wednesday Addams**

Born 01/01/1997

36. Once a child is no longer eligible to receive child support, the support amount for the eligible children will be recalculated using the child support worksheet (Utah Code 78B-12-202 et seq.). The parties may not divide the base child support award by the number of children and subtract that amount from the prior child support amount.

37. Child support payments will start the month immediately following entry of the order. The payment schedule will be:

- one half by the 5th day of each month, and
- the other half by the 20th day of each month.

Child support not paid by the 5th day of the month is past due on the 6th day of the month. Child support not paid by the 20th day of the month is past due on the 21st day of the month. If the Office of Recovery Services is used to collect support, their payment schedule will be followed.

38. The sole custody worksheet was used to calculate child support.

- **Morticia Voss'** base child support amount is **\$159.00** per month.
- **Gomez Addams'** base child support amount is **\$1,827.00** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 78B-12-108).

Child support reduction for extended parent-time

39. If a child lives with the non-custodial parent by court order or written agreement of the parties for:

- 25 of any 30 consecutive days, base child support will be reduced by 50% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(a)).
- 12 of any 30 consecutive days, base child support will be reduced by 25% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(b)).

The custodial parent's normal parent-time and holiday parent-time do not count as an interruption of the consecutive day requirement.

40. If a child receives cash assistance through the T.A.N.F. or F.E.P. programs, any agreement by the parties to reduce child support during extended parent-time must be approved by the Office of Recovery Services.

41. The person ordered to receive child support can request mandatory income withholding (Utah Code 62A-11 parts 4 and 5). If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed. Withheld income will be sent to the Office of Recovery Services (ORS) until all past-due support is paid. Child support payments will be sent to:

Office of Recovery Services
PO Box 45011
Salt Lake City, Utah 84145-0011

unless ORS gives notice that payments will be sent elsewhere. If ORS begins

mandatory income withholding, child support is due on the first day of each month and will be past due on the first day of the next month.

42. **Morticia Voss** and **Gomez Addams** will each pay half of any ORS fee. If a fee is withheld from payments to **Gomez Addams**, **Morticia Voss** will reimburse **Gomez Addams** for half the fee. If a fee is withheld from payments to **Morticia Voss**, **Gomez Addams** will reimburse **Morticia Voss** for half the fee.

43. The issue of past-due child support may be decided by future court or administrative action.

44. The parties must notify each other within 30 days of any change in their income.

45. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and
- the amount previously ordered was not a deviation from the child support guidelines. (Utah Code 78B-12-210(8)).

If the children receive TANF funds at the time an adjustment is sought, ORS will review the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

46. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

- custody;
 - the relative wealth or assets of the parties;
 - income of a parent of 30% or more;
 - the employment potential and ability of a parent to earn;
 - the medical needs of the child; or
 - the legal responsibilities of either parent for the support of others.
- (Utah Code 78B-12-210(7) and (9)).

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines.

The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 78B-12-210(7)).

Dependent children for tax purposes

47. **Gomez Addams** may claim the parties' children as dependents/exemptions for tax purposes.

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

48. **Gomez Addams** must maintain medical, hospital, and dental care insurance for the dependent children if it is available at reasonable cost.

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:

- **Gomez Addams's** insurance will be primary coverage.
- **Morticia Voss'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:

- **Gomez Addams spouse's** insurance will be primary coverage.
- **Morticia Voss spouse's** insurance will be secondary coverage.

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

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.

Child care expenses (Utah Code 78B-12-214)

49. Both parties will equally share all reasonable work, career, or occupational training-related child care expenses.

a. The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.

b. The party not directly paying for child care must pay their share of child care expenses as soon as they receive verification of the expenses.

c. If a party does **not** follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

Public assistance statement – Office of Recovery Services (ORS)

(Utah Code 78B-12-113)

50. **Morticia Voss** has received or is receiving public assistance from the State of Utah. ORS may join this case as a party. **Morticia Voss** has given ORS the right to collect child support accrued during the time she was receiving public assistance.

Child name change

51. It is in the best interest of **Karina Voss** that the name of **Karina Voss** be changed to **Karina Addams**.

Duty to sign documents

52. The parties will sign all documents necessary to comply with the parentage decree within 60 days from entry of the decree. If a party fail to signs a document within 60 days, the other party may ask the Court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

Other relief if equitable and just

53. The Court should grant such other and further relief as it may deem just and appropriate in this matter.

Morticia Voss and **Gomez Addams** ask that they be granted a parentage decree pursuant to the terms of this stipulation, and for such other relief as the court deems equitable and just.

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

August 27, 2019

Date

Signature

Morticia Voss

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

Signed at:

City

State or Country

Date

Signature

Gomez Addams

Morticia Voss
56 Miner Dr
Price, UT 43242
(879) 879-8799
sharyl@p@gmail.com

Online Court Assistance Program

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

I am the Petitioner

In the District Court of Utah
 Fifth Judicial District, Iron County
 Cedar Hall of Justice, 40 North 100 East, Cedar City, Utah 84720

<p>Morticia Voss Petitioner</p> <p>v.</p> <p>Gomez Addams Respondent</p>	<p>Findings of Fact and Conclusions of Law (Paternity, Custody and Support) (Genetic Testing Requested)</p> <p>Case Number. 190443434</p> <p>Judge: Smith</p> <p>Commissioner: _____</p>
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The matter before the court is **Morticia Voss'** Verified Parentage Petition.

Service

☐ **Gomez Addams** was properly served with a copy of the Verified Parentage Petition and the court has jurisdiction to enter a Parentage Decree.

☐ **Gomez Addams** did not respond to the Summons and Parentage Petition and his default has been entered by the court.

☐ The parties reached a settlement of all issues in this matter and stipulated in open court to the terms of the settlement.

☐ The parties have settled all issues and stipulated to the terms in open court.

☐ The court makes the following Findings of Fact and Conclusions of Law after an evidentiary hearing or trial.

The court finds as follows:

Venue (Utah Code 78B-15-605)

1. Venue is proper because the children live in or are present in this county. They live with **Morticia Voss**.

Children (Utah Code 78B-15-101 et seq.)

3. **Morticia Voss** and **Gomez Addams** are the legal parents of the following children.

The full name and birth date is listed for any incapacitated adult child.

- | | |
|----------------------------|------------------------|
| a. Pugsley Addams | Born 01/01/2005 |
| b. Karina Voss | Born 01/01/2019 |
| c. Wednesday Addams | Born 01/01/1997 |

Children – Jurisdiction over Custody and Parent-time Issues (Utah Code 78B-13-102(7), 201(1), and 208)

4. Utah has jurisdiction over the custody and parent-time issues in this case because:

- Utah is the home state of the parties' minor children under Utah Code 78B-13-102(7), or
- This case meets the criteria under Utah Code 78B-13-201(1), 207, and 208.

