

Agenda

Utah Supreme Court Advisory Committee Utah Rules of Appellate Procedure

Chris Ballard, Chair
Nathalie Skibine, Vice Chair

Location:	Meeting held through Webex and in person at: Matheson Courthouse, Council Room, N. 301 450 S. State St. Salt Lake City, Utah 84111 https://utcourts.webex.com/utcourts/j.php?MTID=m538581f9082cdad50ff1e74adef124f9
Date:	February 1, 2024
Time:	12:00 to 1:30 p.m.

Action: Welcome and approval of December 7, 2023 Minutes	Tab 1	Chris Ballard, Chair
Action: Final Approval of Rules 11, 22, and 52	Tab 2	Chris Ballard
Action: Rule 10	Tab 3	Mary Westby
Action: Rule 57	Tab 4	Mary Westby
Discussion: Appellate Court Disqualification	Tab 5	Nick Stiles
Discussion: Items referred by the Supreme Court	Tab 6	Chris Ballard, Nathalie Skibine
Discussion: Old/new business		Chris Ballard, Chair

Committee Webpage: <https://legacy.utcourts.gov/utc/appellate-procedure/>

2024 Meeting schedule:

March 7, 2024	June 6, 2024	November 7, 2024
April 4, 2024	September 5, 2024	December 5, 2024
May 2, 2024	October 3, 2024	

TAB 1



Minutes

Supreme Court's Advisory Committee on the Utah Rules of Appellate Procedure

Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84114

In Person and by WebEx Videoconference
Thursday, December 7, 2023
12:00 pm to 1:30 pm

PRESENT

Emily Adams
Christopher Ballard—Chair
Troy Booher—
Emeritus Member
Judge Michele
Christiansen Forster
Lisa Collins
Carol Funk
Nicole Gray—Guest
Amber Griffith—Staff
Michael Judd—Recording
Secretary

Marina Kelaidis—Guest
Debra Nelson
Judge Gregory Orme
Tera Peterson
Stanford Purser
Michelle Quist
Clark Sabey
Nathalie Skibine—
Vice Chair
Nick Stiles—Staff
Mary Westby

EXCUSED

Scarlet Smith

1. Action:

Chris Ballard

Approval of November 2023 Minutes

The committee reviewed the November minutes. No changes were noted.

After that review, Mary Westby moved to approve the November 2023 minutes as they appeared in the committee’s materials. Nathalie Skibine seconded that motion, and it passed without objection by unanimous consent.

2. Action: Chris Ballard
Final Approval of Rules 4, 27

The committee reviewed public comments, including a helpful comment to Rule 27 related to setting the trigger for the five-day window to correct a non-conforming brief. Emily Adams proposed language to incorporate that comment.

Following that discussion, Carol Funk moved to approve that amendment to Rule 27, and that motion was seconded. The motion passed without objection by unanimous consent.

Tera Peterson voiced concerns about the burden allocated to the prosecutor under the proposed amended rule to show that a delay was unreasonable. The committee recognized that those concerns had been voiced by public comment before, but also recognizes that burden is part of the compromise struck to put these Rule 27 amendments into place.

Following that discussion, Judge Gregory Orme moved to submit Rule 4 to the Supreme Court for final approval, as the rule and its amendments, as they appeared on the screen at the committee’s meeting. Michelle Quist seconded that motion, and it passed without objection by unanimous consent. The committee elected to hold back the amendments to Rule 27, which is now in a tentatively final state, in advance of anticipated additional changes to technical components of the rule, including the rules related to e-filing.

3. Action: Nick Stiles, Lisa Collins,
E-filing Rule Amendments Nicole Gray, Marina Kelaidis

The committee discussed exciting news related to the anticipated launch of the appellate courts’ e-filing system. The committee discussed the plan for parallel filing options: e-filing and email. In its discussions, the committee centered the goal to prepare these rules for expedited approval and adoption, in advance of a potential early 2024 launch.

The committee worked through Rules 5, 14, 21, 26, and 27, making changes for clarity and consistency. The committee resolved to review additional

clean-up changes by email in the weeks following the December 2023 meeting, in order to ensure orderly amendment. (In the weeks that followed, the committee did just that.) The committee also made minor changes to the rules related to certifying service, binding, filing fees, and other technical aspects of these updates.

