

Superseded 5/12/2015

78B-6-141 Petition, report, and documents sealed -- Exceptions.

- (1) A petition for adoption, the written report described in Section 78B-6-135, and any other documents filed in connection with the petition are sealed.
- (2) The documents described in Subsection (1) may only be open to inspection as follows:
 - (a) in accordance with Subsection (3)(a), by a party to the adoption proceeding:
 - (i) while the proceeding is pending; or
 - (ii) within six months after the day on which the adoption decree is entered;
 - (b) subject to Subsection (3)(b), a court enters an order permitting access to the documents by a person who has appealed the denial of that person's motion to intervene;
 - (c) upon order of the court expressly permitting inspection or copying, after good cause has been shown;
 - (d) as provided under Section 78B-6-144;
 - (e) those records shall become public on the one hundredth anniversary of the date the final decree of adoption was entered; or
 - (f) if the adoptee is an adult at the time the final decree of adoption is entered, the documents described in this section are open to inspection and copying without a court order by the adoptee or a parent who adopted the adoptee, unless the final decree of adoption is entered by the juvenile court under Subsection 78B-6-115(3)(b).
- (3)
 - (a) A person who files a motion to intervene in an adoption proceeding:
 - (i) is not a party to the adoption proceeding, unless the motion to intervene is granted; and
 - (ii) may not be granted access to the documents described in Subsection (1), unless the motion to intervene is granted.
 - (b) An order described in Subsection (2)(b) shall:
 - (i) prohibit the person described in Subsection (2)(b) from inspecting a document described in Subsection (1) that contains identifying information of the adoptive or prospective adoptive parent; and
 - (ii) permit the person described in Subsection (3)(b)(i) to review a copy of a document described in Subsection (3)(b)(i) after the identifying information described in Subsection (3)(b)(i) is redacted from the document.