During the last five years, the minor children have lived at the following places and with the following people:

- a. **Pugsley Addams**
 - i. State: **Utah**
Address: **56 Miner Dr, Price, UT 43242**
Began living there: **08/05/2019**;
Resided With: **Morticia Voss**;
Relationship to this child: **Mother**;
Current Address of **Morticia Voss**: **56 Miner Dr, Price, UT 43242**
- b. **Pugsley Addams**
 - i. State: **Utah**
Address: **874 Equinox Road, Huntington, Utah 13453**
Began living there: **01/01/2005**;
Resided With: **Morticia Voss and Gomez Addams**;
Relationship to this child: **Parents**;
Current Address of **Morticia Voss and Gomez Addams**: **Morticia Voss: 56**

Miner Dr, Price, UT 43242; Gomez Addams: 874 Equinox Road, Huntington, Utah 13453

c. Karina Voss

i. State: **Utah**

Address: **56 Miner Dr, Price, UT 43242**

Began living there: **01/01/2019;**

Resided With: **Morticia Voss;**

Relationship to this child: **Mother;**

Current Address of **Morticia Voss: 56 Miner Dr, Price, UT 43242**

Children – Other Court Proceedings

(Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJEA, Utah Code 78B-13-101 et seq.; Utah Uniform Interstate Family support Act, UIFSA, Utah Code 78B-14-101 et seq.)

5. The court finds that:

a. There are no custody, child support, or parent-time cases about **Morticia Voss** and **Gomez Addams'** minor children in any court or government agency. This includes filed, pending, and completed cases.

b. **Morticia Voss** and **Gomez Addams** know of the following criminal, delinquency, or protective order cases involving **Morticia Voss**, **Gomez Addams**, or their children.

i. Case Information

Name of Court: **Third District Court, Salt Lake County, State of Utah**

Address: **450 State SLC UT**

Case Number: **19094092343**

Judge or Commissioner: **Custody support Parentage**

Nature of Proceeding: **Wednesday Addams has a misdemeanor case and a jay walking ticket.**

c. **Morticia Voss** and **Gomez Addams** have physical custody of **Pugsley Addams**. They are the only people who have custody, child support, and parent-time rights to **Pugsley Addams**.

d. **Morticia Voss** and **Gomez Addams** have physical custody of **Karina Voss**.

They are the only people who have custody, child support, and parent-time rights to **Karina Voss**.

Biological father information

6. **Gomez Addams** is the biological parent of the children named below:

- | | | | |
|----|-------------------------|-------------|-------------------|
| a. | Pugsley Addams | Born | 01/01/2005 |
| b. | Karina Voss | Born | 01/01/2019 |
| c. | Wednesday Addams | Born | 01/01/1997 |

Children birth records (Required by Utah Office of Vital Records and Statistics)

7. Petitioner Information

- Name: **Morticia Voss**
- Gender: **Female**
- Full birth name as it appears on her birth certificate: **Morticia Voss**

8. Respondent Information

- Name: **Gomez Addams**
- Gender: **Male**
- Full birth name as it appears on his birth certificate: **Not Available**

9. Child: **Karina Voss**:

- Child's full name as currently listed on the child's birth certificate: **Karina Voss**
- Child's date of birth: **01/01/2019**
- Father's full name as it should appear on **Karina Voss's** birth certificate: **Gomez Adams**

Custody

10. It is in the children's best interest that **Morticia Voss** be awarded sole legal and sole physical custody. **Gomez Addams** will have parent-time at reasonable times and places.

11. The adult incapacitated children will live with **Morticia Voss** and are listed for the sole purpose of determining child support. The parties have not asked that the court award custody of adult incapacitated children.

Parent-time

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

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

The children will live with **Morticia Voss** and will have parent-time with **Gomez Addams** according to the statutory parent-time schedule. **Morticia Voss** will be the “custodial” parent.

For children 5-18 **Weekday parent-time** will be **Wednesday until Thursday Morning**. **On days when school is not in session** parent-time starts at 9:00 a.m. (depending on custodial parent’s work schedule) if the noncustodial parent is able to be with the child. (30-3-35).

Parent-time for special occasions

13. The parents will follow the schedule for special occasions below.

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

Special Occasion	Parent-Time Schedule
Labor Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Labor Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Labor Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Labor Day Weekend or holiday. Morticia Voss will have parent-time on the Labor Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>

Special Occasion	Parent-Time Schedule
Columbus Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Columbus Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Columbus Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Columbus Day Weekend or holiday. Gomez Addams will have parent-time on the Columbus Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Fall School Break (If applicable, commonly known as U.E.A. weekend)	<p>Odd Years: Gomez Addams will have parent-time on the Fall Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Fall Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Fall Break or holiday. Morticia Voss will have parent-time on the Fall Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Halloween	<p>Odd Years: Morticia Voss will have parent-time on Halloween in odd years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will have parent-time on Halloween in even years from after school until 9 p.m. if on a school day, or</p>

Special Occasion	Parent-Time Schedule
	from 4 p.m. until 9 p.m.
Veterans' Day	<p>Odd Years: Gomez Addams will have parent-time on the Veterans' Day in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Veterans' Day or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Veterans' Day or holiday. Morticia Voss will have parent-time on the Veterans' Day in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Thanksgiving Break	<p>Odd Years: Morticia Voss will have parent-time on the Thanksgiving Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Thanksgiving Break or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Thanksgiving Break or holiday. Gomez Addams will have parent-time on the Thanksgiving Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Winter Break	<p>Odd Years: Gomez Addams will have parent-time in odd years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided.</p> <p>Morticia Voss will have parent-time in odd years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through the holiday period until the morning school begins again when Morticia Voss delivers the child to</p>

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

Special Occasion	Parent-Time Schedule
	<p>Christmas Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Christmas Day Morticia Voss will have parent-time in even years Christmas Day</p>
New Year's Eve	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Eve. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Eve.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Eve Morticia Voss will have parent-time in even years New Year's Eve</p>
New Year's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Day. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Day Morticia Voss will have parent-time in even years New Year's Day</p>
Dr. Martin Luther King Jr. Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Dr. Martin Luther King Jr. Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Dr. Martin Luther King Jr. Day Weekend or holiday. Morticia Voss will have parent-time on the Dr. Martin Luther</p>

Special Occasion	Parent-Time Schedule
	King Jr. Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.
Presidents' Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Presidents' Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Presidents' Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Presidents' Day Weekend or holiday. Gomez Addams will have parent-time on the Presidents' Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Spring School Break	<p>Odd Years: Gomez Addams will have parent-time on the Spring School Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Spring School Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Spring School Break or holiday. Morticia Voss will have parent-time on the Spring School Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Mother's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Mother's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Mother's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Mother's Day Morticia Voss will have parent-time in even years Mother's Day from 9 a.m. until 7 p.m.</p>

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

Special Occasion	Parent-Time Schedule
	<p>session, at the option of Morticia Voss. Morticia Voss will have an additional two weeks of Extended Summer Parent-time at the option of Morticia Voss, subject to weekday parent-time and holidays for Gomez Addams, but not weekends normally exercised by Gomez Addams. Morticia Voss will notify Gomez Addams of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Gomez Addams may determine the schedule for extended parent-time for Morticia Voss, so long as Gomez Addams has provided timely notice.</p>
Independence Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Independence Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Independence Day Morticia Voss will have parent-time in even years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Morticia Voss.</p>
Pioneer Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Pioneer Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Pioneer Day Morticia Voss will have parent-time in even years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the</p>

Special Occasion	Parent-Time Schedule
	holiday at the option of Morticia Voss .
Children's Birthdays	<p>Odd Years: Gomez Addams will have parent-time in odd years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school. Morticia Voss will have parent-time in odd years on the actual birth date from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Even Years: Morticia Voss will have parent-time in even years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school. Gomez Addams will have parent-time in even years on the actual birth date from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school.</p>
Morticia Voss's Birthday	<p>Morticia Voss will have parent-time each year on Morticia Voss' birthday from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>
Gomez Addams's Birthday	<p>Gomez Addams will have parent-time each year on Gomez Addams' birthday from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>

Parent-time transfers

14. Pick-up and drop-off (“transfers”) of the children for parent-time will be as described below:

Transfer at **beginning** of parent-time will be by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharylp@gmail.com

and transfer at **end** of parent-time by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharylp@gmail.com

Decision-making

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

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

Education plan

16. The school the children will attend is based on **Morticia Voss'** home residence. **Morticia Voss** has authority to check the children out of school. **Gomez Addams** has authority to check the children out of school. **Gomez Addams** has access to the

children during school.

