

78B-6-105 District court venue -- Jurisdiction of juvenile court -- Jurisdiction over nonresidents -- Time for filing.

- (1) Adoption proceedings shall be commenced by filing a petition with the clerk of the district court either:
 - (a) in the district where the prospective adoptive parent resides;
 - (b) if the prospective adoptive parent is not a resident of this state, in the district where:
 - (i) the adoptee was born;
 - (ii) the adoptee resides on the day on which the petition is filed; or
 - (iii) a parent of the proposed adoptee resides on the day on which the petition is filed; or
 - (c) with the juvenile court as provided in Subsection 78A-6-103(1).
- (2) All orders, decrees, agreements, and notices in the proceedings shall be filed with the clerk of the court where the adoption proceedings were commenced under Subsection (1).
- (3) A petition for adoption:
 - (a) may be filed before the birth of a child;
 - (b) may be filed before or after the adoptee is placed in the home of the petitioner for the purpose of adoption; and
 - (c) shall be filed no later than 30 days after the day on which the adoptee is placed in the home of the petitioners for the purpose of adoption, unless:
 - (i) the time for filing has been extended by the court; or
 - (ii) the adoption is arranged by a child-placing agency in which case the agency may extend the filing time.
- (4)
 - (a) If a person whose consent for the adoption is required under Section 78B-6-120 or 78B-6-121 cannot be found within the state, the fact of the minor's presence within the state shall confer jurisdiction on the court in proceedings under this chapter as to such absent person, provided that due notice has been given in accordance with the Utah Rules of Civil Procedure.
 - (b) The notice may not include the name of:
 - (i) a prospective adoptive parent; or
 - (ii) an unmarried mother without her consent.
- (5) Service of notice as provided in Subsection (6) shall vest the court with jurisdiction over the person served in the same manner and to the same extent as if the person served was served personally within the state.
- (6) In the case of service outside the state, service completed not less than five days before the time set in the notice for appearance of the person served shall be sufficient to confer jurisdiction.
- (7) Computation of periods of time not otherwise set forth in this section shall be made in accordance with the Utah Rules of Civil Procedure.

Amended by Chapter 458, 2013 General Session