

Rule 21. Warrant of arrest or summons in cases under ~~Section 78A-6-702~~ and ~~Section Utah Code § 78A-6-703.3~~.

(a) Upon the return of an indictment alleging the commission of a felony governed by ~~Section 78A-6-702~~ or ~~Section Utah Code § 78A-6-703.3~~, the court shall cause to issue either a warrant for the arrest or a summons for the appearance of the minor.

(b) Upon the filing of an information alleging the commission of a felony governed by ~~Section 78A-6-702~~ or ~~Section Utah Code § 78A-6-703.3~~, if it appears from the information, or from any affidavit filed with the information, that there is probable cause to believe that an offense governed by ~~these sections~~ this section has been committed and that the minor has committed it, the court shall cause to issue either a warrant for the arrest or a summons for the appearance of the minor.

(c) If it appears to the court that the minor will appear on a summons and there is no substantial danger of a breach of the peace, or injury to persons or property, or danger to the community, a summons may issue in lieu of a warrant of arrest to require the appearance of the minor. A warrant of arrest may issue in cases where the minor has failed to appear in response to a summons or citation or thereafter when required by the court. If a warrant of arrest is issued, the court shall state on the warrant:

(c)(1) the name of the law enforcement agency in the county or municipality with jurisdiction over the offense charged; and

(c)(2) whether the minor is to be taken to court, jail, or a juvenile detention center ~~center~~ facility.

(d)(1) The warrant shall be executed by a peace officer. The summons may be served by a peace officer or any person authorized to serve a summons in a civil action.

(d)(2) The warrant may be executed or the summons may be served at any place within the state.

26 (d)(3) The warrant shall be executed by the arrest of the minor. The officer need not possess
27 the warrant at the time of the arrest, but upon request shall show the warrant to the minor as soon
28 as practicable. If the officer does not possess the warrant at the time of the arrest, the officer shall
29 inform the minor of the offense charged and of the fact that the warrant has been issued. The
30 summons shall be served as in civil actions, or by mailing it to the minor's last known address.

31 (d)(4) The person executing a warrant or serving a summons shall make return thereof to the
32 juvenile court as soon as practicable. At the request of the prosecuting attorney, any unexecuted
33 warrant shall be returned to the court for cancellation.