

**UTAH JUDICIAL COUNCIL
POLICY, PLANNING, & TECHNOLOGY COMMITTEE
MEETING AGENDA**

May 1, 2026 – 12:00 p.m. to 2:00 p.m.

Webex

12:00	Welcome and approval of minutes	Action	Tab 1	Judge Gardner
12:05	<u>Rule back from public comment:</u> 4-510.04. ADR Training	Action	Tab 2	Keisa Williams
	CJA 3-306.04. Interpreter appointment, payment, and fees	Action	Tab 3	Jonathan Puente Jessica Leavitt
	S.B. 257. Domestic relations amendments	Action	Tab 4	Keri Sargent
	H.B. 372. Child welfare changes (GAL Oversight) CJA 1-205. Standing and ad hoc committees CJA 4-906. Guardian ad litem program	Action	Tab 5	Stacey Snyder
	H.B. 102. Victim Privacy Amendments CJA 4-202.02. Records classification CJA 4-202.12 (NEW). Request by victim to use initials rather than name	Action	Tab 6	Keri Sargent Jace Willard
	S.B. 283. Court fees and administration amendments CJA 4-202.08. Fees for records, information, and services	Action	Tab 7	Keisa Williams
	H.B. 540. Judicial transparency and information access amendments CJA 3-110 (NEW). Judicial Officer Financial Disclosure	Action	Tab 8	Keisa Williams
	Technology report/proposals	Discussion		Brody Arishita
Closed	CJA 3-412. Procurement of goods and services	Action	Tab 9	Keisa Williams
1:50	Old Business/New Business	Discussion		Judge Gardner
2:00	Adjourn			

2026 Meetings:

June 5, 2026	October 2, 2026
July 10, 2026	November 6, 2026
August 7, 2026	December 4, 2026
September 4, 2026	

TAB 1

Minutes

March 6, 2026

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

DRAFT

Webex video conferencing
March 6, 2026 – 12 p.m.

MEMBERS:

PRESENT

EXCUSED

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

GUESTS:

Chris Talbot
Michael Drechsel
Melissa Kennedy
Keri Sargent
Shane Bahr
Michael Samantha Starks

STAFF:

Brody Arishita
Keisa Williams
Cindy Schut

(1) Welcome and approval of minutes:

Judge Gardner welcomed the committee members to the Policy, Planning, and Technology Committee (PP&T). PP&T considered the minutes from the February 6, 2026 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge Johnson seconded the motion. The motion passed unanimously.

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

The Council approved membership changes to the Uniform Fine Committee and disbanding the Court Facility Planning Committee as final with a May 1, 2026 effective date. The Standing Committee on Children and Family Law (SCCFL) is seeking to add the Director of the Self-Help Center and Law Library or their designee to be a voting member of the SCCFL.

Following discussion, Judge Carpenter moved to send rule 1-205 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Fonnesbeck seconded the motion. The motion passed unanimously.

(3) Artwork policy:

The artwork policy was presented to the Council in April 2025. The Council directed Mr. Talbot to add exceptions for juvenile court courtrooms and take the policy to PP&T before seeking final approval from the Council. Revisions from previous drafts include increased allowable artwork sizes and an exception for juvenile courts which frequently display children's art or existing murals to be handled on a case-by-case basis. The policy applies to all public spaces including jury deliberation rooms, jury assembly rooms, and any public corridors.

Judge Carpenter raised a question about whether the policy applies to justice courts and shared public lobbies in city or county-owned buildings. Mr. Talbot explained that there are numerous shared facilities across the state that we don't control and any complaints received will be reviewed case by case with the city or county. The committee recommended adding clarifying language to exempt common areas not under state owned control from the policy. Mr. Talbot will draft clarifying language for Ms. Williams' review before sending the policy to the Management Committee.

With no further discussion, Judge Gardner moved to send the Artwork Policy to the Management Committee for final approval. Judge Fannesbeck seconded the motion. The motion passed unanimously.

(4) 3-409. Court facilities planning:

The proposed amendments 1) remove references to the now disbanded Court Facility Planning Committee, 2) update the responsibilities and reporting duties of the Court Facilities Director and court executives, and 3) modernize verbiage from 1996.

Judge Fannesbeck moved to send rule 3-409 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.

Technology report/proposals:

Brody Arishita provided an IT update, noting that the website will implement a system to track historical changes to rules with a tentative go-live date in September.

Mr. Arishita and Mr. Drechsel also briefed the committee on the newly passed House Bill 540 regarding public and party access to audio recordings. Parties will have expedited, free access to their own audio. The bill includes funding for 10-14 new FTEs to manage these requests.

Old Business/New Business:

A draft amendment to Rule 4-102 was circulated to the committee shortly before the meeting, prompted by concerns regarding newly passed House Bill 366. HB 366 directs presiding judges on how to assign municipal cases, creating a potential conflict with the judiciary's own rules for randomized case assignment. The committee elected not to amend CJA Rule 4-102. Instead, they will seek a provisional case type exemption directly from the Council.

Judge Gardner raised operational concerns regarding the newly established three-judge panels. He noted a lack of administrative structure and expressed concern that the standard 60-day rule for district court judges to issue decisions under advisement does not seamlessly translate to a multi-judge panel format. He suggested that rules akin to appellate court procedures may eventually be necessary.

Adjourn: With no further items for discussion, the meeting adjourned at 12:33 p.m. The next meeting will be held on April 17, 2026, at 1:30 p.m. via Webex video conferencing.

TAB 2

Back from Public Comment:

CJA 4-510.04. ADR Training

The proposed amendments: 1) ensure court-qualified Primary Trainers are actively involved in 40-hour basic mediation training; 2) require court-qualified mediation training providers to provide or facilitate opportunities for trainees to get the observation and experience requirements necessary to be admitted to the ADR Roster; and 3) make non-substantive formatting changes.

Public comments:

No public comments were received.

Rule 4-510.04. ADR training.**Intent:**

To establish course content, methodology, and trainer qualifications for ~~C~~ourt-approved 40-hour ~~B~~asic ~~M~~ediation ~~T~~training (“Basic Mediation Training”) and to establish a process for certification of training programs.

Applicability: This rule applies ~~in the district court~~ to the Judiciary.

Statement of the Rule:

(1) **Course content requirements.** Any trainer or training program seeking to offer a mediator training program that fulfills the ~~Court's~~ 40-hour mediator training requirement must abide by the following:

(12)(A) **Submission of training materials.** When applying for certification and renewal, training programs ~~must~~shall provide the ADR Office (“Office”) ~~at the AOC~~ with all training materials which will be used in the training program. These materials ~~shall~~must include all exercises, handouts, and, ~~but are not limited to, the following:~~ the training manual ~~provided that is given~~ to the participants, including the required readings; ~~all exercises and handouts~~. Revisions, deletions, and/or additions to the previously approved training materials must be reported to the Office prior to conducting any course.

(13)(B) **ADR syllabus approval.** In addition to submission of training materials, each training program must seek approval of its syllabus from the Office no later than 20 working days in advance of each scheduled ~~offering of a~~ certified mediation training program. ~~The syllabus shall will be reviewed by the Office for compliance with the training standards.~~ The syllabus must be submitted in a format that easily identifies the presentation topic, the trainer(s) for each topic, the time allotted to each topic, any training activities, and the inclusion of the break times. The Office will review the syllabus for compliance with the training standards and ~~shall~~ notify the trainer or training program of any deficiencies no later than 10 working days before the program is ~~to be offered~~scheduled. Any deficiencies in the program syllabus ~~shall~~must be corrected prior to the commencement of the training program.

(14)(C) **Readings.** All training programs must provide ~~the~~ participants with a copy~~copies~~ of Rules 4-510.01-.06, -UCJA, Rule 104~~Rule 104 of the Utah Rules of Court-Annexed Alternative Dispute Resolution (URCADR)-Rule 104 (the ethical code),~~ Utah Code title~~Title~~ 78B, c~~C~~hapter 6, p~~P~~art 2, Alternative Dispute Resolution Act, ~~and~~ Utah Code~~Utah Code~~ title~~Title~~ 78B, c~~C~~hapter 10, Utah Uniform Mediation Act, and the Utah Mediation Best Practice Guide. Time spent reading the required materials may not count towards the required number of hours of training and can be completed by participants at times when the training program is not being conducted. ~~Trainers shall incorporate in this~~ The program ~~some~~must include a method ~~of to~~ ensuring that the required readings are completed.

~~(15)(D)~~ **Ethics tTraining.** Training programs ~~shall~~ must review with participants Rule 104 of the URCADR and ~~Code of Ethics for ADR Providers. In addition,~~ incorporate ethics ~~shall be woven~~ throughout the program.

(1)(E) Mediation oObservation and eExperience oOpportunities.

(1)(E)(i) In addition to the Basic Mediation Training, the training program must:
All court-qualified 40-hour basic trainings::

(1)(E)(i)(a) mMust provide opportunities for those participants, who successfully complete the training, to fulfill all 10 hours of mediation observation and all 10 hours of co-mediation experience in accordance with RuleUCJA 4-510.03; or

(1)(E)(i)(b) pProvide documentation evidencing how the trainer will provide opportunities for all 10 hours of mediation observation and all 10 hours of co-mediation experience hours in accordance with UCJA-Rule 4-510.03. For example, -E.g. T he contractual arrangements with Utah Court Rostered mMediators on the Roster who have agreed to provide opportunities which fulfill the requirements in RuleUCJA 4-510.03.

(1)(E)(ii) Trainers who provide Basic Mediation Training for 25 or fewer participants per calendar year need only provide all 10 hours of mediation observation opportunities in accordance with RuleUCJA 4-510.03 or -provide documentation evidencing how the trainer will provide opportunities for participants to complete all 10 hours of mediation observation in accordance with UCJARule 4-510.03. E.g. TheFor example, contractual arrangements with mediators on the RosterUtah Court Rostered Mediators who have agreed to provide opportunities which fulfill the mediation observation requirement in RuleUCJA 4-510.03.

(26) **Training mMethodology:**

~~(4)(A)(ii)(a)-~~ (26)(A) Pedagogy. The program ~~shall~~ must include, ~~but is not limited to, the following:~~ lecture, group discussion, written exercises, mediation simulations, and role plays. ~~In addition, o~~ Outside readings should also be provided by the trainer to supplement the training.

(26)(B) Mediation dDemonstration. All training programs ~~shall~~ must present a role play mediation simulation (either live or by video) prior to the participant's role play experience as the mediator.

(26)(C) Primary Trainer. A Pprimary Ttrainer must be in attendance during the entire training program and actively instructing over 50 percent of the training content. It is preferable that a single Pprimary Ttrainer fulfill this obligation, but it is permissible that this be accomplished by more than one Pprimary Ttrainer.

(26)(D) **Participant attendance.** Participants must complete their training requirement by attending one entire program. The Pprimary Ttrainer is responsible for ensuring that participants comply with the approved syllabus ~~is complied with~~. Under no circumstances may a participant be excused from attending portions of the training. Any portion of the training missed ~~shall~~ must be made up as directed by the Pprimary Ttrainer.

(37) **Primary Trainer gQualifications.**

(3)(A) Training programs ~~shall~~ must employ a Pprimary Ttrainer approved by the Office who meets the applicable qualifications of a Pprimary Ttrainer ~~and who have been approved by the Office. In order to be approved as a~~

(3)(B) Pprimary Ttrainers ~~, a trainer~~ must demonstrate at least the following qualifications:

(37)(B)(i) sSuccessful completion of a minimum of 40 hours of mediation training ~~;~~

(37)(B)(ii) pParticipation in a minimum of 300 hours of mediation acting as the mediator ~~; and~~

(37)(B)(iii) cCompletion of 6 hours of continuing mediator education in the last year.

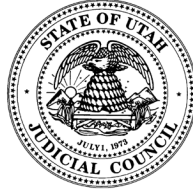
(37)(C) Primary Ttrainers are approved for a three- ~~(3)~~ year period.

Effective: ~~4/1/2012~~ May 1, 2026

TAB 3

CJA 3-306.04. Interpreter appointment, payment, and fees

Notes: See attached memo



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

March 13, 2026

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Policy, Planning, and Technology Committee

FROM: Jon Puente, Director OFA
Jessica Leavitt, Language Access Program Manager

RE: Proposed Change to Rule 3-306.04

In order to address several issues, including the increasing number of cases requiring interpreter services, contract interpreter double booking, and payment efficiency, the Language Access Program (LAP) recently purchased Interpreter Intelligence by Boostlingo, an interpreter scheduling software. Many state judiciaries have used this software to address the aforementioned issues.

