

**UTAH JUDICIAL COUNCIL  
POLICY, PLANNING and TECHNOLOGY COMMITTEE  
MEETING MINUTES**

Webex video conferencing  
June 14, 2024 – 12 p.m.

**MEMBERS:**

**PRESENT**

**EXCUSED**

Judge Samuel Chiara, <i>Chair</i>	✓	
Judge Suchada Bazzelle	✓	
Judge Jon Carpenter	✓	
Judge Michael DiReda	✓	
Judge James Gardner	✓	

**GUESTS:**

Nick Stiles  
Paul Barron  
Keri Sargent  
Sara Osmund  
Amy Hernandez  
Shannon Treseder  
Shane Bahr

**STAFF:**

Keisa Williams  
Brody Arishita

**(1) Welcome and approval of minutes:**

Judge Chiara welcomed committee members to the meeting. The committee considered the minutes from the May 17, 2024, meeting. With no changes, Judge Gardner moved to approve the minutes as presented. Judge Bazzelle seconded the motion. The motion passed unanimously.

**(2) CJA 1-205. Standing and ad hoc committees**

**CJA 3-422. Tribal Liaison Committee (NEW)**

The proposed amendments create a new standing committee, the Tribal Liaison Committee, which would serve as a core leadership team for the courts' Tribal Liaison and provide subject matter expertise to the Council regarding matters impacting both the judiciary and tribal courts.

***Judge Gardner moved to recommend to the Judicial Council that the amendments to CJA rule 1-205 and 3-422 be published for a 45-day public comment period. Judge Bazzelle seconded the motion. The motion passed unanimously.***

**(3) CJA 3-501. Insurance benefits upon retirement**

Bart Olsen and Sara Osmund reviewed proposed amendments to CJA rule 3-501 as described in detail in the memo included in the meeting materials. In summary, the current language in rule 3-501 lacks clear and concise information regarding insurance benefits upon retirement for judges, justices, and court commissioners. The proposed amendments were developed by the Human Resources Department to resolve existing issues and facilitate consistency and clarity on the administration of these benefits moving forward. Following a discussion, the Committee made minor, non-substantive changes.

***Judge Gardner moved to recommend to the Judicial Council that the amendments to CJA rule 3-501 be published for a 45-day public comment period. Judge Bazzelle seconded the motion. The motion passed unanimously.***

#### **(4) CJA 2-102. Council agenda**

The Management Committee tasked PP&T with drafting a rule:

- formalizing the existence of the Council's consent calendar;
- listing the kinds of things that can be placed on the consent calendar;
- outlining the process for removing items from the consent calendar; and
- requiring a vote on the consent calendar.

Ms. Williams proposed adding language to CJA rule 2-102. Following a discussion, the Committee determined that "grant approvals" should be placed on the Council's main agenda.

***Judge DiReda moved to recommend to the Judicial Council that the amendments to CJA rule 2-102 be published for a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.***

#### **(3) CJA 4-101. Manner of appearance (NEW)**

The Supreme Court published for comment proposed rules of civil, criminal, and juvenile procedure related to manner of appearance. The comment period ends July 5, 2024. Each of those rules is included in the packet. Ms. Williams noted that she amended the definitions in 4-101 to match those found in the procedural rules and included a notice provision to account for the various ways the court may respond to a request to appear by a different method.

There is an existing link on the court's webpage regarding remote appearance. The page includes a comprehensive guide for pro se litigants on how to participate in remote proceedings. The Committee recommended that the webpage be amended to include guidance on how to participate in remote juvenile proceedings.

The Committee discussed whether notice must be provided in writing or may be provided in open court. The Committee determined that judges should have the option of providing notice in open court and that the substance of any written notice ((2)(A)-(2)(D)) should not be mandatory. The Committee amended the last sentence in paragraph (2) to read as follows: "Notice that is not provided in open court should include: ..."

The Committee copied language from Rule 87(a)(3) of the Utah Rules of Civil Procedure regarding the effect of one participant's preference on other participants.

The Committee asked Ms. Williams to send a copy of the rule draft to Judge Mettler and the Supreme Court's committee drafting associated rules of procedure.

***Judge Carpenter moved to recommend to the Judicial Council that the amendments to CJA rule 4-101 be published for a 45-day public comment period. Judge Gardner seconded the motion. The motion passed unanimously.***

**Technology report/proposals:**

The Technology Advisory Subcommittee (TAC) meets on July 1st to discuss the strategic plan. Mr. Arishita will report back.

**Old Business/New Business:**

The Committee reviewed and made minor amendments to the Judicial Inclusion Mentorship Program application and handbook.

**Adjourn:** With no further items for discussion, the meeting adjourned at 1:50 p.m. The next meeting will be held on July 5, 2024, at noon via Webex video conferencing.