Communication with each other

17. Parents will communicate with each other by any method.

Communication with the children

18. The parents agree they will:

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

Parents and children may communicate with each other:

- Whenever the children choose.

Records and information sharing

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

Travel by the children

20. During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others. If the children will be travelling for more than **2** days, the parent arranging the travel will notify the other parent at least **3** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **3** days in advance. In case of emergency, the parent will provide as much notice as possible.

Other agreements about travel by the children: **If there are significant costs in the travel, we will split those costs.**

Military service by a parent (Utah Code 78B-20-4)

21. Neither parent is a servicemember.

Child care

22. A child care provider for our children must be:

- Over the age of **16**.

Relocation of a parent (Utah Code 30-3-37)

23. If either parent moves more than 149 miles from the other, the moving parent must give the non-moving parent a written Notice of Relocation. The notice must be sent at least 60 days before the planned move.

The written Notice of Relocation must include:

- Information about the move;
- A proposed parent-time schedule; and
- A statement that the parents will not interfere with the other parent's parent-time.

If the moving parent does not give the non-moving parent a Notice of Relocation, the moving parent will be in contempt of the Court's order.

24. If either parent lives more than 149 miles away from the other, or if the parents live in different countries, parent-time will be as the parties agree. If they are unable to agree, the following will be the minimum parent-time for the noncustodial parent:

Relocation Schedule (Utah Code 30-3-37)

a. in years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:

- i. Thanksgiving holiday beginning Wednesday until Sunday; and
- ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;

b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:

- i. the entire winter school break period; and
- ii. the fall school break beginning the last day of school before the holiday until the day before school resumes; and

c. extended parent-time equal to $\frac{1}{2}$ of the summer or off-track time for consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when determining the amount of parent-time to be divided between the parents for

the summer or off-track period. The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.

d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.

- i. If the noncustodial parent has not designated a specific weekend for parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.
- ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.
- iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.

e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

25. If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be shared equally.

If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

Reimbursement the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

Changing the plan

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

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

Resolving disputes

27. If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children. If the parents are unable to agree, they will go to the following before bringing the issue to the court:

Mediation.

Other agreements about resolving disputes: **We will attempt to work it out. If that doesn't work, we will flip a coin.**

Other terms that are important to us or our children

28. **We will not speak badly about the other.**

Additional parenting responsibilities, expectations or commitments:

29. **No additional provisions.**

Income: Morticia Voss (Utah Code 78B-12-203)

30. **Morticia Voss'** gross monthly for child support purposes is **\$802.00**. Her base child support amount using the sole custody calculation is **\$159.00** per month. She receives the following gross monthly income:

- Morticia Voss** is employed at **In N Out Burger**. She earns **\$801.67** gross (pre-tax) monthly income working a 40-hour a week job or less.
- Morticia Voss** receives **\$100.00** per month in public benefits from the Family Employment Program (T.A.N.F./F.E.P). This income does not count for child support purposes. (Utah Code 78B-12-203(3)).
- Morticia Voss** receives **\$100.00** per month in public benefits from a housing

subsidy program, the Job Training Partnership Act, Supplemental Security Income, Social Security Disability Insurance, Medicaid, SNAP, General Assistance, or other similar means-tested welfare benefits. This income does not count for child support purposes. (Utah Code 78B-12-203(3)).

Income: Gomez Addams

31. **Gomez Addams'** gross monthly income for child support purposes is **\$9,750.00**. His base child support amount using the sole custody calculation is **\$1,827.00** per month. He receives the following gross monthly income:

- a. **Gomez Addams** is employed at **IHC**. He earns **\$9,750.00** gross (pre-tax) monthly income working a 40-hour a week job or less.

Child support (Utah code 78B-12-202 et seq.)

32. **Gomez Addams** will be ordered to pay child support to **Morticia Voss** as follows:

- a. **\$1,827.00** per month base support. This amount complies with the Utah Child Support Act. Support for each child ends when:
 - a child turns 18 or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later (Utah Code 78B-12-219(1)), or
 - a child dies, marries, becomes a member of the United States armed forces, or is emancipated (Utah Code 78B-12-219(1), Utah Code 78A-6-801).

33. The following children are 18 years or older and incapacitated from earning a living and therefore not capable of supporting themselves by their own means, even if they are able to provide some financial resources to the family. Child support for these children will continue throughout the life of each child.

i. **Wednesday Addams**

Born 01/01/1997

34. Once a child is no longer eligible to receive child support, the support amount for the eligible children will be recalculated using the child support worksheet (Utah Code 78B-12-202 et seq.). The parties may not divide the base child support award by the number of children and subtract that amount from the prior child support amount.

35. Child support payments will start the month immediately following entry of the order. The payment schedule will be:

- one half by the 5th day of each month, and
- the other half by the 20th day of each month.

Child support not paid by the 5th day of the month is past due on the 6th day of the month. Child support not paid by the 20th day of the month is past due on the 21st day of the month. If the Office of Recovery Services is used to collect support, their payment schedule will be followed.

36. The sole custody worksheet was used to calculate child support.

- **Morticia Voss'** base child support amount is **\$159.00** per month.
- **Gomez Addams'** base child support amount is **\$1,827.00** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 78B-12-108).

Child support reduction for extended parent-time

37. If a child lives with the non-custodial parent by court order or written agreement of the parties for:

- 25 of any 30 consecutive days, base child support will be reduced by 50% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(a)).
- 12 of any 30 consecutive days, base child support will be reduced by 25% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(b)).

The custodial parent's normal parent-time and holiday parent-time do not count as an interruption of the consecutive day requirement.

38. If a child receives cash assistance through the T.A.N.F. or F.E.P. programs, any

agreement by the parties to reduce child support during extended parent-time must be approved by the Office of Recovery Services.

39. The person ordered to receive child support can request mandatory income withholding (Utah Code 62A-11 parts 4 and 5). If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed. Withheld income will be sent to the Office of Recovery Services (ORS) until all past-due support is paid. Child support payments will be sent to:

Office of Recovery Services
PO Box 45011
Salt Lake City, Utah 84145-0011

unless ORS gives notice that payments will be sent elsewhere. If ORS begins mandatory income withholding, child support is due on the first day of each month and will be past due on the first day of the next month.

40. **Morticia Voss** and **Gomez Addams** will each pay half of any ORS fee.

If a fee is withheld from payments to **Gomez Addams**, **Morticia Voss** will reimburse **Gomez Addams** for half the fee. If a fee is withheld from payments to **Morticia Voss**, **Gomez Addams** will reimburse **Morticia Voss** for half the fee.

