

Juvenile Recodification

Juvenile Court Act and Related Statutes | February 12, 2021

Title/Chapter	New Section	Title	Old Section
Title 53G		Public Education System – Local Administration	
	53G-6-201	Definitions.	Same section
	53G-6-210	Educational neglect of a child – Procedures – Defenses.	78A-6-319
	53G-6-211	Proceedings arising from failure to attend public school.	78A-6-320
Title 62A	Part 2	Child Welfare Services	
	62A-4a-201	Definitions.	Same section
	62A-4a-202.1	Removal or protective custody of a child – Search warrants – Temporary care of a child.	Repealed and reenacted 78A-6-106(2), (3), (6), (7), (9)
	62A-4a-202.2	Notice upon removal of a child – Locating a noncustodial parent – Information provided to parent, guardian, or responsible adult.	Same section; 62A-4a-202.1(5)-(6)
	Part 5	Services for People with Disabilities	
	62A-5-308	Commitment – Individuals under 18 years old.	Same section; 78A-6-120(3)
	62A-5-309	Commitment – Individual who is 18 years old or older.	Same section; 78A-6-120(3)
	Part 15	Substance Abuse and Mental Health Act	
	62A-15-705	Commitment proceedings in juvenile court – Criteria – Custody.	Same section; 78A-6-120(3)
Title 76		Utah Criminal Code	
Chapter 8		Offenses Against the Administration of Government	
	Part 3	Obstructing Governmental Operations	
	76-8-311.5	Aiding or concealing a juvenile offender – Trespass – Criminal penalties.	62A-7-402
	Part 4	Offenses Against Public Property	
	76-8-418	Damaging jails.	Same section; 78A-6-113(13)
Title 78A		Judiciary and Judicial Administration	
Chapter 2	Part 8	Guardian ad Litem	
	78A-2-801	Definitions.	New section; 78A-6-901(1)
	78A-2-802	Office of Guardian ad litem – Appointment of director – Duties of director – Contracts in second, third, and fourth districts.	78A-6-901
	78A-2-803	Appointment of attorney guardian ad litem – Duties and responsibilities – Training – Trained staff and court-appointed special advocate volunteers – Costs – Immunity – Annual report.	78A-6-902

	78A-2-804	Guardian Ad Litem Services Account established – Funding	78A-6-903
Chapter 6		Juvenile Court	
	Part 1	General Provisions	
	78A-6-101	Title.	Same section
	78A-6-101.5	Definitions.	New section
	78A-6-102	Establishment of juvenile court – Organization and status of court – Purpose.	Same section; 78A-6-106(1)
	78A-6-103	Original jurisdiction of the juvenile court – Magistrate functions – Findings – Transfer of a case from another court.	Same section
	78A-6-103.5	Exclusive jurisdiction of the juvenile court.	78A-6-103(3)
	78A-6-104	Concurrent jurisdiction – Transfer of a protective order to the district court.	Repealed and reenacted; 78A-6-104; 78A-6-1001; 78A-6-103(2)(b)
	78A-6-120	Continuing jurisdiction of juvenile court – Period of and termination of jurisdiction.	Same section
	Part 2	Administration	
	78A-6-201	Judges of juvenile court – Appointments – Terms.	Same section
	78A-6-202	Sessions of juvenile court.	Same section
	78A-6-203	Board of Juvenile Court Judges – Composition – Purpose – Presiding judges.	Same section
	78A-6-204	Administrator of the juvenile court – Appointment – Qualifications – Powers and duties.	Same section
	78A-6-205	District court executives – Selection – Duties.	Same section
	78A-6-206	Juvenile court employees – Salaries – State courts personnel system – Exemptions and discharge.	Same section
	78A-6-207	Volunteers.	Same section
	78A-6-208	Mental health evaluations – Duty of administrator.	Same section
	78A-6-209	Court records – Inspection.	Same section
	78A-6-210	Fines – Fees – Deposit with state treasurer – Restricted account.	Same section
	78A-6-211	Courtrooms – Physical facilities.	Same section
	78A-6-212	Information supplied to Division of Juvenile Justice Services	62A-7-105.5
	Part 3a	Juvenile Court Proceedings	
	78A-6-350	Venue – Dismissal without adjudication on merits.	78A-6-110(1), (4)
	78A-6-351	Summons – Service and process – Issuance and contents – Notice to absent parent or guardian – Emergency medical or surgical treatment – Compulsory process for attendance of witnesses when authorized.	78A-6-109