During the last four months, the LAP has been piloting the software to make sure that it meets the needs of the Judiciary. During this pilot process we have been getting feedback from all stakeholders to make sure any necessary changes are all thought out. One major concern we got back from the Justice Court Administration team is that some of the justice courts may schedule outside of the software. If this happens the potential for double booking will not be eliminated. Ever since courts started holding virtual hearings, double booking has been a major issue in our local courts, but it has been a particularly critical issue with the justice courts.

In looking for and exploring solutions, our General Counsel designee suggested we solve this issue through rule. Attached is the proposed change to UCJA 3-306.04. that we hope will address this issue.

Rule 3-306.04. Interpreter appointment, payment, and fees.**Intent:**

To state the policy of the Utah courts to secure the rights of people under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. in legal proceedings who are unable to understand or communicate adequately in the English language.

To outline the procedures for appointment and payment of contract interpreters for legal proceedings.

Applicability:

This rule applies to legal proceedings in courts of record and not of record.

This rule applies to interpretation for individuals with a primary language other than English and limited English proficiency (LEP). This rule does not apply to interpretation for individuals with a hearing impairment, which is governed by Utah and federal statutes.

Statement of the Rule:**(1) Appointment.**

(1)(A) Except as provided in paragraphs (1)(B) and (1)(C), if the appointing authority determines that a party, witness, victim, or person who will be bound by the legal proceeding has a primary language other than English and LEP, the appointing authority will appoint a certified or approved interpreter in all legal proceedings. A person requesting an interpreter is presumed to be a person of LEP. [All appointments will be made using the interpreter scheduling process approved by the Council.](#)

(1)(B) A registered interpreter may be appointed if no certified or approved interpreter is reasonably available.

(1)(C) A conditionally-approved interpreter may be appointed if the appointing authority, after evaluating the totality of the circumstances, finds that:

(1)(C)(i) the prospective interpreter has language skills, knowledge of interpreting techniques, and familiarity with interpreting sufficient to interpret the legal proceeding;

(1)(C)(ii) appointment of the prospective interpreter does not present a real or perceived conflict of interest or appearance of bias; and

(1)(C)(iii) a certified, approved, or registered interpreter is not reasonably available or the gravity of the legal proceeding and the potential consequence to the person are so minor that delays in obtaining a certified or approved interpreter are not justified.

(1)(D) **Out of state credentials.** The appointing authority may appoint an interpreter with certified or approved or equivalent credentials from another state if the appointing authority finds that the approved, registered, or conditionally approved interpreters who are reasonably available do not have the language skills, knowledge of interpreting techniques, or familiarity with interpreting sufficient to interpret the legal proceeding. The appointing authority may consider the totality of the circumstances, including the

complexity or gravity of the legal proceeding, the potential consequences to the person of LEP, and any other relevant factor.

(1)(E) **Direct verbal exchange.** No interpreter is needed for a direct verbal exchange between the person and court staff if the court staff can fluently speak the language understood by the person and the state court employee is acting within guidelines established in the Human Resources Policies and Procedures. An approved, registered, or conditionally approved interpreter may be appointed if court staff does not speak the language understood by the person.

(1)(F) **Number of interpreters.** The appointing authority will appoint one interpreter for all participants with LEP, unless the judge determines that the participants have adverse interests, or that due process, confidentiality, the length of the legal proceeding, or other circumstances require that there be additional interpreters.

(2) **Review of denial of request for interpreter.** A person whose request for an interpreter has been denied may apply for review of the denial. The application will be decided by the presiding judge. If there is no presiding judge or if the presiding judge is unavailable, the court clerk will refer the application to any judge of a court of equal jurisdiction. The application must be filed within 20 days after the denial.

(3) **Waiver.** A person may waive an interpreter if the appointing authority approves the waiver after determining that the waiver has been made knowingly and voluntarily. A person may retract a waiver and request an interpreter at any time. An interpreter is for the benefit of the court as well as for the person with a primary language other than English and LEP, so the appointing authority may reject a waiver.

(4) **Translation of court forms.** Forms must be translated by a team of at least two people who are interpreters certified or approved under this rule or translators accredited by the American Translators Association.

(5) **Recorded Evidence.**

(5)(A) **Sight translations.** Parties may not ask interpreters to produce on-the-spot sight translations of written documents. The court may explain to the parties why this task is inappropriate.

(5)(B) **Recorded evidence in languages other than English.** When offering a recording of a spoken language other than English, a party must offer a written transcript of the recording to aid the jury or the court in understanding the recording. Admissibility of the recording and transcript is governed by the Utah Rules of Evidence.

(5)(C) **Recorded evidence in English.** Audio and video files recorded in English that will be played in open court should be reviewed by the interpreter(s) who will be providing language services for that hearing prior to the proceeding.

(5)(D) **Emergency circumstances.** If the situation involves an emergency circumstance, the court may require a party with LEP to testify as to what is being said on the recording and have that testimony interpreted by the court interpreter for the record. If the recorded evidence is brief or not complex, the court may permit on-the-spot interpretation with the consent of the court interpreter.

(5)(E) **Duty to inform.** Court interpreters assigned to a given proceeding must inform the judge if they are unable to provide on-the-spot interpretation of audio or video recordings, or sight translations of written documents in English.

(6) **Payment.**

(6)(A) **Courts of record.** The fees and expenses for language access in courts of record will be paid by the Administrative Office. Payment of fees and expenses will be made in accordance with the Accounting Manual.

(6)(B) **Courts not of record.** The local government that funds a court not of record will set and pay the fees and expenses for interpreters in that court.

(6)(C) **Parties.** The court may assess the fees and expenses as costs to a party as otherwise provided by law (e.g., Utah Constitution, Article I, Section 12, Utah Code Sections 77-1-6, 77-18-116, 77-32b-104, 78B-1-146, Rule 54 of the Utah Rules of Civil Procedure, and Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., including regulations and guidance adopted under that title).

(6)(D) **Review.** A person who has been ordered to pay fees and expenses for language access may apply to the presiding judge to review the order. If there is no presiding judge, the person may apply to any judge of a court of equal jurisdiction. The application must be filed within 20 days after the date the order was issued.

Effective: ~~5/1/2025~~ November 1, 2026

TAB 4

S.B. 257

Notes: Three bills amend the same section of Code (78A-5-103): [HB 366](#) (municipal cases) is currently in effect; [SB 257](#) (one judge per child/family) goes into effect on May 6th; and [SB 270](#) (housing & debt collection cases) goes into effect on January 1st. Without a coordinating clause, it's hard to say how 78A-5-103 will ultimately be numbered/formatted, but I've attached two different "redlines" to help visualize the changes.

Version 1 includes SB 257 & HB 366.

Version 2 adds SB 270 to give you an idea of what that section might look like in January.

I am not recommending any rule amendments related to HB 366 or SB 270 at this time. Keri Sargent would like to discuss changes related to the following language in SB 257 (line 1595):

"To the extent possible, the district court of each district shall assign any case or proceeding involving the same child or family to a single judge."

After discussing SB 257 with different clerical teams across the state, Keri recommends creating a process that puts the burden on the parties to submit a request for case reassignment. "To the extent possible" gives courts the flexibility to create processes at the local level, which could be outlined in local supplemental rules. Below are several practical recommendations from the clerical teams for PJs to consider:

- Create a form to assist self-represented parties in identifying cases in the same district to be reassigned to one judge. Otherwise, the request could be made by motion or in a court hearing.
- Judge reassignments could be based on which judge had the earliest filed case. All other cases filed after that case would then be reassigned to that judge.
- Deadlines could be imposed to manage when requests for reassignment could be made.
- Requests of this nature would only apply to domestic case types such as divorce and protective orders.

78A-5-103. District court case management
(HB 366 + SB 257)(No coord. clause)

Municipal cases (HB 366) (Eff. 3/13/26) (lines 997-1031)

Same child / family to single judge (SB 257) (Eff. 5/6/26) (lines 1595-1596)

78A-5-103. District court case management

(1) As used in this section,

(a) "Municipal case" means a criminal case:

- (i) filed in a district court by a city attorney on behalf of a municipality;
- (ii) appealed from a municipal justice court to a district court; or
- (iii) transferred to a district court by a municipal justice court.

(c) "Municipality" means the same as that term is defined in Section 10-1-104.

(d) "Municipality's principal office" means the primary location where the municipality conducts official administrative business.

(2) The district court of each district shall develop systems of case management.

(3) The case management systems developed by a district court shall:

- (a) ensure judicial accountability for the just and timely disposition of cases; and
- (b) provide for each judge a full judicial workload that accommodates differences in the subject matter or complexity of cases assigned to different judges.

(4) (a) A district court may establish divisions within the court for the efficient management of different types of cases.

(b) The existence of divisions within the court may not:

- (i) affect the jurisdiction of the court nor the validity of court orders; or
- (ii) impede public access to the courts.

(5) To the extent possible, the district court of each district shall assign any case or proceeding involving the same child or family to a single judge.

(6) (a) (i) Except as provided in Subsection (6)(b), management of municipal cases, the presiding judge of each judicial district shall:

(A) assign at least one judge to hear a municipality's municipal cases;

(B) ensure that the number of judges assigned to hear a municipality's municipal cases does not exceed one judge for every 500 municipal cases that the municipality files, appeals, or transfers in the calendar year; and

(C) except as provided in Subsection (6)(a)(iii), ensure that each municipal case is heard in the closest possible location to the municipality.

(ii) The location described in Subsection (6)(a)(i)(C) shall be measured by driving distance to the municipality's principal office.

(iii) A municipal case may be heard in a location other than the location described in subsection (6)(a)(i)(C) if the presiding judge finds good cause for the municipal case to be heard in a different location.

(b) The requirements described in Subsection (5)(a) do not apply to the management of a municipality's municipal cases if the municipality and the presiding judge of the judicial district enter into a memorandum of understanding that specifies a different arrangement for managing the municipality's municipal cases.

Version 2: All three bills (*effective January 1, 2027*)

78A-5-103. District court case management
(SB 270 + HB 366 + SB 257)(*No coord. clauses*)

Debt collection / Housing cases (SB 270) (*Eff. 1/1/27*) (*lines 30-59*)

Municipal cases (HB 366) (*Eff. 3/13/26*) (*lines 997-1031*)

Same child / family to single judge (SB 257) (*Eff. 5/6/26*) (*lines 1595-1596*)

78A-5-103. District court case management – Establishment of a division of the district court.

(1) As used in this section,

(a) "Debt collection or housing action" means a civil action in the district court:

(i) for forcible entry and detainer as described in Title 78B, Chapter 6, Part 8, Forcible Entry and Detainer; or

(ii) that is eligible to be filed as a debt collection case on or after January 1, 2027.

(b) "Municipal case" means a criminal case:

(i) filed in a district court by a city attorney on behalf of a municipality;

(ii) appealed from a municipal justice court to a district court; or

(iii) transferred to a district court by a municipal justice court.

(c) "Municipality" means the same as that term is defined in Section 10-1-104.

(d) "Municipality's principal office" means the primary location where the municipality conducts official administrative business.

(2) The district court of each district shall develop systems of case management.

(3) The case management systems developed by a district court shall:

(a) ensure judicial accountability for the just and timely disposition of cases; and

(b) provide for each judge a full judicial workload that accommodates differences in the subject matter or complexity of cases assigned to different judges.

