

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

2       Intent:

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

6       Applicability:

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

9       Statement of the Rule:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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