
Name

Address

City, State, Zip

Phone

Email

This motion will be decided by the court commissioner at an upcoming hearing. If you do not appear at the hearing, the Court might make a decision against you without your input. In addition, you may file a written response at least 14 days before the hearing.

Check your email. You will receive information and documents at this email address.

I am Petitioner Respondent
 Petitioner's Attorney Respondent's Attorney (Utah Bar #: _____)
 Petitioner's Licensed Paralegal Practitioner
 Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

Motion to Adjust Child Support - Commissioner

Stipulated Motion to Adjust Child Support - Commissioner
(Utah Rule of Civil Procedure 106 and Utah Code 78B-12-210(8))

Hearing Requested

Case Number

Judge

Commissioner

I ask the court to adjust the child support orders as follows.

1. **Controlling order**

The order controlling child support 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. **Controlling support order**

(Required.)

I have attached a copy of the current order.

3. **Jurisdiction (Authority to Adjust Order)**

(Note: an order could be registered in another state, but that does not always mean the other state has jurisdiction to adjust or change the order.)

The children reside:

Child's name	Where child resides (state or country)	Lived there more than 6 months?
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

The petitioner resides in: _____ (state or country).

The respondent resides in: _____ (state or country).

The controlling order was issued by (Choose one.):

a Utah court, and
(Choose all that apply.)

jurisdiction **has never** been transferred to another state.

That court has always maintained the case

No other court has ever expressed a willingness to change the order
Jurisdiction has always remained with this court.

jurisdiction **has** been transferred to another state.

Name of court: _____ Date transferred: _____

other (Describe what has happened with the order):

OR

a non-Utah court, and
(Choose all that apply.)

jurisdiction **has never** been transferred to Utah.

jurisdiction **has** been transferred to Utah. Date: _____.

the order **has** been registered in Utah for enforcement purposes only.

there is substantial evidence in Utah about the children's care,
protection, training, and personal relationships.

other courts have made a decision about jurisdiction and a copy of that
order is attached to this petition.

other (Describe what has happened with the order):

4. Relationship to children

I am the (Choose all that apply.):

person who pays child support.

person who receives child support.

I am (Choose one.):

the mother of

the father of

the legal guardian or legal custodian of

a person who has been acting as a parent (Utah Code 30-5a-103) to
the children listed below.

5. Minor children

There are _____ (number) minor children included in the controlling order.

Child's name (first, middle and last)	Child's gender	Month and year of birth

6. Current living arrangement

The children are currently living (Choose one.):

as stated in the controlling order.

as described below:

Child's name	Address (street, city, state, ZIP)	Name(s) of person(s) who live with child at this address	Relation- ship(s) to child

7. Other cases (Utah Rule of Civil Procedure 100)

There are no other cases that involve(d) the children or this case.

The following cases involve(d) the children or this case:

(Include pending or closed, civil or criminal, in this court or in any other court, in this state or in any other state. Each party has a continuing duty to notify the court of any case (past, current, or future) that could affect this case.)

Court (Name, address, and phone number)	
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Case number			
Type of case (Choose all that apply.)	<input type="checkbox"/> adoption <input type="checkbox"/> custody <input type="checkbox"/> delinquency <input type="checkbox"/> divorce <input type="checkbox"/> enforcement of an order	<input type="checkbox"/> grandparent visitation <input type="checkbox"/> guardianship <input type="checkbox"/> modification of an order <input type="checkbox"/> parentage	<input type="checkbox"/> protective order <input type="checkbox"/> support <input type="checkbox"/> termination of parental rights <input type="checkbox"/> other: _____

Court (Name, address, and phone number)			
Case number			
Type of case (Choose all that apply.)	<input type="checkbox"/> adoption <input type="checkbox"/> custody <input type="checkbox"/> delinquency <input type="checkbox"/> divorce <input type="checkbox"/> enforcement of an order	<input type="checkbox"/> grandparent visitation <input type="checkbox"/> guardianship <input type="checkbox"/> modification of an order <input type="checkbox"/> parentage	<input type="checkbox"/> protective order <input type="checkbox"/> support <input type="checkbox"/> termination of parental rights <input type="checkbox"/> other: _____

Court (Name, address, and phone number)			
Case number			
Type of case (Choose all that apply.)	<input type="checkbox"/> adoption <input type="checkbox"/> custody <input type="checkbox"/> delinquency <input type="checkbox"/> divorce <input type="checkbox"/> enforcement of an order	<input type="checkbox"/> grandparent visitation <input type="checkbox"/> guardianship <input type="checkbox"/> modification of an order <input type="checkbox"/> parentage	<input type="checkbox"/> protective order <input type="checkbox"/> support <input type="checkbox"/> termination of parental rights <input type="checkbox"/> other: _____

8. Child support – reasons to adjust

I ask that child support be adjusted because the 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 support amount is consistent with the child support guidelines.

Utah Code 78B-12-210(8).

9. Current child support order

The controlling order directs petitioner respondent to pay \$_____ each month for child support.

