

Effective 9/1/2021

Chapter 6 Juvenile Court

Part 1 General Provisions

78A-6-101 Title.

This chapter is known as "Juvenile Court."

Amended by Chapter 261, 2021 General Session

78A-6-101.5 Definitions.

The terms defined in Section 80-1-102 apply to this chapter.

Enacted by Chapter 261, 2021 General Session

Superseded 7/1/2026

78A-6-102 Establishment of juvenile court -- Organization and status of court -- Purpose.

- (1) There is established a juvenile court for the state.
- (2)
 - (a) The juvenile court is a court of record.
 - (b) The juvenile court shall have a seal.
 - (c) The juvenile court's judges, clerks, and referees have the power to administer oaths and affirmations.
 - (d) The juvenile court has the authority to issue search warrants, subpoenas, or investigative subpoenas under Section 80-2a-202, Part 4a, Adult Criminal Proceedings, Title 80, Chapter 3, Abuse, Neglect, and Dependency Proceedings, Title 80, Chapter 4, Termination and Restoration of Parental Rights, and Title 80, Chapter 6, Juvenile Justice, for the same purposes and in the same manner as described in Title 77, Utah Code of Criminal Procedure, and the Utah Rules of Criminal Procedure, for the issuance of search warrants, subpoenas, or investigative subpoenas in other trial courts in the state.
- (3) The juvenile court is of equal status with the district courts of the state.
- (4) The juvenile court is established as a forum for the resolution of all matters properly brought before the juvenile court, consistent with applicable constitutional and statutory requirements of due process.
- (5) The purpose of the court under this chapter is to:
 - (a) promote public safety and individual accountability by the imposition of appropriate sanctions on persons who have committed acts in violation of law;
 - (b) order appropriate measures to promote guidance and control, preferably in the minor's own home, as an aid in the prevention of future unlawful conduct and the development of responsible citizenship;
 - (c) where appropriate, order rehabilitation, reeducation, and treatment for persons who have committed acts bringing them within the court's jurisdiction;
 - (d) adjudicate matters that relate to minors who are beyond parental or adult control and to establish appropriate authority over these minors by means of placement and control orders;

- (e) adjudicate matters that relate to abused, neglected, and dependent children and to provide care and protection for minors by placement, protection, and custody orders;
- (f) remove a minor from parental custody only where the minor's safety or welfare, or the public safety, may not otherwise be adequately safeguarded; and
- (g) consistent with the ends of justice, act in the best interests of the minor in all cases and preserve and strengthen family ties.

Amended by Chapter 335, 2022 General Session

Effective 7/1/2026

78A-6-102 Establishment of juvenile court -- Organization and status of court -- Purpose.

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- (2)
 - (a) The juvenile court is a court of record.
 - (b) The juvenile court shall have a seal.
 - (c) The juvenile court's judges, clerks, and referees have the power to administer oaths and affirmations.
 - (d) The juvenile court has the authority to issue search warrants, subpoenas, or investigative subpoenas under Section 80-2a-202, Part 4a, Adult Criminal Proceedings, Title 80, Chapter 3, Abuse, Neglect, and Dependency Proceedings, Title 80, Chapter 4, Termination and Restoration of Parental Rights, and Title 80, Chapter 6, Juvenile Justice, for the same purposes and in the same manner as described in Title 77, Criminal Procedure, and the Utah Rules of Criminal Procedure, for the issuance of search warrants, subpoenas, or investigative subpoenas in other trial courts in the state.
- (3) The juvenile court is of equal status with the district courts of the state.
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 - (e) adjudicate matters that relate to abused, neglected, and dependent children and to provide care and protection for minors by placement, protection, and custody orders;
 - (f) remove a minor from parental custody only where the minor's safety or welfare, or the public safety, may not otherwise be adequately safeguarded; and
 - (g) consistent with the ends of justice, act in the best interests of the minor in all cases and preserve and strengthen family ties.

Amended by Chapter 291, 2026 General Session

78A-6-103 Original jurisdiction of the juvenile court -- Magistrate functions -- Findings -- Transfer of a case from another court.

- (1) Except as provided in Subsection (3), the juvenile court has original jurisdiction over:
 - (a) a felony, misdemeanor, infraction, or violation of an ordinance, under municipal, state, or federal law, that was committed by a child;
 - (b) a felony, misdemeanor, infraction, or violation of an ordinance, under municipal, state, or federal law, that was committed by an individual:
 - (i) who is under 21 years old at the time of all court proceedings; and
 - (ii) who was under 18 years old at the time the offense was committed; and
 - (c) a misdemeanor, infraction, or violation of an ordinance, under municipal or state law, that was committed:
 - (i) by an individual:
 - (A) who was 18 years old and enrolled in high school at the time of the offense; and
 - (B) who is under 21 years old at the time of all court proceedings; and
 - (ii) on school property where the individual was enrolled:
 - (A) when school was in session; or
 - (B) during a school-sponsored activity, as defined in Section 53G-8-211.
- (2) The juvenile court has original jurisdiction over:
 - (a) any proceeding concerning:
 - (i) a child who is an abused child, neglected child, or dependent child;
 - (ii) a protective order for a child in accordance with Title 78B, Chapter 7, Part 2, Child Protective Orders;
 - (iii) the appointment of a guardian of the individual or other guardian of a minor who comes within the court's jurisdiction under other provisions of this section;
 - (iv) the emancipation of a minor in accordance with Title 80, Chapter 7, Emancipation;
 - (v) the termination of parental rights in accordance with Title 80, Chapter 4, Termination and Restoration of Parental Rights, including termination of residual parental rights and duties;
 - (vi) the treatment or commitment of a minor who has an intellectual disability;
 - (vii) the judicial consent to the marriage of a minor who is 16 or 17 years old in accordance with Section 81-2-304;
 - (viii) an order for a parent or a guardian of a child under Subsection 80-6-705(3);
 - (ix) a minor under Title 80, Chapter 6, Part 11, Interstate Compact for Juveniles;
 - (x) the treatment or commitment of a child with a mental illness;
 - (xi) the commitment of a child to a secure drug or alcohol facility in accordance with Section 26B-5-204;
 - (xii) a minor found not competent to proceed in accordance with Title 80, Chapter 6, Part 4, Competency;
 - (xiii) de novo review of final agency actions resulting from an informal adjudicative proceeding as provided in Section 63G-4-402;
 - (xiv) an adoption of a child under Title 81, Chapter 13, Adoption, if the juvenile court has previously entered an order terminating the rights of a parent and finds that adoption is in the best interest of the child;
 - (xv) an adoption of an adult if the adoption arises from a case where the juvenile court has continuing jurisdiction over the adult;
 - (xvi) an ungovernable or runaway child who is referred to the juvenile court by the Division of Juvenile Justice and Youth Services if, despite earnest and persistent efforts by the Division of Juvenile Justice and Youth Services, the child has demonstrated that the child:

