

78B-13-112 Cooperation between courts -- Preservation of records.

- (1) A court of this state may request the appropriate court of another state to:
 - (a) hold an evidentiary hearing;
 - (b) order a person to produce or give evidence under procedures of that state;
 - (c) order that an evaluation be made with respect to the custody of a child involved in a pending proceeding;
 - (d) forward to the court of this state a certified copy of the transcript of the record of the hearing, the evidence otherwise presented, and any evaluation prepared in compliance with the request; and
 - (e) order a party to a child custody proceeding or any person having physical custody of the child to appear in the proceeding with or without the child.
- (2) Upon request of a court of another state, a court of this state may:
 - (a) hold a hearing or enter an order described in Subsection (1); or
 - (b) order a person in this state to appear alone or with the child in a custody proceeding in another state.
- (3) A court of this state may condition compliance with a request under Subsection (2)(b) upon assurance by the other state that travel and other necessary expenses will be advanced or reimbursed. If the person who has physical custody of the child cannot be served or fails to obey the order, or it appears the order will be ineffective, the court may issue a warrant of arrest against the person to secure his appearance with the child in the other state.
- (4) Travel and other necessary and reasonable expenses incurred under Subsections (1) and (2) may be assessed against the parties according to the law of this state.
- (5) A court of this state shall preserve the pleadings, orders, decrees, records of hearings, evaluations, and other pertinent records with respect to a child custody proceeding until the child attains 18 years of age. Upon appropriate request by a court or law enforcement official of another state, the court shall forward a certified copy of these records.

Renumbered and Amended by Chapter 3, 2008 General Session