

**EVALUATION AND COUNSELING PRIOR TO
TERMINATION PROCEEDINGS**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Mike Thompson

LONG TITLE

General Description:

This bill modifies sections of the Judicial Code dealing with Juvenile Court proceedings.

Highlighted Provisions:

This bill:

- ▶ allows the juvenile court to appoint any qualified mental health therapist; and
- ▶ prohibits the juvenile court from excluding a mental health therapist because they

have not followed the recommendations of the Division of Child and Family Services in another case.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78-3a-321, Utah Code Annotated 1953

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

Section 1. Section **78-3a-321** is enacted to read:

78-3a-321. Mental health therapists.

(1) When a mental health practitioner is appointed in any juvenile court proceeding to evaluate the mental health of a parent or a minor, or to provide mental health services to a parent or minor, the court:

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

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

(2) This section applies to all juvenile court proceedings involving:

(a) parents and minor children; or

(b) the Division of Child and Family Services.