

1992

# Ginger E. Rowe v. Norman H. Rowe : Brief of Appellee

Utah Court of Appeals

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DOCKET NO. 920507 IN THE UTAH COURT OF APPEALS

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GINGER E. ROWE,	:	
	:	
Plaintiff and Appellee,	:	Case No. 920507-CA
	:	
vs.	:	
	:	
NORMAN H. ROWE,	:	
	:	Priority No. 15
Defendant and Appellant.	:	
	:	

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ADDENDUM TO BRIEF OF APPELLEE GINGER E. ROWE

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AN APPEAL FROM THE ORDERS OF THE FOURTH JUDICIAL  
DISTRICT COURT

Judge Cullen Y. Christensen

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CERTIFICATE OF SERVICE

I certify that on April 26, 1993, I mailed two copies  
of the Addendum to Brief of Appellee Ginger Rowe to:

Graham Dodd  
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## Exhibit 1

### **78-45-7.3. Procedure — Documentation — Stipulation.**

- (1) In a default or uncontested proceeding, the moving party shall submit:
  - (a) a completed child support worksheet;
  - (b) the financial verification required by Subsection 78-45-7.5(5); and
  - (c) a written statement indicating whether or not the amount of child support requested is consistent with the guidelines.
- (2) (a) If the documentation of income required under Subsection (1) is not available, a verified representation of the defaulting party's income by the moving party, based on the best evidence available, may be submitted.
  - (b) The evidence shall be in affidavit form and may only be offered after a copy has been provided to the defaulting party in accordance with Utah Rules of Civil Procedure or Title 63, Chapter 46b, the Administrative Procedures Act, in an administrative proceeding.
- (3) (a) In a stipulated proceeding, one of the moving parties shall submit:
  - (i) a completed child support worksheet;
  - (ii) the financial verification required by Subsection 78-45-7.5(5); and
  - (iii) a written statement indicating whether or not the amount of child support requested is consistent with the guidelines.
  - (b) A hearing is not required, but the guidelines shall be used to review the adequacy of a child support order negotiated by the parents.
  - (c) A stipulated amount for child support or combined child support and alimony is adequate under the guidelines if the stipulated child support amount or combined amount exceeds the total child support award required by the guidelines. When the stipulated amount exceeds the guidelines, it may be awarded without a finding under Section 78-45-7.2.

**History:** C. 1953, 78-45-7.3, enacted by L. 1989, ch. 214, § 5; 1990, ch. 100, § 4.

**Amendment Notes.** — The 1990 amendment, effective April 23, 1990, in Subsection (1)(c) substituted "a written statement" for "an affidavit" and made stylistic changes; added the language beginning "or Chapter 46b" to Subsection (2)(b); and, in Subsection (3), divided former Subsection (a) to form present Subsections (a) and (b), rewrote Subsection (a), which had read "If a stipulation is submitted

as a basis for establishing or modifying child support, each parent shall present financial verification required by Subsection 78-45-7.5(4) and an affidavit fully disclosing the financial status of each parent, as required for use of the guidelines," and redesignated former Subsection (b) as Subsection (c).

**Effective Dates.** — Laws 1989, ch. 214 became effective on April 24, 1989, pursuant to Utah Const., Art. VI, Sec. 25.

**Rule 4-504. Written orders, judgments and decrees.****Intent:**

To establish a uniform procedure for submitting written orders, judgments, and decrees to the court. This rule is not intended to change existing law with respect to the enforceability of unwritten agreements.

**Applicability:**

This rule shall apply to all civil proceedings in courts of record except small claims.

**Statement of the Rule:**

(1) In all rulings by a court, counsel for the party or parties obtaining the ruling shall within fifteen days, or within a shorter time as the court may direct, file with the court a proposed order, judgment, or decree in conformity with the ruling.

(2) Copies of the proposed findings, judgments, and orders shall be served upon opposing counsel before being presented to the court for signature unless the court otherwise orders. Notice of objections shall be submitted to the court and counsel within five days after service.

(3) Stipulated settlements and dismissals shall also be reduced to writing and presented to the court for signature within fifteen days of the settlement and dismissal.

