



House of Representatives *State of Utah*

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February 12, 2007

Mr. Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 283**, PROTECTIVE ORDER AMENDMENTS, by Representative L. Fowlke, with the following amendments:

1. *Page 2, Line 29 through Page 3, Line 59:*

29 30-6-4.2. Protective orders -- Ex parte protective orders -- Modification of orders
30 -- Service of process -- Duties of the court.

* * * *Some lines not shown* * * *

39 (2) A court may grant the following relief without notice in an order for protection or
a

40 modification issued ex parte:

* * * *Some lines not shown* * * *

58 (g) order the appointment of ~~{a}~~ the Office of the Guardian Ad Litem to
represent the interests of any

59 minor children of the parties , if abuse or neglect of the minor children is alleged, or
appoint a private Guardian ad Litem if appropriate pursuant to Section 78-7-45 ;

2. *Page 5, Lines 139 through 147:*

139 30-6-4.3. Hearings on ex parte orders.

140 (1) (a) When a court issues an ex parte protective order the court shall set a date for a
141 hearing on the petition within 20 days after the ex parte order is issued.

142 (b) If at that hearing the court does not issue a protective order, the ex parte
protective

143 order shall expire, unless it is otherwise extended by the court. Extensions beyond the
20-day

144 period may not be granted unless ~~{the respondent}~~ ;

145 (i) the respondent has not been served;

146 (ii) the respondent has had the opportunity to present a defense at the hearing;

~~{or}~~

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147 (iii) the respondent requests that the ex parte order be extended ; or
(iv) exigent circumstances exist .

Respectfully,

Douglas C. Aagard
Committee Chair

Voting: 12-0-1

3 HB0283.HC1.WPD 2/12/07 5:06 pm jdhowe/JDH ECM/JDH

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