

1 **Rule 5. Definitions.**

2 Terms in these rules have the same definitions as provided in ~~Section~~Utah Code section 62A-7-  
3 101 and ~~Sections~~Utah Code section 78A-6-105 and Utah Code section 78A-6-301 unless a  
4 different definition is given here. As used in these rules:

5 (a) "Abuse, neglect, and dependency" refers to proceedings under ~~Section~~ Utah Code sections  
6 78A-6-302 et seq. and 78A-6-501 et seq.

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

9 (c) "Adult" means ~~a person an individual who is 18 years of age or over old or older,; except that~~  
10 ~~persons 18 years or over under the continuing jurisdiction of the juvenile court pursuant to~~  
11 ~~Section 78A-6-120 shall be referred to as "minors". "Adult" does not include an individual who~~  
12 ~~is 18 years old or older and whose case is under the continuing jurisdiction of the juvenile court~~  
13 ~~in accordance with Utah Code section 78A-6-120.~~

14 (d) "Arrest" means the hearing at which a minor is informed of the allegations and the  
15 minor's rights, and is given an opportunity to admit or deny the allegations.

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

19 (f) "Disposition" means any order of the court, after adjudication, pursuant to ~~Section~~ Utah Code  
20 section 78A-6-117.

21 (g) "Minor" means:

22 (g)(1) For the purpose of juvenile delinquency: a child, or an individual who is at least  
23 18 years old and younger than 25 years old and whose case is under the jurisdiction of the  
24 juvenile court; and

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

28 | (gh) "Petition" means the document containing the material facts and allegations upon which the  
29 | court's jurisdiction is based.

30 | (hi) "Preliminary inquiry" means an investigation and study conducted by the probation  
31 | department upon the receipt of a referral to determine whether the interests of the public or of the  
32 | minor require that further action be taken.

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

37 | (jk) "Ungovernability" means the condition of a child who is beyond the control of the  
38 | parent/guardian or lawful custodian, to the extent that the child's behavior or condition  
39 | endangers the child's own welfare or the welfare of others or has run away from home.

40 | *Effective November 1, 2020.*