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IN THE FOURTH JUDICIAL DISTRICT COURT  
IN AND FOR UTAH COUNTY, STATE OF UTAH

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GOOD CLIENT,

Petitioner,

vs.

OPPOSING PARTY,

Respondent.

**VERIFIED COMPLAINT FOR  
DIVORCE**

Case Number: 123456789

Judge:

Commissioner:

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Petitioner, Good Client, by and through her counsel of record, hereby complains for divorce against Respondent, Opposing Party, as follows:

**THREE-MONTH RESIDENCY**

1. The parties are, as of the date this action was filed, bona fide residents of Utah County, State of Utah.
2. The parties have been residents of Utah County, State of Utah, for at least three months immediately prior to the filing of this action.

**MARRIAGE**

3. Petitioner and Respondent were married on October 28, 2005, in Utah County, State of Utah, and they are presently married.
4. The parties separated on January 27, 2019.

## **GROUND**

5. Respondent committed adultery subsequent to his marriage to Petitioner.

6. During the marriage, Respondent has treated Petitioner cruelly, to the extent of causing her significant mental distress and emotional injury.

7. During the course of the marriage, the parties have experienced difficulties that cannot be reconciled and that prevent the parties from pursuing a viable marriage relationship.

## **MILITARY SERVICE STATUS**

8. Neither party is serving in, nor has served, in the United States military.

## **PUBLIC ASSISTANCE STATEMENT – ORS**

9. Petitioner has not received, nor is receiving, public assistance from the State of Utah.

10. To the best of Petitioner's knowledge, Respondent has not received, nor is receiving, public assistance from the State of Utah.

## **CHILDREN**

11. The parties are the legal mother and legal father of one minor child, whose initials are A.B.C. and date of birth is May of 2017.

12. This court has jurisdiction to determine the issues related to the parties' minor child (hereinafter referred to as "the child" or "A.B.C.") in this divorce action, as the child was born of the parties' marriage and, therefore, the parties became the legal parents of the child subsequent to their marriage.

### **UCCJEA Jurisdiction**

13. Utah has jurisdiction over the custody and parent-time issues in this case pursuant to Utah's Uniform Child Custody Jurisdiction and Enforcement Act, as Utah is the home state of the parties' child under Utah Code § 78B-13-102(7) and/or this case meets the criteria under Utah Code § 78B-13-201(1), 207, and 208.

### **URCP Rule 100 Information**

14. Pursuant to Rule 100 of the Utah Rules of Civil Procedure, The Uniform Child Custody Jurisdiction and Enforcement Act, Utah Code § 78B-13-101 *et seq.*, The Uniform Interstate Family Support Act, and Utah Code § 78B-14-101 *et seq.*, Petitioner states upon that:

- a. upon information and belief, there are no proceedings in a court of law or governmental agency for custody, child support, parent-time, or visitation concerning A.B.C. that have been filed, are pending, or have been completed with an order;
- b. Petitioner is unaware of any criminal, delinquency, or protective order cases involving a party or A.B.C.; and
- c. Petitioner is unaware of any person who is not a party to these proceedings who has physical custody of A.B.C. or who claims to have custody, child support, and/or parent-time or visitation rights with respect to A.B.C.

### **Physical Custody**

15. Petitioner is a fit and proper parent to be awarded the sole physical custody of A.B.C.

16. Petitioner should be awarded the sole physical custody of A.B.C.

### **Legal Custody**

17. Petitioner is a fit and proper parent to be awarded the sole legal custody of A.B.C.

18. Petitioner should be awarded the sole legal custody of A.B.C.

### **Supervised parent-time (Utah Code § 30-3-34.5)**

19. Pursuant to Utah Code § 30-3-5(5)(b), this court should make a specific finding of the need for peace officer enforcement of the parent-time provisions of the decree of divorce, and it should authorize any peace officer to enforce the provisions of the court-ordered parent-time or visitation schedule.

20. For A.B.C.'s protection, it is necessary that parent-time between Respondent and A.B.C. is supervised.

21. No less restrictive means than supervised parent-time is reasonably available to protect A.B.C. during the exercise of parent-time between Respondent and A.B.C.

22. Without supervised parent-time, A.B.C. would be subject to physical harm, emotional harm, or child abuse, as described in Utah Code § 76-5-109, from Respondent if left unsupervised with Respondent.

23. In conformity with Utah Code § 30-3-34.5(3), if no court-designated parent-time supervisor is available to supervise parent-time between Respondent and A.B.C. pursuant to Utah Code § 30-3-34.5(2), then Respondent should be ordered to utilize, at his own expense, the services of a professional individual or agency to supervise the exercise of parent-time between him and A.B.C.

