



4. Period of residence: 2017-2020
5. Person child lived with: Petitioner and Respondent

b. Remi Jae Schlotfeldt current address is 4141 s 6580 w West Valley City, UT 84128 United States:

1. Period of residence: 2020-present - present
2. Person child lived with: Petitioner and Respondent
3. Previous address: 564 E 4050 S #9H Salt Lake City 84107
4. Period of residence: 2017-2020
5. Person child lived with: Petitioner and Respondent

**Children – Other court proceedings** (Utah Rule of Civil Procedure 100; Utah Uniform Child Custody Jurisdiction and Enforcement Act, UCCJE, Utah Code 78B-13-101 et seq.; Utah Uniform Interstate Family Support Act, UIFSA, Utah Code 78B-14-101 et seq.)

4. I say the following:

- a. There are no custody, child support or parent-time cases about Katina Schlotfeldt and Derek Schlotfeldt's minor children in any court or government agency. This includes filed, pending, and completed cases.
- b. Katina Schlotfeldt does not know of any criminal, delinquency, or protective order cases involving Katina Schlotfeldt, Derek Schlotfeldt, or their children.
- c. Katina Schlotfeldt and Derek Schlotfeldt have physical custody of Ryker J. Schlotfeldt, Remi Jae Schlotfeldt, our children. We are the only people who have custody, child support, and parent-time rights to Ryker J. Schlotfeldt, Remi Jae Schlotfeldt.

#### **Children – custody**

5. It is in the children's best interest that custody be awarded as follows: joint legal and joint physical.
6. The children will split time living with each parent. Katina will be considered the custodial parent.

#### **Decision-making**

7. 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.

The parents will share responsibility for making major decisions about the children. If there is a disagreement, the parents will try to resolve the dispute before going to court.

#### **Records and information sharing**

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

#### **Children – parent time**

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

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

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

9. For children 5-18 Weekday parent-time will be Friday until Saturday Morning. On school days parent-time starts at the standard time (5:30 p.m. on weekdays; 6:00 p.m. on weekends). On days when school is not in session parent-time starts at 8:00 a.m. (depending on custodial parent's work schedule) if the noncustodial parent is able to be with the child. (Utah Code 30-3-35.1).

(1)The parent-time schedule in this section applies to children 5 to 18 years of age.

(2)If the parties do not agree to a parent-time schedule, the following schedule shall be considered the minimum parent-time to which the noncustodial parent and the child shall be entitled.

(a) (i) (A) One weekday evening to be specified by the noncustodial parent or the court, or Wednesday evening if not specified, from 5:30 p.m. until 8:30 p.m.;

(B) at the election of the noncustodial parent, one weekday from the time the child's school is regularly dismissed until 8:30 p.m., unless the court directs the application of Subsection (2)(a)(i); or

(C) at the election of the noncustodial parent, if school is not in session, one weekday from approximately 9 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, unless the court directs the application of Subsection (2)(a)(i)(A) or (2)(a)(i)(B).

(ii) Once the election of the weekday for the weekday evening parent-time is made, it may not be changed except by mutual written agreement or court order.

(b) (i) (A) Alternating weekends beginning on the first weekend after the entry of the decree from 6 p.m. on Friday until 7 p.m. on Sunday continuing each year;

(B) at the election of the noncustodial parent, from the time the child's school is regularly dismissed on Friday until 7 p.m. on Sunday, unless the court directs the application of Subsection (2)(b)(i)(A); or

(C) at the election of the noncustodial parent, if school is not in session, on Friday from approximately 9 a.m., accommodating the custodial parent's work schedule, until 7 p.m. on Sunday, if the noncustodial parent is available to be with the child unless the court directs the application of Subsection (2)(b)(i)(A) or (2)(b)(i)(B).

(ii) 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.

(iii) Elections should 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.

(iv) Weekends include any "snow" days, teacher development days, or other days when school is not scheduled and which are contiguous to the weekend period.

(c) Holidays include any "snow" days, teacher development days, or other days when school is not scheduled, contiguous to the holiday period, and take precedence over the weekend parent-time. Changes may not be made to the regular rotation of the alternating weekend parent-time schedule; however, 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.