41. The parties must notify each other within 30 days of any change in their income.

42. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and
- the amount previously ordered was not a deviation from the child support guidelines. (Utah Code 78B-12-210(8)).

If the children receive TANF funds at the time an adjustment is sought, ORS will review the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

43. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

- custody;
- the relative wealth or assets of the parties;
- income of a parent of 30% or more;
- the employment potential and ability of a parent to earn;
- the medical needs of the child; or
- the legal responsibilities of either parent for the support of others.

(Utah Code 78B-12-210(7) and (9)).

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines.

The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 78B-12-210(7)).

Dependent children for tax purposes

44. **Gomez Addams** may claim the parties' children as dependents/exemptions for tax purposes.

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

45. **Gomez Addams** must maintain medical, hospital, and dental care insurance for the dependent children if it is available at reasonable cost.

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:

- **Gomez Addams's** insurance will be primary coverage.
- **Morticia Voss'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:

- **Gomez Addams spouse's** insurance will be primary coverage.
 - **Morticia Voss spouse's** insurance will be secondary coverage.
- c. Both parties will equally share the out-of-pocket costs of the insurance premium.
- 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.

Child care expenses (Utah Code 78B-12-214)

46. Both parties will equally share all reasonable work, career, or occupational training-related child care expenses.

- a. The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any

change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.

b. The party not directly paying for child care must pay their share of child care expenses as soon as they receive verification of the expenses.

c. If a party does **not** follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

Public assistance statement – Office of Recovery Services (ORS)

(Utah Code 78B-12-113)

47. **Morticia Voss** has received or is receiving public assistance from the State of Utah. ORS may join this case as a party. **Morticia Voss** has given ORS the right to collect child support accrued during the time she was receiving public assistance.

Child name change

48. It is in the best interest of **Karina Voss** that the name of **Karina Voss** be changed to **Karina Addams**.

Duty to sign documents

49. The parties will sign all documents necessary to comply with the parentage decree within 60 days from entry of the decree. If a party fail to signs a document within 60 days, the other party may ask the Court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

Other relief if equitable and just

50. The Court should grant such other and further relief as it may deem just and appropriate in this matter.

From the foregoing Findings of Fact, the Court now makes and enters its:

CONCLUSIONS OF LAW

The Court concludes that the parties are subject to the jurisdiction of the Court and that **Morticia Voss** is entitled to a Parentage Decree in accordance with the terms of the findings above; the Parentage Decree to become final upon entry.

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

Date _____ District Court Judge _____

Signature Intervenor

CERTIFICATE OF SERVICE

I certify that on _____ (date) I filed with the court and I **mailed** a copy of this Findings of Fact and Conclusions of Law, to:

Office of the Attorney General - Child & Family Support
192 East 200 North #200
St. George, Utah 84770

**Saul Goodman
Attorney at Law
1001 Strip Mall Drive
Las Vegas, NV 90232-3232**

Sign here _____
Morticia Voss

Morticia Voss
56 Miner Dr
Price, UT 43242
(879) 879-8799
sharyl@gmail.com

Online Court Assistance Program

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

I am the Petitioner

In the District Court of Utah
 Fifth Judicial District, Iron County
 Cedar Hall of Justice, 40 North 100 East, Cedar City, Utah 84720

Morticia Voss Petitioner v. Gomez Addams Respondent	Parentage Decree and Judgment Case Number: 190443434 Judge: Smith Commissioner: _____
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This matter is before the court on **Morticia Voss'** Verified Parentage Petition. The Court has entered its Findings of Fact and Conclusions of Law. It is

ORDERED AND DECREED

Children (Utah Code 78B-15-101 et seq.)

1. **Morticia Voss** and **Gomez Addams** are the legal parents of the following children. The full name and birth date is listed for any incapacitated adult child.

- | | |
|----------------------------|------------------------|
| a. Pugsley Addams | Born 01/01/2005 |
| b. Karina Voss | Born 01/01/2019 |
| c. Wednesday Addams | Born 01/01/1997 |

Children birth records (Required by Utah Office of Vital Records and Statistics)

2. Petitioner Information

- Name: **Morticia Voss**
- Gender: **Female**
- Full birth name as it appears on her birth certificate: **Morticia Voss**

3. Respondent Information

- a. Name: **Gomez Addams**
- b. Gender: **Male**
- c. Full birth name as it appears on his birth certificate: **Not Available**

4. Child: **Karina Voss**:

- a. Child's full name as currently listed on the child's birth certificate: **Karina Voss**
- b. Child's date of birth: **01/01/2019**
- c. Father's full name as it should appear on **Karina Voss's** birth certificate: **Gomez Adams**

Custody

5. **Morticia Voss** is awarded sole legal and sole physical custody of the children.

Gomez Addams will have parent-time at reasonable times and places.

6. The adult incapacitated children will live with **Morticia Voss** and are listed for the sole purpose of determining child support.

Parent-time for special occasions

7. The parents will follow the schedule for special occasions below.

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

Special Occasion	Parent-Time Schedule
Labor Day Weekend	Odd Years: Gomez Addams will have parent-time on the Labor Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Labor Day Weekend or holiday.

Special Occasion	Parent-Time Schedule
	<p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Labor Day Weekend or holiday. Morticia Voss will have parent-time on the Labor Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Columbus Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Columbus Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Columbus Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Columbus Day Weekend or holiday. Gomez Addams will have parent-time on the Columbus Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Fall School Break (If applicable, commonly known as U.E.A. weekend)	<p>Odd Years: Gomez Addams will have parent-time on the Fall Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Fall Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Fall Break or holiday. Morticia Voss will have parent-time on the Fall Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Halloween	<p>Odd Years: Morticia Voss will have parent-time on Halloween in odd years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p>

Special Occasion	Parent-Time Schedule
	<p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on Halloween from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Gomez Addams will have parent-time on Halloween in even years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.</p>
Veterans' Day	<p>Odd Years: Gomez Addams will have parent-time on the Veterans' Day in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Veterans' Day or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Veterans' Day or holiday. Morticia Voss will have parent-time on the Veterans' Day in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Thanksgiving Break	<p>Odd Years: Morticia Voss will have parent-time on the Thanksgiving Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Thanksgiving Break or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Thanksgiving Break or holiday. Gomez Addams will have parent-time on the Thanksgiving Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Winter Break	<p>Odd Years: Gomez Addams will have parent-time in odd years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the</p>

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

Special Occasion	Parent-Time Schedule
	Morticia Voss will have parent-time in even years Christmas Eve
Christmas Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Christmas Day. Morticia Voss will <u>not</u> have parent-time in odd years Christmas Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Christmas Day Morticia Voss will have parent-time in even years Christmas Day</p>
New Year's Eve	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Eve. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Eve.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Eve Morticia Voss will have parent-time in even years New Year's Eve</p>
New Year's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years New Year's Day. Morticia Voss will <u>not</u> have parent-time in odd years New Year's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years New Year's Day Morticia Voss will have parent-time in even years New Year's Day</p>
Dr. Martin Luther King Jr. Day Weekend	<p>Odd Years: Gomez Addams will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the</p>

