

1

Juvenile Court Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tiara Auxier

Senate Sponsor:

2

LONG TITLE

3

General Description:

4

This bill modifies provisions related to juvenile courts.

5

Highlighted Provisions:

6

This bill:

7

- ▶ allows a juvenile court to conditionally suspend a minor's order for detention for up to five days; and
- ▶ makes technical and conforming changes.

8

Money Appropriated in this Bill:

9

None

10

Other Special Clauses:

11

None

12

Utah Code Sections Affected:

13

AMENDS:

14

78A-6-353, as last amended by Laws of Utah 2024, Chapter 256

15

80-6-704, as last amended by Laws of Utah 2024, Chapter 256

16

80-6-711, as last amended by Laws of Utah 2022, Chapter 155

17

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

18

Section 1. Section **78A-6-353** is amended to read:

19

78A-6-353 . Contempt -- Penalty -- Enforcement of fine, fee, or restitution.

20

(1) An individual who willfully violates or refuses to obey any order of the juvenile court

21

may be proceeded against for contempt of court.

22

(2) If a juvenile court finds an individual who is 18 years old or older in contempt of court, the juvenile court may impose sanctions on the individual in accordance with Title 78B, Chapter 6, Part 3, Contempt.

23

(3) Except as otherwise provided in Subsection (4), if a juvenile court finds a child in contempt of court, the juvenile court may:

H.B. 465

- (a) place the child on probation in accordance with Section 80-6-702;
- (b) order the child to detention, or an alternative to detention, in accordance with Section 80-6-704; or
- (c) require the child to pay a fine or fee in accordance with Section 80-6-709.

(4)(a) The juvenile court may only order a child to secure detention under Subsection (3)(b) for no longer than 72 hours, excluding weekends and legal holidays.

(b) The juvenile court may [not] suspend [all or part of an order to secure detention upon compliance with conditions imposed by the juvenile court] an order described in Subsection (3)(b) in accordance with Subsection 80-6-704(2).

(c) The juvenile court may not enforce a disposition under Subsection (3)(c) through an order for detention, a community-based program, or secure care.

(5) On the sole basis of a child's absence from placement, a juvenile court may not hold a child in contempt under this section if the child:

- (a) is in the legal custody of the Division of Child and Family Services; and
- (b) is missing, has been abducted, or has run away.

Section 2. Section **80-6-704** is amended to read:

80-6-704 . Detention or alternative to detention -- Limitations.

(1)(a) The juvenile court may order a minor to detention, or an alternative to detention, if the minor is adjudicated for:

- (i) an offense under Section 80-6-701; or
- (ii) contempt of court under Section 78A-6-353.

(b) Except as provided in Subsection 78A-6-353(4), and subject to the juvenile court retaining continuing jurisdiction over a minor's case, the juvenile court may order a minor to detention, or an alternative to detention, under Subsection (1)(a) for a period not to exceed 30 cumulative days for an adjudication.

(c) If a minor is held in detention before an adjudication, the time spent in detention before the adjudication shall be credited toward the 30 cumulative days eligible as a disposition under Subsection (1)(b).

(d) If a minor spent more than 30 days in detention before a disposition, the juvenile court may not order the minor to detention under this section.

(2) An order for detention under Subsection (1) may [not] b

upon conditions ordered by the juvenile court.
A juvenile court may not order a minor to detention for:
(a) contempt of court, except to the extent permitted under Section 78A-6.353;

65 (b) a violation of probation;

66 (c) failure to pay a fine, fee, restitution, or other financial obligation;

67 (d) unfinished compensatory or community service hours;

68 (e) an infraction; or

69 (f) a status offense.

70 (4) A juvenile court may not order a minor be placed in a correctional facility that is
71 intended to hold adults accused or convicted of offenses as an alternative to detention
72 under Subsection (1).

73 (5)(a) If a minor is held in detention under this section, the minor is eligible to receive
74 credit for good behavior against the period of detention.

75 (b) The rate of credit is one day of credit for good behavior for every three days spent in
76 detention.

77 (6)(a) A minor may not be held in secure detention following a disposition by the
78 juvenile court:

79 (i) under Chapter 3, Abuse, Neglect, and Dependency Proceedings; or

80 (ii) except as provided in Subsection (6)(b), for a community-based program.

81 (b) If a minor is awaiting placement by the division under Section 80-6-703, a minor
82 may not be held in secure detention for longer than 72 hours, excluding weekends
83 and holidays.

84 (c) The period of detention under Subsection (6)(b) may be extended by the juvenile
85 court for a cumulative total of seven calendar days if:

86 (i) the division, or another agency responsible for placement, files a written petition
87 with the juvenile court requesting the extension and setting forth good cause; and

88 (ii) the juvenile court enters a written finding that it is in the best interests of both the
89 minor and the community to extend the period of detention.

90 (d) The juvenile court may extend the period of detention beyond the seven calendar
91 days if the juvenile court finds, by clear and convincing evidence, that:

92 (i) the division, or another agency responsible for placement, does not have space for
93 the minor; and

94 (ii) the safety of the minor and community requires an extension of the period of
95 detention.

96 (e) The division, or the agency with custody of the minor, shall report to the juvenile
97 court every 48 hours, excluding weekends and holidays, regarding whether the
98 division, or another agency responsible for placement, has space for the minor.

99 (f) The division, or agency, requesting an extension shall promptly notify the detention
100 facility that a written petition has been filed.

101 (g) The juvenile court shall promptly notify the detention facility regarding the juvenile
102 court's initial disposition and any ruling on a petition for an extension, whether
103 granted or denied.

104 Section 3. Section **80-6-711** is amended to read:

105 **80-6-711 . Suspending a disposition.**

106 (1) Except as [otherwise] provided in Subsection (2) or Subsection 80-6-704(2), a juvenile
107 court may not suspend a disposition ordered under this part.

108 (2)(a) If a minor qualifies for commitment to the division under Section 80-6-703, the
109 juvenile court may suspend a disposition for commitment to the division in lieu of
110 immediate commitment, upon the condition that the minor commit no new
111 misdemeanor or felony offense within 90 days after the day on which the juvenile
112 court suspends the disposition for commitment.

113 (b) The duration of a suspended disposition under Subsection (2)(a) may not:

114 (i) exceed 90 days after the day on which the juvenile court suspends the disposition
115 for commitment; and
116 (ii) be extended under any circumstance.

117 (3) The juvenile court may only lift a suspension of a disposition under Subsection (2)(a):

118 (a) following adjudication of a new misdemeanor or felony offense committed by the
119 minor during the period of suspension set out under Subsection (2)(a);
120 (b) if a new assessment or evaluation has been completed and the assessment or
121 evaluation recommends that a higher level of care is needed and nonresidential
122 treatment options have been exhausted or nonresidential treatment options are not
123 appropriate; or
124 (c) if, after a notice and a hearing, the juvenile court finds:

125 (i) a new or previous evaluation recommends a higher level of treatment; and
126 (ii) the minor willfully failed to comply with a lower level of treatment and has been
127 unsuccessfully discharged from treatment.

128 (4) A suspended disposition under Subsection (1) may not be imposed without:

129 (a) notice to the minor and the minor's counsel; and
130 (b) a hearing.

131 Section 4. **Effective Date.**

132 This bill takes effect on May 6, 2026.