

1 **Rule 17. The petition.**

2 (a) **Delinquency cases.**

3 (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  
6 and date of birth of the minor; the name and residence address of the minor's  
7 parents, guardian or custodian; the date and place of the offense; and the name or  
8 identity of the victim, if known.

9 (2) For all non-felony-level offenses, the petition shall state the specific condition that  
10 allows the filing of the petition pursuant to Utah Code section 80-6-304.

11 (3) The petition shall be verified and filed by the prosecuting attorney upon  
12 information and belief.

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

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

20 (2) The petition must be verified and statements made therein may be made on  
21 information and belief.

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

26 (4) A petition for termination of parental rights shall also include, to the best  
27 information or belief of the petitioner: the name and residence of the petitioner;

28 the sex and place of birth of the minor; the relationship of the petitioner to the  
29 minor; the dates of the birth of the minor's parents; and the name and address of  
30 the person having legal custody or guardianship, or acting in loco parentis to the  
31 minor, or the organization or agency having legal custody or providing care for  
32 the minor.

33 **(c) Other cases.**

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

36 (2) Petitions for adjudication expungements must meet all of the criteria of Utah  
37 Code section 80-6-1004 and shall state: the name, age, and residence of the  
38 petitioner. Petitions for expungement must be accompanied by an original  
39 criminal history report obtained from the Bureau of Criminal Identification and  
40 proof of service upon the County Attorney, or within a prosecution district, the  
41 District Attorney for each jurisdiction in which an adjudication occurred prior to  
42 being filed with the Clerk of Court.

43 (3) Petitions for expungement of nonjudicial adjustments must meet all of the  
44 criteria of Utah Code section 80-6-1005 and shall state: the name, age, and  
45 residence of the petitioner. Petition for nonjudicial expungement must be served  
46 upon the County Attorney, or within a prosecution district, the District Attorney  
47 for each jurisdiction in which a nonjudicial adjustment occurred.

48 (4) Petitions for vacatur must meet all of the criteria of Utah Code section 80-6-  
49 1002 and shall state any agency known or alleged to have documents related to  
50 the offense for which vacatur is sought. Petitions for vacatur must be accompanied  
51 by an original criminal history report obtained from the Bureau of Criminal  
52 Identification and proof of service upon the County Attorney, or within a  
53 prosecution district, the District Attorney for each jurisdiction in which an  
54 adjudication occurred prior.

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