

1 **Rule 35. Pre-trial procedures.**

2 (a) At the commencement of the initial pre-trial hearing, if the parent, guardian or
3 custodian appears pro se, the court shall advise the parent, guardian or custodian of the
4 right to the assistance of counsel at all stages of the proceeding including the right to
5 apply to the court for the appointment of counsel if indigent. If appointment of counsel
6 is requested, the court may proceed to examine the parent, guardian or custodian
7 concerning eligibility for appointed counsel or the court may continue the pre-trial
8 hearing and require the parent, guardian or custodian to file an affidavit or other
9 evidence as deemed appropriate by the court for a determination as to eligibility for
10 appointed counsel.

11 (b) If the parent, guardian or custodian waives the right to counsel and elects
12 to proceed pro se, the court shall explain the nature of the action sought by the petitioner.

13 (c) Pursuant to Utah Code ~~Section 78A-6-902~~Section 78A-2-803, the court shall appoint a
14 guardian ad litem to represent any child named in a petition alleging child abuse, child
15 sexual abuse, neglect, or dependency which results in a judicial proceeding.

16 (d) The court in its discretion or upon motion of a party may schedule further pre-trial
17 hearings or conferences as may be necessary to expedite adjudication or disposition,
18 consider discovery issues, formulate or simplify trial issues or facilitate possible
19 settlement negotiations.

20 *Effective September 1, 2021*