UTAH JUDICIAL COUNCIL
POLICY, PLANNING, & TECHNOLOGY COMMITTEE
MEETING AGENDA
October 16, 2026– 12:00 p.m. to 1:30 p.m.
Webex

12:00	Welcome and approval of minutes	Action	Tab 1	Judge Gardner
	Rules back from public comment: **CJA 1-205**. Standing and ad hoc committees **CJA 1-302**. Board of Judges Membership **CJA 9-101**. Board of Justice Court Judges **CJA 9-110**. Implementation of Internal Control for Self-Assessment Recommendations [for Justice Courts] **CJA 3-407**. Accounting **CJA 4-601**. Failure to Appear – Notice to Surety **CJA 4-202.02**. Records classification **CJA 4-405.** Juror and witness fees and expenses	Action	Tab 2	Keisa Williams
	CJA 3-408. Inventory	Action	Tab 3	Karl Sweeney
	Senior judges: **CJA 3-104.** Presiding judges **CJA 3-108.** Judicial assistance **CJA 3-113.** Senior judges	Action	Tab 4	Neira Siaperas
	AI-generated court filings and rule 11 notice	Action	Tab 5	Commissioner Ito Jaelyn Jenkins Brody Arishita
1:00	Technology report/proposals	Discussion		Brody Arishita
1:50	Old Business/New Business • Annual chair election • Changes to 2027 meeting dates	Discussion		Judge Gardner
2:00	Adjourn			

2026 Meetings:

November 6, 2026
December 4, 2026

2027 Meetings:

January 1, 2027 (Holiday)
February 5, 2027
March 5, 2027
April 2, 2027
May 7, 2027
June 4, 2027
July 2, 2027 (Friday before Monday holiday)
August 6, 2027
September 3, 2027 (Friday before Labor Day)
October 1, 2027
November 5, 2027
December 3, 2027

TAB 1

Minutes

September 4, 2026

UTAH JUDICIAL COUNCIL
POLICY, PLANNING and TECHNOLOGY COMMITTEE
MEETING MINUTES
DRAFT
Webex video conferencing
September 4, 2026 – 12 p.m.

MEMBERS:	**PRESENT**	**EXCUSED**
Judge James Gardner, *Chair*	✓	
Judge Jon Carpenter	✓	
Judge Angela Fonnesbeck	✓	
Judge Christine Johnson	✓	

GUESTS:

Keri Sargent
Sonia Sweeney
Melissa Kennedy
Shane Bahr
Stacy Haacke
Michael Samantha Starks
Judge Kara Pettit
Janine Liebert

STAFF:

Todd Eaton
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 August 4, 2026 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge Johnson seconded the motion. The motion passed unanimously.

(2) CJA 4-901. Mandatory electronic filing in juvenile court:

The proposed amendments make three key modifications to CJA Rule 4-901. The amendments: 1) add a provision that explicitly allows both lawyers representing an Indian tribe under Sup. Ct. R. Pro. Prac. Rule 4-806 and nonlawyer representatives under Rule 4-802 to submit court filings by email, mail, or in person; 2) shifts the authority to grant hardship eFiling exemptions from the Judicial Council to the Juvenile Court Administrator (or their designee); and 3) authorizes the Juvenile Court Administrator to set flexible terms rather than granting blanket case exemptions.

Following discussion, Judge Gardner moved to send Rule 4-901 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Johnson seconded the motion. The motion passed unanimously.

(3) CJA 3-201.01. Statewide court division commissioners (NEW)
CJA 3-201.02. Court Commissioner Conduct Committee
CJA 3-202. Court referees prohibited
CJA 3-111. Performance evaluation of court commissioners

CJA 6-701. Establishment of Debt Collection or Housing Action Division (NEW)
CJA 6-702. Debt Collection and Housing Action Commissioners:

The S.B. 270 Steering Committee presented new CJA rules 3-201.01, 6-701, and 6-702, and proposed amendments to CJA rules 3-201.02, 3-202, and 3-111 to PP&T at its August 7, 2026 meeting. PP&T provided feedback and sent the rules back to the steering committee for revisions.

Judge Kara Pettit, Samantha Starks, and Sonia Sweeney presented the steering committee's revisions, adding CJA rule 4-403 to the packet of amendments. PP&T noted that existing statutes require the appointment of commissioners with the concurrence of a majority of the judges in the districts the commissioner primarily serves and identify the presiding judge as the person responsible for developing performance plans and day-to-day supervision, both of which conflict with the process outlined in Rule 3-201.01. The steering committee has been discussing statutory revisions with legislators to resolve that issue. Until then, the committee identified a less onerous process that would comply with the Code. Following a discussion, PP&T agreed to move forward with the language in Rule 3-201.01, directing the steering committee to point out those discrepancies to the Council when the rules are presented for final approval.

Shane Bahr and Samantha Starks noted references to a "commissioner nominating manual" (lines 42–43) that does not exist. The committee agreed to strike that phrase from the current rule and flag Rule 3-201 for a similar update later.

Stacy Haacke presented proposed amendments to Rule 3-201.02 that allow the Court Commissioner Conduct Committee to issue a private warning when dismissing a complaint against a commissioner for unprofessional behavior that does not rise to the level of misconduct. The committee made the following changes to Rule 3-201.02:

- Added "Committee" as a defined term on line 12;
- Capitalized committee on line 84; and
- Added "in which case the Committee chair may select any district court judge not a member of the District Board;" on lines 32 – 34.

