



GUIDE TO UNDERSTANDING YOUR REQUIRED INITIAL DISCLOSURES

Dear Client:

Utah law requires that you submit what are called “Initial Disclosures” to the other party in your case. (See [Utah Rule of Civil Procedure 26\(a\)\(a\)\(1\) and 26.1\(c\)](#)). The other party must do the same. This letter provides a description of the information you must disclose along with a form for you to provide the required information.

Remember that these are only *initial* disclosures so you can supplement your disclosures later—but before the Fact Discovery Deadline—as more information becomes known or available to you.¹

On the “**Forms & Links**” page of our website www.fairpricelawyers.com, you will find the court approved “**Initial Disclosures Form**”. You can complete this form electronically through Docusign by following the link provided. We will automatically receive a copy when you’re finished. If you want to complete the form by hand and mail the required attachments to our office, please let us know and we will send you the form along with a prepaid USPS envelope to use.

List of Persons Who May Have Information Helpful to Your Case

You must provide a list of persons or entities who likely have what is called “discoverable” information helpful to your case. Essentially, this means you must provide a list of people who you think have information/evidence that will help convince the judge to grant what you have requested *or* to deny what the other party has requested.

Examples include persons who are knowledgeable about your parenting style and ability, persons knowledgeable about incidents that occurred in your marriage which you want the judge to know about, knowledgeable relatives and friends, health and medical professionals, accountants, case workers, law enforcement agencies and personnel, and any other persons who likely know something that would help your case.

Using the form attached to this letter, list the name, address, and phone number of these persons or entities, and a short description of what they likely know.

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¹ The Fact Discovery Deadline is the date by which the parties must gather and disclose all their witnesses and evidence to the other party. In a family law case, this date is usually 252 days after the respondent has filed an answer to the petition.

List of Your Potential Witnesses

You must provide a list of persons you may call as witnesses at trial—if that becomes necessary in your case.

Examples include persons who have witnessed your parenting style and ability, persons who have witnessed incidents that occurred in your marriage which you want the judge to know about, knowledgeable relatives and friends, health and medical professionals, accountants, case workers, law enforcement agencies and personnel, and any other persons who have direct, first-hand knowledge of facts and circumstances helpful to your case. This includes witnesses whose testimony helps you defend against accusations made by the other party in this case.

Using the form attached to this letter, list the name, address, and phone number of these potential witnesses, and a summary of what you expect they would say if called to testify. It is very important to timely notify the other party of your witnesses because the judge will not allow the person to testify otherwise. This could mean losing the case.

Documents and Other Evidence Helpful to Your Case

You must also disclose any evidence you have that is helpful to your case and that you may want to show the judge at trial. Examples include any documents, reports, witness statements, letters, e-mails, text messages, photographs, and audio and video recordings you think are important in your case.

Using the form attached to this letter, list the documents and other evidence you want to disclose. Please also provide the documents and other evidence listed to your attorney so it can be disclosed to the other party. Again, it is very important to timely disclose evidence to the other party because the judge will not consider the evidence otherwise.

Note: Please ignore the “Bates No.” column in the attached form. Our office will fill in that information after we have organized the evidence to be disclosed and attached a number to each page/item.

Duty to Supplement Your Disclosures

You are required to supplement these disclosures if you become aware of new witnesses or evidence. If you become aware of new witnesses or evidence. Please notify your attorney and provide the relevant information.

Deadline

Please be aware there is a **deadline** to submit these initial disclosures. The petitioner must make initial disclosures within **14 days** after the respondent files an answer to the petition; and the respondent must make initial disclosures within **42 days** of answering.

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If you have any questions about your initial disclosures or filling out form, please call our office at (435) 777-3304 or e-mail us at info@fairpricelawyers.com.

Warm Regards,

Joshua R. Lucherini, Esq.
FAIR PRICE LAYWERS