



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, May 7, 2026
12:00 pm to 1:30 pm

PRESENT

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

Tera Peterson
Martha Pierce
Stan Purser—
Vice Chair
Michelle Quist
Clark Sabey
Nathalie Skibine—
Chair
Nick Stiles—Staff
Mary Westby

EXCUSED

Debra Nelson
Scarlet Smith

GUESTS

None

1. **Action:** **Nathalie Skibine, Chair**
Approval of March 2026 Minutes

The committee reviewed the March 2026 minutes and did not identify any errors.

Michelle Quist moved to approve the March 2026 minutes as they appeared in the committee's materials. Judge Michele Christiansen Forster seconded that motion, and it passed without objection by unanimous consent.

2. Action: Nathalie Skibine, Chair
Final Approval of Rule 22

The committee received one comment regarding Rule 22, but that comment did not present any issues that merit further consideration by the committee.

Following that discussion, Mary Westby moved for final approval of the rule as drafted and discussed. Tera Peterson seconded, and it passed without objection by unanimous consent. The rule has already gone into effect, but it will be sent to the Supreme Court for ratification.

3. Action: Nathalie Skibine, Chair
Final Approval of Rules 27, 49, and 50

The committee received two comments, both of which relate to Rule 27. The first flagged a numbering issue. The second proposed including “capital cases” in the list of case types identified on the front page of a brief. After discussing those comments, the committee opted to make both suggested changes.

Following that discussion, Judge Gregory Orme moved to approve the rules as drafted and modified. Clark Sabey seconded that motion, and it passed without objection by unanimous consent. The rules will be sent to the Supreme Court for either final approval or for recirculation. Nathalie Skibine noted that due to the nature of the changes to Rule 27, it may need to be recirculated for public comment.

4. Action: Nathalie Skibine, Chair
Final Approval of Rules 48, 49, 55A, and 26

No public comments were received for this set of proposed rule changes.

Without any additional comments or concerns to review, Judge Orme moved to approve the rules as drafted and included in the committee’s materials. 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.

5. **Action:** **Mary Westby**
Rule 1

The committee had paused before voting on final approval of Rule 1 to await potential legislative clean-up. The legislature took no action on the rule. Dick Baldwin proposed a change to subsection (f) to clarify provision by reordering sentences. The committee discussed that change and spent time reworking the rule for clarity.

Following that discussion, Judge Christiansen Forster moved to approve the rule as modified, as it appeared on screen at the committee's meeting. Ms. Westby seconded that motion, and it passed without objection by unanimous consent. The rule will be sent to the Supreme Court for review, approval, and circulation.

6. **Action:** **Clark Sabey**
Rule 19

The committee noted that this rule had been reviewed once before, but the committee had held onto the rule to allow for further consideration by the courts and other stakeholders. In discussion, the committee raised concerns that the content requirements in paragraph (3) may be difficult to quickly verify. Mr. Sabey explained that the clerk will review content only to ensure certain sections are present. To simplify that process, the committee amended subparagraph (e) to require parties to include headings corresponding to each type of content required in the petition.

Following that discussion, the committee received a motion to approve the rule as modified, as it appeared on screen at the committee's meeting. That motion was seconded, and it passed without objection by unanimous consent. The rule will be sent to the Supreme Court of review, approval, and circulation.

7. **Action:** **Judge Christiansen Forster,**
Appellate Disqualification **Nicole Gray, Clark Sabey**

The committee discussed, at length, questions regarding timing in case of substitution and regarding how addition or substitution of counsel could result

in serial motions to disqualify. The committee made additional changes to ensure consistency with other rules and to address concerns about potential misuse of the rule.

Following that discussion, the committee resolved to assign a subcommittee to generate and propose further changes based on the discussions at that meeting, with a goal of reviewing a new draft at the committee's June meeting.

8. Action: Nathalie Skibine, Chair
Rule 26

Rule 26 is already in effect, but the committee took time to review a public comment that had been received in late 2025 but initially overlooked. That comment proposed that the phrase "filing and service" be reduced to simply "service," consistent with other parts of the rule. The committee supports that change.

Following that discussion, Judge Orme moved to approve that change. Judge Michele Christansen-Forster seconded that motion, and it passed without objection by unanimous consent. The revised rule will be sent to the Supreme Court for review, approval, and circulation.

9. Action: Nathalie Skibine, Chair
Items Referred by the Supreme Court

The committee did not have time to turn to the additional items referred to the committee by the Supreme Court. Ms. Skibine asked the committee members to review the items and consider potential draft language for the committee's June meeting.

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

None.

11. Adjourn

Nathalie Skibine, Chair

*Following the business and discussions described above, the committee adjourned.
The committee's next meeting will take place on June 4, 2026.*