



## Utah Supreme Court's Advisory Committee on the Rules of Juvenile Procedure

### Meeting Agenda

*David W. Fureigh, Chair*

Location: Webex Meeting:  
<https://utcourts.webex.com/utcourts/j.php?MTID=m60614e94398c691ccac151892d1f861d>

Date: March 5, 2021

Time: 12:00 pm – 2:00 pm

12:00 – 12:10	<b>Action:</b> Welcome and approve January 8, 2021 Meeting minutes	Tab 1	David Fureigh
12:10 – 12:50	<b>Action:</b> Rule 45 – Disposition Reports	Tab 2	Bridget Koza
12:50 – 1:50	<b>Discussion:</b> Identification of Legislative Bills Requiring Rule Changes  <i>Please come prepared to share any legislation which may require rule changes or consideration. We need to begin composing a list of these for future meeting agendas.</i>  <i>Legislative Bills to consider (so far): HB 285 – Juvenile Recodification (attachments include Crosswalk of Juvenile Code Recodification and list of Juvenile Rules with Juvenile Code references) HB 158 – Juvenile Interrogation Amendments SB 99 – Child Welfare Amendments</i>	Tab 3	David Fureigh
1:50 – 2:00	<b>Discussion:</b> Old business/new business		All

<https://www.utcourts.gov/utc/juvenile-procedure/>

#### Meeting Schedule:

April 2, 2021

August 6, 2021

November 5, 2021

May 7, 2021

September 3, 2021

December 3, 2021

June 4, 2021

October 1, 2021

# TAB 1



**Utah Supreme Court's  
Advisory Committee on the Rules of Juvenile Procedure**

**Draft Meeting Minutes**

January 8, 2021

Webex Meeting:

<https://utcourts.webex.com/utcourts/j.php?MTID=m6ed2f9fdd245f1af928fc01c661bd282>

12:00 pm – 2:00 pm

*David Fureigh, Chair*

<b><u>Attendees:</u></b> Carol Verdoia, Emeritus Member (Acting Chair) Judge Mary Manley Arek Butler Michelle Jeffs Matthew Johnson Mikelle Ostler Jordan Putnam Janette White Chris Yannelli	<b><u>Excused Members:</u></b> David Fureigh, Chair Judge Elizabeth Lindsley Monica Diaz Kristin Fadel Sophia Moore
<b><u>Staff:</u></b> Bridget Koza Meg Sternitzky, Juvenile Court Law Clerk Xen Fedison, Juvenile Court Law Clerk	

**1. Welcome and approval of the December 4, 2020 meeting minutes: (Carol Verdoia)**

Carol Verdoia welcomed everyone to the meeting and asked for approval of the minutes.

*Chris Yannelli moved to approve the December 4, 2020 meeting minutes. Matthew Johnson seconded the motion, and it passed unanimously. Judge Mary Manley had a possible change to the December 4, 2020 meeting minutes. She believed that vote to approve Rule 27A for publication was unanimous. The minutes were approved unanimously with the condition that Bridget Koza look into and correct the December 4, 2020 meeting minutes on the committee's decision regarding Rule 27(A). Bridget Koza reviewed previous meeting minutes and corrected*

*the December 4, 2020 meeting to reflect that the vote to approve Rule 27A for publication was unanimous.*

**2. Action – Venue Transfer and Rule 16A:** (Chris Yanelli & Janette White)

Janette White discussed with the committee the approved amendments to Rule 16A. Janette noted that the committee had planned to see if the recodification made changes to § 76A-6-110 before voting to present the rule to Supreme Court. Bridget summarized the changes made to Rule 16 and 16A and commented that draft Juvenile Court Recodification bill strikes the language in rule from the statute and adds language to alert practitioners to the rule in the Utah Rules of Juvenile Procedure.

*Judge Manley moved to present the revised Rule 16A to the Supreme Court to obtain permission to publish it for public comment. Janette White seconded the motion, and it passed unanimously.*

**3. Action – Petition contents and Rule 17:** (Bridget Koza)

Bridget Koza discussed with the committee the approved amendment to add language in Rule 17 about the contents of a termination of parental rights petition to capture what is being repealed in § 78A-6-505(1) by the draft Juvenile Court Recodification bill. Bridget noted that the committee approved the draft at the December 4, 2020 meeting, but the committee did not vote on the motion to present the rule to the Supreme Court.

*Michelle Jeffs moved to present the revised Rule 17 to the Supreme Court to obtain permission to publish it for public comment. Jordan Putnam seconded the motion, and it passed unanimously.*

**4. Action – Rights of minors in delinquency proceedings and Rule 26:** (Bridget Koza)

Bridget Koza discussed with the committee the amendments to Rule 26 to make it consistent with the Indigent Defense Act. Bridget noted that paragraphs (b) and (c), which refer to a finding indigency, were removed and language was added in paragraph (a)(6) to indicate minors are appointed counsel at all stages of the proceedings.

Bridget further discussed with the committee paragraph (e) of Rule 26, which discusses when minors are capable of waiving his or her right to counsel. Bridget commented that the language in paragraph (e) conflicts with the language in § 78B-22-204. Bridget noted that Monica Diaz had made a recommendation to remove paragraph (e) and replace it with a reference to § 78B-22-204. The committee then discussed whether the rule should reference the statute or use the language from the statute. The committee agreed after further discussion that the amended language should exclude reference to the statute, since the amendment uses the language from § 78B-22-204.

*Janette White moved to present the revised Rule 26 to the Supreme Court to obtain permission to publish it for public comment. Chris Yanelli seconded the motion, and it passed unanimously.*

## **5. Discussion – Rule 45 and 46 – Disposition Reports: (Bridget Koza)**

Carol Verdoia discussed with the committee whether they want to include language about submission of dispositional reports in Rule 45 and Rule 46 to capture the language about dispositional reports in termination proceedings under § 80-4-107(3)(a) of draft Juvenile Court Recodification bill. The committee discussed that it is unclear whether the term “dispositional hearing” in § 80-4-107(3)(a) refers to termination trials or post-termination proceedings. The committee further discussed that termination trials are formal and court reports are submitted pursuant to the Rules of Evidence. Carol suggested to remove language about petitions, so the statute would be applicable to post-termination review hearings. Janette further recommended that “dispositional hearing” should be changed to “for purposes of disposition and post-termination review.”

*The committee agreed to add this to the agenda for the next meeting on February 5, 2021.*

Bridget Koza further discussed that one of the juvenile judges recommended the committee look at the two-day submission timeline for pre-dispositional reports under paragraph (e) of Rule 45. Bridget noted the judge’s concern that under the current rule a pre-dispositional report can be submitted on the weekend, which prevents defense counsel from reviewing the report and discussing it with his or her client before a hearing on a Monday. Janette recommended that the timeline could be changed to match the child welfare timeline (reports have to be submitted five days before a hearing) or suggested a timeline of two business days. The committee noted that this could affect other entities and agreed they need more input.

*Bridget Koza agreed to reach out to Tiffany Pew, Assistant Juvenile Court Administrator, to get more input before further discussion.*

## **6. Old business/new business: (All)**

The Committee had no further items for potential future agenda items.

