

FILED

7-2-20

Date _____
Fifth District Court • Washington County
By _____

Devin A Hayes
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Hurricane, UT 84737
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Online Court Assistance Program

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

I am the Petitioner

In the District Court of Utah
Fifth Judicial District, Washington County
Fifth District Court, 206 West Tabernacle, St. George, Utah 84770

<p>Devin A Hayes Petitioner</p> <p>v.</p> <p>Michael J Hayes Respondent</p>	<p>Divorce Decree and Judgment</p> <p>Case Number: 204500608</p> <p>Judge: <u>Eric A Ludlow</u></p> <p>Commissioner: _____</p>
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The court decrees:

Divorce

1. **Devin A Hayes** is granted a divorce based on her Affidavit of Jurisdiction and Grounds. The divorce will become final upon entry of the divorce decree.

Children

2. **Devin A Hayes** and **Michael J Hayes** are the legal parents of the following children (Utah Code 78B-15-101 et seq.). This court has jurisdiction to make orders about these children.

- a. **StoryAnn S Dzikowski-Hayes** **Born 01/09/2010**
- b. **Roxy Lee Hayes** **Born 02/20/2012**
- c. **Navy S Hayes** **Born 08/08/2014**
- d. **Indy L Hayes** **Born 08/31/2016**

Children - custody

3. The parties are awarded Joint Legal and Joint Physical Custody of their children. The children will live in **Devin A Hayes'** home **183** overnights each year and in **Michael J Hayes'** home **182** overnights each year. The court approves the following parenting plan.

Parenting plan parent-time

The parents will follow the parent-time schedule in the statute(s).

The children will live with **Devin A Hayes** and will have parent-time with **Michael J Hayes** according to the statutory parent-time schedule. **Devin A Hayes** will be the "custodial" parent:

A copy of the following statute(s) is attached to the Parenting Plan.

- Children under 5 (Utah Code 30-3-35.5)
- Children 5-18 (Utah Code 30-3-35)

FOR CHILDREN 3 YEARS TO UNDER 5 YEARS OF AGE:

Midweek: One weekday evening from 5:30 - 8:30 p.m. to be specified by the non-custodial parent. However, if the child is being cared for during the day outside the child's regular place of residence, the non-custodial parent may, with advance notice to the custodial parent, pick up the child from the caregiver at an earlier time and return the child to the custodial parent by 8:30 p.m.

Alternate Weekends: Alternative weekends beginning on the first weekend after the entry of the decree from 6:00 p.m. on Friday until 7:00 p.m. on Sunday continuing each year.

Holiday Parent-time: Holidays as specified below in the Special Occasion table.

Extended Parent-time: Two two-week periods, separated by at least four weeks, at the option of the non-custodial parent;

- a. one two-week period shall be uninterrupted time for the non-custodial parent;
- b. the remaining two-week period shall be subject to parent-time for the custodial parent consistent to these guidelines; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time for vacation.

A parent shall notify the other parent at least 30 days in advance of extended parent-time or vacation weeks.

Electronic Communication: Brief telephone contact and virtual parent-time at reasonable hours and for reasonable duration, if the equipment is reasonably available, with the non-custodial parent at least two times per week. If the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

FOR CHILDREN 5 YEARS TO 18 YEARS OF AGE:

Midweek – School In Session: During the time a child's school is in session, one weekday evening to be specified by the noncustodial parent, or Wednesday evening if

not specified, from 5:30 - 8:30 p.m.; or, at the election of the noncustodial parent, one weekday from the time the child's school is regularly dismissed until 8:30 p.m.

Midweek – School not in Session: During the time a child's school is not in session, one weekday from approximately 9:00 a.m., accommodating the custodial parent's work schedule, until 8:30 p.m., if the noncustodial parent is available to be with the child.

Changes to Midweek Schedule: Once the weekday is designated, it may not be changed except by mutual written agreement of the parents, or court order.

Alternate Weekends: Alternating weekend parent-time shall begin the first weekend after the entry of the decree. Weekends include any "snow" days, teacher development days, or other days when school is not scheduled and which are contiguous to the weekend period.

School in Session: During the time a child's school is in session alternating weekend parent-time shall be from 6:00 p.m. on Friday until 7:00 p.m. on Sunday, or, at the election of the non-custodial parent, from the time a child's school is regularly dismissed on Friday until 7:00 p.m. on Sunday, continuing each year.

