

Effective 5/13/2014

78A-2-704 Public policy regarding attorney guardian ad litem -- Training.

- (1) An attorney guardian ad litem may not presume that a child and the child's parent are adversaries.
- (2) An attorney guardian ad litem shall be trained on and implement into practice:
 - (a) the parental rights and child and family protection principles provided in Section 62A-4a-201;
 - (b) the fundamental liberties of parents and the public policy of the state to support family unification to the fullest extent possible;
 - (c) the constitutionally protected rights of parents, in cases where the state is a party;
 - (d) the use of a least restrictive means analysis regarding state claims of a compelling child welfare interest;
 - (e) the priority of maintaining a child safely in the child's home, whenever possible;
 - (f) the importance of:
 - (i) kinship placement, in the event the child is removed from the home; and
 - (ii) keeping sibling groups together, whenever practicable and in the best interests of the children;
 - (g) the preference for kinship adoption over nonkinship adoption, if the parent-child relationship is legally terminated;
 - (h) the potential for a guardianship placement if the parent-child relationship is legally terminated and no appropriate adoption placement is available; and
 - (i) the use of an individualized permanency plan, only as a last resort.
- (3) The office shall implement policies and practice guidelines that reflect the priorities described in Subsections (2)(e) through (i) for the placement of children.

Renumbered and Amended by Chapter 267, 2014 General Session