The meeting adjourned at 1:15 pm. The next meeting will be held on February 5, 2021, at 12:00 pm via Webex.

# TAB 2

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**Rule 45. Pre-disposition reports and social studies.**

(a) Unless waived by the court, a pre-disposition report shall be prepared in all proceedings which result in the filing of a petition. The pre-disposition report shall be deemed waived, unless otherwise ordered, in all traffic, fish and game and boating cases, and otherailable offenses. The report shall conform to the requirements in the Code of Judicial Administration.

(b) In delinquency cases, investigation of the minor and family for the purpose of preparing the pre-disposition report shall not be commenced before the allegations have been proven without the consent of the parties.

(c) The pre-disposition report shall not be submitted to or considered by the judge before the adjudication of the charges or allegations to which it pertains. If no pre-disposition report has been prepared or completed before the dispositional hearing, or if the judge wishes additional information not contained in the report, the dispositional hearing may be continued for a reasonable time to a date certain.

(d) For the purpose of determining proper disposition of the minor and for the purpose of establishing the fact of neglect or dependency, written reports and other material relating to the minor’s mental, physical, and social history and condition may be received in evidence and may be considered by the court along with other evidence. The court may require that the person who wrote the report or prepared the material appear as a witness if the person is reasonably available.

(e) The pre-dispositional report and social studies shall be provided by the author to the minor's counsel, the prosecuting attorney, the guardian ad litem, and counsel for the parent, guardian or custodian of the minor at least two days prior to the dispositional hearing. When the minor or the minor's parent, guardian or custodian are not represented by counsel, the court may limit inspection of reports by the minor or the minor's parent, guardian or custodian if the court determines it is in the best interest of the minor to do so.

# TAB 3



# Index of Juvenile Code Recodification

Title 62A, Utah Human Services Code, & Title 78A, Chapter 6, Juvenile Court Act

## Title 62A – Utah Human Services Code

	Old	Subsection	Title	New
<b>Chapter 4a</b>	<b>Part 2</b>	<b>Child Welfare Services</b>		
	62A-4a-202.1		Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.	Repealed and reenacted; 62A-4a-202.1(1)-(4)
		62A-6-202.1(5)-(6)		62A-4a-202.1(5)-(6)
	62A-4a-202.2		Notice upon removal of child – Locating noncustodial parent – Written statement of procedural rights and preliminary proceedings.	Same section
	<b>Part 5</b>	<b>Runaways</b>		
	62A-4a-501		Harboring a runaway – Reporting requirements – Division to provide assistance – Affirmative defense – Providing shelter after notice.	80-5-601
	62A-4a-502		Homeless youth – Consent to shelter, care, or services by a homeless youth.	80-5-602
<b>Chapter 7</b>	<b>Juvenile Justice Services</b>			
	<b>Part 1</b>	<b>Division of Juvenile Justice Services – Function and Duties</b>		
	62A-7-101		Definitions.	Repealed
	62A-7-102		Creation of division – Jurisdiction.	80-5-103
	62A-7-103		Division director – Qualifications – Responsibility.	80-5-104
	62A-7-104		Division responsibilities.	80-5-201
		62A-7-104(4)		80-6-703(4)
		62A-7-104(6)(b)		80-5-202(3)
	62A-7-104.5		Appropriation and funding of receiving centers.	80-5-301
	62A-7-105.5		Information supplied to division.	78A-6-212
	62A-7-106.5		Annual review of programs and facilities.	80-5-204
	62A-7-107.5		Contracts with private providers.	80-5-205
	62A-7-108.5		Records – Property of division.	80-5-206
	62A-7-109.5		Restitution by a juvenile offender.	80-5-207
	62A-7-111.5		Cost of support and maintenance of a juvenile offender – Responsibility.	80-6-803
	62A-7-112		Juvenile Justice Reinvestment Restricted Account.	80-5-302
	62A-7-113		Rulemaking authority and division responsibilities.	80-5-303
		62A-7-113(1)		80-5-202(1)
	<b>Part 2</b>	<b>Detention Facilities</b>		
	62A-7-201		Confinement – Facilities – Restrictions.	80-6-204
	62A-7-202		Location of detention facilities and services.	80-5-501
		62A-7-202(3)		80-5-202(1), (3)
	62A-7-203		Detention – Physical facilities.	80-5-502
	<b>Part 4</b>	<b>Secure Facilities</b>		
	62A-7-401.5		Secure facilities.	80-5-503
	62A-7-402		Aiding or concealing offender – Trespass – Criminal penalties.	76-8-311.5
	62A-7-403		Care of pregnant juvenile offender.	80-5-208
	62A-7-404		Commitment.	80-6-802

	62A-7-404.5		Review and termination of commitment.	80-6-804
<b>Part 5</b>	<b>Youth Parole Authority</b>			
	62A-7-501		Youth Parole Authority -- Expenses -- Responsibilities -- Procedures.	80-5-701 80-5-702
		62A-7-501(2)(b)-(8)		
		62A-7-501(9)		80-5-703(2)
		62A-7-501(10)		80-6-805(2)
		62A-7-501(11)		80-5-703(3)
		62A-7-501(12)		80-5-703(4)
	62A-7-502		Youth Parole Authority -- Parole procedures.	80-6-805
		62A-7-502(1)		80-5-703(1)-(2)
		62A-7-502(4)		80-5-703(2)
	62A-7-503		Administrative officer of Youth Parole Authority.	Repealed; 80-5-703(5)
	62A-7-504		Parole revocation -- Hearing -- Procedures.	80-6-806
		62A-7-504(5)		80-5-703(7)
		62A-7-504(8)		80-5-703(8)
	62A-7-505		Conditions of parole.	Repealed; 80-6-805(3)
	62A-7-506		Discharge of juvenile offender.	80-6-807
	62A-7-507		Appeal regarding parole release or revocation.	80-6-808
<b>Part 6</b>	<b>Prevention and Early Intervention</b>			
	62A-7-601		Youth services for prevention and early intervention -- Program standards -- Program services.	80-5-401
<b>Part 7</b>	<b>Community-Based Programs</b>			
	62A-7-701		Community-based programs.	80-5-402
	62A-7-702		Case management staff.	80-5-403

### Title 78A, Chapter 6, Juvenile Court Act

	Old	Subsection	Title	New
<b>Part 1</b>	<b>General Provisions</b>			
	78A-6-101		Title.	Same section
	78A-6-102		Establishment of juvenile court -- Organization and status of court -- Purpose.	Same section
	78A-6-103		Jurisdiction of juvenile court -- Original -- Exclusive.	Same section
		78A-6-103(2)(b)		78A-6-104(5)
		78A-6-103(2)(h)		80-6-705(3)
		78A-6-103(3)		78A-6-103.5
		78A-6-103(11)		62A-5-308(4); 62A-5-308(2) 62A-15-705(3), (5)
	78A-6-104		Concurrent jurisdiction.	Repealed and reenacted
	78A-6-105		Definitions.	80-1-102
	78A-6-106		Search warrants and subpoenas -- Authority to issue -- Protective custody -- Expedited hearing.	Repealed
		78A-6-106(1)		78A-6-102(2)(d)
		78A-6-106(2)-(3)		62A-4a-202.1(1), (4)