School not in Session: During the time a child's school is not in session a noncustodial parent may elect alternating weekend parent-time to begin on Friday from approximately 9:00 a.m., accommodating the custodial parent's work schedule, until 7:00 p.m. on Sunday, if the noncustodial parent is available to be with the child.

Pick Up by Non-Parent: A step-parent, grandparent, or other responsible adult designated by the noncustodial parent, may pick up the child if the custodial parent is aware of the identity of the individual, and the parent will be with the child by 7 p.m.

Changes to Weekends: Weekend parent-time elections shall be made by the noncustodial parent at the time of entry of the divorce decree or court order, and may be changed by mutual agreement, court order, or by the noncustodial parent in the event of a change in the child's schedule.

Holiday Parent-time: Holidays as specified below in the Special Occasion table.

Extended Parent-time: Extended parent-time with the non-custodial parent may be up to four consecutive weeks when school is not in session, at the option of the non-custodial parent including weekends normally exercised by the non-custodial parent, but not holidays;

- a. two weeks shall be uninterrupted time for the non-custodial parent;
- b. the remaining two weeks shall be subject to parent-time for the custodial parent for weekday parent-time but not weekends, except for a holiday to be exercised by the other parent; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time when school is not in session for purposes of vacation.

Both parents shall provide notification of extended parent-time or vacation weeks with the child at least 30 days prior to the end of the child's school year to the other parent and if notification is not provided timely the complying parent may determine the schedule for extended parent-time for the noncomplying parent.

Electronic communication: Telephone contact shall be at reasonable hours and for a reasonable duration. Virtual parent-time, if the equipment is reasonably available and the parents reside at least 100 miles apart, shall be at reasonable hours and for reasonable duration, provided that if the parties cannot agree on whether the equipment is reasonably available, the court shall decide whether the equipment for virtual parent-time is reasonably available, taking into consideration the best interest of the child, each parent's ability to handle any additional expenses for virtual parent-time; and any other factors the court considers material.

For children 5-18:

Weekday parent-time will be Wednesday. (30-3-35)

On school days: Parent-time starts at the standard time (5:30 p.m. on weekdays; 6:00 p.m. on weekends). (Utah Code 30-3-35)

On days when school is not in session: Parent-time starts at the morning time listed in the statute (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child: 9:00 a.m. (Utah Code 30-3-35)

Parent-time for special occasions

4. The parents will follow the schedule for special occasions below. If there is more than one child and the children's school schedules vary for purpose of a holiday, at the option of the parent exercising the holiday or the parent's half of the holiday, the children may remain together for the holiday period beginning the first evening that all children's schools are let out for the holiday and ending the evening before any child returns to school. (Utah Code 30-3-32, 35)

Special Occasion	Parent-Time Schedule
Labor Day Weekend (30-3-35)	Odd Years: Michael J Hayes will have parent-time on the Labor Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Devin A Hayes will <u>not</u> have parent-time in odd years on the Labor Day Weekend or holiday. Even Years: Michael J Hayes will <u>not</u> have parent-time in even years on the Labor Day Weekend or holiday. Devin A Hayes will have parent-time on the Labor Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.
Columbus Day Weekend (30-3-35)	Odd Years: Devin A Hayes will have parent-time on the Columbus Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Michael J Hayes will <u>not</u> have parent-time in odd years on the Columbus Day Weekend or holiday. Even Years: Devin A Hayes will <u>not</u> have parent-time in even years on the Columbus Day Weekend or holiday. Michael J Hayes will have parent-time on the Columbus Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.
Fall School Break	Odd Years: Michael J Hayes will have parent-time on the Fall Break in odd years

