

# HB 303: FAMILY COURT AMENDMENTS

Sponsors: Representative Cutler, Senator McKell

## CONTINUED CHILD SAFETY FAMILY COURT ENHANCEMENTS

### WHY THIS MATTERS

Children deserve safe, effective mental health care.  
Courts need tools to recognize patterns of control and abuse, not just isolated acts.  
Families benefit from qualified, accountable evaluators and fair financial decisions.  
Clear standards protect both due process and child safety.

### CHILD & FAMILY SAFETY 101

UTAH IS THE **YOUNGEST STATE**  
IN THE NATION. OVER **25% OF**  
UTAHNS ARE CHILDREN\*



**ONE IN FIVE** UTAH CHILDREN  
ARE PHYSICALLY **ABUSED\***

**1 in 5**

**>30% OF** UTAHNS EXPERIENCE  
DOMESTIC **VIOLENCE\***



\* Utah HHS, CDC, 2023, US Department of Justice 2023

### #1 COURT ORDERED MENTAL HEALTH THERAPY

Improves considerations for court-ordered mental health treatment

- Creates a process and guardrails for courts to select a therapist when parents don't agree
- Ensures courts consider insurance-covered providers and parent's ability to pay
- Addresses conflicts of interest by prohibiting therapists from serving in any other professional capacity in the same case
- Ensures that children don't miss school for court-ordered therapy

### #4 FAIRNESS IN COSTS AND FEES

Clarifies awarding of attorney fees

- Refines criteria to ensure court orders to pay costs and fees are reasonable and based on need and ability to pay
- Addresses situations of voluntary unemployment or underemployment related to attorneys fees

### #2 COERCIVE CONTROL

Defines **COERCIVE CONTROL**

Gives courts improved tools to determine safe child custody and parent time

- Focuses on **PATTERNS** of behavior that intentionally undermine autonomy and individual freedom including:
  - depriving someone of basic necessities
  - controlling their activities
  - monitoring their communication
  - withholding or regulating finances
  - using force or intimidation

### #3 CUSTODY EVALUATORS

Outlines role of custody evaluators

- Requires courts to maintain a statewide public roster of licensed professionals including credentials and fees
- Allows for a parent to request removal of an evaluator for cause such as bias, conflict of interest, or failure to meet professional standards
- Emphasizes that custody evaluator findings are not automatically presumed to be court orders

FACT SHEET ENDORSED BY:  
BILL SPONSORS, STAKEHOLDERS,  
UTAH DOMESTIC VIOLENCE COALITION