

## Endnotes

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- 314 Utah Code Annotated 30-3-16.2 – 16.7 and 30-3-17 gives information regarding the Petition for Conciliation. The Petition must be filed prior to the filing of the Divorce Petition. The Court will allow 60 days and a counselor will be assigned. The Petition of Conciliation is not public record.
- 315 Custody and parent-time can be modified through “substantial change in circumstances.” See *Fullmer v. Fullmer*, 761 P.2d 942, 946 (Utah App. 1988) and Utah Code Annotated § 30-3-10.4. Assets and debts are rarely changed, yet the court could modify and a substantial change must be present. See Utah Code Ann. § 30-3-5(3) (Lexis Supp. 2007) and *Childs v. Callahan*, 993 P.2d 244, 247 (Utah App. 1999). For alimony the court requires a substantial change “not foreseeable at the time of divorce.” Utah Code Annotated § 30-3-5(8)(g)(ii)(Lexis Supp. 2007).
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- 321 See Utah Code Annotated § 30-3-5(8)(a) (Lexis Supp. 2007). The seven factors for alimony are as follows: (1) the financial condition and needs of the person who is to receive alimony, (2) the earning capacity of the person who is to receive alimony, (3) the ability of the person who is to pay alimony to provide support, (4) the length of the marriage, (5) whether or not the recipient spouse worked in a business that was owned or operated by the payor spouse, and (7) whether or not the recipient spouse directly contributed to an increase in the payor spouse's skill “by paying for education received by the payor spouse or allowing the payor spouse to attend school during the marriage.”