- (A) is beyond the control of the child's parent, guardian, or custodian to the extent that the child's behavior or condition endangers the child's own welfare or the welfare of others; or
 - (B) has run away from home; and
 - (xvii) a criminal information filed under Part 4a, Adult Criminal Proceedings, for an adult alleged to have committed an offense under Subsection 78A-6-352(4)(b) for failure to comply with a promise to appear and bring a child to the juvenile court;
 - (b) a petition for expungement under Title 80, Chapter 6, Part 10, Juvenile Records and Expungement;
 - (c) the extension of a nonjudicial adjustment under Section 80-6-304;
 - (d) a petition for special findings under Section 80-3-305;
 - (e) a referral of a minor for being a habitual truant as defined in Section 53G-8-211; and
 - (f) a pre-existing parent's petition to seal adoption documents as described in Subsection 81-13-103(6).
- (3) The juvenile court does not have original jurisdiction over an offense committed by a minor as described in Subsection (1) if:
- (a) the district court has original jurisdiction over the offense under Section 78A-5-102.5;
 - (b) the district court has original jurisdiction over the offense under Subsection 78A-5-102(9), unless the juvenile court has exclusive jurisdiction over the offense under Section 78A-6-103.5; or
 - (c) the justice court has original jurisdiction over the offense under Subsection 78A-7-106(2), unless the juvenile court has exclusive jurisdiction over the offense under Section 78A-6-103.5.
- (4) It is not necessary for a minor to be adjudicated for an offense or violation of the law under Section 80-6-701 for the juvenile court to exercise jurisdiction under Subsection (2)(a)(xvii), (b), or (c).
- (5) This section does not restrict the right of access to the juvenile court by private agencies or other persons.
- (6) The juvenile court has jurisdiction of all magistrate functions relative to cases arising under Title 80, Chapter 6, Part 5, Minor Tried as an Adult.
- (7) The juvenile court has jurisdiction to make a finding of substantiated, unsubstantiated, or without merit, in accordance with Section 80-3-404 or 80-3-504.
- (8) The juvenile court has jurisdiction over matters transferred to the juvenile court by another trial court in accordance with Subsection 78A-7-106(6) and Section 80-6-303.
- (9) The juvenile court has jurisdiction to enforce foreign protection orders as described in Subsection 78B-7-303(8).

Amended by Chapter 133, 2025 General Session

78A-6-103.5 Exclusive jurisdiction of the juvenile court -- Transfer from district court.

- (1) Except as provided in Subsection (3), the juvenile court has exclusive jurisdiction over a felony, misdemeanor, infraction, or violation of an ordinance under municipal, state, or federal law that is:
- (a) committed by a child and that arises from a single criminal episode containing an offense for which:
 - (i) a citation, petition, indictment, or criminal information is filed; and
 - (ii) the court has original jurisdiction as described in Subsection 78A-6-103(1)(a); or

- (b) committed by an individual who is under 21 years old at the time of all court proceedings, but committed before the individual was 18 years old, and that arises from a single criminal episode containing an offense for which:
 - (i) a citation, petition, indictment, or criminal information is filed; and
 - (ii) the court has original jurisdiction as described in Subsection 78A-6-103(1)(b).
- (2) The juvenile court has exclusive jurisdiction over a misdemeanor, infraction, or violation of an ordinance under municipal or state law that:
 - (a) is committed by an individual:
 - (i) who was 18 years old and enrolled in high school at the time of the offense; and
 - (ii) who is under 21 years old at the time of all court proceedings;
 - (b) is committed on school property where the individual was enrolled:
 - (i) when school was in session; or
 - (ii) during a school-sponsored activity, as defined in Section 53G-8-211; and
 - (c) arises from a single criminal episode containing an offense for which:
 - (i) a citation, petition, indictment, or criminal information is filed; and
 - (ii) the court has original jurisdiction as described in Subsection 78A-6-103(1)(c).
- (3) If a juvenile court transfers jurisdiction of an offense to the district court under Section 80-6-504, the exclusive jurisdiction of the juvenile court over that offense is terminated.
- (4) Upon entry of an order transferring an offense to the juvenile court in accordance with Subsection 78A-5-102.5(6) or (7), the juvenile court gains or regains jurisdiction over any offense for which the juvenile court has original or exclusive jurisdiction.
- (5) After a district court transfers an offense to the juvenile court under Subsection 78A-5-102.5(6) or (7), the juvenile court shall:
 - (a) proceed upon the criminal information as if the criminal information were a petition under Section 80-6-305; and
 - (b) if the minor was convicted of the transferred offense, enter the conviction as an adjudication and proceed with disposition in accordance with Title 80, Chapter 6, Part 7, Adjudication and Disposition.
- (6) For purposes of this section and Section 78A-5-102.5, an offense transferred to the juvenile court from the district court under Subsection 78A-5-102.5(6) or (7) is an adjudication and not a conviction.

Amended by Chapter 199, 2024 General Session

78A-6-104 Concurrent jurisdiction of the juvenile court -- Transfer of a protective order.

- (1)
 - (a) The juvenile court has jurisdiction, concurrent with the district court:
 - (i) to establish parentage, or to order testing for purposes of establishing parentage, for a child in accordance with Title 81, Chapter 5, Uniform Parentage Act, when a proceeding is initiated under Title 80, Chapter 3, Abuse, Neglect, and Dependency Proceedings, or Title 80, Chapter 4, Termination and Restoration of Parental Rights, that involves the child;
 - (ii) over a petition to modify a minor's birth certificate if the juvenile court has jurisdiction over the minor's case under Section 78A-6-103; and
 - (iii) over questions of custody, support, and parent-time of a minor if the juvenile court has jurisdiction over the minor's case under Section 78A-6-103.
 - (b) If the juvenile court obtains jurisdiction over a parentage action under Subsection (1)(a)(i), the juvenile court may:
 - (i) retain jurisdiction over the parentage action until parentage of the child is adjudicated; or

- (ii) transfer jurisdiction over the parentage action to the district court.
- (2)
- (a) The juvenile court has jurisdiction, concurrent with the district court or the justice court otherwise having jurisdiction, over a criminal information filed under Part 4a, Adult Criminal Proceedings, for an adult alleged to have committed:
 - (i) an offense under Section 32B-4-403, unlawful sale, offer for sale, or furnishing to a minor;
 - (ii) an offense under Section 53G-6-202, failure to comply with compulsory education requirements;
 - (iii) an offense under Section 80-2-609, failure to report;
 - (iv) a misdemeanor offense under Section 76-5-303, custodial interference;
 - (v) an offense under Section 76-4-206, contributing to the delinquency of a minor; or
 - (vi) an offense under Section 80-5-601, harboring a runaway.
 - (b) It is not necessary for a minor to be adjudicated for an offense or violation of the law under Section 80-6-701 for the juvenile court to exercise jurisdiction under Subsection (2)(a).
- (3)
- (a) When a support, custody, or parent-time award has been made by a district court in a divorce action or other proceeding, and the jurisdiction of the district court in the case is continuing, the juvenile court may acquire jurisdiction in a case involving the same child if the child comes within the jurisdiction of the juvenile court under Section 78A-6-103.
 - (b)
 - (i) The juvenile court may, by order, change the custody subject to Subsection 81-9-204(4), support, parent-time, and visitation rights previously ordered in the district court as necessary to implement the order of the juvenile court for the safety and welfare of the child.
 - (ii) An order by the juvenile court under Subsection (3)(b)(i) remains in effect so long as the juvenile court continues to exercise jurisdiction.
 - (c) If a copy of the findings and order of the juvenile court under this Subsection (3) are filed with the district court, the findings and order of the juvenile court are binding on the parties to the divorce action as though entered in the district court.
- (4) This section does not deprive the district court of jurisdiction to:
- (a) appoint a guardian for a child;
 - (b) determine the support, custody, and parent-time of a child upon writ of habeas corpus; or
 - (c) determine a question of support, custody, and parent-time that is incidental to the determination of an action in the district court.
- (5) A juvenile court may transfer a petition for a protective order for a child to the district court if the juvenile court has entered an ex parte protective order and finds that:
- (a) the petitioner and the respondent are the parent or step parent of the child who is the object of the petition;
 - (b) the district court has a petition pending or an order related to custody or parent-time entered under Title 78B, Chapter 7, Part 6, Cohabitant Abuse Protective Orders, Title 81, Chapter 4, Part 4, Divorce, or Title 81, Chapter 5, Uniform Parentage Act, in which the petitioner and the respondent are parties; and
 - (c) the best interests of the child will be better served in the district court.

