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| In the District Court of Utah  \_\_\_\_\_\_\_\_\_\_ Judicial District \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County  Court Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |
| In the Matter of (select one)  [ ] the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)  [ ] the Children of (to establish custody, parent-time or child support)  [ ] the Parentage of the Children of (for a paternity case)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of Petitioner)  and  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of Respondent)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Other parties (if any) | | **Findings of Fact and Conclusions of Law on Petition to Modify Child Support**  (Utah Rule of Civil Procedure 106)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Case Number  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Judge  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Commissioner | |

The matter before the court is a Petition to Modify Child Support. This matter is being resolved by: (Choose all that apply.)

[ ] The default of [ ] petitioner [ ] respondent.

[ ] The stipulation of the parties.

[ ] The pleadings and other papers of the parties.

[ ] A hearing held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), notice of which was served on all parties.

Petitioner

[ ] was [ ] was not present

[ ] was represented by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] was not represented.

Respondent

[ ] was [ ] was not present

[ ] was represented by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] was not represented.

**The court finds:**

1. 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.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 |
|  |  |  |
|  |  |  |
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3. Utah [ ] does [ ] does not have jurisdiction in this case.

4. A material and substantial change in circumstances [ ] has [ ] has not occurred since the controlling order was entered. The court considered the following factors:

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| --- |
|  |
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|  |

5. [ ] 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.

[ ] There are one or more material changes that affect the child support calculation. There is a difference of 15% or more from the current support order. The difference is not temporary. There is a change (Choose all that apply.):

[ ] in custody.

[ ] in the relative wealth or assets of the parties.

[ ] of 30% or more in the income of a parent.

[ ] in the employment potential and ability of a parent to earn.

[ ] in the medical needs of the child.

[ ] in the legal responsibilities of a parent for the support of others.

(Utah Code 81-6-212(3)-(4))

[ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (child’s name) is emancipated.

[ ] there has been a change:

(At least one must apply, but choose all that do apply.)

[ ] in the availability, coverage, or reasonableness of cost of health care insurance of the [ ] payor [ ] payee;

[ ] in work-related or education-related child care expenses of the  
[ ] payor [ ] payee.

a. Petitioner’s total countable gross monthly income for child support purposes is $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Utah Code 81-6-203).

[ ] Petitioner’s income is imputed based on:

[ ] minimum wage.

[ ] historical earnings.

[ ] Petitioner does receive or has received public assistance.

b. Respondent’s total countable gross monthly income for child support purposes is $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Utah Code 81-6-203).

[ ] Respondent’s income is imputed based on:

[ ] minimum wage.

[ ] historical earnings.

[ ] Respondent does receive or has received public assistance.

**The court concludes:**

6. The court [ ] does [ ] does not have jurisdiction.

7. There [ ] are [ ] are not grounds to modify the controlling order.

8. [ ] Other:

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|  |

Commissioner’s or judge’s signature may instead appear at the top of the first page of this document.

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| --- | --- | --- | --- |
|  | | Signature ► |  |
| Date | Commissioner | |  |
|  | | Signature ► |  |
| Date | Judge | |  |

Approved as to form.

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| --- | --- | --- | --- |
|  | | Signature ► |  |
| Date | Petitioner, Attorney or Licensed Paralegal Practitioner | |  |
|  | | Signature ► |  |
| Date | Respondent, Attorney or Licensed Paralegal Practitioner | |  |

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| **Certificate of Service**  I certify that I filed with the court and am serving a copy of this Findings of Fact and Conclusions of Law on Petition to Modify Child Support on the following people. | | | | | | |
| Person’s Name | | Service Method | | | Service Address | Service Date |
|  | | [ ] Mail  [ ] Hand Delivery  [ ] E-filed/MyCase  [ ] Email  [ ] Left at business (With person in charge or in receptacle for deliveries.)  [ ] Left at home (With person of suitable age and discretion residing there.) | | |  |  |
|  | | [ ] Mail  [ ] Hand Delivery  [ ] E-filed/MyCase  [ ] Email  [ ] Left at business (With person in charge or in receptacle for deliveries.)  [ ] Left at home (With person of suitable age and discretion residing there.) | | |  |  |
|  | | [ ] Mail  [ ] Hand Delivery  [ ] E-filed/MyCase  [ ] Email  [ ] Left at business (With person in charge or in receptacle for deliveries.)  [ ] Left at home (With person of suitable age and discretion residing there.) | | |  |  |
|  | | | Signature ► |  | | |
| Date | Printed Name | | |  | | |