



Indigent Appellate Defense Division Juvenile Delinquency Appellate Defense Project

Unlike adults who are convicted of crimes, juveniles' right to an appeal is not grounded in the constitution. Instead, juveniles have statutory and rule-based rights to appeal their adjudications.

Rights to Appeal:

- Utah Code Ann. § 78A-4-103(2)(c) ("The Court of Appeals has appellate jurisdiction, including jurisdiction of interlocutory appeals, over... appeals from the juvenile court.")
- Utah Code Ann. § 78A-6-1109(1) ("An appeal to the Court of Appeals may be taken from any order, decree, or judgment of the juvenile court.")
- Utah R. Juv. P. 52(a) ("Except as otherwise provided by law, an appeal may be taken from the juvenile court to the Court of Appeals from a final judgment, order, or decree by filing a Notice of Appeal with the clerk of the juvenile court within 30 days after the entry of the judgment, order, or decree appealed from.")
- Utah R. App. P. 3(a)(1) ("Except as otherwise provided by law, a party may appeal a final order or judgment from a district or juvenile court to the appellate court...").

A robust delinquency appellate practice is a critical aspect of juvenile defense because it ensures that youth are fully accorded their due process rights and is essential to developing a strong and cohesive body of delinquency jurisprudence that accounts for adolescent brain development.

In January 2021, the Indigent Appellate Defense Division contracted with [Utah Juvenile Defense Attorneys](#) (UJDA) to implement the Juvenile Delinquency Appellate Defense Project. UJDA will provide resources to delinquency defenders in the third through sixth class counties to assist with trial level practice and preparing cases for a potential appeal. These resources include:

- Quarterly delinquency defense training sessions to assist trial level defenders with identifying and preserving issues that can then be raised on appeal.



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- Weekly postings on the Utah Juvenile Delinquency Defense listserve with information, practice tips, or discussion about new case law.
- Consultation and collaboration with trial attorneys, including brainstorming and assistance with motion practice.
- Appellate representation for youth who wish to appeal their case.