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62A-7-101 Definitions.

As used in this chapter:

- (1) "Authority" means the Youth Parole Authority, established in accordance with Section 62A-7-501.
- (2) "Board" means the Board of Juvenile Justice Services established in accordance with Section 62A-1-105.
- (3) "Community-based program" means a nonsecure residential or nonresidential program designated to supervise and rehabilitate youth offenders in accordance with Subsection 78A-6-117(2) that prioritizes the least restrictive nonresidential setting, consistent with public safety, and designated or operated by or under contract with the division.
- (4) "Control" means the authority to detain, restrict, and supervise a youth in a manner consistent with public safety and the well being of the youth and division employees.
- (5) "Court" means the juvenile court.
- (6) "Delinquent act" is an act which would constitute a felony or a misdemeanor if committed by an adult.
- (7) "Detention" means secure detention or home detention.
- (8) "Detention center" means a facility established in accordance with Title 62A, Chapter 7, Part 2, Detention Facilities.
- (9) "Director" means the director of the Division of Juvenile Justice Services.
- (10) "Discharge" means a written order of the Youth Parole Authority that removes a youth offender from its jurisdiction.
- (11) "Division" means the Division of Juvenile Justice Services.
- (12) "Home detention" means predispositional placement of a child in the child's home or a surrogate home with the consent of the child's parent, guardian, or custodian for conduct by a child who is alleged to have committed a delinquent act or postdispositional placement pursuant to Subsection 78A-6-117(2)(f) or 78A-6-1101(3).
- (13) "Observation and assessment program" means a nonresidential service program operated or purchased by the division that is responsible only for diagnostic assessment of minors, including for substance use disorder, mental health, psychological, and sexual behavior risk assessments.
- (14) "Parole" means a conditional release of a youth offender from residency in a secure facility to live outside that facility under the supervision of the Division of Juvenile Justice Services or other person designated by the division.
- (15) "Performance-based contracting" means a system of contracting with service providers for the provision of residential or nonresidential services that:
 - (a) provides incentives for the implementation of evidence-based juvenile justice programs or programs rated as effective for reducing recidivism by a standardized tool pursuant to Section 63M-7-208; and
 - (b) provides a premium rate allocation for a minor who receives the evidence-based dosage of treatment and successfully completes the program within three months.
- (16) "Receiving center" means a nonsecure, nonresidential program established by the division or under contract with the division that is responsible for juveniles taken into custody by a law enforcement officer for status offenses, infractions, or delinquent acts.
- (17) "Rescission" means a written order of the Youth Parole Authority that rescinds a parole date.
- (18) "Revocation of parole" means a written order of the Youth Parole Authority that terminates parole supervision of a youth offender and directs return of the youth offender to the custody

of a secure facility after a hearing and a determination that there has been a violation of law or of a condition of parole that warrants a return to a secure facility in accordance with Section 62A-7-504.

- (19) "Runaway" means a youth who willfully leaves the residence of a parent or guardian without the permission of the parent or guardian.
- (20) "Secure detention" means predisposition placement in a facility operated by or under contract with the division, for conduct by a child who is alleged to have committed a delinquent act.
- (21) "Secure facility" means any facility operated by or under contract with the division, that provides 24-hour supervision and confinement for youth offenders committed to the division for custody and rehabilitation.
- (22) "Shelter" means the temporary care of children in physically unrestricted facilities pending court disposition or transfer to another jurisdiction.
- (23)
 - (a) "Temporary custody" means control and responsibility of nonadjudicated youth until the youth can be released to the parent, guardian, a responsible adult, or to an appropriate agency.
 - (b) "Temporary custody" does not include a placement in a secure facility, including secure detention, or a residential community-based program operated or contracted by the division, except pursuant to Subsection 78A-6-117(2).
- (24) "Termination" means a written order of the Youth Parole Authority that terminates a youth offender from parole.
- (25) "Ungovernable" means a youth in conflict with a parent or guardian, and the conflict:
 - (a) results in behavior that is beyond the control or ability of the youth, or the parent or guardian, to manage effectively;
 - (b) poses a threat to the safety or well-being of the youth, the family, or others; or
 - (c) results in the situations in both Subsections (25)(a) and (b).
- (26) "Work program" means a nonresidential public or private service work project established and administered by the division for youth offenders for the purpose of rehabilitation, education, and restitution to victims.
- (27) "Youth offender" means a person 12 years of age or older, and who has not reached 21 years of age, committed or admitted by the juvenile court to the custody, care, and jurisdiction of the division, for confinement in a secure facility or supervision in the community, following adjudication for a delinquent act which would constitute a felony or misdemeanor if committed by an adult in accordance with Section 78A-6-117.
- (28)
 - (a) "Youth services" means services provided in an effort to resolve family conflict:
 - (i) for families in crisis when a minor is ungovernable or runaway; or
 - (ii) involving a minor and the minor's parent or guardian.
 - (b) These services include efforts to:
 - (i) resolve family conflict;
 - (ii) maintain or reunite minors with their families; and
 - (iii) divert minors from entering or escalating in the juvenile justice system.
 - (c) The services may provide:
 - (i) crisis intervention;
 - (ii) short-term shelter;
 - (iii) time out placement; and
 - (iv) family counseling.