

78B-6-138 Pre-existing parent's rights and duties dissolved.

- (1) A pre-existing parent of an adopted child is released from all parental duties toward and all responsibilities for the adopted child, including residual rights, and has no further rights with regard to that child at the earlier of:
 - (a) the time the pre-existing parent's parental rights are terminated; or
 - (b) except as provided in Subsection (2), and subject to Subsection (3), the time the final decree of adoption is entered.
- (2) The rights and duties of a pre-existing parent described in Subsection (1) who, at the time the child is adopted, is lawfully married to the person adopting the child are not released or terminated under Subsection (1)(b).
- (3) The rights and duties of a pre-existing parent described in Subsection (1) who, at the time the child is adopted, is not lawfully married to the person adopting the child are terminated as provided in Subsection (1)(b).

Amended by Chapter 237, 2010 General Session