

Effective 9/1/2025

81-5-610 Joinder of judicial proceedings -- Court reliance of custody and parent-time standards.

- (1) Except as otherwise provided in Subsection (2), a judicial proceeding to adjudicate parentage may be joined with a proceeding for adoption, termination of parental rights, child custody or visitation, child support, divorce, annulment, legal separation or separate maintenance, probate or administration of an estate, or other appropriate proceeding.
- (2) A respondent may not join a proceeding described in Subsection (1) with a proceeding to adjudicate parentage brought under Chapter 8, Uniform Interstate Family Support Act.
- (3) A court may determine issues of custody, parent-time, visitation, and child support in accordance with Chapter 6, Child Support, Chapter 7, Payment and Enforcement of Spousal and Child Support, and Chapter 9, Custody, Parent-time, and Visitation.
- (4)
 - (a) If a parentage action is determining issues of custody or parent-time for a child and the parents of the child are not married, the parties shall attend the mandatory parenting course described in Subsection 81-9-103(1)(b) within:
 - (i) for the petitioner, 60 days after the day on which the petition is filed; and
 - (ii) for the respondent, 30 days after the day on which the respondent is served.
 - (b) The clerk of the court shall provide notice to a petitioner that the petitioner is required to attend the parenting course.
 - (c) A petition shall include information regarding the parenting course when the petition is served on the respondent.
 - (d) The court may not grant a final custody or parent-time order in a parentage action until:
 - (i) both parties have attended the parenting course; and
 - (ii) both parties have presented a certificate of course completion to the court.
- (5) For a party that is unable to pay the costs of the parenting course, and before the court enters an order for custody or parent-time in the parentage action, the court shall:
 - (a) make a final determination of indigency; and
 - (b) order the party to pay the costs of the parenting course if the court determines the party is not indigent.
- (6)
 - (a) Notwithstanding Subsection (4), the court may waive the requirement that the parties attend the parenting course, on the court's own motion or on the motion of one of the parties, if the court determines course attendance and completion are not necessary, appropriate, or feasible, or in the best interest of the parties.
 - (b) If the requirement is waived, the court may proceed with entering a final custody or parent-time order.

Renumbered and Amended by Chapter 426, 2025 General Session