

78A-6-116 Minor's cases considered civil proceedings -- Adjudication of jurisdiction by juvenile court not conviction of crime -- Exceptions -- Minor not to be charged with crime -- Exception -- Traffic violation cases -- Abstracts to Department of Public Safety.

- (1) Except as provided in Sections 78A-6-701, 78A-6-702, and 78A-6-703, proceedings in a minor's case shall be regarded as civil proceedings with the court exercising equitable powers.
- (2) An adjudication by a juvenile court that a minor is within its jurisdiction under Section 78A-6-103 is not considered a conviction of a crime, except in cases involving traffic violations. An adjudication may not operate to impose any civil disabilities upon the minor nor to disqualify the minor for any civil service or military service or appointment.
- (3) A minor may not be charged with a crime or convicted in any court except as provided in Sections 78A-6-701, 78A-6-702, and 78A-6-703, and in cases involving traffic violations. When a petition has been filed in the juvenile court, the minor may not later be subjected to criminal prosecution based on the same facts except as provided in Section 78A-6-702 or 78A-6-703.
- (4) An adjudication by a juvenile court that a minor is within its jurisdiction under Section 78A-6-103 is considered a conviction for the purposes of determining the level of offense for which a minor may be charged and enhancing the level of an offense in the juvenile court. A prior adjudication may be used to enhance the level or degree of an offense committed by an adult only as otherwise specifically provided.
- (5) Abstracts of court records for all adjudications of traffic violations shall be submitted to the Department of Public Safety as provided in Section 53-3-218.
- (6) Information necessary to collect unpaid fines, fees, assessments, bail, or restitution may be forwarded to employers, financial institutions, law enforcement, constables, the Office of Recovery Services, or other agencies for purposes of enforcing the order as provided in Section 78A-6-117.

Amended by Chapter 38, 2010 General Session