

Danielle Caffaro
1094 W 1425 N
Lehi, UT 84043
(801) 205-3406
danijune20@hotmail.com

Online Court Assistance Program

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I am the Petitioner

In the District Court of Utah
Fourth Judicial District, Utah County
Fourth District Court, 137 North Freedom Blvd, Provo UT 84601

In the Matter of the Marriage of

Danielle Caffaro

and

John Joseph Caffaro II

Divorce Decree and Judgment

Case Number: **224402884**

Judge: **Powell**

Commissioner: **Snow**

The court decrees:

Divorce

1. **Danielle Caffaro** 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. **Danielle Caffaro** and **John Joseph Caffaro II** 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. **Cash Caffaro**

Born 03/17/2022

b. **Chloe Caffaro**

Born 03/17/2022

Children - custody

3. The parties are awarded Joint Legal and Joint Physical Custody of their children. The children will live in **Danielle Caffaro's** home **220** overnights each year and in **John Joseph Caffaro II's** home **145** 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 **John Joseph Caffaro II 145** overnights each year and with **Danielle Caffaro 220** overnights each year according to the statutory parent-time schedule. **Danielle Caffaro** 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 5 MONTHS TO UNDER 9 MONTHS OF AGE:

Weekly: Three three-hour visits every week in the home of the custodial parent, an established child-care setting, or other environment familiar to the child, unless the parents agree otherwise.

Holidays: Two hours on each of the noncustodial parent’s holidays indicated below in the Special Occasion table in the home of the custodial parent, an established child-care setting, or other environment familiar to the child, unless the parents agree otherwise.

FOR CHILDREN 9 MONTHS TO UNDER 12 MONTHS OF AGE:

Weekly: One 8 hour visit every week and one 3 hour visit every week.

Holidays: Eight hours on each of the noncustodial parent’s holidays indicated below in the Special Occasion table, and

Electronic Communication: Brief telephone contact and/or virtual parent-time at least two times a week, at reasonable hours and for reasonable duration. Virtual parent time may be exercised if the equipment is reasonably available and the parents reside at least 100 miles apart, 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 12 MONTHS TO UNDER 18 MONTHS OF AGE:

Alternate Weekends: One 8 hour visit on alternating weekends to be specified by the noncustodial parent; and overnight from 6 p.m. on Friday until noon on Saturday the opposite alternating weekends.

Weekly: One 3 hour visit every week.

Holidays: Eight hours on each of the noncustodial parent’s holidays indicated below in the Special Occasion table, and

Electronic Communication: Brief telephone contact and/or virtual parent-time at least two times a week, at reasonable hours and for reasonable duration. Virtual parent time may be exercised if the equipment is reasonably available and the parents reside at least 100 miles apart, 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 18 MONTHS TO UNDER 3 YEARS OF AGE:

Midweek: One weekday evening from 5:30 p.m. to 8:30 p.m. to be specified by the noncustodial parent. However, if the child is being cared for during the day outside the child's regular place of residence, the noncustodial 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. Friday until 7:00 p.m. Sunday.

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

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

- a. one week shall be uninterrupted time for the parent granted the extended parent-time;
- b. the remaining week shall be subject to weekday parent-time for the custodial parent on the same day as the parent exercising the extended parent-time has during the other weeks of the year; and
- c. the custodial parent shall have an identical one-week period of uninterrupted time for vacation.

Notification of extended parent-time or vacation weeks with the child shall be provided at least 30 days in advance to the custodial parent.

Electronic Communication: Brief telephone contact and/or virtual parent-time at least two times a week, at reasonable hours and for reasonable duration. Virtual parent time may be exercised if the equipment is reasonably available and the parents reside at least 100 miles apart, 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 3 YEARS TO UNDER 5 YEARS OF AGE:

Midweek: One weekday evening from 5:30 - 8:30 p.m. to be specified by the noncustodial parent. However, if the child is being cared for during the day outside the child's regular place of residence, the noncustodial 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.

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 noncustodial parent;

- a. one two-week period shall be uninterrupted time for the parent granted the extended parent time;
- b. the remaining two-week period shall be subject to an equal amount of weekday parent-time that the parent exercising the extended parent-time has during the other weeks of the year; and
- c. the custodial parent shall have an identical two-week period of uninterrupted time for vacation.

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

Electronic Communication: Brief telephone contact and/or virtual parent-time at least two times a week, at reasonable hours and for reasonable duration. Virtual parent time may be exercised if the equipment is reasonably available and the parents reside at least 100 miles apart, 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 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.

Alternate Weekends - 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.

