

# PETITION FOR BENEFITS

UNITED EFFORT PLAN TRUST

(Form dated May 1, 2023)

## I. PETITIONER INFORMATION

[Please Print]

Name: _____	Birth Date: <u>   </u> / <u>   </u> / <u>   </u> [mm/dd/yyyy]	Age: _____	Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>
<b>Mailing Address:</b> _____ _____ _____		<b>Physical Address:</b> [if different from mailing address] _____ _____ _____	
<b>Contact Information:</b>			
Home phone: _____	Fax Number: _____		
Work phone: _____	Email address: _____		
Cell phone: _____			
<b>Benefit Requested:</b> [Briefly identify the benefit you are requesting from the Trust, including, if applicable, the identity and location of any specific item of Trust property (e.g. a particular residence). You may add more detail regarding your requested benefit in responding to Questions 3 through 6, on page 4, below] _____ _____ _____			
<b>Signature:</b> In signing this Petition for Benefits, I swear and certify that the information contained herein is true and correct according my best understanding and belief, formed after reasonable inquiry.			
Dated: _____	_____ Petitioner's signature		

## II. INTRODUCTION

On October 25, 2006, the United Effort Plan Trust (the "Trust" or "UEP Trust") was reformed by the Court in the case of In re United Effort Plan Trust, Case No. 053900848 in the Third District Court of Salt Lake County, Utah. Because of the Court's actions, the Trust will not fail, but will survive as a charitable trust for the benefit of the members of the Trust's beneficiary class.

The reformed UEP Trust is governed by a document entitled REFORMED DECLARATION OF TRUST OF THE UNITED EFFORT PLAN TRUST DATED OCTOBER 25, 2006 (the "Reformed Declaration"). A copy of the Reformed Declaration and other relevant documents may be found on-line at "[www.ueptrust.com](http://www.ueptrust.com)". All interested parties are encouraged to review the Reformed Declaration for information regarding the reformed Trust.

In accordance with the Reformed Declaration, the Trust is considering petitions for Trust benefits from qualified members of the Trust's beneficiary class. This form *Petition for Benefits* is intended to be used by Trust Participants to petition for benefits from the Trust in a uniform manner. The petitions will be reviewed by the Board of Trustees. All petitions must be signed by the petitioner with a sworn verification as to the accuracy of the information contained therein. To the fullest extent possible, all information provided in the petitions will be verified by the Trust.

Petitions may be submitted to the Trust by mail to P.O. Box 840959, Hildale, Utah 84784; hand-delivery to 1155 N. Canyon Street, Hildale, Utah; or email to [info@ueptrust.com](mailto:info@ueptrust.com).

### **III. INFORMATION REGARDING THE REFORMED UEP TRUST**

**Purpose of the Trust.** The reformed UEP Trust is to be administered as a charitable trust to provide benefits to the members of the Trust's beneficiary class according to their just wants and needs. The Reformed Declaration provides that: "Just wants and needs concern primarily housing, with the goal of securing residences for Trust Participants. Secondly, just wants and needs concern education, including scholarships, occupational training and economic development. Just wants and needs may also include food, clothing, medical needs and other items within the discretion of the Board. Trust Property may also be held, used and distributed for community development, including, but not limited to, community buildings and places, schools, parks and cemeteries, etc." (Reformed Declaration, at § 4.1).

**Administration of the Trust.** The Trust is administered by its Board of Trustees pursuant to Article V of the Reformed Declaration.

**Qualifications for Membership in the Beneficiary Class.** The Reformed Declaration provides that the class of Trust beneficiaries, known as "Trust Participants", shall consist of the following: "[T]hose individuals (1) who can demonstrate that they had previously made Contributions to either the Trust or the FLDS Church; or (2) who subsequent to [the] date of this Agreement make documented Contributions to the Trust which Contributions are approved by the Board." (Reformed Declaration, at § 4.2). "Trust Participant status shall not be based upon the value of the property or services contributed and shall be interpreted liberally consistent with the charitable purpose of the Trust." (*Id.*) The Reformed Trust further explains that: "contributions to the Trust may be in the form of real and personal property of any nature and may also include consecrations of time, talents, money and materials and improvements to Trust Property." (Reformed Declaration, at § 3.2).

