

Family Law Attorneys Utah | Fighting For You During And After Your Divorce

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Family Law

At the Law Office of David Pedrazas, we are dedicated to helping our clients achieve success in the complex and often stressful process of divorce and in other family law cases. Whether you and your spouse are willing to negotiate a fair settlement together out of court or you are preparing to fight the case with your spouse in court, at the Law Office of David Pedrazas we are prepared to stand by you as the case progresses, advising you of your legal options and advocating aggressively to protect your personal interests. **Our goal is to help you experience the smoothest and fastest possible divorce** while working carefully to ensure that every aspect of the situation is fully addressed and that you are able to walk away from the situation in the best possible position to start a new chapter in your life. Follow the links below to learn more about the different aspects of divorce and how we can help you, and then contact us for a [free case evaluation](#) to discuss your situation and take the first steps in your case:

Alimony

Divorces in Salt Lake City do not end with an automatic award of alimony under Utah state law, and either spouse may request an order to pay alimony. Several factors go into determining whether the court will order spousal support payments such as the financial condition of each spouse and how long it will take the recipient to become financially self-sufficient.

Asset Division

The division of property is often the most contentious issue in a divorce, as the spouse's fight to determine who will get the house, the cars, and other assets, as well as who will be responsible for paying the credit cards and other debts. Utah applies the principle of equitable distribution, so the

division of assets is supposed to be fair even if it is not equal.

Child Custody

When parents divorce, it is of great importance to ensure that the case does not unravel into a heated custody battle that inflicts unnecessary emotional trauma on the children. Divorce is already hard enough on kids, the Law Office of David Pedrazas will work to **shield them from additional distress** while also fighting to protect your rights as a parent.

Child Support

Whether you are ordered to pay child support or if you will be receiving it as the primary custodial parent, the amount of child support will directly influence your financial stability and your ability to enjoy an acceptable standard of living.

Both parents are responsible for paying child support, but you shouldn't be ordered to support an unfair share of the burden of providing for your children.

Divorce

Your divorce can be resolved in either of two ways. It can be a contested divorce, in which you and your spouse go to trial and fight to defend your rights to property and custody of your children, or it may be an uncontested divorce, in which you and your spouse work out a fair and mutually beneficial settlement out of court.

Legal Separation

Many couples choose to legally separate, whether as a precursor to divorce or instead of divorcing. Legal separation offers the opportunity to bring about the conditions of divorce — with court orders concerning custody, property division and child support — without the finality of completing a divorce and being subject to a permanent divorce decree.

LGBT, Same-Sex Couple Family Law & Divorce

Although the laws regarding LGBT rights are in a state of change due to the recent Supreme Court ruling on June 26, 2015, that now allows all same-sex couples to marry in all 50 states, we are dedicated to providing the most up-to-date services in line with current Utah law.

Mediation

If you and your spouse want to **avoid litigation** in a messy courtroom divorce, you may benefit from using our mediation services. The attorney who serves as the mediator does not represent either party, but instead, **helps to clarify legal questions** and to facilitate discussions so that you and your spouse can work out a settlement before setting foot in the courtroom.

Modifications

Court orders that are issued at the conclusion of a divorce are permanent and have the force of law for the parties, but this does not mean that they cannot be changed. If you can **demonstrate that a change is necessary and in the best interests of everyone involved**, the judge may approve your request for a modification to the terms of custody, child support or other matters.

Parent Time

Whenever possible, the family law courts in Salt Lake City will award joint custody of children, but this is not always practical or in the best interests of the children. Even when one parent is denied custody, he or she will often receive reasonable rights of visitation such as on alternating weekends and an extended period during the summer vacation.

Paternity

When a child is born out of wedlock, Utah state law does not make any assumption as to the identity of the biological father. Only the mother has any legal rights in respect to the child, and the father is not held liable to pay child support. Either party may bring a paternity action to establish the relationship between father and child, with the goal of obtaining rights of child custody and visitation or to receive child support payments.

Relocation

Even if you have custody of your children, you

*cannot move any great distance away from your current residence **without first obtaining the consent of the other parent and/or the approval of the court***, and you will need a formal modification to the court orders concerning child custody and visitation. Whether the other parent is in agreement or if the case must go to trial, at the Law office of David Pedrazas we can help you.