(4) ~~(a) A district court~~ The **Judicial Council** may establish divisions within the **district** court for the efficient management of different types of cases, **including a division to manage any debt collection or housing action.**

Version 2: All three bills (*effective January 1, 2027*)

- (b) Upon establishing a division under Subsection (4)(a), the Judicial Council shall allocate sufficient resources from appropriations made by the Legislature for the division, including the appointment or hiring of commissioners or judicial assistants to staff the division.
 - (c) The existence of divisions within the court may not:
 - (i) affect the jurisdiction of the court nor the validity of court orders; or
 - (ii) impede public access to the courts.
 - (5) To the extent possible, the district court of each district shall assign any case or proceeding involving the same child or family to a single judge.
 - (6)(a) (i) Except as provided in Subsection (5)(b), management of municipal cases, the presiding judge of each judicial district shall:
 - (A) assign at least one judge to hear a municipality's municipal cases;
 - (B) ensure that the number of judges assigned to hear a municipality's municipal cases does not exceed one judge for every 500 municipal cases that the municipality files, appeals, or transfers in the calendar year; and
 - (C) except as provided in Subsection (5)(a)(iii), ensure that each municipal case is heard in the closest possible location to the municipality.
 - (ii) The location described in Subsection (5)(a)(i)(C) shall be measured by driving distance to the municipality's principal office.
 - (iii) A municipal case may be heard in a location other than the location described in subsection (5)(a)(i)(C) if the presiding judge finds good cause for the municipal case to be heard in a different location.
 - (b) The requirements described in Subsection (5)(a) do not apply to the management of a municipality's municipal cases if the municipality and the presiding judge of the judicial district enter into a memorandum of understanding that specifies a different arrangement for managing the municipality's municipal cases.
- (7) (a) Notwithstanding the venue requirements in Title 78B, Chapter 3a, Venue for Civil Actions, for a debt collection or housing action, the district court shall transfer any debt collection or housing action to the division established under Subsection (4) for centralized pretrial and post judgment case processing.
- (b) The division may transfer a debt collection or housing action to a venue for which a district court determines is proper under Utah Rules of Civil Procedure, Rule 42, if:

Version 2: All three bills (*effective January 1, 2027*)

(i) the debt collection or housing action is set for trial; or

(ii) the debt collection or housing action requires an evidentiary hearing that is not an evidentiary hearing under Title 78B, Chapter 6, Part 8, Forcible Entry and Detainer.

TAB 5

CJA 1-205. Standing and ad hoc committees

CJA 4-906. Guardian ad litem program

Notes: The proposed amendments to rules 1-205 and 4-906 are in response to [HB 372](#). The amendments related to the Guardian ad Litem Oversight Committee are extensive.

Rule 1-205. Standing and Ad Hoc Committees.**Intent:**

To establish standing and ad hoc committees to assist the Council and provide recommendations on topical issues.

To establish uniform terms and a uniform method for appointing committee members.

To provide for a periodic review of existing committees to assure that their activities are appropriately related to the administration of the judiciary.

Applicability:

This rule applies to the internal operation of the Council.

Statement of the Rule:**(1) Standing Committees.**

(1)(A) **Establishment.** The following standing committees of the Council are hereby established:

(1)(A)(i) Uniform Fine Committee;

(1)(A)(ii) Ethics Advisory Committee;

(1)(A)(iii) Judicial Branch Education Committee;

~~(1)(A)(iv) Court Facility Planning Committee;~~

(1)(A)(iv) Committee on Children and Family Law;

(1)(A)(v) Committee on Resources for Self-represented Parties;

(1)(A)(vi) Language Access Committee;

(1)(A)(vii) Guardian ad Litem Oversight Committee;

(1)(A)(viii) Committee on Model Utah Civil Jury Instructions;

(1)(A)(ix) Committee on Model Utah Criminal Jury Instructions;

(1)(A)(x) Committee on Court Forms;

(1)(A)(xii) Committee on Fairness and Accountability;

(1)(A)(xiii) Working Interdisciplinary Network of Guardianship Stakeholders (WINGS); and

(1)(A)(xiv) Tribal Liaison Committee.

(1)(B) **Composition.**

(1)(B)(i) The **Uniform Fine Committee** performs the duties described in Rule 4-302 and will consist of:

~~(1)(B)(i)(a) one district court judge who has experience with a criminal docket;~~

(1)(B)(i)(ab) one three district court judges ~~who have~~ who has experience with a ~~misdemeanor~~ criminal docket; and

(1)(B)(i)(bc) two~~four~~ justice court judges.

(1)(B)(ii) The **Ethics Advisory Committee** performs the duties described in Rule 3-109 and will consist of:

(1)(B)(ii)(a) one judge from the Court of Appeals;

(1)(B)(ii)(b) one district court judge from Judicial Districts 2, 3, or 4;

(1)(B)(ii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;

(1)(B)(ii)(d) one juvenile court judge;

(1)(B)(ii)(e) one justice court judge; and

(1)(B)(ii)(f) an attorney from either the Bar or a college of law.

(1)(B)(iii) The **Judicial Branch Education Committee** performs the duties described in Rule 3-403 and will consist of:

(1)(B)(iii)(a) one judge from an appellate court;

(1)(B)(iii)(b) one district court judge from Judicial Districts 2, 3, or 4;

(1)(B)(iii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;

(1)(B)(iii)(d) one juvenile court judge;

(1)(B)(iii)(e) the education liaison of the Board of Justice Court Judges;

(1)(B)(iii)(f) one court level administrator;

(1)(B)(iii)(g) the Human Resources Director;

(1)(B)(iii)(h) one court executive;

(1)(B)(iii)(i) one juvenile court probation representative;

(1)(B)(iii)(j) two court clerks from different levels of court and different judicial districts;

(1)(B)(iii)(k) one data processing manager; and

(1)(B)(iii)(l) one adult educator from higher education.

(1)(B)(iii)(m) The Human Resources Director and the adult educator will serve as non-voting members. The court level administrator and the Human Resources Director will serve as permanent Committee members.

~~(1)(B)(iv) The **Court Facility Planning Committee** performs the duties described in Rule 3-409 and will consist of:~~

~~(1)(B)(iv)(a) one judge from each level of trial court;~~

~~(1)(B)(iv)(b) one appellate court judge;~~

~~(1)(B)(iv)(c) the state court administrator;~~

~~(1)(B)(iv)(d) a trial court executive;~~

~~(1)(B)(iv)(e) two business people with experience in the construction or financing of facilities;~~

~~(1)(B)(iv)(f) the court security director; and~~

~~(1)(B)(iv)(g) two community representatives who are knowledgeable about the needs of self-represented litigants.~~

(1)(B)(iv) The **Committee on Children and Family Law** performs the duties described in Rule 4-908 and will consist of:

(1)(B)(iv)(a) one Senator appointed by the President of the Senate;

(1)(B)(iv)(b) the Director of the Department of Health and Human Services or designee;

(1)(B)(iv)(c) one attorney of the Executive Committee of the Family Law Section of the Utah State Bar;

(1)(B)(iv)(d) one attorney with experience in abuse, neglect and dependency cases;

(1)(B)(iv)(e) one attorney with experience representing parents in abuse, neglect and dependency cases;

(1)(B)(iv)(f) one representative of a child advocacy organization;

(1)(B)(iv)(g) the ADR Program Director or designee;

(1)(B)(iv)(h) one professional in the area of child development;

(1)(B)(iv)(i) one mental health professional;

(1)(B)(iv)(j) two community representatives who are knowledgeable about the needs of self-represented litigants;

(1)(B)(iv)(k) the Director of the Office of Guardian ad Litem or designee;

(1)(B)(iv)(l) the Director of the Self-Help Center and Law Library or designee:

(1)(B)(iv)(~~l~~m) one court commissioner;

(1)(B)(iv)(~~m~~n) two district court judges; and

(1)(B)(iv)(~~n~~o) two juvenile court judges.

(1)(B)(iv)(~~o~~p) One of the district court judges and one of the juvenile court judges will serve as co-chairs to the committee. In its discretion, the committee may appoint non-members to serve on its subcommittees.

(1)(B)(vi) The **Committee on Resources for Self-represented Parties** performs the duties described in Rule 3-115 and will consist of:

(1)(B)(vi)(a) two district court judges;

(1)(B)(vi)(b) one juvenile court judge;

(1)(B)(vi)(c) two justice court judges;

(1)(B)(vi)(d) three clerks of court – one from an appellate court, one from an urban district and one from a rural district;

(1)(B)(vi)(e) one representative from a social services organization providing direct services to underserved communities;

(1)(B)(vi)(f) one representative from the Utah State Bar;

(1)(B)(vi)(g) two representatives from legal service organizations that serve low-income clients;

(1)(B)(vi)(h) one private attorney experienced in providing services to self-represented parties;

(1)(B)(vi)(i) two law school representatives;

(1)(B)(vi)(j) the state law librarian; and

(1)(B)(vi)(k) two community representatives who are knowledgeable about the needs of self-represented litigants.

(1)(B)(vii) The **Language Access Committee** performs the duties described in Rule 3-306.02 and will consist of:

(1)(B)(vii)(a) one district court judge;

(1)(B)(vii)(b) one juvenile court judge;

(1)(B)(vii)(c) one justice court judge;

(1)(B)(vii)(d) one trial court executive;

(1)(B)(vii)(e) one court clerk;

(1)(B)(vii)(f) one interpreter coordinator;

(1)(B)(vii)(g) one probation officer;

(1)(B)(vii)(h) one prosecuting attorney;

(1)(B)(vii)(i) one defense attorney;

(1)(B)(vii)(j) two certified interpreters;

(1)(B)(vii)(k) one approved interpreter;

(1)(B)(vii)(l) one expert in the field of linguistics;

(1)(B)(vii)(m) one American Sign Language representative; and

(1)(B)(vii)(n) two community representatives who are knowledgeable about the needs of self-represented litigants.

(1)(B)(viii) The **Guardian ad Litem Oversight Committee** performs the duties described in Utah Code section 78A-2-104.5 and Rule 4-906 and will consist of:

(1)(B)(viii)(a) seven members appointed by the Judicial Council, including:
~~with experience in the administration of law and public services selected from public, private and non-profit organizations.~~

(1)(B)(vii)(a)(i) a current or former juvenile court judge;

(1)(B)(vii)(a)(ii) an attorney with experience representing parents in child welfare cases;

(1)(B)(vii)(a)(iii) an attorney with experience representing the Division of Child and Family Services in child welfare cases;

(1)(B)(vii)(a)(iv) a behavioral or mental health clinical provider with experience working with families involved in child welfare cases;

(1)(B)(vii)(a)(v) an individual with experience working with or advocating for youth in foster care;

(1)(B)(vii)(a)(vi) an individual with lived experience as a parent involved with the child welfare system; and

(1)(B)(vii)(a)(vii) an individual with lived experience as a child or youth involved with the child welfare system;

(1)(B)(vii)(b) two members appointed by the Administrative Office,
including:

(1)(B)(vii)(b)(i) a current or former court administrator; and

(1)(B)(vii)(b)(ii) a current internal court auditor;

(1)(B)(vii)(c) a member of the Senate, whom the president of the Senate
appoints;

(1)(B)(vii)(d) a member of the House of Representatives, whom the
speaker of the House of Representatives appoints; and

(1)(B)(vii)(e) the guardian ad litem director or the director's designee.

(1)(B)(~~ix~~viii) The **Committee on Model Utah Civil Jury Instructions** performs
the duties described in Rule 3-418 and will consist of:

(1)(B)(~~ix~~viii)(a) two district court judges;

(1)(B)(~~ix~~viii)(b) four lawyers who primarily represent plaintiffs;

(1)(B)(~~ix~~viii)(c) four lawyers who primarily represent defendants; and

(1)(B)(~~ix~~viii)(d) one person skilled in linguistics or communication.

(1)(B)(ix) The **Committee on Model Utah Criminal Jury Instructions** performs
the duties described in Rule 3-418 and will consist of:

(1)(B)(ix)(a) two district court judges;

(1)(B)(ix)(b) one justice court judge;

(1)(B)(ix)(c) four prosecutors;

(1)(B)(ix)(d) four defense counsel; and

(1)(B)(ix)(e) one person skilled in linguistics or communication.

(1)(B)(xi) The **Committee on Court Forms** performs the duties described in
Rule 3-117 and will consist of:

(1)(B)(xi)(a) two district court judges;

(1)(B)(x~~i~~)(b) one court commissioner;

(1)(B)(x~~i~~)(c) one juvenile court judge;

(1)(B)(x~~i~~)(d) one justice court judge;

(1)(B)(x~~i~~)(e) one court clerk;

(1)(B)(x~~i~~)(f) one appellate court staff attorney;

(1)(B)(x~~i~~)(g) one representative from the Self-Help Center;

(1)(B)(x~~i~~)(h) the State Law Librarian;

(1)(B)(x~~i~~)(i) the district court administrator or designee;

(1)(B)(x~~i~~)(j) one representative from a legal service organization that serves low-income clients;

(1)(B)(x~~i~~)(k) one paralegal;

(1)(B)(x~~i~~)(l) one educator from a paralegal program or law school;

(1)(B)(x~~i~~)(m) one person skilled in linguistics or communication;

(1)(B)(x~~i~~)(n) one representative from the Utah State Bar;

(1)(B)(x~~i~~)(o) the Licensed Paralegal Practitioner (LPP) administrator; and

(1)(B)(x~~i~~)(p) two community representatives who are knowledgeable about the needs of the self-represented litigants.