24. In conformity with Utah Code § 30-3-34.5(5), the court should, in its order for supervised parent-time, (1) provide specific goals and expectations for Respondent to accomplish

before unsupervised parent-time may be granted, and (2) schedule one or more follow-up hearings to revisit the issue of supervised parent-time.

25. Unless and until supervised parent-time between Respondent and A.B.C. is terminated, parent-time between Respondent and A.B.C. should take place—regardless of where Respondent may reside—in the same city where Petitioner resides and at places that Petitioner designates therein.

26. Petitioner should be ordered entitled to all parent-time not specifically allocated to Respondent.

27. After A.B.C. is five years old and enrolled in kindergarten, Respondent's parent-time and/or the holidays over which parent-time is exercised may be reviewed to determine whether either parent-time or the holidays over which parent-time is exercised or both should be modified.

#### **Additional Child Custody and Parent-time Provisions**

28. Each parent should permit and encourage reasonable and uncensored communications between A.B.C. and the other parent in the form of mail privileges, telephone, and virtual parent-time, at reasonable hours and for a reasonable duration when A.B.C. is with him or her.

29. Special consideration should be given by each parent to make A.B.C. available to attend family functions, including funerals, weddings, family reunions, religious holidays, important ceremonies, and other such significant events in the life of the child or in the life of either parent, which may inadvertently conflict with the parent-time schedule.

30. The parties should bear equally the burdens and responsibilities of the transportation of A.B.C. associated with custody sharing and parent-time.

31. Unless the parties agree in advance and in writing, regular school hours may not be interrupted for the exercise of parent-time by either parent.

32. Each parent should be responsible for staying apprised of all significant school, social, sports, community functions, and other activities in which A.B.C. is participating or being honored, and each parent should be entitled to attend and participate fully in such activities.

33. Each parent should cooperate with one another so that they can stay apprised of all significant school, social, sports, community functions, and other activities in which A.B.C. is participating or being honored.

34. The court should order that all dates, times, and places for A.B.C.'s school-related, athletic, social, club, religious, community, and significant family activities, as well as health care appointments, are to be promptly and clearly entered into a shared Google (or similar) calendar as soon as a parent learns of the activity, so as to ensure that each parent is aware of A.B.C.'s activities as soon as possible.

35. Each parent should be fully and accurately identified as A.B.C.'s parent in A.B.C.'s school records, medical records, and healthcare records, and all other records that request the identification of A.B.C.'s parents.

36. Each parent should have direct access to all of A.B.C.'s school reports, including preschool and daycare reports, as well as all medical and healthcare records.

37. Each parent should provide the other with his or her current address, telephone number, e-mail address, and other virtual parent-time access information within 24 hours of any change thereof.

### **Relocation**

38. For the purposes of this section, “relocation” refers to moving such that the relocating parent’s residence is, after the relocation, 150 miles or more from the residence of the other parent.

39. In the event of a parent’s intent to relocate, the provisions of Utah Code § 30-3-37 should apply.

### **CHILD SUPPORT**

40. Respondent should be ordered to pay a monthly base child support, based upon a sole physical custody award, consistent with the Child Support Guidelines of the Utah Code.

41. The party receiving the child support should have the right to cause the income of the party paying the child support to be withheld via the State of Utah Office Of Recovery Services (“ORS”). If at any time either parent desires to use ORS to collect and/or enforce child support, the obligee or payee parent should be entitled to immediate and automatic income withholding under Utah Code §§30-3-5.1 and 62A-11-101 *et seq.* If ORS collects child support, ORS should also collect insurance premiums on behalf of the parties.

42. Child support for A.B.C. should terminate when he becomes 18 years of age or has graduated from high school during his normal and expected year of graduation, whichever occurs later, or when he dies, marries, becomes a member of the armed forces of the United States, or becomes emancipated pursuant to Utah Code § 78A-6-801.

43. Pursuant to Utah Code § 78B-12-210(10), the parties are on notice of the opportunity to adjust a support order under Subsections (8) and (9) of Utah Code § 78B-12-210.

#### **CLAIMING DEPENDENT CHILD FOR INCOME TAX PURPOSES**

44. Petitioner should be awarded the right to claim A.B.C. as a child tax credit and any other lawful applicable tax savings or benefits for state and federal income tax purposes.

#### **CHILD CARE AND CHILD CARE EXPENSES**

45. Each parent should provide all surrogate care providers with the name, current address, and telephone number of the other parent.

46. Each parent should provide the other parent with the name, current address, and telephone number of any and all surrogate care providers.