Visitation

Non-custodial parents are entitled to parent-child time, with some extreme exceptions. When estranged parents are unable to agree on the specifics of when and how much time can be facilitated, the court steps in and creates a visitation order. Utah has minimum guidelines but **the court will also consider the best interest of a child** when issuing an order. Should one parent relocate, the court has guidelines that account for long distances? It is generally in everyone's best interest to develop a practical and amicable parenting plan that supports the child.

Adoption

There are several types of adoption that include children who are independent, in foster care and infants. But the most prevalent form is step-child adoption. This often occurs in blended families and it can benefit a child in many ways. These include:

- Family commitment
- Binding relationships between siblings
- Providing the child with sense of permanence
- Affording the child legal status and protection

Adoption is a major life change that will require permission from living biological parents or the revoking of parental rights of an unfit one. ***It's important to explore the full breadth of the legal and life ramifications of adoption with any experienced attorney.***

Contempt of Court

Anytime a judge makes a ruling and issues an order, both parties are expected to follow it. When people don't, you can be held in contempt and there can be serious consequences. In family law, for example, a custodial parent who withholds visitation can be cited. This can open the door for a non-custodial parent to ask for a change of placement. It's imperative that you follow the court's ruling.

Annulments

Unlike divorce, an annulment means a marriage never legally existed. There are a very limited set of circumstances that meet this standard. These include being under age, blood relatives and bigamy. However, the court could issue judgments for alimony, child support, and other post-marriage items when a marriage is annulled.

Prenups/ Postnups

These marriage-related agreements outline how assets and wealth would be distributed in the event of divorce or death. Because they may deal with a spousal dispute or family estate, it is wise to have them crafted by an attorney before or during a marriage.

Termination of Parental Rights

A court may vacate a parent's rights to make decisions for a child under some extraordinary circumstances. These include things such as abuse, neglect, criminal behavior, mental illness and drug addiction. Courts make this uncommon move when it is in the child's best interest.

Guardianship

A legal guardian is someone who the court appoints to care for the needs of another, usually a minor. This often happens when a child's parents pass away or are unable to care for the minor. Any adult can request guardianship and the court will undergo a process of consideration based on fitness and the child's best interests. The arrangement generally continues until the child reaches 18 years old or is no longer necessary.

Child Abuse

The harm of children is unacceptable to our community. Things such as physical injuries, mental anguish, molestation or neglect need to be reported promptly. In family law cases, child abuse can result in the change of child placement and termination of parental rights. Failure or the false reporting of child abuse may be considered a criminal act.

Why Do You Need A Salt Lake City Divorce Lawyer?

Strictly speaking, you are not required to have a lawyer represent you in your divorce. In fact, you have every right to represent yourself in your divorce and you can even purchase free forms over the Internet or use the tear-out forms in the back of a do-it-yourself book. Taking this course of action is not, however, at all advisable. Even cases that appear to be relatively straightforward and in which both spouses are willing to work together to achieve an amicable resolution can benefit from working with a divorce attorney.

The legal complexities and courtroom procedure can cause a person in your situation to make mistakes that have the potential to cost a small fortune in the long term, in addition to the possibility that you will end up with a parenting plan that does not allow you to play a meaningful role in your children's lives. If, as is usually the case, you and your spouse do not get along well and have difficulty avoiding arguments, the likelihood that the situation will get out of control and devolve into a bitter legal battle is far greater. Don't take any chances with the outcome of your case. The situation is already stressful enough without making yourself worry about meeting court filing deadlines and arguing your case in front of a judge. There is too much at stake for your future. Let us guide you throughout the process and fight for a settlement that works for you!

Recent Client Review

Avvo Attorney Review

"Great family law attorney! David represented a family member during a nasty custody dispute and I was a witness at one of the hearings. Everything went very smoothly, we were kept informed during the entire process and it went exactly as desired. He made sure to keep the trial on track and fought hard to keep out erroneous and miscellaneous evidence that had nothing to do with the case. He has done a fabulous job and I would recommend him to anyone dealing with Utah child custody laws... especially if they are fighting for their rights from out of state!"

Written by: Amanda

Child Custody Client

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5 / 5 stars

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