

30-3-10.8 Parenting plan -- Filing -- Modifications.

- (1) In any proceeding under this chapter, including actions for paternity, any party requesting joint custody, joint legal or physical custody, or any other type of shared parenting arrangement, shall file and serve a proposed parenting plan at the time of the filing of their original petition or at the time of filing their answer or counterclaim.
- (2) In proceedings for a modification of custody provisions or modification of a parenting plan, a proposed parenting plan shall be filed and served with the petition to modify, or the answer or counterclaim to the petition to modify.
- (3) A party who files a proposed parenting plan in compliance with this section may move the court for an order of default to adopt the plan if the other party fails to file a proposed parenting plan as required by this section.
- (4) Either party may file and serve an amended proposed parenting plan according to the rules for amending pleadings.
- (5) The parent submitting a proposed parenting plan shall attach a verified statement that the plan is proposed by that parent in good faith.
- (6) Both parents may submit a parenting plan which has been agreed upon. A verified statement, signed by both parents, shall be attached.
- (7) If the parents file inconsistent parenting plans, the court may appoint a guardian ad litem to represent the best interests of the child, who may, if necessary, file a separate parenting plan reflecting the best interests of the child.

Enacted by Chapter 126, 2001 General Session