Special Occasion	Parent-Time Schedule
	<p>Dr. Martin Luther King Jr. Day Weekend or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Dr. Martin Luther King Jr. Day Weekend or holiday. Morticia Voss will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Presidents' Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Presidents' Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Presidents' Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Presidents' Day Weekend or holiday. Gomez Addams will have parent-time on the Presidents' Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Spring School Break	<p>Odd Years: Gomez Addams will have parent-time on the Spring School Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Morticia Voss will <u>not</u> have parent-time in odd years on the Spring School Break or holiday.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years on the Spring School Break or holiday. Morticia Voss will have parent-time on the Spring School Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
Mother's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Mother's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Mother's Day.</p>

Special Occasion	Parent-Time Schedule
	<p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Mother's Day Morticia Voss will have parent-time in even years Mother's Day from 9 a.m. until 7 p.m.</p>
Memorial Day Weekend	<p>Odd Years: Morticia Voss will have parent-time on the Memorial Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Gomez Addams will <u>not</u> have parent-time in odd years on the Memorial Day Weekend or holiday.</p> <p>Even Years: Morticia Voss will <u>not</u> have parent-time in even years on the Memorial Day Weekend or holiday. Gomez Addams will have parent-time on the Memorial Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Father's Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Father's Day from 9 a.m. until 7 p.m. Morticia Voss will <u>not</u> have parent-time in odd years Father's Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Father's Day Morticia Voss will have parent-time in even years Father's Day from 9 a.m. until 7 p.m.</p>
Summer School Break / Vacation	<p>Gomez Addams will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Gomez Addams. Gomez Addams will have an additional two weeks of Extended Summer Parent-time at the option of Gomez Addams, subject to weekday parent-time and holidays for Morticia Voss, but not weekends normally exercised by Morticia Voss. Gomez Addams will notify Morticia Voss of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Morticia Voss may determine the schedule for extended parent-time</p>

Special Occasion	Parent-Time Schedule
	<p>for Gomez Addams, so long as Morticia Voss has provided timely notice.</p> <p>Morticia Voss will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Morticia Voss. Morticia Voss will have an additional two weeks of Extended Summer Parent-time at the option of Morticia Voss, subject to weekday parent-time and holidays for Gomez Addams, but not weekends normally exercised by Gomez Addams. Morticia Voss will notify Gomez Addams of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Gomez Addams may determine the schedule for extended parent-time for Morticia Voss, so long as Gomez Addams has provided timely notice.</p>
Independence Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Independence Day.</p> <p>Even Years: Gomez Addams will <u>not</u> have parent-time in even years Independence Day Morticia Voss will have parent-time in even years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Morticia Voss.</p>
Pioneer Day	<p>Odd Years: Gomez Addams will have parent-time in odd years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Gomez Addams. Morticia Voss will <u>not</u> have parent-time in odd years Pioneer Day.</p> <p>Even Years:</p>

Special Occasion	Parent-Time Schedule
	<p>Gomez Addams will <u>not</u> have parent-time in even years Pioneer Day</p> <p>Morticia Voss will have parent-time in even years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Morticia Voss.</p>
Children's Birthdays	<p>Odd Years:</p> <p>Gomez Addams will have parent-time in odd years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Morticia Voss will have parent-time in odd years on the actual birth date from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Even Years:</p> <p>Morticia Voss will have parent-time in even years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Gomez Addams will have parent-time in even years on the actual birth date from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school.</p>
Morticia Voss's Birthday	<p>Morticia Voss will have parent-time each year on Morticia Voss' birthday from 3:00 p.m. until the following morning when Morticia Voss delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day.</p> <p>Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>
Gomez Addams's Birthday	<p>Gomez Addams will have parent-time each year on Gomez Addams' birthday from 3:00 p.m. until the following morning when Gomez Addams delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day.</p>

Special Occasion	Parent-Time Schedule
	Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.

Parent-time transfers

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

Transfer at **beginning** of parent-time will be by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharylp@gmail.com

and transfer at **end** of parent-time by **Morticia Voss** picking up/dropping off the children at this address:

Morticia Voss' residence
56 Miner Dr
Price, UT, 43242
(879) 879-8799
sharylp@gmail.com

Decision-making

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

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

Education Plan

10. The school the children will attend is based on **Morticia Voss'** home residence. **Morticia Voss** has authority to check the children out of school. **Gomez Addams** has authority to check the children out of school. **Gomez Addams** has access to the children during school.

Communication with each other

11. Parents will communicate with each other by any method.

Communication with the children

12. The parents agree they will:

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

Parents and children may communicate with each other:

- Whenever the children choose.

Records and information sharing

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

Travel by the children

14. During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others. If the children will be travelling for more than **2** days, the parent arranging the travel will notify the other parent at least **3** days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least **3** days in advance. In case of emergency, the parent will provide as much notice as possible.

Other agreements about travel by the children: **If there are significant costs in the travel, we will split those costs.**

Military service by a parent (Utah Code 78B-20-4)

15. Neither parent is a servicemember.

Child care

16. A child care provider for our children must be:

- Over the age of **16**.

Relocation of a parent (Utah Code 30-3-37)

17. If either party moves more than 149 miles from the other parent, the moving parent will provide advance written notice of the intended relocation to the other parent. If possible, the notice will be provided 60 days before the anticipated move. A moving parent who fails to comply with the notice of relocation will be in contempt of the court's order. The written notice of relocation will contain statements affirming that:

- a. the parent-time provisions in Utah Code 30-3-37(5) or a schedule approved by both parties will be followed; and
- b. neither parent will interfere with the other's parental rights pursuant to court ordered parent-time arrangements, or the schedule approved by both parties.

18. If either parent lives more than 149 miles away from the other or the parents live in separate countries, parent-time will be as the parties agree. If they are unable to agree, the following will be the minimum parent-time allowed to the noncustodial parent:

- a. in years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:
 - i. Thanksgiving holiday beginning Wednesday until Sunday; and
 - ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;
- b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:
 - i. the entire winter school break period; and
 - ii. the fall school break beginning the last day of school before the holiday until the day before school resumes; and
- c. extended parent-time equal to $\frac{1}{2}$ of the summer or off-track time for

consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when determining the amount of parent-time to be divided between the parents for the summer or off-track period. The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.

d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.

- i. If the noncustodial parent has not designated a specific weekend for parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.
- ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.
- iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.

e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

19. If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be shared equally.

If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

Reimbursement the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

Changing the plan

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

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

Resolving disputes

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

If the parents are unable to agree, they will go to the following before bringing the issue to the court:

Mediation

Other agreements about resolving disputes: **We will attempt to work it out. If that doesn't work, we will flip a coin.**

Other terms that are important to us or our children

22. **We will not speak badly about the other.**

Additional parenting responsibilities, expectations or commitments

23. **No additional provisions.**

Income: Morticia Voss (Utah Code 78B-12-203)

24. **Morticia Voss'** gross monthly for child support purposes is **\$802.00**. Her base child support amount using the sole custody calculation is **\$159.00** per month. She receives the following gross monthly income:

- Morticia Voss** is employed at **In N Out Burger**. She earns **\$801.67** gross (pre-tax) monthly income working a 40-hour a week job or less.
- Morticia Voss** receives **\$100.00** per month in public benefits from the Family Employment Program (T.A.N.F./F.E.P). This income does not count for child

support purposes. (Utah Code 78B-12-203(3)).

c. **Morticia Voss** receives **\$100.00** per month in public benefits from a housing subsidy program, the Job Training Partnership Act, Supplemental Security Income, Social Security Disability Insurance, Medicaid, SNAP, General Assistance, or other similar means-tested welfare benefits. This income does not count for child support purposes. (Utah Code 78B-12-203(3)).

