

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  
5 reserved for entry by the court in an order as provided in these Rules. In cases  
6 concerning any minor who has violated any federal, state, or local law or municipal  
7 ordinance, or any person under 21 years of age who has violated any such law or  
8 ordinance before becoming 18 years of age, findings of fact shall not be necessary. If,  
9 after such a determination, the dispositional hearing is not held immediately and the  
10 minor is in detention or shelter care, the court shall determine whether the minor shall  
11 be released or continued in detention, shelter care or the least restrictive alternative  
12 available.

13       (b) In certification proceedings and permanent deprivation cases, the court shall  
14 enter findings of fact and conclusions of law with specific reference to each statutory  
15 requirement considered, setting forth the complete basis for its determination. Such  
16 findings and conclusions may be prepared by counsel at the direction of the court, but  
17 shall be reviewed and modified as deemed appropriate by the court prior to the court's  
18 acceptance and signing of the documents submitted by counsel.

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

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

25       (e) Adjudication of a petition alleging abuse, neglect, or dependency of a [child](#) ~~minor~~  
26 shall be conducted also in accordance with Utah Code Section 78-3a-308 and Section  
27 78-3a-309.

28       (f) Adjudication of a petition to review the removal of a child from foster care shall be  
29 conducted also in accordance with Utah Code Section 78-3a-315.

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