(4) Upon entry of judgment, notice of such judgment shall be served upon the opposing party and proof of such service shall be filed with the court. All judgments, orders, and decrees, or copies thereof, which are to be transmitted after signature by the judge, including other correspondence requiring a reply, must be accompanied by pre-addressed envelopes and pre-paid postage.

(5) All orders, judgments, and decrees shall be prepared in such a manner as to show whether they are entered upon the stipulation of counsel, the motion of counsel or upon the court's own initiative and shall identify the attorneys of record in the cause or proceeding in which the judgment, order or decree is made.

(6) Except where otherwise ordered, all judgments and decrees shall contain the address or the last known address of the judgment debtor and the social security number of the judgment debtor if known.

(7) All judgments and decrees shall be prepared as separate documents and shall not include any matters by reference unless otherwise directed by the court. Orders not constituting judgments or decrees may be made a part of the documents containing the stipulation or motion upon which the order is based.

(8) No orders, judgments, or decrees based upon stipulation shall be signed or entered unless the stipulation is in writing, signed by the attorneys of record for the respective parties and filed with the clerk or the stipulation was made on the record.

(9) In all cases where judgment is rendered upon a written obligation to pay money and a judgment has previously been rendered upon the same written obligation, the plaintiff or plaintiff's counsel shall attach to the new complaint a copy of all previous judgments based upon the same written obligation.

(10) Nothing in this rule shall be construed to limit the power of any court, upon a proper showing, to enforce a settlement agreement or any other agreement which has not been reduced to writing.  
(Amended effective January 15, 1990; April 15, 1991.)

**Amendment Notes.** — The 1990 amendment inserted "civil proceedings in" and "except small claims" under "Applicability" and made minor stylistic changes in the Statement of the Rule.

The 1991 amendment added the final sentence to the Intent paragraph, deleted "and not of record" following "courts of record" in the Applicability paragraph, and added Subdivision (10).



## Exhibit 2

## INSTRUCTIONS FOR CHILD SUPPORT WORKSHEET

Line 1: Enter the number of natural and adopted children in this case. Do not include step children or present children from another partner on this line.

Line 2a: Definition of gross monthly income - prospective income from any source, salaries, wages, commissions, royalties, bonuses, gifts, prizes, dividends, severance pay, pensions, interest, trust income, alimony from previous marriages, annuities, capital gains, social security benefits, workers' compensation benefits, unemployment compensation, disability insurance benefits and payments for "non-means-tested" government programs. Income from earned sources is limited to the equivalent of one full time job. For self employed parents, see Utah Code, 78-15-7.5 (4) (a) and (b).

Excluded from gross income are: Aid to Families with Dependent Children (AFDC), benefits from: the housing subsidy program, the Job Training Partnership Act, S.S.I., Medicaid, Food Stamps, General Assistance, and other "means-tested" benefits received by parent; earnings or benefits of a child who is subject to this award.

All income must be verified. Verification includes: year to date pay stubs, employer statements or records, the last year's tax return and documentation of non-earned income appropriate to the source.

Line 2d: Natural or adoptive children of either parent who live in the home of that parent and are not children in common to both parties, may at the option of either party be taken into account under the guidelines in setting or modifying a child support award. Use the WORKSHEET TO DETERMINE FATHER'S OBLIGATION TO CHILDREN IN HIS PRESENT HOME and/or the WORKSHEET TO DETERMINE MOTHER'S OBLIGATION TO CHILDREN IN HER PRESENT HOME to compute the obligations of the respective parents for the additional children. Consideration of natural or adoptive children other than those in common to both parties may be applied to lessen an increase in the award, but may not be applied to justify a decrease in the award.

Line 8: Enter the amount of work-related, reasonable, child care expenses for up to a full-time work week or training schedule. There is no need to include child care expenses in the order is presumed if the custodial parent is working and actually incurring the expenses. Child care expenses may be awarded on a case by case basis if the expenses are related to the career or occupational training of the custodial parent.

Line 9: The Base Child Support Award is the amount the obligor must pay each month. (Line 10, below, will show how much of amount the obligor pays to the obligee if the obligor is maintaining health insurance for the children.)

Line 10: The "Base Combined Child Support Obligation Table" includes a standard amount for monthly medical and dental insurance premium payments. Therefore, premiums paid by the obligor should be subtracted from the Base Child Support Award. The obligor then pays the adjusted child support award in Line 9 to the obligee. If the obligor is not maintaining health insurance for the child, the amounts in Lines 9 and 10 will be the same.