The committee made the following changes to Rule 3-201.01:

- Added "following a majority vote of the District Board" in paragraph (7)(A)(ii)

The committee made the following changes to Rule 6-702:

- Changed "except as provided by Rule of the Supreme Court" to "unless authorized by Supreme Court rule" on line 100 in Rule 6-702; and
- Pluralized "order" in line 52.

Following discussion, Judge Johnson moved to recommend to the Judicial Council that CJA rules 3-201.01, 3-201.02, 3-202, 3-111, 4-403, 6-701, and 6-702 be approved as final with an expedited effective date of November 1, 2026, followed by a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.

(4) CJA 3-501. Insurance benefits upon retirement:

Earned benefits under Rule 3-501 are only available to judges who are entitled to receive a retirement allowance under Title 49 of the Utah Code. The proposed amendment clarifies that the term "retirement" means the same as that term is defined in 49-11-102(48).

PP&T confirmed that the proposed amendments to Rule 3-501 do not modify existing benefits or statutory compensation. For clarity purposes, lines 12-13 were amended to include the full statutory definition of "retirement." Staff noted that questions regarding specific retirement scenarios would be referred to HR Director Bart Olsen for inclusion in judicial education materials.

Judge Gardner moved to send Rule 3-501 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.

(5) CJA 3-110 Judicial officer financial disclosures
Judicial Officer Financial Disclosure Form:

At its meeting last month, PP&T adopted recommendations from the boards of judges regarding the financial disclosure form and asked Ms. Williams to amend Rule 3-110 to remove the reference to calendar year 2026; add a process to send judicial requests for additional redactions directly to the Management Committee; and include a provision requiring notice to judges if the judiciary receives a request to access the judge's unredacted financial disclosure form. PP&T adopted those amendments.

Following further discussion, Judge Johnson moved to recommend to the Judicial Council that the financial disclosure form be adopted as final and that amendments to Rule 3-110 be adopted as final with a November 1, 2026 effective date, followed by a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.

Technology report/proposals:
The Tech Advisory Committee will be meeting on September 15th to review four key documents including a proof-of-concept design for a digital exhibit portal and updates to the IT Emergency Response Plan. The updated response plan includes pre-drafted internal and external communication templates and operational checklists to expedite response time during technology emergencies.

IT staff reviewed support tickets submitted following the recent Webex WSMP migration, identifying 12 recurring issues. Two critical issues have been fully resolved and IT staff continue meeting weekly with Cisco engineers to resolve the remaining 10 items.

Old Business/New Business:
None.

Adjourn: With no further items for discussion, the meeting adjourned at 1:10 p.m. The next meeting will be held on October 16, 2026, at 12:00 p.m. via Webex video conferencing.

TAB 2

Back from Public Comment:

CJA 1-205. Standing and ad hoc committees
CJA 1-302. Board of Judges Membership
CJA 9-101. Board of Justice Court Judges
CJA 9-110. Implementation of Internal Control for Self-Assessment Recommendations [for Justice Courts]
CJA 3-407. Accounting
CJA 4-601. Failure to Appear – Notice to Surety
CJA 4-202.02. Records classification
CJA 4-405. Juror and witness fees and expenses

Public comments:
No public comments were received. If approved, the rules would go to the Council with a recommendation that they be approved with a December 1, 2026 effective date.

Summaries of proposed amendments:

CJA01-205. Standing and ad hoc committees (AMEND)
The proposed amendments remove the "adult educator from higher education" member position from the Standing Education Committee.

CJA01-302. Board of Judges Membership – Officers – Secretariat (AMEND)
The proposed amendments move the Board of Justice Court Judges' election cycle to the annual judicial conference to coincide with current practice.

CJA09-101. Board of Justice Court Judges (AMEND)
The proposed amendments add the Chair of the Justice Court Judges' Education Committee as a non-voting member of the Board and clarify that the person filling this position and the person sitting on the Judicial Council Education Committee are the same person.

CJA09-110. Implementation of Internal Control for Self-Assessment Recommendations [for Justice Courts] (NEW)
The proposed rule outlines the process for implementing the recommendations from an Internal Control Self-Assessment conducted by the AOC's audit department.

CJA03-407. Accounting (AMEND)
The proposed amendments: 1) expand the accounting manual to incorporate justice courts; 2) adjust the committee's membership structure to conform with current committee membership; and 3) make non-substantive formatting changes.

CJA04-601. Failure to appear – Notice to Surety (NEW)
The proposed rule establishes a procedure for providing notice to sureties when a defendant fails to appear in criminal cases in district and justice courts.

CJA04-202.02. Records classification (AMEND)
The proposed amendments: 1) classify the names of minors on child protective orders as public in response to House Bill 540, and 2) classify all motions, supporting materials, and records of hearings involving the admissibility of evidence of a victim's sexual behavior as protected records.

CJA04-405.Juror and Witness Fees and Expenses (AMEND)
The proposed amendments remove the requirement that a court order is necessary to provide juror refreshments and make non-substantive formatting changes.

