

78A-6-118 Period of operation of judgment, decree, or order -- Rights and responsibilities of agency or individual granted legal custody.

- (1) A judgment, order, or decree of the juvenile court does not operate after the minor becomes 21 years of age, except for:
 - (a) orders of commitment to the Utah State Developmental Center or to the custody of the Division of Substance Abuse and Mental Health;
 - (b) adoption orders under Subsection 78A-6-103(1);
 - (c) orders permanently terminating the rights of a parent, guardian, or custodian, and permanent orders of custody and guardianships; and
 - (d) unless terminated by the court, orders to pay any fine or restitution.
- (2)
 - (a) Except as provided in Part 3, Abuse, Neglect, and Dependency Proceedings, an order vesting legal custody or guardianship of a minor in an individual, agency, or institution may be for an indeterminate period. A review hearing shall be held, however, upon the expiration of 12 months, and, with regard to petitions filed by the Division of Child and Family Services, no less than once every six months thereafter. The individual, agency, or institution involved shall file the petition for that review hearing. The court may terminate the order, or after notice and hearing, continue the order if it finds continuation of the order necessary to safeguard the welfare of the minor or the public interest. The findings of the court and its reasons shall be entered with the continuation order or with the order denying continuation.
 - (b) Subsection (2)(a) does not apply to minors who are in the custody of the Division of Child and Family Services, and who are placed in foster care, a secure youth corrections facility, the Division of Substance Abuse and Mental Health, the Utah State Developmental Center, or any agency licensed for child placements and adoptions, in cases where all parental rights of the natural parents have been terminated by the court under Part 5, Termination of Parental Rights Act, and custody of the minor has been granted to the agency for adoption or other permanent placement.
- (3)
 - (a) An agency granted legal custody may determine where and with whom the minor will live, provided that placement of the minor does not remove him from the state without court approval.
 - (b) An individual granted legal custody shall personally exercise the rights and responsibilities involved in legal custody, unless otherwise authorized by the court.

Renumbered and Amended by Chapter 3, 2008 General Session