Line 11: The Adjusted Base Child Support Award per Child may be used during periods of extended visitation. In the case of emancipation of a child, the Base Support Obligation would not be reduced by the per child amount. Instead, the amount of the award should be recalculated based upon the remaining children in the home.

Line 12: Each parent is responsible for 50 percent of the monthly child care costs to the obligee when the expense is actually incurred.

Medical Expenses: The custodial parent is required to pay the uninsured routine medical and dental expenses, including routine office visits, physical examinations and immunizations. The order shall require both parents to share all other reasonable and necessary uninsured medical and dental expenses in a ratio determined by the court or administrative agency.

Extended Visitation: General Definition - visitation for at least 25 of any 30 consecutive days. The order may provide for a reduction of 50 percent of the Adjusted Base Child Support Award for periods of extended visitation. The child may spend any 5 of the 30 days with the custodial parent without affecting the abatement reduction. For the reduction to take effect, such visitation must be both ordered and exercised.

BASE COMBINED CHILD SUPPORT OBLIGATION TABLE (BOTH PARENTS)

(Adjusted for FICA, and Federal and State Taxes)

Combined Adjusted Gross Income	NUMBER OF CHILDREN									
	1	2	3	4	5	6	7	8	9	10
0 - 199	20	28	30	31	32	33	34	35	35	36
200 - 224	23	34	35	35	36	36	37	38	38	39
225 - 249	25	38	39	39	40	40	41	41	42	42
250 - 274	28	42	43	43	44	45	46	46	47	48
275 - 299	51	67	67	68	69	69	70	70	71	71
300 - 324	56	73	73	74	75	76	76	83	84	85
325 - 349	60	78	79	80	81	82	83	83	85	86
350 - 374	65	84	85	86	87	88	89	89	90	91
375 - 399	69	90	91	92	93	94	95	96	97	98
400 - 424	74	96	97	98	99	100	101	102	103	104
425 - 449	78	102	103	104	105	106	107	108	109	110
450 - 474	83	108	109	110	111	112	113	114	116	117
475 - 499	87	114	115	116	117	118	120	121	122	123
500 - 524	92	120	121	122	123	125	126	127	128	129
525 - 549	96	125	127	128	129	131	132	133	135	136
550 - 574	100	131	133	134	135	137	138	139	141	142
575 - 599	105	137	139	140	141	143	144	146	147	149
600 - 624	109	143	145	146	148	149	150	152	153	155
625 - 649	114	149	151	152	154	155	157	158	160	161
650 - 674	118	155	157	158	160	161	163	164	166	168
675 - 699	123	161	162	164	166	167	169	171	172	174
700 - 724	127	167	168	170	172	174	175	177	179	180
725 - 749	132	173	174	176	178	180	181	183	185	187
750 - 774	136	178	180	182	184	186	188	189	191	193
775 - 799	141	184	186	188	190	192	194	196	198	199
800 - 824	145	190	192	194	196	198	200	202	204	206
825 - 849	167	214	218	220	222	224	226	228	230	233
850 - 874	168	220	229	233	235	237	239	242	245	247
875 - 899	169	225	241	245	247	250	252	255	259	262
900 - 924	171	232	252	258	260	263	266	269	273	277
925 - 949	172	238	263	270	273	276	279	283	287	292
950 - 974	173	244	275	283	285	288	292	296	301	307
975 - 999	174	250	286	295	298	301	305	310	315	321
1,000 - 1,049	176	256	298	308	311	314	318	323	329	336
1,050 - 1,099	178	268	321	333	336	340	345	350	357	366
1,100 - 1,149	181	280	344	358	362	366	371	378	386	395
1,150 - 1,199	183	292	367	383	387	392	397	405	414	425
1,200 - 1,249	184	296	379	399	404	410	417	425	436	448
1,250 - 1,299	185	304	390	413	423	432	442	452	463	477
1,300 - 1,349	190	312	400	429	441	454	466	478	491	505
1,350 - 1,399	195	320	410	442	460	476	491	505	519	534
1,400 - 1,449	200	329	421	457	479	498	515	531	547	562
1,450 - 1,499	205	336	431	471	497	520	540	558	575	591
1,500 - 1,549	210	345	441	486	516	542	564	584	602	620
1,550 - 1,599	215	353	452	501	535	564	589	611	630	648
1,600 - 1,649	219	361	462	515	554	586	613	637	658	677
1,650 - 1,699	224	369	473	530	572	608	638	664	686	705
1,700 - 1,749	229	377	483	544	591	630	663	690	714	734
1,750 - 1,799	234	385	493	559	610	652	687	717	742	763
1,800 - 1,849	239	393	504	574	628	674	712	743	769	791
1,850 - 1,899	252	408	522	595	654	702	742	775	802	825
1,900 - 1,949	256	416	532	606	665	715	755	789	817	840
1,950 - 1,999	259	423	541	617	677	728	769	804	832	856
2,000 - 2,099	262	429	546	627	687	738	771	806	835	859
2,100 - 2,199	265	432	557	637	701	754	798	835	865	890
2,200 - 2,299	267	447	576	659	725	780	825	863	895	921
2,300 - 2,399	275	461	595	680	749	805	853	892	925	952
2,400 - 2,499	283	476	614	702	772	831	880	921	955	983
2,500 - 2,599	285	482	625	715	788	849	899	942	977	1,006
2,600 - 2,699	290	497	644	737	812	875	927	970	1,007	1,037
2,700 - 2,799	298	511	663	758	836	900	954	999	1,037	1,068
2,800 - 2,899	313	532	689	787	866	932	988	1,034	1,073	1,105
2,900 - 2,999	321	547	708	809	890	959	1,016	1,063	1,103	1,136
3,000 - 3,099	330	562	729	831	915	985	1,043	1,092	1,132	1,167
3,100 - 3,199	339	577	747	853	939	1,011	1,071	1,121	1,163	1,197