10. **Proposed child support**

I ask the court to adjust child support based on the parties' incomes or estimated income based on ability or work history.

a. **Petitioner's Income**

Petitioner's total countable gross monthly income for child support purposes is \$_____ (Utah Code 78B-12-203).

This income is from these sources:

_____.

The court should consider petitioner's income to be \$_____ based on (Choose one.):

minimum wage.

historical earnings.

Petitioner does receive or has received public assistance.

b. **Respondent's income**

Respondent's total countable gross monthly income for child support purposes is \$_____ (Utah Code 78B-12-203).

This income is from these sources:

_____.

The court should consider respondent's income to be \$_____ based on (Choose one.):

minimum wage.

historical earnings.

Respondent does receive or has received public assistance.

c. **Child support worksheets**

Order petitioner respondent to pay \$_____ per month for child support. The following child support worksheet is filed or attached (Choose one.):

sole physical custody worksheet

joint physical custody worksheet

split custody worksheet

d. Statement of compliance with child support guidelines

(Choose one.)

- This amount is based on the Uniform Child Support Guidelines (Utah Code 78B-12-2).
- This amount is **not** based on the Uniform Child Support Guidelines and I am asking for a different amount because (Choose one.):
- the guidelines are unjust.
 - the guidelines are inappropriate.
 - the guidelines amount is not in the best interest of the child/ren.
(Utah Code 78B-12-202 and 210.)

Explain your choice:

e. Effective Date

Child support should be effective (Choose one.):

- the first day of the month following entry of the Order on Motion to Adjust.
- as of: _____ (date).

f. Method of payment

Child support should be paid as follows (Choose one.):

- Mandatory income withholding by the Office of Recovery Services (ORS). Unless ORS gives notice that payments should be sent elsewhere, all child support payments should be made to:

Office of Recovery Services
PO Box 45011
Salt Lake City, UT 84145

- Direct payments to the parent receiving child support by (Choose one.):
- Check
 - Deposit in bank account
 - Cashier's check or money order
 - Other: _____

I ask for direct payment because (Utah Code 62A-11-404):

g. Payment schedule

Child support payments must be paid by the following due date (Choose one.):

One half by the 5th day of each month, and the other half by the 20th day of each month.

Other:

h. Delinquent payments

Child support not paid by the due date is delinquent the next day.

i. Past-due child support

The issue of past-due child support may be decided by further judicial or administrative process.

If support is past due, the State of Utah may take federal or state tax refunds or rebates and apply the amounts to the child support owed.

11. **Attorney fees and costs**

I ask the court to order the other party pay my attorney fees and costs.

12. **Other**

I ask the court for these additional orders:

I ask for these additional orders because:

13. **Remainder of order unchanged**

The remainder of the order should remain unchanged.

14. **Declaration about child support services** (Utah Code 78B-12-113(2)(b))
(Child support services include establishing, modifying or enforcing child support, or establishing paternity.)

The Office of Recovery Services (Choose one.):

has never provided child support services for any child listed in paragraph 5.

has or is providing child support services for any child listed in paragraph 5.
I will serve on the Attorney General:

- a copy of this motion, and
- the Stipulation to the motion, if any, and
- Notice to Child Support Division of the Office of the Attorney General and Request to Join

15. **Hearing** (Required in districts 1-4; optional in districts 5-8.)

I request a hearing on this motion.

I do not request a hearing on this motion.

16. **Documents**

I am filing the following documents along with this Motion to Adjust Child Support:

(Check all that apply. Forms can be found at www.utcourts.gov.)

Non-public Information – Parent Information and Location

Non-public Information – Minors

Non-public Information – Safeguarded Address (if applicable)

Notice to Child Support Division of the Office of the Attorney General and Request to Join (if applicable; also serve on the Attorney General)

Child Support Obligation Worksheet

Petitioner or Respondent

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____
Printed Name _____

Stipulation (optional)

I am the [] petitioner [] respondent and the party responding to this Motion to Adjust Child Support.

1. I have received and read the motion and its supporting documents.
2. I understand what the motion requests.
3. I understand I have the right to contest the motion by filing a memorandum opposing motion, and have the court decide the issues.
4. I agree to the requests in the motion.
5. I agree the court may enter an order of adjustment consistent with the motion at any time and without further notice.

Petitioner or Respondent

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____
Printed Name _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Date

Signature ► _____
Printed Name _____

Notice to responding party

You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms: utcourts.gov/motions



Scan QR code to visit page

Finding help

The court's Finding Legal Help web page (utcourts.gov/help) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.



Scan QR code to visit page

Aviso para la parte que responde

Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios: utcourts.gov/motions-span



Para acceder esta página escanee el código QR

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal (utcourts.gov/help-span) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.



Para acceder esta página escanee el código QR

Certificate of Service

I certify that I filed with the court and am serving a copy of this Motion or Stipulated Motion to Adjust Child Support on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> 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

 Signature ►

 Printed Name