Following that discussion, Ms. Funk approved the amendments in Tab 3 as they appeared on the screen at the committee's meeting, subject to further amendments to update the filing-fee provisions. Ms. Adams seconded that motion, and it passed without objection by unanimous consent.

**4. Action:
Rule 10**

Mary Westby

With the month's time exhausted, the committee resolved to table the proposed amendments to Rule 10 until the committee's next meeting.

**5. Discussion:
Old/New Business**

Chris Ballard

None.

6. Adjourn

Nathalie Skibine

Following the business described above, Ms. Funk moved to adjourn, and Ms. Westby seconded. The committee adjourned. The committee's next meeting will take place in February 2024.

TAB 2

Public Comments

1. **Keri Sargent**

[December 6, 2023 at 3:16 pm](#)

Regarding URAP 22, it would be helpful to clarify what exhibits need to be submitted to the appellate court. In the heading of the rule (line 3), it indicates "...exhibits filed in or considered by the trial court...." so my assumption is that it will only be exhibits that were received by the trial court and used by the trial court to make a final, appealable decision on the matter. Having a clarification there so trial court judges and judicial assistants know what the appellate courts are expecting when the record is compiled and sent would be very helpful.

1. **Keri Sargent**

[December 22, 2023 at 9:48 am](#)

My apologies, my previous comment is in regard to the changes in URAP 11.

1 **Rule 11. The record on appeal.**

2 (a) **Composition of the record on appeal.** The record on appeal consists of the documents
3 and exhibits filed in or considered by the trial court, including the presentence report in
4 criminal matters, and the transcript of proceedings, if any.

5 (b) **Preparing, paginating, and indexing the record.**

6 (1) Preparing the record. On the appellate court's request, the trial court clerk will
7 prepare the record in the following order:

8 (A) all original documents in chronological order;

9 (B) all published depositions in chronological order;

10 (C) all transcripts prepared for appeal in chronological order;

11 (D) a list of all exhibits offered in the proceeding; ~~and~~

12 (E) all exhibits; and

13 ~~(EF)~~ in criminal cases, the presentence investigation report.

14 (2) Pagination.

15 (A) Using Bates numbering, the entire record must be paginated.

16 (B) If the appellate court requests a supplemental record, the same procedures as
17 in (b)(2)(A) apply, continuing Bates numbering from the last page number of the
18 original record.

19 (3) Index. A chronological index of the record must accompany the record on appeal.
20 The index must identify the date of filing and starting page of the document,
21 deposition, or transcript.

22 (4) Examining the record. Appellate court clerks will establish rules and procedures
23 for parties to check out the record after pagination.

24 (c) **The transcript of proceedings; duty of appellant to order; notice to appellee if partial**
25 **transcript is ordered.**

26 (1) Request for transcript; time for filing. Within 14 days after filing the notice of
27 appeal, or within 30 days of the notice of appeal where an indigent appellant has a
28 statutory or constitutional right to counsel, the appellant must order the transcript(s)
29 online at www.utcourts.gov, specifying the entire proceeding or parts of the
30 proceeding to be transcribed that are not already on file. The appellant must serve on
31 the appellee a designation of those parts of the proceeding to be transcribed. If no such
32 parts of the proceedings are to be requested, within the same period the appellant
33 must file a certificate to that effect with the appellate court clerk and serve a copy on
34 the appellee.

35 (2) Transcript required of all evidence regarding challenged finding or conclusion. If
36 the appellant intends to argue on appeal that a finding or conclusion is unsupported
37 by or is contrary to the evidence, the appellant must include in the record a transcript
38 of all evidence relevant to such finding or conclusion. Neither the court nor the
39 appellee is obligated to correct appellant's deficiencies in providing the relevant
40 portions of the transcript.

41 (3) Statement of issues; cross-designation by appellee. If the appellant does not order
42 the entire transcript, the appellee may, within 14 days after the appellant serves the
43 designation or certificate described in paragraph (c)(1), order the transcript(s) in
44 accordance with (c)(1), and serve on the appellant a designation of additional parts to
45 be included.

46 (d) **Agreed statement as the record on appeal.** In lieu of the record on appeal as defined
47 in paragraph (a) of this rule, the parties may prepare and sign a statement of the case,
48 showing how the issues presented by the appeal arose and were decided in the trial court
49 and setting forth only so many of the facts averred and proved or sought to be proved as
50 are essential to a decision of the issues presented. If the court deems the statement
51 accurate, it, together with such additions as the trial court may consider necessary fully
52 to present the issues raised by the appeal, will be approved by the trial court. The trial
53 court clerk will transmit the statement to the appellate court clerk within the time

54 prescribed by Rule [12\(b\)\(2\)](#). The trial court clerk will transmit the record to the appellate
55 court clerk on the trial court's approval of the statement.