Income: Gomez Addams (Utah Code 78B-12-203)

25. **Gomez Addams'** gross monthly income for child support purposes is **\$9,750.00**. His base child support amount using the sole custody calculation is **\$1,827.00** per month. He receives the following gross monthly income:

- a. **Gomez Addams** is employed at **IHC**. He earns **\$9,750.00** gross (pre-tax) monthly income working a 40-hour a week job or less.
- b. **Gomez Addams** is not employed.

Child support

26. **Gomez Addams** is ordered to pay child support to **Morticia Voss** as follows:

- a. **\$1,827.00** per month base support. This amount complies with the Utah Child Support Act. Support for each child ends when:
 - a child turns 18 or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later (Utah Code 78B-12-219(1)), or
 - a child dies, marries, becomes a member of the United States armed forces, or is emancipated (Utah Code 78B-12-219(1), Utah Code 78A-6-801).

27. The following children are 18 years or older and incapacitated from earning a living and therefore not capable of supporting themselves by their own means, even if they are able to provide some financial resources to the family. Child support for these children will continue throughout the life of each child.

- i. **Wednesday Addams** **Born 01/01/1997**

28. Once a child is no longer eligible to receive child support, the support amount for

the eligible children should be recalculated using the child support worksheet (Utah Code 78B-12-202 et seq.). The parties may not divide the base child support award by the number of children and subtract that amount from the prior child support amount.

29. Child support payments will start the month immediately following entry of the order. The payment schedule will be:

- one half by the 5th day of each month, and
- the other half by the 20th day of each month.

Child support not paid by the 5th day of the month is past due on the 6th day of the month. Child support not paid by the 20th day of the month is past due on the 21st day of the month. If the Office of Recovery Services is used to collect support, their payment schedule will be followed.

a. The sole custody worksheet was used to calculate child support.

- **Morticia Voss'** base child support amount is **\$159.00** per month.
- **Gomez Addams'** base child support amount is **\$1,827.00** per month.

If physical custody of a child changes from what the court orders:

- The parent owing support must pay the support amount to whomever has physical custody of the child.
- The parent must pay the support amount without asking the court to modify the child support order.
- This does not apply to temporary parent-time changes. (Utah Code 78B-12-108).

Child support reduction for extended parent-time

30. If a child lives with the non-custodial parent by court order or written agreement of the parties for:

- 25 of any 30 consecutive days, base child support will be reduced by 50% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(a)).
- 12 of any 30 consecutive days, base child support will be reduced by 25% for each child who lives with the non-custodial parent during that time. (Utah Code 78B-12-216(1)(b)).

The custodial parent's normal parent-time and holiday parent-time do not count as an interruption of the consecutive day requirement.

31. If a child receives cash assistance through the T.A.N.F. or F.E.P. programs, any agreement by the parties to reduce child support during extended parent-time must be approved by the Office of Recovery Services.

32. The person ordered to receive child support can request mandatory income withholding (Utah Code 62A-11 parts 4 and 5). If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed. Withheld income will be sent to the Office of Recovery Services (ORS) until all past-due support is paid. Child support payments will be sent to:

Office of Recovery Services
PO Box 45011
Salt Lake City, Utah 84145-0011

unless ORS gives notice that payments should be sent elsewhere. If ORS begins mandatory income withholding, child support is due on the first day of each month and will be past due on the first day of the next month.

33. **Morticia Voss** and **Gomez Addams** will each pay half of any ORS fee. If a fee is withheld from payments to **Gomez Addams**, **Morticia Voss** will reimburse **Gomez Addams** for half the fee. If a fee is withheld from payments to **Morticia Voss**, **Gomez Addams** will reimburse **Morticia Voss** for half the fee.

34. The parties must notify each other within 30 days of any change in their income.

35. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and

- the amount previously ordered was not a deviation from the child support guidelines. (Utah Code 78B-12-210(8)).

If the children receive TANF funds at the time an adjustment is sought, ORS will review the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

36. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

- custody;
 - the relative wealth or assets of the parties;
 - income of a parent of 30% or more;
 - the employment potential and ability of a parent to earn;
 - the medical needs of the child; or
 - the legal responsibilities of either parent for the support of others.
- (Utah Code 78B-12-210(7) and (9)).

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines. The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 78B-12-210(7)).

Dependent children for tax purposes

37. **Gomez Addams** may claim the parties' children as dependents/exemptions for tax purposes.

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

38. **Gomez Addams** must maintain medical, hospital, and dental care insurance for the dependent children if it is available at reasonable cost.

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:

- **Gomez Addams's** insurance will be primary coverage.

- **Morticia Voss'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:
- **Gomez Addams spouse's** insurance will be primary coverage.
 - **Morticia Voss spouse's** insurance will be secondary coverage.
- c. Both parties will equally share the out-of-pocket costs of the insurance premium.
- 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.

Child care expenses (Utah Code 78B-12-214)

39. Both parties will equally share all reasonable work, career, or occupational training-related child care expenses.

- a. The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.
- b. The party not directly paying for child care must pay their share of child care expenses as soon as they receive verification of the expenses.
- c. If a party does **not** follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

Public assistance statement – Office of Recovery Services (ORS)

(Utah Code 78B-12-113)

40. **Morticia Voss** has received or is receiving public assistance from the State of Utah. ORS may join this case as a party. **Morticia Voss** has given ORS the right to collect child support accrued during the time she was receiving public assistance.

Child Name Change

41. **Karina Voss** name shall be changed to **Karina Addams**.

Duty to sign documents

42. The parties will sign all documents necessary to comply with the parentage decree within 60 days from entry of the decree. If a party fail to signs a document within 60 days, the other party may ask the Court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

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

Date _____

District Court Judge_____
Signature Intervenor**Certificate of Service**

I certify that on _____ (date) I filed with the court and I
mailed a copy of this Parentage Decree and Judgment, to:

**Office of the Attorney General - Child & Family Support
192 East 200 North #200
St. George, Utah 84770**

**Saul Goodman
Attorney at Law
1001 Strip Mall Drive
Las Vegas, NV 90232-3232**

Sign here _____
Morticia Voss

Tab 11

Agenda



Administrative Office of the Courts

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

September 23, 2019

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Members of the Judicial Council Management Committee

FROM: Neira Siaperas
Utah Juvenile Court Administrator

DATE: October 08, 2019

RE: Proposed Probation Policy for Review and Approval

The Board of Juvenile Court Judges has proposed revisions of the following policies which are now advanced to the Management Committee for review and consideration. Additionally, I seek placement on the Judicial Council's consent agenda for October 28, 2019.

Section 5.2 Transporting a Minor in Custody

This policy was last updated August 1, 2001. The purpose of the policy is to provide direction to probation officers when transporting a minor to or from a detention center. Proposed changes to this policy include specification of the circumstances under which probation staff may transport a youth in custody and a directive for law enforcement to be contacted if a youth absconds or presents a threat to themselves or others during a transport.

I will be available to respond to questions during your meeting on October 08, 2019.

