

The Order of the Court is stated below:

Dated: March 19, 2024
05:36:30 PM

/s/ KARA PETTIT
District Court Judge



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IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH
450 S. State St., Salt Lake City, UT 84111

**IN THE MATTER OF THE
MARRIAGE OF:**

DANIELLE DESTINY BOWMAN,

Petitioner,

and

JEFFREY BOWMAN,

Respondent.

DECREE OF DIVORCE

Case No.234905900

Judge: Kara Pettit

Commissioner: Russell Minas

This matter came before the above-entitled court by way of pleading, seeking the court's entry of a Decree of Divorce. The Court having entered its Findings of Fact and Conclusions of Law, having fully considered the file and all matters herein, it is hereby:

ORDERED, ADJUDGED AND DECREED:

DECREE OF DIVORCE

1. DECREE OF DIVORCE GRANTED. Petitioner is hereby awarded a Decree of Divorce from and against Respondent, on the grounds of irreconcilable differences, the same to become final and absolute upon signing by the court and entry by the clerk in the Registry of Actions.
2. JURISDICTION. The Court has jurisdiction over the parties and the subject matter of this case.

3. Petitioner and the Respondent were married on September 12, 2015, in Salt Lake County, Utah, and are presently married. The parties separated on or about February 21, 2023.

4. During the course of the marriage the parties have experienced difficulties that cannot be reconciled that have prevented the parties from pursuing a viable marriage relationship.

Custody

5. The parties have two minor children born of this marriage: J.A.B., born May 2018 and E.M.B., born June 2022

6. Pursuant to Utah Rules of Civil Procedure 100(a)(1) the Petitioner states, upon information and belief, that there are no proceedings for custody of the above-named minor children filed or pending in the Juvenile Court.

7. Utah has jurisdiction to make child custody and visitation determinations pursuant to Utah Code Ann. §78B-13-101 *et seq.* in that:

- a. Utah is the home state of the minor children at the time of commencement of this proceeding.
- b. Said minor children currently resides in Salt Lake County and has resided there for at least the six months preceding this Petition.
- c. Petitioner has not been a party, witness, or participated in any other capacity in any other litigation concerning the custody of the subject minor children in this State or any other State.
- d. Petitioner has no information of any custody proceeding concerning the subject minor children pending in a court of this or any other State.

e. Petitioner does not know of any person, not a party to these proceedings, who has physical custody of the subject minor children and who claims to have custody or visitation rights with respect to said children.

8. Petitioner and Respondent shall be awarded joint legal custody of the Parties' minor children consistent with the Parenting Plan herein.

9. Petitioner and Respondent shall be awarded joint physical custody of the Parties' minor children consistent with the Parenting Plan herein.

10. Respondent shall be awarded liberal and flexible parent time as the parties agree to ensure frequent, meaningful, and continuing access with the children. If the parties fail to agree on parent time, the minimum visitation will begin on the first full week following the entry of the Decree of Divorce and Judgment as follows:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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Week 1	1	2	3	4	5	6	7
	Mom all day overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Dad all day overnight
Week 2	8	9	10	11	12	13	14
	Dad all day overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Mom all day overnight
	15	16	17	18	19	20	21
	Mom all day overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Dad all day overnight
	22	23	24	25	26	27	28
	Dad all day overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Dad School/Childcare 5:30 pm to overnight	Mom School/Childcare 5:30 pm to overnight	Mom all day overnight
Week 5	29	30	31	The default calendar: To the effect that Respondent has 183 total overnight stays, and Petitioner has 182 overnight stays. (Except on leap-years)			

11. Petitioner and Respondent shall have the following restrictions during his or her parent time:
- a. Petitioner and Respondent shall be restrained from drinking alcohol or taking any illegal drugs or being under the influence of alcohol or illegal drugs, while in the presence of the minor children.
 - b. Petitioner and Respondent shall be restrained from viewing or showing to the minor children pornography while in the presence of the minor children.

12. Each parent shall refrain from speaking to or about the other in demeaning, disparaging, or disrespectful terms in the presence of the children or in any way that the children may inadvertently hear such remarks. Each parent shall also prevent any third party from making any such remarks.

Child Support

13. Petitioner is currently employed and makes \$41.00 per hour and works approximately 40 hours per week. Petitioner's gross monthly income is approximately \$7,280.

14. Respondent is currently employed and upon information and belief makes \$96,000 per year. Respondent's gross monthly income is approximately \$8,000.

15. Respondent shall pay child support to Petitioner in the amount of \$32.00 per month according to the Uniform Child Support Guidelines.

