

**Minutes of the Policy and Planning Committee**  
March 4, 2016

**Members Present**

Judge Marvin Bagley, Judge Ann Boyden, Judge Mark DeCaria, and Judge Reed S. Parkin,

**Members Excused**

John Lund and Judge Mary Noonan

**Staff**

Alison Adams-Perlac

Nancy Sylvester

**(1) Approval of Minutes**

Judge Reed Parkin welcomed everyone to the meeting. Judge DeCaria moved to approve the previous minutes. Judge Ann Boyden seconded the motion and it passed unanimously. Alison Adams-Perlac was thanked for her time on the committee. Nancy Sylvester was welcomed to the committee.

**(2) Rule 1-201 (Membership Election) for Final Action**

Ms. Adams-Perlac noted the comment period has expired for this rule. There were no comments submitted. The rule prohibits Judicial Council members from being voting members of boards of judges. It was noted the Judicial Council will consider this rule at their April meeting. After brief discussion, Judge Parkin moved to pass the rule as it is written. Judge Bagley seconded the motion and it passed unanimously.

**(3) Rule 11-201 (Senior Judges)**

After discussion about active senior judges being required to reside in Utah, the Committee determined the rule is ready to be published for public comment. A member moved to send this rule to the Judicial Council. Judge Parkin seconded the motion and it passed unanimously.

**(4) Rule 3-108 (Judicial Assistance)**

It was noted the Judicial Council would like to discuss Rule 3-108 during their March meeting. The Committee addressed that this rule would only be for district and juvenile

courts. The appellate courts already have a similar rule in place, Rule 11-201. The committee discussed this rule in depth with respect to the procedures surrounding exigent versus non-exigent circumstances. The committee also discussed the budget issues surrounding the appointment of judges. In an extraordinary circumstance like a judge leaving a court due to appointment to a higher court, what Tim Shea did with the Court of Appeals in coming up with a plan and the budget amount prior to appointing a senior judge is ideal. The committee discussed whether judges could be appointed temporarily without having to go to the Management Committee for approval, and the consensus was that yes, there is a budget for that. The bigger concern with this rule is when longer coverage is needed. Ms. Adams-Perlac said she would draft some language to capture the discussion and circulate it to the committee. Judge Parkin said he would work with Ms. Sylvester on getting the rule in its final language to the Council.

The meeting adjourned at 1:25 p.m.