

TERMINATION OF PARENTAL RIGHTS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Mike Thompson

This act modifies the Human Services Code. This act amends Section 78-3a-415 making it applicable to all juvenile court proceedings involving parents and minors as well as any proceeding involving the Division of Child and Family Services.

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

AMENDS:

78-3a-415, as enacted by Chapter 257, Laws of Utah 2002

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

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

78-3a-415. Mental health therapist.

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

~~[(2)]~~ (b) 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.

(2) This section applies to all juvenile court proceedings involving:

(a) parents and minor children; or

(b) the Division of Child and Family Services.