

78A-6-307.5 Post-shelter hearing placement of a child who is in division custody.

- (1) If the court awards custody of a child to the division under Section 78A-6-307, or as otherwise permitted by law, the division shall determine ongoing placement of the child.
- (2) In placing a child under Subsection (1), the division:
 - (a) except as provided in Subsections (2)(b) and (d), shall comply with the applicable background check provisions described in Section 78A-6-307;
 - (b) is not required to receive approval from the court prior to making the placement;
 - (c) shall, within three days, excluding weekends and holidays, after making the placement, give written notice to the court, and all parties to the proceedings, that the placement has been made; and
 - (d) may place the child with a noncustodial parent or relative of the child, using the same criteria established for an emergency placement under Section 62A-4a-209, pending the results of:
 - (i) the background check described in Subsection 78A-6-307(16)(a); and
 - (ii) evaluation with the noncustodial parent or relative to determine the noncustodial parent's or relative's capacity to provide ongoing care to the child.

Enacted by Chapter 17, 2008 General Session