(1)(B)(x~~ii~~) The **Committee on Fairness and Accountability** performs the duties described in Rule 3-420. The committee will include members who demonstrate an interest in or who have experience with issues of diversity, equity, and inclusion and will consist of:

(1)(B)(x~~ii~~)(a) one district court judge;

(1)(B)(x~~ii~~)(b) one juvenile court judge;

(1)(B)(x~~ii~~)(c) one justice court judge;

(1)(B)(x~~ii~~)(d) one appellate court judge;

(1)(B)(xii)(e) two former judges from any court level;

(1)(B)(xii)(f) the General Counsel or designee;

(1)(B)(xii)(g) two community representatives who are knowledgeable about the needs of self-represented litigants;

(1)(B)(xii)(h) the Director of the Office of Fairness and Accountability;

(1)(B)(xii)(i) the Director of Data and Research or designee; and

(1)(B)(xii)(j) up to two additional qualified individuals.

(1)(B)(xiii) The **Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)** performs the duties described in Rule 3-421, and will consist of:

(1)(B)(xiii)(a) **Judiciary** representatives:

(1)(B)(xiii)(a)(i) two or more district court judges;

(1)(B)(xiii)(a)(ii) two or more district court judicial support staff with experience in guardianship matters;

(1)(B)(xiii)(a)(iii) one representative from the Guardianship Reporting and Monitoring Program (GRAMP); and

(1)(B)(xiii)(a)(iv) one representative from the Court Visitor Program.

(1)(B)(xiii)(b) **Community stakeholder** representatives:

(1)(B)(xiii)(b)(i) one representative from Adult Protective Services;

(1)(B)(xiii)(b)(ii) one representative from Disability Law Center;

(1)(B)(xiii)(b)(iii) one representative from Adult and Aging Services;

(1)(B)(xiii)(b)(iv) one representative from Office of Public Guardian;

(1)(B)(xiii)(b)(v) one representative from the Utah State Bar;

(1)(B)(xiii)(b)(vi) one representative from Office of the Attorney General;

(1)(B)(xiii)(b)(vii) one representative from the Utah legislature;

(1)(B)(xiii)(b)(viii) one representative from the Utah Commission on Aging;

(1)(B)(xiii)(b)(ix) one representative from Utah Legal Services; and

(1)(B)(xiii)(b)(x) the Long-Term Care Ombudsman or designee.

(1)(B)(xiii)(c) **Individual community** representatives. Three or more community stakeholders representing:

(1)(B)(xiii)(c)(i) mental health community;

(1)(B)(xiii)(c)(ii) medical community;

(1)(B)(xiii)(c)(iii) private legal community that specializes in guardianship matters;

(1)(B)(xiii)(c)(iv) aging-adult services community;

(1)(B)(xiii)(c)(v) educator from a legal program or law school;

(1)(B)(xiii)(c)(vi) organization serving low-income, minorities, or marginalized communities;

(1)(B)(xiii)(c)(vii) citizens under or involved in guardianship; and

(1)(B)(xiii)(c)(viii) other organizations with a focus including, but not limited to guardianship, aging, legal services, or disability.

(1)(B)(xiii)(c) **The Tribal Liaison Committee** performs the duties described in Rule 3-422 and will consist of:

(1)(B)(xiii)(c)(a) one district court judge;

(1)(B)(xiii)(c)(b) one juvenile court judge;

(1)(B)(xiii)(c)(c) one justice court judge;

439 (1)(B)(xiii)(d) one appellate court judge;

440
441 (1)(B)(xiii)(e) one federal district court judge or magistrate;

442
443 (1)(B)(xiii)(f) one tribal court judge;

444
445 (1)(B)(xiii)(g) two representatives of Utah's Indian Tribes or
446 affiliated community groups;

447
448 (1)(B)(xiii)(h) the Tribal Liaison;

449
450 (1)(B)(xiii)(i) one trial court executive;

451
452 (1)(B)(xiii)(j) one clerk of court or designee;

453
454 (1)(B)(xiii)(k) one representative from the Utah State Bar Indian
455 Law Section;

456
457 (1)(B)(xiii)(l) one representative from the United States Attorney's
458 Office;

459
460 (1)(B)(xiii)(m) one representative from the Indigent Defense
461 Commission; and

462
463 (1)(B)(xiii)(n) one representative from the Guardian ad Litem's
464 Office.

465
466 (1)(C) **Standing committee meetings and chairs.** The Council will designate the chair
467 of each standing committee. Standing committees will meet as necessary to accomplish
468 their work. Except for the Committee on Fairness and Accountability, Council members
469 may not serve, participate or vote on standing committees. Standing committees may
470 invite participation by others as they deem advisable, but only members designated by
471 this rule may make motions and vote. All members designated by this rule may make
472 motions and vote unless otherwise specified. Standing committees may form
473 subcommittees as they deem advisable.

474
475 (1)(D) **Committee performance review.** This subsection (1)(D) does not apply to the
476 Guardian ad Litem Oversight Committee.

477
478 (1)(D)(i) **Council.** Standing committees will report to the Council as necessary,
479 but at least annually.

480

(1)(D)(ii) **Committee assessment.** At least once every three years, the chair of each standing committee will conduct a performance assessment. Chairs should, at a minimum, consider:

(1)(D)(iii)(a) whether there is a more efficient way to accomplish the committee's work;

(1)(D)(iii)(b) whether there are any redundancies that would allow for consolidation with other committees or working groups; and

(1)(D)(iii)(c) whether the committee continues to serve its purpose or could be dissolved.

(1)(D)(iii) **Management Committee.** Committee chairs will report the results of the performance assessment in paragraph (1)(D)(ii) to the Management Committee. If the Management Committee determines that the committee continues to serve its purpose, the Management Committee will recommend to the Council that the committee continue. If the Management Committee determines that modification of a committee is warranted, it may so recommend to the Council.

(1)(~~ED~~)(iv) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem Oversight Committee ~~is recognized by Utah Code section 78A-2-104,~~ will meet at least quarterly and will not terminate. Meetings will be conducted in accordance with Utah Code section 78A-2-104.5(6). On or before November 1st of each year, the committee will provide an annual report to the Council regarding the committee's activities, findings, and recommendations.

(2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider topical issues outside the scope of the standing committees and to recommend rules or resolutions concerning such issues. The Council may set and extend a date for the termination of any ad hoc committee. The Council may invite non-Council members to participate and vote on ad hoc committees. Ad hoc committees will keep the Council informed of their activities. Ad hoc committees may form sub-committees as they deem advisable. Ad hoc committees will disband upon issuing a final report or recommendation(s) to the Council, upon expiration of the time set for termination, or upon the order of the Council.

(3) **General provisions.**

(3)(A) **Appointment process.**

(3)(A)(i) **Administrator's responsibilities.** The state court administrator will select a member of the administrative staff to serve as the administrator for

committee appointments. Except as otherwise provided in this rule, the administrator will:

(3)(A)(i)(a) announce expected vacancies on standing committees two months in advance and announce vacancies on ad hoc committees in a timely manner;

(3)(A)(i)(b) for new appointments, obtain an indication of willingness to serve from each prospective appointee and information regarding the prospective appointee's present and past committee service;

(3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve from the prospective reappointee, the length of the prospective reappointee's service on the committee, the attendance record of the prospective reappointee, the prospective reappointee's contributions to the committee, and the prospective reappointee's other present and past committee assignments; and

(3)(A)(i)(d) present a list of prospective appointees and reappointees to the Council and report on recommendations received regarding the appointment of members and chairs.

(3)(A)(ii) **Council's responsibilities.** The Council will appoint the chair of each committee. Whenever practical, appointments will reflect geographical, gender, cultural, and ethnic diversity.

(3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members will serve staggered three-year terms. Standing committee members may not serve more than two consecutive terms on a committee unless the Council determines that exceptional circumstances exist which justify service of more than two consecutive terms.

(3)(C) **Expenses.** Members of standing and ad hoc committees may receive reimbursement for actual and necessary expenses incurred in the execution of their duties as committee members. Members of the Guardian ad Litem Oversight Committee will be compensated in accordance with Utah Code section 78A-2-104.5.

(3)(D) **Secretariat.** The Administrative Office will serve as secretariat to the Council's committees.

Effective: ~~7/1/2025~~ May 18, 2026

Rule 4-906. Guardian ad litem program.**Intent:**

To establish:

(1) the responsibilities of the Guardian ad Litem Oversight Committee ("Committee")
~~established in Rule 4-205;~~

(2) ~~To establish~~ the policies and procedures for the management of the guardian ad
litem ("GAL") program;

~~To establish responsibility for management of the program.~~

(3) ~~To establish~~ the policies and procedures for the selection of ~~guardians ad~~
~~litem~~ GALs;

(4) ~~To establish~~ the policies and procedures for payment for ~~guardian ad litem~~ GAL
services; ~~and~~.

(5) ~~To establish~~ the policies and procedures for complaints regarding ~~guardians ad~~
~~litem~~ GALs and volunteers.

Applicability:This rule ~~applies~~ shall apply to the management of the ~~guardian ad litem~~ GAL program.This rule does not affect the authority of the Utah State Bar to discipline a ~~guardian ad~~
~~litem~~ GAL.**Statement of the Rule:**

(1) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem Oversight Committee
will ~~shall~~:

(1)(A) ~~develop and monitor policies of~~ evaluate and monitor the Office of Guardian ad
Litem ("Office") to ensure:

(1)(A)(i) ~~ensure~~ the independent and professional representation of a ~~child~~ minor-
client and the ~~child's~~ minor's best interest; and

(1)(A)(ii) ~~ensure~~ compliance with federal and state statutes, rules, and case law;

(1)(B) develop Office policies and make recommendations to the Council regarding the
statewide GAL program;

(1)(C) recommend rules of administration and procedure to the ~~Judicial~~ Council and
Supreme Court;

(1)(D) select the Director of the Office of Guardian ad Litem ("Director") in consultation
with the ~~State Court Administrative~~ Office;

(1)(E) develop a performance plan for the Director;

(1)(F) monitor the Office's caseload and recommend to the ~~Judicial~~ Council adequate
staffing of ~~guardians ad litem~~ GALs and staff;

Commented [KW1]: The statutory amendments are pretty extensive (lines 262-346). Should we just pull everything over from the statute or replace most of what is currently in the rule and simply refer to the statute? We could keep a few subsections not addressed in the bill (i.e., recommending rules (1)(C), performance plans (1)(E), and hearing complaints (1)(G)-(H))?

Commented [KW2]: It's unclear to me who has the authority to hire and fire the director and what that process should look like. This is how I understand it:

1. The committee gets to "appoint" the GAL director under 78A-2-802(2)(a).
2. The GAL director is under the "direct supervision" of the committee under 78A-2-802(1).
3. The director serves at the pleasure of the committee, "in consultation with" the SCA under 78A-2-801(2)(b)(i).
4. And now the committee can "replace" the director in accordance with 78A-2-802 (line 310 in HB 372).

If I'm reading the code & the bill correctly, (1)(D) is not accurate because the committee does not have to consult with the SCA to make the initial hiring decision.

If the committee or the SCA aren't happy with the director, they must consult with each other before "replacing" them. Neither has the authority to do it alone. If they disagree, I'm assuming the Council has the ultimate say because the committee is "supervised by the Judicial Council" (lines 250 & 263 of HB 372). Do we want to get ahead of any issues and make that process clear in the rule?

How does "direct supervision" work from a practical perspective? Is the SCA still the day-to-day manager?

(1)(~~G~~F) develop standards and procedures for hearing and deciding complaints and appeals of complaints; and

(1)(~~H~~G) hear and decide complaints and appeals of complaints as provided in this rule.

(2) **Qualifications of the ~~D~~director.** The Director ~~will~~shall have the qualifications provided ~~in~~by the Utah Code.