Special Occasion	Parent-Time Schedule
(If applicable, commonly known as U.E.A. weekend) (30-3-35)	beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Devin A Hayes will <u>not</u> have parent-time in odd years on the Fall Break. Even Years: Michael J Hayes will <u>not</u> have parent-time in even years on the Fall Break. Devin A Hayes will have parent-time on the Fall Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.
Halloween	Odd Years: Devin A Hayes will have parent-time on Halloween in odd years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m. Michael J Hayes will <u>not</u> have parent-time in odd years on Halloween. Even Years: Devin A Hayes will <u>not</u> have parent-time in even years on Halloween. Michael J Hayes will have parent-time on Halloween in even years from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.
Veterans' Day (30-3-35)	Odd Years: Michael J Hayes will have parent-time on the Veterans' Day in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Devin A Hayes will <u>not</u> have parent-time in odd years on the Veterans' Day holiday. Even Years: Michael J Hayes will <u>not</u> have parent-time in even years on the Veterans' Day holiday. Devin A Hayes will have parent-time on the Veterans' Day in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.
Thanksgiving Break (30-3-35)	Odd Years: Devin A Hayes will have parent-time on the Thanksgiving Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Michael J Hayes will <u>not</u> have parent-time in odd years on the Thanksgiving Break or holiday. Even Years: Devin A Hayes will <u>not</u> have parent-time in even years on the Thanksgiving Break or holiday. Michael J Hayes will have parent-time on the Thanksgiving Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.
Winter Break (30-3-35)	Odd Years: Michael J Hayes will have parent-time in odd years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided. Devin A Hayes will have parent-time in odd years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through

Special Occasion	Parent-Time Schedule
	<p>the holiday period until the morning school begins again when Devin A Hayes delivers the child to school, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, beginning at 8:00 a.m. the first day of the second half until the morning school begins again when Devin A Hayes delivers the child to school, so long as the entire Winter Break is equally divided.</p> <p>Even Years: Michael J Hayes will have parent-time in even years the second portion of the Winter Break beginning 1:00 p.m. on the day halfway through the holiday period until the morning school begins again when Michael J Hayes delivers the child to school, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, beginning at 8:00 a.m. the first day of the second half until the morning school begins again when Michael J Hayes delivers the child to school, so long as the entire Winter Break is equally divided.</p> <p>Devin A Hayes will have parent-time in even years the first portion of the Winter Break until 1 p.m. on the day halfway through the holiday period, if there are an odd number of days for the holiday period; or if there are an even number of days for the holiday period, until 8:00 a.m. the first day of the second half, so long as the entire holiday period is equally divided.</p>
Christmas Eve	<p>Odd Years: Devin A Hayes will have parent-time in odd years Christmas Eve. Michael J Hayes will <u>not</u> have parent-time in odd years Christmas Eve.</p> <p>Even Years: Devin A Hayes will <u>not</u> have parent-time in even years Christmas Eve Michael J Hayes will have parent-time in even years Christmas Eve</p>
Christmas Day	<p>Odd Years: Michael J Hayes will have parent-time in odd years Christmas Day. Devin A Hayes will <u>not</u> have parent-time in odd years Christmas Day.</p> <p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years Christmas Day Devin A Hayes will have parent-time in even years Christmas Day</p>
New Year's Eve	<p>Odd Years: Michael J Hayes will have parent-time in odd years New Year's Eve. Devin A Hayes will <u>not</u> have parent-time in odd years New Year's Eve.</p> <p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years New Year's Eve Devin A Hayes will have parent-time in even years New Year's Eve</p>
New Year's Day	<p>Odd Years: Michael J Hayes will have parent-time in odd years New Year's Day. Devin A Hayes will <u>not</u> have parent-time in odd years New Year's Day.</p>

Special Occasion	Parent-Time Schedule
	<p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years New Year's Day Devin A Hayes will have parent-time in even years New Year's Day</p>
<p>Dr. Martin Luther King Jr. Day Weekend (30-3-35)</p>	<p>Odd Years: Michael J Hayes will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Devin A Hayes will <u>not</u> have parent-time in odd years on the Dr. Martin Luther King Jr. Day Weekend or holiday.</p> <p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years on the Dr. Martin Luther King Jr. Day Weekend or holiday. Devin A Hayes will have parent-time on the Dr. Martin Luther King Jr. Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
<p>Presidents' Day Weekend (30-3-35)</p>	<p>Odd Years: Devin A Hayes will have parent-time on the Presidents' Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m. Michael J Hayes will <u>not</u> have parent-time in odd years on the Presidents' Day Weekend or holiday.</p> <p>Even Years: Devin A Hayes will <u>not</u> have parent-time in even years on the Presidents' Day Weekend or holiday. Michael J Hayes will have parent-time on the Presidents' Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
<p>Spring School Break (30-3-35)</p>	<p>Odd Years: Michael J Hayes will have parent-time on the Spring School Break in odd years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m. Devin A Hayes will <u>not</u> have parent-time in odd years on the Spring School Break.</p> <p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years on the Spring School Break. Devin A Hayes will have parent-time on the Spring School Break in even years beginning 6:00 p.m. on Wednesday until Sunday at 7:00 p.m.</p>
<p>Mother's Day</p>	<p>Devin A Hayes will have parent-time each year Mother's Day from 9 a.m. until 7 p.m.. Michael J Hayes will <u>not</u> have parent-time Mother's Day.</p>
<p>Memorial Day Weekend (30-3-35)</p>	<p>Odd Years: Devin A Hayes will have parent-time on the Memorial Day Weekend in odd years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>