56 **(e) Statement of evidence or proceedings when no report was made or when transcript**
57 **is unavailable.** If no report of the evidence or proceedings at a hearing or trial was made,
58 or if a transcript is unavailable, or if the appellant is impecunious and unable to afford a
59 transcript in a civil case, the appellant may prepare a statement of the evidence or
60 proceedings from the best available means, including recollection. The statement must be
61 served on the appellee, who may serve objections or propose amendments within 14 days
62 after service. The statement and any objections or proposed amendments must be
63 submitted to the trial court for resolution, and the trial court clerk will conform the record
64 to the trial court's resolution.

65 **(f) Supplementing or modifying the record.**

66 (1) If any dispute arises as to whether the record is complete and accurate, the dispute
67 may be submitted to and resolved by the trial court. The trial court will ensure that
68 the record accurately reflects the proceedings before the trial court, including by
69 entering any necessary findings to resolve the dispute.

70 (2) If anything material to either party is omitted from or misstated in the record by
71 error of the trial court or court personnel, by accident, or because the appellant did
72 not order a transcript of proceedings that the appellee needs to respond to issues
73 raised in the appellant's brief, the omission or misstatement may be corrected and a
74 supplemental record may be created and forwarded:

75 (A) on stipulation of the parties;

76 (B) by the trial court before or after the record has been forwarded; or

77 (C) by the appellate court on a motion from a party. The motion must state the
78 position of every other party on the requested supplement or modification or why
79 the movant was unable to learn a party's position.

80 (3) The moving party, or the court if it is acting on its own initiative, must serve on
81 the parties a statement of the proposed changes. Within 14 days after service, any
82 party may serve objections to the proposed changes.

83 (g) **Accessing sealed records.** Any portion of the ~~A~~-record properly designated as sealed
84 in the district court remains sealed on appeal. A party may file a motion or petition to
85 access the sealed portion of the record in accordance with Rule 4-202.04 of the Utah Code
86 of Judicial Administration.

87

1 **Rule 22. Computation and enlargement of time.**

2 (a) **Computation of time.** In computing any period of time prescribed by these rules, by
3 court order, or by any applicable statute, the day of the act, event, or default from which
4 the designated period of time begins to run is not included. If the designated period of
5 time begins to run from the date of entry of an order or judgment and the order or
6 judgment is entered on a Saturday, Sunday, or legal holiday, the date of entry will be
7 deemed to be the first day following the entry that is not a Saturday, Sunday, or legal
8 holiday. The last day of the period must be included, unless it is a Saturday, a Sunday,
9 or a legal holiday, in which event the period extends until the end of the next day that is
10 not a Saturday, a Sunday, or a legal holiday. When the period of time prescribed or
11 allowed, without reference to any additional time under paragraph (d), is less than 11
12 days, intermediate Saturdays, Sundays, and legal holidays must be excluded in the
13 computation.

14 (1) "Legal holiday" is any holiday that is recognized and observed by the
15 State of Utah, as specified here:

16 <https://www.utcourts.gov/en/about/miscellaneous/law-library/holidays.html>

17 (b) **Enlargement of time.**

18 (1) Motions for an enlargement of time for filing briefs beyond the time permitted by
19 stipulation of the parties under Rule [26](#) are not favored.

20 (2) The court for good cause shown may upon motion extend the time prescribed by
21 these rules or by its order for doing any act, or may permit an act to be done after
22 the expiration of time. This rule does not authorize the court to extend the
23 jurisdictional deadlines specified by any of the rules listed in Rule [2](#). For the purpose
24 of this rule, good cause includes, but is not limited to, the complexity of the case on
25 appeal, engagement in other litigation, and extreme hardship to counsel.

26 (3) A motion for an enlargement of time ~~shall~~must be filed prior to the expiration of
27 the time for which the enlargement is sought.