Combined Adjusted Gross Income	NUMBER OF CHILDREN									
	1	2	3	4	5	6	7	8	9	10
1,200 - 1,299	348	592	766	875	963	1,037	1,098	1,150	1,192	1,229
1,300 - 1,399	357	607	786	897	988	1,063	1,125	1,179	1,222	1,259
1,400 - 1,499	366	622	805	920	1,012	1,089	1,154	1,207	1,252	1,290
1,500 - 1,599	375	637	824	942	1,036	1,115	1,181	1,236	1,282	1,320
1,600 - 1,699	384	653	844	964	1,061	1,142	1,209	1,265	1,312	1,351
1,700 - 1,799	393	668	863	986	1,085	1,168	1,237	1,294	1,342	1,382
1,800 - 1,899	402	683	882	1,008	1,109	1,194	1,254	1,323	1,372	1,412
1,900 - 1,999	419	706	909	1,038	1,142	1,228	1,300	1,360	1,410	1,452
4,000 - 4,099	427	720	929	1,060	1,166	1,254	1,329	1,389	1,440	1,483
4,100 - 4,199	435	735	947	1,082	1,190	1,280	1,355	1,418	1,470	1,514
4,200 - 4,299	443	749	966	1,103	1,214	1,306	1,383	1,447	1,501	1,545
4,300 - 4,399	451	764	985	1,125	1,238	1,332	1,411	1,476	1,531	1,576
4,400 - 4,499	459	778	1,004	1,147	1,262	1,358	1,438	1,505	1,561	1,608
4,500 - 4,599	477	802	1,032	1,177	1,295	1,393	1,475	1,543	1,600	1,648
4,600 - 4,699	485	816	1,050	1,199	1,319	1,419	1,502	1,572	1,630	1,679
4,700 - 4,799	493	831	1,069	1,221	1,343	1,445	1,530	1,601	1,661	1,710
4,800 - 4,899	501	845	1,088	1,243	1,367	1,471	1,558	1,630	1,691	1,741
4,900 - 4,999	509	860	1,107	1,264	1,391	1,497	1,585	1,659	1,721	1,773
5,000 - 5,099	517	874	1,126	1,286	1,415	1,523	1,613	1,688	1,751	1,804
5,100 - 5,199	525	889	1,145	1,308	1,439	1,549	1,641	1,717	1,781	1,835
5,200 - 5,299	534	903	1,164	1,329	1,463	1,575	1,668	1,746	1,812	1,866
5,300 - 5,399	564	939	1,203	1,372	1,508	1,621	1,716	1,795	1,861	1,916
5,400 - 5,499	570	951	1,220	1,391	1,529	1,644	1,740	1,820	1,886	1,942
5,500 - 5,599	577	963	1,236	1,410	1,550	1,666	1,763	1,844	1,912	1,968
5,600 - 5,699	583	976	1,252	1,429	1,571	1,689	1,787	1,869	1,937	1,994
5,700 - 5,799	590	988	1,269	1,448	1,592	1,712	1,811	1,894	1,963	2,020
5,800 - 5,899	596	1,001	1,285	1,467	1,613	1,734	1,835	1,919	1,988	2,046
5,900 - 5,999	603	1,013	1,302	1,485	1,634	1,757	1,859	1,943	2,014	2,072
6,000 - 6,099	609	1,025	1,318	1,504	1,655	1,780	1,883	1,968	2,039	2,097
6,100 - 6,199	616	1,038	1,334	1,523	1,576	1,802	1,907	1,993	2,064	2,123
6,200 - 6,299	622	1,050	1,351	1,542	1,597	1,825	1,931	2,018	2,090	2,149
6,300 - 6,399	630	1,062	1,367	1,561	1,718	1,847	1,954	2,042	2,115	2,175
6,400 - 6,499	637	1,075	1,383	1,580	1,739	1,869	1,977	2,067	2,140	2,201
6,500 - 6,599	651	1,094	1,407	1,606	1,766	1,899	2,008	2,098	2,172	2,233
6,600 - 6,699	658	1,107	1,423	1,624	1,787	1,921	2,031	2,122	2,197	2,259