Amended by Chapter 155, 2026 General Session

78A-6-120 Continuing jurisdiction of juvenile court -- Period of and termination of jurisdiction.

- (1) Except as provided in Subsection (2), if the juvenile court obtains jurisdiction over a minor's case, the juvenile court's jurisdiction over the minor's case continues until:
 - (a) the minor is 21 years old; or
 - (b) if the juvenile court extends jurisdiction over the minor's case under Section 80-6-605, the minor is 25 years old.
- (2)
 - (a) Except as provided in Subsection (2)(c), the juvenile court's continuing jurisdiction under Subsection (1) terminates:
 - (i) upon order of the court;
 - (ii) upon an order for secure care under Section 80-6-705 ; or
 - (iii) in accordance with Section 80-6-712.
 - (b) The continuing jurisdiction of the juvenile court over a minor's case is not terminated:
 - (i) by marriage; or
 - (ii) when a minor commits an offense under municipal, state, or federal law that is under the jurisdiction of another court.
 - (c) If a minor is ordered to secure care under Section 80-6-705, the juvenile court retains jurisdiction to make and enforce orders related to restitution until the Youth Parole Authority discharges the minor under Section 80-6-807.

Amended by Chapter 155, 2022 General Session

Part 2 Administration

78A-6-201 Judges of juvenile court -- Appointments -- Terms.

- (1)
 - (a) A judge of the juvenile court shall be appointed initially to serve until the first general election held more than three years after the day on which the appointment is effective.
 - (b) After the initial term described in Subsection (1)(a), the term of office of a juvenile court judge is six years and commences on the first Monday in January next following the date of election.
- (2) A juvenile court judge whose term expires may serve, upon request of the Judicial Council, until a successor is appointed and qualified.

Amended by Chapter 261, 2021 General Session

78A-6-202 Sessions of juvenile court.

- (1) In each county, regular juvenile court sessions shall be held at a place designated by the judge or judges of the juvenile court district, with the approval of the board.
- (2) Juvenile court sessions shall be held in each county when the presiding judge of the juvenile court directs, except that a judge of the district may hold court in any county within the district at any time if required by the urgency of the case.

Amended by Chapter 261, 2021 General Session

78A-6-203 Board of Juvenile Court Judges -- Composition -- Purpose -- Presiding judge -- Associate presiding judge.

- (1)
 - (a) The Judicial Council shall, by rule, establish a Board of Juvenile Court Judges.
 - (b) The board shall establish general policies for the operation of the juvenile courts and uniform rules and forms governing practice, consistent with the provisions of this chapter, the rules of the Judicial Council, and the rules of the Supreme Court.
 - (c)
 - (i) The board may receive and expend any funds that may become available from the federal government or private sources to carry out any of the purposes described in Subsection 78A-6-102(5) .
 - (ii) The board may meet any federal requirements that are conditions precedent to receiving the funds.
 - (iii) The board may cooperate with the federal government in a program for training personnel employed, or preparing for employment, by the juvenile court and may receive and expend funds from federal or state sources or from private donations for these purposes.
 - (iv) Funds donated or paid to the juvenile court by private sources for the purpose of compensatory service programs are nonlapsing.
 - (v) The board may:
 - (A) contract with public or nonprofit institutions of higher learning for the training of personnel;
 - (B) conduct short-term training courses of the board's own and hire experts on a temporary basis for this purpose; and
 - (C) cooperate with the Division of Child and Family Services and other state departments or agencies in personnel training programs.
 - (d) The board may contract, on behalf of the juvenile court, with the United States Forest Service or other agencies or departments of the federal government or with agencies or departments of other states for the care and placement of minors adjudicated under Title 80, Utah Juvenile Code.
 - (e) The powers to contract and expend funds are subject to budgetary control and procedures as provided by law.
- (2) Under the direction of the presiding officer of the council, the chair shall supervise the juvenile courts to:
 - (a) ensure uniform adherence to law and to the rules and forms adopted by the Supreme Court and Judicial Council; and
 - (b) promote the proper and efficient functioning of the juvenile courts.
- (3)
 - (a) In judicial districts having more than one juvenile court judge, the juvenile court judges shall elect one judge of the district to the office of presiding judge.
 - (b) The presiding judge shall receive \$2,000 per annum as additional compensation for the period served as presiding judge.
- (4)
 - (a) In judicial districts having more than two juvenile court judges, the juvenile court judges may elect one judge of the district to the office of associate presiding judge.
 - (b) The associate presiding judge shall receive \$1,000 per annum as additional compensation for the period served as associate presiding judge.
- (5) The presiding juvenile court judge, in accordance with the policies of the Judicial Council, shall:
 - (a) implement policies of the Judicial Council;
 - (b) exercise powers and perform administrative duties as authorized by the Judicial Council;

- (c) manage the judicial business of the district; and
 - (d) call and preside over meetings of juvenile court judges of the district.
- (6)
- (a) When the presiding judge is unavailable, the associate presiding judge shall assume the responsibilities of the presiding judge.
 - (b) The associate presiding judge shall perform other duties assigned by the presiding judge.

Amended by Chapter 276, 2022 General Session

78A-6-204 Administrator of juvenile court -- Appointment -- Qualifications -- Powers and duties.

- (1) With the approval of the board, the state court administrator shall appoint a chief administrative officer of the juvenile court.
- (2) The chief administrative officer shall:
 - (a) be selected on the basis of professional ability and experience in the field of public administration; and
 - (b) possess an understanding of court procedures and the nature and significance of probation services and other court services.

Amended by Chapter 261, 2021 General Session

78A-6-205 Court executives -- Selection -- Duties.

- (1)
 - (a) The chief administrative officer of the juvenile court, with the approval of the juvenile court judge of each district or the presiding juvenile court judge of multiple judge districts, shall appoint a court executive for each district.
 - (b) A court executive appointed under Subsection (1)(a) serves at the pleasure of the chief administrative officer.
- (2) The court executive shall:
 - (a) appoint a clerk of the court, district managers, and other staff, including juvenile probation officers, as required to carry out the work of the court;
 - (b) supervise the work of all nonjudicial court staff of the district; and
 - (c) serve as administrative officer of the district.
- (3)
 - (a) The clerk shall keep a record of court proceedings.
 - (b) The clerk may issue all process and notices required.

