

**MINUTES OF THE  
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**  
Thursday, September 23, 2004 – 10:00 a.m. – Room W025 House Building

**Members Present:**

Sen. Dan R. Eastman, Senate Chair  
Rep. Mike Thompson, House Chair  
Sen. Gene Davis  
Rep. David Litvak  
Rep. Steven R. Mascaro

**Staff Present:**

Mr. Mark D. Andrews, Research Analyst  
Mr. Thomas R. Vaughn, Associate General Counsel  
Ms. Wendy L. Bangerter, Legislative Secretary

Note: A list of others present and a copy of related materials can be found at [www.leg.utah.gov](http://www.leg.utah.gov) or by contacting the committee secretary, Wendy Bangerter, at 538-1032. A recording of the meeting is available from the committee secretary.

**1. Committee Business**

Chair Eastman called the meeting to order at 10:20 a.m.

**MOTION:** Rep. Mascaro moved to approve the minutes of the August 19, 2004 meeting. The motion passed unanimously with Sen. Davis and Rep. Thompson absent for the vote.

**2. "Mature Minor"**

Ms. Robin Arnold-Williams, member of the Judicial Council's Standing Committee on Children and Family Law, gave a presentation that reported on the committee's study of issues and questions related to use of the "mature minor" concept found in H.B. 140, "Child and Family Services and Related Judicial Code Amendments," vetoed by the governor (copy of the presentation on file).

Rep. Christensen reviewed his intent behind H.B. 140 and his concerns about guardians ad litem. He indicated that he will review H.B. 140 to determine what parts of the vetoed bill to keep.

Rep. Christensen stated he would be contacting Panel staff and the Judicial Council to aid in drafting new legislation to present to the Child Welfare Legislative Oversight Panel.

**3. Taking a Minor into Protective Custody**

Mr. Mark May, member of the Judicial Council's Standing Committee on Children and Family Law, reported on a the committee's study this year of the processes by which a child may be taken into state custody. He referred to draft language mailed to the Panel (copy on file) which clarifies the conditions under which a child may taken into custody without a warrant, with a warrant, or following a hearing.

**MOTION:** Sen. Davis moved to adopt the concept presented by Mr. May with the hope that a bill may be prepared for the Panel's consideration in October. The motion passed unanimously.

#### **4. DCFS Proposal**

Mr. Adam Trupp, DCFS (Division of Child and Family Services), distributed and reviewed a list of issues for which DCFS intends to solicit sponsorship for proposed legislative changes during the 2005 General Session (copy on file). Mr. Trupp said the sponsor of any legislation proposed by the Division will be asked to present the legislation to the Panel by November.

#### **5. Other Business**

Rep. Davis proposed the last two meetings of the Panel be scheduled prior to the Health and Human Services Interim Committee meeting on November 10, 2004.

#### **6. Adjourn**

**MOTION:** Sen. Davis moved to adjourn the meeting. The motion passed unanimously.

Chair Eastman adjourned the meeting at 11:47 a.m.