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78B-6-103 Definitions.

As used in this part:

- (1) "Adoptee" means a person who:
 - (a) is the subject of an adoption proceeding; or
 - (b) has been legally adopted.
- (2) "Adoption" means the judicial act that:
 - (a) creates the relationship of parent and child where it did not previously exist; and
 - (b) except as provided in Subsections 78B-6-138(2) and (4), terminates the parental rights of any other person with respect to the child.
- (3) "Adoption document" means an adoption-related document filed with the office, a petition for adoption, a decree of adoption, an original birth certificate, or evidence submitted in support of a supplementary birth certificate.
- (4) "Adoption service provider" means:
 - (a) a child-placing agency;
 - (b) a licensed counselor who has at least one year of experience providing professional social work services to:
 - (i) adoptive parents;
 - (ii) prospective adoptive parents; or
 - (iii) birth parents; or
 - (c) the Office of Licensing within the Department of Human Services.
- (5) "Adoptive parent" means an individual who has legally adopted an adoptee.
- (6) "Adult" means an individual who is 18 years of age or older.
- (7) "Adult adoptee" means an adoptee who is 18 years of age or older and was adopted as a minor.
- (8) "Adult sibling" means an adoptee's brother or sister, who is 18 years of age or older and whose birth mother or father is the same as that of the adoptee.
- (9) "Birth mother" means the biological mother of a child.
- (10) "Birth parent" means:
 - (a) a birth mother;
 - (b) a man whose paternity of a child is established;
 - (c) a man who:
 - (i) has been identified as the father of a child by the child's birth mother; and
 - (ii) has not denied paternity; or
 - (d) an unmarried biological father.
- (11) "Child-placing agency" means an agency licensed to place children for adoption under Title 62A, Chapter 2, Licensure of Programs and Facilities.
- (12) "Cohabiting" means residing with another person and being involved in a sexual relationship with that person.
- (13) "Division" means the Division of Child and Family Services, within the Department of Human Services, created in Section 80-2-201.
- (14) "Extra-jurisdictional child-placing agency" means an agency licensed to place children for adoption by a district, territory, or state of the United States, other than Utah.
- (15) "Genetic and social history" means a comprehensive report, when obtainable, that contains the following information on an adoptee's birth parents, aunts, uncles, and grandparents:
 - (a) medical history;
 - (b) health status;

- (c) cause of and age at death;
 - (d) height, weight, and eye and hair color;
 - (e) ethnic origins;
 - (f) where appropriate, levels of education and professional achievement; and
 - (g) religion, if any.
- (16) "Health history" means a comprehensive report of the adoptee's health status at the time of placement for adoption, and medical history, including neonatal, psychological, physiological, and medical care history.
- (17) "Identifying information" means information that is in the possession of the office and that contains the name and address of a pre-existing parent or an adult adoptee, or other specific information that by itself or in reasonable conjunction with other information may be used to identify a pre-existing parent or an adult adoptee, including information on a birth certificate or in an adoption document.
- (18) "Licensed counselor" means an individual who is licensed by the state, or another state, district, or territory of the United States as a:
- (a) certified social worker;
 - (b) clinical social worker;
 - (c) psychologist;
 - (d) marriage and family therapist;
 - (e) clinical mental health counselor; or
 - (f) an equivalent licensed professional of another state, district, or territory of the United States.
- (19) "Man" means a male individual, regardless of age.
- (20) "Mature adoptee" means an adoptee who is adopted when the adoptee is an adult.
- (21) "Office" means the Office of Vital Records and Statistics within the Department of Health operating under Title 26, Chapter 2, Utah Vital Statistics Act.
- (22) "Parent," for purposes of Section 78B-6-119, means any person described in Subsections 78B-6-120(1)(b) through (f) from whom consent for adoption or relinquishment for adoption is required under Sections 78B-6-120 through 78B-6-122.
- (23) "Potential birth father" means a man who:
- (a) is identified by a birth mother as a potential biological father of the birth mother's child, but whose genetic paternity has not been established; and
 - (b) was not married to the biological mother of the child described in Subsection (23)(a) at the time of the child's conception or birth.
- (24) "Pre-existing parent" means:
- (a) a birth parent; or
 - (b) an individual who, before an adoption decree is entered, is, due to an earlier adoption decree, legally the parent of the child being adopted.
- (25) "Prospective adoptive parent" means an individual who seeks to adopt an adoptee.
- (26) "Relative" means:
- (a) an adult who is a grandparent, great grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, stepparent, first cousin, stepsibling, sibling of a child, or first cousin of a child's parent; and
 - (b) in the case of a child defined as an "Indian child" under the Indian Child Welfare Act, 25 U.S.C. Sec. 1903, an "extended family member" as defined by that statute.
- (27) "Unmarried biological father" means a man who:
- (a) is the biological father of a child; and
 - (b) was not married to the biological mother of the child described in Subsection (27)(a) at the time of the child's conception or birth.

