

1 **Rule 5. Definitions.**

2 Terms in these rules have the same definitions as provided in Utah Code sections 80-1-
3 102 and 80-3-102 unless a different definition is given here. As used in these rules:

4 (a) "Abuse, neglect, and dependency" refers to proceedings under Title 80, Chapter 3,
5 Abuse, Neglect and Dependency Proceedings and Title 80, Chapter 4, Termination and
6 Restoration of Parental Rights.

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

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

12 ~~(ce)~~ "Arraignment" means the hearing at which a minor is informed of the allegations
13 and the minor's rights, and is given an opportunity to admit or deny the allegations.

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

17 (ef) "Disposition" means any order of the court, after adjudication, as defined in Utah
18 Code section 80-1-102.

19 (fg) "Minor" means:

20 (1) For the purpose of juvenile delinquency: a child, or an individual who is at least
21 18 years old and younger than 25 years old and whose case is under the
22 jurisdiction of the juvenile court; and

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

26 (g~~h~~) "Petition" means the document containing the material facts and allegations upon
27 which the court's jurisdiction is based.

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

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

35 (j~~k~~) "Ungovernability" means the condition of a child who is beyond the control of the
36 parent, guardian, or lawful custodian, to the extent that the child's behavior or condition
37 endangers the child's own welfare or the welfare of others.

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