

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

**Order on Motion for Temporary
Order**

Case Number _____

Judge _____

Commissioner _____

(1) Hearing.

There was no hearing on this matter.

A hearing on this matter was held on _____ (date).

Petitioner was was not present
 was represented by _____
 was not represented.

Respondent was was not present
 was represented by _____
 was not represented.

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

THE COURT ORDERS:

(2) **Custody.** (Check one)

(A) The agreed-upon parenting plan is approved.

(B) The Petitioner's Respondent's parenting plan is approved.

(C) Sole physical and legal custody of the children is as follows:

Child's Initials	Year and Month of Birth	Custody to:
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

(3) Parent-time. (Check one)

- (A) The agreed-upon parenting plan is approved.
- (B) The Petitioner's Respondent's parenting plan is approved.
- (C) Utah standard parent-time will apply.
- (D) Other (Describe the parent-time schedule.)

(4) How to exchange children for parent-time. (Check one)

- (A) Curbside pick-up and drop-off by Petitioner Respondent at the following address:

(B) Other (Describe the procedure to exchange the children.)

(5) Child support.

- (A) Petitioner Respondent shall pay \$_____ per month for the children.

(B) Petitioner's base child support is \$_____ per month. Respondent's base child support is \$_____ per month. Except during parent-time, if the living arrangements of a child change from residing with the custodial parent to residing with the non-custodial parent, then the parent the child is not residing with must pay that parent's "base child support" to the parent the child is residing with without the need to modify the child support order.

(C) If approved by court order or written agreement signed by the parties, the base child support shall be reduced

(i) by 50% for each child who resides with the non-custodial parent for at least 25 of any 30 consecutive days; and

(ii) by 25% for each child who resides with the non-custodial parent for at least 12 of any 30 consecutive days.

Parent-time with the custodial parent shall not be considered an interruption of the consecutive-day requirement for the non-custodial parent.

(D) The obligation shall be effective immediately upon entry of the order and last until a final order is entered or until;

(i) a child becomes 18 years of age, or has graduated from high school during the child's normal year of graduation, whichever occurs later; or

(ii) a child dies, marries, becomes a member of the armed forces of the United States, or is emancipated under Utah law.

(E) When a child no longer qualifies to receive child support, the base child support for the remaining children shall be automatically adjusted to the base child support in the table for that number of children using the appropriate calculation and worksheet under Utah Code Title 78B, Chapter 12, Part 2.

(Check (F) or (G), whichever is ordered.)

(F) Income shall be withheld from the salary and wages of the non-custodial parent. Income withholding shall apply to existing and future payors. Unless the Office of Recovery Services gives notice that payments should be sent elsewhere, all child support payments shall be made to the Office of Recovery Services, P.O. Box 45011, Salt Lake City, UT 84145-011. All administrative fees and costs of income withholding assessed by the Office of Recovery Services shall be paid by the non-custodial parent. Child support shall be due on or before the first day of each month and delinquent on the first day of the following month.

OR

(G) Child support shall be paid directly to the custodial parent. The non-custodial parent has paid other court ordered support on time. Income withholding for this child support would not be in the children's best interest because:

In addition, the non-custodial parent: (Check the box or boxes that qualify for direct payments.)

- and the custodial parent have signed the attached written agreement, which provides for a different payment arrangement;
- has obtained a bond, deposited money in trust for the children, or made other arrangements to guarantee child support payments for at least 2 months;
- has arranged to deposit all child support payments into an account belonging to me; (I will provide the information necessary for the other party to set up direct deposit through his or her employer. Upon receipt of the information, the other party should have his or her employer establish direct deposit to an account of my choice.)
- has made arrangements insuring that a reliable and independent record of the date and place of child support payments will be maintained; or
- has arranged for electronic transfer of funds on a regular basis.

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

- one-half on or before the 5th day of each month, and one-half on or before the 20th day of each month.
- other (describe)

(H) The children are recipients of cash assistance from the state of Utah through the Temporary Aid to Needy Families (TANF) program or Family Employment Program (FEP) and any agreement by the parties to reduce child support under (5)(B) or (5)(C) must be approved by the Office of Recovery Services.

(I) Each party shall notify the other within 10 days of any change in income.

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

(6) Child care expenses. Both parties shall share equally the reasonable child care expenses related to the custodial parent's work or training. The parent who incurs child care expenses shall provide to the other parent written verification of the child care provider's expense and identity:

(A) upon initial engagement of the provider;

(B) within 30 calendar days after a change in the provider or the expense; and

(C) upon the request of the other parent.

If the parent incurring the expenses fails to comply with these provisions, the parent should be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses. Immediately after receiving written verification, the other parent shall, on a monthly basis, reimburse the parent who incurred the child care expenses one-half of the amount.

(7) Health insurance. Petitioner Respondent shall maintain health insurance for our minor children. Both parties shall share equally:

(A) the cost of the premium paid by a parent for the children's portion of the insurance; and

(B) all reasonable and necessary uninsured medical expenses incurred for the children and paid by a parent, including deductibles and co-payments.

The children's portion of the premium shall be calculated by dividing the premium amount by the number of people covered by the policy and multiplying the result by the number of minor children of the parties. The parent ordered to maintain insurance shall provide written verification of coverage to the other parent and the Office of Recovery Services:

- (D) upon initial enrollment of the children;
- (E) on or before January 2, of each calendar year; and
- (F) upon any change of insurance carrier, premium, or benefits within 30 calendar days after the date that parent knew or should have known of the change.

If the parent ordered to maintain insurance fails to provide written verification of coverage to the other parent or to the Office of Recovery Services, or if the parent incurring medical expenses fails to provide written verification of the cost and payment of the expenses to the other parent within 30 days of payment, that parent may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses. The parent receiving written verification shall reimburse the parent who incurred the medical expenses one-half of the amount within 30 days after receiving the written verification.

(8) Alimony.

<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	shall pay \$ _____ each month for alimony to	<input type="checkbox"/> Respondent <input type="checkbox"/> Petitioner
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(9) Attorney fees.

<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	shall pay \$ _____ for attorney fees to	<input type="checkbox"/> Respondent <input type="checkbox"/> Petitioner
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(10) Payment of bills and debts.

Petitioner shall pay the following bills and debts:

Respondent shall pay the following bills and debts:

(11) Possession of property.

Petitioner shall have

The following essential personal belongings:

The following property needed for daily living:

The Respondent shall have

The following essential personal belongings:

The following property needed for daily living:

The parties shall take possession of the property as follows.

Petitioner:

Respondent:

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

(12) **Other.** The court further orders:

Date: _____ Sign here ► _____

Commissioner _____

Date: _____ Sign here ► _____

Judge _____

Certificate of Service

I certify that I served a copy of this Order on Motion for Temporary Order 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.)		
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Date _____

Sign here ► _____

Typed or printed name _____