(d) If a holiday falls on a regularly scheduled school day, the noncustodial parent shall be responsible for the child's attendance at school for that school day.

(e) (i) If a holiday falls on a weekend or on a Friday or Monday and the total holiday period extends beyond that time so that the child is free from school and the parent is free from work, the noncustodial parent shall be entitled to this lengthier holiday period.

(ii) (A) At the election of the noncustodial parent, parent-time over a scheduled holiday weekend may begin from the time the child's school is regularly dismissed at the beginning of the holiday weekend until 7 p.m. on the last day of the holiday weekend; or

(B) at the election of the noncustodial parent, if school is not in session, parent-time over a scheduled holiday weekend may begin at approximately 9 a.m., accommodating the custodial parent's work schedule, the first day of the holiday weekend until 7 p.m. on the last day of the holiday weekend, if the noncustodial parent is available to be with the child unless the court directs the application of Subsection (2)(e)(ii)(A).

(iii) A step-parent, grandparent, or other responsible individual 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.

(iv) Elections should be made by the noncustodial parent at the time 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.

(f) In years ending in an odd number, the noncustodial parent is entitled to the following holidays:

(i) child's birthday on the day before or after the actual birthdate beginning at 3 p.m. until 9 p.m.; at the discretion of the noncustodial parent, he may take other siblings along for the birthday;

(ii) Martin Luther King, Jr. beginning 6 p.m. on Friday until Monday at 7 p.m. unless the holiday extends for a lengthier period of time to which the noncustodial parent is completely entitled;

(iii) spring break beginning at 6 p.m. on the day school lets out for the holiday until 7 p.m. on the Sunday before school resumes;

(iv) July 4 beginning 6 p.m. the day before the holiday until 11 p.m. or no later than 6 p.m. on the day following the holiday, at the option of the parent exercising the holiday;

(v) Labor Day beginning 6 p.m. on Friday until Monday at 7 p.m., unless the holiday extends for a lengthier period of time to which the noncustodial parent is completely entitled;

(vi) the fall school break, if applicable, commonly known as U.E.A. weekend beginning at 6 p.m. on Wednesday until Sunday at 7 p.m. unless the holiday extends for a lengthier period of time to which the noncustodial parent is completely entitled;

(vii) Veteran's Day holiday beginning 6 p.m. the day before the holiday until 7 p.m. on the holiday; and

(viii) the first portion of the Christmas school vacation as defined in Subsection 30-3-32(3)(b) including Christmas Eve and Christmas Day until 1 p.m. on the day halfway through the holiday, if there are an odd number of days for the holiday period, or until 7 p.m. if there are an even number of days for the holiday period, so long as the entire holiday is equally divided.

(g) In years ending in an even number, the noncustodial parent is entitled to the following holidays:

(i) child's birthday on actual birthdate beginning at 3 p.m. until 9 p.m.; at the discretion of the noncustodial parent, he/she may take other siblings along for the birthday;

(ii) President's Day beginning at 6 p.m. on Friday until 7 p.m. on Monday unless the holiday extends for a lengthier period of time to which the noncustodial parent is completely entitled;

(iii) Memorial Day beginning at 6 p.m. on Friday until Monday at 7 p.m., unless the holiday extends for a lengthier period of time to which the noncustodial parent is completely entitled;

(iv) July 24 beginning at 6 p.m. on the day before the holiday until 11 p.m. or no later than 6 p.m. on the day following the holiday, at the option of the parent exercising the holiday;

(v) Columbus Day beginning at 6 p.m. the day before the holiday until 7 p.m. on the holiday;

(vi) Halloween on October 31 or the day Halloween is traditionally celebrated in the local community from after school until 9 p.m. if on a school day, or from 4 p.m. until 9 p.m.;

(vii) Thanksgiving holiday beginning Wednesday at 7 p.m. until Sunday at 7 p.m.; and

(viii) the second portion of the Christmas school vacation as defined in Subsection 30-3-32(3)(b), beginning 1 p.m. on the day halfway through the holiday, if there are an odd number of days for the holiday period, or at 7 p.m. if there are an even number of days for the holiday period, so long as the entire Christmas holiday is equally divided.