**Trust Benefits.** The Reformed Declaration provides that the Board may provide benefits to Trust Participants as they deem advisable in accordance with the purpose of the Trust. Such benefits may include: (1) allowing Trust Participants to occupy and use Trust property; and/or (2) distributing Trust property to individual Trust Participants. Distributions of Trust property may include transfers by deed directly to individual Trust Participant(s) or transfers to a spendthrift trust for the benefit of Trust Participants. (See Reformed Declaration, at §§ 6.1 & 6.6).

**No Rights to Trust Property.** The Reformed Declaration provides that: "No Trust Participant shall have a right to Trust Property. No single factor defining just wants and needs shall obligate the Board to use or distribute Trust Property to or for the benefit of any Trust Participant. The determination of the just wants and needs of a Trust Participant shall be made in the sole and absolute discretion of the Board." (Reformed Declaration, at § 6.2). "Except as may otherwise be provided by the orders of courts of competent jurisdiction, the privilege to

reside upon Trust real property and to occupy and use Trust Property is granted, and may be revoked, by the Board pursuant to Trust purposes. The use and/or occupancy of Trust Property is not and does not become a right or claim of anyone against the Trust." (Reformed Declaration, at § 6.6.2). "To accomplish Trust purposes, the Board may require that Trust Participants and their families relocate to different locations on Trust Property, require them to share a location with others or revoke completely a Trust Participant's privilege to use and/or occupy Trust Property." (Reformed Declaration, at § 6.6.4).

Mechanism for Trust Participants to Petition for Benefits. The Reformed Declaration provides that: "Any Trust Participant may make a request for benefits from the Trust by filing with the Board (or its authorized representative), a written petition setting forth the benefits desired and the facts and circumstances supporting such petition. Neither the filing of a petition nor the failure of the Board to respond to a petition shall entitle[] a Trust Participant to any benefit from the Trust. The Board may respond to the petition at such time, if ever, and in such manner as the Board in its sole discretion determines." (Reformed Declaration, at § 6.3).

Factors to Consider in Providing Benefits to Trust Participants. The Reformed Declaration provides that the Board may consider some or all of the following factors in administering the Trust:

- (1) the financial condition and needs of the Trust Participant including existing or potential sources of income, compensation or other recovery;
- (2) the previous or present use of Trust Property by the Trust Participant, including the length of time the Trust Participant has used and relied on Trust Property;
- (3) the Trust Participant's cooperation with the Board, acceptance of occupancy agreements, operation of businesses on Trust Property consistent with the Trust's purposes, and compliance with the rules and standards set by the Board;
- (4) the contribution of services or assets to the Trust, including improvements to Trust Property by the Trust Participant;
- (5) the efforts of the Trust Participant to protect Trust Property through donations for the payment of property taxes, land surveys, insurance premiums and other expenses related to the Trust;
- (6) the Trust Participant's efforts to keep Trust Property safe, in good repair and otherwise properly maintained;
- (7) the Trust Participant's ability or inability to cooperate openly with the Board;
- (8) any legitimate grievance a Trust Participant may have against the Trust; and
- (9) non-binding recommendations received from an authorized representative of the FLDS Church concerning what a particular Trust Participant's just wants and needs may be in light of the religious principles of the FLDS Church.

(See Reformed Declaration, at § 6.4). The Reformed Declaration further provides that: "In administering the Trust, the Board shall not consider whether any Trust Participant participates in polygamy. In so doing, the Board will not be deemed to be benefitting, advocating or facilitating illegal practices." (Reformed Declaration, at § 6.5).

