

78A-6-1109 Appeals.

- (1) An appeal to the Court of Appeals may be taken from any order, decree, or judgment of the juvenile court.
- (2) Appeals of right from juvenile court orders related to abuse, neglect, dependency, termination, and adoption proceedings, shall be taken within 15 days from entry of the order, decree, or judgment appealed from. In addition, the notice of appeal must be signed by appellant's counsel, if any, and by appellant, unless the appellant is a child or state agency. If an appellant fails to timely sign a notice of appeal, the appeal shall be dismissed.
- (3) The disposition order shall include the following information:
 - (a) notice that the right to appeal is time sensitive and must be taken within 15 days from entry of the order, decree, or judgment appealed from;
 - (b) the right to appeal within the specified time limits;
 - (c) the need for the signature of the parties on a notice of appeal in appeals from juvenile court orders related to abuse, neglect, dependency, termination, and adoption proceedings; and
 - (d) the need for parties to maintain regular contact with their counsel and to keep all other parties and the appellate court informed of their whereabouts.
- (4) If the parties are not present in the courtroom, the court shall mail a written statement containing the information provided in Subsection (3) to the parties at their last known address.
- (5)
 - (a) The court shall inform the parties' counsel at the conclusion of the proceedings that, if an appeal is filed, they must represent their clients throughout the appellate process unless relieved of that obligation by the juvenile court upon a showing of extraordinary circumstances.
 - (b) Until the petition on appeal is filed, claims of ineffective assistance of counsel do not constitute extraordinary circumstances. If a claim is raised by trial counsel or a party, it must be included in the petition on appeal.
- (6) During the pendency of an appeal from juvenile court orders related to abuse, neglect, dependency, termination, and adoption proceedings, parties shall maintain regular contact with their counsel, if any, and keep all other parties and the appellate court informed of their whereabouts.
- (7) In all other appeals of right, the appeal shall be taken within 30 days from the entry of the order, decree, or judgment appealed from and the notice of appeal must be signed by appellant's counsel, if any, or by appellant. The attorney general shall represent the state in all appeals under this chapter.
- (8) Unless the juvenile court stays its order, the pendency of an appeal does not stay the order or decree appealed from in a minor's case, unless otherwise ordered by the Court of Appeals, if suitable provision for the care and custody of the minor involved is made pending the appeal.
- (9) Access to the record on appeal shall be governed by Title 63G, Chapter 2, Government Records Access and Management Act.

Amended by Chapter 245, 2013 General Session