

Glossary of Utah Divorce Terms

Common Terms Used in Utah Divorce Cases

There are numerous terms used in [divorce proceedings](#), some of which may be difficult to understand. **Here is a list of some of the more common terms and what they mean.** If you're looking for representation in your divorce case, [contact us](#) today for a free 30-minute consultation.

Sharing is caring!

- **Affidavit:** A written document, outlining statements made under oath.
- **Alimony:** Money paid to a (former) spouse for their support during and/or after the divorce.
- **Annulment:** The marriage is determined to be null and void as though it never existed.
- **Arrearage:** Past due money owed for child or spousal support.
- **Child Support:** Money paid by a parent to the other parent with custody of the child(ren) in support of those children.
- **Custody:** Legal and/or physical rights, either joint between (ex-)spouses or individual, over your child(ren). Legal custody applies to making decisions over the child(ren)'s welfare while physical custody means the child(ren) live(s) with and are raised by you.
- **Decree:** Written order or decision from the court finalizing the divorce.
- **Default Judgment:** Granting the full request of the spouse who initially filed for divorce, based on the failure by the other spouse to answer the petition and/or appear in court as required.
- **Defendant:** Spouse against whom the divorce petition is filed.
- **Dissolution:** The legal termination of a marriage, based on a divorce petition request.
- **Divorce:** The legal termination of a marriage, based on a divorce petition request.
- **Equitable Distribution:** A fair, but not necessarily equal, division of property based on the circumstances of the divorce.
- **Guardian ad Litem:** Independent attorney assigned to represent the best interests of the child(ren) of the divorcing spouses.
- **Irreconcilable Differences:** A legal ground for no-fault divorce petition.
- **Irretrievable Breakdown:** A legal basis for a no-fault divorce petition.
- **Marital Property:** All properties acquired by the spouses during the time of the marriage.
- **Mediation:** Attempt to resolve legal disputes without trial through the assistance of a professional independent third party who facilitates the negotiation of a mutual agreement between the divorcing spouses. Utah Courts require attempts at mediation before a divorce trial.
- **No-Fault Divorce:** Type of petition where neither spouse is required to show fault or misconduct on the other spouse's part before a divorce is granted.
- **Non-Custodial Parent:** The parent who does not have physical custody of the child(ren), but may have legal custody.
- **Non-Marital Property:** Generally, property owned by either spouse prior to marriage or acquired by them individually, such as by gift or inheritance, during the marriage.

- **Parenting Plan:** Outline of how (soon-to-be) divorced parents plan to raise their child(ren). This is typically required for shared custody arrangements.
- **Petition:** Initial request for divorce with the court.
- **Petitioner:** The spouse who files for divorce.
- **Plaintiff:** The spouse who files for divorce.
- **Premarital Agreement:** A legal contract agreed upon and signed by both spouses prior to the marriage, outlining the rights and responsibilities in case of divorce.
- **Prenuptial Agreement:** A legal contract agreed upon and signed by both spouses prior to the marriage, outlining the rights and responsibilities in case of divorce.
- **Respondent:** Spouse against whom the divorce petition is filed.
- **Split Custody:** A custody agreement whereby some of the children remain with one parent and the other child(ren) are in custody with the other parent.
- **Spousal Support:** Money paid to a (former) spouse for their support during and/or after the divorce.
- **Stipulation:** An agreement between divorcing spouses, which becomes part of the Court's final judgment of divorce.
- **Temporary Order:** Temporary resolution for the divorcing spouses until a final divorce decree is issued by the Court.
- **Uncontested Divorce:** The spouse against whom the divorce is filed agrees to all the terms laid out in the petition, without the need for the Court to intervene.
- **Visitation:** Time granted to the non-custodial parent to spend with the child(ren).
- **Writ of Summons:** A court order to respond to a motion, petition or complaint for divorce.

Contact The Law Office of David Pedrazas Today

If you have any terms regarding the above terms, give us a call at **(801) 263-7078**. The Law Office of David Pedrazas has helped countless families through divorce proceedings. Give us a call today and we would be happy to help you.