	78A-6-352	Appearances – Parents, guardian, or custodian to appear with minor or child – Failure to appear – Warrant of arrest, when authorized – Parent's, guardian's or custodian's employer to grant time off – Appointment of guardian ad litem.	78A-6-111
	78A-6-353	Contempt – Penalty – Enforcement of fine, fee, or restitution.	78A-6-1101; 78A-6-106(8)
	78A-6-354	Hearings – Minor's cases heard separately from adult cases – Minor or parents or custodian heard separately – Continuance of hearing.	78A-6-114
	78A-6-355	Exchange of information with agency or institution having legal custody.	78A-6-1112
	78A-6-356	Child support obligation when custody of a child is vested in an individual or institution.	78A-6-1106
	78A-6-357	New hearings – Modification of order or decree – Requirements for changing or terminating custody, probation, or protective supervision.	New section; 78A-6-119; 78A-6-1103 78A-6-1108
	78A-6-358	Period of effect for a judgment, decree, or order by a juvenile court.	78A-6-118
	78A-6-359	Appeals.	78A-6-1109
	Part 4a	Adult Criminal Proceedings	
	78A-6-450	Criminal information for an adult in juvenile court.	78A-6-1001
	78A-6-451	Who may prosecute an adult in juvenile court – Transfer to district court.	78A-6-1002
	78A-6-452	Costs and expenses of trial.	78A-6-1003
Title 78B		Judicial Code	
Chapter 6		Particular Proceedings	
	Part 1	Utah Adoption Act	
	78B-6-105	District court venue – Jurisdiction of juvenile court – Jurisdiction over nonresidents – Time for filing.	Same section
Chapter 15		Utah Uniform Parentage Act	
	Part 1	General Provisions	
	78B-15-104	Adjudication – Jurisdiction.	Same section
Title 80		Utah Juvenile Code	
Chapter 1		General Provisions	
	80-1-101	Title.	New section
	80-1-102	Juvenile Code definitions.	78A-6-105
	80-1-103	Cooperation of political subdivisions and public or private agencies and organizations.	78A-6-1110
Chapter 2		Reserved	
		Chapter will be reserved for the recodification of Title 62A, Chapter 4a, Child and Family Services.	
Chapter 3		Abuse, Neglect, and Dependency Proceedings	
	Part 1	General Provisions	

	80-3-101	Title.	New section
	80-3-102	Definitions.	78A-6-301
	80-3-103	Nature of proceedings – Rules of Procedure – Ex parte communications.	78A-6-303
	80-3-104	Individuals entitled to be present at proceedings – Legal representation – Attorney general responsibilities.	78A-6-317; 78A-6-114(1)(a); 78A-6-1111
	80-3-105	Consolidation of proceedings.	New section; 78A-6-114(3)
	80-3-106	Record of proceedings.	New section; 78A-6-115(1)
	80-3-107	Disclosure of records – Record sharing.	New section; 78A-6-115(2); 78A-6-317(5)
	80-3-108	Opportunity for minor to testify or address the court – Consideration of minor's statement outside of court.	78A-6-305; 78A-6-115(6)
	80-3-109	Physical or mental health examination during proceedings – Division duties.	78A-6-108(6), (7); 78A-6-117(2)(o); 78A-6-324
	80-3-110	Consideration of cannabis during proceedings.	78A-6-115(7)
	Part 2	Petition Alleging Abuse, Neglect, or Dependency	
	80-3-201	Petition – Who may file – Timing – Dismissal – Notice.	78A-6-304; 78A-6-1102; 78A-6-108 Rules 3 and 17 of the Utah Rules of Juvenile Procedure; New section; 78A-6-106(4)-(5); 78A-6-108(5); 78A-6-310
	80-3-202	Expedited filing of petition.	78A-6-107
	80-3-203	Expedited hearing for temporary custody.	New section; 78A-6-108(4), (5)
	80-3-204	Protective custody of child after petition is filed – Grounds.	78A-6-302
	80-3-205	Coordination of proceedings.	78A-6-322
	80-3-206	Mediation.	New section; 78A-6-108(9)
	80-3-207	Modification of petition – Continuance.	New section; 78A-6-1102
	Part 3	Shelter Proceedings and Placement of a Child	
	80-3-301	Shelter hearing – Court considerations.	78A-6-306
	80-3-302	Shelter hearing – Placement.	78A-6-307
	80-3-303	Post-shelter hearing placement of a child in division's temporary custody.	78A-6-307.5

