

181 (d) (i) Subsection (12)(b) is an exception to Rules of Professional Conduct, Rule 1.6,
182 as provided by Rule 1.6(b)(4), because of:

183 (A) the unique role of an attorney guardian ad litem described in Subsection (8); and

184 (B) the state's role and responsibility to provide a guardian ad litem program, and as
185 parens patriae, to protect minors.

186 (ii) A claim of attorney-client privilege does not bar access to the records of an attorney
187 guardian ad litem by the Legislature, through legislative subpoena.

188 ~~H→ [(13) A guardian ad litem may not refer an individual for drug testing by means of a~~
189 ~~hair, fingernail, or saliva test that is administered to detect the presence of drugs.] ←H~~

190 Section 2. Section **80-2-301** is amended to read:

191 **80-2-301. Division responsibilities.**

192 (1) The division is the child, youth, and family services authority of the state.

193 (2) The division shall:

194 (a) administer services to minors and families, including:

195 (i) child welfare services;

196 (ii) domestic violence services; and

197 (iii) all other responsibilities that the Legislature or the executive director of the
198 department may assign to the division;

199 (b) provide the following services:

200 (i) financial and other assistance to an individual adopting a child with special needs
201 under Sections 80-2-806 through 80-2-809, not to exceed the amount the division would
202 provide for the child as a legal ward of the state;

203 (ii) non-custodial and in-home services in accordance with Section 80-2-306,
204 including:

205 (A) services designed to prevent family break-up; and

206 (B) family preservation services;

207 (iii) reunification services to families whose children are in substitute care in
208 accordance with this chapter, Chapter 2a, Removal and Protective Custody of a Child, and
209 Chapter 3, Abuse, Neglect, and Dependency Proceedings;

210 (iv) protective supervision of a family, upon court order, in an effort to eliminate abuse
211 or neglect of a child in that family;