- 28 (4) A motion for enlargement of time ~~shall~~must state:
- 29 (A) with particularity the good cause for granting the motion;
- 30 (B) whether the movant has previously been granted an enlargement of time and,
31 if so, the number and duration of such enlargements;
- 32 (C) when the time will expire for doing the act for which the enlargement of time
33 is sought;
- 34 (D) ~~the date on which the act for which the~~the length of the enlargement of time
35 requested and the new due date is sought will be completed if the motion is
36 granted; and
- 37 (E) except as to a motion under paragraph (c), the position of every other party
38 on the requested extension or why the movant was unable to learn a party's
39 position.
- 40 (5) If the good cause relied upon is engagement in other litigation, the motion must:
- 41 (A) identify such litigation by caption, number and court;
- 42 (B) describe the action of the court in the other litigation on a motion for
43 continuance;
- 44 (C) state the reasons why the other litigation should take precedence over the
45 subject appeal;
- 46 (D) state the reasons why associated counsel cannot prepare the brief for timely
47 filing or relieve the movant in the other litigation; and
- 48 (E) identify any other relevant circumstances.
- 49 (6) If the good cause relied upon is the complexity of the appeal, the movant must
50 state the reasons why the appeal is so complex that an adequate brief cannot
51 reasonably be prepared by the due date.

52 (7) If the good cause relied upon is extreme hardship to counsel, the movant must
53 state in detail the nature of the hardship.

54 (8) All facts supporting good cause must be stated with specificity. Generalities, such
55 as “the motion is not for the purpose of delay” or “counsel is engaged in other
56 litigation,” are insufficient.

57 (c) **Ex parte motion.** Except as to enlargements of time for filing and service of briefs
58 under Rule [26](#), a party may file one ex parte motion for enlargement of time not to
59 exceed 14 days if no enlargement of time has been previously granted, if the time has
60 not already expired for doing the act for which the enlargement is sought, and if the
61 motion otherwise complies with the requirements and limitations of paragraph (b) of
62 this rule.

63 (d) **Additional time after service by mail.** Whenever a party is required or permitted to
64 do an act within a prescribed period after service of a document and the document is
65 served by mail, ~~3~~ [three](#) days shall be added to the prescribed period.

66 *Effective ~~May 1, 2023~~*

67 **Advisory Committee Note**

68 ~~A motion to enlarge time must be filed prior to the expiration of the time sought to be~~
69 ~~enlarged. A specific date on which the act will be completed must be provided.~~ The
70 court may grant an extension of time after the original deadline has expired, but the
71 motion to enlarge the time must be filed prior to the deadline.

72 Both appellate courts place appeals in the oral argument queue in accordance with the
73 priority of the case and after principal briefs have been filed. Delays in the completion
74 of briefing will likely delay the date of oral argument.

75 *[Note](#) Adopted 2020*

1 **Rule 52. Child welfare appeals.**

2 (a) **Time for appeal.** A notice of appeal from an order in a child welfare proceeding, as
3 defined in Rule [1\(f\)](#), must be filed within 15 days of the entry of the order appealed from.
4 If the juvenile court enters an order on a Saturday, Sunday, or legal holiday, the date of
5 entry will be deemed to be the first day following the juvenile court's entry that is not a
6 Saturday, Sunday, or legal holiday.

7 (b) **Time for appeal extended by certain motions.**

8 (1) If a party timely files in the trial court any of the following, the time for all parties
9 to appeal from the judgment runs from the entry of the dispositive order:

10 (A) A motion for judgment under Rule [50\(b\)](#) of the Utah Rules of Civil Procedure;

11 (B) A motion to amend or make additional findings of fact, whether or not an
12 alteration of the judgment would be required if the motion is granted, under Rule
13 [52\(b\)](#) of the Utah Rules of Civil Procedure;

14 (C) A motion to alter or amend the judgment under Rule [59](#) of the Utah Rules of
15 Civil Procedure; or

16 (D) A motion for a new trial under Rule [59](#) of the Utah Rules of Civil Procedure.

17 (2) A notice of appeal filed after announcement or entry of judgment, but before entry
18 of an order disposing of any motion listed in paragraph (b), will be treated as filed
19 after entry of the order and on the day thereof, except that the notice of appeal is
20 effective to appeal only from the underlying judgment. To appeal from a final order
21 disposing of any motion listed in paragraph (b)(1), a party must file a notice of appeal
22 or an amended notice of appeal within the prescribed time measured from the entry
23 of the order.

