

1 **MENTAL HEALTH PRACTITIONER IN**
2 **PARENTAL RIGHTS ACTION**

3 2002 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Mike Thompson**

6 **This act modifies the Parental Termination Rights Act in the Judicial Code. The act**
7 **provides that when a mental health practitioner is to be appointed in a termination of**
8 **parental rights action the juvenile court may appoint any mental health therapist which the**
9 **court finds to be qualified, and may not refuse to appoint a mental health therapist for the**
10 **reason that therapist's recommendations in another case have not followed the**
11 **recommendations of the Division of Child and Family Services.**

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 ENACTS:

14 **78-3a-415**, Utah Code Annotated 1953

15 *Be it enacted by the Legislature of the state of Utah:*

16 Section 1. Section **78-3a-415** is enacted to read:

17 **78-3a-415. Mental health therapist.**

18 When a mental health practitioner is to be appointed in a termination of parental rights
19 action to evaluate the mental health of a parent or a minor, or to provide mental health services to
20 a parent or a minor, the court:

21 (1) may appoint any mental health therapist, as defined in Section 58-60-102 which the
22 court finds to be qualified; and

23 (2) may not refuse to appoint a mental health therapist for the reason that the therapist's
24 recommendations in another case have not followed the recommendations of the Division of Child
25 and Family Services.



Legislative Review Note
as of 1-22-02 1:41 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel