



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 23, 2012

Mr. President:

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **2nd Sub. H.B. 237**, CHILD WELFARE AMENDMENTS, by Representative W. Harper, with the following amendments:

1. *Page 1, Line 20:*

20 Family Services;

requires an appellate court to apply de novo review to issues presented in an appeal of a juvenile court's finding of abuse, neglect, or an order to terminate parental rights;

2. *Page 3, Line 67:*

67 Utah 2008, Chapter 17

ENACTS:

78A-4-201, Utah Code Annotated 1953

3. *Page 20, Line 585:*

585 soon as possible.

Section 8. Section 78A-4-201 is enacted to read:

78A-4-201. Appellate review of juvenile courts.

(1) The court shall apply nondeferential de novo review to issues of fact and law

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raised in an appeal of a juvenile court's:

(a) finding of abuse;

(b) finding of neglect; or

(c) order terminating parental rights.

(2) The issue of whether the evidence presented in a juvenile court, taken as a whole, constitutes clear and convincing evidence shall be a matter of law subject to review by the court.

Renumber remaining sections accordingly.

Respectfully,

Peter C. Knudson
Committee Chair

Voting: 5-0-1

3 HB0237.SCI.WPD rnorth/RCN RF/MDA 2/23/12 8:29 am

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