Amended by Chapter 261, 2021 General Session

78A-6-206 Juvenile court employees -- Salaries -- State courts personnel system -- Exemptions and discharge.

- (1) All employees, except juvenile court judges and commissioners, shall be selected, promoted, and discharged through the state courts personnel system for the juvenile court under the direction and rules of the board and the Judicial Council.
- (2)
 - (a) An employee under the state courts personnel system may not be discharged except for cause and after a hearing before the appointing authority with an appeal as provided by the state courts personnel system.

- (b) An employee may be suspended pending the hearing and appeal under Subsection (2)(a).

Amended by Chapter 261, 2021 General Session

78A-6-207 Volunteers.

- (1) The name of a volunteer serving in a case under Section 78A-2-803 shall be stated in the court records of the case.
- (2) A volunteer of record under Subsection (1) is:
 - (a) considered a volunteer to the juvenile court; and
 - (b) a volunteer under Title 67, Chapter 20, Volunteer Government Workers Act.

Amended by Chapter 261, 2021 General Session

78A-6-208 Mental health evaluations -- Duty of administrator.

- (1) The chief administrative officer of the juvenile court, with the approval of the board, and the executive director of the Department of Health and Human Services, and director of the Office of Substance Use and Mental Health shall from time to time agree upon an appropriate plan:
 - (a) for obtaining mental health services and health services for the juvenile court from the state and local health departments and programs of mental health; and
 - (b) for assistance by the Department of Health and Human Services or the Office of Substance Use and Mental Health in securing for the juvenile court special health, mental health, juvenile competency evaluations, and related services including community mental health services not already available from the Department of Health and Human Services and the Office of Substance Use and Mental Health.
- (2) The Legislature may provide an appropriation to the Department of Health and Human Services and the Office of Substance Use and Mental Health for the services under Subsection (1).

Amended by Chapter 330, 2023 General Session

78A-6-209 Court records -- Inspection.

- (1) The juvenile court and the juvenile court's probation department shall keep records as required by the board and the presiding judge.
- (2) A court record shall be open to inspection by:
 - (a) the parents or guardian of a child, a minor who is at least 18 years old, other parties in the case, the attorneys, and agencies to which custody of a minor has been transferred;
 - (b) for information relating to adult offenders alleged to have committed a sexual offense, a felony or class A misdemeanor drug offense, or an offense against the person under Title 76, Chapter 5, Offenses Against the Individual, the State Board of Education for the purpose of evaluating whether an individual should be permitted to obtain or retain a license as an educator or serve as an employee or volunteer in a school, with the understanding that the State Board of Education must provide the individual with an opportunity to respond to any information gathered from the State Board of Education's inspection of the records before the State Board of Education makes a decision concerning licensure or employment;
 - (c) the Criminal Investigations and Technical Services Division, established in Section 53-10-103, for the purpose of a criminal history background check for the purchase of a firearm and establishing good character for issuance of a concealed firearm permit as provided in Section 53-5a-303;

- (d) the Division of Child and Family Services for the purpose of Child Protective Services Investigations in accordance with Sections 80-2-602 and 80-2-701 and administrative hearings in accordance with Section 80-2-707;
 - (e) the Division of Licensing and Background Checks for the purpose of conducting a background check in accordance with Section 26B-2-120;
 - (f) for information related to a minor who has committed a sexual offense, a felony, or an offense that if committed by an adult would be a misdemeanor, the Department of Health and Human Services for the purpose of evaluating under the provisions of Subsection 26B-2-406(3) whether a person should be permitted to operate a residential child care without a license or a certificate or to obtain or retain a license to provide child care, with the understanding that the department must provide the individual who committed the offense with an opportunity to respond to any information gathered from the Department of Health and Human Services' inspection of records before the Department of Health and Human Services makes a decision concerning licensure;
 - (g) for information related to a minor who has committed a sexual offense, a felony, or an offense that if committed by an adult would be a misdemeanor, the Department of Health and Human Services to determine whether an individual meets the background screening requirements of Sections 26B-2-238 through 26B-2-241, with the understanding that the department must provide the individual who committed the offense an opportunity to respond to any information gathered from the Department of Health and Human Services' inspection of records before the Department of Health and Human Services makes a decision under that part; and
 - (h) for information related to a minor who has committed a sexual offense, a felony, or an offense that if committed by an adult would be a misdemeanor, the Bureau of Emergency Medical Services to determine whether to grant, deny, or revoke background clearance under Section 53-2d-410 for an individual who is seeking or who has obtained an emergency medical service personnel license under Section 53-2d-402, with the understanding that the Bureau of Emergency Medical Services must provide the individual who committed the offense an opportunity to respond to any information gathered from the inspection of records before the Bureau of Emergency Medical Services makes a determination.
- (3) With the consent of the juvenile court, a court record may be inspected by the child, by persons having a legitimate interest in the proceedings, and by persons conducting pertinent research studies.
- (4)
- (a) Except as provided in Subsection (4)(b), if a petition is filed charging a minor who is 14 years old or older with an offense that would be a felony if committed by an adult, the juvenile court shall make available to any person upon request the petition, any adjudication or disposition orders, and the delinquency history summary for the minor.
 - (b) A juvenile court may close the records described in Subsection (4)(a) to the public if the juvenile court finds, on the record, that the records are closed for good cause.
- (5) A juvenile probation officer's records and reports of social and clinical studies are not open to inspection, except by consent of the juvenile court, given under rules adopted by the board.
- (6) The juvenile court may charge a reasonable fee to cover the costs associated with retrieving a requested record that has been archived.

Amended by Chapter 208, 2025 General Session

78A-6-210 Fines -- Fees -- Deposit with state treasurer -- Restricted account.

- (1) There is created a restricted account in the General Fund known as the "Nonjudicial Adjustment Account."
- (2)
 - (a) The account shall be funded from the financial penalty established under Section 80-6-304.
 - (b) The court shall deposit all money collected as a result of penalties assessed as part of the nonjudicial adjustment of a case into the account.
 - (c) The account shall be used to pay the expenses of juvenile compensatory service, victim restitution, and diversion programs.
- (3)
 - (a) Except under Subsection (3)(b) or (4) and as otherwise provided by law, the juvenile court shall pay all fines, fees, penalties, and forfeitures imposed and collected by the juvenile court to the state treasurer for deposit into the General Fund.
 - (b) No more than 50% of any fine or forfeiture collected may be paid to a state rehabilitative employment program for a minor adjudicated under Section 80-6-701 that provides for employment of the minor in the county of the minor's residence if:
 - (i) reimbursement for the minor's labor is paid to the victim of the offense or wrongful act committed by the minor;
 - (ii) the amount earned and paid is set by court order;
 - (iii) the minor is not paid more than the hourly minimum wage; and
 - (iv) no payments to victims are made without the minor's involvement in a rehabilitative work program.
 - (c) Fines withheld under Subsection (3)(b) and any private contributions to the rehabilitative employment program are accounted for separately and are subject to audit at any time by the state auditor.
 - (d)
 - (i) Funds withheld under Subsection (3)(b) and private contributions are nonlapsing.
 - (ii) The board shall establish policies for the use of the funds described in this Subsection (3)(d).
- (4) For fines and forfeitures collected by the court for a violation of Section 41-6a-1302 in instances where evidence of the violation was obtained by an automated traffic enforcement safety device as described in Section 41-6a-1310, the court shall allocate 20% to the school district or private school that owns or contracts for the use of the bus, and the state treasurer shall allocate 80% to the General Fund.
- (5) A state or local public officer may not charge a fee for the service of process in any proceedings initiated by a public agency.