**IV. PETITION FOR BENEFITS FROM THE TRUST**

Please provide full and complete responses to all applicable questions set forth below. If there is inadequate space on the form in which to provide all of the necessary information, please attach additional pages to the back of the form.

**A. Qualification of Trust Participant**

Please provide information establishing your qualification as a Trust Participant in accordance with Section 4.2 of the Reformed Declaration.

1. Have you personally made any contributions to either the Trust or the FLDS Church prior to October 25, 2006? Yes \_\_\_\_ No \_\_\_\_
  
2. If you answered "yes" to question no. 1, above, briefly describe the contributions you have made. Your response should identify the contributions made, explain the nature of your contributions (whether donations of property, money, time, talents, materials, or services), and identify when the contributions were made.

---

---

---

---

**B. Benefit Requested**

3. Please identify any specific benefit you are requesting from the Trust: \_\_\_\_\_  
\_\_\_\_\_
  
4. Please explain the facts and circumstances supporting such request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
5. Do you desire a benefit with respect to any specific item of Trust property (e.g. a particular residence)?  
Yes \_\_\_\_ No \_\_\_\_
  
6. If you answered "yes" to Question No. 5, above, please:
  - a. identify the property: \_\_\_\_\_
  
  - b. explain the facts and circumstances surrounding your interest in such property (including whether you have previously occupied the property, the time in which you have occupied the property, whether you have contributed toward improving the property, and any family ties to the property):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c. indicate whether any other persons may have any special interest in such property. Your response should identify all known persons who may have an interest in the property and indicate the nature of such interest, including whether such persons presently occupy the property, have occupied the property in the past, have contributed toward improving the property, and/or have any family ties to the property.

---

---

---

**C. Factors to Consider**

Please provide information regarding the 9 factors identified in Section 6.4 of the Reformed Declaration:

7. Financial Condition and Need. (See Reformed Declaration, at § 6.4.1).

- a. What is your net worth? \_\_\_\_\_.
  - b. What is your annual household income? \_\_\_\_\_.
  - c. Identify your existing and potential sources of income, compensation, or other recovery: \_\_\_\_\_
  - d. What is your credit score? \_\_\_\_\_.
  - e. Have you every filed bankruptcy? \_\_\_\_\_. If yes, provide information as to all bankruptcy filings: \_\_\_\_\_
  - f. Are you a party to a lawsuit? \_\_\_\_\_. If yes, provide information regarding such lawsuit. \_\_\_\_\_
  - g. Are there any outstanding judgments or liens against you? \_\_\_\_\_. If yes, what is the total judgment/lien amount? \_\_\_\_\_.
  - h. Have you ever been convicted of a crime? \_\_\_\_\_. If yes, provide information regarding such conviction. \_\_\_\_\_
  - i. What is the number of people who reside in your household? \_\_\_\_\_. How many of these are legal dependants? \_\_\_\_\_.
  - j. Identify any other facts relevant to your financial condition and need of which the Trust should be made aware: \_\_\_\_\_
- 
- 
- 

8. Use of Trust Property. (See Reformed Declaration, at § 6.4.2).

- a. If you presently use or occupy any Trust Property, identify the property, explain the nature of your use/occupancy, and provide approximate dates of such use/occupancy. \_\_\_\_\_
  - b. If you have used or occupied any Trust Property in the past, identify the property, explain the nature of your use/occupancy, and provide approximate dates of such use/occupancy. \_\_\_\_\_
- 
- 
-

c. If you have previously received any other benefits from the Trust, identify the benefit and explain the nature and duration of your receipt of such benefit. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Cooperation. (See Reformed Declaration, at § 6.4.3).