Thank you.

cc:

Honorable F. Richards Smith, Chair - Board of Juvenile Court Judges

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

5.2 Transporting a Minor in Custody

Policy:

This policy provides direction to probation department staff when transporting minors who are in custody.

Scope:

This policy applies to all probation department staff of the Utah State Juvenile Court.

Authority:

- [UCA 77-7](#)
- [UCA 78A-6-111](#)
- [UCA 78A-6-112](#)
- [Utah Rules of Juvenile Procedure - Rule 7](#)
- Interstate Compact on Juveniles
 - [Rule 5-103](#)
 - [Rule 6-102](#)
 - [Rule 6-103](#)
 - [Rule 6-103A](#)
 - [Rule 7-102](#)
 - [Rule 7-104](#)
 - [Rule 7-105](#)
 - [Rule 7-106](#)

Procedure:

1. The probation department shall obtain an order for detention before a minor is taken into custody. The probation department may take a minor into custody for transport to detention when:
 - 1.1. The parent, guardian or custodian is unable or unwilling to transport the minor to detention; and
 - 1.2. Law enforcement is unavailable to transport the minor to detention.
2. Probation staff shall adhere to the following when transporting a minor in custody:
 - 2.1. A state vehicle shall be used to transport the minor;
 - 2.2. Two or more probation staff shall be present when securing and transporting a minor;

- 2.2.1. At least one of the probation staff involved in the transport shall have completed the *Probation Officer Safety Training* series.
 - 2.3. The vehicle shall be searched prior to placing a minor in the vehicle;
 - 2.4. The minor shall be searched, handcuffed and properly seatbelted (see [Probation Policy - 5.4 Handcuffing](#))
 - 2.5. The minor shall be placed in the rear seat on the passenger side;
 - 2.6. One probation staff will sit behind the driver's seat;
 - 2.7. The rear doors of the vehicle shall be locked and any child-lock mechanisms shall be engaged when available; and
 - 2.8. The vehicle shall be searched again for restricted or illegal items following transport.
-
3. ICJ cases, including Out-of-State Runaways, Absconders, Escapees, Accused Status Offenders, and Accused Delinquents requiring transportation to the local airport are transported in the same manner as youth-in-custody as outlined above in Paragraph 2.
 4. The probation officer shall contact law enforcement when a minor presents an immediate threat to safety or absconds.
-

History:

Effective August 1, 2001

Approved to be sent for comment by BJCJ March 7, 2019

Updated by Policy Committee May 22, 2019

Approved by Chiefs June 17, 2019

Approved by JTCEs July 11, 2019

Approved by BJCJ September 11, 2019

5.2 Taking and Transporting a Minor in Custody

Policy:

The probation department will only take a minor into custody when an order for detention has been issued by the Court and in emergency situations in which a peace officer is not immediately available.

This policy provides direction to probation department staff when transporting minors who are in custody.

Scope:

This policy applies to all probation **department** staff of the Utah State Juvenile Court.

Authority:

- UCA 77-7
- UCA 78A-6-111
- UCA 78A-6-112
- **Utah Rules of Juvenile Procedure - Rule 7**
- **Interstate Compact on Juveniles**
 - **Rule 5-103**
 - **Rule 6-102**
 - **Rule 6-103**
 - **Rule 6-103A**
 - **Rule 7-102**
 - **Rule 7-104**
 - **Rule 7-105**
 - **Rule 7-106**

Procedure:

1. The probation department shall obtain an order for detention before taking a minor **is taken** into custody. If a judge is not immediately available and there is an imminent risk to the community, the probation officer shall hold the youth until a judge is located and: **The probation department may take a minor into custody for transport to detention when:**
 - ~~1.1~~ An order for detention is authorized by the judge, or
 - **1.1 The parent, guardian or custodian is unable or unwilling to transport the minor to detention; and**
 - ~~1.2~~ An order for detention is signed by the judge.
 - **1.2 Law enforcement is unavailable to transport the minor to detention.**

- ~~2. If the court issues an order for detention with specific date and time for the commitment, the probation officer shall inform the parents of the minor and the minor of the specifics of the order. Further the minors shall be informed to report to detention as outlined in the court order.~~
- ~~3. After an order for detention is issued, a search for the minor shall be guided by the probation department.~~
 - ~~○ 3.1 The probation officer shall inform the parents of the order, determine if the minor is present in the home, and advise the minor to submit to custody.~~
 - ~~○ 3.2 The probation officer may seek the assistance of parents and family, school authorities, law enforcement, and other appropriate agencies in the search effort.~~
 - ~~○ 3.3 Through effective case management, probation officers involved with the minor will have knowledge of associations, relationships and behavior patterns to assist with determining the whereabouts of the minor.~~
- ~~4. Probation staff shall not transport the minor if there is physical resistance, presence of weapons, or concerns about flight.~~
- ~~5. Taking the minor into custody may be accomplished by:~~ **2. Probation staff shall adhere to the following when transporting a minor in custody:**
 - ~~○ 5.1 Advising the minor to surrender at the detention center. Parents may assist the minor in the voluntary surrender by transporting the minor to detention.~~
 - ~~○ 5.2 If there appears to be no compromise to personal safety, the safety of the minor, or the safety of others, the probation officer may transport the minor to detention. The transportation shall be accomplished by:~~
 - ~~○ 5.2.1 **2.1** Using A state vehicle **shall be used** to transport the minor;~~
 - ~~○ 5.2.2 **2.2** At least Two **or more** probation staff, one of which must be a probation officer, shall be used to secure **present when securing** and **transporting** a minor;~~
 - 2.2.1 At least one of the probation staff involved in the transport shall have completed the *Probation Officer Safety Training series*.**
 - ~~○ **2.3 The vehicle shall be searched prior to placing a minor in the vehicle;**~~
 - ~~○ 5.2.3 A search of the minor and the vehicle shall be conducted prior to placing a minor in the vehicle **2.4 The minor shall be searched, handcuffed and properly seatbelted (see Probation Policy - 5.4 Handcuffing)**~~
 - ~~○ 5.2.4. Secure and restrain the minor;~~
 - ~~○ 5.2.5 Placing **2.5**The minor **shall be placed** in the rear seat behind **on** the passenger side;~~

- ~~5.2.6 The backup~~ **2.6 One** probation staff will sit behind the driver's seat; and
- ~~5.2.7 secure the seat belt on the minor and lock~~ **2.7 The rear doors of the vehicle shall be locked and any child-lock mechanisms shall be engaged when available; and**
- ~~5.3 Following transport by probation staff,~~ **2.8. The vehicle shall be checked for contraband searched again for restricted or illegal items following transport.**
- ~~5.4 Probation staff will provide the necessary paperwork for admittance to detention.~~

~~6. Law Enforcement Assistance may be obtained when:~~

3. ICJ cases, including Out-of-State Runaways, Absconders, Escapees, Accused Status Offenders, and Accused Delinquents requiring transportation to the local airport are transported in the same manner as youth-in-custody as outlined above in Paragraph 2.

4. The probation officer shall contact law enforcement when a minor presents an immediate threat to safety, absconds or attempts to abscond.

