

1986

Utah v. Vigil : Unknown

Utah Supreme Court

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Unknown.

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COURT OF APPEALS
BRIEF

DNA-PEOPLE'S LEGAL SERVICES, INC.

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April 30, 1987

ET NO. 860048-CA

Geoffrey Butler, Clerk
Utah Supreme Court
Room 332
State Capitol Building
Salt Lake City, Utah 84114

RE: Utah v. Vijil, No. 20111

Dear Mr. Butler:

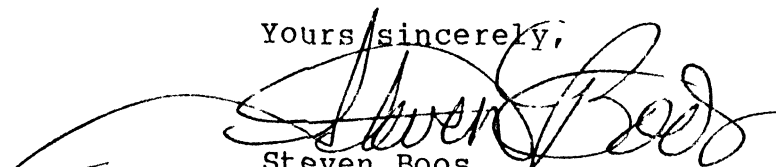
Pursuant to Rule 24(j), Utah Rules of Appellate Procedure, the appellant, Daniel Vijil, wishes to advise the Court of supplemental authority, pertinent to this action, not previously cited by either party.

House Bill No. 37, from the 1987 General Session (photocopy attached), amended U.C.A. 78-27-24 to allow, for the first time, long-arm jurisdiction over actions for child-support arrearages. Prior to the effective date of the Bill (4/27/87), Utah had no long-arm authority in arrearages actions.

This Bill is pertinent to arguments made at pages 29-30 of the Appellant's Brief, and at pages 22-23 of the Appellant's Reply Brief.

As Rule 24 dictates, a more detailed discussion of this amendment is reserved until the Court holds oral arguments in this appeal.

Yours sincerely,



Steven Boos
Attorney at Law

SB/isb

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FILED
MAY 4 1987

Clerk, Supreme Court, Utah

CHILD SUPPORT LONG ARM STATUTE

1987

GENERAL SESSION

Enrolled Copy

H. B. No. 37

By Ervin M. Skousen

AN ACT RELATING TO THE JUDICIAL CODE; ESTABLISHING LONG ARM JURISDICTION FOR COLLECTION OF CHILD SUPPORT; AND CLARIFYING LONG ARM PROVISIONS REGARDING DIVORCE AND SEPARATE MAINTENANCE ACTIONS.

THIS ACT AFFECTS SECTIONS OF UTAH CODE ANNOTATED 1953 AS FOLLOWS:

AMENDS:

78-27-24, AS LAST AMENDED BY CHAPTER 160, LAWS OF UTAH 1983

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 78-27-24, Utah Code Annotated 1953, as last amended by Chapter 160, Laws of Utah 1983, is amended to read:

78-27-24. Any person, notwithstanding Section 16-10-102, whether or not a citizen or resident of this state, who in person or through an agent does any of the following enumerated acts, submits himself, and if an individual, his personal representative, to the jurisdiction of the courts of this state as to any claim arising from:

- (1) the transaction of any business within this state;
- (2) contracting to supply services or goods in this state;
- (3) the causing of any injury within this state whether tortious or by breach of warranty;
- (4) the ownership, use, or possession of any real estate situated in this state;

(5) contracting to insure any person, property, or risk located within this state at the time of contracting;

(6) with respect to actions of divorce [and], separate maintenance, [~~the--maintenance-in-this-state-of-a-matrimonial-domicile-at-the-time-the-claim--arose~~] or child support, having resided, in the marital relationship, within this state notwithstanding subsequent departure from the state; or the commission in this state of the act giving rise to the claim, so long as that act is not a mere omission, failure to act, or occurrence over which the defendant had no control; or

(7) the commission of sexual intercourse within this state which gives rise to a paternity suit under Chapter 45a, Title 78, to determine paternity for the purpose of establishing responsibility for child support.