

1 **Rule 17. The petition.**

2 (a) **Delinquency cases.**

3 ~~.(a)~~(1) The petition shall allege the offense as it is designated by statute or
4 ordinance, and shall state: in concise terms, the definition of the offense together
5 with a designation of the section or provision of law allegedly violated; the name,
6 age and date of birth of the minor; the name and residence address of the minor's
7 parents, guardian or custodian; the date and place of the offense; and the name or
8 identity of the victim, if known.

9 ~~.(a)~~(2) The petition shall be verified and filed by the prosecuting attorney upon
10 information and belief.

11 (b) **Neglect, abuse, dependency, permanent termination and ungovernability cases.**

12 ~~.(b)~~(1) The petition shall set forth in plain and concise language the jurisdictional
13 basis as designated by statute, the facts supporting the court's jurisdiction, and the
14 relief sought. The petition shall state: the name, age and residence of the minor;
15 the name and residence of the minor's parent, guardian or custodian; and if the
16 parent, guardian or custodian is unknown, the name and residence of the nearest
17 known relative or the person or agency exercising physical or legal custody of the
18 minor.

19 ~~.(b)~~(2) The petition must be verified and statements made therein may be made on
20 information and belief.

21 ~~.(b)~~(3) A petition filed by a state human services agency shall either be prepared
22 or approved by the office of the attorney general. When the petitioner is an
23 employee or agent of a state agency acting in his or her official capacity, the name
24 of the agency shall be set forth and the petitioner shall designate his or her title.

25 (4) A petition for termination of parental rights shall also include, to the best
26 information or belief of the petitioner: the name and residence of the petitioner;
27 the sex and place of birth of the minor; the relationship of the petitioner to the

28 minor; the dates of the birth of the minor's parents; and the name and address of
29 the person having legal custody or guardianship, or acting in loco parentis to the
30 minor, or the organization or agency having legal custody or providing care for
31 the minor.

32 (c) **Other cases.**

33 ~~(e)~~(1) Protective orders. Petitions may be filed on forms available from the court
34 clerk and must conform to the format and arrangement of such forms.

35 ~~(e)~~(2) Petitions for adjudication expungements must meet all of the criteria of Utah
36 Code section ~~78A-6-150~~380-6-1004 and petitioner. Petitions for expungement must
37 be accompanied by an original criminal history report obtained from the Bureau
38 of Criminal Identification and proof of service upon the County Attorney, or
39 within a prosecution district, the District Attorney for each jurisdiction in which an
40 adjudication occurred prior to being filed with the Clerk of Court.

41 ~~(e)~~(3) Petitions for expungement of nonjudicial adjustments must meet all of the
42 criteria of Utah Code section ~~78A-6-150~~480-6-1005 and shall state: the name, age,
43 and residence of the petitioner. Petition for nonjudicial expungement must be
44 served upon the County Attorney, or within a prosecution district, the District
45 Attorney for each jurisdiction in which a nonjudicial adjustment occurred.

46 ~~(e)~~(4) Petitions for vacatur must meet all of the criteria of Utah Code section ~~78A-~~
47 ~~6-111~~480-6-1002 and shall state any agency known or alleged to have documents
48 related to the offense for which vacatur is sought. Petitions for vacatur must be
49 accompanied by an original criminal history report obtained from the Bureau of
50 Criminal Identification and proof of service upon the County Attorney, or within
51 a prosecution district, the District Attorney for each jurisdiction in which an
52 adjudication occurred prior.

53 ~~(e)~~(5) Petitions in other proceedings shall conform to Rule 10 of the Utah Rules of
54 Civil Procedure, except that in adoption proceedings, the petition must be
55 accompanied by a certified copy of the Decree of Permanent Termination.

56 *Effective September 1, 2021*