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) 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)(xi) Committee on Fairness and Accountability;

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

(1)(A)(xiii) 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; and

(1)(B)(i)(b) two 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)(l~~m~~) The Human Resources Director ~~and the adult educator~~ will serve as a non-voting member~~s~~. The court level administrator and the Human Resources Director will serve as permanent Committee members.

(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)(m) one court commissioner;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(vii) The **Guardian ad Litem Oversight Committee** performs the duties described in Rule 4-906 and will consist of:

(1)(B)(vii)(a) seven members appointed by the Council, including:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(xi)(d) one appellate court judge;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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)(E) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem Oversight Committee will meet at least quarterly and will not be dissolved. 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: ~~May 19, 2026~~December 1, 2026

Rule 1-302. Boards of Judges Membership, -- Officers, and -- Secretariat.

Intent:

To delegate the authority for the election of members and leaders of the various Boards to the Boards themselves or to the judges of the respective courts.

To minimize the costs of organization and administration of the Boards by coordinating the election of members of all Boards.

Applicability:

This rule shall applies to all Boards of Judges, except the Board of Senior Judges.

Statement of the Rule:

(1) **Term – Election.** The judges of the respective courts shall determine an appropriate term of office for the members of their Board. Elections will to the Board of a court of record shall take place at the annual judicial conference. Election to the Board of Justice Court Judges shall take place at the annual spring training conference. After an election or upon any change in membership, each Board shall must certify to the Council the names of its members.

(2) **Membership.** Judicial Council members may not serve as voting members of a trial court Board of Judges of a trial court.

(3) **Chair – Officers.** Each Board mustshall establish the position of elect a Board chair of the Board and other positions of leadership as the Board deems appropriate. Each Board shall will establish the term and manner of election to such offices. Each Board shall must certify to the Council the names of the chair and other officers of the Board.

(4) **Secretariat.** The Administrative Office shall will serve as secretariat to the Boards.

(5) **Expenses.** Members of the Boards may receive reimbursement for actual and necessary expenses incurred in the execution of their duties as members.

Effective: May 1, 2023December 1, 2026

Rule 3-407. Accounting.

Intent:

To establish uniform procedures for the processing, tracking, and reporting of accounts receivable and trust accounts.

Applicability:

This rule applies to the judiciary.

Statement of the Rule:

(1) Manual of procedures.

(1)(A) **Manual of procedures.** The Administrative Office ~~will~~must develop a manual of procedures ~~(Utah Judiciary Accounting Manual) to govern). The manual~~ governing all accounting matters, including accounts receivable, accounts payable, trust accounts, cash receipts, disbursements, separation of duties, and all relevant procedures needed to comply with generally accepted accounting principles (GAAP) and generally accepted auditing standards (GAAS) ("Accounting Manual"). The ~~Utah Judiciary~~ Accounting Manual ~~will apply~~applies to personnel in Courts of Record and Courts not of Record~~, and will, at~~. At a minimum, the manual must conform to the requirements of this Code and state law. Unless otherwise directed by the Council, the Budget and Fiscal Management Committee ("BFMC") must approve the ~~Utah Judiciary~~ Accounting Manual ~~will be approved~~ by ~~a~~ majority vote ~~of the Budget and Fiscal Management Committee~~.

(1)(B) **Utah Judiciary Accounting Manual Review Committee.** The Utah Judiciary Accounting Manual Review Committee ("Accounting Committee") ~~responsible for making~~proposes, repeals, and ~~reviewing proposals to promulgate, repeal, and amend~~amends accounting policies and procedures. The Accounting Committee ~~will consist~~consists of the following members:

(1)(B)(i) the F~~f~~inance D~~d~~irector, who ~~will serve~~serves as chair;

(1)(B)(ii) four support services coordinators;

(1)(B)(iii) two accountants or ~~clerks~~ court employees with accounting responsibilities from ~~each of the trial Courts of Record~~a district court, two accountants or court employees with accounting responsibilities from a juvenile court, one accountant from the Business and Chancery Court, and one court employee with accounting responsibilities from an appellate court;

(1)(B)(iv) a Court Executive;

(1)(B)(v) a C~~c~~ourt C~~c~~lerk;

(1)(B)(vi) ~~a clerk with accounting responsibilities from an appellate court;~~

~~(1)(B)(vii)~~ two members of the Justice Court Judges' Education Committee ("JCEC");

(1)(B)(~~viii~~vii) the audit director or designee; and

(1)(B)(~~ix) the director of the~~viii) the Utah Division of Finance Director or ~~designee~~other independent person with similar experience.

(1)(C) **Member appointments.** The ~~JCEC members will be appointed by the~~ Board of Justice Court Judges~~. Unless designated by office, all other members of the Accounting Committee will be appointed by the~~ must appoint the JCEC members. The ~~state court administrator~~SCA, or designee~~.~~, will appoint all other Accounting Committee members and ~~T~~the finance department will provide ~~necessary~~ support ~~to the committee~~.

(1)(D) **Terms and voting.** Accounting Committee members not designated by office will serve three-year terms. ~~Additional terms must be approved by the~~ The ~~state court administrator~~SCA, or designee~~.~~, must approve additional terms. The F~~f~~inance D~~d~~irector ~~will vote~~votes only ~~in the event of a~~if there is a tie. The A~~a~~udit D~~d~~irector or designee and the ~~director of the~~ Utah Division of Finance Director or other individual filling the independent person position are nonvoting members.