47. Each party should be solely responsible for any employment-related childcare expenses that he or she may incur.

#### **DEBTS AND OBLIGATIONS**

48. The parties have no marital debts and obligations, nor any other debts and obligations for which they are jointly liable.

49. Each party should be ordered to assume and pay any current debts and obligations in his or her individual own name, indemnifying and holding the other harmless from liability or any other harm associated with said debts and obligations.

50. Each party should be ordered to assume and pay any future debts and obligations incurred his or her own individual name, indemnifying and holding the other harmless from liability or any other harm associated with said debts and obligations.



51. Each party should be ordered to provide notice to the creditor, along with a copy of a court order under Utah Code § 30-3-5, that the debtor(s) is/are divorced, and the creditor should be expressly advised of the separate, current addresses of the debtors.

#### **MARITAL ESTATE AND DIVISION THEREOF**

52. The parties' personal property, financial accounts, retirement accounts, and real property should be fully inventoried, divided, and distributed equitably between them.

##### **Personal Property**

53. The parties should fully inventory the personal property acquired during the marriage and equitably divide it between them.

##### **Vehicles**

54. Petitioner should be awarded as her property, free and clear of any claim thereto by Respondent, the 2002 Dodge Neon vehicle, subject to Petitioner being solely and exclusively responsible for half of the debt encumbering the vehicle and for any and all other expenses associated with the possession, use, and ownership of the vehicle, indemnifying and holding Respondent harmless against any liability or harm pertaining to any obligations and expenses associated with the possession, use, and ownership of the vehicle.

##### **Financial Accounts**

55. The parties' joint checking, joint savings, and other joint financial accounts should be divided equally between them, and then the accounts should be closed.

##### **Retirement Accounts**

56. The parties have no retirement accounts acquired during the marriage to divide and dispose of.

### **Real Property**

57. The parties no marital real property to dispose of.

### **ALIMONY**

58. Neither party is dependent upon the other for his or her financial support.

59. Neither party is in need of alimony from the other.

60. Therefore, neither party should be awarded alimony against the other.

### **RESTRAINING ORDERS**

61. Neither party may transfer, encumber, conceal, or dispose of any property of either party without the written consent of the other party or a court order, except in the usual course of business or to provide for the necessities of life.

62. Neither party may, through electronic or any other means, disturb the peace of, harass, or intimidate the other party.

63. Neither party may commit domestic violence or abuse against the other party or the parties' child.

64. Neither party may use the other party's name, likeness, image, or identification to obtain credit, open an account for service, or obtain a service.

65. Neither party may cancel or interfere with telephone, utility, or other services used by the other party.

66. Neither party may cancel, modify, terminate, change the beneficiary, or allow to lapse for voluntary nonpayment of premiums, any policy of health insurance, homeowner's or renter's insurance, automobile insurance, or life insurance without the written consent of the other party or a court order.

67. Neither party may engage in non-routine travel with A.B.C. without the written consent of the other party or a court order.

68. Neither party may demean or disparage the other party, attempt to influence their child's preference regarding custody or parent time, say or do anything that would tend to diminish the love and affection of the child for the other party, or involve the child in the issues of this divorce or of the parties' marriage generally.

#### **SURNAME CHANGE**

69. Petitioner should be permitted to change her surname if she so desires.

#### **DUTY TO SIGN DOCUMENTS WHICH IMPLEMENT DECREE OF DIVORCE**

70. Both parties should be ordered to sign and fully execute whatever documents are necessary for the implementation of the provisions of their divorce decree. Should a party fail to execute a document within 60 days of the entry of their divorce decree, the other party may bring an Order to Show Cause at the expense of the disobedient party and ask that the Court appoint some other person to execute the document pursuant to Rule 70 of the Utah Rules of Civil Procedure. Any document executed pursuant to Rule 70 has the same effect as if executed by the disobedient party.

WHEREFORE, Petitioner, Good Client, petitions the court that she be granted a divorce pursuant to the terms of this Complaint for Divorce, and for any such other relief as the court deems proper, just, and equitable under the circumstances.

DATED February 4, 2019.

Altioem Legal Services, PLLC

/s/ Saul Goodman  
Saul Goodman,  
Attorney for Petitioner

VERIFICATION

I verify under criminal penalty under the law of the State of Utah that the foregoing is true and correct.

Executed on: February 4, 2019.

Executed at: Utah County, State of Utah

/s/ Good Client\*

Good Client, Petitioner

\*Signed electronically by counsel for Petitioner, with permission.

SAMPLE  
Altioem Legal Services