

**MENTAL HEALTH PRACTITIONER IN  
PARENTAL RIGHTS ACTION**

2002 GENERAL SESSION

STATE OF UTAH

**Sponsor: Mike Thompson**

**This act modifies the Parental Termination Rights Act in the Judicial Code. The act provides that when a mental health practitioner is to be appointed in a parental rights action the juvenile court may appoint any mental health therapist which the court finds to be qualified, and may not refuse to appoint a mental health therapist for the reason that therapist's recommendations in another case have not followed the recommendations of the Division of Child and Family Services.**

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**78-3a-415**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **78-3a-415** is enacted to read:

**78-3a-415. Mental health therapist.**

When a mental health practitioner is to be appointed in a parental rights action to evaluate the mental health of a parent or a minor, or to provide mental health services to a parent or a minor, the court:

(1) may appoint any mental health therapist, as defined in Section 58-60-102, which the court finds to be qualified; and

(2) may not refuse to appoint a mental health therapist for the reason that the therapist's recommendations in another case have not followed the recommendations of the Division of Child and Family Services.