Alternate Weekends - 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., if the noncustodial parent is available to be with the child and in accommodation with the custodial parent's work schedule, until 7:00 p.m. on Sunday.

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 noncustodial parent, but not holidays;

- a. two weeks shall be uninterrupted time for the noncustodial parent;
- b. the remaining two weeks shall be interrupted parent-time and be subject to parent-time for the custodial parent for weekday parent-time but not weekends, except a custodial parent may exercise a holiday as specified below in the Special Occasion table. Within ten days of receiving notice of a parent's intent and schedule for taking interrupted parent-time, the parent receiving that notice must give notice of

any plan to interrupt the parent-time; 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.

Each parent shall provide notice to the other of their plan to exercise extended parent-time during summer break as follows:

Extended Parent-time notice - In odd numbered years, the noncustodial parent shall provide notification of extended parent-time to the custodial parent by May 1st and the custodial parent shall provide notification to the noncustodial parent of uninterrupted extended parent-time by May 15th.

Extended Parent-time notice - In even numbered years, the custodial parent shall provide notification of uninterrupted extended parent-time with a child to the noncustodial parent by May 1st and the noncustodial parent shall provide notification to the custodial parent of extended parent-time by May 15th.

Extended Parent-time notice - if not provided timely by a parent, the complying parent may determine the schedule for non-complying parent, so long as the complying parent's notification is timely.

Extended Parent-time notice - if neither parent's notification is timely, the first parent to give notice may determine the schedules of both parents for extended parent-time.

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 until Thursday Morning. On days when school is not in session** parent-time begins at 9:00 a.m. if the parent is able to be with the child and ends at 8:30 p.m. If the parent is not able to be with the child to begin parent-time at 9:00 a.m., parent time begins at 5:30 p.m. and ends at 8:30 p.m. (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 30-3-35, 35.1)

Holiday	Holiday Time Period	Years and Parent Granted Holiday	Years and Parent Granted Holiday
Labor Day	(1) Holiday begins Friday at:	Odd Years	Even Years

Children under 5 years of age (Utah Code 30-3-35.5)	(a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child (2) Holiday ends at 7 p.m. on Labor Day.	John Joseph Caffaro II	Danielle Caffaro
Labor Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) the time that school is regularly dismissed; or (b) 9 a.m. if school is not in session and the parent can be with the child. (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Halloween Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on October 31 st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at 4 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Halloween Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins on October 31 st or the day that Halloween is traditionally celebrated in the local community: (a) at the time that school is dismissed; or (b) at 4 p.m. if there is no school. (2) Holiday ends at 9 p.m. on the same day the holiday begins.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Thanksgiving Break Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 6 p.m. on the day that school dismisses for Thanksgiving. (2) Holiday ends at 7 p.m. on day before school resumes.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Thanksgiving Break Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins on Wednesday at the time school is regularly dismissed for Thanksgiving. (2) Holiday ends at 7 p.m. on the night before school resumes.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Winter Break (First Half) Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 6 p.m. on the day that school dismisses for winter break. (2) Holiday ends on December 27 th at 7 p.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Winter Break (First Half) Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins at the time school is regularly dismissed on the day that school dismisses for winter break. (2) Holiday ends on December 27 th at 7 p.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Christmas Eve	(1) Holiday begins on December 24 th at	Odd Years	Even Years

(4 pm to 9 pm)	4 p.m. (2) Holiday ends on December 24 th at 9 p.m.	Danielle Caffaro	John Joseph Caffaro II
Christmas Day (Custom)	Odd years for Danielle Caffaro from 4 p.m. December 24th until 2 p.m. December 25th		
New Year's Eve (4 pm 31 st to 9 am 1 st)	(1) Holiday begins on December 31 st at 4 p.m. (2) Holiday ends on January 1 st at 9 a.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
New Year's Day (9 am 1 st to 9 pm 1 st)	(1) Holiday begins on January 1 st at 9 a.m. (2) Holiday ends on January 1 st at 9 p.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Dr. Martin Luther King Jr. Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Friday at: (a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child. (2) Holiday ends at 7 p.m. on Dr. Martin Luther King Jr. Day.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Dr. Martin Luther King Jr. Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) the time that school is regularly dismissed. (b) 9 a.m. if school is not in session and the parent can be with the child; (2) Holiday ends at 7 p.m. on the day before school resumes.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
President's Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Friday at: (a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child (2) Holiday ends at 7 p.m. on President's Day.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
President's Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) the time that school is regularly dismissed. (b) 9 a.m. if school is not in session and the parent can be with the child; (2) Holiday ends at 7 p.m. on the day before school resumes.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Memorial Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Friday at: (a) 6 p.m.; or (b) 9 a.m. if the parent is available to be with the child. (2) Holiday ends at 7 p.m. on Memorial Day.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Memorial Day Children 5 to 18 years of age (Utah Code 30-3-35)	(1) Holiday begins Friday at: (a) the time that school is regularly dismissed; or (b) 9 a.m. if school is not in session and the parent can be with the child; (2) Holiday ends at 7 p.m. on the day	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro

