

1 **Rule 17. The petition.**

2 (a) Delinquency cases.

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

9 (a)(2) The petition shall be verified and filed by the prosecuting attorney upon
10 information and belief.

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

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

18 (b)(2) The petition must be verified and statements made therein may be made on
19 information and belief.

20 (b)(3) A petition filed by a state human services agency shall either be prepared or
21 approved by the office of the attorney general. When the petitioner is an employee
22 or agent of a state agency acting in his or her official capacity, the name of the
23 agency shall be set forth and the petitioner shall designate his or her title.

24 (c) Other cases.

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

27 (c)(2) Petitions for adjudication ~~E~~expungements must meet all of the criteria of Utah
28 Code section 78A-6-1503 and ~~The petition~~ shall state: the name, age, and residence of
29 the ~~minor~~ petitioner. ~~The petition shall state the date and nature of each~~
30 adjudication which the petitioner wishes to expunge. Petitions for expungement
31 must be accompanied by an original criminal history report obtained from the
32 Bureau of Criminal Identification and proof of service upon the County Attorney, or
33 within a prosecution district, the District Attorney for each jurisdiction in which an
34 adjudication occurred prior to being filed with the Clerk of Court. ~~Petitions for~~
35 expungement must meet all of the criteria of Utah Code ~~§ 78A-6-1105~~

36 (c)(3) Petitions for expungement of nonjudicial adjustments must meet all of the
37 criteria of Utah Code section 78A-6-1504 and shall state: the name, age, and
38 residence of the petitioner. Petition for nonjudicial expungement must be served
39 upon the County Attorney, or within a prosecution district, the District Attorney for
40 each jurisdiction in which a nonjudicial adjustment occurred.

41 (c)(4) Petitions for vacatur must meet all of the criteria of Utah Code section 78A-6-
42 1114 and shall state any agency known or alleged to have documents related to the
43 offense for which vacatur is sought. Petitions for vacatur must be accompanied by
44 an original criminal history report obtained from the Bureau of Criminal
45 Identification and proof of service upon the County Attorney, or within a
46 prosecution district, the District Attorney for each jurisdiction in which an
47 adjudication occurred prior.

48 (c)(5)(3) Petitions in other proceedings shall conform to Rule 10 of the Utah Rules of
49 Civil Procedure, except that in adoption proceedings, the petition must be
50 accompanied by a certified copy of the Decree of Permanent Termination.

51 *Effective November 1, 2020.*