



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 11, 2008

Mr. Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 149**, PROTECTIVE ORDER AMENDMENTS, by Representative L. Fowlke, with the following amendments:

1. *Page 3, Lines 61 through 62:*

61 (g) order the appointment of ~~{a}~~ **the office of the** Guardian Ad Litem to
represent the interests of any
62 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 78A-2-
228 ;

2. *Page 5, Lines 145 through 150:*

145 (b) If at that hearing the court does not issue a protective order, the ex parte
protective
146 order shall expire, unless it is otherwise extended by the court. Extensions beyond the
20-day
147 period may not be granted unless the ~~{respondent}~~ **petitioner is unable to be**
present at the hearing, or ;
148 (i) **the respondent** has not been served;
149 (ii) **the respondent** has had the opportunity to present a defense at the hearing;
~~{or}~~
150 (iii) **the respondent** requests that the ex parte order be extended **; or**
(iv) exigent circumstances exist .

3. *Page 7, Lines 185 through 186:*

185 (2) Notice of a motion to dismiss a protective order shall be ~~{given to}~~ **made**
by personal service on the petitioner in a
186 protective order action ~~{in accordance with the}~~ **as provided in Rules 4 and 5,**
Utah Rules of Civil Procedure.

Respectfully,

Douglas C. Aagard
Committee Chair

Voting: 12-0-1
3 HB0149.HCT.WPD 2/11/08 8:58 am jdhowe/JDH ECM/JDH