(1)(E) **Trial Court E~~e~~xecutives and ~~court~~ Court C~~c~~lerks.** ~~New~~ Trial Court Executives, Court Clerks of ~~Court of all~~ Courts of Record, and the JCEC, must review and approve new and amended policies and procedures recommended by a majority ~~vote~~ of the Accounting Committee ~~will be reviewed and approved by the Court Executives and court clerks of all Courts of Record and the JCEC.~~. Trial~~he~~ Court Executives, ~~court clerks~~Court Clerks, and the JCEC may endorse or amend the draft policies and procedures or return them to the Accounting Committee for further consideration.

Once approved by the Trial Court Executives, ~~court clerks~~Court Clerks, and ~~the~~ JCEC~~,~~, the Finance Director must submit the new and amended policies and procedures ~~will be submitted~~ to the ~~Budget and Fiscal Management Committee~~BFMC for approval.

(2) Revenue accounts.

(2)(A) **Deposits, transfers, and withdrawals.** ~~All courts~~Every court will ~~make deposits~~deposit funds with a depository deemed qualified by the Administrative Office, with the Utah State Treasurer, or with the ~~treasurer of the~~ appropriate local government ~~entity~~entity's treasurer. The Supreme Court, Court of Appeals, State Law Library, Administrative Office, district court primary locations, and juvenile courts will deposit every business day whenever practicable, but at least once every three business days. The deposit ~~will consist~~consists of all court collections. District court contract sites and justice courts having funds due to the state or any political subdivision of the state will, on or before the ~~10th~~tenth day of each month, remit all funds receipted in the preceding month to the appropriate public treasurer. ~~The courts will make no withdrawals~~A court may not withdraw funds from a depository ~~accounts~~account.

(2)(B) **Periodic revenue report.** Under the Trial Court Executive's supervision, the Court Clerk ~~of the Court Executive, the court clerk~~ or designee will prepare and submit a revenue report ~~that~~. The report identifies the amount and source of the funds received during the reporting period and the state or local government entity entitled to the funds.

(2)(B)(i) Juvenile ~~courts~~ and district court primary locations ~~of the district courts~~ will submit the report weekly to the Administrative Office.

(2)(B)(ii) District court contract sites will submit the report at least monthly, together with a check for the state portion of revenue, to the Administrative Office.

(2)(B)(iii) Justice courts will submit the report monthly, together with a check for the state revenue collected, to the Utah State Treasurer.

(2)(C) **Monthly reconciliation of bank statements.** The Administrative Office will reconcile the revenue account upon receipt of the monthly bank statements and weekly revenue reports from the district and juvenile courts. The ~~justice C~~court Level A~~a~~dministrator for justice courts, or designee will reconcile the monthly bank statements for justice courts with a revenue bank account. For all other justice courts, the local government ~~will~~must reconcile the bank statements to the general ledger.

(3) Trust accounts.

(3)(A) **Definition.** A "Trust A~~a~~ccount"~~s are accounts~~ is an account established by ~~the courts~~a court for the benefit of third parties. Examples of funds ~~which are~~ held in a T~~t~~rust ~~accounts~~Account include restitution, attorney fees, and monetary bail amounts.

(3)(B) **Accounts required; duties of a fiduciary**. District and juvenile court primary locations ~~and juvenile courts~~ will maintain a T~~t~~rust A~~a~~ccount in which to deposit monies held in trust for the benefit of the trustor or some other beneficiary. Under the Trial Court Executive's supervision, the Court Clerk ~~of the Court Executive, the court clerk will be~~is the custodian of the account and ~~will have~~has the duties of a trustee as established by law. ~~All Courts not of Record~~Justice courts may maintain a T~~t~~rust A~~a~~ccount in accordance with ~~the~~this rule, ~~provisions of this rule. Justice courts may deposit~~which includes depositing monies held in trust ~~funds~~ into a trust bank account maintained by the justice court and the Court Clerk is the custodian of the account. A justice court may also deposit trust funds through the local government into a revenue or trust bank account~~. Justice courts may also deposit trust funds directly into a trust bank account maintained by the court~~.

(3)(C) **Monthly reconciliation of bank statements.** Each court will reconcile its ledgers upon receipt of the monthly bank statement.

(3)(C)(i) **Courts of Record.** Courts of Record will submit reconciliations to the Administrative Office.

(3)(C)(ii) **Courts not of Record.** A j~~J~~ustice courts that ~~deposit~~deposits trust funds into a court trust bank account will submit ~~reconciliations~~a reconciliation to a person in the local jurisdiction who is independent of court operations. For a justice ~~courts~~court depositing trust funds with the local government treasurer, the local government ~~will~~must reconcile monthly bank statements to the general ledger and CORIS trust account reports.

(3)(D) **Accounting to trustor.** ~~Courts~~A court will establish a method of accounting that ~~will trace~~traces the debits and credits attributable to each trustor.

(3)(E) **Monetary bail forfeitures and other withdrawals.** ~~Transfers~~A transfer from a T~~t~~rust ~~accounts~~Account to a revenue account may be made ~~upon an~~on a court order of ~~forfeiture of~~ monetary bail forfeiture or other court order ~~of the court.~~. Other withdrawals from a T~~t~~rust ~~accounts~~Account will be made ~~upon the~~on a court order ~~of the court~~ after a finding of entitlement.