Special Occasion	Parent-Time Schedule
	<p>Michael J Hayes will <u>not</u> have parent-time in odd years on the Memorial Day Weekend or holiday.</p> <p>Even Years: Devin A Hayes will <u>not</u> have parent-time in even years on the Memorial Day Weekend or holiday. Michael J Hayes will have parent-time on the Memorial Day Weekend in even years beginning 6:00 p.m. on Friday until Monday at 7:00 p.m.</p>
Father's Day	<p>Michael J Hayes will have parent-time each year Father's Day from 9 a.m. until 7 p.m. Devin A Hayes will <u>not</u> have parent-time Father's Day.</p>
Summer School Break / Vacation	<p>Michael J Hayes will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Michael J Hayes. Michael J Hayes will have an additional two weeks of Extended Summer Parent-time at the option of Michael J Hayes, subject to weekday parent-time and holidays for Devin A Hayes, but not weekends normally exercised by Devin A Hayes. Michael J Hayes will notify Devin A Hayes of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Devin A Hayes may determine the schedule for extended parent-time for Michael J Hayes, so long as Devin A Hayes has provided timely notice.</p> <p>Devin A Hayes will have up to two weeks of uninterrupted Extended summer Parent-time when school is not in session, at the option of Devin A Hayes. Devin A Hayes will have an additional two weeks of Extended Summer Parent-time at the option of Devin A Hayes, subject to weekday parent-time and holidays for Michael J Hayes, but not weekends normally exercised by Michael J Hayes. Devin A Hayes will notify Michael J Hayes of the summer break extended parent-time at least 30 days before the end of a child's school year. If the notification is not timely, Michael J Hayes may determine the schedule for extended parent-time for Devin A Hayes, so long as Michael J Hayes has provided timely notice.</p>
Independence Day	<p>Odd Years: Michael J Hayes will have parent-time in odd years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Michael J Hayes. Devin A Hayes will <u>not</u> have parent-time in odd years Independence Day.</p> <p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years Independence Day Devin A Hayes will have parent-time in even years Independence Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Devin A Hayes.</p>

Special Occasion	Parent-Time Schedule
Pioneer Day	<p>Odd Years: Michael J Hayes will have parent-time in odd years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Michael J Hayes. Devin A Hayes will <u>not</u> have parent-time in odd years Pioneer Day.</p> <p>Even Years: Michael J Hayes will <u>not</u> have parent-time in even years Pioneer Day Devin A Hayes will have parent-time in even years Pioneer Day from 6 p.m. the day before the holiday, until 11 p.m. on the holiday, or no later than 6 p.m. on the day following the holiday at the option of Devin A Hayes.</p>
Children's Birthdays	<p>Odd Years: Michael J Hayes will have parent-time in odd years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Michael J Hayes delivers the child to school, or 8:00 a.m. if there is no school. Devin A Hayes will have parent-time in odd years on the actual birth date from 3:00 p.m. until the following morning when Devin A Hayes delivers the child to school, or 8:00 a.m. if there is no school.</p> <p>Even Years: Devin A Hayes will have parent-time in even years on the day before or after the actual birth date from 3:00 p.m. until the following morning when Devin A Hayes delivers the child to school, or 8:00 a.m. if there is no school. Michael J Hayes will have parent-time in even years on the actual birth date from 3:00 p.m. until the following morning when Michael J Hayes delivers the child to school, or 8:00 a.m. if there is no school.</p>
Devin A Hayes's Birthday	<p>Devin A Hayes will have parent-time each year on Devin A Hayes' birthday from 3:00 p.m. until the following morning when Devin A Hayes delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>
Michael J Hayes' Birthday	<p>Michael J Hayes will have parent-time each year on Michael J Hayes' birthday from 3:00 p.m. until the following morning when Michael J Hayes delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time, except Mother's Day and Father's Day. Birthdays do not take precedence over uninterrupted parent-time if the parent exercising uninterrupted time takes the child away from that parent's residence for the uninterrupted extended parent-time.</p>

Parent-time transfers

5. Pick-up and drop-off ("transfers") of the children for parent-time will be as described below:

The parties will make arrangements for pick up, delivery and return of the children prior to each scheduled parent-time.