(h) The custodial parent is entitled to the odd year holidays in even years and the even year holidays in odd years.

(i) Father's Day shall be spent with the natural or adoptive father every year beginning at 9 a.m. until 7 p.m. on the holiday.

(j) Mother's Day shall be spent with the natural or adoptive mother every year beginning at 9 a.m. until 7 p.m. on the holiday.

(k) Extended parent-time with the noncustodial parent may be:

(i) up to four weeks consecutive at the option of the noncustodial parent, including weekends normally exercised by the noncustodial parent, but not holidays;

(ii) two weeks shall be uninterrupted time for the noncustodial parent; and

(iii) 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.

(l) The custodial parent shall have an identical two-week period of uninterrupted time during the children's summer vacation from school for purposes of vacation.

(m) Both parents shall provide notification of extended parent-time or vacation weeks with the child at least 30 days in advance 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.

(n) Telephone contact shall be at reasonable hours and for a reasonable duration.

(o) 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:

(i) the best interests of the child;

(ii) each parent's ability to handle any additional expenses for virtual parent-time; and

(iii) any other factors the court considers material.

(3) Any elections required to be made in accordance with this section by either parent concerning parent-time shall be made a part of the decree and made a part of the parent-time order.

(4) Notwithstanding Subsection (2)(e)(i), the Halloween holiday may not be extended beyond the hours designated in Subsection (2)(g)(vi).

(1) The parent-time schedule in this section applies to children under five years old.

(2) All holidays in this section refer to the same holidays referenced in Section 30-3-35.

(3) If the parties do not agree to a parent-time schedule, the following schedule shall be considered the minimum parent-time to which the noncustodial parent and the child shall be entitled.

**(a) For children under five months of age:**

(i) six hours of parent-time per week to be specified by the court or the noncustodial parent preferably:

(A) divided into three parent-time periods; and

(B) in the custodial home, established child care setting, or other environment familiar to the child; and

(ii) two hours on holidays and in the years specified in Subsections 30-3-35(2)(f) through (k) preferably in the custodial home, the established child care setting, or other environment familiar to the child.

**(b) For children five months of age or older, but younger than nine months of age:**

(i) nine hours of parent-time per week to be specified by the court or the noncustodial parent preferably:

(A) divided into three parent-time periods; and

(B) in the custodial home, established child care setting, or other environment familiar to the child; and

(ii) two hours on the holidays and in the years specified in Subsections 30-3-35(2)(f) through (k) preferably in the custodial home, the established child care setting, or other environment familiar to the child.

**(c) For children nine months of age or older, but younger than 12 months of age:**

(i) one eight hour visit per week to be specified by the noncustodial parent or court;

(ii) one three hour visit per week to be specified by the noncustodial parent or court;

(iii) eight hours on the holidays and in the years specified in Subsections 30-3-35(2)(f) through (k); and

(iv) brief telephone contact and other virtual parent-time, if the equipment is reasonably available, with the noncustodial parent at least two times per week, 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:

(A) the best interests of the child;

(B) each parent's ability to handle any additional expenses for virtual parent-time; and

(C) any other factors the court considers material.

**(d) For children 12 months of age or older, but younger than 18 months of age:**

(i) one eight-hour visit per alternating weekend to be specified by the noncustodial parent or court;

(ii) on opposite weekends from Subsection (3)(d)(i), from 6 p.m. on Friday until noon on Saturday;

(iii) one three-hour visit per week to be specified by the noncustodial parent or court;

(iv) eight hours on the holidays and in the years specified in Subsections 30-3-35(2)(f) through (k); and

(v) brief telephone contact and other virtual parent-time, if the equipment is reasonably available, with the noncustodial parent at least two times per week, 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:

(A) the best interests of the child;

(B) each parent's ability to handle any additional expenses for virtual parent-time; and

(C) any other factors the court considers material.