		78A-6-106(4), (5)		80-3-203
		78A-6-106(6)-(7)		62A-4a-202.1(8)-(9)
		78A-6-106(8)		78A-6-353(4)
		78A-6-106(9)		62A-4a-202.1(10)
	78A-6-106.5		Warrants related to minors.	80-6-202(2)-(4)
	78A-6-107		Expedited filing of petition -- Expedited hearings.	80-3-203
		78A-6-107(1)		80-3-102(1)
	78A-6-108		Title of petition and other court documents -- Form and contents of petition -- Order for temporary custody or protective services -- Physical or psychological examination of minor, parent, or guardian -- Dismissal of petition.	Repealed
		78A-6-108(1)-(3)		Repealed
		78A-6-108(4)		80-6-201(5)(b)
		78A-6-108(5)		80-3-203(1)
		78A-6-108(6)		80-4-205(1)
				80-3-109(1)(b)
				80-4-108(3)
				80-6-606(3)(a)-(b)
		78A-6-108(7)		80-3-109(4);
				80-4-108(5)
		78A-6-108(8)		80-6-606(3)(c)
				80-3-201(7);
		78A-6-108(9)		80-6-305(3)
				80-3-206;
				80-4-206
	78A-6-109		Summons -- Service and process -- Issuance and contents -- Notice to absent parent or guardian -- Emergency medical or surgical treatment -- Compulsory process for attendance of witnesses when authorized.	78A-6-351
	78A-6-110		Venue -- Transfer or certification to other districts -- Dismissal without adjudication on merits.	78A-6-350
		78A-6-110(2)-(3)		Repealed
	78A-6-111		Appearances -- Parents, guardian, or legal custodian to appear with minor or child -- Failure to appear -- Contempt -- Warrant of arrest, when authorized -- Parent's employer to grant time off -- Appointment of guardian ad litem.	78A-6-352
	78A-6-112		Minor taken into custody by peace officer, private citizen, or probation officer -- Grounds -- Notice requirements -- Release or detention -- Grounds for peace officer to take adult into custody.	80-6-201
		78A-6-112(1)(b)-(c)		Repealed
		78A-6-112(2)(b)(iii)-(iv)		Repealed
		78A-6-112(3)(a)		80-6-203(1)-(2)
		78A-6-112(3)(b)-(c)		80-6-103(3), (7)
		78A-6-112(3)(d)		80-6-203(1)(b)
		78A-6-112(4)(a)		80-6-203(1)
		78A-6-112(4)(b)		80-6-203(3)(b)
		78A-6-112(5)(a)		80-6-203(3)(c)
		78A-6-112(5)(b)(i)		80-6-205(1)
		78A-6-112(5)(b)(ii)-(iii)		80-6-103(4), (7)
		78A-6-112(5)(c)-(f)		80-6-205(2)-(6)
		78A-6-112(6)		Repealed

78A-6-113		Placement of minor in detention or shelter facility -- Grounds -- Detention hearings -- Period of detention -- Notice -- Confinement for criminal proceedings -- Bail laws inapplicable -- Exception.	80-6-207
	78A-6-113(1)		80-6-205(5)(b)
	78A-6-113(4)(d)		Repealed
	78A-6-113(4)(g)(ii)		80-6-103(2)
	78A-6-113(5)-(8)		80-6-704(5)
	78A-6-113(9)		Repealed
	78A-6-113(10)		80-6-204(7)
	78A-6-113(11)		80-6-204(7)
78A-6-114	78A-6-113(13)		76-8-418
		Hearings -- Public excluded, exceptions -- Victims admitted -- Minor's cases heard separately from adult cases -- Minor or parents or custodian heard separately -- Continuance of hearing -- Consolidation of proceedings involving more than one minor.	78A-6-354
	78A-6-114(1)(a)		80-3-104(5)
	78A-6-114(1)(b)-(c)		80-6-602(1)-(2)
	78A-6-114(1)(d)-(e)		80-6-604
78A-6-114(3)	80-6-602(3); 80-3-105		
78A-6-115		Hearings -- Record -- County attorney or district attorney responsibilities -- Attorney general responsibilities -- Disclosure -- Admissibility of evidence -- Cannabis.	80-3-110
	78A-6-115(1)		80-3-106; 80-3-107
	78A-6-115(2)(a)		80-6-602(4)
	78A-6-115(2)(b)		80-3-104(4) 80-4-106(3)
	78A-6-115(3)		Repealed
	78A-6-115(4)		80-4-107(3); 80-6-701(1)(b)
	78A-6-115(5)		Repealed
	78A-6-115(6)		80-3-108(4)(e) 80-4-107(4)
	78A-6-115(7)		80-3-110; 80-4-109
78A-6-116	78A-6-116(1)-(4)	Minor's cases considered civil proceedings -- Effect of adjudication of jurisdiction by juvenile court -- Minor not to be charged with crime -- Exception for a prior adjudication -- Traffic violation cases -- Abstracts to Department of Public Safety.	80-6-601
	78A-6-116(5)-(6)		80-6-1003(2)-(3)
	78A-6-116(7)		80-6-709(7)
78A-6-117		Adjudication of jurisdiction of juvenile court -- Disposition of cases -- Enumeration of possible court orders -- Considerations of court.	Repealed
	78A-6-117(1)(a)		80-6-701(3)
	78A-6-117(1)(b)		80-6-701(3)
	78A-6-117(1)(c)		80-6-103(5)
	78A-6-117(1)(d)		80-6-606(1)
	78A-6-117(2)(a)(i)-(iv)		80-6-702(1)-(2)
	78A-6-117(2)(a)(v)-(vi)		80-6-103(7)
	78A-6-117(2)(b)		80-6-703(1)(a)-(b); 80-3-405(3)
	78A-6-117(2)(c)		80-6-703(2)
	78A-6-117(2)(d)(i)		80-6-703(3)
	78A-6-117(2)(d)(ii)		80-3-503
	78A-6-117(2)(e)		80-6-705(1)
	78A-6-117(2)(f)(i)		80-3-405(3)(a)
	78A-6-117(2)(f)(ii)		80-6-705(2)



