

1 **Rule 4-907. Divorce education and divorce orientation courses.**

2 Intent:

3 To establish policies for the implementation of the divorce education
4 course required by Utah Code Section 30-3-11.3 and the divorce orientation
5 course required by Utah Code Section 30-3-11.4.

6 Applicability:

7 This rule shall apply to all proceedings in which Utah Code Section 30-3-
8 11.3, Utah Code Section 30-3-11.4 or a court order require attendance at one
9 or both courses.

10 Statement of the Rule:

11 (1) The education department within the Administrative Office of the Courts
12 shall:

13 (1)(A) establish uniform specifications and standards for the courses;

14 (1)(B) issue a request for proposals setting forth the uniform specifications
15 and standards;

16 (1)(C) award contracts for live courses; and

17 (1)(D) produce the courses by video and other effective formats.

18 (2)(A) Each party required to attend one or both courses shall attend the
19 live course at any location at which it is offered.

20 (2)(B) A party required to attend one or both courses may watch a video of
21 the course if:

22 (2)(B)(i) the party lives out of state or more than 60 miles from the nearest
23 live class;

24 (2)(B)(ii) the party is in prison, jail or other detention facility;

25 (2)(B)(iii) the party is an in-patient at a medical facility; or

26 (2)(B)(iv) the party's request to watch the video is approved by the divorce
27 education administrator.

28 (2)(C) The party may purchase the video or watch it at any district court
29 courthouse.

30 (3) The course provider or the custodian of the video shall provide the party
31 with a certificate of completion.

32 (4) When the petition is filed, the clerk shall notify the petitioner of the
33 course requirement. The petitioner shall notify the respondent of the
34 requirement and file a certificate of service of the notice.

35 (5) Any person attending a course shall present a valid form of photo
36 identification, and pay the course fee or present a copy of an order waiving
37 the fee or a motion to waive fees that has been filed with the court. If the court
38 determines that the party is not impecunious, the court may enter judgment for
39 the amount of the course fee.

40 (6) The fee for attending the education course or watching the video is
41 \$35.00, which includes \$8.00 for deposit in the Children's Legal Defense
42 Fund. The fee for attending the orientation course is \$15.00 for petitioners
43 who attend the course within 30 days of filing and for respondents who attend
44 the course within 30 days of service. Otherwise, ~~the~~ the fee for attending the
45 orientation course, taking the course online, or watching the video is \$230.00,
46 which includes \$5.00 for deposit in the Children's Legal Defense Fund.

47 (7) The course provider shall, within 72 hours of each course, provide the
48 court with an alphabetized list of each party who completed the course.