Amended by Chapter 161, 2023 General Session

78A-6-211 Courtrooms -- Physical facilities.

- (1) Suitable courtrooms and office space in each county shall be provided or made available to the juvenile court by the county for the hearing of cases, except in counties where the state has provided courtrooms and offices as needed.
- (2) Equipment and supplies for the use of the judges, officers, and employees of the juvenile court and the cost of maintaining the juvenile courts shall be paid from the General Fund or other funds for those purposes.

Amended by Chapter 261, 2021 General Session

78A-6-212 Information supplied to the Division of Juvenile Justice and Youth Services.

- (1) A juvenile probation officer shall render full and complete cooperation to the Division of Juvenile Justice and Youth Services in supplying the Division of Juvenile Justice and Youth Services with all pertinent information relating to a juvenile offender committed to the Division of Juvenile Justice and Youth Services.
- (2) Information under Subsection (1) includes prior criminal history, social history, psychological evaluations, and identifying information specified by the Division of Juvenile Justice and Youth Services.

Amended by Chapter 240, 2024 General Session

**Part 3a
Juvenile Court Proceedings**

78A-6-350 Venue -- Dismissal without adjudication on merits.

- (1) Notwithstanding Title 78B, Chapter 3a, Venue for Civil Actions, a proceeding for a minor's case in the juvenile court shall be commenced in the court of the district in which:
 - (a) except as provided in Section 80-6-1001.2, for a proceeding under Title 80, Chapter 6, Juvenile Justice:
 - (i) the minor is living or found; or
 - (ii) the alleged offense occurred; or
 - (b) for any other proceeding, the minor is living or found.
- (2) If a party seeks to transfer a case to another district after a petition has been filed in the juvenile court, the juvenile court may transfer the case in accordance with the Utah Rules of Juvenile Procedure.
- (3) The dismissal of a petition in one district where the dismissal is without prejudice and where there has been no adjudication upon the merits may not preclude refileing within the same district or another district where there is venue for the case.

Amended by Chapter 194, 2024 General Session

78A-6-351 Summons -- Service and process -- Issuance and contents -- Notice to absent parent or guardian -- Emergency medical or surgical treatment -- Compulsory process for attendance of witnesses when authorized.

- (1)
 - (a) After a petition is filed in the juvenile court, the juvenile court shall promptly issue a summons, unless the juvenile court directs that a further investigation is needed.
 - (b) A summons is not required for a person who:
 - (i) appears voluntarily; or
 - (ii) files a written waiver of service with the clerk of the court at or before the hearing.
- (2) A summons under Subsection (1)(a) shall contain:
 - (a) the name of the court;
 - (b) the title of the proceedings; and
 - (c) except for a published summons, a brief statement of the substance of the allegations in the petition.
- (3) A published summons shall state:

- (a) that a proceeding concerning the minor is pending in the court; and
 - (b) an adjudication will be made.
- (4)
- (a) A summons under Subsection (1)(a) shall require:
 - (i) a minor to appear personally in the juvenile court at a time and place stated; or
 - (ii) if a person who has physical custody of the minor, for the person to:
 - (A) appear personally; and
 - (B) bring the minor before the court at a time and place stated.
 - (b) If the minor is a child and a person summoned is not the parent or guardian of the minor, the juvenile court shall issue the summons to the minor's parent or guardian, as the case may be, notifying the parent or guardian of the pendency of the case and of the time and place set for the hearing.
- (5) A summons may be issued requiring the appearance of any other person whose presence the juvenile court finds necessary.
- (6) If it appears to the juvenile court that the welfare of the minor or of the public requires that the minor be taken into temporary custody under Section 80-6-201 or protective custody under Section 80-2a-202, and it does not conflict with Section 80-6-202, the court may by endorsement upon the summons direct that the person serving the summons take the minor into custody at once.
- (7)
- (a) Upon the sworn testimony of one or more reputable physicians, the juvenile court may order emergency medical or surgical treatment that is immediately necessary for a minor for whom a petition has been filed pending the service of summons upon the minor's parent, guardian, or custodian.
 - (b) If the juvenile court orders emergency medical or surgical treatment:
 - (i) if a petition for delinquency has been filed under Section 80-6-305, Subsection 80-6-706(4) shall apply to the juvenile court's decision to order treatment;
 - (ii) if a petition has been filed under Section 80-3-201, Subsection 80-3-109(3) shall apply to the juvenile court's decision to order treatment; or
 - (iii) if a petition has been filed under Section 80-4-201, Subsection 80-4-108(4) shall apply to the juvenile court's decision to order treatment.
- (8)
- (a) A minor is entitled to the issuance of compulsory process for the attendance of witnesses on the minor's own behalf.
 - (b) A minor's parent or guardian is entitled to the issuance of compulsory process for the attendance of witnesses on the parent's or guardian's own behalf or on behalf of the minor.
 - (c) A guardian ad litem or a juvenile probation officer is entitled to compulsory process for the attendance of witnesses on behalf of the minor.
- (9) Service of summons and process and proof of service shall be made in the manner provided in the Utah Rules of Juvenile Procedure.
- (10)
- (a) Service of summons or process shall be made by the sheriff of the county where the service is to be made, or by the sheriff's deputy.
 - (b) Notwithstanding Subsection (10)(a), upon request of the juvenile court, service shall be made by any other peace officer or by another suitable person selected by the court.
- (11) Service of summons in the state shall be made personally, by delivering a copy to the person summoned, except that the parents of a child living together at the parents' usual place of abode may both be served by personal delivery with one copy of the summons for each parent.

(12)

- (a) If the juvenile court makes a written finding that the juvenile court has reason to believe that personal service of the summons will be unsuccessful, or will not accomplish notification within a reasonable time after issuance of the summons, the juvenile court may order service by registered mail, with a return receipt to be signed by the addressee only, to be addressed to the last-known address of the person to be served in the state.
- (b) Service is complete upon return to the juvenile court of the signed receipt.

