

**This is a private record.**

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Email

In the District Court of Utah

\_\_\_\_\_ Judicial District \_\_\_\_\_ County

Court Address \_\_\_\_\_

<p>_____ Petitioner</p> <p>V.</p> <p>_____ Respondent</p>	<p><b>Findings of Fact and Conclusions of Law on Petition to Modify Child Custody, Parent-time and Support</b></p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
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The matter before the court is  Petitioner's  Respondent's Petition to Modify Child Custody, Parent-time and Support.

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

The default of  Petitioner  Respondent.

The stipulation of the parties.

The pleadings and other papers of the parties.

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

Petitioner

was present.

was not present.

was represented by \_\_\_\_\_ (name).

was not represented.

**Respondent**

was present.

was not present.

was represented by \_\_\_\_\_ (name).

was not represented.

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

**The Court Finds That:**

(1) The controlling child custody, parent-time and child support order is:

Title of order:			
Name of Court:		State	
Address of Clerk of Court:		Phone Number of Clerk of Court:	
Case Number:		Case Name	
Date Signed:		Signed by Judge:	

(2) There are \_\_\_\_\_ (number) children included in the controlling order whose names and birthdates are more fully described in the attached Non-Public Information-Minors Form. The initials and birth month and year of each child included in the controlling order are:

	Child's Name	Date of Birth
(1)		



(A)  The parties are not asking for an order of joint legal or physical custody.

(B)  The parties are asking for an order of joint legal or physical custody. Dispute resolution shall be: (Choose one.)

as the parties agree in the attached Parenting Plan

as proposed in the attached Parenting Plan

as described in the controlling order: (Quote the order exactly.)

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## PARENT-TIME

(8) Changing parent-time  is  is not in the best interest of the children.

## CHILD SUPPORT

(9) There  are  are not grounds to modify the controlling child support order.

(10) The modified child support is based on the parties' income or is imputed based on their work history. The required Child Support Worksheets have been provided by the parties.

(A)  The requested child support amount is consistent with the guidelines.

OR

(B)  The amount of child support requested is **not** consistent with the guidelines because complying with a provision of the guidelines or ordering an award amount resulting from use of the guidelines would be unjust, inappropriate, or not in the best interest of the child after considering: (Check all that apply.)

the standard of living and situation of the parties;

the relative wealth and income of the parties;

the payor's ability to earn;

the payee's ability to earn;

an incapacitated adult child's ability to earn;

- benefits received by or on behalf of an incapacitated adult child;
- the needs of the payee, the payor, and the children;
- the ages of the parties;
- the responsibilities of the payor and the payee for the support of others.

(11)  The controlling order should be modified to award  
 Petitioner  Respondent the child tax exemption under the following terms:

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The payor has no child support arrears, and the change in the award of the tax exemption will result in a tax benefit to the parent awarded the exemption.

(12)   Petitioner  Respondent is not able to prosecute or defend this action unless  Petitioner  Respondent pays \_\_\_\_\_ % of the costs and attorney fees of the other party.

**The Court Concludes That:**

(13) The court  does  does not have jurisdiction.

(14) There  are  are not grounds to modify the controlling order.

(15)  To enable  Petitioner  Respondent to prosecute or defend this action, it is necessary that  Petitioner  Respondent pay \_\_\_\_\_ % of the costs and attorney fees of the other party.

Approved as to form.

\_\_\_\_\_ Sign here ► \_\_\_\_\_  
 Date Petitioner or Attorney \_\_\_\_\_

\_\_\_\_\_ Sign here ► \_\_\_\_\_  
 Date Respondent or Attorney \_\_\_\_\_

\_\_\_\_\_ Sign here ► \_\_\_\_\_  
Date Recommended by Commissioner \_\_\_\_\_

\_\_\_\_\_ Sign here ► \_\_\_\_\_  
Date Ordered by Judge \_\_\_\_\_

### Certificate of Service

I certify that I served a copy of this document on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
(Petitioner or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Respondent or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Child Support Division, if applicable)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Guardian ad Litem, if applicable)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Sign here ►

\_\_\_\_\_

Date

\_\_\_\_\_

Typed or Printed Name