24 (c) ~~Time for~~ [Additional or](#) **cross-appeal.** If a timely notice of appeal is filed by a party,
25 any other party may file a notice of appeal within ~~five~~⁵ days after the first notice of appeal

26 was filed, or within the time otherwise prescribed by paragraphs (a) and (b) of this
27 rule, whichever period last expires.

28 (d) Motion to reinstate period for filing a direct appeal in child welfare appeals.

29 (1) The juvenile court ~~must~~ will reinstate the 15-day period for filing a direct appeal
30 from an order terminating parental rights or terminating the jurisdiction of the
31 juvenile court in a child welfare case if a parent ~~with a right to effective assistance of~~
32 ~~counsel~~ demonstrates by a preponderance of evidence that the parent was deprived
33 of the right to appeal through no fault of the parent.

34 (2) The motion must be filed within ~~XX~~45 days of the entry of the order terminating
35 ~~order~~ parental rights or terminating the jurisdiction of the juvenile court. ~~appealed~~
36 ~~from.~~

37 (3) If the parent is not represented by counsel and is indigent, ~~and has the right to~~
38 ~~effective assistance of counsel,~~ the juvenile court will appoint counsel.

39 (4) The motion must be served on the attorney general and the guardian ad litem. The
40 attorney general, the guardian ad litem, or both may file a response to the motion
41 within ~~14~~28 days after being served.

42 (5) If the motion to reinstate the time to appeal is opposed, the juvenile court will set
43 a hearing at which the parties may present evidence.

44 (6) If the juvenile court enters an order reinstating the time for filing a direct appeal,
45 the parent's notice of appeal must be filed with the juvenile court clerk ~~of the juvenile~~
46 ~~court~~ within 15 days after the date the order is entered.

47 **(ed) Appeals of interlocutory orders.** Appeals from interlocutory orders are governed by
48 Rule 5.

49 Effective ~~May 1, 2023~~

TAB 3

1 **Rule 10. Procedures for summary disposition or simplified appeal process.**

2 (a) Time for filing; grounds for motion for summary disposition.

3 ~~(a)~~(1) A party may move at any time to dismiss the appeal or the petition for review
4 on the basis that the appellate court lacks jurisdiction. Any response to such motion
5 must be filed within 14 days from the date of service.

6 ~~(a)~~(2) After a docketing statement has been filed, the court, on its own motion, and on
7 such notice as it directs, may dismiss an appeal or petition for review if the court lacks
8 jurisdiction; or may summarily affirm the judgment or order that is the subject of
9 review, if it plainly appears that no substantial question is presented; or may
10 summarily reverse in cases of manifest error.

11 ~~(a)~~(3) If the effective date of a notice of appeal is tolled under the provisions of rule
12 4(b) or 4(c), the court, on its own motion, and on such notice as it directs, may dismiss
13 the appeal for failure to prosecute if

14 (A) any motion within the scope of rule 4(b) has not been submitted to the district
15 court for decision within 150 days after the motion was filed; or

16 (B) a proposed final judgment has not been submitted to the court within 150 days
17 after the announcement of judgment under rule 4(c).

18 A dismissal for failure to prosecute under this rule will be without prejudice to the
19 filing of a timely notice of appeal after the entry of a dispositive order or final
20 judgment.

21 ~~(a)~~(4) The time for taking other steps in the appellate process is suspended pending
22 disposition of a motion for summary affirmance, reversal, or dismissal.

23 ~~(a)~~(5) As to any issue raised by a motion for summary disposition, the court may
24 defer its ruling until plenary presentation and consideration of the case.

25 (b) Simplified appeal process; eligible appeals.

26 ~~(b)~~(1) For appeals involving the application of well-settled law to a set of facts, the
27 court may designate an appeal for a simplified appeal process. An appellant in a case
28 pending before the Court of Appeals may move for a simplified appeal process under
29 this subsection within 10 days after the docketing statement is filed or the case is
30 transferred to the court of appeals, whichever is later.

31 ~~(b)~~(2) Appeals eligible for a simplified process are those involving the application of
32 well-settled law to a set of facts, which may include, but are not limited to, cases in
33 the following categories:

34 ~~(b)~~(2)(A) appeals challenging only the sentence in a criminal case;

35 ~~(b)~~(2)(B) appeals from the revocation of probation or parole;

36 ~~(b)~~(2)(C) appeals from a judgment in an unlawful detainer action; and

37 ~~(b)~~(2)(D) petitions for review of a decision of the Department of Workforce
38 Services Workforce Appeals Board or the Labor Commission.