	before school resumes.		
Father's Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 p.m.	All Years John Joseph Caffaro II	All Years John Joseph Caffaro II
Father's Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins on Father's Day at 9 a.m. (2) Holiday ends on Father's Day at 7 p.m.	All Years: John Joseph Caffaro II is the father	All Years: John Joseph Caffaro II is the father
Summer Break Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	John Joseph Caffaro II will have up to two weeks of uninterrupted extended summer Parent-time when school is not in session, at the option of John Joseph Caffaro II. John Joseph Caffaro II will have an additional two weeks of extended Summer Parent-time at the option of John Joseph Caffaro II, subject to weekday parent-time for Danielle Caffaro, but not weekends normally exercised by Danielle Caffaro. John Joseph Caffaro II will notify Danielle Caffaro of the summer break extended parent-time by May 1 each year. Danielle Caffaro will also have two weeks of uninterrupted extended parent time when school is not in session, at the option of Danielle Caffaro. Danielle Caffaro will notify John Joseph Caffaro II of the summer break extended parent-time by May 15 each year. If the notification by John Joseph Caffaro II is not timely, Danielle Caffaro may determine the schedule for extended parent-time for John Joseph Caffaro II, so long as Danielle Caffaro has provided timely notice. If neither parent provides timely notice, the first parent to provide notice may determine the schedule of extended parent-time for the other parent.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Independence Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on July 3 rd at 6 p.m. (2) Holiday ends on July 5 th at 6 p.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro

Independence Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins on July 3 rd at 6 p.m. (2) Holiday ends on July 5 th at 6 p.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Pioneer Day Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins on July 23 rd at 6 p.m. (2) Holiday ends on July 25 th at 6 p.m.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Pioneer Day Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins on July 23 rd at 6 p.m. (2) Holiday ends on July 25 th at 6 p.m.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Day of Child's Birthday Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m. (3) A parent may bring other siblings along for the child's birthday.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Day of Child's Birthday Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Even Years John Joseph Caffaro II	Odd Years Danielle Caffaro
Day Before or After Child's Birthday Children under 5 years of age (Utah Code 30-3-35.5)	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m. (3) A parent may bring other siblings along for the child's birthday.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Day Before or After Child's Birthday Children 5 to 18 years of age (Utah Code 30-3-35 and 30-3-35.1)	(1) Holiday begins at 3 p.m. (2) Holiday ends at 9 p.m.	Odd Years John Joseph Caffaro II	Even Years Danielle Caffaro
Danielle Caffaro's Birthday	Danielle Caffaro will have parent-time each year on Danielle Caffaro's birthday from 3:00 p.m. until the following morning when Danielle Caffaro delivers the child to school, or 8:00 a.m. if there is no school. Birthdays take precedence over holidays and extended parent-time,	All Years Danielle Caffaro	All Years Danielle Caffaro

	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.		
John Joseph Caffaro II's Birthday	John Joseph Caffaro II will have parent-time each year on John Joseph Caffaro II's birthday from 3:00 p.m. until the following morning when John Joseph Caffaro II 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.	All Years John Joseph Caffaro II	All Years John Joseph Caffaro II

Parent-time transfers

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

No arrangements can be made at this time for who will pick up, deliver and return the children for 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 **Danielle Caffaro's** home residence.
8. **Danielle Caffaro** has authority to check the children out of school.
9. **John Joseph Caffaro II** has authority to check the children out of school.
10. **Danielle Caffaro** has access to the children during school.
11. **John Joseph Caffaro II** has access to the children during school.

Communication with each other

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

Communication with the children

13. 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.

By any method

Records and information sharing

14. 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

15. 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.

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

16. If either parent moves more than 149 miles from the other, the moving parent must give the non-moving parent a written Notice of Relocation. The notice must be sent at least 60 days before the planned move.

The written Notice of Relocation must include:

- Information about the move;
- A proposed parent-time schedule; and
- A statement that the parents will not interfere with the other parent's parent-time.

If the moving parent does not give the non-moving parent a Notice of Relocation, the moving parent will be in contempt of the Court's order.

