

1 **Rule 5. Definitions.**

2 Terms in these rules have the same definitions as provided in ~~Utah Code section 62A-7-~~  
3 ~~101 and~~ Utah Code sections ~~78A-6-105~~ 80-1-102 and ~~Utah Code section 78A-6-301- 80-3-~~  
4 102 unless a different definition is given here. As used in these rules:

5 (a) "Abuse, neglect, and dependency" refers to proceedings under Title 80, Chapter 3,  
6 Abuse, Neglect and Dependency Proceedings ~~Utah Code sections 78A-6-302- 80-3-301 et~~  
7 ~~seq.~~ and Title 80, Chapter 4, Termination and Restoration of Parental Rights ~~78A-6-501-80-~~  
8 ~~4-101 et seq.~~

9 (b) "Adjudication" means a finding by the court, incorporated in a judgment or decree,  
10 that the facts alleged in the petition have been proved.

11 (c) "Adult" means an individual who is 18 years old or older. "Adult" does not include  
12 an individual who is 18 years old or older and whose case is under the continuing  
13 jurisdiction of the juvenile court in accordance with Utah Code section 78A-6-120~~(d)~~.

14 (d) "Arrestment" means the hearing at which a minor is informed of the allegations and  
15 the minor's rights, and is given an opportunity to admit or deny the allegations.

16 (e) "Court records" means all juvenile court legal records, all juvenile court social and  
17 probation records, and all other juvenile court records prepared, owned, received, or  
18 maintained by the court.

19 (f) "Disposition" means any order of the court, after adjudication, ~~pursuant as defined in~~  
20 ~~to~~ Utah Code section ~~78A-6-117~~ 80-1-102.

21 (g) "Minor" means:

22 ~~(g)~~(1) For the purpose of juvenile delinquency: a child, or an individual who is at  
23 least 18 years old and younger than 25 years old and whose case is under the  
24 jurisdiction of the juvenile court; and

25 ~~(g)~~(2) For all other purposes in these rules: a child, or an individual who is at least  
26 18 years old and younger than 21 years old and whose case is under the  
27 jurisdiction of the juvenile court.

28 (h) "Petition" means the document containing the material facts and allegations upon  
29 which the court's jurisdiction is based.

30 (i) "Preliminary inquiry" means an investigation and study conducted by the probation  
31 department upon the receipt of a referral to determine whether the interests of the public  
32 or of the minor require that further action be taken.

33 (j) "Substantiation proceedings" means juvenile court proceedings in which an individual  
34 or the Division of Child and Family Services seeks a judicial finding of a claim of  
35 substantiated, unsubstantiated or without merit with regards to a DCFS finding of severe  
36 child abuse or neglect for purposes of the Division's Licensing Information System.

37 (k) "Ungovernability" means the condition of a child who is beyond the control of the  
38 parent/~~guardian~~, or lawful custodian, to the extent that the child's behavior or condition  
39 endangers the child's own welfare or the welfare of others ~~or has run away from home.~~

40 *Effective September 27, 2021*