

## H.B. 156

# CONCURRENT PLANNING FOR CHILDREN IN DIVISION OF CHILDREN AND FAMILY SERVICES

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

FEBRUARY 19, 1999 2:02 PM

---

Representative **Throckmorton** proposes the following amendments:

1. Page 1, Line 1: Delete "CONCURRENT PLANNING FOR CHILDREN IN"
2. Page 1, Line 2: Delete "CHILDREN" and insert "CHILD"
3. Page 1, Line 3: After "SERVICES" insert "AMENDMENTS"
4. Page 2, Line 40: After "made" insert "by the division" and after "placement" insert "and attempts to utilize the least restrictive means available to protect the child pursuant to Subsection 62A-4a-201(3)"
5. Page 2, Line 41: After "efforts" insert "and the use of a less intrusive means"
6. Page 2 Line 45: Delete "specifically" and insert:  
"specify, in light of division attempts to utilize the least restrictive means available to protect the child pursuant to Subsection 62A-4a-201(3)."
7. Page 3, Line 86: Delete "representative" and insert "specific" and "list" insert "directly tied to the primary permanency goal"
8. Page 3, Lines 88-89: After "goal" delete the rest of the line and delete line 89 and insert:  
". The court shall explain in detail the legal and practical effect of abandoning the primary permanency goal in favor of the concurrent plan."
9. Page 4, Line 93: After "court" insert ", after notice and a hearing,"
10. Page 4, Line 96: After "court" insert ", after notice and a hearing,"
11. Page 5, Line 130: After "abused" bracket the comma and insert "or" and after "neglected" bracket ", or dependent"

12. Page 5, Line 135: After "welfare," insert "and the integrity of the family."
13. Page 7, Line 198: Bracket "by a preponderance of the evidence" and insert "by clear and convincing evidence"
14. Page 7, Line 199: Bracket "substantial" and insert "significant" and bracket "determinant to the child' physical or emotional"
15. Page 7, Line 200: Bracket "well-being" and insert "abuse or neglect"
16. Page 7, Line 208: After "provided." insert:  
"When it is shown that the formulation of or failure to comply with any portion of a service plan is due to ineffective assistance of counsel, the failure to comply with such a provision shall be disregarded in any and all reports submitted to the court and int he court's decision."
17. Page 8, Line 220: After "compliance" insert "or a good faith effort to comply with"
18. Page 9, Line 250: After "removal." insert:  
"If termination of parental rights was not a primary or concurrent final plan, a parent is entitled to sufficient time to establish, by discovery, the factual basis for seeking to terminate parental rights and, if possible, what could be done to cure the existing basis upon which termination of parental rights is sought."
19. Page 10, Line 300: Bracket "and"
20. Page 10, Line 304: After "permanency" insert:  
"; and  
(i) specify any and all efforts to provide notice of the meeting to the parents and their legal counsel, identify each and every concern raised by the parents or their counsel, and describe what course of conduct is recommended to address the concerns raised by the parents or their counsel."