(3)(F) **Interest bearing.** ~~All~~A T~~t~~rust ~~accounts~~Account will ~~be~~bear interest ~~bearing~~. The disposition of interest is governed by Rule 4-301.

Effective: ~~11/1/2025~~December 1, 2026

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 child protective order proceedings in juvenile court and 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) 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;

(5)(W) unredacted judicial officer financial disclosure forms; ~~and~~

(5)(X) motions, supporting materials, and records of hearings involving the admissibility of evidence of a victim's sexual behavior or other evidence under Rule 412 of the Utah Rules of Evidence; and

(5)(Y~~X~~) 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: ~~May 18, 2026~~December 1, 2026

Rule 4-405. Juror and wWitness fFees and eExpenses.

Intent:

To develop ~~a~~ uniform procedures for payment of juror and witness expenses.

Applicability:

This rule ~~shall apply~~applies to juvenile and district courts. ~~all trial courts of record.~~

Statement of the Rule:

(1) **Fees.**

(1)(A) The C~~c~~ourt~~s~~ ~~shall~~will pay the fee established by statute for all jurors, ~~of the courts of record. The courts shall~~will pay the fee established by statute for witnesses subpoenaed by the prosecutor or by an indigent defendant in criminal cases, ~~in the courts of record~~ and ~~in~~ actions in ~~the~~ juvenile court. The C~~c~~ourt~~s~~ ~~shall~~will not pay ~~no~~ a fee to a witness appearing for a hearing that was canceled or postponed with at least 24 hours' notice to the parties, excluding Saturdays, Sundays, and holidays. The parties ~~shall~~will notify witnesses when a hearing is canceled or postponed. Upon request, a civil witness's necessary and reasonable parking expenses ~~shall~~will be reimbursed by the attorney who issued the subpoena.

(1)(B) ~~A~~ "S~~s~~ubsequent day of attendance" in Utah Code section 78B-1-119 means ~~shall be~~:

(1)(B)(i) for a witness, attendance on a subsequent day of the hearing regardless of whether the hearing is continued to a contiguous business day, but only if the hearing was actually called on the first day; and

(1)(B)(ii) for a juror, attendance on a subsequent day during the juror's term of availability, as defined in Rule 4-404~~(2)(B)~~, regardless of whether attendance is for the same trial.

(1)(C) A witness requesting payment ~~shall~~must present a subpoena ~~on which appears~~bearing the certification of the attorney general, county attorney, district attorney or legal defender of the number of days the witness attended court~~, as defined in subsection (1)(B)~~.

(2) **Mileage**. The C~~c~~ourt~~s~~ ~~shall~~will reimburse the cost of travel at the rate established by statute for those jurors and witnesses to whom the C~~c~~ourt pays a fee. A witness in a criminal case or juvenile court case traveling from out of state to whom the C~~c~~ourt pays a witness fee ~~shall~~will be reimbursed the cost of round-~~-~~trip airfare or round-~~-~~trip travel at $.20 per mile, as determined by the C~~c~~ourt.

(3) **Meals and refreshments**.

(3)(A) The Court ~~Meals for jurors shall~~will provide meals for jurors~~be provided~~ if the case has been submitted to the jury and the jury is in the process of deliberating the verdict or if the jury is sequestered. A lunch meal may be provided to jurors impaneled to try a case if it is anticipated that the matter will not be concluded by 2:00 p.m. on the final day of trial and the trial judge finds that provision of a lunch meal will assist in expediting the conclusion of the trial.

(3)(B) A witness in a criminal case or a juvenile court case traveling from outside the county to whom the C~~c~~ourt pays a witness fee may be reimbursed for meals.

(3)(C) Payment for meals for jurors and eligible in-state witnesses ~~shall~~must not exceed the rates ~~adopted by the Department of Administrative Services~~found on the U.S. General Services Administration website for the city in which the meal was provided.

(3)(D) Refreshments may be provided to a jury during the course of trial~~, upon order of the judge~~. Payment for refreshments ~~shall~~must not exceed the per diem per day break rates found in Section 07-03.00 of the Accounting Manual~~State Department of Finance per diem rate per person per day~~.

(4) **Lodging**. The Court will pay for jurors' l~~L~~odging ~~for jurors shall~~will be paid if the judge orders the jury sequestered, if the juror must travel more than 100 miles one-way from the juror's residence to the courthouse and the judge orders that lodging be paid, or if the judge orders that lodging be paid due to inclement weather. A witness in a criminal case or juvenile court case to whom the court pays a witness fee traveling from outside the county ~~shall~~will be provided lodging only upon a determination by the Trial C~~c~~ourt E~~e~~xecutive that returning to the point of origin on the date in question places a hardship upon the witness or that the reimbursement for travel for repeat appearances is greater than the cost of lodging. Unless unavailable, lodging costs ~~shall~~must not exceed the rates found on the U.S. General Services Administration website for the city in which the lodging was provided~~adopted by the Department of Administrative Services~~.

(5) **Method and record of payment**.