	80-3-304	Second medical opinion in cases of alleged medical neglect.	78A-6-301.5
	80-3-305	Criminal background checks necessary before out-of-home placement.	78A-6-308
	80-3-306	Outstanding arrest warrant check before return of custody.	78A-6-308.5
	Part 4	Adjudication, Disposition, and Permanency	
	80-3-401	Pretrial and adjudication hearing – Time deadlines.	78A-6-309; 78A-6-107(3)
	80-3-402	Adjudication hearing – Dispositional hearing time deadlines – Scheduling review and permanency hearing.	78A-6-311; 78A-6-304(5)
	80-3-403	Treatment for offender and victim – Costs.	78A-6-321
	80-3-404	Finding of severe child abuse or neglect – Petition for removal from Licensing Information System – Court records.	78A-6-323
	80-3-405	Dispositions after adjudication.	New section; 78A-6-117(2)(b), (f), (i), (o), (p), (r), (s), (t), (u), (v), (w), (z); 78A-6-312(1)
	80-3-406	Permanency plan – Reunification services.	78A-6-312
	80-3-407	Six-month hearing – Court determination regarding reasonable efforts by division and parental compliance with child and family plan requirements.	78A-6-313
	80-3-408	Periodic review hearings – Dispositional reports.	78A-6-315
	80-3-409	Permanency hearing – Final plan – Petition for termination of parental rights filed – Hearing on termination of parental rights.	78A-6-314
	Part 5	Miscellaneous Hearings	
	80-3-501	Placement in a qualified residential treatment program – Review hearings.	78A-6-311.5
	80-3-502	Review of foster care removal – Foster parent's standing.	78A-6-318
	80-3-503	Minor's petition for removal from division custody– Reentering division custody.	New section; 78A-6-117(2)(d)(ii)
	Chapter 4	Termination and Restoration of Parental Rights	
	Part 1	General Provisions	
	80-4-101	Title.	78A-6-501
	80-4-102	Definitions.	78A-6-502; 78A-6-1402
	80-4-103	Nature of the proceedings – Rules of Procedure - - Burden of proof.	New section; 78A-6-506(6)
	80-4-104	Judicial process for termination – Parent unfit or incompetent – Best interest of child.	78A-6-503
	80-4-105	Effect of decree.	78A-6-513

	80-4-106	Individuals entitled to be present at proceedings – Legal representation – Attorney general responsibilities.	New section; 78A-6-114; 78A-6-115; 78A-6-506(2); 78A-6-1111
	80-4-107	Record of proceedings – Written reports and other materials – Statements of a child.	New section; 78A-6-115(4); 78A-6-506
	80-4-108	Physical or mental health examination during proceedings.	78A-6-515
	80-4-109	Consideration of cannabis during proceedings.	New section; 78A-6-115(7)
	Part 2	Petition for Termination of Parental Rights	
	80-4-201	Petition – Who may file.	78A-6-504; 78A-6-505 78A-6-108(8)
	80-4-202	Contents of petition.	78A-6-505; 78A-6-1102
	80-4-203	Mandatory petition for termination of parental rights.	78A-6-316
	80-4-204	Notice of petition.	78A-6-506
	80-4-205	Expedited hearing for temporary custody.	New section; 78A-6-108(4), (5)
	80-4-206	Mediation.	New section; 78A-6-108(9)
	80-4-207	Modification of petition – Continuance.	New section; 78A-6-1102
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	80-4-305	Court disposition of child upon termination of parental rights – Posttermination reunification.	78A-6-511
	80-4-306	Review following termination.	78A-6-512
	80-4-307	Voluntary relinquishment – Irrevocable.	78A-6-514
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	80-4-401	Petition to restore parental rights – Division duties.	78A-6-1403
	80-4-402	Hearing on the petition to restore parental rights	78A-6-1404
	Chapter 5	Juvenile Justice Services	
	Part 1	Division of Juvenile Justice Services	
	80-5-101	Title.	New section
	80-5-102	Definitions.	New section