- a. Are you willing to live on Trust Property? Yes \_\_\_\_\_ No \_\_\_\_\_
- b. Are you willing to sign an Occupancy Agreement? Yes \_\_\_\_\_ No \_\_\_\_\_
- c. Are you willing to build a residence on Trust Property? Yes \_\_\_\_\_ No \_\_\_\_\_
- d. Are you willing to use any benefits received from the Trust consistent with Trust purposes?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- e. Are you willing to cooperate with the Fiduciary and the Board? Yes \_\_\_\_\_ No \_\_\_\_\_
- f. Are you willing to comply with the rules and standards set by the Board? Yes \_\_\_\_\_ No \_\_\_\_\_
- g. Have you cooperated with the requests of the Fiduciary in the past? Yes \_\_\_\_\_ No \_\_\_\_\_
- h. Please provide any other information or explanation relevant to this factor:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Contributions to the Trust. (See Reformed Declaration, at § 6.4.4).

- a. Have you built/improved a residence on Trust property? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please identify the location of the residence and indicate the percentage of the residence that was built/improved by you. Also, please identify any others who have contributed toward the building/improvement of the residence and the percentage of such building/improvement by others.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Have you improved any other Trust property? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please identify the location of the property, the circumstances and nature of your improving the property, and the estimated value of such improvement. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Have you contributed any other services or assets to the Trust? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please identify the contribution, the circumstances and nature of your providing the contribution, and the estimate value of such contribution. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Donations for the Protection of Trust Property. (See Reformed Declaration, at § 6.4.5).

Please provide information regarding any efforts you have made to protect Trust property through donations for the payment of property taxes, land surveys, insurance premiums, and other expenses related to the Trust. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Efforts to Keep Trust Property Safe and in Good Repair. (See Reformed Declaration, at § 6.4.6).

Please provide information regarding any efforts you have made to keep Trust property safe, in good repair, and otherwise properly maintained. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Ability to Cooperate With the Board. (See Reformed Declaration, at § 6.4.7).

- a. Are you willing to cooperate openly with the Board? Yes \_\_\_\_ No \_\_\_\_  
b. Please provide any relevant information regarding this factor: \_\_\_\_\_  
\_\_\_\_\_

14. Legitimate Grievances Against the Trust. (See Reformed Declaration, at § 6.4.8).

- a. Do you have any legitimate claims or grievances against the Trust?<sup>1</sup> Yes \_\_\_\_ No \_\_\_\_  
If yes, please describe the circumstances and factual and legal bases for such claims/grievances: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Are you willing to release any and all grievances/claims you may have against the Trust in return for the benefits requested above? Yes \_\_\_\_ No \_\_\_\_

15. Recommendations From Representative of the FLDS Church. (See Reformed Declaration, at § 6.4.9).

Has there been any recommendation from a representative of the FLDS Church, duly authorized under Section 6.4.9 of the Reformed Declaration, with respect to your petition? Yes \_\_\_\_ No \_\_\_\_  
If yes, please provide details regarding such recommendation, including the name and authorization of the representative: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

<sup>1</sup> Please remember that the Trust is a separate and distinct entity from the Fundamentalist Church of Jesus Christ of Latter Day Saints, the Corporation of the President of the Fundamentalist Church of Jesus Christ of Latter Day Saints, the Corporation of the Presiding Bishop of the Fundamentalist Church of Jesus Christ of Latter Day Saints, and the leaders of those organizations (collectively "FLDS Church"). This question is limited to grievances and claims against the Trust, and should NOT include grievances or claims against the FLDS Church and/or its officers.

**V. VERIFICATION OF INFORMATION IN PETITION**

16. Please provide three references who can and will verify the information in this Petition:

Name: _____ Phone Number: _____ Address: _____ _____ _____	Name: _____ Phone Number: _____ Address: _____ _____ _____	Name: _____ Phone Number: _____ Address: _____ _____ _____
--	--	--

17. Please provide contact information for your closest living relative not currently residing with you:

Name: _____ Phone Number: _____ Address: _____ _____ _____
--

**VI. FUTURE OF THE TRUST**

18. What is your vision for the future of the Trust? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. Will you help meet that vision? Yes \_\_\_ No \_\_\_  
How? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VII. OTHER INFORMATION**

20. Please provide any other information which may be relevant to you request for benefits or the future of the Trust. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_