(5)(A) The Court will pay~~ment of~~ juror and witness fees and mileage ~~shall be~~ by check made payable to the individual, or ~~the court~~ may reimburse the county or municipal government for the payment of the fee or mileage allowance.

(5)(B) The C~~c~~ourt ~~shall~~will pay eligible juror expenses ~~of jurors~~ directly to the vendor. Jurors ~~shall~~will not be required to incur the expense and seek reimbursement. The C~~c~~ourt may pay ~~the~~ eligible witness expenses ~~of witnesses~~ directly to the vendor or may reimburse the witness or the county or municipal government for the expense.

(5)(C) **Jurors**. Jurors must present a summons for payment for the first day of service. If a juror does not present a summons, the ~~clerk~~ Court may certify that the juror was summoned. The Court ~~clerk shall~~must file the summons and ~~shall~~ record the attendance of jurors for payment, including subsequent days of service.

(5)(D) **Witnesses in criminal cases and juvenile court cases**. Witnesses in criminal cases and juvenile court cases must present a subpoena for payment. If the subpoena is issued on behalf of an indigent defendant, it ~~shall~~must bear the certificate of defense counsel that the witness has appeared on behalf of the defendant at state expense, regardless of the number of days for which the witness is eligible for payment. If the subpoena is issued on behalf of the prosecution, the prosecutor ~~shall~~must certify the number of days and the number of miles for which the witness is eligible for payment. The ~~clerk~~ Court~~shall~~ must file the subpoena and record of attendance. If a witness does not present a subpoena, the ~~clerk~~ Court may record the witness' attendance and mailing address that is certified by the prosecutor or defense counsel.

(5)(E) The Court C~~c~~lerk ~~of the court~~, or designee, ~~shall~~must enter the payment due the witness in the s~~S~~tate a~~A~~ccounting s~~S~~ystem ~~(FINET)~~ within 10 business days after receipt of certification.

(5)(F) The Court C~~c~~lerk ~~of the court~~, or designee, ~~shall~~must enter the payment due the juror into the j~~J~~ury m~~M~~anagement s~~S~~ystem within 10 business days from the last court date served.

(5)(G) The Court C~~c~~lerk ~~of court shall~~must maintain both a list of undeliverable juror and witness checks and the checks. State Finance reports all stale~~-~~-dated checks to the Unclaimed Property Division and the C~~c~~ourt destroys the checks.

(6) **Audit of records**. The Administrative Office ~~of the Courts~~ audit program ~~shall~~must include an audit of juror and witness payments within the scope of their regularly scheduled audits.

Effective: ~~May 1, 2019~~December 1, 2026

Rule 4-601. Failure to appear – Notice to surety.

Intent:

To establish a procedure for providing notice to sureties when a defendant fails to appear.

Applicability:

This rule applies to criminal cases in district and justice courts.

Statement of the Rule:

(1) When a bail bond is issued by a surety or bail bond agency, the bond must include the name, address, business email address, and telephone number ("Contact Information") of the surety or the surety's agent. If applicable, the bond must also include Contact Information for the bail bond agency.

(2) The Contact Information on the bond must be the same as the email address on file with the court. The surety or surety's agent have a continuing obligation to notify the Court Clerk of any changes to its Contact Information.

Effective: December 1, 2026

Rule 9-101. Board of Justice Court Judges.

Intent:

To prescribe the membership, method of selection, term of office, and basic procedures of the Board.

Applicability:

This rule ~~shall apply~~applies to the Board of Justice Court Judges.

Statement of the Rule:

(1) **Establishment – Membership.** The ~~re is hereby established a~~ Board ~~of Justice Court Judges~~ will be comprised of a~~the~~ chair, six at-large members, ~~and the~~ three non-voting Council representatives, and the Chair of the Justice Court Judges' Education Committee (JCEC).

(2) **Election.** Members of the Board ~~shall~~will be elected by the justice court judges in connection with the justice court ~~business~~bench meeting at the annual judicial conference. For all elections contemplated by this rule, judges may vote in person or remotely.

(3) **Term.** The chair and the at-large members ~~shall~~will serve staggered two- ~~-~~year terms. The Council representatives ~~shall~~will serve during ~~the length of~~ their term on the~~as~~ Council ~~representatives~~. The term of the JCEC chair will overlap with his or her service on the Judicial Council Education Committee created in Rule 3-403.

(4) **Chair, ~~and~~ Vice c~~C~~hair, and JCEC chair.**

(4)(A) **Chair.** The chair ~~shall~~will preside over all meetings of the Board and over the j~~J~~ustice c~~C~~ourt judges' training conferences. The chair may not simultaneously serve as a Council representative.

(4)(B) **Vice-chair.** Members of the Board ~~shall~~will elect a vice-chair ~~and an education liaison~~. The vice-chair ~~shall~~will serve as chair in the absence of the chair or upon request of the chair. ~~Neither t~~The vice-chair ~~nor the education liaison~~ may not simultaneously serve as a Council representative.

(4)(C) **JCEC.** Members of the Board will elect a justice court judge to chair the JCEC. The JCEC chair may simultaneously serve as an at-large member of the Board, but may not simultaneously serve as a Council representative. The JCEC chair will serve as the justice court representative on the Judicial Branch Education Committee.

