

**UTAH JUDICIAL COUNCIL  
STANDING COMMITTEE ON MODEL UTAH CRIMINAL JURY INSTRUCTIONS  
MEETING MINUTES**

Via Webex  
April 2, 2025 – 12:00 p.m. to 1:30 p.m.

COMMITTEE MEMBER:	ROLE:	PRESENT	EXCUSED	GUESTS:
Hon. Teresa Welch	District Court Judge [Chair]	•		<b>STAFF:</b> Bryson King
Hon. Christopher Bown	Justice Court Judge	•		
Dr. Jay Jordan	Linguist/Communications Professor		•	
Hon. Linda Jones	Emeritus District Court Judge	•		
Hon. Matthew Bates	District Court Judge		•	
[VACANT]	Defense Attorney	N/A	N/A	
Janet Lawrence	Defense Attorney		•	
Jeffrey Mann	Prosecutor	•		
Breanne Miller	Prosecutor	•		
[VACANT]	Defense Attorney	N/A	N/A	
Freyja Johnson	Defense Attorney	•		
McKay Lewis	Prosecutor	•		
Nic Mills	Prosecutor	•		

**(1) WELCOME AND APPROVAL OF FEBRUARY 2025 MINUTES**

Judge Welch welcomed the Committee to the meeting and reviewed the previous meeting’s minutes. She requested an edit to the minutes changing the description of the Committee’s work on CR1002 so that it reflects that the Committee postponed its vote to approve the instruction until the next meeting. With no further amendments, Judge Welch requested a motion to approve the minutes from the previous month. Nic Mills moved to approve with Jeff Mann seconding. Without opposition, the motion carries and the minutes are approved.

**(2) AGENDA ITEM 2: CR1002**

Judge Welch then turned the Committee’s attention to CR1002. After a final review of the proposed instruction, Judge Welch called for a motion to approve the instruction. Judge Bown moved to approve the proposed instruction. McKay Lewis then asked if the instruction reflects factors from caselaw that do constitute “actual physical control.” Judge Welch confirmed that those factors from caselaw are in the instruction, along with the references to caselaw. McKay Lewis then seconded Judge Bown’s motion. Without opposition to the motion, the motion carries and the proposed instruction will be re-published.

### **(3) AGENDA ITEM 2: PROPOSED INSTRUCTION CR1016, CR1017, & CR1017A**

Judge Welch then asked Nic Mills to introduce and discuss proposed instruction CR1016. Nic then reviewed CR1016 with the Committee along with the statutory provisions that support the instruction. Nic also reviewed CR1017 & CR1017A. McKay Lewis requested some edits to the committee notes in the proposed instructions to remove some references to certain subsections of the statute. After editing the committee notes, Judge Bown then requested a change to the title of the instruction to conform to the statutory language. After additional discussion on the proposed instruction and the elements of the statute, Judge Welch called for a motion to approve CR1016. McKay Lewis moved to approve, with Judge Bown seconding. Without opposition, CR1016 is approved and will be published.

Judge Welch then turned the Committee's attention to further discussion on CR1017 & 1017A. The Committee discussed some minor formatting and language changes for clarity and to align with the statute. After discussion, Judge Welch asked for a motion to approve CR1017. Judge Bown moved to approve and McKay Lewis seconded. Without opposition, the motion carries and CR1017 will be published.

Judge Welch then turned to CR1017A, which mirrors the language of the statute. With minor formatting changes, Judge Welch then requested a motion to approve CR1017A . Breanne Miller moved to approve and McKay Lewis seconded. Without opposition, the motion carries and CR1017A will be published.

### **(4) ADJOURN**

The meeting adjourned at approximately 1:10p.m. The next Committee meeting will be May 7<sup>th</sup>, 2025 at 12:00p.m.