



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, November 6, 2025
12:00 pm to 1:30 pm

PRESENT

Dick Baldwin
Judge Michele
Christiansen Forster
Nicole Gray
Amber Griffith—Staff
Michael Judd—Recording
Secretary
Debra Nelson
Caroline Olsen
Judge Gregory Orme

Tera Peterson
Martha Pierce
Stan Purser—
Vice Chair
Michelle Quist
Clark Sabey
Nathalie Skibine—
Chair
Mary Westby
Scarlet Smith

EXCUSED

Nick Stiles—Staff

GUESTS

None

1. Action:

Nathalie Skibine

Approval of October 2025 Minutes

The committee noted a typographical error in Section 2, paragraph 2 of the October 2025 minutes, which will be corrected.

Mary Westby moved to approve the October 2025 minutes as they appeared in the committee's materials, with that correction made. Michelle Quist seconded that motion, and it passed without objection by unanimous consent.

**2. Discussion/Action:
Rules 49 and 50**

Nathalie Skibine

The committee's discussion of Rules 49 and 50 centered on the addition of a word limit. Clark Sabey offered a word-count rule of thumb: 20 pages appears to be roughly equal to 4000 words. Mr. Sabey also noted a real possibility that shorter motions filed under these rules are more likely to be granted. Stan Purser offered a counter-proposal, suggesting that the committee stick to 20 pages and 4500 words. After discussion, the committee settled on limits of 4,000 words and 15 pages. The committee also added a word limit of 1,500 words or 5 pages for replies filed under Rule 50.

Following that discussion, Judge Michele Christiansen-Forster moved for final approval of the rule as discussed and presented on screen at the committee's meeting. Mr. Sabey seconded that motion, and it passed without objection by unanimous consent. The rules will be sent to the Supreme Court for final approval.

**3. Action:
Rules 22 and 26**

Stan Purser

As part of its ongoing consideration regarding Rules 22 and 26, the committee discussed a new option: stipulated extensions of up to 180 days, with further extensions granted only by motion. The committee discussed the details of this new option at length, including the potential of having separate extension caps for criminal and civil appeals. The committee landed on a series of changes in Paragraphs (b)(1) and (b)(4), with the end result of allowing additional extension time to be secured by stipulation, while capping the total length of stipulated extensions at 180 days.

Based on that discussion, Ms. Quist moved to approve Rule 22 as circulated. Ms. Westby seconded that motion, and it passed without objection by unanimous consent. The rule will be submitted to the Supreme court for recommendation that it be posted for public comment.

**4. Action:
Rule 5**

Mary Westby

In a brief discussion of a potential change to Rule 5, the committee identified its goal: clarity about what sets the clock running for the time to file a petition

to appeal an interlocutory order. Of particular note is the effect of an oral ruling with promise of a written order to follow.

After discussion, Ms. Westby offered to draft an advisory committee note to address the nuance often present in this situation. The committee will table this rule change in the meantime and wait for that draft note and subsequent comment.

5. Action: Nathalie Skibine
Rule 27

Because of time constraints, discussion regarding Rule 27 was deferred until December's meeting.

6. Discussion: Nathalie Skibine, Chair
Old/New Business

Judge Gregory Orme alerted the committee to an inconsistency between Utah Code § 78A-6-359(2)(a) and Rule 52. That item will be included on the committee's December 2025 agenda.

7. Adjourn Nathalie Skibine, Chair

Following the business and discussions described above, the committee adjourned. The committee's next meeting will take place on December 4, 2025.