	80-5-103	Creation of division – Jurisdiction.	62A-7-102
	80-5-104	Division director – Qualifications – Responsibility.	62A-7-103
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	80-5-201	Division Responsibilities.	62A-7-104; 78A-6-604(1)
	80-5-202	Division rulemaking authority.	New section; 62A-7-202(3)(a); 78A-6-604(1); 62A-7-113(1) 62A-7-104(6)
	80-5-203	Detention risk assessment tool.	78A-6-124
	80-5-204	Annual review of programs and facilities.	62A-7-106.5
	80-5-205	Contracts with private providers.	62A-7-107.5
	80-5-206	Records – Property of division.	62A-7-108.5
	80-5-207	Restitution by a minor committed to the division.	62A-7-109.5
	80-5-208	Care of pregnant minor in secure detention or secure care.	62A-7-403
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	80-5-302	Juvenile Justice Reinvestment Restricted Account.	62A-7-112
	80-5-303	Report on Juvenile Justice Reinvestment Restricted Account.	62A-7-113
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	80-5-401	Youth services for prevention and early intervention – Program standards – Program services.	62A-7-601
	80-5-402	Community-based programs.	62A-7-701
	80-5-403	Case management staff.	62A-7-702
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	80-5-501	Detention facilities and services.	62A-7-202
	80-5-502	New detention facilities.	62A-7-203
	80-5-503	Secure care facilities.	62A-7-401.5
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	80-5-601	Harboring a runaway – Reporting requirements – Division to provide assistance – Affirmative defense – Providing shelter after notice.	62A-4a-501
	80-5-602	Homeless youth – Consent to shelter, care, or services by a homeless youth.	62A-4a-502
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	Part 7	Youth Parole Authority	
	80-5-701	Youth Parole Authority – Creation - Members.	62A-7-501
	80-5-702	Member qualifications – Expenses.	New section; 62A-7-501(2)(b)-(8)

	80-5-703	Authority responsibilities – Administrative officer of the authority.	New section; 62A-7-501(9), (11)-(12); 62A-7-502(1), (4); 62A-7-503; 62A-7-504(5), (8)
	Chapter 6	Juvenile Justice	
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	80-6-102	Definitions.	New section
	80-6-103	Notification to a school – Civil and criminal liability.	New section; 78A-6-112(3)(b)-(c); 78A-6-112(5)(b)(ii)-(iii); 78A-6-113(4)(g)(i); 78A-6-117(1)(c), (2)(a)(v)-(vi)
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	80-6-201	Minor taken into temporary custody by peace officer, private citizen, or probation officer – Grounds – Protective custody.	78A-6-112(1), (2)
	80-6-202	Warrants for minors.	78A-6-106.5; Rule 7 of Utah Rules of Juvenile Procedure
	80-6-203	Temporary custody of a minor – Notification of a child's parent, guardian, or custodian – Taking a minor to a detention facility.	New section; 78A-6-112(3)(a), (d), (4), (5)(a)-(b)(i)
	80-6-204	Detention or confinement of a minor – Restrictions.	62A-7-201; 78A-6-113(10)-(11)
	80-6-205	Admission to detention – Alternative to detention – Rights of a minor in detention.	New section; 78A-6-112(5)(c)-(f); 78A-6-113(1); Rule 8 of the Utah Rules of Juvenile Procedure
	80-6-206	Interview of a child in detention.	New section; Rule 8 of the Utah Rules of Juvenile Procedure
	80-6-207	Detention hearings – Period of detention – Bail.	78A-6-113
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	80-6-302	Citation – Procedure – Time limits – Failure to appear.	78A-6-603

	80-6-303	Criminal proceedings involving minors -- Transfer to juvenile court -- Exception.	78A-6-601
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	80-6-306	Plea -- Withdrawal of a plea.	New section; Rule 25 of the Utah Rules of Juvenile Procedure
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	80-6-503	Criminal information for a minor in juvenile court -- Extending juvenile court jurisdiction.	78A-6-703.3
	80-6-504	Preliminary hearing -- Grounds for transfer -- Detention of a minor bound over to the district court.	78A-6-703.5
	80-6-505	Criminal proceedings for a minor bound over to district court.	78A-6-703.6
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	80-6-507	Commitment of a minor by a district court.	78A-6-705
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	80-6-601	Minor's cases considered civil proceedings -- Minor to not be charged with crime -- Exception for a prior adjudication -- Traffic violation cases.	78A-6-116
	80-6-602	Hearings or proceedings for minors -- Prosecuting attorney -- Order for indigent defense -- Custody in the Division of Child and Family Services.	New section; 78A-6-114(1)(b)-(c); 78A-6-115(2)(a); 78A-6-1111(1)
	80-6-603	Rights of minors facing delinquency proceedings.	New section; Rule 26 of the Utah Rules of Juvenile Procedure
	80-6-604	Victim's rights -- Access to juvenile court records.	New section; 78A-6-114(1)(d)-(e)
	80-6-605	Extension of juvenile court jurisdiction -- Procedure.	78A-6-703.4