	78A-6-117(2)(g)	80-6-706(1)(a)
	78A-6-117(2)(h)	80-6-704(1)-(4)
	78A-6-117(2)(i)	80-6-703(6)-(7); 80-3-405(3)
	78A-6-117(2)(j)(i)	80-6-710(1)
	78A-6-117(2)(j)(ii)	80-6-102(18)
	78A-6-117(2)(j)(iii)	80-6-710(7)
	78A-6-117(2)(j)(iv)	80-6-710(6)
	78A-6-117(j)(v)	80-6-710(6)(e)
	78A-6-117(j)(vi)	80-6-710(8)
	78A-6-117(j)(vii)	80-6-710(9)
	78A-6-117(j)(viii)	80-6-710(2)
	78A-6-117(2)(j)(ix)	80-6-710(3)
	78A-6-117(2)(j)(x)	80-6-710(4)
	78A-6-117(2)(j)(xi)	80-6-710(5)
	78A-6-117(2)(k)	80-6-709(6)(a)
	78A-6-117(2)(l)(i)	80-6-709(1)(c)
	78A-6-117(2)(l)(ii)	80-6-709(1)(b)
	78A-6-117(2)(l)(iii)	80-6-709(1)(a)
	78A-6-117(2)(l)(iv)	80-6-709(2)
	78A-6-117(2)(l)(v)	80-6-709(3)(a)
	78A-6-117(2)(l)(vi)	80-6-709(4)(a)
	78A-6-116(2)(l)(vii)	80-6-709(4)(b)
	78A-6-117(2)(m)	80-6-707
	78A-6-117(2)(n)(i)	80-6-709(1)(a)
	78A-6-117(2)(n)(ii)- (iii)	80-6-709 (4)(b)- (c)
	78A-6-117(2)(n)(iv)	80-6-709(5)
	78A-6-117(2)(o)(i)	80-3-405(2)(g); 80-6-706(1)
	78A-6-117(2)(o)(ii)	80-3-405(g); 80-6-706(2)
	78A-6-117(2)(o)(iii)	80-3-405(g); 80-6-706(3)
	78A-6-117(2)(o)(iv)	80-3-109(3); 80-6-706(4)
	78A-6-117(2)(o)(v)	80-3-405(g); 80-6-706(4)
	78A-6-117(2)(o)(vi)	80-3-40(6); 80-6-706(4)
	78A-6-117(2)(p)	80-6-703(1); 80-3-405(2)
	78A-6-117(2)(q)	80-6-702(5)
	78A-6-117(2)(r)	80-6-706(5); 80-3-405(2)(e)
	78A-6-117(2)(s)	80-6-706(6); 80-3-405(f)
	78A-6-117(2)(t)	Repealed
	78A-6-117(2)(u)	80-3-405(2)(h)
	78A-6-117(2)(v)	80-3-405(4); 80-6-701(1)(c)
	78A-6-117(2)(w)	80-3-405(2)

		78A-6-117(2)(x)		80-6-702(4); 80-6-703(5)
		78A-6-117(2)(y)		Repealed
		78A-6-117(2)(z)(i)- (ii)		80-3-405(2)(d)
		78A-6-117(2)(z)(iii)		80-4-105(4); 78A-6-358(1)
		78A-6-117(3)		80-6-708
		78A-6-117(4)		80-6-608(9)
		78A-6-117(5)(a)		80-6-711
		78A-6-117(5)(b)		80-6-712(4)
		78A-6-117(6)		80-6-702(4)
		(First sentence)		
		78A-6-117(6)(a)		80-6-712(1)
		78A-6-117(6)(b)		80-6-712(2)
		78A-6-117(6)(c)		80-6-712(3)-(4)
		78A-6-117(6)(d)		80-6-712(5)
		78A-6-117(6)(e)		80-6-712(6)
		78A-6-117(6)(f)		80-6-712(7)
		78A-6-117(6)(g)		80-6-712(8)
		78A-6-117(6)(h)		80-6-712(9)
		78A-6-117(7)		80-6-712(10)
	78A-6-117.5	78A-6-117.5(4)	Custody in Division of Child and Family Services or in the Division of Juvenile Justice Services -- Assessment of an ungovernable or runaway youth for services.	80-5-603
		78A-6-117.5(1)		80-6-703(7)
		78A-6-117.5(2)		80-6-709(1)(d)
		78A-6-117.5(3)		80-6-703(3)(a)
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		78A-6-120(3)		62A-5-308(4); 62A-5-309(2); 62A-15-705(5)
		78A-6-120(4)		Repealed
		78A-6-120(5)		80-6-606(2)
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	78A-6-203		Board of Juvenile Court Judges -- Composition -- Purpose.	Same section
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	78A-6-208		Mental health evaluations -- Duty of administrator.	Same section
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	78A-6-1103		Modification or termination of custody order or decree -- Grounds -- Procedure.	Repealed; 78A-6-357
	78A-6-1104		When photographs, fingerprints, or HIV infection tests may be taken -- Distribution -- Expungement.	80-6-608
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	78A-6-1106		Child support obligation when custody of a child is vested in an individual or institution.	78A-6-356
	78A-6-1107		Transfer of continuing jurisdiction to other district.	Repealed
	78A-6-1108		New hearings authorized -- Grounds and procedure.	Repealed; 78A-6-357(1)
	78A-6-1109		Appeals.	78A-6-359
	78A-6-1110		Cooperation of political subdivisions and public or private agencies and organizations.	80-1-103
	78A-6-1111		Order for indigent defense service or guardian ad litem.	Repealed; 80-3-104(2); 80-4-106(2); 80-6-602(5)
	78A-6-1112		Exchange of information with agency or institution having legal custody -- Transfer of minor to state prison or other adult facility prohibited.	78A-6-355
		78A-6-1112		80-6-703(8)
	78A-6-1113		Property damage caused by a minor -- Liability of parent or legal guardian -- Criminal conviction or adjudication for criminal mischief or criminal trespass not a prerequisite for civil action under chapter -- When parent or guardian not liable.	80-6-610
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	78A-6-1202		Definitions.	80-6-901
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	78A-6-1204		Parental involvement -- Victims -- Restitution.	80-6-903
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<b>Part 14</b>	<b>Restoration of Parental Rights Act</b>			
	78A-6-1401		Title.	Repealed
	78A-6-1402		Definitions.	Repealed
	78A-6-1403		Petition to restore parental rights -- Duties of the division.	80-4-401
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<b>Part 15</b>	<b>Juvenile Expungement Act</b>			
	78A-6-1501		Title.	Repealed
	78A-6-1502		Definitions.	80-6-1001
	78A-6-1503		Requirements to apply to expunge an adjudication.	80-6-1004
	78A-6-1504		Nonjudicial adjustment expungement.	80-6-1005
	78A-6-1505		Effect of an expunged record -- Agency duties.	80-6-1006
	78A-6-1506		Fees.	80-6-1007

