

Effective 5/1/2024

80-6-202 Warrants for minors.

- (1)
 - (a) Except as otherwise provided in this section, after a petition is filed under Section 80-6-305, or a criminal information under Section 80-6-503, a juvenile court may issue a warrant for a minor to be taken into temporary custody if:
 - (i) there is probable cause to believe that:
 - (A) the minor has committed an offense that would be a felony if committed by an adult;
 - (B) the minor has failed to appear after the minor or the minor's parent, guardian, or custodian has been legally served with a summons in accordance with Section 78A-6-351 and the Utah Rules of Juvenile Procedure;
 - (C) there is a substantial likelihood the minor will not respond to a summons;
 - (D) a summons cannot be served and the minor's present whereabouts are unknown;
 - (E) serving a summons for the minor will be ineffectual;
 - (F) the minor seriously endangers others or the public and temporary custody appears to be necessary for the protection of others or the public; or
 - (G) the minor is a runaway or has escaped from the minor's parent, guardian, or custodian; or
 - (ii) the minor is under the continuing jurisdiction of the juvenile court and there is probable cause to believe that the minor:
 - (A) has left the custody of the person or agency vested by a court with legal custody, or guardianship of the minor, without permission; or
 - (B) has violated a court order.
 - (b) A warrant issued under this Subsection (1) shall be:
 - (i) filed in accordance with Utah Rules of Juvenile Procedure, Rule 7; and
 - (ii) executed in accordance with Title 77, Chapter 7, Arrest, by Whom, and How Made.
- (2) A juvenile court may not issue a warrant for a minor to be taken into temporary custody for:
 - (a) a status offense;
 - (b) an infraction; or
 - (c) being a habitual truant.
- (3)
 - (a) For a minor not eligible for a warrant under Subsection (2), a juvenile court may issue a warrant that directs a minor to be returned home, to the juvenile court, or to a shelter or other nonsecure facility.
 - (b) A warrant under Subsection (3)(a) may not direct a minor to secure care or secure detention.
- (4) Subsection (2) does not apply to a minor who is under Chapter 6, Part 11, Interstate Compact for Juveniles.

Amended by Chapter 301, 2024 General Session