17. If either parent lives more than 149 miles away from the other, or if the parents live a different countries, parent-time will be as the parties agree. If they are unable to agree, the following will be the minimum parent-time for the noncustodial parent:

Relocation Schedule (Utah Code 30-3-37)

- a. in years ending in odd number, the minor children will spend the following holidays with the noncustodial parent:
 - i. Thanksgiving holiday beginning Wednesday until Sunday; and
 - ii. spring break, if applicable, beginning the last day of school before the holiday until the day before school resumes;
- b. in years ending in an even number, the minor children will spend the following holidays with the noncustodial parent:
 - i. the entire winter school break period; and
 - ii. the fall school break beginning the last day of school before the holiday until the day before school resumes; and
- c. extended parent-time equal to $\frac{1}{2}$ of the summer or off-track time for consecutive weeks. The children will be returned to the custodial home no later than seven days before school begins. This week will be counted when determining the amount of parent-time to be divided between the parents for the summer or off-track period. The parties will mutually agree on this extended time each year. If they are unable to agree, the noncustodial parent will select the dates for the extended time period.
- d. One weekend per month at the option and expense of the noncustodial parent. The noncustodial parent's monthly weekend entitlement is subject to the following restrictions.
 - i. If the noncustodial parent has not designated a specific weekend for

parent-time, the noncustodial parent will receive the last weekend of each month unless a holiday assigned to the custodial parent falls on that particular weekend. If a holiday assigned to the custodial parent falls on the last weekend of the month, the noncustodial parent will be entitled to the next to the last weekend of the month.

ii. If a noncustodial parent's extended parent-time or parent-time over a holiday extends into or through the first weekend of the next month, that weekend will be considered the noncustodial parent's monthly weekend entitlement for that month.

iii. If a child is out of school for teacher development days or snow days after the children begin the school year, or other days not included in the list of holidays in Subsection (5) and those days are contiguous with the noncustodial parent's monthly weekend parent-time, those days will be included in the weekend parent-time.

e. The custodial parent is entitled to all parent-time not specifically allocated to the noncustodial parent.

18. If either parent lives more than 149 miles away from the other or the parents live in separate countries, costs for the children's travel expenses for parent-time will be paid by the parent who moved.

If a parent has been found in contempt for not being current on all support obligations, and they do not have primary physical care of the child, they will be responsible for the child's related travel expenses.

Reimbursement for the child's travel expenses must be made within 30 days of receipt of documents detailing those expenses.

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 provisions

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

22. Neither parent is a servicemember.

23. 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.

Income: Danielle Caffaro (Utah Code 78B-12-203)

24. **Danielle Caffaro's** gross monthly income for child support purposes is **\$7,358.00**.

Her base child support amount using the joint custody calculation is **\$0.00** per month.

She receives the following gross monthly income:

- a. **Danielle Caffaro** is employed at **Mountain America Credit union**. She earns **\$7,358.00** gross (pre-tax) monthly income working a 40-hour a week job or less.

Income: John Joseph Caffaro II

25. **John Joseph Caffaro II's** gross monthly income for child support purposes is

\$14,733.00. His base child support amount using the joint custody calculation is

\$1,277.00 per month. He receives the following gross monthly income:

- a. **John Joseph Caffaro II** is voluntarily unemployed. Based on **John Joseph Caffaro II's** work experience during the marriage, he is capable of earning **\$85** per hour, or **\$14,733.33** per month. (Utah Code 78B-12-203(7)(8))

John has averaged this over the last 3 years

Child support (Utah Code 78B-12-202 et seq.)

26. **John Joseph Caffaro II** is ordered to pay child support to **Danielle Caffaro** as follows:

- a. **\$1,277.00** 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. The issue of past-due child support may be decided by future court or administrative action.

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

30. 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).

31. 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)).

32. The parties will do the following for child related support or expenses:
a. John Josephe Caffaro II shall purchase a life insurance policy on the life of John Joseph Caffaro II in sufficient amount to cover John Joseph Caffaro II's child support obligation in the event of John Josephe Caffaro II's death.

Dependent children for tax purposes

33. As long as **Danielle Caffaro** is current on all child support and other court-ordered financial obligations, she may claim the following children as dependents/exemptions for tax purposes as allowed by law: **Chloe Caffaro**

As long as **John Joseph Caffaro II** is current on all child support and other court-ordered financial obligations, he may claim the following children as dependents/exemptions for tax purposes as allowed by law: **Cash Caffaro**

When there is only one child that can be claimed, the parties will alternate claiming this child every other year.

