

IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT OF \_\_\_\_\_ COUNTY  
STATE OF UTAH

IN THE MATTER OF:

THE ESTATE OF  
\_\_\_\_\_.

THE \_\_\_\_\_ TRUST.

ORDER REGARDING MEDIATION AND  
PRELIMINARY MATTERS

Case number \_\_\_\_\_

Judge \_\_\_\_\_

The Court hereby enters the following Order Regarding Mediation and Preliminary Matters to govern the referral of this matter to mediation.

**Objection:**

\_\_\_\_\_ shall file a written objection with the Court and provide a copy to each of the other parties on or before \_\_\_\_\_.

**Mediation:**

1. A mediation packet has been provided or made available to each of the parties.
2. The following parties to this action are the "mediating parties:"

\_\_\_\_\_  
\_\_\_\_\_

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The court has excused the following interested persons from participating in the mediation:

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3. The mediating parties shall agree on a mediator, conduct the mediation, and report the results of the mediation to the Court no later than \_\_\_\_\_.

4. The cost of the mediation shall be:

Paid by the estate or trust, subject to allocation among the mediating parties as determined by the Court.

Split equally between the mediating parties.

Other:

**Issues for Mediation**

5. The issues to be resolved at mediation shall include the following:

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6. Additional issues may be resolved at mediation as agreed upon by the mediating parties and the mediator.

7. An excused person has the right to object to the settlement of any additional issue within 7 days of receiving written notice of the settlement. Any objection to the the settlement of additional issues must be reduced to a writing, set forth the grounds for the objection and any supporting authority, and be filed with the court and mailed to the parties named in the petition and any interested persons as provided in Utah Code § 75-1-201(24).

**Disclosures:**

8. To the extent the following documents are in the possession of a mediating party, that mediating party is ordered to provide such documents to each mediating party and to each other interested person who requests the documents, on or before \_\_\_\_\_:
- copy of the most recent will of the decedent and any relevant prior wills or amendments to the will;
  - inventory of the estate of the decedent (required by § 75-3-705 within 3 months of appointment of personal representative), in substantially the form attached, as of \_\_\_\_\_;
  - accounting of the estate, disclosing estate assets, liabilities, receipts, and disbursements, including the amount of the personal representative's compensation, in substantially the form attached, from \_\_\_\_\_ to \_\_\_\_\_;
  - copy of the most recent trust document and any relevant prior trust documents or amendments to the trust;

- inventory of trust assets, in substantially the form attached, as of \_\_\_\_\_;
- report of the trustee (required by Utah Code Section 75-7-811(3)) disclosing trust assets, liabilities, receipts, and disbursements from \_\_\_\_\_ to \_\_\_\_\_, including the amount of the trustee's compensation, in substantially the form attached; and
- other documents:  
\_\_\_\_\_.

**Failure to Participate in Mediation**

Unless excused by the court, an interested person who fails to participate after receiving notification of the mediation may be deemed to have waived their right to object to the resolution of the issues being mediated.

DATED this \_\_\_ day of \_\_\_\_\_ 20\_\_.

THIS ORDER IS HEREBY ENTERED BY THE COURT  
And is Effective on the Date the Court Stamp  
is Affixed to the First Page of This Order