

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

Webex video conferencing
November 3, 2025 – 12 p.m.

MEMBERS:

PRESENT

EXCUSED

Judge James Gardner, <i>Chair</i>	✓	
Judge Jon Carpenter	✓	
Judge Angela Fonnesbeck		✓
Judge Christine Johnson	✓	

GUESTS:

Nick Stiles
Shane Bahr
Michael Drechsel
Stacy Haacke

STAFF:

Keisa Williams
Brody Arishita
Cindy Schut

(1) Welcome and approval of minutes:

Judge Gardner welcomed the committee members, including new member, Judge Christine Johnson, to the Policy, Planning, and Technology Committee (PP&T) meeting. PP&T considered the minutes from the October 3, 2025 meeting. With no changes, Judge Gardner moved to approve the minutes as presented. Judge Johnson seconded the motion. The motion passed unanimously.

(2) CJA 3-101. Judicial performance standards:

Nick Stiles reviewed proposed amendments to rule 3-101 received from the Board of Appellate Court Judges. In summary, the proposed amendments revise the appellate courts' case under advisement standards. Currently, appellate judges may only circulate 3 principal opinions per calendar year more than 6 months after submission. The proposed amendments change the performance standards to a percentage of opinions, rather than a set number, and reduce the timeframes for circulation. The shift is intended to be responsive to legislative partners who expressed concern following a decrease in opinions issued in 2023, resulting from delayed jury trials during the COVID-19 pandemic. Percentages help account for varying caseloads.

Shane Bahr provided an update on the Board of District Court Judges' contemplation of amending rule 3-101. The District Court Board discussed extending the 60-day under advisement limit to 90 days for trial court judges, allowing three cases per calendar year over 60 days. However, a statutory requirement mandates that trial courts finalize cases within 60 days, suggesting this proposal might require a legislative change. Mr. Bahr noted he has spoken to the data team and discovered that tracking metrics based on percentages would be nearly impossible for trial courts due to the volume of cases and other variables.

The committee discussed concerns that shifting from a concrete number to a percentage might be perceived as loosening standards rather than tightening them, and that percentages change frequently

as opinions are issued, making calendar-year tracking potentially difficult. Judge Gardner asked for clarification on which cases are tracked for metrics. Mr. Stiles explained that the metrics apply to an individual judge after a case is submitted and authorship is assigned. It applies to forms of adjudicative decisions required of a judicial officer, provided it is not a group decision decided on a panel.

After further discussion, Judge Carpenter moved to send rule 3-101 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Johnson seconded the motion. The motion passed unanimously.

(3) CJA 3-111. Performance Evaluation of Court Commissioners:

Shane Bahr presented proposed amendments to rule 3-111. The proposed amendments remove (3)(A)(iv)(b) which allows court commissioners to exclude an attorney from the certification performance survey with approval from the Management Committee. The language is a carryover from a past rule that applied to judges and commissioners several years ago. The provision no longer applies. Mr. Bahr forwarded the proposed amendments to the commissioners and did not receive any objections.

With no further discussion, Judge Gardner moved to send rule 3-111 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.

(3) CJA 4-410. Courthouse closure:

Stacy Haacke presented proposed amendments to rule 4-410. Recently, a justice court without a sitting judge had a cybersecurity incident. A senior judge was presiding over all cases until a new judge could be appointed. Ms. Haacke met with the boards of justice, juvenile, and district court judges (boards) to get feedback on whether and how the rule should be amended. Discussions with the boards included addressing situations where no judge is physically present, but available virtually, in smaller areas. The boards recommended the following amendments:

- add paragraphs (11)(A) and (11)(B);
- add cybersecurity and court operations throughout the rule; and
- modify the language to include a provision for physical building closure, as well as operational closure to cover any technology issues.

With no further discussion, Judge Carpenter moved to send rule 4-410 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Johnson seconded the motion. The motion passed unanimously.

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

Michael Drechsel reviewed proposed amendments to rule 1-205. In summary, the chair of the Uniform Fine Committee believes the committee's work can be accomplished more efficiently with one district court judge and two justice court judges. This three-member group would bring enough experience to address the committee's responsibilities (outlined in rule 4-302), without needlessly consuming the time of additional judicial officers. Because the Uniform Fine Schedule must ultimately be approved by the full Council, additional district and justice court judges have an opportunity to provide feedback and oversight.

The committee questioned removing the requirement for misdemeanor docket experience, suggesting that experience is invaluable. Mr. Drechsel explained that the pool of judges with specific misdemeanor-only experience is narrowing and misdemeanor docket experience could include work as a prosecutor or defense counsel. Judge Johnson suggested requiring a district court judge who has experience with a criminal docket that encompasses both felonies and misdemeanors. Mr. Drechsel noted that while fines are the prime focus for justice court judges, criminal docket experience would capture judges who regularly see the fine schedule in operation. The committee changed “misdemeanor” to “criminal” in line 55 and removed “preferably” in line 54.

After further discussion, Judge Carpenter moved to have Michael Drechsel present the proposed amendments to rule 1-205 to the Management Committee for review, with a recommendation from PP&T that it be posted for a 45-day public comment period. Judge Gardner seconded the motion. The motion passed unanimously.

Technology report/proposals:

Brody Arishita reported that the judicial AI framework was approved by the Judicial Council last week. A preview of the updated internal website was shared, listing the Utah judicial AI framework, vision statement, guiding principles, new policy on generative AI use, and the AI resource hub. Mr. Arishita has been working with the education department on training. Two training courses were recently conducted for law clerks to address concerns related to judges asking them to utilize AI.

Old Business/New Business: None.

Adjourn: With no further items for discussion, the meeting adjourned at 12:38 p.m. The next meeting will be held on December 5, 2025, at noon, via Webex video conferencing.