6,700 - 6,799	665	1,119	1,439	1,643	1,808	1,943	2,055	2,146	2,222	2,285
6,800 - 6,899	673	1,132	1,455	1,662	1,828	1,965	2,078	2,171	2,247	2,310
6,900 - 6,999	680	1,144	1,472	1,681	1,849	1,987	2,101	2,195	2,272	2,336
7,000 - 7,099	687	1,157	1,488	1,699	1,870	2,010	2,125	2,219	2,297	2,361
7,100 - 7,199	694	1,169	1,504	1,718	1,890	2,032	2,148	2,244	2,322	2,387
7,200 - 7,299	701	1,181	1,520	1,736	1,911	2,054	2,171	2,268	2,347	2,412
7,300 - 7,399	706	1,189	1,531	1,748	1,923	2,067	2,186	2,283	2,363	2,429
7,400 - 7,499	710	1,197	1,541	1,760	1,936	2,081	2,200	2,298	2,379	2,445
7,500 - 7,599	715	1,205	1,551	1,771	1,949	2,095	2,215	2,314	2,395	2,462
7,600 - 7,699	719	1,213	1,562	1,783	1,962	2,109	2,230	2,329	2,411	2,478
7,700 - 7,799	723	1,220	1,572	1,794	1,975	2,123	2,245	2,345	2,427	2,495
7,800 - 7,899	728	1,229	1,582	1,806	1,987	2,137	2,259	2,360	2,443	2,511
7,900 - 7,999	732	1,236	1,592	1,818	2,000	2,150	2,274	2,375	2,459	2,528
8,000 - 8,099	737	1,244	1,603	1,829	2,013	2,164	2,289	2,391	2,475	2,544
8,100 - 8,199	741	1,252	1,613	1,841	2,026	2,178	2,303	2,406	2,491	2,560
8,200 - 8,299	746	1,259	1,623	1,853	2,039	2,192	2,318	2,422	2,507	2,577
8,300 - 8,399	750	1,267	1,633	1,864	2,052	2,206	2,333	2,437	2,523	2,593
8,400 - 8,499	755	1,275	1,644	1,876	2,064	2,220	2,347	2,452	2,539	2,610
8,500 - 8,599	759	1,283	1,654	1,887	2,077	2,234	2,362	2,468	2,555	2,626
8,600 - 8,699	763	1,291	1,664	1,899	2,090	2,247	2,377	2,483	2,571	2,643
8,700 - 8,799	768	1,298	1,675	1,911	2,103	2,261	2,391	2,499	2,587	2,659
8,800 - 8,899	772	1,306	1,685	1,922	2,116	2,275	2,406	2,514	2,603	2,676
8,900 - 8,999	777	1,314	1,695	1,934	2,129	2,289	2,421	2,529	2,619	2,692
9,000 - 9,099	781	1,322	1,705	1,945	2,141	2,303	2,435	2,545	2,635	2,708
9,100 - 9,199	786	1,330	1,716	1,957	2,154	2,317	2,450	2,560	2,650	2,725
9,200 - 9,299	790	1,337	1,726	1,969	2,167	2,330	2,465	2,575	2,666	2,741
9,300 - 9,399	795	1,345	1,736	1,980	2,180	2,344	2,480	2,591	2,682	2,758
9,400 - 9,499	799	1,353	1,747	1,992	2,193	2,358	2,494	2,606	2,698	2,774
9,500 - 9,599	803	1,361	1,757	2,003	2,206	2,372	2,509	2,622	2,714	2,791
9,600 - 9,699	808	1,369	1,767	2,015	2,218	2,386	2,524	2,637	2,730	2,807
9,700 - 9,799	812	1,376	1,777	2,027	2,231	2,400	2,538	2,652	2,746	2,824
9,800 - 9,899	817	1,384	1,788	2,039	2,244	2,414	2,553	2,668	2,762	2,840
9,900 - 9,999	821	1,392	1,798	2,050	2,257	2,427	2,566	2,681	2,778	2,856
10,000	825	1,400	1,808	2,061	2,270	2,441	2,582	2,699	2,794	2,873