# Juvenile Recodification

Juvenile Court Act and Related Statutes | February 1, 2021

Title/Chapter	New Section	Title	Old Section
<b>Title 53G</b>		<b>Public Education System – Local Administration</b>	
	53G-6-201	Definitions.	Same section
	53G-6-210	Educational neglect of a child – Procedures – Defenses.	78A-6-319
	53G-6-211	Proceedings arising from failure to attend public school.	78A-6-320
<b>Title 62A</b>	<b>Part 2</b>	<b>Child Welfare Services</b>	
	62A-4a-201	Definitions.	Same section
	62A-4a-202.1	Removal or protective custody of a child – Search warrants – Temporary care of a child.	Repealed and reenacted 78A-6-106(2), (3), (6), (7), (9)
	62A-4a-202.2	Notice upon removal of a child – Locating a noncustodial parent – Information provided to parent, guardian, or responsible adult.	Same section; 62A-4a-202.1(5)-(6)
	<b>Part 5</b>	<b>Services for People with Disabilities</b>	
	62A-5-308	Commitment – Individuals under 18 years old.	Same section; 78A-6-120(3)
	62A-5-309	Commitment – Individual who is 18 years old or older.	Same section; 78A-6-120(3)
	<b>Part 15</b>	<b>Substance Abuse and Mental Health Act</b>	
	62A-15-705	Commitment proceedings in juvenile court – Criteria – Custody.	Same section; 78A-6-120(3)
<b>Title 76</b>		<b>Utah Criminal Code</b>	
<b>Chapter 8</b>		<b>Offenses Against the Administration of Government</b>	
	<b>Part 3</b>	<b>Obstructing Governmental Operations</b>	
	76-8-311.5	Aiding or concealing a juvenile offender – Trespass – Criminal penalties.	62A-7-402
	<b>Part 4</b>	<b>Offenses Against Public Property</b>	
	76-8-418	Damaging jails.	Same section; 78A-6-113(13)
<b>Title 78A</b>		<b>Judiciary and Judicial Administration</b>	
<b>Chapter 2</b>	<b>Part 8</b>	<b>Guardian ad Litem</b>	
	78A-2-801	Definitions.	New section; 78A-6-901(1)
	78A-2-802	Office of Guardian ad litem – Appointment of director – Duties of director – Contracts in second, third, and fourth districts.	78A-6-901
	78A-2-803	Appointment of attorney guardian ad litem – Duties and responsibilities – Training – Trained staff and court-appointed special advocate volunteers – Costs – Immunity – Annual report.	78A-6-902

	78A-2-804	Guardian Ad Litem Services Account established – Funding	78A-6-903
<b>Chapter 6</b>		<b>Juvenile Court</b>	
	<b>Part 1</b>	<b>General Provisions</b>	
	78A-6-101	Title.	Same section
	78A-6-101.5	Definitions.	New section
	78A-6-102	Establishment of juvenile court – Organization and status of court – Purpose.	Same section; 78A-6-106(1)
	78A-6-103	Original jurisdiction of the juvenile court – Magistrate functions – Findings – Transfer of a case from another court.	Same section
	78A-6-103.5	Exclusive jurisdiction of the juvenile court.	78A-6-103(3)
	78A-6-104	Concurrent jurisdiction – Transfer of a protective order to the district court.	Repealed and reenacted; 78A-6-104; 78A-6-1001; 78A-6-103(2)(b)
	78A-6-120	Continuing jurisdiction of juvenile court – Period of and termination of jurisdiction.	Same section
	<b>Part 2</b>	<b>Administration</b>	
	78A-6-201	Judges of juvenile court – Appointments – Terms.	Same section
	78A-6-202	Sessions of juvenile court.	Same section
	78A-6-203	Board of Juvenile Court Judges – Composition – Purpose – Presiding judges.	Same section
	78A-6-204	Administrator of the juvenile court – Appointment – Qualifications – Powers and duties.	Same section
	78A-6-205	District court executives – Selection – Duties.	Same section
	78A-6-206	Juvenile court employees – Salaries – State courts personnel system – Exemptions and discharge.	Same section
	78A-6-207	Volunteers.	Same section
	78A-6-208	Mental health evaluations – Duty of administrator.	Same section
	78A-6-209	Court records – Inspection.	Same section
	78A-6-210	Fines – Fees – Deposit with state treasurer – Restricted account.	Same section
	78A-6-211	Courtrooms – Physical facilities.	Same section
	78A-6-212	Information supplied to Division of Juvenile Justice Services	62A-7-105.5
	<b>Part 3a</b>	<b>Juvenile Court Proceedings</b>	
	78A-6-350	Venue – Dismissal without adjudication on merits.	78A-6-110(1), (4)
	78A-6-351	Summons – Service and process – Issuance and contents – Notice to absent parent or guardian – Emergency medical or surgical treatment – Compulsory process for attendance of witnesses when authorized.	78A-6-109

	78A-6-352	Appearances – Parents, guardian, or custodian to appear with minor or child – Failure to appear – Warrant of arrest, when authorized – Parent's, guardian's or custodian's employer to grant time off – Appointment of guardian ad litem.	78A-6-111
	78A-6-353	Contempt – Penalty – Enforcement of fine, fee, or restitution.	78A-6-1101; 78A-6-106(8)
	78A-6-354	Hearings – Minor's cases heard separately from adult cases – Minor or parents or custodian heard separately – Continuance of hearing.	78A-6-114
	78A-6-355	Exchange of information with agency or institution having legal custody.	78A-6-1112
	78A-6-356	Child support obligation when custody of a child is vested in an individual or institution.	78A-6-1106
	78A-6-357	New hearings – Modification of order or decree – Requirements for changing or terminating custody, probation, or protective supervision.	New section; 78A-6-119; 78A-6-1103 78A-6-1108
	78A-6-358	Period of effect for a judgment, decree, or order by a juvenile court.	78A-6-118
	78A-6-359	Appeals.	78A-6-1109
	<b>Part 4a</b>	<b>Adult Criminal Proceedings</b>	
	78A-6-450	Criminal information for an adult in juvenile court.	78A-6-1001
	78A-6-451	Who may prosecute an adult in juvenile court – Transfer to district court.	78A-6-1002
	78A-6-452	Costs and expenses of trial.	78A-6-1003
<b>Title 78B</b>		<b>Judicial Code</b>	
<b>Chapter 6</b>		<b>Particular Proceedings</b>	
	<b>Part 1</b>	<b>Utah Adoption Act</b>	
	78B-6-105	District court venue – Jurisdiction of juvenile court – Jurisdiction over nonresidents – Time for filing.	Same section
<b>Chapter 15</b>		<b>Utah Uniform Parentage Act</b>	
	<b>Part 1</b>	<b>General Provisions</b>	
	78B-15-104	Adjudication – Jurisdiction.	Same section
<b>Title 80</b>		<b>Utah Juvenile Code</b>	
<b>Chapter 1</b>		<b>General Provisions</b>	
	80-1-101	Title.	New section
	80-1-102	Juvenile Code definitions.	78A-6-105
	80-1-103	Cooperation of political subdivisions and public or private agencies and organizations.	78A-6-1110
<b>Chapter 2</b>		<b>Reserved</b>	
		Chapter will be reserved for the recodification of Title 62A, Chapter 4a, Child and Family Services.	
<b>Chapter 3</b>		<b>Abuse, Neglect, and Dependency Proceedings</b>	
	<b>Part 1</b>	<b>General Provisions</b>	

