



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, February 5, 2026
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

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

EXCUSED

Judge Gregory Orme
Martha Pierce
Nick Stiles—Staff

GUESTS

None

1. **Action:** **Nathalie Skibine**
Approval of December 2025 Minutes

The committee noted one error in the December 2025 minutes, in Section 3. That error will be corrected.

Mary Westby moved to approve the December 2025 minutes as they appeared in the committee's materials, with the noted correction. Judge Michele Christiansen Forster seconded that motion, and it passed without objection by unanimous consent.

2. Action: Nathalie Skibine
Final Approval of Rule 34

The committee received one comment in response to Rule 34, and that comment was positive.

Following that discussion, Ms. Westby moved for final approval of the rule as drafted and discussed. Dick Baldwin seconded, and it passed without objection by unanimous consent. The rules will be sent to the Supreme Court for final approval.

3. Action: Nathalie Skibine
Final Approval of Rules 49 and 50

The committee received one comment on Rules 49 and 50—a comment about consistency with respect to consistency with page and word count. The committee discussed clarifying language and made a number of changes to the rule to address issues related to the handling of certificates and appendices.

Following that discussion, Ms. Westby moved to approve Rules 49 and 50 as circulated. Stan Purser seconded that motion, and it passed without objection by unanimous consent. The rule will be submitted to the Supreme Court, with the expectation that it may not need additional public comment.

4. Action: Nathalie Skibine
Final Approval of Rules 5, 26, and 27

The committee received no comments on Rules 5, 26, or 27. The committee notes, however, that Rule 22 was republished and therefore excluded from this set. The committee did update Rule 5's proposed advisory committee note to read "2026" because, if approved, the rule will not go into effect until May 1, 2026.

Based on that discussion, Ms. Westby moved to approve Rules 5, 26, and 27 as circulated. Mr. Purser seconded that motion, and it passed without objection by unanimous consent. These three rules will be sent to the Supreme Court for final approval.

5. Information: Nathalie Skibine
Rule 4 – SJR 201 Joint Resolution

The committee discussed the new rules that went into effect on December 9, 2025, as part of joint resolution SJR 201, including whether the committee believed that any additional clarification to the rule was needed.

Recognizing that it was ultimately not its rule, the committee resolved that no action by the committee was needed or warranted.

6. Action: Nathalie Skibine
Rule 27

On behalf of the committee, Nathalie Skibine drafted rule that covers identifying time-sensitive issues, including bail appeals and child-welfare cases. The committee made several changes to the proposed rule to improve organization and clarity. Several additional changes were made following the committee’s meeting and were circulated to the committee for consideration by email.

Following the committee-meeting discussion, Ms. Westby moved to approve Rule 27 as circulated. Judge Christiansen Forster seconded that motion, and it passed without objection by unanimous consent. The rules was sent to the Supreme Court for final approval.

7. Action: Nathalie Skibine
Rule 1

As part of the committee’s discussion of Rule 1, Ms. Westby observed that the proposed changes should note that Rules 52 and 53 apply to orders related to substantiation proceedings.

Following that discussion, Judge Christiansen Forster moved to approve Rule 1 as circulated. Mr. Purser seconded that motion, and it passed without objection by unanimous consent. However, at Ms. Westby’s recommendation, the committee resolved to hold the rule until after the legislative session, in order to allow time to see if a legislative cleanup arrives and impacts the rule.

8. Discussion: Clark Sabey
Rules 19, 48, and 49

Mr. Sabey explained the proposed rule to the committee as featuring one group of changes and then one separate change. The first set of changes is meant to recognize that cert petitions are now being rejected because of non-compliance, but often with a chance to remedy those errors. This set of changes would clarify the standard governing rejection and explicitly add authorization to extend time under those circumstances, paralleling the authorization for rejection and extension under Rule 19.

After discussion, the committee opted to withdraw the second change—modifications to Rule 19(a)—for more consideration and to table this set of changes until the committee’s next meeting to allow for more discussion.

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

Ms. Skibine noted potential issues with amendments related to Rule 11 (effective November 1, 2025) that may warrant committee attention. The committee understands that Nick Stiles may discuss that issue at an upcoming meeting, and the committee anticipates addressing that issue as part of its March 2026 meeting.

10. Adjourn Nathalie Skibine, Chair

Following the business and discussions described above, the committee adjourned. The committee’s next meeting will take place on March 6, 2026.