

\_\_\_\_\_  
My Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

In the District Court of Utah

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

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

	<b>Findings of Fact, Conclusions of Law, and Order</b>
_____ Petitioner	_____ Case Number
V.	_____ Judge
_____ Respondent	_____ Commissioner

The matter before the court is  Petitioner's  Respondent's Motion to Modify Child Support entered more than 3 years ago. This matter is resolved by:

The default of  Petitioner  Respondent.

The stipulation of the parties.

The pleadings and other papers of the parties.

A hearing 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.

Office of Recovery Services

was  was not present

was represented by \_\_\_\_\_

Payee, guardian, conservator or custodian \_\_\_\_\_ (name)

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 Finds That:**

**(1) Controlling child support order.** The controlling 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:	
Payor:	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	Monthly Amount	\$

**(Paragraphs (2)(A), (2)(B), and (2)(C) are separate conditions for jurisdiction. At least one Paragraph must apply.)**

**(2)(A) [ ] Jurisdiction.** This court has jurisdiction under Utah Code Section 78B-14-205. A Utah court issued the controlling child support order consistent with Utah law, and the order has not been modified by a tribunal of another state, and: (At least one must apply.)

on the date the Petition to Modify Child Support was filed, Utah was the residence of the Petitioner or Respondent or the children for whose benefit the order was issued; or

The non-resident parties have filed consent that this court may continue to exercise jurisdiction to modify its order.

**(2)(B)**  **Jurisdiction.** This court has jurisdiction under Utah Code Section 78B-14-613. (All must apply.)

The controlling child support order, issued in another state, has been registered and confirmed in Utah, and

the order may be modified under the law of the issuing state, and

Petitioner and Respondent reside in Utah, and

the children do not reside in the issuing state.

**(2)(C)**  **Jurisdiction.** This court has jurisdiction under Utah Code Section 78B-14-611. The controlling child support order, issued in another state, has been registered and confirmed in Utah, the order may be modified under the law of the issuing state, and Utah can exercise personal jurisdiction over any non-resident individual in this action or the individual's guardian or conservator because:

(At least one must apply.)

the individual has been personally served with notice within Utah; or

the individual submits to the jurisdiction of Utah by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction; or

the individual resided with the children in Utah; or

the individual resided in Utah and provided prenatal expenses or child support; or

the children reside in Utah as a result of the acts or directives of the individual; or

the individual engaged in sexual intercourse in Utah and the child may have been conceived by that act of intercourse; or

the individual asserted parentage in the putative father registry maintained in Utah by the state registrar of vital records in the Department of Health; or

there is a basis for the exercise of personal jurisdiction consistent with the Utah Constitution and the United States Constitution;

**AND** (At least one must apply.)

The party requesting modification does not reside in Utah, and neither the answering party nor the children reside in the issuing state; or

Neither party resides in Utah, but the children do, and both parties have filed consents in the issuing court for a Utah court to modify the support order and assume continuing, exclusive jurisdiction; or

Neither party resides in Utah, but this court has personal jurisdiction over at least one of the parties, and both parties have filed consents in the issuing court for a Utah court to modify the support order and assume continuing, exclusive jurisdiction.

**(3) Relationship to children.** The party requesting modification is the:

payor (person who pays child support)

payee (person who receives child support);

and the

mother of

father of

legal guardian, conservator or custodian of

the children more fully described in the Non-public Information Form.

**(4)  Grounds to modify.** (All must apply.)

The controlling child support order has not been modified within the last three years; and

there is a difference of 10% or more between the support amount as ordered and the support amount as required under the guidelines; and

the difference is not temporary; and

the proposed child support amount is consistent with the guidelines.

**The Court Concludes That:**

(5) The court   does not have jurisdiction.

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

(7)  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.

**The Court Orders That:**

- (8)  The Motion to Modify Child Support is denied.
- (9)  The Motion to Modify Child Support is granted. The controlling child support order is modified as follows:
- (A)  Petitioner  Respondent must pay \$ \_\_\_\_\_ each month to support the children.
- (B) The court further orders:

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- (10) The remainder of the order described in Paragraph (1) remains unchanged.
- (11)  Petitioner  Respondent must pay \_\_\_\_\_ % of the costs and attorney fees of the other party in this matter.

Approved as to form.

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

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

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

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