	80-3-101	Title.	New section
	80-3-102	Definitions.	78A-6-301
	80-3-103	Nature of proceedings – Rules of Procedure – Ex parte communications.	78A-6-303
	80-3-104	Individuals entitled to be present at proceedings – Legal representation – Attorney general responsibilities.	78A-6-317; 78A-6-114(1)(a); 78A-6-1111
	80-3-105	Consolidation of proceedings.	New section; 78A-6-114(3)
	80-3-106	Record of proceedings.	New section; 78A-6-115(1)
	80-3-107	Disclosure of records – Record sharing.	New section; 78A-6-115(2); 78A-6-317(5)
	80-3-108	Opportunity for minor to testify or address the court – Consideration of minor's statement outside of court.	78A-6-305; 78A-6-115(6)
	80-3-109	Physical or mental health examination during proceedings – Division duties.	78A-6-108(6), (7); 78A-6-117(2)(o); 78A-6-324
	80-3-110	Consideration of cannabis during proceedings.	78A-6-115(7)
	<b>Part 2</b>	<b>Petition Alleging Abuse, Neglect, or Dependency</b>	
	80-3-201	Petition – Who may file – Timing – Dismissal – Notice.	78A-6-304; 78A-6-1102; 78A-6-108 Rules 3 and 17 of the Utah Rules of Juvenile Procedure; New section; 78A-6-106(4)-(5); 78A-6-108(5); 78A-6-310
	80-3-202	Expedited filing of petition.	78A-6-107
	80-3-203	Expedited hearing for temporary custody.	New section; 78A-6-108(4), (5)
	80-3-204	Protective custody of child after petition is filed – Grounds.	78A-6-302
	80-3-205	Coordination of proceedings.	78A-6-322
	80-3-206	Mediation.	New section; 78A-6-108(9)
	80-3-207	Modification of petition – Continuance.	New section; 78A-6-1102
	<b>Part 3</b>	<b>Shelter Proceedings and Placement of a Child</b>	
	80-3-301	Shelter hearing – Court considerations.	78A-6-306
	80-3-302	Shelter hearing – Placement.	78A-6-307
	80-3-303	Post-shelter hearing placement of a child in division's temporary custody.	78A-6-307.5

	80-3-304	Second medical opinion in cases of alleged medical neglect.	78A-6-301.5
	80-3-305	Criminal background checks necessary before out-of-home placement.	78A-6-308
	80-3-306	Outstanding arrest warrant check before return of custody.	78A-6-308.5
	<b>Part 4</b>	<b>Adjudication, Disposition, and Permanency</b>	
	80-3-401	Pretrial and adjudication hearing – Time deadlines.	78A-6-309; 78A-6-107(3)
	80-3-402	Adjudication hearing – Dispositional hearing time deadlines – Scheduling review and permanency hearing.	78A-6-311; 78A-6-304(5)
	80-3-403	Treatment for offender and victim – Costs.	78A-6-321
	80-3-404	Finding of severe child abuse or neglect – Petition for removal from Licensing Information System – Court records.	78A-6-323
	80-3-405	Dispositions after adjudication.	New section; 78A-6-117(2)(b), (f), (i), (o), (p), (r), (s), (t), (u), (v), (w), (z); 78A-6-312(1)
	80-3-406	Permanency plan – Reunification services.	78A-6-312
	80-3-407	Six-month hearing – Court determination regarding reasonable efforts by division and parental compliance with child and family plan requirements.	78A-6-313
	80-3-408	Periodic review hearings – Dispositional reports.	78A-6-315
	80-3-409	Permanency hearing – Final plan – Petition for termination of parental rights filed – Hearing on termination of parental rights.	78A-6-314
	<b>Part 5</b>	<b>Miscellaneous Hearings</b>	
	80-3-501	Placement in a qualified residential treatment program – Review hearings.	78A-6-311.5
	80-3-502	Review of foster care removal – Foster parent's standing.	78A-6-318
	80-3-503	Minor's petition for removal from division custody– Reentering division custody.	New section; 78A-6-117(2)(d)(ii)
	<b>Chapter 4</b>	<b>Termination and Restoration of Parental Rights</b>	
	<b>Part 1</b>	<b>General Provisions</b>	
	80-4-101	Title.	78A-6-501
	80-4-102	Definitions.	78A-6-502; 78A-6-1402
	80-4-103	Nature of the proceedings – Rules of Procedure - - Burden of proof.	New section; 78A-6-506(6)
	80-4-104	Judicial process for termination – Parent unfit or incompetent – Best interest of child.	78A-6-503
	80-4-105	Effect of decree.	78A-6-513



	80-4-106	Individuals entitled to be present at proceedings – Legal representation – Attorney general responsibilities.	New section; 78A-6-114; 78A-6-115; 78A-6-506(2); 78A-6-1111
	80-4-107	Record of proceedings – Written reports and other materials – Statements of a child.	New section; 78A-6-115(4); 78A-6-506
	80-4-108	Physical or mental health examination during proceedings.	78A-6-515
	80-4-109	Consideration of cannabis during proceedings.	New section; 78A-6-115(7)
	<b>Part 2</b>	<b>Petition for Termination of Parental Rights</b>	
	80-4-201	Petition – Who may file.	78A-6-504; 78A-6-505
	80-4-202	Contents of petition.	78A-6-505; 78A-6-1102
	80-4-203	Mandatory petition for termination of parental rights.	78A-6-316
	80-4-204	Notice of petition.	78A-6-506
	80-4-205	Expedited hearing for temporary custody.	New section; 78A-6-108(4), (5)
	80-4-206	Mediation.	New section; 78A-6-108(9)
	80-4-207	Modification of petition – Continuance.	New section; 78A-6-1102
	<b>Part 3</b>	<b>Termination and Posttermination of Parental Rights</b>	
	80-4-301	Grounds for termination of parental rights – Findings regarding reasonable efforts.	78A-6-507
	80-4-302	Evidence of grounds for termination.	78A-6-508
	80-4-303	Specific considerations when child is not in physical custody of parent.	78A-6-509
	80-4-304	Specific considerations when child is placed in foster home.	78A-6-510
	80-4-305	Court disposition of child upon termination of parental rights – Posttermination reunification.	78A-6-511
	80-4-306	Review following termination.	78A-6-512
	80-4-307	Voluntary relinquishment – Irrevocable.	78A-6-514
	<b>Part 4</b>	<b>Restoration of Parental Rights</b>	
	80-4-401	Petition to restore parental rights – Division duties.	78A-6-1403
	80-4-402	Hearing on the petition to restore parental rights	78A-6-1404
	<b>Chapter 5</b>	<b>Juvenile Justice Services</b>	
	<b>Part 1</b>	<b>Division of Juvenile Justice Services</b>	
	80-5-101	Title.	New section
	80-5-102	Definitions.	New section
	80-5-103	Creation of division – Jurisdiction.	62A-7-102



