
3. For these reasons, Petitioner respectfully requests that the Court enter an order setting this motion for hearing before trial. PETITIONER WILL STILL APPEAR AT REGULARLY SCHEDULED HEARING. This motion will be set for hearing immediately prior to trial. (initial here) _____

NOTE: EVEN THOUGH YOU HAVE SUBMITTED THIS MOTION YOU ARE STILL REQUIRED TO APPEAR AT YOUR REGULARLY SCHEDULED HEARING.

Petitioner: _____

CERTIFICATE OF MAILING

INSTRUCTIONS TO THE PETITIONER

Cases alleging abuse, neglect, or dependency of a child are governed by Utah Code 78-3a-301 et seq. The procedure is set forth in the Utah Rules of Juvenile Procedure. If you have any questions not addressed in these instructions, refer to the Utah Code. You should be able to locate a copy in your local library, on the State Court Website at <http://courtlink.utcourts.gov> (for procedural rules), or the Legislature's Website at <http://www.state.le.us> (for the Utah Code).

FILING FOR CHANGE OF COUNSEL

The right to counsel in parental termination proceedings is granted pursuant to *Utah Code Ann. § 78-3a-913(1)(a)* (2002), which provides that parents, guardians, custodians, and the minor, if competent, shall be informed that they have the right to be represented by counsel at every stage of the proceedings. They have the right to employ counsel of their own choice and if any of them requests an attorney and is found by the court to be indigent, counsel shall be appointed by the court.

If your attorney has failed to consult with you, or provide available information as to your case, you may request that be allowed to be given time to hire or consult with new counsel. The judge is not obligated to decide that you are entitled to new counsel. Motions for substitute counsel made solely to impede the prompt administration of justice will not be granted. This claim must be made in a timely fashion, but no later than 10 days prior to trial. If you make this claim less than 10 days prior to trial, the judge may deny your request.

You must fill out this form completely and serve all parties with notice of this motion. If you do not provide facts showing that you are entitled to new counsel, the judge may deny your request.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this proceeding should call the court clerk at least three working days prior to the proceeding.