(3) **Responsibilities of the ~~D~~director.** In addition to responsibilities under the Utah Code, the Director ~~will~~shall have the following responsibilities:-

~~(3)(A) Manage the Office of Guardian ad Litem to ensure that minors who have been appointed a guardian ad litem by the court receive qualified guardian ad litem services.~~

Commented [KW3]: In statute

(3)(B) ~~d~~evelop the budget appropriation request to the legislature for the ~~guardian ad litem~~guardian ad litem GAL program:-

(3)(C) ~~c~~coordinate the appointments of ~~guardians ad litem~~guardians ad litem GALs among different levels of courts:-

(3)(D) ~~m~~monitor the services of the ~~guardians ad litem~~guardians ad litem GALs, staff, and volunteers by regularly consulting with users and observers of ~~guardian ad litem~~guardian ad litem GAL services, including judges, court executives and clerks, and by requiring the submission of appropriate written reports from the ~~guardians ad litem~~guardians ad litem GAL:-

(3)(E) ~~Determine whether the guardian ad litem caseload in Judicial Districts 1, 5, 6, 7, and 8 is best managed by full or part time employment or by contract.~~monitor attorney GAL caseloads to ensure compliance with national standards;

(3)(F) ~~s~~select ~~guardians ad litem~~guardians ad litem GALs and staff for employment as provided in this rule, ~~s~~select volunteers, ~~and~~and ~~c~~coordinate appointment of conflict counsel:-

(3)(G) ~~s~~supervise, evaluate, and discipline ~~guardians ad litem~~guardians ad litem GALs and staff employed by the courts and volunteers:-

(3)(H) ~~s~~supervise and evaluate the quality of service provided by ~~guardians ad litem~~guardians ad litem GALs under contract with the court:-

(3)(~~H~~) ~~m~~monitor and report to the Committee ~~guardian ad litem~~guardian ad litem GAL, staff, and volunteer compliance with federal and state statutes, rules, and case law; ~~and~~and

(3)(~~J~~) ~~p~~prepare and submit ~~to the annual report required in Utah Code to the~~to the Committee in October ~~August an annual report regarding the development, policy, and management of the guardian ad litem program and the training and evaluation of guardians ad litem, staff and volunteers. The Committee may amend the report prior to release to the Legislative Interim Human Services Committee.~~

(4) **Qualification and responsibilities of ~~guardian ad litem~~guardian ad litem GALs.** A ~~guardian ad litem~~guardian ad litem GAL ~~will~~shall be admitted to the practice of law in Utah and ~~will~~shall demonstrate experience and interest in the applicable law and procedures. The ~~guardian ad litem~~guardian ad litem GAL ~~will~~shall have the responsibilities established ~~in~~by the Utah Code.

(5) **Selection of ~~guardian ad litem~~guardian ad litem GAL for employment.**

(5)(A) A ~~guardian ad litem~~guardian ad litem GAL employed by the Administrative Office ~~of the Courts~~ is an at-will employee subject to dismissal by the Director with or without cause.

(5)(B) A ~~guardian ad litem~~GAL employed by the Administrative Office ~~of the Courts~~
~~will shall~~ be selected by the Director. Prior to the Director's ~~making a~~ selection, a panel
~~will shall~~ interview applicants and make hiring recommendations to the Director. The
 interview panel ~~will shall~~ consist of the Director (or Director's designee) and two or more
 of the following persons:

(5)(B)(i) the managing attorney of the local ~~guardian ad litem~~GAL office;

(5)(B)(ii) the ~~trial~~Court ~~E~~xecutive of the district court or juvenile court;

(5)(B)(iii) a member of the Committee;

(5)(B)(iv) a member of the Utah State Bar Association selected by the Director; or

(5)(B)(v) a member selected by the Director.

(6) Conflicts of interest and disqualification of ~~guardian ad litem~~GAL.

(6)(A) In cases where a ~~guardian ad litem~~GAL has a conflict of interest, the ~~guardian ad litem~~GAL ~~will shall~~ declare the conflict and request that the court appoint a conflict ~~guardian ad litem~~GAL in the matter. Any party who perceives a conflict of interest may file a motion with the court setting forth the nature of the conflict and a request that the ~~guardian ad litem~~GAL be disqualified from further service in that case. Upon a finding that a conflict of interest exists, the court ~~will shall~~ relieve the ~~guardian ad litem~~GAL from further duties in that case and appoint a conflict ~~guardian ad litem~~GAL.

(6)(B) The Administrative Office ~~of the Courts~~ may contract with attorneys to provide conflict ~~guardian ad litem~~GAL services.

(6)(C) If the conflict ~~guardian ad litem~~GAL is arranged on a case-by-case basis, the ~~C~~ourt ~~will shall~~ use the order form approved by the Council. The ~~O~~Order ~~will shall~~ include a list of the duties of a ~~guardian ad litem~~GAL. The court ~~will shall~~ ~~distribute file~~ the original ~~O~~Order ~~as follows: original into~~ the case ~~file~~ and ~~will distribute~~ one copy each to: the appointed conflict ~~guardian ad litem~~GAL; the ~~guardian ad litem~~GAL; all parties of record; the parents, guardians or custodians of the child(ren); the ~~C~~ourt ~~E~~xecutive; and the Director.

(6)(D) A conflict ~~guardian ad litem's~~GAL's compensation ~~will shall~~ not exceed \$~~100~~50 per hour or \$~~3,000~~4000 per case in any ~~twelve month~~twelve-month period, whichever is less. The per case compensation limit includes incidental expenses incurred in the case. Under extraordinary circumstances, the Director may ~~extend-increase~~ the ~~payment~~ compensation limit upon request from the conflict ~~guardian ad litem~~GAL. The request ~~will shall~~ include justification showing that the case required work of much greater complexity than, or time far in excess of, that required in most ~~guardian ad litem~~GAL assignments. ~~Incidental expenses incurred in the case will shall be included within the limit. If a case is appealed, the limit shall be extended by an additional \$400 compensation will be as set forth above.~~

(6)(E) A conflict GAL is not an employee of the Office.

(7) Staff and ~~y~~Volunteers.

(7)(A) The Director ~~will shall~~ develop a strong volunteer component to the ~~guardian ad litem~~GAL program and provide support for volunteer solicitation, screening, and training. Staff and volunteers ~~will shall~~ have the responsibilities established ~~in~~by the Utah Code.

(7)(B) Training for staff and volunteers ~~will~~shall be conducted under the supervision of the attorney ~~guardian ad litem~~GAL with administrative support provided by the Director. Staff and volunteers ~~will~~shall receive training in the areas of child abuse, child psychology, juvenile and district court procedures, and local child welfare agency procedures. Staff and volunteers ~~will~~shall be trained in the guidelines established by the National Court Appointed Special Advocate Association.

(8) **Private guardians ad litem (“PGALs”).**

(8)(A) List. The Director ~~will~~shall maintain a list of ~~private attorney guardians ad litem~~PGALs qualified for appointment.

(8)(B) Application. To be included on the list of eligible ~~private attorney guardians ad litem~~PGALs, ~~an applicant~~ shall ~~must apply for eligible private attorney guardian status~~ submit a written application to the ~~Utah~~ Office of Guardian ad Litem and:

(8)(B)(i) ~~show membership~~ be a member in good standing in the Utah State Bar;

(8)(B)(ii) provide a Bureau of Criminal Identification criminal history report;

(8)(B)(iii) provide a Utah Division of Child and Family Services ~~c~~Child ~~a~~Abuse ~~d~~Data ~~b~~Base report ~~(and like similar~~ information from any state in which the applicant has resided as an adult);

(8)(B)(iv) provide a certificate of completion for any initial or additional necessary training requirements established by the Director;

(8)(B)(v) agree to perform in a competent, professional, proficient, ethical, and appropriate manner;

(8)(B)(vi) ~~and to~~ meet any minimum qualifications as determined by the Director; and

(8)(B)(vii) agree to be evaluated at the discretion of the Director for competent, professional, proficient, ethical, appropriate conduct, and/or performance, and minimum qualifications. This includes tracking of the frequency and type of interactions with the minor client.

(8)(C) Appointment. Upon the appointment by the court of a ~~private guardian ad litem~~PGAL, the court ~~will~~shall:

(8)(C)(i) use the following language in its order: "The Court appoints a private attorney guardian ad litem to be assigned by the Office of Guardian ad Litem, to represent the best interests of the minor child(ren) in this matter.";

(8)(C)(ii) designate in the order whether the ~~private attorney-PGAL~~ guardian ad litem ~~will~~shall:

(8)(C)(ii)(a) be paid the set fee, as established by paragraph (8)(F), and an initial retainer;

(8)(C)(ii)(b) not be paid and serve pro bono; or

(8)(C)(ii)(c) be paid at a rate less than the set fee in paragraph (8)(F); and

(8)(C)(iii) send the order to the Director c/o the Private Attorney Guardian ad Litem Program.

(8)(D) Assignment. Upon receipt of the court's order appointing a ~~private guardian ad litem~~ PGAL, the Director ~~will~~shall contact and assign the case to an eligible attorney, if available.

(8)(E) Notice of appearance and representation. Upon accepting the court's appointment, the assigned attorney ~~will~~shall file a notice of appearance with the court within five business days of acceptance, and ~~will~~shall thereafter represent the best interests of the minor(s) until released by the court.

(8)(F) Fees. The hourly fee to be paid by the parties and to be ordered and apportioned by the court against the parties ~~will~~shall be \$150.00 per hour or ~~at a higher rate as~~ determined reasonable by the court. The retainer amount ~~will~~shall be \$1,000 or a different amount determined reasonable by the court. The retainer amount ~~will~~shall be apportioned by the court among the parties and paid by the parties.

(8)(G) Education. Each year, ~~private attorneys guardian ad litem~~ PGALs ~~must~~shall complete three hours of continuing legal education (CLE) ~~credits that are~~ relevant to the role and duties of a ~~private attorney guardian ad litem~~ PGAL. To meet this requirement, the Office of ~~Guardian ad Litem~~ ~~will~~shall provide training opportunities that are accredited by the Utah State Bar Board of Mandatory Continuing Legal Education. In order to provide access to all ~~private attorney guardians ad litem~~ PGALs, the Office of ~~Guardian ad Litem~~ ~~sha~~will provide multiple trainings at locations throughout the State or online.

(8)(H) Removal.

(8)(H)(i) A ~~private attorney guardian ad litem~~ PGAL who fails to complete the required number of CLE hours ~~will~~shall be notified that unless all requirements are completed and reported within 30 days, the Director may remove the ~~private attorney guardian ad litem~~ PGAL from the list of eligible ~~private attorney guardians ad litem~~ PGALs.

(8)(H)(ii) The Director may remove with or without a complaint a PGAL from the list of eligible PGALs for failure to perform or conduct themselves in a competent, professional, proficient, ethical, or appropriate manner, or for failure to meet minimum qualifications, including the annual CLE requirement. Within a reasonable time after the removal, and in the event the PGAL has not yet been released by the court in a pending case, the Director will provide written notice to the court of the Director's action, and the court may, in its discretion, determine whether the PGAL should be released from the case.

(8)(I) A PGAL is not an employee of the Office.

(9) Complaints and appeals.

(9)(A) Complaints against Director or administrative policies. ~~(9)(A)(i) Any person may file~~ Complaints against the Director or an administrative policy or procedure must be submitted ~~to with~~ the chair of the Committee. ~~Complaints submitted to the Director's office must be sent to the Committee chair within a reasonable period of time, but not more than 14 days after receipt. a complaint regarding the Director, or regarding an administrative policy or procedure, not including complaints regarding a particular~~

~~guardian ad litem, private guardian ad litem, or volunteer.~~ If deemed necessary, the Committee may ~~enter a recommendation to the Judicial Council, which may include discipline of that~~ the Director be disciplined.

~~(9)(A)(ii) If a complaint regarding the Director or an administrative policy or procedure is received in the Director's office, the Director shall forward the complaint to the chair of the Committee within a reasonable time, but not more than 14 days after receipt.~~

(9)(B) Complaints against GALs or volunteers.

~~(9)(B)(i) Any person may file with the Director a~~ Complaints against ~~regarding a guardian ad litem~~ GAL employed by the Office of Guardian ad Litem, ~~a private attorney guardian ad litem~~ PGAL, or ~~a~~ volunteer, as defined ~~in by~~ Utah Code ~~A~~ section 78A-6-902(4)(a) ~~207, must be submitted to the Director.~~ The decision of the Director regarding the complaint is final and not subject to appeal.

~~(9)(B)(ii) If a guardian ad litem~~ GAL and a volunteer disagree on the major decisions involved in representation of the client, either may notify the Director that the dispute cannot be resolved. The decision of the Director regarding the dispute is final and not subject to appeal.

~~(9)(B)(iii) The failure of the Director to satisfactorily resolve a complaint against a guardian ad litem~~ GAL, ~~private attorney guardian ad litem~~ PGAL, or volunteer is not grounds for a complaint against the Director.

