

3rd Sub. S.B. 128
CHILD WELFARE AMENDMENTS

Senator **Todd Weiler** proposes the following amendments:

1. *Page 1, Line 23 through Page 2, Line 27:*

- 23 ▶ clarifies who may be involved in the development of a child and family plan;
24 ▶ clarifies ~~{that a party may attend a team meeting with the party's counsel in~~
25 ~~accordance with the Utah Rules of Professional Conduct;}~~ when a party may attend a child and
family team meeting with the party's counsel;
 ▶ provides a timeline for when the division shall convene a child and family team meeting;
26 ▶ clarifies when a court may order the division to provide protective supervision
27 services;

2. *Page 34, Line 1032 through Page 35, Line 1049:*

- 1032 (3) (a) The division shall involve all of the following in the development of a child's
1033 child and family plan:
1034 (i) both of the child's natural parents, unless the whereabouts of a parent are unknown;
1035 (ii) the child;
1036 (iii) the child's foster parents;
1037 (iv) if appropriate, the child's stepparent; and
1038 (v) the child's guardian ad litem, if one has been appointed by the court.
1039 (b) ~~{A}~~ The division may not exclude a parent or guardian's legal counsel ~~{may be~~
~~present}~~ during the development of the
1040 child's child and family plan ~~{if}~~ because legal counsel for the division is not present. .
(c)(i) Unless otherwise ordered by the court, the division shall convene a child and family team
meeting to develop the child's child and family plan at least once every 90 days.
(ii) Within 10 days after the day on which the division receives a request from a parent or
guardian, the division shall convene a child and family team meeting to develop the child's child and
family plan.
(iii) If the division does not convene a child and family team meeting in accordance with
Subsection (3)(c)(ii), the division shall provide the parent or guardian who requested the child and
family team meeting a written explanation describing the reason the division did not convene the child
and family team meeting.
(iv) The division may not schedule a child and family team meeting at a time the division knows
the parent or guardian's legal counsel is unable to attend, unless the division makes a reasonable
attempt to schedule the child and family team meeting at a time when the parent or guardian's legal

counsel is able to attend.

(v) Unless otherwise ordered by the court, the division may not cancel a child and family team meeting without the consent of all parties, unless the meeting:

(A) was scheduled at the request of a parent or guardian under Subsection (3)(c)(ii); and

(B) is rescheduled to convene within 10 days after the day on which the division received the request from the parent or guardian.

1041 [~~b~~] {~~c~~} (d) In relation to all information considered by the division in developing a child
1042 and family plan, additional weight and attention shall be given to the input of the child's natural
1043 and foster parents upon their involvement pursuant to Subsections (3)(a)(i) and (iii).

1044 [~~c~~] {~~d~~} (e) (i) The division shall make a substantial effort to develop a child and family
1045 plan with which the child's parents agree.

1046 (ii) If a parent does not agree with a child and family plan:

1047 (A) the division shall strive to resolve the disagreement between the division and the
1048 parent; and

1049 (B) if the disagreement is not resolved, the division shall inform the court of the