

Repealed 5/12/2015

78B-6-135 Division of Child and Family Services -- Duties -- Report -- Fee.

- (1) At the request of the court, the division, through its field agents, persons licensed by the division for the care and placement of children, or through the probation officer of the juvenile court or court of like jurisdiction of the county, under the division's supervision, shall:
 - (a) verify the allegations of the petition for adoption of a minor child;
 - (b) make a thorough investigation of the matter; and
 - (c) report the division's findings in writing to the court.
- (2)
 - (a) When the court requests an investigation under Subsection (1), the court shall serve a copy of the petition, together with a statement containing the names and addresses of the child and petitioners, on the division by certified mail.
 - (b) The division, or the person appointed by the division, shall complete the investigation described in Subsection (2)(a) and submit a written report to the court within 60 days after the day that the petition is served on the division.
- (3)
 - (a) The division shall charge the petitioner a reasonable fee for the services provided under this section.
 - (b) Fees collected shall be deposited in the General Fund.
- (4) The written report submitted to the court under this section shall state:
 - (a) why the pre-existing parents, if living, desire to be released from the care, support, and guardianship of the child;
 - (b) whether the pre-existing parents have abandoned the child or are unfit for custody;
 - (c) whether the prospective adoptive parent or parents are financially able and morally fit to have the care, supervision, and training of the child;
 - (d) the physical and mental condition of the child, so far as that may be determined; and
 - (e) any other facts and circumstances pertaining to the child and the child's welfare.
- (5)
 - (a) The court shall conduct a full hearing on the petition for adoption and examine the parties in interest under oath.
 - (b) The court may adjourn the hearing from time to time as the nature of the case requires.
- (6) If the report submitted by the division under Subsection (2) disapproves of the adoption of the child by the petitioner, the court may dismiss the petition.