Decision-making

6. The following applies to the Parenting Plan:

- Each parent will make day-to-day decisions for the children during the time they are caring for the children.
- Either parent may make emergency decisions affecting the health or safety of the children. A parent who makes an emergency decision must share the decision with the other parent as soon as reasonably possible.

Joint decision-making. The parents will share responsibility for making major decisions about the children. If there is a disagreement, the parents will resolve the dispute as provided in the Resolving disputes section below.

Education Plan

7. The school the children will attend is based on **Devin A Hayes'** home residence.
8. **Devin A Hayes** has authority to check the children out of school.
9. **Michael J Hayes** has authority to check the children out of school.
10. Other person with authority to check the children out of school: **Susan Guzik**
11. **Devin A Hayes** has access to the children during school.
12. **Michael J Hayes** has access to the children during school.
13. Other person who has access to the children during school: **Susan Guzik**

Communication with each other

14. Parents will communicate with each other by any method.

Communication with the children

15. The parents agree they will:
 - provide age-appropriate help to the children to communicate with the other parent.

- give the children privacy during their communication with the other parent. The parents will not interfere with or monitor communication between the children and the other parent.

Parents and children may communicate with each other whenever the children choose.

Records and information sharing

16. Both parents will have access to records and the ability to consult with providers regarding education, child care, and health care.

Travel by the children

17. During their parent-time, the parent may consent for the children to travel with a sports team, religious group, school group, relatives, friends, by themselves, or with others. If the children will be travelling for more than 2 days, the parent arranging the travel will notify the other parent at least 7 days in advance. That parent will give the other parent the travel schedule, locations and phone numbers at least 7 days in advance. In case of emergency, the parent will provide as much notice as possible.

Relocation of a parent (Utah Code 30-3-37)

18. Neither parent may relocate with the minor children more than 35 miles from their current residence without a written agreement signed by the parties or further court order.

Changing the plan

19. This plan remains in effect until changed. A change must be agreed to by both parents and in the following manner:

- Major or permanent changes must be in writing, but minor or temporary changes can be made orally.

Resolving disputes

20. If the parents need to resolve a dispute regarding the children, they will discuss the issues in good faith and try to reach an agreement based on what is best for their children. If the parents are unable to agree, they will go to the following before bringing the issue to the court: **Mediation**

Additional parenting responsibilities, expectations or commitments

21. **no additional provision**

22. A joint physical custody arrangement may result in denial of cash assistance under the Employment Support Act, Title 35A, Chapter 3, of the Utah Code.

Military service by a parent (Utah Code 78B-20-4)

23. Neither parent is a servicemember.

Income: Devin A Hayes (Utah Code 78B-12-203)

24. **Devin A Hayes'** gross monthly income for child support purposes is **\$2,628.00**.

She receives the following gross monthly income:

- a. **Devin A Hayes** is employed at **Devin Hayes - Keller William Realty**. She earns **\$2,628.00** gross (pre-tax) monthly income working a 40-hour a week job or less.

Income: Michael J Hayes

25. **Michael J Hayes'** gross monthly income for child support purposes is **\$3,540.00**.

He receives the following gross monthly income:

- a. **Michael J Hayes** is employed at **Designer Furniture Gallery**. He earns **\$3,040.00** gross (pre-tax) monthly income working a 40-hour a week job or less.
- b. **Michael J Hayes** has normally and consistently earned **\$500.00** per month in overtime or additional employment above **Michael J Hayes'** full time pay. This income counts for child support purposes. (Utah Code 78B-12-203(2))

Child support

26. **Michael J Hayes** is ordered to pay child support to **Devin A Hayes** as follows:

- a. **\$99.00** per month base support. This amount complies with the Utah Child Support Act.

