

Effective 9/1/2024

81-4-105 Mandatory orientation course for divorce or temporary separation actions.

- (1)
 - (a) There is established a mandatory divorce orientation course for all parties with minor children who file a petition for temporary separation or for a divorce.
 - (b) A couple with no minor children is not required, but may choose to attend the course.
- (2) The divorce orientation course shall be neutral, unbiased, and at least one hour in duration.
- (3) The divorce orientation course shall educate the parties about the divorce process and reasonable alternatives, including instructing the parties on:
 - (a) options available as alternatives to divorce;
 - (b) resources available from courts and administrative agencies for resolving custody and support issues without filing for divorce;
 - (c) resources available to improve or strengthen the marriage;
 - (d) a discussion of the positive and negative consequences of divorce;
 - (e) a discussion of the process of divorce;
 - (f) options available for proceeding with a divorce, including:
 - (i) mediation;
 - (ii) collaborative law; and
 - (iii) litigation; and
 - (g) a discussion of post-divorce resources.
- (4) The divorce orientation course may be provided in conjunction with a mandatory parenting course required by Section 81-9-103.
- (5) The Administrative Office of the Courts shall administer the divorce orientation course, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, through private or public contracts and organize the program in each of Utah's judicial districts.
- (6) The divorce orientation course may be through live instruction, video instruction, or through an online provider.
- (7)
 - (a) A party shall pay the cost of the divorce orientation course to the independent contractor providing the course at the time and place of the course.
 - (b) A party may not be charged more than \$30 to participate in the divorce orientation course.
 - (c) A petitioner may not be charged more than \$15 to participate in the divorce orientation course if the petitioner attends a live instruction course within 30 days after the day on which the petitioner filed the action.
 - (d) A respondent may not be charged more than \$15 to participate in the divorce orientation course if the respondent attends a live instruction course within 30 days after the day on which the respondent is served with the action.
 - (e) A fee of \$5 shall be collected, as part of the divorce orientation course fee paid by each participant, and deposited in the Children's Legal Defense Account described in Section 51-9-408.
 - (f) Each party who is unable to pay the costs of the course may attend the divorce orientation course, without payment, upon a prima facie showing of indigency as evidenced by an affidavit of indigency filed in the district court in accordance with Section 78A-2-302.
 - (g) The Administrative Office of the Courts shall use appropriations from the Children's Legal Defense Account to reimburse an independent contractor for the costs of a party who is unable to pay for the divorce orientation course under Subsection (7)(f).
- (8) The Online Court Assistance Program shall include instructions with the forms for divorce that inform the petitioner of the requirement of this section.

(9) A certificate of completion constitutes evidence to the court of completion of the divorce orientation course by the parties.

(10) The Administrative Office of the Courts shall:

- (a) adopt a program to evaluate the effectiveness of the divorce orientation course described in this section; and
- (b) provide progress reports to the Judiciary Interim Committee if requested.

Renumbered and Amended by Chapter 366, 2024 General Session