(5) **Executive Committee.** There ~~shall~~will be an Executive Committee of the Board comprised of the chair, vice-chair, and one of the Council representatives designated by the chair. The Executive Committee may take necessary action on behalf of the Board between Board meetings.

(6) **Vacancies.** If vacancies occur for any reason ~~on the Board~~ between elections, the Board ~~shall~~will elect a replacement for the unexpired term of the vacancy.

(6)(A) **Vacancy in the office of chair.** Should the chair resign or leave the Board for any reason, the vice-chair ~~shall~~will become chair for the remainder of the term.

(6)(B) **Vacancy in the office of vice chair.** Should the vice-chair of the Board resign or leave the Board for any reason, a new vice-chair ~~shall~~will be elected by the Board from among its members to serve the unexpired term of the vice-chair.

(6)(~~B~~C) **Vacancy – Council representative.** If a vacancy occurs for any reason among the representatives of~~to~~ the Council, the Board ~~shall~~will designate an interim representative to serve until the next annual training conference, at which time a representative ~~shall~~will be elected to fill the unexpired term.

(6)(D) **Vacancy – Chair of the JCEC.** Should the chair of the JCEC resign or leave the Board for any reason, a new committee chair will be elected by the Board.

(7) **Meetings of the Board.** The Board ~~shall~~will meet at least quarterly to transact any and all business ~~that is~~ within its jurisdiction. The Board ~~shall~~will rule by majority vote. All members, except the three Council representatives, are voting members. The chair of the JCEC may vote only if he or she is also serving as an at-large member of the Board. Four voting members of the Board constitute a quorum. Board meetings ~~shall~~will be conducted in an orderly and professional manner and in accordance with this Code.

(8) **Certifications.** The Board ~~shall~~will be responsible for certifying new justice courts and recertifying existing justice courts to the Judicial Council ~~as outlined in~~in accordance with Rule 9-108.

Effective: ~~May 1, 2022~~December 1, 2026

Rule 9-110. Implementation of Internal Control Self-Assessment recommendations for justice courts.

Intent:

This rule establishes procedures and timelines for the implementation of recommendations arising from an Internal Control Self-Assessment conducted by the Audit Department ("ICSA") in justice courts. The rule is intended to promote timely compliance with applicable laws, policies, and internal control standards, and to strengthen financial and administrative practices in justice courts.

Applicability:

This rule applies to all justice courts that complete an ICSA administered by the Audit Department.

Statement of the Rule:

(1) **Definitions.**

(1)(A) "**Exit conference**" means the meeting held between the Audit Department and the justice court upon completion of an ICSA to review findings and recommendations.

(1)(B) "**Recommendations**" means actions identified in an ICSA report needed to improve court operations.

(2) **Implementation requirement.** Justice courts will implement all recommendations identified in its most recent ICSA within one year of the exit conference, unless otherwise approved by the Audit Department or the Management Committee for good cause shown.

(3) **Required review process.** Following completion of an ICSA, the following review process will apply:

(3)(A) **Exit conference.** Before issuing the final ICSA summary, the judge and court staff will participate in an exit conference with the Audit Department. The purpose of the exit conference is to review findings, clarify recommendations, and ensure understanding of required corrective actions.

(3)(B) **Six-month follow-up.** Approximately six months after the exit conference, the judge and court staff will meet with the Audit Department to review the status of implementation.

(3)(B)(i) If the Audit Department determines that no further action is required to implement the recommendations, it will issue a letter of compliance to the justice court.

(3)(B)(ii) If the Audit Department determines that additional action is required to implement the recommendations, the court will develop a written plan, in consultation with the Audit Department, to achieve full implementation within 90 days. The plan will be provided to the Board of Justice Court Judges.

(3)(C) **Nine-month review.** If recommendations have not been fully implemented nine months following the exit conference, the judge and court staff will provide a written report to the Board that details barriers to implementation and proposes appropriate next steps to achieve compliance. The judge may be invited to a Board meeting to discuss the report.

(3)(D) **One-year review.** If recommendations have not been fully implemented within one year after the exit conference, the judge and court staff will meet with the Management Committee, with participation from the Audit Director and the Court Level Administrator.

(3)(D)(i) The Management Committee may review the court's compliance status and implementation efforts.

(3)(D)(ii) The Management Committee may consider appropriate actions, including continued monitoring, additional support measures, or referral for decertification proceedings as provided by applicable rules.

(4) **Responsibilities.**

(4)(A) **Justice court judge and staff.** The judge and court staff are responsible for timely implementation of all ICSA recommendations and participation in all required meetings under this rule.

(4)(B) **Audit Department.** The Audit Department will conduct ICSAs, facilitate exit conferences, provide guidance on implementation, monitor progress, and issue letters of compliance once all recommendations have been implemented.

(4)(C) **Board of Justice Court Judges.** The Board will provide oversight and support at the nine-month review stage to assist courts in achieving compliance.

(4)(D) **Management Committee.** The Management Committee will review courts that have not achieved compliance within one year and determine appropriate next steps.

(5) Effective date. This rule applies to all ICSAs completed on or after November 1, 2026.

Effective: December 1, 2026

TAB 3

CJA 3-408. Inventory

Notes: Recent updates to the Accounting Manual revealed that several processes in the manual establish controls for fixed assets (mostly separation of duties), none which require direct oversight through the Code of Judicial Administration.