39 (c) Memoranda in lieu of briefs.

40 ~~(e)~~(1) In appeals designated under subsection (b), the parties must file memoranda in
41 support of their positions instead of briefs. The schedule for preparing memoranda
42 will be set by appellate court order.

43 ~~(e)~~(2) A party's principal memorandum must include:

44 ~~(e)~~(2)(A) an introduction describing the nature and context of the dispute,
45 including the disposition in the court or agency whose judgment or order is under
46 review;

47 ~~(e)~~(2)(B) a statement of the issues for review, including a citation to the record
48 showing that the issue was preserved for review or a statement of grounds for
49 seeking review of an issue not preserved;

50 ~~(e)(2)~~(C) an argument, explaining with reasoned analysis supported by citations
51 to legal authority and the record, why the party should prevail on appeal; no
52 separate statement of facts is required, but facts asserted in the argument must be
53 supported by citations to the record;

54 ~~(e)(2)~~(D) a claim for attorney fees, if any, including the legal basis for an award;
55 and

56 ~~(e)(2)~~(E) a certificate of compliance, certifying that the memorandum complies
57 with rule 21 regarding public and private documents.

58 ~~(e)(3)~~ An appellant or petitioner may file a reply memorandum limited to responding
59 to the facts and arguments raised in appellee's or respondent's principal
60 memorandum. The reply memorandum must include an argument and a certificate
61 of compliance with rule 21 regarding public and private documents.

62 ~~(e)(4)~~ Principal memoranda must be no more than 7,000 words or 20 pages if a word
63 count is not provided. A reply memorandum must be no more than 3,500 words or 10
64 pages if a word count is not provided.

65 (d) Extension of time. By stipulation filed with the court prior to the expiration of time in
66 which a memorandum is due, the parties may extend the time for filing by no more than
67 21 days. Any additional motions for an extension of time will be governed by rule 22(b).

68 ~~Effective November 1, 2022~~

TAB 4

1 **Rule 57. Record on appeal; transmission of record;** supplementation of the record.

2 (a) The record on appeal must include the legal ~~file~~record, any exhibits admitted as
3 evidence, and any transcripts.

4 (b) The record will be transmitted by the juvenile court clerk to the Court of Appeals clerk
5 upon the request of an appellate court.

6 (c) If anything material to either party is omitted from the record in error, the omission
7 may be corrected and a supplemental record may be created upon a motion from a party
8 in the appellate court. If the party making the motion has access to the document, the
9 document should be attached to the motion. The motion must establish that any
10 document requested to be added to the record:

11 (1) was considered by the juvenile court; and

12 (2) is material to the issues on appeal.

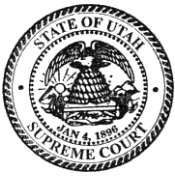
TAB 5

5. **Action:** **Clark Sabey** **Carol Funk**
Update from Disqualification **Scarlet Smith** **Mary Westby**
Subcommittee **Lisa Collins** **Nick Stiles**

Nick Stiles reported on behalf of the “disqualification committee” and relayed information regarding various options for potential disqualification procedures, including rules, a potential standing order, and the need for different approaches among the two appellate courts.

The committee discussed possible modifications of the appellate courts’ internal policies and practices to inform practitioners about recusals and other related matters. The committee understands that the Utah Court of Appeals judges are still in favor of such a rule, and while the committee will not take any further action at this time, it understands that the proposal will be discussed at the next appellate board meeting, likely in mid-March.

TAB 6



Memorandum

To: Advisory Committee on Appellate Procedure
Date: January 24, 2024
Subject: Items Referred by the Supreme Court

The Supreme Court, through its staff attorney Clark Sabey, has requested the Advisory Committee on Appellate Procedure to review and consider the below matters.

1. Examine creating an equivalent of Rule 23B of the Utah Rules of Appellate Procedure for the child welfare context.
2. Consider formalizing the currently ad hoc process for retention of appeals in the Supreme Court.
3. Examine whether the standard for granting a stay pending appeal without bond in Rule 8(b)(2) of the Utah Rules of Appellate Procedure should be amended to be consistent with the injunction standard in Rule 65A(e) of the Utah Rules of Civil Procedure.
4. Review whether Rule 23C of the Utah Rules of Appellate Procedure should contain a standard for the grant of emergency relief.