

1 **Rule 17. The petition.**

2 (a) **Delinquency cases.**

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

9 (2) For all non-felony-level offenses, the petition ~~shall~~must state the specific  
10 condition that allows for the filing of the petition pursuant to Utah Code sections  
11 80-6-303.5, 80-6-304.5, or 80-6-30504.

12 (3) The petition ~~shall~~must be verified and filed by the prosecuting attorney upon  
13 information and belief.

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

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

22 (2) The petition must be verified and statements made therein may be made on  
23 information and belief.

24 (3) A petition filed by a state human services agency ~~shall~~must either be prepared  
25 or approved by the office of the attorney general. When the petitioner is an  
26 employee or agent of a state agency acting in his or her official capacity, the name

27 of the agency ~~shall~~must be set forth and the petitioner ~~shall~~must designate his or  
28 her title.

29 (4) A petition for termination of parental rights ~~shall~~must also include, to the best  
30 information or belief of the petitioner: the name and residence of the petitioner;  
31 the sex and place of birth of the minor; the relationship of the petitioner to the  
32 minor; the dates of the birth of the minor's parents; and the name and address of  
33 the person having legal custody or guardianship, or acting in loco parentis to the  
34 minor, or the organization or agency having legal custody or providing care for  
35 the minor.

36 (c) **Other cases.**

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

39 (2) Petitions for adjudication expungements must meet all of the criteria of Utah  
40 Code section 80-6-1004.1 and ~~shall~~must state: the name, age, and residence of the  
41 petitioner. Petitions for expungement must be accompanied by an original  
42 criminal history report obtained from the Bureau of Criminal Identification and  
43 proof of service upon the ~~office of the C~~office of the District ~~A~~Attorney, or within a prosecution  
44 district, the ~~office of the D~~office of the County ~~A~~Attorney for each jurisdiction in which an  
45 adjudication occurred prior to being filed with the ~~Clerk of Court~~court clerk.

46 (3) Petitions for expungement of nonjudicial adjustments must meet all of the  
47 criteria of Utah Code section 80-6-1004.25 and ~~shall~~must state: the name, age, and  
48 residence of the petitioner. Petition for nonjudicial expungement must be served  
49 upon the ~~office of the C~~office of the District ~~A~~Attorney, or within a prosecution district, the  
50 ~~office of the D~~office of the County ~~A~~Attorney for each jurisdiction in which a nonjudicial  
51 adjustment occurred.

52 (4) Petitions for vacatur must meet all of the criteria of Utah Code section 80-6-  
53 1002 and ~~shall~~must state any agency known or alleged to have documents related

54 to the offense for which vacatur is sought. Petitions for vacatur must be  
55 accompanied by an original criminal history report obtained from the Bureau of  
56 Criminal Identification and proof of service upon the office of the Ccounty  
57 Attorney, or within a prosecution district, the office of the Ddistrict Attorney for  
58 each jurisdiction in which an adjudication occurred prior.

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