	80-5-104	Division director -- Qualifications -- Responsibility.	62A-7-103
	<b>Part 2</b>	<b>Division Responsibilities</b>	
	80-5-201	Division Responsibilities.	62A-7-104; 78A-6-604(1)
	80-5-202	Division rulemaking authority.	New section; 62A-7-202(3)(a); 78A-6-604(1); 62A-7-113(1) 62A-7-104(6)
	80-5-203	Detention risk assessment tool.	78A-6-124
	80-5-204	Annual review of programs and facilities.	62A-7-106.5
	80-5-205	Contracts with private providers.	62A-7-107.5
	80-5-206	Records -- Property of division.	62A-7-108.5
	80-5-207	Restitution by a minor committed to the division.	62A-7-109.5
	80-5-208	Care of pregnant minor in secure detention or secure care.	62A-7-403
	<b>Part 3</b>	<b>Funds and Accounts</b>	
	80-5-301	Appropriation and funding of receiving centers.	62A-7-104.5
	80-5-302	Juvenile Justice Reinvestment Restricted Account.	62A-7-112
	80-5-303	Report on Juvenile Justice Reinvestment Restricted Account.	62A-7-113
	<b>Part 4</b>	<b>Programs</b>	
	80-5-401	Youth services for prevention and early intervention -- Program standards -- Program services.	62A-7-601
	80-5-402	Community-based programs.	62A-7-701
	80-5-403	Case management staff.	62A-7-702
	<b>Part 5</b>	<b>Facilities</b>	
	80-5-501	Detention facilities and services.	62A-7-202
	80-5-502	New detention facilities.	62A-7-203
	80-5-503	Secure care facilities.	62A-7-401.5
	<b>Part 6</b>	<b>Runaways and Ungovernable Children</b>	
	80-5-601	Harboring a runaway -- Reporting requirements -- Division to provide assistance -- Affirmative defense -- Providing shelter after notice.	62A-4a-501
	80-5-602	Homeless youth -- Consent to shelter, care, or services by a homeless youth.	62A-4a-502
	80-5-603	Assessment of an ungovernable or runaway child for services.	78A-6-117.5(4)
	<b>Part 7</b>	<b>Youth Parole Authority</b>	
	80-5-701	Youth Parole Authority -- Creation - Members.	62A-7-501
	80-5-702	Member qualifications -- Expenses.	New section; 62A-7-501(2)(b)-(8)
	80-5-703	Authority responsibilities -- Administrative officer of the authority.	New section; 62A-7-501(9),

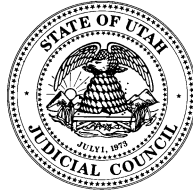
			(11)-(12); 62A-7-502(1), (4); 62A-7-503; 62A-7-504(5), (8)
	<b>Chapter 6</b>	<b>Juvenile Justice</b>	
	<b>Part 1</b>	<b>General Provisions</b>	
	80-6-101	Title.	New section
	80-6-102	Definitions.	New section
	80-6-103	Notification to a school – Civil and criminal liability.	New section; 78A-6-112(3)(b)-(c); 78A-6-112(5)(b)(ii)-(iii); 78A-6-113(4)(g)(i); 78A-6-117(1)(c), (2)(a)(v)-(vi)
	<b>Part 2</b>	<b>Custody and Detention</b>	
	80-6-201	Minor taken into temporary custody by peace officer, private citizen, or probation officer – Grounds – Protective custody.	78A-6-112(1), (2)
	80-6-202	Warrants for minors.	78A-6-106.5; Rule 7 of Utah Rules of Juvenile Procedure
	80-6-203	Temporary custody of a minor – Notification of a child's parent, guardian, or custodian – Taking a minor to a detention facility.	New section; 78A-6-112(3)(a), (d), (4), (5)(a)-(b)(i)
	80-6-204	Detention or confinement of a minor – Restrictions.	62A-7-201; 78A-6-113(10)-(11)
	80-6-205	Admission to detention – Alternative to detention – Rights of a minor in detention.	New section; 78A-6-112(5)(c)-(f); 78A-6-113(1); Rule 8 of the Utah Rules of Juvenile Procedure
	80-6-206	Interview of a child in detention.	New section; Rule 8 of the Utah Rules of Juvenile Procedure
	80-6-207	Detention hearings – Period of detention – Bail.	78A-6-113
	<b>Part 3</b>	<b>Referral and Prosecution</b>	
	80-6-301	Referral to juvenile court.	New section; 78A-6-602(2)
	80-6-302	Citation – Procedure – Time limits – Failure to appear.	78A-6-603
	80-6-303	Criminal proceedings involving minors – Transfer to juvenile court – Exception.	78A-6-601

	80-6-304	Nonjudicial adjustments.	78A-6-602(3)-(14)
	80-6-305	Petition for a delinquency proceeding -- Amending a petition -- Continuance.	78A-6-602.5; 78A-6-108(8); 78A-6-1102
	80-6-306	Plea -- Withdrawal of a plea.	New section; Rule 25 of the Utah Rules of Juvenile Procedure
	80-6-307	Dispositional report required in minor's cases -- Exceptions.	78A-6-605
	<b>Part 4</b>	<b>Competency</b>	
	80-6-401	Competency to proceed.	78A-6-1301
	80-6-402	Procedure -- Standard.	78A-6-1302
	80-6-403	Disposition on finding of not competent to proceed -- Subsequent hearings -- Notice to prosecuting attorneys.	78A-6-1303
	<b>Part 5</b>	<b>Transfer to District Court</b>	
	80-6-501	Definitions.	78A-6-703.1
	80-6-502	Criminal information for a minor in district court.	78A-6-703.2
	80-6-503	Criminal information for a minor in juvenile court -- Extending juvenile court jurisdiction.	78A-6-703.3
	80-6-504	Preliminary hearing -- Grounds for transfer -- Detention of a minor bound over to the district court.	78A-6-703.5
	80-6-505	Criminal proceedings for a minor bound over to district court.	78A-6-703.6
	80-6-506	Appeals from bind over proceedings.	78A-6-704
	80-6-507	Commitment of a minor by a district court.	78A-6-705
	<b>Part 6</b>	<b>Delinquency Proceedings</b>	
	80-6-601	Minor's cases considered civil proceedings -- Minor to not be charged with crime -- Exception for a prior adjudication -- Traffic violation cases.	78A-6-116
	80-6-602	Hearings or proceedings for minors -- Prosecuting attorney -- Order for indigent defense -- Custody in the Division of Child and Family Services.	New section; 78A-6-114(1)(b)-(c); 78A-6-115(2)(a); 78A-6-1111(1)
	80-6-603	Rights of minors facing delinquency proceedings.	New section; Rule 26 of the Utah Rules of Juvenile Procedure
	80-6-604	Victim's rights -- Access to juvenile court records.	New section; 78A-6-114(1)(d)-(e)
	80-6-605	Extension of juvenile court jurisdiction -- Procedure.	78A-6-703.4
	80-6-606	Validated risk and needs assessment -- Examination of minor or minor's parent or guardian.	New section; 78A-6-117(1)(d); 78A-6-120(5);