~~(9)(E) The Director may remove with or without a complaint a private attorney guardian ad litem from the list of eligible private guardians ad litem for failure to perform or conduct themselves in a competent, professional, proficient, ethical and/or appropriate manner or for failure to meet minimum qualifications, including the annual continuing legal education requirement. Within a reasonable time after the removal, and in the event the private attorney guardian ad litem has not yet been released by the court in a pending case, the Director shall provide written notice to such court of the Director's action, and the court may, in its discretion, determine whether the private attorney guardian ad litem should be released from the case.~~

(9)(~~C~~F)(i) Complaint submission. A complaint ~~shall~~ must be in writing, ~~and include:~~

~~(9)(C)(i) stating the name and contact information of the complainant;~~

~~(9)(C)(ii) the name of the child-(ren) or children involved;~~ and

~~(9)(C)(iii) the facts upon which the complaint is based in sufficient detail to inform the Committee or the Director of the nature and date of the alleged misconduct.~~ the nature of the complaint and the facts upon which the complaint is based.

(9)(~~D~~F)(ii) Investigation. In resolving a complaint, the Director or ~~the~~ Committee ~~will~~ shall conduct ~~such an~~ investigation as determined by the Director or ~~the~~ Committee ~~determines~~ to be reasonable. The Director or ~~the~~ Committee may meet separately or together with the complainant and the person against whom the complaint is filed.

(9)(~~E~~F)(iii) Decision. The decision of the Director may include discipline of the person against whom the complaint is filed. If the complaint is against a ~~private guardian ad litem~~ PGAL, the decision may include removal of the ~~private guardian ad litem~~ PGAL from the list of ~~private guardians ad litem~~ PGALs and the conditions for reinstatement.

CJA 4-906

DRAFT: April 25, 2026

Some changes approved as final (5/1/26)

Adding HB 372 changes

244 (9)(~~EG~~) Applicability. ~~This subsection~~ Paragraph (9) does not apply to conflict ~~guardians~~
245 ~~ad litem~~ GALs.

246 Effective: ~~11/1/2014~~ May 18, 2026

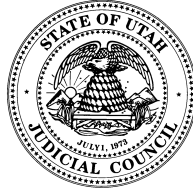
TAB 6

[H.B. 102](#). Victim Privacy Amendments

CJA 4-202.02. Records classification

CJA 4-202.12 (NEW). Request by victim to use initials rather than name

Notes: See attached memo



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

March 26, 2026

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Policy, Planning and Technology Committee

FROM: Keri Sargent, Deputy District Court Administrator

RE: Using Victims' Initials in Public-Facing Documents

The passage of [HB 102](#) gives crime victims the choice to have their initials, instead of their names, in public-facing documents. Requests must be made by the victim to law enforcement, prosecutors, or the court to make this switch.

In discussions concerning this bill—focused on determining best practices for both training and technological modifications—it was concluded that time limits must be established for when a victim is permitted to make a request. Discussion also concluded that it should be the prosecutor's responsibility to file a corrected charging document if a request was made after the document has been filed. A proposed new rule imposing those deadlines is attached.

In these same discussions, the working group decided that ultimately it may be good practice to use initials in every criminal case, not just where a request has been made. This will streamline the training and technological modifications already mentioned. In my opinion, adopting the practice of using only victims' initials in public documents aligns with the Judiciary's mission, apart from ensuring consistency.

Finally, a red-line change to CJA Rule 4-202.02 Records Classification is attached that will allow charging documents listing the victim's name be classified as private pending the receipt of an amended charging document. All proposed rules and redline changes were prepared by Jace Willard from the General Counsel's office.

The proposed rules are available to assist the Committee in decision-making. I look forward to our discussion and feedback the Committee may have in response to this issue.

The mission of the Utah judiciary is to provide the people an open, fair,
efficient, and independent system for the advancement of justice under the law.

Rule 4-202.02. Records Classification.**Intent:**

To classify court records as public or non-public.

Applicability:

This rule applies to the judicial branch.

Statement of the Rule:

(1) Presumption of Public Court Records. Court records are public unless otherwise classified by this rule.

(2) Public Court Records. Public court records include but are not limited to:

(2)(A) abstract of a citation that redacts all non-public information;

(2)(B) aggregate records without non-public information and without personal identifying information;

(2)(C) appellate filings, including briefs;

(2)(D) arrest warrants, but a court may restrict access before service;

(2)(E) audit reports;

(2)(F) case files;

(2)(G) committee reports after release by the Judicial Council or the court that requested the study;

(2)(H) contracts entered into by the judicial branch and records of compliance with the terms of a contract;

(2)(I) drafts that were never finalized but were relied upon in carrying out an action or policy;

(2)(J) exhibits, but the judge may regulate or deny access to ensure the integrity of the exhibit, a fair trial or interests favoring closure;

(2)(K) financial records;

(2)(L) indexes approved by the Management Committee, including the following, in courts other than the juvenile court; an index may contain any other index information:

(2)(L)(i) amount in controversy;

(2)(L)(ii) attorney name;

(2)(L)(iii) licensed paralegal practitioner name;

(2)(L)(iv) case number;

(2)(L)(v) case status;

(2)(L)(vi) civil case type or criminal violation;

(2)(L)(vii) civil judgment or criminal disposition;

(2)(L)(viii) daily calendar;

(2)(L)(ix) file date;

(2)(L)(x) party name;

(2)(M) name, business address, business telephone number, and business email address of an adult person or business entity other than a party or a victim or witness of a crime;

(2)(N) name, address, telephone number, email address, date of birth, and last four digits of the following: driver's license number; social security number; or account number of a party;

(2)(O) name, business address, business telephone number, and business email address of a lawyer or licensed paralegal practitioner appearing in a case;

(2)(P) name, business address, business telephone number, and business email address of court personnel other than judges;

(2)(Q) name, business address, and business telephone number of judges;

(2)(R) name, gender, gross salary and benefits, job title and description, number of hours worked per pay period, dates of employment, and relevant qualifications of a current or former court personnel;

(2)(S) unless classified by the judge as private or safeguarded to protect the personal safety of the juror or the juror's family, the name of a juror empaneled to try a case, but only 10 days after the jury is discharged;

(2)(T) opinions, including concurring and dissenting opinions, and orders entered in open hearings;

(2)(U) order or decision classifying a record as non-public;

(2)(V) private record if the subject of the record has given written permission to make the record public;

(2)(W) publications of the Administrative Office;

(2)(X) record in which the judicial branch determines or states an opinion on the rights of the state, a political subdivision, the public, or a person;

(2)(Y) record of the receipt or expenditure of public funds;

(2)(Z) record, minutes, or transcript of an open meeting;

(2)(AA) official audio record, minutes, or transcript of an open hearing;

(2)(BB) record of formal discipline of current or former court personnel or of a person regulated by the judicial branch if the disciplinary action has been completed, and all time periods for administrative appeal have expired, and the disciplinary action was sustained;

(2)(CC) record of a request for a record;

(2)(DD) reports used by the judiciary if all of the data in the report is public or the Judicial Council designates the report as a public record;

(2)(EE) rules of the Supreme Court and Judicial Council;

(2)(FF) search warrants, the application and all affidavits or other recorded testimony on which a warrant is based are public after they are unsealed under Rule 40 of the Utah Rules of Criminal Procedure;

(2)(GG) statistical data derived from public and non-public records but that disclose only public data; and

(2)(HH) notwithstanding subsections (6) and (7), if a petition, indictment, or information is filed charging a person 14 years of age or older with a felony or an offense that would be a felony if committed by an adult, the petition, indictment or information, the adjudication order, the disposition order, and the delinquency history summary of the person are public records. The delinquency history summary will contain the name of the person, a listing of the offenses for which the person was adjudged to be within the jurisdiction of the juvenile court, and the disposition of the court in each of those offenses. Upon a finding of good cause on the record, the juvenile court may reclassify these records as non-public.

(3) Sealed Court Records. The following court records are sealed:

(3)(A) records in the following actions:

(3)(A)(i) Utah Code, title 81, chapter 13, Adoption, six months after the conclusion of proceedings, which are private until sealed;

(3)(A)(ii) Utah Code, title 81, chapter 5, part 8, Gestational Agreement, six months after the conclusion of proceedings, which are private until sealed;

(3)(A)(iii) Utah Code section 76-7-304.5, Consent required for abortions performed on minors; and

(3)(A)(iv) Utah Code section 78B-8-402, Actions for disease testing;

(3)(B) expunged records;

(3)(C) orders authorizing installation of pen register or trap and trace device under Utah Code section 77-23a-15;

(3)(D) records showing the identity of a confidential informant;

(3)(E) records relating to the possession of a financial institution by the commissioner of financial institutions under Utah Code section 7-2-6;

(3)(F) wills deposited for safe keeping under Utah Code, title 75, chapter 2, part 9, Custody and Deposit of Wills;

(3)(G) records designated as sealed by rule of the Supreme Court;

(3)(H) record of a Children's Justice Center investigative interview after the conclusion of any legal proceedings;

(3)(I) on appeal, any record previously designated as sealed by another court;

(3)(J) video record of a court proceeding, other than security video;

(3)(K) "nonpublic restitution record" as defined in Utah Code section 63M-7-502; and

(3)(L) other records as ordered by the court under Rule 4-202.04.

(4) Private Court Records. The following court records are private:

(4)(A) records in the following actions:

(4)(A)(i) Utah Code section 26B-5-332, Involuntary commitment under court order;

(4)(A)(ii) Utah Code section 76-11-310, Removal from the National Instant Check System database;

(4)(A)(iii) Utah Code, title 81, chapter 13, Adoption, until the records are sealed;

(4)(A)(iv) Utah Code, title 81, chapter 5, part 8, Gestational Agreement, until the records are sealed;

(4)(A)(v) cases initiated in the district court by filing an abstract of a juvenile court restitution judgment; and

(4)(A)(vi) Utah Code section 26B-8-111, Sex designation changes, and name changes combined with sex designation changes for both minors and adults, except that:

(4)(A)(vi)(a) the case history is public for minors; and

(4)(A)(vi)(b) the case history and record of public hearings are public for adults.

(4)(B) records in the following actions, except that the case history, judgments, orders, decrees, letters of appointment, and the record of public hearings are public records:

(4)(B)(i) Utah Code, title 81, Utah Domestic Relations Code, including qualified domestic relations orders, except that an action for consortium due to personal injury under Utah Code section 81-3-111 is public;

(4)(B)(ii) Utah Code, title 75, chapter 5, Protection of Persons Under Disability and their Property;

(4)(B)(iii) Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;

(4)(B)(iv) Utah Code, title 81, chapter 6, Child Support;

(4)(B)(v) Utah Code, title 81, chapter 11, Utah Uniform Child Custody Jurisdiction and Enforcement Act;

(4)(B)(vi) Utah Code, title 81, chapter 8, Uniform Interstate Family Support Act;

(4)(B)(vii) Utah Code, title 81, chapter 5, Utah Uniform Parentage Act; and

(4)(B)(viii) an action to modify or enforce a judgment in any of the actions in this subparagraph (4)(B);

(4)(C) records related to determinations of indigency;

(4)(D) an affidavit supporting a motion to waive fees;

(4)(E) aggregate records other than public aggregate records under paragraph (2);

(4)(F) alternative dispute resolution records;

(4)(G) applications for accommodation under the Americans with Disabilities Act;

(4)(H) jail booking sheets;

(4)(I) citation, but an abstract of a citation that redacts all non-public information is public;

(4)(J) judgment information statement;

(4)(K) judicial review of final agency action under Utah Code section 80-2-707;

(4)(L) the following personal identifying information about a party: driver's license number, social security number, account description and number, password, identification number, maiden name and mother's maiden name, and similar personal identifying information;

(4)(M) the following personal identifying information about a person other than a party or a victim or witness of a crime: residential address, personal email address, personal telephone number; date of birth, driver's license number, social security number, account description and number, password, identification number, maiden name, mother's maiden name, and similar personal identifying information;

(4)(N) medical, psychiatric, or psychological records;

(4)(O) name of a minor, except that the name of a minor party is public in the following district and justice court proceedings:

(4)(O)(i) name change of a minor, unless the name change is combined with a sex designation change;

(4)(O)(ii) guardianship or conservatorship for a minor;

(4)(O)(iii) felony, misdemeanor, or infraction when the minor is a party;

(4)(O)(iv) protective orders and stalking injunctions; and

(4)(O)(v) custody orders and decrees;

(4)(P) nonresident violator notice of noncompliance;

(4)(Q) personnel file of a current or former court personnel or applicant for employment;

(4)(R) photograph, film, or video of a crime victim;

(4)(S) record of a court hearing closed to the public or of a child's testimony taken under Rule 15.5 of the Utah Rules of Criminal Procedure:

(4)(S)(i) permanently if the hearing is not traditionally open to the public and public access does not play a significant positive role in the process; or

(4)(S)(ii) if the hearing is traditionally open to the public, until the judge determines it is possible to release the record without prejudice to the interests that justified the closure;

(4)(T) record submitted by a senior judge or court commissioner regarding performance evaluation and certification;

(4)(U) record submitted for in camera review until its public availability is determined;

(4)(V) reports of investigations by Child Protective Services;

(4)(W) statement in support of petition to determine competency;

(4)(X) victim impact statements;

(4)(Y) name of a prospective juror summoned to attend court, unless classified by the judge as safeguarded to protect the personal safety of the prospective juror or the prospective juror's family;

(4)(Z) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure, except briefs filed pursuant to court order;

(4)(AA) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure;

(4)(BB) records related to Court Commissioner Conduct Committee and Council actions under Rule 3-201.02, other than a public censure by the Council;

(4)(CC) for an offense occurring on or after July 1, 2026, a court record that identifies a victim of a crime by name rather than initials if, prior to the entry of final disposition, judgment, or sentence in the case, a valid request is made under Rule 4-202.12; and

(4)(~~DD~~)(~~GG~~) other records as ordered by the court under Rule 4-202.04.