	80-6-606	Validated risk and needs assessment – Examination of minor or minor's parent or guardian.	New section; 78A-6-117(1)(d); 78A-6-120(5); 78A-6-108(6)-(7)
	80-6-607	Case planning and appropriate measures.	78A-6-123
	80-6-608	When photographs, fingerprints, or HIV infection tests may be taken – Distribution – DNA Collection – Reimbursement.	78A-6-117(4); 78A-6-1104
	80-6-609	Restraint of a minor.	78A-6-122
	80-6-610	Property damage caused by a minor – Liability of parent or legal guardian – Criminal conviction or adjudication for criminal mischief or criminal trespass not a prerequisite for civil action – When parent or guardian not liable.	78A-6-1113
	Part 7	Adjudication and Disposition	
	80-6-701	Adjudication of an offense.	New section; 78A-6-117(1)(a), (2)(u), (2)(v)
	80-6-702	Probation or protective supervision – Conditions for probation.	New section; 78A-6-117(2)(a), (q), (x) 78A-6-117(6)
	80-6-703	Placement of a child – Commitment of a minor to the Division of Juvenile Justice Services – Limitations.	New section; 78A-6-117(2)(b), (c), (d)(i), (i), (p), and (x) 78A-6-117.5(1), (3); 78A-6-117(6)
	80-6-704	Detention or alternative to detention – Limitations.	New section; 78A-6-117(2)(h)(i); 78A-6-604
	80-6-705	Secure care – Limitations – Order for therapy for parent with minor in secure care.	New section; 78A-6-117(2)(e), (f)(ii)
	80-6-706	Treatment – Commitment to local mental health authority or Utah State Developmental Center.	New section; 78A-6-117(2)(g), (o)(i)-(iii), (r), (s)
	80-6-707	Suspension of driving privileges.	78A-6-606; 78A-6-117(m)
	80-6-708	Service in National Guard.	New section; 78A-6-117(3)
	80-6-709	Payment of fines, fees, restitution, or other costs – Community or compensatory service – Property damage – Unpaid balances.	New section; 78A-6-117(2)(l)(ii)-(vii), (2)(n); 78A-6-117.5(3); 78A-6-121; 78A-6-116(7)
	80-6-710	Restitution – Requirements.	New section;

			78A-6-117(2)(j), (2)(k); 62A-7-109.5(2)
	80-6-711	Suspending a disposition.	New section; 78A-6-117(2)(x), (6)
	80-6-712	Time periods for supervision of probation or placement – Termination of continuing jurisdiction.	New section; 78A-6-117(5)(b), (6), (7)
	Part 8	Commitment and Parole	
	80-6-801	Commitment to local mental health authority or Utah State Developmental Center.	New section
	80-6-802	Commitment to secure care – Rights of juvenile offenders in secure care.	62A-7-404; Rule 8 of the Utah Rules of Juvenile Procedure
	80-6-803	Cost of support and maintenance of a juvenile offender – Responsibility	62A-7-111.5
	80-6-804	Review and termination of secure care	62A-7-404.5
	80-6-805	Parole procedures – Conditions of parole.	62A-7-502; 62A-7-501(10); 62A-7-505
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	80-6-1002	Vacatur of adjudications.	78A-6-1114
	80-6-1003	Court records – Abstracts.	New section; 78A-6-1104(9); 78A-6-116(5)-(6)
	80-6-1004	Requirements to apply to expunge an adjudication.	78A-6-1503
	80-6-1005	Nonjudicial adjustment expungement.	78A-6-1504
	80-6-1006	Effect of an expunged record – Agency duties.	78A-6-1505



	80-6-1007	Fees.	78A-6-1506
Chapter 7		Emancipation	
	80-7-101	Title.	New section
	80-7-102	Definitions.	78A-6-802; 78A-6-801(1)
	80-7-103	Petition for emancipation - Amending a petition - - Continuance.	78A-6-803; 78A-6-1102
	80-7-104	Procedure for emancipation.	78A-6-804
	80-7-105	Emancipation	78A-6-805