

150 (b) an individual listed in Subsection [78B-22-201](#)(1) who is found indigent pursuant to
 151 Section [78B-22-202](#).

152 ~~[(9)]~~ (10) "Minor" means the same as that term is defined in Section [78A-6-105](#).

153 (11) "Office" means the Office of Indigent Defense Services created in Section
 154 [78B-22-451](#).

155 ~~[(10)]~~ (12) "Participating county" means a county that complies with this chapter for
 156 participation in the Indigent Aggravated Murder Defense Trust Fund as provided in Sections
 157 [78B-22-702](#) and [78B-22-703](#).

158 Section 4. Section **78B-22-201** is amended to read:

159 **78B-22-201. Right to counsel.**

160 (1) A court shall advise the following of the individual's right to counsel when the
 161 individual first appears before the court:

162 (a) an adult charged with a criminal offense the penalty for which includes the
 163 possibility of incarceration regardless of whether actually imposed;

164 (b) a parent or legal guardian facing ~~[any]~~ an action initiated by the state under:

165 (i) Title 78A, Chapter 6, Part 3, Abuse, Neglect, and Dependency Proceedings;

166 (ii) Title 78A, Chapter 6, Part 5, Termination of Parental Rights Act; or

167 (iii) Title 78A, Chapter 6, Part 10, Adult Offenses; ~~[or]~~

168 ~~[(iv) Section [78B-6-112](#); or]~~

169 (c) a parent or legal guardian facing an action initiated by ~~§~~→ ~~[a private]~~ any ←~~§~~ party
 169a under:

170 (i) Title 78A, Chapter 6, Part 5, Termination of Parental Rights Act; or

171 (ii) Section [78B-6-112](#); or

172 ~~[(e)]~~ (d) an individual described in this Subsection (1), who is appealing ~~[a first appeal~~
 173 ~~from]~~ a conviction or other final court action.

174 (2) If an individual described in Subsection (1) does not knowingly and voluntarily
 175 waive the right to counsel, the court shall determine whether the individual is indigent under
 176 Section [78B-22-202](#).

177 Section 5. Section **78B-22-301** is amended to read:

178 **78B-22-301. Standards for indigent defense systems.**

179 (1) An indigent defense system shall provide indigent defense services for an indigent
 180 individual in accordance with the ~~[minimum guidelines]~~ core principles adopted by the