(13)

- (a) If the child's parent or guardian required to be summoned under Subsection (4) cannot be found within the state, the fact of the child's presence within the state shall confer jurisdiction on the juvenile court in proceedings in a child's case as to any absent parent or guardian when:
 - (i) the address of the parent or guardian is known, due notice is given by sending the parent or guardian a copy of the summons by registered mail with a return receipt to be signed by the addressee only, or by personal service outside the state, as provided in the Utah Rules of Juvenile Procedure; or
 - (ii) the address or whereabouts of the parent or guardian outside the state cannot after diligent inquiry be ascertained, due notice is given by publishing a summons:
 - (A) in a newspaper having general circulation in the county in which the proceeding is pending once a week for four successive weeks; or
 - (B) in accordance with Section 45-1-101 for four weeks.
- (b)
 - (i) If service is by registered mail under Subsection (13)(a)(i), service is complete upon return to the juvenile court of the signed receipt.
 - (ii) If service is by publication under Subsection (13)(a)(ii), service is complete on the day of the last publication.
- (c) Service of summons as provided in this Subsection (13) shall vest the court with jurisdiction over the parent or guardian served in the same manner and to the same extent as if the person served was served personally within the state.

(14)

- (a) In the case of service in the state, service completed not less than 48 hours before the time set in the summons for the appearance of the person served, shall be sufficient to confer jurisdiction.
- (b) In the case of service outside the state, service completed not less than five days before the time set in the summons for appearance of the person served, shall be sufficient to confer jurisdiction.

(15) Computation of periods of time under this chapter and Title 80, Utah Juvenile Code, shall be made in accordance with Utah Rules of Juvenile Procedure, Rule 4.

Amended by Chapter 334, 2022 General Session

78A-6-352 Appearances -- Parents, guardian, or custodian to appear with minor or child -- Failure to appear -- Warrant of arrest, when authorized -- Parent's, guardian's, or custodian's employer to grant time off -- Appointment of guardian ad litem.

- (1) If a person is required to appear in a proceeding in the juvenile court and the person fails, without reasonable cause, to appear before the juvenile court, the juvenile court may issue a bench warrant to produce the person in court.

- (2) If a child is required to appear in juvenile court, the child's parent, guardian, or custodian shall appear with the child in the juvenile court, unless the child's parent, guardian, or custodian is excused by the juvenile court.
- (3)
 - (a) A child's parent, guardian, or custodian may request permission from the parent's, guardian's, or custodian's employer to leave the workplace for the purpose of attending court if the parent, guardian, or custodian is notified by the juvenile court that the child is required to appear before the court.
 - (b) An employer must grant the parent, guardian, or custodian permission to leave the workplace with or without pay if the parent, guardian, or custodian requests permission at least seven days in advance or within 24 hours of the parent, guardian, or custodian receiving notice of the hearing.
- (4)
 - (a) If a parent, guardian, custodian or other person to whom a child is released, signed a written promise to appear and bring the child to juvenile court under Section 80-6-203 and fails to appear and bring the child to the juvenile court on the date set in the promise or, if the date was to be set, after notification by the juvenile court, a warrant may be issued for the apprehension of the parent, guardian, custodian, or other person.
 - (b) A willful failure to perform the promise described in Subsection (4)(a) is a class B misdemeanor if, at the time of the execution of the promise, the promisor is given a copy of the promise that clearly states a failure to appear and have the child appear as promised is a class B misdemeanor.
- (5)
 - (a) A juvenile court shall make every effort to ensure the presence of the parent, guardian, or custodian of a child at all hearings through the use of a warrant of arrest, if necessary, or by other means.
 - (b) A juvenile court may appoint a guardian ad litem whenever necessary for the welfare of a child, regardless of whether the child's parent or guardian is present at the juvenile court proceedings.
- (6) A juvenile court may issue a warrant for a child's parent, guardian, or custodian if:
 - (a) a summons is issued but cannot be served;
 - (b) it appears to the juvenile court that the person to be served will not obey the summons; or
 - (c) serving the summons will be ineffectual.

Renumbered and Amended by Chapter 261, 2021 General Session

78A-6-353 Contempt -- Penalty -- Enforcement of fine, fee, or restitution.

- (1) An individual who willfully violates or refuses to obey any order of the juvenile court may be proceeded against for contempt of court.
- (2) If a juvenile court finds an individual who is 18 years old or older in contempt of court, the juvenile court may impose sanctions on the individual in accordance with Title 78B, Chapter 6, Part 3, Contempt.
- (3) Except as otherwise provided in Subsection (4), if a juvenile court finds a child in contempt of court, the juvenile court may:
 - (a) place the child on probation in accordance with Section 80-6-702;
 - (b) order the child to detention, or an alternative to detention, in accordance with Section 80-6-704; or
 - (c) require the child to pay a fine or fee in accordance with Section 80-6-709.

- (4)
 - (a) The juvenile court may only order a child to secure detention under Subsection (3)(b) for no longer than 72 hours, excluding weekends and legal holidays.
 - (b) The juvenile court may not suspend all or part of an order to secure detention upon compliance with conditions imposed by the juvenile court.
 - (c) The juvenile court may not enforce a disposition under Subsection (3)(c) through an order for detention, a community-based program, or secure care.
- (5) On the sole basis of a child's absence from placement, a juvenile court may not hold a child in contempt under this section if the child:
 - (a) is in the legal custody of the Division of Child and Family Services; and
 - (b) is missing, has been abducted, or has run away.

Amended by Chapter 256, 2024 General Session

78A-6-354 Hearings -- Minors cases heard separately from adult cases -- Minor or parents or custodian heard separately -- Continuance of hearing.

- (1) A hearing for a minor's case shall be held before the juvenile court without a jury and may be conducted in an informal manner.
- (2)
 - (a) A minor's case under Title 80, Chapter 3, Abuse, Neglect, and Dependency Proceedings, Chapter 4, Termination and Restoration of Parental Rights, and Chapter 6, Juvenile Justice, shall be heard separately from any adult case.
 - (b) The minor or the minor's parent or guardian may be heard separately when considered necessary by the juvenile court.
 - (c) A hearing may be continued to a date specified by court order.

Renumbered and Amended by Chapter 261, 2021 General Session

78A-6-355 Exchange of information with agency or institution having legal custody.

- (1) If legal custody of a minor is vested in an institution or agency, the juvenile court shall transmit, with the court order, copies of the social study, any clinical reports, and other information pertinent to the care and treatment of the minor to the institution or agency with legal custody of the minor.
- (2) The institution or agency shall give the juvenile court any information concerning the minor that the juvenile court may at any time require.

Renumbered and Amended by Chapter 261, 2021 General Session

78A-6-356 Child support obligation when custody of a child is vested in an individual or institution.