16. Pursuant to Utah Code Annotated §78B-12-101 et seq., Respondent shall be ordered to pay to the Petitioner child support as follows:

a. Child Support shall be awarded consistent with the Utah Child Support Act, and based upon the parties' gross monthly incomes, utilizing a Child Support Obligation Worksheet.

b. Child support shall be administered by the Utah Office of Recovery Services or electronic funds transfer.

c. A sum of not less than the base support for the minor children of the parties, pursuant to the Uniform Child Support Guidelines, when a minor child becomes 18 years of age or graduates from high school during the minor child's normal and expected year of graduation, whichever occurs later, dies, marries,

becomes a member of the armed forces of the United States, or is emancipated by court order pursuant to Title 78, Chapter 3a, Part 10, Emancipation, the child support shall be adjusted to reflect the remaining number of children.

d. One-half (1/2) of the Respondent's monthly child support obligation shall be paid on or before the 5th of each and every month and one-half (1/2) paid on or before the 20th of each and every month.

e. The Petitioner shall be entitled to mandatory income withholding relief pursuant to Utah Code Annotated 62A-11 parts 4 and 5 (1953 as amended), and any Federal and State tax refunds or rebates due the Respondent may be intercepted by the State of Utah and applied to existing child support arrearages. This income withholding procedure shall apply to existing and future arrearages. All withheld income shall be submitted to the Office of Recovery Services until such time as Respondent no longer owes child support to Petitioner.

f. The issue of child support arrearages may be determined by further judicial or administrative process.

17. Pursuant to Utah Code Annotated §78B-12-212 (1953) as amended, it is reasonable and proper that:

a. Petitioner and Respondent shall obtain and maintain health, dental, and eye care insurance for the benefit of the parties' minor children if it is or becomes available through their employment at reasonable cost.

- b. The Respondent's (Jeffrey Bowman's) health insurance plan will be designated as the primary coverage for the minor children if there is more than one insurance coverage for the minor children.
- c. Both parties shall share equally all out of pocket costs of the premium actually paid by a parent for the children's portion of insurance. The children's portion of the premium shall be calculated by dividing the premium amount by the number of persons covered under the policy and multiplying the result by the number of minor children of the parties in this case.
- d. Both parties shall share all reasonable and necessary uninsured and unreimbursed medical, dental, orthodontic, and vision expenses incurred for the minor children, including but not limited to deductibles and copayments.
- e. The parent ordered to maintain insurance shall provide verification of coverage to the other parent, or to the Office of Recovery Services under Title IV of the Social Security Act, upon initial enrollment of the dependent child, and thereafter on or before January 2, of each calendar year. The parent shall notify the other parent, or the Office of Recovery Services, of any change of insurance carrier, premium, or benefits within 30 calendar days of the date that parent first knew or should have known of the change.
- f. A parent who incurs medical expenses shall provide written verification of the cost and payment of medical expenses to the other parent within 30 days of payment.

g. A parent incurring medical expenses may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses if that parent fails to comply with the subparagraphs of this section.

h. The parent to whom written verification is provided shall reimburse the parent who incurred the medical expenses one-half of the amount of the out-of-pocket costs within 30 days of receipt of the written verification.

18. Petitioner and Respondent shall share equally all the expenses incurred for the minor children's extra-curricular activities, whether in school, the community, or otherwise, if agreed in writing.

19. Petitioner and Respondent shall share equally the reasonable work-related childcare expenses incurred by the Petitioner pursuant to Section 78B-12-214, UCA.

a. If an actual expense for childcare is incurred, a parent shall begin paying their share on a monthly basis immediately upon presentation of proof of the childcare expense, but if the childcare expense ceases to be incurred, that parent may suspend making monthly payment of that expense while it is not being incurred, without obtaining a modification of the child support order.

b. A parent who incurs childcare expense shall provide written verification of the cost and identity of a childcare provider to the other parent upon initial engagement of a provider and thereafter on the request of the other parent.

c. A parent shall notify the other parent of any change of childcare provider or the monthly expense of childcare within 30 calendar days of the date of the change.

- d. In addition to any other sanctions provided by the court, a parent incurring childcare expenses may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses if the parent incurring the expenses fails to comply with the immediately preceding two paragraphs.