**(e) For children 18 months of age or older, but younger than three years of age:**

(i) one weekday evening between 5:30 p.m. and 8:30 p.m. to be specified by the noncustodial parent or court; however, if the child is being cared for during the day outside his 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 him to the custodial parent by 8:30 p.m.;

(ii) alternative weekends beginning on the first weekend after the entry of the decree from 6 p.m. on Friday until 7 p.m. on Sunday continuing each year;

(iii) parent-time on holidays as specified in Subsections 30-3-35(2)(c) through (k);

(iv) extended parent-time may be:

(A) two one-week periods, separated by at least four weeks, at the option of the noncustodial parent;

(B) one week shall be uninterrupted time for the noncustodial parent;

(C) the remaining week shall be subject to parent-time for the custodial parent consistent with these guidelines; and

(D) the custodial parent shall have an identical one-week period of uninterrupted time for vacation; and

(v) brief telephone contact and virtual parent-time, if the equipment is reasonably available, with the noncustodial parent at least two times per week, 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:

(A) the best interests of the child;

(B) each parent's ability to handle any additional expenses for virtual parent-time; and

(C) any other factors the court considers material.

**(f) For children three years of age or older, but younger than five years of age:**

(i) one weekday evening between 5:30 p.m. and 8:30 p.m. to be specified by the noncustodial parent or court; however, if the child is being cared for during the day outside his 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 him to the custodial parent by 8:30 p.m.;

(ii) alternative weekends beginning on the first weekend after the entry of the decree from 6 p.m. on Friday until 7 p.m. on Sunday continuing each year;

(iii) parent-time on holidays as specified in Subsections 30-3-35(2)(c) through (k);

(iv) extended parent-time with the noncustodial parent may be:

(A) two two-week periods, separated by at least four weeks, at the option of the noncustodial parent;

(B) one two-week period shall be uninterrupted time for the noncustodial parent;

(C) the remaining two-week period shall be subject to parent-time for the custodial parent consistent with these guidelines; and

(D) the custodial parent shall have an identical two-week period of uninterrupted time for vacation; and

(v) brief telephone contact and virtual parent-time, if the equipment is reasonably available, with the noncustodial parent at least two times per week, 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:

(A) the best interests of the child;

(B) each parent's ability to handle any additional expenses for virtual parent-time; and

(C) any other factors the court considers material.

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

(5) Virtual parent-time shall be at reasonable hours and for reasonable duration.

### **Changing the plan**

10. This plan remains in effect until changed. A change must be agreed to by both parents and must be in writing.



## **Resolving disputes**

11. 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 try to resolve them with a professional or specialist before bringing the issue to court.
12. The issue of past-due child support may be decided by future court or administrative action.
13. The parties must notify each other within 30 days of any change in their income.
  - a. The parties can ask to change this child support order by motion after three years from the date of its entry if:
    - i. There's a difference of 10% or more between the amount previously ordered and the new amount of child support under the Utah child support guidelines,
    - ii. The difference is not temporary, and
    - iii. The amount previously ordered was not a deviation from the child support guidelines (Utah Code 78-B-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 62-A-11-306.2).

14. 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:
  - a. Custody;
  - b. The relative wealth or assets of the parties;
  - c. Income of a parent of 30% or more;
  - d. The employment potential and ability of a parent to earn;
  - e. The medical needs of the child; or
  - f. The legal responsibilities of either parent for the support of others. (Utah Code 78-B-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**

15. Respondent may claim the parties' children as dependents/exemptions for tax purposes in odd numbered years. Petitioner may claim the parties' children as dependents/exemptions for tax purposes in even numbered years.
16. Respondent may claim the parties' children as dependents/exemptions for tax purposes in odd numbered years. Petitioner may claim the parties' children as dependents/exemptions for tax purposes in even numbered years.

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

17. Respondent must maintain medical, hospital, and dental care insurance for the dependent children if it is available at a reasonable cost.
- a. Respondent will pay out-of-pocket costs of the insurance premiums.
  - b. both parties will split the costs will pay 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.
  - c. The party who pays health care expenses must provide the other party written verification of the cost and payment within 30 days.
  - d. 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.
  - e. 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.
  - f. 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)**

18. Both parties will split childcare costs will pay for 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 identify 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.
19. Each party should attend and complete the course entitled Divorce Education for Parents, as required by law. Information and court schedules may be obtained through the Clerk of the District Court.

