

H.B. 156

RESTORATION OF TERMINATED PARENTAL RIGHTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 5, 2013 2:43 PM

Representative **LaVar Christensen** proposes the following amendments:

1. Page 3, Line 70:

70 (b) in the alternative, ~~{submit a petition naming}~~ name an individual ~~{to serve}~~ for
the court to consider as legal guardian

2. Page 3, Lines 77 through 79:

77 ~~{(2) The division shall make a recommendation to the court regarding the fitness of the~~
78 ~~nominee described in Subsection (1) to serve as the child's guardian.}~~
79 ~~{(3)}~~ (2) The court shall:

3. Page 3, Lines 83 through 85:

83 ~~{(ii) the recommendation of the division, described in Subsection (2);}~~
84 ~~{(iii)}~~ (ii) the desires of the child, if the child is 12 years of age or older;
85 ~~{(iv)}~~ (iii) the fundamental right of a parent to choose who shall raise and care for the parent's

4. Page 3, Line 87:

87 ~~{(v)}~~ (iv) the fundamental right of a child to be reared by the child's parent or the parent's

5. Page 4, Line 93:

93 ~~{(4)}~~ (3) In an order granting ~~{the petition for}~~ guardianship under this section, the
court shall describe:

6. Page 4, Line 97:

97 ~~{(5)}~~ (4) If granted, the court shall review the guardianship placement six months after the

7. Page 4, Line 100:

100 ~~{(6)}~~ (5) Nothing in this section shall be construed as a guarantee that a nominee will be

8. Page 4, Line 103:

103 ~~{(7)}~~ (6) Legal guardianship, as described and established in this section, is:

9. Page 6, Line 167:

167 (ii) the child has been adopted, but the adoptive parents have returned and relinquished the child to

10. Page 6, Line 170:

170 (i) in the court {~~in which permanency hearings for the child are being conducted~~} that has
jurisdiction to determine the child's custody ; and

11. Page 6, Line 181:

181 (5) Before the hearing described in Subsection (3), the division {~~shall~~} may submit a

12. Page 7, Lines 192 through 193:

192 (g) any other information the division reasonably considers appropriate and
193 determinative.

(6) A person who files a motion described in Subsection (2)(a) shall include the information described in Subsection (5)(a) through (f), and any other information the person considers appropriate and determinative, in a memorandum accompanying the motion.