

1 **Rule 44. Findings and conclusions.**

2 (a) If, upon the conclusion of an adjudicatory hearing, the court determines that the material
3 allegations of the petition are established, it shall announce its ruling. The findings of fact upon
4 which it bases its determination may also be announced or reserved for entry by the court in an
5 order as provided in these Rules. In cases concerning any minor who has violated any federal,
6 state, or local law or municipal ordinance, or any person under 21 years of age who has violated
7 any such law or ordinance before becoming 18 years of age, findings of fact shall not be
8 necessary. If, after such a determination, the dispositional hearing is not held immediately and
9 the minor is in detention or shelter care, the court shall determine whether the minor shall be
10 released or continued in detention, shelter care or the least restrictive alternative available.

11 (b) In ~~certification~~ proceedings under Utah Code sections 78A-6-703.3 and 703.5 and permanent
12 deprivation cases, the court shall enter findings of fact and conclusions of law with specific
13 reference to each statutory requirement considered, setting forth the complete basis for its
14 determination. Such findings and conclusions may be prepared by counsel at the direction of the
15 court, but shall be reviewed and modified as deemed appropriate by the court prior to the court's
16 acceptance and signing of the documents submitted by counsel.

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

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

22 (e) Adjudication of a petition alleging abuse, neglect, or dependency of a child shall be
23 conducted also in accordance with Utah Code section 78A-6-309 and section 78A-6-310.

24 (f) Adjudication of a petition to review the removal of a child from foster care shall be conducted
25 also in accordance with Utah Code section 78A-6-318.

26 *Effective November 1, 2020.*