

2nd Sub. H.B. 237
CHILD WELFARE AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 2

FEBRUARY 29, 2012 12:19 PM

Senator **Margaret Dayton** proposes the following amendments:

1. *Page 1, Lines 20a through 20b*

Senate Committee Amendments

2-23-2012:

20a §→ { requires an appellate court to apply de novo review to issues presented in an appeal
20b of a juvenile court's finding of abuse, neglect, or an order to terminate parental rights; } ←§

2. *Page 20, Lines 585a through 585j*

Senate Committee Amendments

2-23-2012:

585a §→ { ~~Section 8. Section 78A-4-201 is enacted to read:~~
585b ~~78A-4-201. Appellate review of juvenile courts:~~
585c ~~(1) The court shall apply nondeferential de novo review to issues of fact and law raised~~
585d ~~in an appeal of a juvenile court's:~~
585e ~~(a) finding of abuse;~~
585f ~~(b) finding of neglect; or~~
585g ~~(c) order terminating parental rights;~~
585h ~~(2) The issue of whether the evidence presented in a juvenile court, taken as a whole,~~
585i ~~constitutes clear and convincing evidence shall be a matter of law subject to review by the~~
585j ~~court.~~ } ←§