

1 **Rule 20A. Discovery in non-delinquency and non-criminal proceedings.**

2 (a) **Scope of discovery.** The scope of discovery in non-delinquency and non-criminal
3 proceedings is governed by Utah R. Civ. P. Rule 26(b)(1) of the Utah Rules of Civil
4 Procedure. Unless ordered by the court, no discovery obligation may be imposed upon a
5 minor.

6 (b) **Disclosures.** Within 14 days of the answer, a party ~~shall~~must, without awaiting a
7 discovery request, make reasonable efforts to provide to other parties all information and
8 documents necessary to support the party's ~~sits~~ claims or defenses. If a person is likely to
9 have discoverable information supporting a party's claim or defense, the party must
10 identify the person's name, the person's address and telephone number, if known, and
11 the subject of the information known to the party. A party need not provide information
12 to be used, unless solely for impeachment, and a party need not identify a person whose
13 ~~or unless the~~ identity ~~of a person~~ is protected by statute, ~~identifying the subjects of the~~
14 ~~information. The party shall inform the other party of the existence of such records.~~

15 (c) **Depositions upon oral questions.** After the ~~filings of the~~ answer is filed pursuant to
16 Rule 19, a party may take the testimony of any person, including a party, by deposition
17 upon oral question without leave of the court. Depositions ~~shall~~must be conducted
18 pursuant to Utah R. Civ. P. Rule 30 of the Utah Rules of Civil Procedure. The record of the
19 deposition ~~shall~~must be prepared pursuant to Utah R. Civ. P. Rule 30(f) of the Utah Rules
20 of Civil Procedure except the deponent will have seven days to review the transcript or
21 recording under Utah R. Civ. P. Rule 30(e) of the Utah Rules of Civil Procedure. The use
22 of depositions in court proceedings ~~shall be~~is governed by Utah R. Civ. P. Rule 32 of the
23 Utah Rules of Civil Procedure.

24 (d) **Interrogatories.** After the ~~filings of the~~ answer is filed pursuant to Rule 19,
25 interrogatories may be used pursuant to Utah R. Civ. P. Rule 33 of the Utah Rules of Civil
26 Procedure except that all ~~answers~~responses ~~shall~~must be served within 14 days after
27 service of the interrogatories.

28 (e) **Production of documents and things.** After the ~~filing of the~~ answer is filed pursuant
29 to Rule 19, requests for production of documents and things may be used pursuant to
30 Utah R. Civ. P. Rule 34 of the Utah Rules of Civil Procedure except that all responses
31 ~~shall~~must be served within 14 days after service of the requests.

32 (f) **Physical and mental examination of persons.** Physical and mental examinations may
33 be conducted pursuant to ~~Utah R. Civ. P. Rule 35 of the Utah Rules of Civil Procedure~~.

34 (g) **Requests for admission.** After the answer is filed pursuant to Rule 19, Except as
35 ~~modified in this paragraph~~, requests for admission may be used pursuant to Utah R. Civ.
36 P. Rule 36 of the Utah Rules of Civil Procedure except that. ~~T~~ the matter ~~shall~~will be
37 deemed admitted unless, within 14 days after service of the request, the party to whom
38 the request is directed serves upon the requesting party a written answer or objection
39 addressed to the matter, signed by the party or by ~~his~~the party's attorney. Upon a
40 showing of good cause, any matter deemed admitted may be withdrawn or amended
41 upon the court's own motion or the motion of any party. All requests for admission must
42 include the following caution language at the top right corner of the first page of the
43 document, in bold type: You must respond to these requests for admissions within 14
44 days or the court will consider you to have admitted the truth of the matter as set forth
45 in these requests. Requests for admission can be served anytime following the filing of
46 ~~the answer.~~

47 (h) **Experts.**

48 (1) **Adjudication trials.** Any person who has been identified as an expert whose
49 opinions may be presented at the adjudication trial must be disclosed by the party
50 intending to present the witness at least ten days prior to the trial or hearing unless
51 that time period is modified by the court. If ordered by the court, a summary of the
52 proposed testimony signed by the party or the party's attorney ~~shall~~must be filed at
53 the same time.

54 (2) **Termination of parental rights trials.** Any person who has been identified as an
55 expert whose opinions may be presented at the termination of parental rights trial
56 must be disclosed by the party intending to present the witness at least ~~thirty~~³⁰ days
57 prior to the trial or hearing unless that time period is modified by the court. Unless an
58 expert report has been provided, a summary of the proposed testimony signed by the
59 party or the party's attorney ~~shall~~^{must} be filed at the same time.

60 (3) A party may not present the testimony of an expert witness without complying
61 with this paragraph (h) unless the court determines that good cause existed for the
62 failure to disclose or to provide the summary of proposed testimony.

63 (i) **Protection from discovery.** ~~Protective orders~~ Any party or person from whom
64 discovery is sought may request an order protecting the party or person from discovery
65 protective order pursuant to ~~Utah R. Civ. P.~~^{Rule 37(a)(b)} of the Utah Rules of Civil
66 Procedure.

67 (j) **Supplemental~~tion~~ of responses.** Parties have a duty to supplement responses and
68 disclosures pursuant to ~~Utah R. Civ. P.~~^{Rule 26(d)} of the Utah Rules of Civil Procedure.

69 (k) **Failure to cooperate in discovery.** ~~As applicable, f~~Failure to cooperate with discovery
70 ~~shall be~~ governed by ~~Utah R. Civ. P.~~^{Rule 37} of the Utah Rules of Civil Procedure.

71 (l) No discovery ~~can~~^{may} be taken that will interfere with the ~~statutorily imposed~~ time
72 frames applicable to non-delinquency and non-criminal proceedings as imposed by
73 statute.

74 (m) Subpoenas in non-delinquency and non-criminal proceedings are governed by ~~Utah~~
75 ~~R. Civ. P.~~^{Rule 45} of the Utah Rules of Civil Procedure.

76 (n) In substantiation cases, no later than 30 days before trial, a party must provide to the
77 other parties all information necessary to support its claims or defenses unless otherwise
78 ordered by the court.

79 (o) The court may, for good cause shown, order that the disclosure and discovery
80 obligations in Rule 26.1 of the Utah Rules of Civil Procedure apply to non-delinquency
81 and non-criminal proceedings.

82 *Effective Date: May 1, 2026*