

**PRIVACY PROTECTIONS IN DIVORCE  
PROCEEDINGS**

2002 GENERAL SESSION  
STATE OF UTAH

**Sponsor: Gene Davis**

**This act modifies provisions relating to divorce. It requires that personal information be removed from divorce documents made available to the public.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**30-3-4**, as last amended by Chapters 47 and 157, Laws of Utah 1997

REPEALS:

**30-3-10.17**, as enacted by Chapter 232, Laws of Utah 1997

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

Section 1. Section **30-3-4** is amended to read:

**30-3-4. Pleadings -- Findings -- Decree -- Use of affidavit -- Sealing.**

(1) (a) The complaint shall be in writing and signed by the petitioner or petitioner's attorney.

(b) A decree of divorce may not be granted upon default or otherwise except upon legal evidence taken in the cause. If the decree is to be entered upon the default of the respondent, evidence to support the decree may be submitted upon the affidavit of the petitioner with the approval of the court.

(c) If the petitioner and the respondent have a child or children, a decree of divorce may not be granted until both parties have attended the mandatory course described in Section 30-3-11.3, and have presented a certificate of course completion to the court. The court may waive this requirement, on its own motion or on the motion of one of the parties, if it determines course attendance and completion are not necessary, appropriate, feasible, or in the best interest of the parties.



28 (d) All hearings and trials for divorce shall be held before the court or the court  
29 commissioner as provided by Section 78-3-31 and rules of the Judicial Council. The court or the  
30 commissioner in all divorce cases shall enter the decree upon the evidence or, in the case of a  
31 decree after default of the respondent, upon the petitioner's affidavit.

32 (2) The file, except the decree of divorce, may be sealed by order of the court upon the  
33 motion of either party. The sealed portion of the file is available to the public only upon an order  
34 of the court. ~~[The]~~ Only the concerned parties, the attorneys of record or attorney filing a notice  
35 of appearance in the action, the Office of Recovery Services if a party to the proceedings has  
36 applied for or is receiving public assistance, or the court shall have full access to the entire record.  
37 This sealing does not apply to subsequent filings to enforce or amend the decree.

38 (3) With the exception of the parties' names, all personal identifying information shall be  
39 removed or redacted from case files available to the general public. For purposes of this  
40 Subsection (3), "personal identifying information" shall have the same meaning as in Section  
41 76-6-1102.

42 Section 2. **Repealer.**

43 This act repeals:

44 Section **30-3-10.17, Social security number in court records.**

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**Legislative Review Note**  
**as of 2-25-02 3:58 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**