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

34. **Danielle Caffaro** must maintain medical, hospital, and dental care 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:

- **Danielle Caffaro's** insurance will be primary coverage.
- **John Joseph Caffaro II'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:

- **Danielle Caffaro spouse's** insurance will be primary coverage.
- **John Joseph Caffaro II 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.

Child care expenses (Utah Code 78B-12-214)

35. Both parties will equally share all reasonable work, career, or occupational training-related child care expenses.

a. The party who pays child care expenses must provide the other party written verification of the cost and identity of the child care provider. This must be done when a provider is first hired, and any time the other party asks for the information. The party incurring or paying child care expenses must notify the other party of any change of a child care provider or monthly expense. This must be done within 30 calendar days of the change.

b. The party not directly paying for child care must pay their share of child care expenses as soon as they receive verification of the expenses.

c. If a party does **not** follow the order and provide written verification, they may not receive credit for work, career, or occupational training-related child care expenses or recover the other party's share of the expenses.

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

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

Personal property (Utah Code 30-3-5)

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

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

- a. Account number: **7586**
Name of Institution: **Wells Fargo**

Address: **Not Available**
Not Available
Account Balance: **\$2,000.00**
Names on Account: **Danielle Caffaro**
John Joseph Caffaro II
Divide as follows: **Don't Divide**

Other personal property

39. **Danielle Caffaro** will receive the following property:

Master Bedroom Furniture
washer and dryer
desk in office
one crate and barrel couch with ottoman
two brown low back chairs
Tv in master bedroom
Twin babies furniture
dining room table and chairs

40. **John Joseph Caffaro II** will receive the following property:

3 older kids furniture
high back brown chairs
refrigerator if not sold with house
one crate and barrel couch
2 tvs

41. This other property will be divided as follows:

with the sale of the house John and Danielle are to split the money made evenly
both will maintain their own current vehicles

Debts

42. 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.

Installment loan debt

a. Debt owed to: **Best Egg**
Street: **Not Available**
City, State, Zip: **Not Available**

Loan Description: **IVF Treatment**
Amount owed on debt: **\$19,000.00**
Danielle Caffaro will pay: **Half of the debt.**
John Joseph Caffaro II will pay: **Half of the debt.**
Person to provide creditor divorce decree: **Danielle Caffaro**

Real property

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

a. **home:**

- i. Address: **1094 W 1425 n, lehi, ut 84043;**
- ii. Tax Identification Number: **#67:095:0011;**
- iii. Legal description: **Lot 11, Mitchell Grove Subdivision.**
- iv. Mortgage information and payments:

This mortgage is: **First Mortgage**

Lender: **chase bank**

Address: **na**

Amount Owed: **\$565,000.00**

Monthly Payment: **\$2,785**

This mortgage will be paid as follows after the divorce:

this property is to be sold and split the earnings, if not sold

John is to maintain monthly. payments until such event

John Joseph Caffaro II will provide a copy of the divorce decree to the lender.

This mortgage is: **Second Mortgage**

Lender: **mountain America credit union**

Address: **na**

Amount Owed: **\$269,000.00**

Monthly Payment: **\$750**

This mortgage will be paid as follows after the divorce:

this property is to be sold and split the earnings, if not sold

John is to maintain monthly. payments until such event

John Joseph Caffaro II will provide a copy of the divorce decree to the lender.

b. This property will be sold as soon as possible. **John Joseph Caffaro II** will continue to be responsible for payments, taxes, and insurance until the property is sold.

Until the property is sold, **Danielle Caffaro** will have the exclusive use and possession of this property.

The proceeds of the sale will be applied as follows:

- First, pay expenses of sale.
- Second, pay all mortgages and liens. If there is money still owed on mortgages and liens, the parties will each be responsible for one half of each payment.
- Third, pay all marital debts and obligations.
- Finally, divide any remaining balance equally between the parties.

Alimony

44. Neither party will pay alimony.

Retirement money

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

Additional provisions

46. The parties will adhere to the following additional provisions:
 a. **Any medical debt from the birth of our twins on 3/17/2022 will be split evenly**
Cash and Chloe will be able to be baptized at the 8 of if they choose in the church of Jesus Christ of Latter Day Saints

Duty to sign documents

47. 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)

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

DATED January 5, 2023 [Signature]
 District Court Judge

DATED _____
 District Court Commissioner




John Joseph Caffaro II
Approved as to Form

Certificate of Service			
I certify that I filed with the court and am serving a copy of this Divorce Decree and following people.			gment on the
Person's Name	Service Method	Service Address	Service Date
John Joseph Caffaro II Respondent	Email	jcaffaro@me.com	10/22/2022

10/22/2022
Date

Sign here **Danielle Caffaro**
Danielle Caffaro