Rule 34. Pre-trial hearing in non-delinquency cases.

(a) Petitions in non-delinquency cases shall be scheduled for an initial pre-trial hearing.

(b) The pre-trial hearing shall be scheduled on the nearest court calendar date available in all cases where the subject minor is in temporary shelter care custody in accordance with Section 78A-6-309.

(c) In the pre-trial hearing, the court shall advise the parent, guardian or custodian of the minor's rights and of the authority of the court in such cases. In the hearing or in any continuance of the hearing, the parent, guardian or custodian shall answer the petition in open court.

(d) Before answering, the respondent may move to dismiss the petition as insufficient to state a claim upon which relief can be granted. The court shall hear all parties and rule on said motion before requiring a party to answer.

(e) A respondent may answer by admitting or denying the specific allegations of the petition, or by declining to admit or deny the allegations. Allegations not specifically denied by a respondent shall be deemed true.

(f) Except in cases where the petitioner is seeking a termination ~~permanent deprivation~~ of parental rights, the court may enter the default of any respondent who fails to file an answer, or who fails to appear either in person or by counsel after having been served with a summons or notice pursuant to Rule 18. Allegations relating to any party in default shall be deemed admitted unless the court, on its own motion, or the motion of any party not in default, shall require evidence in support of the petition. Within the time limits set forth in Utah R. Civ. P. 60(b), upon the written motion of any party in default and a showing of good cause, the court may set aside an entry of default.

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