IN THE \_\_\_\_\_ DISTRICT COURT

\_\_\_\_\_, COUNTY, STATE OF UTAH

\_\_\_\_\_,  
vs.  
\_\_\_\_\_

CHILD SUPPORT OBLIGATION WORKSHEET  
(SOLE CUSTODY AND PATERNITY)

Civil No. \_\_\_\_\_

	Mother	Father	Combined
1. Enter the combined number of natural and adopted children of this mother and father.			3
2a. Enter the father's and mother's gross monthly income. Refer to Instructions for definition of income.	\$ 0	\$ 0	
2b. Enter previously ordered alimony that is actually paid. (Do not enter alimony ordered for this case).	-	-	
2c. Enter previously ordered child support. (Do not enter obligations ordered for the children in this case).	-	-	
2d. Optional: Enter the amount from Line 12 of the Children in Present Home Worksheet for either parent.	-	-	
3. Subtract Line 2b, 2c, and 2d from 2a. This is the Adjusted Monthly Gross for child support purposes.	\$ 0	\$ 0	\$ 0
4. Take the COMBINED figure in Line 3 and the number of children in Line 1 to the Support Table. Find the Base Combined Support Obligation.			\$ 30
5. Divide each parent's adjusted monthly gross in Line 3 by the COMBINED adjusted monthly gross in Line 3.	0%	100%	
6. Multiply Line 4 by Line 5 for each parent to obtain each parent's share of the Base Support Obligation.	\$	\$ 30	
7. Enter the children's portion of monthly medical and dental insurance premiums paid to insurance company.	\$	\$	
8. Enter the monthly work or training related child care expense for the children in Line 1.			\$

9. BASE CHILD SUPPORT AWARD Bring down the amount in Line 6 for the Obligor parent.	\$ 30
10. Adjusted Base Child Support Award Subtract the Obligor's Line 7 from Line 9.	\$ 30
11. Adjusted Base Child Support Award per Child Divide Line 10 by Line 1.	\$ 10
12. CHILD CARE AWARD Multiply Line 8 by .50 to obtain obligor's share of child care expense. Add to Line 10 only when expense is actually incurred.	\$

IN THE \_\_\_\_\_ DISTRICT COURT

\_\_\_\_\_, COUNTY, STATE OF UTAH

\_\_\_\_\_,  
vs.  
\_\_\_\_\_

CHILD SUPPORT OBLIGATION WORKSHEET  
(SOLE CUSTODY AND PATERNITY)

