

1 **Rule 44. Findings and conclusions.**

2 (a) If, upon the conclusion of an adjudicatory hearing, the court determines that the
3 material allegations of the petition are established, it shall announce its ruling. The
4 findings of fact upon which it bases its determination may also be announced or reserved
5 for entry by the court in an order as provided in these Rules. In cases concerning any
6 minor who has violated any federal, state, or local law or municipal ordinance, or any
7 person under 21 years of age who has violated any such law or ordinance before
8 becoming 18 years of age, findings of fact shall not be necessary. If, after such a
9 determination, the dispositional hearing is not held immediately and the minor is in
10 detention or shelter care, the court shall determine whether the minor shall be released
11 or continued in detention, shelter care or the least restrictive alternative available.

12 (b) In proceedings under Utah Code sections ~~78A-6-703.3~~ 80-6-402, 80-6-503, and 703.5
13 80-6-504, and in abuse, neglect, dependency, and permanent deprivation-termination of
14 parental rights, and contested adoption cases, the court shall enter findings of fact and
15 conclusions of law with specific reference to each statutory requirement considered,
16 setting forth the complete basis for its determination. Such findings and conclusions may
17 be prepared by counsel at the direction of the court, but shall be reviewed and modified
18 as deemed appropriate by the court prior to the court's acceptance and signing of the
19 documents submitted by counsel.

20 (c) The court may at any time during or at the conclusion of any hearing, dismiss a
21 petition and terminate the proceedings relating to the minor if such action is in
22 the interest of justice and the welfare of the minor. The court shall dismiss any petition
23 which has not been proven.

24 (d) After the dispositional hearing, the court shall enter an appropriate order or decree of
25 disposition.

26 (e) Adjudication of a petition alleging abuse, neglect, or dependency of a child shall be
27 conducted also in accordance with Utah Code sections ~~section 78A-6-310~~80-3-201 and
28 ~~78A-6-309~~80-3-401.

29 (f) Adjudication of a petition to review the removal of a child from foster care shall be
30 conducted also in accordance with Utah Code section ~~78A-6-318~~80-3-502.

31 *Effective November 18, 2021.*