

# Utah Code 30-3-36 Special Circumstances

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In some divorce cases, there are unusual situations that require applications of the law that extend beyond the standard statutes set forth by the state legislators. In such cases, judges may refer to Utah Code Title 30, Chapter 3, Section 36, regarding Special Circumstances in divorce cases to address unique matters that call for additional consideration by the court. Here is a brief overview of this part of the Utah Code, including a look at the kinds of issues to which it applies and how those may be handled by the court.

## Types of Special Circumstances

General descriptions of Special Circumstances to be addressed by a judge in a divorce case may include these child custody and Parent Time issues:

### Insufficient Amount of Parent Time

Prolonged periods without contact between a child and one of the parents can lead to problematic family development. The statute directs action to be taken by the two parents when there has been no Parent Time with the noncustodial parent over a long time.

If, due to too little time spent with the parent, the child has not developed an “appropriate bond” with that parent, under Utah Code 30-3-36, both parents must consider the potential negative effects on the child. In such circumstances, the parents must form a suitable parenting plan to reintroduce the noncustodial parent into the child’s life gradually.

### Provisions for Emergency Contact During Travel

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There are various other possible Special Circumstances pertaining to child custody that are not necessarily addressed under the state's general statutes governing divorce cases. Here's a very basic provision of family law [Utah 30-3-36](#) regarding the Special Circumstance of a child traveling with a parent and the requirements for maintaining the other parent's ability to make emergency contact.

The state's straightforward solution under 30-3-36 is simply to require that all of the following information is provided to the other parent when the child is traveling with either parent:

The travel itinerary including:

- Destinations
- Dates of travel
- Locations where the parent is traveling or the child can be contacted
- Contact information for a third person who will be available and has knowledge of where the child can be reached

Code 30-3-36 was amended per Chapter 255 in the 2001 General Session of the Utah legislature.

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## **To Handle Special Circumstances in Your Divorce**

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You may be concerned that the above kinds of unusual issues should be addressed by the court during your divorce but may be overlooked. Discuss the details of such issues with an experienced [Salt Lake City family law attorney](#). If you feel uneasy about these or other matters and worry that the judge may not decide to include directives to address them in the court order, ask your lawyer to help you.

Your attorney will work with you to sort out the unique issues and file a request to submit to the judge to have these matters resolved in the divorce decree. Work only with an attorney with expertise in the [Parent Time guidelines Utah](#) family court judges use to ensure the smoothest and most thorough protection of your child's best interests and all your parental rights.

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## **To Resolve Conflict Involving Utah Parent Time Guidelines**

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Our team at the [David Pedrazas law firm](#) helps our clients through the stressful period of divorce to a favorable conclusion of the legal case so they can move forward toward a happier future. We provide caring counsel and highly effective representation in the Utah court system.

**For help with a divorce involving Special Circumstances, call the [Law Office of David Pedrazas](#) at (801) 263-7078 to schedule a time to discuss your situation.**

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**CALL US [\(801\) 263-7078](#) for an Attorney Consultation in Salt Lake City, UT**

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No one should have to face a difficult family law situation such as divorce without experienced guidance and an effective advocate to stand up for his or her rights and best interests. Our law firm provides family law and criminal DUI legal services to anyone through the Salt Lake valley.

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