Support for each child ends when:

- a child turns 18 or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later (Utah Code

78B-12-219(1)), or

- a child dies, marries, becomes a member of the United States armed forces, or is emancipated (Utah Code 78B-12-219(1), Utah Code 78A-6-801).

27. Child support payments will start the month immediately following entry of the order. The payment schedule will be:

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

Child support not paid by the 5th day of the month is past due on the 6th day of the month. Child support not paid by the 20th day of the month is past due on the 21st day of the month. If the Office of Recovery Services is used to collect support, their payment schedule will be followed.

28. **Devin A Hayes** will give **Michael J Hayes** the information needed to set up direct deposit through **Michael J Hayes'** employer. Once **Michael J Hayes** has the information, he will have his employer set up direct deposit to an account of **Devin A Hayes'** choice.

29. The issue of past-due child support may be decided by future court or administrative action.

30. The parties must notify each other within 30 days of any change in their income.

31. The parties can ask to change this child support order by motion after three years from the date of its entry if:

- there is a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
- the difference is not temporary, and
- the amount previously ordered was not a deviation from the child support guidelines.

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

If the children receive TANF funds at the time an adjustment is sought, ORS will review

the order and ask the court to adjust the amount if appropriate. (Utah Code 62A-11-306.2).

32. The parties can ask to change this child support order at any time by petition if there has been a substantial change in circumstances because of material changes in:

- custody;
- the relative wealth or assets of the parties;
- income of a parent of 30% or more;
- the employment potential and ability of a parent to earn;
- the medical needs of the child; or
- the legal responsibilities of either parent for the support of others.

(Utah Code 78B-12-210(7) and (9)).

The change must result in a difference of 15% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines. The difference may not be temporary.

The court can consider natural or adoptive children born after the entry of the decree other than those in common to both parties as part of a request to modify an existing award subject to limitations in the law. (Utah Code 78B-12-210(7)).

Dependent children for tax purposes

33. **Michael J Hayes** may claim the parties' children as dependents/exemptions for tax purposes in odd numbered years. **Devin A Hayes** may claim the parties' children as dependents/exemptions for tax purposes in even numbered years.

Child health care (Utah Code 78B-12-212)

34. Both parents must maintain medical, hospital, and dental insurance for the dependent children if it is available at reasonable cost.

a. If, at any time, a dependent child is covered by the medical, hospital, or dental insurance plans of both parents, the coverage will be as follows:

- **Michael J Hayes's** insurance will be primary coverage.
- **Devin A Hayes's** insurance will be secondary coverage.

b. If a parent remarries and that parent's dependent child is not covered by that parent's health, hospital, or dental insurance plan but is covered by a step-parent's plan, the coverage will be as follows:

- **Michael J Hayes spouse's** insurance will be primary coverage.
- **Devin A Hayes spouse's** insurance will be secondary coverage.

c. Both parties will equally share the out-of-pocket costs of the insurance premiums.

d. Both parties will equally share all uninsured and unreimbursed medical and dental expenses that are reasonable and necessary. This includes deductibles, co-insurance, and co-payments paid by a party for the dependent children.

e. The party who pays health care expenses must provide the other party written verification of the cost and payment within 30 days.

f. If a party does not follow this order and provide written verification, they may not be able to receive credit for health care expenses or recover the other party's share of the expenses.

g. On or before January 2 of each year, the party ordered to maintain coverage must provide verification of coverage to the other party, and ORS, if they are involved.

h. If there is any change in coverage, within 30 days of the change the party ordered to maintain coverage must notify the other party and ORS, if they are involved.

Public assistance statement – Office of Recovery Services (ORS)
(Utah Code 78B-12-113)

35. Neither party has received or is receiving public assistance from the State of Utah.

Personal property (Utah Code 30-3-5)

36. All personal property not addressed in the divorce should be divided as the parties have already divided it.

37. The following vehicles will be divided as indicated:

a. **Michael J Hayes** will receive the following vehicles:

i. Make: **Kia**, Model: **Sedona**, Year: **2014**

Estimated current value: **\$9,000.00**

Owner (before divorce): **Michael J Hayes**

b. **Devin A Hayes** will receive the following vehicles:

i. Make: **Honda**, Model: **odyssey**, Year: **2013**

Estimated current value: **\$10,000.00**

Owner (before divorce): **Devin A Hayes**

38. Bank and credit union accounts are divided as follows:

a. Account number: **0441**

Name of Institution: **Mountain America Credit Union**

Address: **Not Available**

Not Available

Account Balance: **\$675.05**

Names on Account: **Devin A Hayes**

Michael J Hayes

Divide as follows: **Don't divide.**

Debts

39. Each party will be ordered to assume and pay debts as follows. The party assuming the debt must put the debt in their name and pay it. If they can't put the debt in their name, they must still pay it. If a party pays a debt they are not responsible for, they can recover that amount from the responsible party.

