

Rule 106. Modification of final domestic relations order.

1 **(a) Commencement; service; answer.** Except as provided in Utah Code Section 30-3-
2 37, proceedings to modify a divorce decree or other final domestic relations order
3 ~~shall~~must be commenced by filing a petition to modify. Service of the petition, or motion
4 under Section 30-3-37, and summons upon the ~~opposing~~other party ~~shall~~must be in
5 accordance with [Rule 4](#). The responding party ~~shall~~must serve the answer within the time
6 permitted by Rule 12.

7 **(b) Temporary orders.**

8 (1) The judgment, order or decree sought to be modified remains in effect during the
9 pendency of the petition. The court may make the modification retroactive to the date
10 on which the petition was served. During the pendency of a petition to modify, the
11 court:

12 (A) may order a temporary modification of child support as part of a temporary
13 modification of custody or parent-time; and

14 (B) may order a temporary modification of custody or parent-time to address an
15 immediate and irreparable harm or to ratify changes made by the parties, provided
16 that the modification serves the best interests of the child.

17 (2) Nothing in this rule limits the court's authority to enter temporary orders under
18 Utah Code Section 30-3-3.