

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

Webex video conferencing  
June 6, 2025 – 12 p.m.

**MEMBERS:**

**PRESENT**

**EXCUSED**

Judge James Gardner, <i>Chair</i>	✓	
Justice Paige Petersen	✓	
Judge Angela Fonnesbeck		✓
Judge Jon Carpenter	✓	

**GUESTS:**

Keri Sargent  
Tracy Walker  
Michael Samantha Starks  
Kaden Taylor  
Nick Stiles  
Jace Willard

**STAFF:**

Keisa Williams  
Todd Eaton  
Brody Arishita  
Cindy Schut

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

Judge Gardner welcomed the committee members to the Policy, Planning, and Technology Committee meeting (PP&T). PP&T considered the minutes from the April 18, 2025 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge Gardner seconded the motion. The motion passed unanimously.

**(2) Rules back from public comment:**

- **CJA 4-206. Exhibits**
- **CJA 4-403. Electronic signature and signature stamp use**
- **CJA 4-111. Priority of post-conviction petitions in capital cases**

No public comments were received on rules 4-403 and 4-111. Two public comments were received on rule 4-206, both recommending non-substantive, clerical changes. Rule 4-206 was approved by the Council on an expedited basis with a March 14, 2025 effective date. Because the new changes to rule 4-206 are non-substantive, PP&T determined that those revisions could be added to the list of rules on the consent calendar.

***Judge Carpenter moved to recommend to the Judicial Council that rules 4-206, 4-403, and 4-111 be approved as final with a July 1, 2025 effective date. Justice Petersen seconded the motion. The motion passed unanimously.***

**(3) Non-substantive amendments:**

- **CJA 1-205. Standing and ad hoc committees**
- **CJA 4-202.02. Records classification**
- **CJA 6-501. Testing and reporting requirements for guardians and conservators**
- **CJA 4-510.06. Cases exempt from ADR rules**
- **CJA 4-613. Jail prisoner transportation**
- **CJA 4-202.03. Records access**

Recently, the Council approved amendments to 4-202.02, 4-202.03, 4-510.06, and 4-613, updating statutory references in response to legislative recodifications. Unfortunately, the recodifications do not take effect until September 1, 2025. The proposed amendments revert back to the statutory references currently in effect. Other amendments allow for clerical, non-substantive changes based on clerical or formatting errors.

***Judge Carpenter moved to send rules 1-205, 4-202.02, 6-501, 4-510.06, 4-613, and 4-202.03 to the Judicial Council with a recommendation that they be approved as final with a July 1, 2025 effective date. Justice Petersen seconded the motion. The motion passed unanimously.***

### **(3) Removing Supreme Court Chapters from the CJA:**

- **Chapter 11. General Provisions**
- **Chapter 12. Code of Judicial Conduct**
- **Chapter 13. Rules of Professional Conduct**
- **Chapter 14. Rules Governing the Utah State Bar**
- **Chapter 15. Rules Governing Licensed Paralegal Practitioners**

The Supreme Court would like to remove the Supreme Court's Rules of Professional Practice (Chapters 11—15) from the Code of Judicial Administration (CJA). Current placement under the CJA has caused confusion with staff and practitioners, as those rules are governed by the Supreme Court. The Court would like to renumber chapters 11-15 to 1-5. Citations for these chapters will then properly be SUP. CT. R. PRO. PRAC. X-XXX.

PP&T agreed that the current placement under the CJA causes confusion and moving the chapters makes sense. PP&T discussed whether this change needed formal Council approval or could be implemented administratively, ultimately determining that a Council vote wasn't necessary. Justice Petersen will draw it to the attention of the Council during PP&T's report at the next Council meeting.

***Following discussion, PP&T directed Justice Petersen to highlight the removal of the Supreme Court's Rules of Professional Practice from the Code of Judicial Administration in PP&T's report to the Judicial Council.***

### **(4) 3-413. Judicial Library Resources**

Over the past two years, Lexis Nexis has increased the cost of print publications, requiring the Law Library to seek additional funds from the Council. The Council approved the recent request for funds on the condition that the Law Library ask PP&T to review rule 3-413 and consider whether the print publications outlined in the rule are still necessary.

Prior to 2023, Legislative Services ordered print publications for the entire state, which helped keep our costs low. In 2023, they told us they would no longer do so and every agency is now required to place orders separately. In the second half of 2024, LexisNexis notified the Law Library that printed books were no longer covered under the existing contract and drastically increased the price. If the court were to order as usual, the new prices would put the Law Library \$109,000 over budget. The Law Library worked with the TCEs and appellate courts to reduce 2024 orders by \$30,000.

The Law Library polled judges and justices about their use of print publications. The results, included in the meeting materials, showed judges were primarily concerned with having annotated rule sets. PP&T discussed budget solutions, including not ordering the unannotated code, which would put the Law Library at or slightly under budget. Brody Arishita discussed digital alternatives for the unannotated code, which could be stored locally on computers or tablets. The primary challenge with digital copies is keeping them up to date.

After further discussion, PP&T agreed that eliminating the unannotated code for district and juvenile courts is a necessary budgetary decision, as the judiciary's budget is unlikely to increase.

***Judge Gardner moved to send rule 3-413 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.***

#### **(5) CJA 3-201. Court Commissioners**

Rule 3-201(3)(J) requires new court commissioner appointments to be submitted to the Council and approved by a 2/3 vote. These appointments are always time sensitive and court staff usually end up asking the Management Committee to approve the appointments on behalf of the Council, allowing the presiding judge to formalize the job offer and move forward with the hiring process. Appointments made by the Management Committee are placed on the Council's agenda for ratification to ensure the 2/3 vote is on record. The Management Committee asked PP&T to consider whether a 2/3 vote of the Council was necessary.

The proposed amendments delegate the authority to approve court commissioner selections directly to the Management Committee, removing the need for Council approval. The Management Committee has greater flexibility to approve hires more quickly than the Council.

PP&T discussed whether approval by the Management Committee should require a 2/3 vote. The Management Committee has five members, requiring four of the five to vote in favor. After further discussion, PP&T determined that a 2/3 vote would ensure a strong consensus. If there were significant concerns, the Management Committee would likely refer the matter to the Council.

***Following further discussion, Judge Carpenter moved to send rule 3-201 to the Judicial Council with a recommendation that it be published for a 45-day public comment period. Justice Petersen seconded the motion. The motion passed unanimously.***

#### **Technology report/proposals:**

Brody Arishita provided an update on ongoing technology initiatives, particularly those related to Artificial Intelligence (AI). The AI staff workgroup finalized vision statements and guiding principles which were reviewed and refined by the legal workgroup. Work is currently underway to amend the Council's

interim rules on the use of generative AI. A key aspect of this work involves carving out clear distinctions between approved AI tools (court-purchased, closed models like Gemini Pro or Chat GPT) and generic web-based AI tools.

The Technology Advisory Committee (TAC) will meet on June 19, 2025 and Mr. Arishita will report back.

**Old Business/New Business:** The artwork policy is expected to be on PP&T's agenda after it is reviewed by the boards of judges.

**Adjourn:** With no further items for discussion, the meeting adjourned at 1:00 p.m. The next meeting will be held on July 11, 2025, at noon via Webex video conferencing.