Parenting Plan

20. The parenting plan is in the best interest of the children and is the order of the court and not a mere suggestion. Pursuant to Utah Code Ann. §§30-3-10.7 and -10.9, the following parenting plan shall be the order of the court:

- a. The parents will discuss with each other and mutually decide the significant decisions regarding their children, including, but not limited to, the children's education, health care, and religious upbringing. Either parent may make emergency decisions regarding the health or safety of their children.
- b. Day to day decisions regarding the care, control, and discipline of the parties' children will be made by the parent with whom the child is residing at the time.
- c. Should the parties be unable to agree on an issue regarding the children after a good faith effort by both parties to reach a mutual decision, Petitioner shall have the final say on all issues.
- d. Regarding education, the minor children shall continue to attend the schools they are currently attending. Before any of the children are enrolled in a new school, or before any changes to the minor children's school are made, Petitioner and Respondent shall discuss the various options. Those discussions shall include obtaining input from the minor children's counselors, therapists, teachers, etc. The Parties shall share their

thoughts on the issue and consider one another's input. Petitioner and Respondent shall make decisions regarding school that are in the minor children's best interest. If the Parties are unable to agree upon a school, then the Parties shall attend mediation with each party paying one-half of the cost of mediation, and in the event the Parties are still unable to agree then Petitioner shall have final say, reserving Respondent's right to bring the issue before the Court.

e. Should either parent feel that a decision made under paragraphs a, b, c and d above is contrary to the best interests of the children, that parent may arrange for mediation of the matter through a mutually agreed upon mediator or mediation service. Should the parties be unable to agree upon a mediator or mediation service, the parent requesting mediation will arrange for mediation through Utah Dispute Resolution. A written record shall be prepared of any agreement reached in mediation and a copy provided to each party. The parents shall share the costs of mediation. No dispute may be presented to the Court in this matter without a good faith attempt by both parents to resolve the issue through mediation. If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court may award attorney's fees and financial sanctions to the prevailing parent. The Court has the right of review from the mediation process.

f. Regarding medical decisions for the minor children the Parties shall discuss all major and/or significant medical issues and consult together with doctors and other medical providers regarding any major and/or significant medical issues. The Parties shall share their thoughts on the issue and consider one another's input. If the Parties are

unable to agree upon a medical issue, then the Parties shall attend mediation with each party paying one-half of the cost of mediation, and in the event the Parties are still unable to agree then Petitioner shall have final say, reserving Respondent's right to bring the issue before the Court.

g. Petitioner and Respondent shall each have complete, full and unfettered access directly to all medical records, medical reports, doctors, therapists, counselors, etc. Petitioner and Respondent shall each be entitled to attend any medical, counseling or therapy appointments of any kind. Petitioner and Respondent shall not be permitted to schedule any appointments of any kind without coordinating the appointment with the other Party's calendar, so that both Parties can attend if they choose. In the event of a medical emergency the Party with the care of the minor children shall immediately notify the other Parent.

h. Each parent shall give the other parent the first option to provide day care and/or babysitting for the parties' minor children for periods of time over three hours. Unless the parties otherwise agree, the parent shall be providing the care, not that parent's spouse or paramour.

i. Each of the parties shall be under mutual obligation to immediately notify the other of any change in address where the children will be living or where parent time will occur, as well as any change of telephone number.

j. Each parent shall immediately notify the other in the event of any accident or health emergency of the children.

- k. Each party will provide the other party notice if the minor children are taken out-of-state or more than 150 miles away. The traveling parent shall provide an itinerary and contact information for any said trip.
- l. Regarding religious decisions for the minor children the Parties shall discuss all major and/or significant religious issues and consult together with ecclesiastical leaders regarding any major and/or significant religious issues. The Parties shall share their thoughts on the issue and consider one another's input. Respondent shall perform all ordinances or other religious ceremonies that are generally done by a father.
- m. Special considerations shall be given by each parent to make the children available to attend family functions, including but not limited to funeral, weddings, family reunions, religious holidays, important ceremonies, and other significant events in the life of the children or in the life of either parent which may inadvertently conflict with the parent-time schedule.
- n. Each parent shall share the children's report cards, school pictures, and other significant information regarding each child. Each parent shall be entitled to attend parent-teacher conferences.
- o. Each parent shall have direct access to all of the children's records, including school reports, preschool and day care reports, and medical records. Each parent shall be listed on school records and receive notification in case of any emergency.
- p. Each parent shall affirmatively notify the other parent of all school programs, church events, extracurricular activities, sporting events, etc., involving a child with enough advance notice to reasonably allow the parent to attend.

q. Each parent shall refrain from speaking to or about the other in demeaning, disparaging, or disrespectful terms in the presence of a children or in any way that a children may inadvertently hear such remarks. Each parent also has an affirmative duty to prevent any third party from making any such remarks.

r. If a parent fails to comply with a provision of this parenting plan, the other parent's obligations under the parenting plan are not affected. Failure to comply with a provision of the parenting plan or child support order may result in a finding of contempt of court.

s. Before any custody/parent-time issue is brought before the Court the Parties shall attend mediation and participate in good faith. The cost of mediation shall be divided equally between the parties.

t. Day to day decisions regarding the care, control and discipline of the parties' minor children shall be made by the party with whom the minor children are residing at the time

u. Except as otherwise agreed to herein, the advisory set forth in Utah Code 30-3-33 shall be incorporated herein and the order of the court.