			78A-6-108(6)-(7)
	80-6-607	Case planning and appropriate measures.	78A-6-123
	80-6-608	When photographs, fingerprints, or HIV infection tests may be taken – Distribution – DNA Collection – Reimbursement.	78A-6-117(4); 78A-6-1104
	80-6-609	Restraint of a minor.	78A-6-122
	80-6-610	Property damage caused by a minor – Liability of parent or legal guardian – Criminal conviction or adjudication for criminal mischief or criminal trespass not a prerequisite for civil action – When parent or guardian not liable.	78A-6-1113
	<b>Part 7</b>	<b>Adjudication and Disposition</b>	
	80-6-701	Adjudication of an offense.	New section; 78A-6-117(1)(a), (2)(u), (2)(v)
	80-6-702	Probation or protective supervision – Conditions for probation.	New section; 78A-6-117(2)(a), (q), (x) 78A-6-117(6)
	80-6-703	Placement of a child – Commitment of a minor to the Division of Juvenile Justice Services – Limitations.	New section; 78A-6-117(2)(b), (c), (d)(i), (i), (p), and (x) 78A-6-117.5(1), (3); 78A-6-117(6)
	80-6-704	Detention or alternative to detention – Limitations.	New section; 78A-6-117(2)(h)(i); 78A-6-604
	80-6-705	Secure care – Limitations – Order for therapy for parent with minor in secure care.	New section; 78A-6-117(2)(e), (f)(ii)
	80-6-706	Treatment – Commitment to local mental health authority or Utah State Developmental Center.	New section; 78A-6-117(2)(g), (o)(i)-(iii), (r), (s)
	80-6-707	Suspension of driving privileges.	78A-6-606; 78A-6-117(m)
	80-6-708	Service in National Guard.	New section; 78A-6-117(3)
	80-6-709	Payment of fines, fees, restitution, or other costs – Community or compensatory service – Property damage – Unpaid balances.	New section; 78A-6-117(2)(l)(ii)-(vii), (2)(n); 78A-6-117.5(3); 78A-6-121; 78A-6-116(7)
	80-6-710	Restitution – Requirements.	New section; 78A-6-117(2)(j), (2)(k); 62A-7-109.5(2)

	80-6-711	Suspending a disposition.	New section; 78A-6-117(2)(x), (6)
	80-6-712	Time periods for supervision of probation or placement – Termination of continuing jurisdiction.	New section; 78A-6-117(5)(b), (6), (7)
	<b>Part 8</b>	<b>Commitment and Parole</b>	
	80-6-801	Commitment to local mental health authority or Utah State Developmental Center.	New section
	80-6-802	Commitment to secure care – Rights of juvenile offenders in secure care.	62A-7-404; Rule 8 of the Utah Rules of Juvenile Procedure
	80-6-803	Cost of support and maintenance of a juvenile offender – Responsibility	62A-7-111.5
	80-6-804	Review and termination of secure care	62A-7-404.5
	80-6-805	Parole procedures – Conditions of parole.	62A-7-502; 62A-7-501(10); 62A-7-505
	80-6-806	Parole revocation – Hearing – Procedures.	62A-7-504
	80-6-807	Discharge of juvenile offender.	62A-7-506
	80-6-808	Appeal regarding parole release or revocation.	62A-7-507
	<b>Part 9</b>	<b>Youth Court</b>	
	80-6-901	Definitions.	78A-6-1202
	80-6-902	Youth court – Authorization – Referral.	78A-6-1203
	80-6-903	Parental involvement – Victims – Restitution.	78A-6-1204
	80-6-904	Dispositions.	78A-6-1205
	80-6-905	Liability.	78A-6-1206
	80-6-906	Fees.	78A-6-1207
	80-6-907	Youth Court Board – Membership – Responsibilities.	78A-6-1208
	80-6-908	Establishing a youth court – Sponsoring entity responsibilities.	78A-6-1209
	80-6-909	School credit.	78A-6-1210
	<b>Part 10</b>	<b>Juvenile Records and Expungement</b>	
	80-6-1001	Definitions.	78A-6-1502
	80-6-1002	Vacatur of adjudications.	78A-6-1114
	80-6-1003	Court records – Abstracts.	New section; 78A-6-1104(9); 78A-6-116(5)-(6)
	80-6-1004	Requirements to apply to expunge an adjudication.	78A-6-1503
	80-6-1005	Nonjudicial adjustment expungement.	78A-6-1504
	80-6-1006	Effect of an expunged record – Agency duties.	78A-6-1505
	80-6-1007	Fees.	78A-6-1506

Chapter 7		Emancipation	
	80-7-101	Title.	New section
	80-7-102	Definitions.	78A-6-802; 78A-6-801(1)
	80-7-103	Petition for emancipation - Amending a petition - - Continuance.	78A-6-803; 78A-6-1102
	80-7-104	Procedure for emancipation.	78A-6-804
	80-7-105	Emancipation	78A-6-805



# Administrative Office of the Courts

Chief Justice Matthew B. Durrant  
Utah Supreme Court  
Chair, Utah Judicial Council

February 25, 2021

Hon. Mary T. Noonan  
State Court Administrator  
Catherine J. Dupont  
Deputy Court Administrator

## MEMORANDUM

**TO: Advisory Committee on the Rules of Juvenile Procedure**

**FROM: Bridget Koza, Court Improvement Program Director  
Staff to Advisory Committee on the Rules of Juvenile Procedure**

**RE: Utah Code References in Rules of Juvenile Procedure**

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Here is a list of Utah Code references in the Rules of Juvenile Procedure that will need to be updated if H.B. 285 Juvenile Code Recodification passes:

Rule	Utah Code Reference
5	62A-7-101
5	78A-6-105
5	78A-6-117
5	78A-6-120
5	78A-6-301
5	78A-6-302 et seq
5	78A-6-501 et seq
7	78A-6-106
7	78A-6-106.5
7	78A-6-111
7	78A-6-112
9	62A-7-202
9	62A-7-201
9	78A-6-112
9	78A-6-703.2
9	78A-6-703.3
9	78A-6-703.5
9	78A-6-703.6
11	78A-6-113

The mission of the Utah judiciary is to provide an open, fair,  
efficient, and independent system for the advancement of justice under the law.

12	Title 78A, Chapter 6, Part 3, Abuse, Neglect, and Dependency Proceedings
13	78A-6-306
13	78A-6-307
17	78A-6-1114
17	78A-6-1503
17	78A-6-1504
18	78A-6-109
18	78A-6-1001
18	78A-6-703
20	78A-6-702
20	78A-6-703
21	78A-6-703.3
22	78A-6-703.3
22	78A-6-703.5
23A	78A-6-117
23A	78A-6-703.3
23A	78A-6-703.4
27	78A-6-1104
27	78A-6-1105
29A	78A-6-702
29A	78A-6-703
29B	78A-6-702
29B	78A-6-703
30	78A-6-603
34	78A-6-309
35	78A-6-902
37	78A-6-1111
43	78A-6-115(6)
44	78A-6-309
44	78A-6-310
44	78A-6-318
44	78A-6-703.3
44	78A-6-703.5
46	78A-6-117
46	78A-6-311
46	78A-6-312
47	78A-6-117
47	78A-6-314
47	78A-6-315



47	Title 78A, Chapter 6
50	78A-6-114
50	78A-6-115
51	78A-6-1101
55	62A-7-201
56	78A-6-1501 et seq
56	78A-6-1503
56	78A-6-1504
56	78A-6-602
60	78A-6-1111
60	78A-6-902