- (1) As used in this section:
 - (a) "Office" means the Office of Recovery Services.
 - (b) "State custody" means that a child is in the custody of a state department, division, or agency, including secure care.
- (2) Under this section, a juvenile court may not issue a child support order against an individual unless:
 - (a) the individual is served with notice that specifies the date and time of a hearing to determine the financial support of a specified child;

- (b) the individual makes a voluntary appearance; or
 - (c) the individual submits a waiver of service.
- (3) Except as provided in Subsection (11), when a juvenile court places a child in state custody or if the guardianship of the child has been granted to another party and an agreement for a guardianship subsidy has been signed by the guardian, the juvenile court:
- (a) shall order the child's parent, guardian, or other obligated individual to pay child support for each month the child is in state custody or cared for under a grant of guardianship;
 - (b) shall inform the child's parent, guardian, or other obligated individual, verbally and in writing, of the requirement to pay child support in accordance with Title 81, Chapter 6, Child Support, and Title 81, Chapter 7, Payment and Enforcement of Spousal and Child Support; and
 - (c) may refer the establishment of a child support order to the office.
- (4) When a juvenile court chooses to refer a case to the office to determine support obligation amounts in accordance with Title 81, Chapter 6, Child Support, the juvenile court shall:
- (a) make the referral within three working days after the day on which the juvenile court holds the hearing described in Subsection (2)(a); and
 - (b) inform the child's parent, guardian, or other obligated individual of:
 - (i) the requirement to contact the office within 30 days after the day on which the juvenile court holds the hearing described in Subsection (2)(a); and
 - (ii) the penalty described in Subsection (6) for failure to contact the office.
- (5) Liability for child support ordered under Subsection (3) shall accrue:
- (a) except as provided in Subsection (5)(b), beginning on day 61 after the day on which the juvenile court holds the hearing described in Subsection (2)(a) if there is no existing child support order for the child; or
 - (b) beginning on the day the child is removed from the child's home, including time spent in detention or sheltered care, if the child is removed after having been returned to the child's home from state custody.
- (6)
- (a) If the child's parent, guardian, or other obligated individual contacts the office within 30 days after the day on which the court holds the hearing described in Subsection (2)(a), the child support order may not include a judgment for past due support for more than two months.
 - (b) Notwithstanding Subsections (5) and (6)(a), the juvenile court may order the liability of support to begin to accrue from the date of the proceeding referenced in Subsection (3) if:
 - (i) the court informs the child's parent, guardian, or other obligated individual, as described in Subsection (4)(b), and the parent, guardian, or other obligated individual fails to contact the office within 30 days after the day on which the court holds the hearing described in Subsection (2)(a); and
 - (ii) the office took reasonable steps under the circumstances to contact the child's parent, guardian, or other obligated individual within 30 days after the last day on which the parent, guardian, or other obligated individual was required to contact the office to facilitate the establishment of a child support order.
 - (c) For purposes of Subsection (6)(b)(ii), the office is presumed to have taken reasonable steps if the office:
 - (i) has a signed, returned receipt for a certified letter mailed to the address of the child's parent, guardian, or other obligated individual regarding the requirement that a child support order be established; or
 - (ii) has had a documented conversation, whether by telephone or in person, with the child's parent, guardian, or other obligated individual regarding the requirement that a child support order be established.

- (7) In collecting arrears, the office shall comply with Section 26B-9-219 in setting a payment schedule or demanding payment in full.
- (8)
- (a) Unless a court orders otherwise, the child's parent, guardian, or other obligated individual shall pay the child support to the office.
 - (b) The clerk of the juvenile court, the office, or the department and the department's divisions shall have authority to receive periodic payments for the care and maintenance of the child, such as social security payments or railroad retirement payments made in the name of or for the benefit of the child.
- (9) An existing child support order payable to a parent or other individual shall be assigned to the department as provided in Section 26B-9-111.
- (10)
- (a) Subsections (4) through (9) do not apply if legal custody of a child is vested by the juvenile court in an individual.
 - (b)
 - (i) If legal custody of a child is vested by the juvenile court in an individual, the court may order the child's parent, guardian, or other obligated individual to pay child support to the individual in whom custody is vested.
 - (ii) In the same proceeding, the juvenile court shall inform the child's parent, guardian, or other obligated individual, verbally and in writing, of the requirement to pay child support in accordance with Title 81, Chapter 6, Child Support, and Title 81, Chapter 7, Payment and Enforcement of Spousal and Child Support.
- (11) The juvenile court may not order an individual to pay child support for a child in state custody if:
- (a) the individual's only form of income is a government-issued disability benefit;
 - (b) the benefit described in Subsection (11)(a) is issued because of the individual's disability, and not the child's disability; and
 - (c) the individual provides the juvenile court and the office evidence that the individual meets the requirements of Subsections (11)(a) and (b).
- (12)
- (a) The child's parent or another obligated individual is not responsible for child support for the period of time that the child is removed from the child's home by the Division of Child and Family Services if:
 - (i) the juvenile court finds that there were insufficient grounds for the removal of the child; and
 - (ii) the child is returned to the home of the child's parent or guardian based on the finding described in Subsection (12)(a)(i).
 - (b) If the juvenile court finds insufficient grounds for the removal of the child under Subsection (12)(a), but that the child is to remain in state custody, the juvenile court shall order that the child's parent or another obligated individual is responsible for child support beginning on the day on which it became improper to return the child to the home of the child's parent or guardian.
- (13) After the juvenile court or the office establishes an individual's child support obligation ordered under Subsection (3), the office shall waive the obligation without further order of the juvenile court if:
- (a) the individual's child support obligation is established in accordance with a low income table described in Title 81, Chapter 6, Part 3, Child Support Tables; or
 - (b) the individual's only source of income is a means-tested, income replacement payment of aid, including:

- (i) cash assistance provided under Title 35A, Chapter 3, Part 3, Family Employment Program;
or
- (ii) cash benefits received under General Assistance, social security income, or social security disability income.

Amended by Chapter 426, 2025 General Session

78A-6-357 New hearings -- Modification of order or decree -- Requirements for changing or terminating custody, probation, or protective supervision.

- (1) If a party seeks a new hearing after an adjudication under Title 80, Utah Juvenile Code, Rule 48 of the Utah Rules of Juvenile Procedure shall govern the matter of granting a new hearing.
- (2)
 - (a) Except as provided in Subsection (3), a juvenile court may modify or set aside any order or decree made by the juvenile court.
 - (b) A modification of an order placing a minor on probation may not:
 - (i) include an order under Section 80-3-405, 80-6-703, 80-6-704, or 80-6-705; or
 - (ii) extend supervision over a minor, except in accordance with Section 80-6-712.
- (3)
 - (a) A parent or guardian of a child whose legal custody has been transferred by the juvenile court to an individual, agency, or institution may petition the juvenile court for restoration of custody or other modification or revocation of the juvenile court's order or decree, except as provided in Subsections (3)(b), (c), and (d) and for a transfer of legal custody for secure care.
 - (b) A parent or guardian may only petition the juvenile court under Subsection (3)(a) on the ground that a change of circumstances has occurred that requires modification or revocation in the best interest of the child or the public.
 - (c) A parent may not file a petition after the parent's parental rights have been terminated in accordance with Title 80, Chapter 4, Termination and Restoration of Parental Rights.
 - (d) Except as provided in Subsection (3)(e), a parent may not file a petition for restoration of custody under this section during the existence of a permanent guardianship established for the child under Subsection 80-3-405(2)(d).
 - (e)
 - (i) A parent may file a petition to modify an order of permanent custody and guardianship only if:
 - (A) the order granted permanent custody and guardianship to the child's other parent; and
 - (B) the petitioning parent can demonstrate that a substantial and material change of circumstance has occurred.
 - (ii) A parent shall file a petition to modify an order of permanent custody and guardianship in the district court, if:
 - (A) the juvenile court ordered a parent to file the order in a pending district court case under Subsection 80-3-405(2)(d)(iv); or
 - (B) a case involving custody, support, or parent-time relating to the child who is the subject of the juvenile court's order is filed in district court subsequent to the juvenile court issuing the permanent custody and guardianship order.
 - (iii) A parent may file a petition in accordance with Subsection (3)(e)(i) regardless of when the order granting permanent custody and guardianship to the child's other parent was entered, if the substantial and material change of circumstance described in Subsection (3)(e)(i) has occurred since the permanent custody and guardianship order was entered.
- (4)