Tax Exemptions

21. The Parties shall equally divide the right to claim the parties' minor children as dependent on their state and federal tax returns. Petitioner shall be entitled to claim the parties' minor child, E.M.B, as an exemption for the purposes of filing federal and state income tax return. Respondent shall be entitled to claim the parties' minor child, J.A.B. as an exemption for the purposes of filing federal and state income tax returns. When the Respondent is unable to

claim J.A.B. on his state and federal tax returns, the parties will alternate E.M.B. with the Petitioner claiming the child for the first year. Respondent must be current in his child support obligations as of December 31 of the applicable year before he may claim the child as a dependent.

Personal Property

22. The parties may keep the vehicles in their possession, and the Petitioner shall be awarded the dining room table and chairs. All other personal property of the parties has been amicably divided. Therefore, each party shall be awarded the property presently in his/her possession.

Real Property

23. The parties have acquired real property during the course of their marriage. A home, at 7073 South Brittany Town Drive, West Jordan, Utah, legal description UNIT B-4, BLDG 1-21, BRITTANY PHASE 5 CONDO. 8288-8657 8406-2653 8743-3597, (“Home”). Respondent is awarded the residence subject to Petitioner’s one-half equity therein. Petitioner’s Equity in the Home is \$80,000. Respondent shall be responsible for all costs associated with the home beginning on January 1, 2024. If Respondent is unable to refinance within ninety (90) days, after good faith efforts to do so, the residence shall be listed for sale at a commercially reasonable market price. Both parties shall cooperate fully in said sale. The Petitioner will have the final say on whether to accept or reject any offers. The parties will equally split the costs associated with the sale of the home.

Debts and Obligations

24. During the course of this marriage, the parties have acquired certain debts. It is fair, reasonable, and proper that Petitioner be ordered to assume and pay any and all debts that are in her name alone or incurred since the date of separation. It is fair, reasonable and proper that Respondent be ordered to assume and pay any and all debts that are in his name alone or incurred since the date of separation, holding Petitioner harmless from any liability on those debts. There are no debts held jointly in both parties' name that need be addressed other than the Mortgage on the Home, which will be the responsibility of the Respondent.

25. The parties shall provide a copy of the final Decree of Divorce to all creditors pursuant to Utah Code Ann. (U.C.A.) §30-3-5(1)(c) and §15-4-6.5 and do any follow-up necessary to effectuate these statutes. With respect to either party who is not ordered to make payment under §30-3-5 and §30-3-4 on the joint obligation, no negative report under U.C. A. §70C-7-107 and no report of the debtor's repayment practices or credit history under Chapter 14, Title 7, Credit Information Exchange, may be made regarding the joint obligation after the creditor is served with the Court's Order as required under U.C. A. §15-4-6.5(2), unless the creditor has made a demand on the joint obligor not ordered to pay the debt for payment because of the failure to make payments by the joint obligor ordered to make the payments.

Retirement Accounts, Pensions Funds, and Individual Retirement Accounts

26. Either party may have acquired retirement accounts, pensions funds, or individual retirement accounts during the course of their marriage. Each party shall retain his or her retirement accounts, pensions funds, or individual retirement accounts free and clear of any claim of the other party.

Alimony

27. Neither party will be awarded alimony.

Attorney's Fees and Costs

28. Both parties will pay their own costs and reasonable attorney fees.

Miscellaneous

29. Petitioner and Respondent shall each be permanently restrained from bothering, harassing, annoying, threatening, conspiring, or harming each other at any time or in any place or allowing extended family members or any third party to do so.

30. Petitioner and Respondent shall each be restrained from accessing each other's personal information online or by any other means, including contacting friends and acquaintances of the other party to access any personal information about that party.

31. Petitioner and Respondent shall each be restrained from using the other party's name, likeness or credit to obtain credit or for any other purpose.

32. Each party shall be ordered to execute and deliver to the other such documents as are required to implement the provisions of the Divorce Decree entered by the Court. Both parties shall be responsible for giving notice to all creditors of the terms of the debt distribution of the divorce decree.

33. The Court shall grant such other and further relief, including temporary relief, as it may deem just and proper in this matter.

SO ORDERED

*****In accordance with the Utah State District Court's Efiling Standard No. 4, and URCP Rule 10(e), this Order does not bear the handwritten signature of the Judge, but instead displays an electronic signature at the upper right-hand corner of the first page of this Order.*****

Approved as to form:

/s/ Mark Nelson

Mark Nelson

Attorney for Respondent