**Child Support (Utah Code 78B-12-105)**

20. The Respondent shall pay child support directly to the Petitioner in the amount of \$67 a month based on the sheet provided, comparing monthly incomes.

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

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

**Personal Property (Utah Code 30-3-5)**

22. The parties have acquired certain items of property which should be awarded to Katina Schlotfeldt:
- a. All clothing, jewelry and personal effects presently in Katina Schlotfeldt's possession, custody and control.
  - b. All household furniture, furnishings, artwork, appliances, and other personal property presently in Katina Schlotfeldt's possession, custody and control.
  - c. All personal property acquired by Katina Schlotfeldt before the date of marriage.
  - d. All personal property acquired by Katina Schlotfeldt since the date the parties separated.
  - e. All other personal property including TBD.



The following vehicle(s):

- f.
  - i. 2020 Hyundai Tucson
  - ii. Km8j3ca46lu093212
  - iii. Petitioner
  - iv. Petitioner shall assume and pay any and all secured debt on said vehicle.
  - v. A certified copy of the final Decree of Divorce is sufficient proof to transfer ownership of the above-mentioned vehicle(s).

23. The parties have acquired certain items of property which should be awarded to Derek Schlotfeldt:

- a. All clothing, jewelry and personal effects presently in Derek Schlotfeldt's possession, custody and control.
- b. All household furniture, furnishings, artwork, appliances, and other personal property presently in Derek Schlotfeldt's possession, custody and control.
- c. All personal property acquired by Derek Schlotfeldt before the date of marriage.
- d. All personal property acquired by Derek Schlotfeldt since the date the parties separated.
- e. All other personal property including TBD.

f. The following vehicle(s):

- i. 2018 Jeep Wrangler
- ii. 1c4bjwdg7jl859540
- iii. Respondent
- iv. Respondent shall assume and pay any and all secured debt on said vehicle.
- v. A certified copy of the final Decree of Divorce is sufficient proof to transfer ownership of the above-mentioned vehicle(s).

### **Debts**

- 24. Katina Schlotfeldt shall pay, when due, all debts and obligations issued in Katina Schlotfeldt's name and/or social security number, including but not limited to: TBD.
- 25. Derek Schlotfeldt shall pay, when due, all debts and obligations issued in Derek Schlotfeldt's name and/or social security number, including, but not limited to: TBD.

### **Real Property**

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

- a. 4141 s 6580 w, House.

There is a mortgage on the property with: Intercap Lending. The loan number is: 5002050910.

The mortgage of this property will be refinanced in Katina Benavidez's name. Any equity gained during the refinance will be split and paid out to Derek Schlotfeldt.

### **Alimony**

Neither party will pay alimony.

### **Retirement money**

- 27. The parties have no interest in any retirement money which is marital property, and do not need a court order about retirement money.

**Name after divorce**

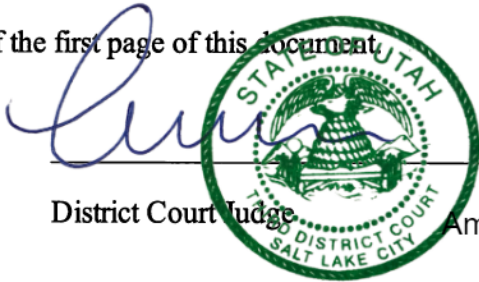
28. Petitioner changed his/her name when the parties married. Petitioner's name will be restored to Katina Benavidez after the divorce.

**Duty to sign documents**

29. The parties will sign all documents necessary to comply with the divorce decree within 60 days from the 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 9/16/2023



District Court Judge Amber M. Mettler

DATED \_\_\_\_\_

District Court Commissioner

[Handwritten signature]

Derek Schlotfeldt


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 Judgment on the following people.

Person's name	Service Method	Service Address	Service Date

Date 9-13-2023

Sign here   
Katina Schlotfeldt