

78A-6-510 Specific considerations where a child has been placed in foster home.

If a child is in the custody of the division and has been placed and resides in a foster home and the division institutes proceedings under this part regarding the child, with an ultimate goal of having the child's foster parent or parents adopt him, the court shall consider whether the child has become integrated into the foster family to the extent that his familial identity is with that family, and whether the foster family is able and willing permanently to treat the child as a member of the family. The court shall also consider, but is not limited to, the following:

- (1) the love, affection, and other emotional ties existing between the child and the parents, and the child's ties with the foster family;
- (2) the capacity and disposition of the child's parents from whom the child was removed as compared with that of the foster family to give the child love, affection, and guidance and to continue the education of the child;
- (3) the length of time the child has lived in a stable, satisfactory foster home and the desirability of his continuing to live in that environment;
- (4) the permanence as a family unit of the foster family; and
- (5) any other factor considered by the court to be relevant to a particular placement of a child.

Renumbered and Amended by Chapter 3, 2008 General Session