- (a) An individual, agency, or institution vested with legal custody of a child may petition the juvenile court for a modification of the custody order on the ground that the change is necessary for the welfare of the child or in the public interest.
- (b) The juvenile court shall proceed upon the petition in accordance with this section.
- (5) Notice of hearing is required in any case in which the effect of modifying or setting aside an order or decree may be to make any change in the minor's legal custody under Section 80-3-405 or 80-6-703.
- (6)
 - (a) Upon the filing of a petition under Subsection (3)(a), the juvenile court shall make a preliminary investigation.
 - (b) After the preliminary investigation described in Subsection (6)(a), the juvenile court:
 - (i) may dismiss the petition if the juvenile court finds the alleged change of circumstances, if proved, would not affect the decree; or
 - (ii) shall conduct a hearing, if the juvenile court finds that further examination of the facts is needed, or if the juvenile court on the juvenile court's own motion determines that the juvenile court's order or decree should be reviewed.
 - (c) Notice of the hearing described in Subsection (6)(b)(ii) shall be given to all interested persons.
 - (d) At a hearing under Subsection (6)(b)(ii), the juvenile court may enter an order continuing, modifying, or terminating the juvenile court's order or decree.
- (7) Notice of an order terminating probation or protective supervision of a child shall be given to:
 - (a) the child's parent;
 - (b) the child's guardian;
 - (c) the child's custodian; and
 - (d) if appropriate, to the child.
- (8) Notice of an order terminating probation or protective supervision of a minor who is at least 18 years old shall be given to the minor.

Amended by Chapter 59, 2026 General Session

78A-6-358 Period of effect for a judgment, decree, or order by a juvenile court.

- (1) A judgment, order, or decree of the juvenile court is no longer in effect after a minor is 21 years old, except:
 - (a) for an order of commitment to the Utah State Developmental Center or to the custody of the Division of Substance Abuse and Mental Health;
 - (b) for an adoption under Subsection 78A-6-103(2)(a)(xiv) or (xv);
 - (c) for an order permanently terminating the rights of a parent, guardian, or custodian under Title 80, Chapter 4, Termination and Restoration of Parental Rights;
 - (d) for a permanent order of custody and guardianship under Subsection 80-3-405(2)(d);
 - (e) an order establishing parentage under Subsection 78A-6-104(1)(a)(i); and
 - (f) as provided in Subsection (2).
- (2) If the juvenile court enters a judgment or order for a minor for whom the juvenile court has extended continuing jurisdiction over the minor's case until the minor is 25 years old under Section 80-6-605, the juvenile court's judgment or order is no longer in effect after the minor is 25 years old.

Amended by Chapter 426, 2025 General Session

78A-6-359 Appeals.

- (1) An appeal to the Court of Appeals may be taken from any order, decree, or judgment of the juvenile court.
- (2)
 - (a) An appeal of right from an order, decree, or judgment by a juvenile court related to a proceeding under Title 80, Chapter 3, Abuse, Neglect, and Dependency Proceedings, Title 80, Chapter 4, Termination and Restoration of Parental Rights, and Title 81, Chapter 13, Adoption, shall be filed within 15 days after the day on which the juvenile court enters the order, decree, or judgment.
 - (b) A notice of appeal must be signed by appellant's counsel, if any, and by appellant, unless the appellant is a child or state agency.
 - (c) If an appellant fails to timely sign a notice of appeal, the appeal shall be dismissed.
- (3) An order for a disposition from the juvenile court shall include the following information:
 - (a) notice that the right to appeal described in Subsection (2)(a) is time sensitive and must be taken within 15 days after the day on which the juvenile court enters 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 an appeal described in Subsection (2)(a); and
 - (d) the need for each party to maintain regular contact with the party's counsel and to keep the party's counsel informed of the party's whereabouts.
- (4) If a party is not present in the courtroom, the juvenile court shall provide a statement containing the information provided in Subsection (3) to the party at the party's last known address.
- (5) The juvenile court shall inform each party's counsel at the conclusion of the proceedings that, if an appeal is filed, appellate counsel must represent the party throughout the appellate process unless appellate counsel is not appointed under the Utah Rules of Appellate Procedure, Rule 55.
- (6) During the pendency of an appeal under Subsection (2)(a), a party shall maintain regular contact with the party's appellate counsel, if any, and keep the party's appellate counsel informed of the party's whereabouts.
- (7)
 - (a) In all other appeals of right, the appeal shall be taken within 30 days after the day on which the juvenile court enters the order, decree, or judgment.
 - (b) A notice of appeal under Subsection (7)(a) must be signed by appellant's counsel, if any, or by appellant.
- (8) The attorney general shall represent the state in all appeals under this chapter and Title 80, Chapter 3, Abuse, Neglect, and Dependency Proceedings, Title 80, Chapter 4, Termination and Restoration of Parental Rights, and Title 80, Chapter 6, Juvenile Justice.
- (9) Unless the juvenile court stays the juvenile court's 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.
- (10) Access to the record on appeal is governed by Title 63G, Chapter 2, Government Records Access and Management Act.

Amended by Chapter 426, 2025 General Session

Part 4a
Adult Criminal Proceedings

78A-6-450 Criminal information for an adult in juvenile court.

A county attorney or district attorney may file a criminal information in the juvenile court charging an adult for:

- (1) unlawful sale or furnishing of an alcoholic product to minors in violation of Section 32B-4-403;
- (2) failure to report abuse or neglect in violation of Section 80-2-609;
- (3) harboring a runaway in violation of Section 80-5-601;
- (4) misdemeanor custodial interference in violation of Section 76-5-303;
- (5) contributing to the delinquency of a minor in violation of Section 76-4-206;
- (6) failure to comply with compulsory education requirements in violation of Section 53G-6-202; or
- (7) a willful failure to perform a promise to appear under Subsection 78A-6-352(4)(b).

Amended by Chapter 301, 2024 General Session

78A-6-451 Who may prosecute an adult in juvenile court -- Transfer to district court.

- (1) The county attorney or district attorney, as provided in Title 17, Chapter 68, County and District Attorney, shall prosecute any case brought under this part.
- (2) Any proceeding under this part is governed by the statutes and rules governing criminal proceedings in the district court, except the juvenile court may, on stipulation of the parties, transfer the case to the district court.

Amended by Chapter 17, 2025 Special Session 1

78A-6-452 Costs and expenses of trial.

- (1) Except as provided in Subsection (2), the state shall pay, when approved by the court, the cost of publication of a summons, the expense of a trial, and any other fee or expense of a trial of an adult under this part.
- (2) The county where the hearing or trial is held shall pay the prosecution costs and public defender costs.

Renumbered and Amended by Chapter 261, 2021 General Session