

**UTAH JUDICIALCOUNCIL
POLICY, PLANNING and TECHNOLOGY COMMITTEE
MEETING MINUTES**

Webex video conferencing
January 6, 2023: 12 pm

MEMBERS:

PRESENT

EXCUSED

Judge Samuel Chiara, <i>Chair</i>	•	
Judge Suchada Bazzelle	•	
Judge Augustus Chin	•	
Judge David Connors		•
Judge James Gardner	•	

GUESTS:

Lauren Anderson
Justice Diana Hagen
Jace Willard
Keri Sargent

STAFF:

Keisa Williams
Brody Arishita
Minhvan Brimhall

(1) Welcome and approval of minutes:

Judge Chiara welcomed committee members to the meeting. The committee considered the minutes from the December 2, 2022 meeting. With no changes, Judge Bazzelle moved to approve the minutes as presented. Judge Chin seconded the motion. The motion passed unanimously.

(2) CJA 3-403. Judicial branch education:

In February 2022, the Office of Fairness and Accountability (OFA) made a policy recommendation to Judicial Council to address workplace and judicial climate. One of the recommendations directly addressed judicial branch education rule 3-403. The OFA recommended that judicial officers and state court employees receive training on ethics, diversity and inclusion, harassment and elimination of bias training. The Judicial Council discussed the recommendations with the OFA, and the OFA asked the Standing Education Committee to discuss whether training on ethics, harassment, elimination of bias, and diversity and inclusion should be required.

The Standing Education Committee met in June and November 2022 to discuss this matter. Draft language was then reviewed by Trial Court Executives, Clerks of Court, and Chief Probation Officers. Each group provided feedback and the feedback was incorporated into the draft language that has been approved by the Standing Education Committee and included in today's packet.

The proposed changes to Rule 3-403 will:

- Annually require judicial officers and court employees to complete training on harassment and abusive conduct; ethics; inclusion; and elimination of bias.
- Change references of "judges, commissioners" to "judicial officers" throughout the rule.
- Update language in Rule 3-403(A)(4)(A)(ii) to better reflect current onboarding and orientation practices of court employees.

The committee discussed and recommended minor language changes to the proposed rule:

- Paragraph (3)(A), lines 57 and 58: Capitalize only the word "Requirement" in the title. All other words in the title should not be capitalized. The same was also recommended for "new employee orientation" in paragraph 4(A)(ii).

- Paragraph (4)(A)(i): Switch the order of the last sentence to read “To satisfy annual program requirements state employees must complete training on harassment and abusive conduct prevention; ethics; inclusion and elimination of bias.”
- Paragraph (4)(B)(ii): Switch the order of the last sentence to read “To satisfy annual program requirements state employees must complete training on harassment and abusive conduct prevention; ethics; inclusion and elimination of bias.”

With those changes and no further discussion, Judge Gardner moved to send rule 3-403, as amended, to the Judicial Council with a recommendation that it be published for a 45-day public comment period. Judge Bazzelle seconded the motion. The motion passed unanimously.

(3) Back from public comment:

- **CJA 6-501. Reporting requirements for guardians and conservators.**
- **CJA 3-406. Budget and fiscal management.**
- **CJA 3-104. Presiding judges.**

CJA 3-406 and CJA 3-104:

No public comments were received for rules 3-406 and 3-104. The rules are ready for final approval by the Judicial Council.

With no further discussion, Judge Gardner moved to forward CJA 3-406 and 3-104 to the Judicial Council as drafted, with a recommendation that they be approved as final with a May 1, 2023 effective date. Judge Bazzelle seconded the motion.

CJA 6-501:

Three substantive public comments were received for 6-501. The committee recommended that the rule be sent back to the Probate Subcommittee for consideration and asked that the subcommittee bring the rule back to PP&T with recommendations at a later date. The committee also asked that the subcommittee review the new associated Order on Review court form.

With no further discussion, Judge Gardner moved to have the Probate Subcommittee review the public comments for CJA 6-501 and the court form. Judge Chin seconded the motion. The motion passed unanimously.

Technology report/proposals:

Brody Arishita is in the process of gathering members for the Policy, Planning, and Technology subcommittees. The advisory subcommittee will consist of judges, commissioners, TCE's, clerks of courts, and a member from the Policy, Planning, and Technology Committee. The advisory subcommittee will look at current processes as the court transitions over to a new cloud-based program. The committee will also review possible fees on certain requests as additional personnel time is required to fulfill some of the requests. There may also be a discussion on possible fees on the forms. The committee will also review email retention and assess the needs and usage of the court's bandwidth.

Mr. Arishita asked if any member of the Policy, Planning, and Technology Committee would like to be on the advisory subcommittee. No committee accepted the invitation to join. Mr. Arishita will contact Judge Pullan to see if he would be interested in participating. Once the subcommittees are in place, Mr. Arishita will return with an update.

Old Business/New Business: None

Adjourn: With no further items for discussion, the meeting adjourned. The next meeting will be held on February 3, 2023 at 12 PM via Webex video conferencing, unless otherwise noted.