Credit card debt

a. Credit Card: **Visa**

Credit Card Number: **3914**

Amount owed on debt: **\$1,095.46**

Credit Card Owner: **Devin A Hayes**

Devin A Hayes will pay: **The entire debt.**

Person to provide creditor divorce decree: **Devin A Hayes**

- b. Credit Card: **Visa**
Credit Card Number: **0149**
Amount owed on debt: **\$4,412.34**
Credit Card Owner: **Michael J Hayes**
Michael J Hayes will pay: **The entire debt.**
Person to provide creditor divorce decree: **Michael J Hayes**

Real property

40. The parties acquired the following real property during the marriage:

a. **Single Family Residence:**

- i. Address: **3337 W Bonita, Hurricane , Utah 84737;**
- ii. Tax Identification Number: **H-COR-1-10;**
- iii. Legal description: **unkown.**
- iv. Mortgage information and payments:

This mortgage is: **First Mortgage**

Lender: **Academy Mortgage**

Address: **unknown**

Amount Owed: **\$261,000.00**

Monthly Payment: **\$1,353**

Michael J Hayes will pay this mortgage after the divorce.

Devin A Hayes will provide a copy of the divorce decree to the lender.

b. **Devin A Hayes** will have exclusive use and possession of this property until one of the following occurs:

- i. The youngest child reaches the age of 18 or graduates from high school (whichever is later), or becomes emancipated; or
- ii. **Devin A Hayes** ceases to use this property as her primary residence; or
- iii. **Devin A Hayes** remarries; or
- iv. **Devin A Hayes** cohabits with a non-relative adult at this property.

If one of the above occurs, **Michael J Hayes** will receive his share of the total equity existing in the property on the date divorce decree is signed.

- The total equity to be divided is **\$20,000.00.**
- **Michael J Hayes'** share will be **\$10,000.00.**
- **Michael J Hayes** will have an equitable lien against the property in the amount of **\$10,000.00.** **Michael J Hayes** will sign a quitclaim deed to

Devin A Hayes subject to that lien once the divorce is entered.

- **Devin A Hayes** will pay **Michael J Hayes \$10,000.00** to satisfy the lien. Once **Devin A Hayes** has paid the lien, **Michael J Hayes** will sign any documents necessary to remove the lien from the property.

Alimony

41. Neither party will pay alimony.

Retirement money

42. The parties do not need a court order about retirement money.

Duty to sign documents

43. The parties will sign all documents necessary to comply with the divorce decree within 60 days from entry of the decree. If a party fails to sign a document within 60 days, the other party may ask the court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

Name after divorce

44. **Devin A Hayes** changed her name when the parties married. Her name will be **Devin A Hayes** after the divorce.

Judge's signature may instead appear at the top of the first page of this document.

DATED 1 July 2020


District Court Judge

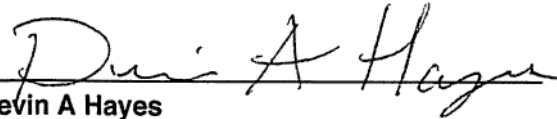


Certificate of Service

I certify that I filed with the court and am serving a copy of this Divorce Decree and Judgment on the following people.

Person's Name	Service Method	Service Address	Service Date
Michael J Hayes Respondent	Hand Delivery	3337 W BonitaHurricane, UT 84737	June 16, 2020

Date June 24, 2020

Sign here 
Devin A Hayes

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 204500608 by the method and on the date specified.

MANUAL EMAIL: DEVIN A HAYES devin.hayes@kw.com

MANUAL EMAIL: MICHAEL J HAYES mikehay15@gmail.com

07/02/2020

/s/ PATRICIA JORDAN

Date: _____

Signature