Civil No. \_\_\_\_\_

	Mother	Father	Combined
1. Enter the combined number of natural and adopted children of this mother and father.			3
2a. Enter the father's and mother's gross monthly income. Refer to Instructions for definition of income.	\$ 0	\$ 1,124	
2b. Enter previously ordered alimony that is actually paid. (Do not enter alimony ordered for this case).	-	-	
2c. Enter previously ordered child support. (Do not enter obligations ordered for the children in this case).	-	-	
2d. Optional: Enter the amount from Line 12 of the Children in Present Home Worksheet for either parent.	-	-	
3. Subtract Line 2b, 2c, and 2d from 2a. This is the Adjusted Monthly Gross for child support purposes.	\$ 0	\$ 1,124	\$ 1,124
4. Take the COMBINED figure in Line 3 and the number of children in Line 1 to the Support Table. Find the Base Combined Support Obligation.			\$ 344
5. Divide each parent's adjusted monthly gross in Line 3 by the COMBINED adjusted monthly gross in Line 3.	0 %	100 %	
6. Multiply Line 4 by Line 5 for each parent to obtain each parent's share of the Base Support Obligation.	\$	\$ 344	
7. Enter the children's portion of monthly medical and dental insurance premiums paid to insurance company.	\$	\$	
8. Enter the monthly work or training related child care expense for the the children in Line 1.			\$

9. BASE CHILD SUPPORT AWARD Bring down the amount in Line 6 for the Obligor parent.	\$ 344
10. Adjusted Base Child Support Award Subtract the Obligor's Line 7 from Line 9.	\$ 344
11. Adjusted Base Child Support Award per Child Divide Line 10 by Line 1.	\$ 115
12. CHILD CARE AWARD Multiply Line 8 by .50 to obtain obligor's share of child care expense. Add to Line 10 only when expense is actually incurred.	\$

## Exhibit 3

FILED  
CLERK OF UTAH COUNTY, STATE OF UTAH

1992 MAR 30 PM 1:23

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Marilyn Moody Brown #4803  
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Provo, UT 84603-1266  
Telephone: (801) 375-1920

IN THE FOURTH JUDICIAL DISTRICT COURT FOR UTAH COUNTY  
STATE OF UTAH

---

NORMAN ROWE,	:	
Plaintiff,	:	
vs.	:	ORDER ON ORDER TO
	:	SHOW CAUSE
	:	
GINGER ROWE,	:	
Defendant.	:	
	:	Civil No. 92-4400164

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This matter came before the Court for Oral Arguments and Order to Show Cause on March 17, 1992. The Plaintiff appeared Pro Se. The Defendant appeared and was represented by Marilyn Moody Brown. Based on the evidence and good cause appearing, it is hereby ordered, adjudged, and decreed as follows:

1. The Court previously assumed jurisdiction in this matter in Civil No. CV-88-78. Civil No. 92-4400164 is hereby consolidated into Civil No. CV-88-78.

2. The parties entered into a Stipulation on September 10, 1989. It was prepared by the Norman Rowe's attorney. The Stipulation was never filed by his attorney. However, the



parties relied on the Stipulation, and the Plaintiff executed a Satisfaction of Judgment in reliance on the Stipulation. Mr. Rowe paid \$12,600.00 for arrearages in child support based on the Stipulation. The Court will not allow Mr. Rowe to only accept part of the Stipulation nor will the Court allow the Defendant to be penalized because Plaintiff's attorney failed to file the Stipulation and follow through to obtain a Court order.

3. The Stipulation is hereby accepted for Entry of Judgment.

4. On April 15, 1991, an Order of Dismissal was entered against the parties for failure to prosecute. The Order of Dismissal is hereby set aside.


5. The Defendant has ten (10) days to produce a document, if such a document exists, that was dated after September 10, 1989, signed by both parties which shows that the Stipulation was modified in any way. If not, the Stipulation for Entry of Judgment will be controlling and the Court will sign an Order Nunc Pro Tunc based on the Stipulation from the time it was executed by the parties.

6. The Defendant has ten days to produce receipts for payments made from the date the Stipulation was executed.

Judgment will enter on the amount of arrearage owed by Defendant based on the Stipulation.

DATED this 30 day of March, 1992.

BY THE COURT

  
HOWARD H. MAETANI  
Court Commissioner

CERTIFICATE OF MAILING

On this 18<sup>th</sup> day of March, 1992, a true and correct copy of the foregoing Order on Order to Show Cause was mailed, postage prepaid to Norman Rowe, at 4161 Jupiter Drive, Salt Lake City, Utah 84124.

  
Secretary