(5) Protected Court Records. The following court records are protected:

(5)(A) attorney's work product, including the mental impressions or legal theories of an attorney or other representative of the courts concerning litigation, privileged communication between the courts and an attorney representing, retained, or employed by the courts, and records prepared solely in anticipation of litigation or a judicial, quasi-judicial, or administrative proceeding;

(5)(B) records that are subject to the attorney client privilege;

(5)(C) bids or proposals until the deadline for submitting them has closed;

(5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;

(5)(E) budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the court's contemplated policies or contemplated courses of action;

(5)(F) court security plans;

(5)(G) investigation and analysis of loss covered by the risk management fund;

(5)(H) memorandum prepared by staff for a member of any body charged by law with performing a judicial function and used in the decision-making process;

(5)(I) confidential business records under Utah Code section 63G-2-309;

(5)(J) record created or maintained for civil, criminal, or administrative enforcement purposes, audit or discipline purposes, or licensing, certification or registration purposes, if the record reasonably could be expected to:

(5)(J)(i) interfere with an investigation;

(5)(J)(ii) interfere with a fair hearing or trial;

(5)(J)(iii) disclose the identity of a confidential source; or

(5)(J)(iv) concern the security of a court facility;

(5)(K) record identifying property under consideration for sale or acquisition by the court or its appraised or estimated value unless the information has been disclosed to someone not under a duty of confidentiality to the courts;

(5)(L) record that would reveal the contents of settlement negotiations other than the final settlement agreement;

(5)(M) record the disclosure of which would impair governmental procurement or give an unfair advantage to any person;

(5)(N) record the disclosure of which would interfere with supervision of an offender's incarceration, probation, or parole;

(5)(O) record the disclosure of which would jeopardize life, safety, or property;

(5)(P) strategy about collective bargaining or pending litigation;

(5)(Q) test questions and answers;

(5)(R) "trade secrets" as defined in Utah Code section 13-24-2;

(5)(S) record of a Children's Justice Center investigative interview before the conclusion of any legal proceedings;

(5)(T) presentence investigation report;

(5)(U) probation progress/violation reports;

(5)(V) except for those filed with the court, records maintained and prepared by juvenile probation; and

(5)(W) other records as ordered by the court under Rule 4-202.04.

(6) Juvenile Court Social Records. The following are juvenile court social records:

(6)(A) correspondence relating to juvenile social records;

(6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations, substance abuse evaluations, domestic violence evaluations;

(6)(C) medical, psychological, psychiatric evaluations;

(6)(D) pre-disposition, dispositional, and social summary reports;

- (6)(E) probation agency and institutional reports or evaluations;
- (6)(F) referral reports;
- (6)(G) report of preliminary inquiries;
- (6)(H) treatment or service plans;
- (6)(I) nonjudicial adjustment records; and
- (6)(J) documents filed with the court that were received pursuant to the Utah Interstate Compact for Juveniles.

(7) Juvenile Court Legal Records. The following are juvenile court legal records:

- (7)(A) accounting records;
- (7)(B) discovery filed with the court;
- (7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes, findings, orders, decrees, probable cause statements;
- (7)(D) name of a party or minor;
- (7)(E) record of a court hearing;
- (7)(F) referral and offense histories; and
- (7)(G) any other juvenile court record regarding a minor that is not designated as a social record.

(8) Safeguarded Court Records. The following court records are safeguarded:

- (8)(A) upon request, location information, contact information, and identity information, other than the name of a petitioner and other persons to be protected, in an action filed under Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;
- (8)(B) upon request, location information, contact information and identity information, other than the name of a party or the party's child, after showing by affidavit that the health, safety, or liberty of the party or child would be jeopardized by disclosure in a proceeding under Utah Code, title 81, chapter 11, Utah Uniform Child Custody Jurisdiction and Enforcement Act, Utah Code, title 81, chapter 8, Uniform Interstate Family Support Act; or Utah Code, title 81, chapter 5, Utah Uniform Parentage Act;
- (8)(C) upon request, if the information has been safeguarded under paragraph (8)(A) or (8)(B), location information, contact information and identity information, other than the name of a party or the party's child, in a proceeding under Utah Code, title 81, Utah Domestic Relations Code;
- (8)(D) location information, contact information, and identity information of prospective jurors on the master jury list or the qualified jury list;

(8)(E) location information, contact information, and identity information other than name of a prospective juror summoned to attend court; and

(8)(F) the following information about a victim or witness of a crime, including, upon receipt of notice, a participant in the Safe at Home Program under Utah Code, title 77, chapter 38, part 6, Safe at Home Program:

(8)(F)(i) business and personal address, email address, telephone number, and similar information from which the person can be located or contacted;

(8)(F)(ii) date of birth, driver's license number, social security number, account description and number, password, identification number, maiden name, mother's maiden name, and similar personal identifying information;

(8)(F)(iii) except for a Safe at Home Program participant's assigned address, documents showing a participant's enrollment, including the authorization card, for a program participant under Utah Code, title 77, chapter 38, part 6, Safe at Home Program.

Effective: ~~September 1, 2025~~ May 18, 2026

Rule 4-202.12. Request by victim to use initials rather than name.

Intent:

To establish the process for using a victim's initials rather than the victim's name in publicly accessible court records.

Applicability:

This rule applies to courts of record and not of record.

Statement of the rule:

(1) Form and filing of request. A request to use a victim's initials on public court records under Utah Code section 77-38-6 must be in writing and submitted to the court. The request may be submitted by:

(1)(A) the victim, provided the request includes:

(1)(A)(i) a signed declaration affirming that the requester is the victim, and that the statement is true and correct and made under criminal penalty under Utah law; or

(1)(A)(ii) other documentation sufficient to verify the victim's identity; or

(1)(B) the prosecutor, upon notice that the victim has requested to be identified by initials.

(2) Request prior to final disposition, judgment, or sentencing. For an offense occurring on or after July 1, 2026, if a valid request is made after a charging document or other court record associated with a criminal or juvenile delinquency case has been filed, but before the entry of a final disposition, judgment, or sentence:

(2)(A) the previously filed court record that identifies the victim by name rather than initials must be promptly reclassified as a private record;

(2)(B) if the filing is a charging document, the prosecutor must, within 15 days of receiving notice of the request, file a substitute charging document using the victim's initials in place of the victim's name, as the public version of the charging document; and

(2)(C) if the filing is another public court record, the filer must, within 15 days of receiving notice of the request, file a substitute document using the victim's initials in place of the victim's name, as the public version of the document.

(3) Exceptions. This rule does not apply to records:

(3)(A) required for the issuance or enforcement of a criminal protective order or a criminal stalking injunction; or

(3)(B) created by the Motor Vehicle Enforcement Division.

49 (4) **Post disposition.** If a victim makes a request under Utah Code section 77-38-6 after the
50 entry of final disposition, judgment, or sentencing, the request may be presented by motion or
51 petition under Rule 4-202.04.

52
53 *Effective: May 18, 2026*

TAB 7

S.B. 283. Court fees and administration amendments
CJA 4-202.08. Fees for records, information, and services

Notes: In lines 480-481 of [S.B. 283](#), all fees (copy and filing) are waived for Utah government entities and political subdivisions. This is the amendment the SLDA's Office tried, but failed to get passed last year.

Rule 4-202.08. Fees for records, information, and services.

Intent:

To establish uniform fees for requests for records, information, and services.

Applicability:

This rule applies to all courts of record and not of record and to the Administrative Office. This rule does not apply to the Self-Help Center.

Statement of the Rule:

(1) **Fees payable.** Fees are payable to the court or office that provides the record, information, or service at the time the record, information, or service is provided. The initial and monthly subscription fee for public online services is due in advance. The connect-time fee is due upon receipt of an invoice. If a public online services account is more than 60 days overdue, the subscription may be terminated. If a subscription is terminated for nonpayment, the subscription will be reinstated only upon payment of past due amounts and a reconnect fee equal to the subscription fee.

(2) **Use of fees.** Fees received are credited to the court or office providing the record, information, or service in the account from which expenditures were made. Fees for public online services are credited to the Administrative Office to improve data quality control, information services, and information technology.

(3) **Copies.** Copies are made of court records only. The term "copies" includes the original production. Fees for copies are based on the number of record sources to be copied or the means by which copies are delivered and are as follows:

(3)(A) paper except as provided in (E): \$.25 per sheet;

(3)(B) electronic storage medium other than of court hearings: \$15.00 per unit;

(3)(C) electronic copy of audio record or video record of court proceeding: \$15.00 for each one-half day of testimony or part thereof;

(3)(D) access to audio record of court proceedings via the FTR Cloud: \$10.00 per recording; and

(3)(E) pre-printed forms and associated information: an amount for each packet established by the state court administrator.

(4) **Mailing.** The fee for mailing is the actual cost. The fee for mailing will include necessary transmittal between courts or offices for which a public or private carrier is used.

(5) **Fax or e-mail.** The fee to fax or e-mail a document is \$5.00 for 10 pages or less. The fee for additional pages is \$.50 per page. Records available on Xchange will not be faxed or e-mailed.

(6) **Personnel time.**

(6)(A) There is no fee for the first 15 minutes of personnel time required to provide the copy, record, information, or service, unless the person who submits the request:

(6)(A)(i) is not a Utah media representative; and

(6)(A)(ii) has submitted a separate records request within the 10-day period immediately prior to the date of the request to which the court or office is responding.

(6)(B) The fee for time beyond the first 15 minutes is charged in 15-minute increments for any part thereof. The fees for personnel time will be set by the State Court Administrator and posted on the court website. The rates charged should be for the least expensive group capable of providing the record, information, or service.

(7) Public online services.

(7)(A) The fee to subscribe to Xchange will be as follows:

(7)(A)(i) a set-up fee of \$25.00;

(7)(A)(ii) a subscription fee of \$40.00 per month for any portion of a calendar month; and

(7)(A)(iii) \$.35 for each search over 500 during a billing cycle. A search is counted each time the search button is clicked.

(7)(B) The fee to access public online services without subscribing will be a transaction fee of \$10.00, which will allow up to 10 searches during a session.

(7)(C) The fee to access a document will be \$1.00 per document.

(8) Bulk Data. If approved, individuals or entities may subscribe to receive indexed court data authorized under rule 4-202.02(2)(L) electronically in bulk. The fee to receive bulk data may be set by the State Court Administrator. Requests for bulk data should be made to the Office of Judicial Data and Research.

(9) No interference. Records, information, and services will be provided at a time and in a manner that does not interfere with the regular business of the courts. The Administrative Office of the Courts may disconnect a user of public online services whose use interferes with computer performance or access by other users.

(10) Waiver of fees.

(10)(A) Subject to (10)(B), fees established by this rule, other than fees for bulk data and public online services, will be waived for:

(10)(A)(i) any government entity of Utah or its political subdivisions ~~if the fee is \$10.00 or less per transaction, meaning a request for one or more records in the same case;~~

(10)(A)(ii) any person who is the subject of the record and who is indigent;

(10)(A)(iii) any court appointed attorney acting on behalf of a client, if the client would qualify for a fee waiver under (10)(A)(ii); and

(10)(A)(iv) a student engaged in research for an academic purpose.

(10)(B) Individuals who qualify for a fee waiver under (10)(A)(ii) and (10)(A)(iii) are entitled to one free copy of the record requested. The State Court Administrator may waive the one free copy limit for administrative records or records associated with a case. Court clerks in courts of record and justice court designees in courts not of record, may waive the one free copy limit for records associated with a case.