~~7. The probation department shall assist the Law Enforcement agency by providing information on the minor's whereabouts.~~

History:

Effective August 1, 2001

Approved to be sent for comment by BJCJ 3/7/19

Updated by Policy Committee May 22, 2019

Approved by Chiefs June 17, 2019

Approved by JTCEs July 11, 2019

Approved by BJCJ September 11, 2019

Proposed Policy Update for 5.2 Transporting a Minor in Custody

Comment Themes:

- Is the committee aware of any districts that provide transportation to youth participating in probation-related classes?
- The policy should include the PO's responsibilities if a youth attempts to abscond
- Does this policy cover probation officers who transport youth for ICJ operations? The youth are typically in custody but likely may not have a DT order. Will this be addressed in an ICJ policy?
- At times a youth in detention is not transported to court for a variety of reasons and in a crunch it is necessary to transport a youth in custody to court.

Response to questions:

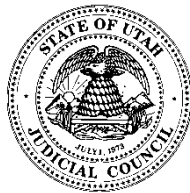
- *Policy 5.7 Transporting Youth Not in Custody* is in the process of being updated. Clarification is being sought for best practice when probation officers are transporting youth to probation classes, to be included in that policy.
- If a youth is in custody (i.e. there is a transport order) and is being transported to court by probation, this policy would apply.
- Raymundo with the Utah ICJ Office discussed with the policy group that youth who are being transported for ICJ reasons are considered 'in-custody' and would be included in this policy. Updates were included as indicated below, and will also be included in the update to *Policy 4.7 Interstate Compact on Juveniles*.

Policy Workgroup Decisions:

- Added ICJ rules to the authority that discusses ICJ youth status and why they should be considered the same as in-custody youth when being transported.
- Added #3 to indicate that ICJ youth should be transported in the same manner as other youth in custody.
- Updated #4 to include absconds and updated the wording to reflect that law enforcement shall be contacted when either of the instances occur.

Tab 12

Agenda



Administrative Office of the Courts

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

MEMORANDUM

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

To: Management Committee and Judicial Council
From: Nancy Sylvester
Date: September 27, 2019
Re: Chairmanship and district court judge positions on the Committee on Resources for Self-represented Parties

The Committee on Resources for Self-represented Parties is in need of a new chair and a new district court judge. This December, Judge Lawrence's three-year term will expire and he fills both positions. The committee recommends Judge Richard Mrazik for both.

Name of Committee: The Standing Committee on Resources for Self-represented Parties

Reason for Vacancy: District Court Judge Barry Lawrence's term expires in December.

Eligibility requirements: The positions require a district court judge and a chair. See UCJA Rule 1-205(1)(B)(viii), (1)(C).

Current committee member list:

Last Name	First Name	Representing	Original Appointment	Current Appointment	Term Ends	Term Number	Term Years
Bazzelle	Suchada	Juvenile court judge	17-Aug-18	17-Aug-18	17-Aug-21	1	3
Crismon	Sue	Salt Lake Legal Defenders	28-Apr-14	28-Apr-17	28-Apr-20	2	3
Fjeldsted	Monica	Urban clerk of court (designee)	11-Sep-17	11-Sep-17	11-Sep-20	1	3
Francis	Leslie	S J Quinney College of Law	20-Nov-17	20-Nov-17	20-Nov-20	1	3
Gray	Nicole	Appellate clerk of court	28-Jan-19	28-Jan-19	28-Jan-22	1	3
Griffith	Susan	Public	24-Feb-14	27-Feb-17	27-Feb-20	2	3

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

Chairman and District Judge for the Committee on Resources for Self-represented Parties

September 27, 2019

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Hernandez	Carl	J Reuben Clark Law School	28-Apr-14	28-Apr-17	28-Apr-20	2	3
Hoskins	Catherine	Juvenile court judge	01-May-18	01-May-18	01-May-21	1	3
Kent	Jacob	OACAP (ULS)	27-Feb-17	27-Feb-17	27-Feb-20	1	3
Lawrence	Barry	CHAIR-District court judge	23-Nov-15	10-Dec-16	10-Dec-19	1	3
Newell	Shawn	Public	18-Sep-18	18-Sep-19	18-Sep-21	1	3
Peters	Katherine	Justice court judge	28-Aug-19	28-Aug-19	28-Aug-22	1	1
Player	Nathanael	SHC	11-Sep-17	-	-	-	3
Stormont	Charles	Bar	18-Sep-18	18-Sep-18	18-Sep-21	1	3
Strand	Peter	Legal Service Org Serving Low Income (veterans)	17-Dec-18	17-Dec-18	17-Dec-21	1	3
Sudbury	Virginia	Private Attorney servicing low income	28-Feb-11	27-Feb-17	27-Feb-20	3	3
Thomas	Doug	District court judge	16-Mar-11	28-Apr-17	28-Apr-20	3	3
Thorpe	Janet	Rural Clerk of Court	25-Feb-19	2-25-19	2-25-22	1	3
Van Buren	Jessica	State Law Library	28-Feb-05	-	-	-	3
Hernandez	Amy	Ex Officio/ Domestic Violence Program Coordinator	1-Dec-18				
Mann	Kara	Ex Officio/Language Access	22-Sep-17	-	-	-	3
Sylvester	Nancy	Staff	2014	2014	Present		

Description of recruitment process:

Judge Lawrence approached judges that he knew had a strong interest and background in issues affecting unrepresented parties. Judge Mrazik has a very strong background, having been involved in the Bar Foundation for years.

List of names for consideration:

Judge Richard Mrazik

Statement of interest:

N/A

Chairman and District Judge for the Committee on Resources for Self-represented
Parties

September 27, 2019

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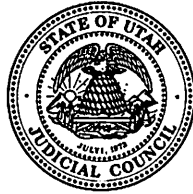
List of other current and past committee assignments:

Utah Bar Foundation

Committee recommendation

The committee recommends that Judge Mrazik be appointed to the district court judge and chairmanship positions.

Agenda



Administrative Office of the Courts

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

September 27, 2019

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council Management Committee

FROM: Standing Committee on Courts Facilities Planning

RE: Request for termination from Committee: Lyle Knudsen

The Standing Committee on Courts Facilities Planning is requesting the termination from membership for Lyle Knudsen. Mr. Knudsen has been unresponsive to phone calls and emails; he also has not attended a Committee meeting in over a year.

We are requesting the Judicial Council Management Committee consider this termination and the Committee requests approval to seek applicants to fill the public/industry position Mr. Knudsen has vacated. The Committee requests the Judicial Council Management Committee to consider this request and forward to the Judicial Council for consideration.

Thank you

A handwritten signature in black ink, appearing to be "M. B. Durrant", with a long horizontal stroke extending to the right.

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efficient, and independent system for the advancement of justice under the law.



Administrative Office of the Courts

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

September 27, 2019

Hon. Mary T. Noonan
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council Management Committee

FROM: Standing Committee on Courts Facilities Planning

RE: Renewal of Appointment: Archy Philips

The Standing Committee on Courts Facilities Planning is requesting the reappointment of Archy Philips to serve a second 3 year term on the Committee. Mr. Philips has expressed interest in continuing to serve on the Committee.

We are requesting the Judicial Council Management Committee consider this reappointment to fill the public/industry position on the Facilities Planning Committee and forward his name to the Judicial Council for consideration.

Thank you

A handwritten signature in black ink, appearing to be "M. B. Durrant", written in a cursive style.

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efficient, and independent system for the advancement of justice under the law.