(10)(C) Fees for public online services will be waived for:

(10)(C)(i) up to 10,000 searches per year for a news organization that gathers information for the primary purpose of disseminating news to the public and that requests a record to obtain information for a story or report for publication or broadcast to the general public;

(10)(C)(ii) any government entity of Utah or its political subdivisions;

(10)(C)(iii) the Utah State Bar;

(10)(C)(iv) public defenders for searches performed in connection with their duties as public defenders; and

(10)(C)(v) any person or organization who the XChange administrator determines offers significant legal services to a substantial portion of the public at no charge.

(10)(D) Fees for bulk data will be waived for:

(10)(D)(i) any government entity of Utah or its political subdivisions;

(10)(D)(ii) the Utah State Bar;

(10)(D)(iii) public defenders for searches performed in connection with their duties as public defenders; and

(10)(D)(iv) a student engaged in research for an academic purpose.

Effective: ~~November 1, 2025~~ May 18, 2026

TAB 8

H.B. 540. Judicial transparency and information access amendments

CJA 3-110 (NEW). Judicial Officer Financial Disclosure

Notes: Under [H.B. 540](#) (lines 291-304), the Council must “by rule” require judges and commissioners in courts of record and not of record to submit annual financial disclosures that are “comparable to” the conflict of interest disclosures in [20A-11-1604](#).

The disclosures must be posted on the court’s website. Before November 1, 2026, the Council must submit a written report to the Judiciary Interim Committee “describing the actions the Judicial Council has taken” to comply with H.B. 540. The relevant portion of H.B. 540 will be effective on 5/6/26.

You can find examples of legislators’ conflict of interest disclosures on the legislative website for both [House](#) and [Senate](#) members.

1 **Rule 3-110. Judicial officer financial disclosures**

2 **Intent**

3 To establish financial disclosure requirements for judicial officers.

4 **Applicability**

5 This rule applies to court commissioners and all judges and justices in courts of record and not
6 of record ("judicial officers").

7 **Statement of the Rule**

8 **(1) Disclosure Requirements.** Judicial officers must complete an annual financial disclosure
9 form approved by the Council. The form must include:

10 (1)(A) the judicial officer's name and the court the judicial officer serves;

11 (1)(B) if the judicial officer is employed, or was employed during the proceeding year, by
12 any entity or individual other than the Utah judiciary, the name of the employer(s);

13 (1)(C) for each employer listed in paragraph (1)(B), a brief description of the
14 employment, including the judicial officer's occupation and job title;

15 (1)(D) the name of any entity in which the judicial officer is an owner or officer, or was an
16 owner or officer during the preceding year, the judicial officer's position, and a brief
17 description of the business or activity;

18 (1)(E) the name of any entity or individual from whom the judicial officer received \$5,000
19 or more in income during the preceding year, and a brief description of the type of
20 business or activity conducted by the individual or entity;

21 (1)(F) the name of each entity in which the judicial officer holds stocks or bonds with a
22 fair market value of \$5,000 or more, excluding funds managed by a third party (i.e., blind
23 trusts, managed investment accounts, mutual funds, etc.), and a brief description of the
24 type of business conducted by the entity;

25 (1)(G) the name of any organization not listed in paragraphs (1)(D) through (1)(F) in
26 which the judicial officer serves, or served in the preceding year, on a board of directors,
27 and the type of business conducted by the organization;

28 (1)(H) at the option of the judicial officer, a description of any real property ownership or
29 other financial interest that the judicial officer believes may constitute a conflict of
30 interest;

31 (1)(I) the name of the judicial officer's spouse, and the name of the spouse's
32 employer(s), if the judicial officer believes the employment may constitute a conflict of
33 interest; and

34 (1)(J) the name of any adult residing in the judicial officer's household who is not a family
35 member, as that term is defined in Utah Code section 63A-19-408, or related by blood

and a brief description of their employment, if the judicial officer believes the adult's presence in the household may constitute a conflict of interest.

(2) **Additional requirements.** The financial disclosure form must include the date of completion, a statement that the judicial officer believes the form to be true and accurate to the best of their knowledge, and the judicial officer's signature.

(3) **Reporting and publication.**

(3)(A) **Reporting term.** For purposes of this rule, the reporting term begins on August 1st and ends on July 31st. Financial disclosure forms must be submitted between August 1st and August 15th each year, in accordance with policies established by the Council.

(3)(B) **Publication.** The Council will publish all financial disclosure forms on the court website by October 1st each year.

(4) **Redactions.**

(4)(A) **Automatic redactions.** Because judicial officers are at-risk government employees under Utah Code, unless otherwise instructed by the judicial officer, the Administrative Office will redact the information in paragraphs (1)(B), (1)(C), and (1)(I) prior to publication.

(4)(B) **Upon request.** A judicial officer may request that other portions of their financial disclosure form be redacted. The Administrative Office will make such redactions, provided they are consistent with Rule 4-202.02.

(5) **Public records.** Financial disclosure forms redacted in accordance with paragraph (4) are public records.

Effective May 18, 2026

TAB 9

CJA 3-412. Procurement of goods and services

Notes: This will be a closed discussion as it relates to an issue before the Council and is confidential.

Rule 3-412. Procurement of goods and services.**Intent:**

To ~~identify the respective responsibilities of~~ establish policies and procedures for ~~the judiciary and the Department of Administrative Services in~~ the procurement of goods and services in the judicial branch.

Applicability:

This rule ~~shall apply~~ applies to the judiciary's expenditure of funds appropriated by the legislature.

Statement of the Rule:

(1) **Definitions.** ~~Except as provided in Subsection (2), a~~ All terms are defined as provided in ~~by~~ the Utah Procurement Code, ~~as amended, the Regulations of the Utah State Procurement Policy Board, as amended and the Division of Purchasing's Policies and Procedures. Any discrepancy between the statutory definition and the definition contained in the regulations shall be controlled by the statutory definition.~~

(2) **Chief procurement officer.** ~~As used in this rule, The state court administrator is the~~ "chief procurement officer" ~~means the State Court Administrator~~ for the judicial branch.

(3) **Procurement officers.** The sState cCourt aAdministrator may designate others to serve as procurement officers for various parts of the judiciary. ~~For example, court executives are the procurement officers for their courts. The State Court Administrator or designee or a procurement officer may enter into contracts or make written determinations with respect thereto as provided in this rule. Court Purchasing will advise procurement officers on purchases to ensure compliance with rules, policies, and statutes.~~

(4) Compliance with the law - Conflicts. The judiciary must comply with the Utah Procurement Code. The state court administrator, a designee, or a procurement officer may enter into a contract or make a written determination as provided in this Code and the Accounting Manual. Any conflicts between the Accounting Manual and this rule will be resolved in favor of this rule.

~~(4) Contracts to conform to statute and regulations.~~

~~(4)(A) All contracts for the procurement of supplies, services, or construction entered into, by or on behalf of the judiciary, shall conform to the Utah Procurement Code, as amended, the Regulations of the Utah State Procurement Policy Board, as amended and the Division of Purchasing's Policies and Procedures. Any discrepancy between the procedures provided for by statute and the procedures provided for by regulation shall be controlled by the statutory procedures.~~

~~(4)(B) Subject to the availability of funds, the State Court Administrator may establish within the administrative office a procurement section that shall have the responsibility and authority as provided by the Utah Procurement Code and the Regulations of the Utah State Procurement Policy Board. Unless a procurement section is established, the~~

Commented [KW1]: Placeholder until the Accounting Manual is amended.

judiciary shall work with and through the Department of Administrative Services, Division of Purchasing in the procurement of supplies, services, or construction.

(5) Authority to contract.

(5)(A) Contracts for the procurement of supplies, services, or construction for an amount greater than \$5000 per individual item or \$10,000 per overall purchase shall be approved by the state court administrator or a designated procurement officer. General Counsel shall approve such contracts as to form and legal sufficiency, and the manager of finance shall approve such contracts as to availability of funds. Other provisions for contract management contained in this Code shall be followed if they apply to the particular contract.

(5)(B) Requests to enter into contracts greater than \$5000 per individual item or \$10,000 per overall purchase shall be directed to the Chief Procurement Officer or designee. The Chief Procurement Officer or designee shall coordinate all procedures required by the Utah Procurement Code, as amended, the Regulations of the Utah State Procurement Policy Board, as amended and the Division of Purchasing's Policies and Procedures. Before final award of the contract, the contract shall be approved pursuant to paragraph (5)(A).

(5)(C) Court executives are authorized to approve and enter into contracts for the procurement of supplies, services, or construction on behalf of their courts when they are under the small purchase rule thresholds of up to \$5,000 for individual items and up to \$10,000 total per purchase. Court executives may enter into such contracts subject to the availability of funds and in accordance with paragraph (4) of this rule.

(5) Procurement limits and procedures.

(5)(A) Small purchase limit. Subject to the availability of funds, the deputy state court administrator, court level administrators, trial court executives, and directors in the Administrative Office are authorized to approve and enter into contracts for the procurement of supplies, services, or construction on behalf of their department or courts when the contract is under the small purchase thresholds of up to \$5,000 per individual item or \$10,000 per overall purchase. Court Purchasing will advise individuals granted purchasing authority under this paragraph to ensure compliance with this Code, court policies, the Accounting Manual, and the Utah Procurement Code.

(5)(B) Professional services and outside counsel. The small purchase limit for professional services and consultants is a maximum of \$100,000 per project. The purchaser must review the qualifications of a minimum of three providers, rank them, and begin direct fee negotiations with the highest-ranked provider. The procurement of outside legal counsel, litigation-related consultants, expert witnesses, and litigation support services must be approved by the Council. The procurement of such services may be processed as a small purchase up to a maximum of \$250,000 per contract. Fees must be reasonable and within industry standards.

Commented [KW2]: 63G-6a-506(2), 63G-6a-106(1), (5)

Similar to AG procedures/thresholds in R105-1.

(5)(C) **Court purchasing.** Requests to enter into contracts greater than \$5,000 per individual item or \$10,000 per overall purchase must be directed to Court Purchasing. Court Purchasing will coordinate all procedures for such purchases as required by this Code, court policies, the Accounting Manual, and the Utah Procurement Code.

(5)(D) **Approval.** Purchases under paragraphs (5)(B) and (5)(C) must be approved by the state court administrator or a designee. General Counsel must approve such contracts as to form and legal sufficiency. The Finance Director must approve such contracts as to the availability of funds. Other provisions for contract management in this Code must be followed if applicable to a particular contract.

(5)(E) **Threshold exceptions.** The professional service threshold and thresholds in paragraphs (5)(A) and (5)(C) may be exceeded if the state court administrator gives written authorization. A threshold for outside counsel or litigation-related services may be exceeded with written authorization from the Council. All written authorizations must include the reasons for exceeding the threshold.

Commented [KW3]: 63G-6a-506(3)

(6) Exceptions to standard procurement processes.

(6)(A) **Written determination.** The chief procurement officer or a designee may award a contract without engaging in a standard procurement process if the chief procurement officer or designee determines in writing that a statutory exception or paragraph (6)(B) applies.

Commented [KW4]: 63G-6a-802(1)

(6)(B) **Impracticality.** Circumstances that make a standard procurement process impractical and not in the best interest of the judiciary include:

Commented [KW5]: 63G-6a-802(1)(c)

(6)(B)(i) retaining outside legal counsel or litigation support services;

(6)(B)(ii) securing conference and convention facilities with unique or specialized amenities, abilities, location, or services; or

(6)(B)(iii) other circumstances where strict compliance would compromise court security, legal strategy, or confidentiality.

(6)(C) **Public notice.** With written authorization from the state court administrator, public notice of the intent to award a contract without engaging in a standard procurement process for purchases exceeding \$50,000 may be waived for the following procurements:

Commented [KW6]: 63G-6a-802(3)(b)(ii); R33-108-101e.(2)(a)(xi)

(6)(C)(i) speakers or trainers with unique or proprietary presentations or training materials;

(6)(C)(iv) circumstances set forth in paragraph (6)(B); or

(6)(C)(v) other circumstances as determined in writing by the state court administrator or Council.

~~(7)(D)~~ **Artificial divisions.** Procurement requirements ~~shall~~ must not be artificially divided so as to avoid the provisions of this rule.

115 ~~(§5)(E)~~ State contracts. Court employees should check to see if items are available on state
116 contract before making a purchase ~~by using the State Purchasing website contract search page~~
117 ~~or contacting Court Purchasing.-Contract Search Page~~
118 ~~link: <https://statecontracts.utah.gov/Home/Search>.~~
119 Effective: ~~September 13, 2022~~ May 18, 2026