While repeal or consolidation into Rule 3-407 was considered, amending Rule 3-408 preserves the Council's deliberate policy decision to comply with State Division of Finance regulations and enforce an annual inventory requirement. Maintaining 3-408 as a separate rule also appropriately limits these fixed-asset inventory requirements to the Administrative Office and courts of record, rather than extending them to justice courts under the broader scope of Rule 3-407. The amendments leave operational specifics to the updated Accounting Manual.

14-01.00 Fixed Assets

Resources:

- Code of Judicial Administration (UCJA) Rule 3-408 Inventory

Purpose:

To document the procedures and policies pursuant to Utah State policy and Council Rule 3-408 regarding accounting for and disposing of the State Court fixed assets.

Policy:

1. Items having a useful life of more than one year and an initial price of more than $5,000 must be accounted as "capital outlay" expenditures when purchased and are considered "fixed assets."
2. Items costing $5000 or more are classified as "fixed assets," for financial reporting and budgeting purposes.
3. All fixed assets shall receive a numbered ID tag permanently affixed to furniture and equipment once the invoice and item is received. When numerous assets are obtained due to new or remodeled facilities, this requirement shall be met within 90 days.
4. Inventory tag design and numbering are the responsibility of the AOC Finance Department.
5. The AOC Fixed Asset Liaison will record each fixed asset with the purchase price of $5,000 or more in the "fixed asset" section of Vantage Financial.
6. The AOC Finance Department will:
    a. reconcile monthly the state courts fixed assets in Vantage Financial;
    b. provide a form on which to record the following for each item:
        i. a brief description, including a serial number, if any;
        ii. actual or estimated date of purchase;
        iii. actual or estimated purchase price;
        iv. current condition;
        v. whether the item should be replaced within two years; and
        vi. the ultimate disposition of the item.
    c. Maintain an inventory of equipment and furnishings with an original purchase price of more than $5000.
7. Each Court Executive will ensure their district:

14-01.00 Fixed Assets

Resources:

- Code of Judicial Administration (UCJA) Rule 3-408 Inventory
- 14-02.00 Surplus Property

Purpose:

To document the procedures and policies pursuant to Utah State policy and Council Rule 3-408 regarding accounting for and disposing of the State Court fixed assets.

Policy:

1. Items having a useful life of more than one year and an initial price of more than $10,000 must be accounted as "capital outlay" expenditures when purchased and are considered "fixed assets."
2. Items costing $10,000 or more are classified as "fixed assets," for financial reporting and budgeting purposes.
3. The AOC Fixed Asset Record Keeper will record each fixed asset with a purchase price of $10,000 or more in the "fixed asset" section of Vantage Financial including:
    i. a brief description, including a serial number, if any;
    ii. actual or estimated date of purchase;
    iii. actual or estimated purchase price; and
    iv. an estimated useful life.
4. The AOC Finance Fixed Asset Record Keeper shall record acquisitions, transfers, dispositions, and other necessary adjustments in Vantage Financial upon receipt of supporting documentation, and reconcile the courts fixed Assets records monthly to the State Finance supplied Fixed Assets reports.
5. Each Fixed Asset Record Keeper shall, for their area of responsibility:
    a. maintain an Active Asset List of assets in their area of responsibility's possession, listing all current equipment and furnishings with an original purchase price of more than $10,000;
    b. keep a Retired Asset List of those assets that are no longer in their area of responsibility, retaining all documentation relating to the disposition of said property;

a. maintains a copy of the Vantage Financial 'Fixed Asset Listing for Inventory' of assets in possession, recording all furnishings and equipment with an original purchase price of more than $5000;
b. keep a 'Retired Inventory List' of those assets that are no longer at location, retaining all documentation relating to the disposition of said property;
c. by April 30 of each year, submit to AOC Finance Department an inventory of all equipment and furnishings with an original purchase price of more than $5000.
d. verify the fixed asset inventory at least once every year.

8. Both the Retired Inventory log and the Current Inventory list shall be maintained for audit and reference purposes for four fiscal years.
9. Employees and Judges are responsible for their own personal property and should maintain a list or label the property brought to the workplace.
10. As required by Rule 3-408(2a), data processing equipment shall be inventoried by the Information Technology Director. Video equipment including cameras are also the responsibility of ITS/IS.
11. Courts are encouraged to develop policies and procedures to control items susceptible to loss or theft that are not required to be recorded in Vantage Financial.
12. Retirement of assets (fixed and current) are to be recorded on the courts Retired Inventory control list.
13. Any asset that is lost or stolen must be reported to the AOC Finance Department. Refer to policy 14-03.00 Lost or Stolen Property.
14. Assets donated to the State are recorded at their fair market value at the time of donation.
15. The recorded cost of an asset received in an exchange or trade-in is the fair market value of the asset received. The recorded expenditure, however, is the net amount paid.

Procedure:

A. Acquisitions

Appellate/District/Juvenile Courts

1. Follow the Purchasing policy and procedures outlined in this manual. Refer to Section 7 Purchasing.
2. Charge the purchase of any asset only to the appropriate current expense account.
   a. The account code for the purchase of an asset costing more than $5000 is 6702 for "Office Furniture and Equipment."
   b. The account code for the purchase of an asset costing less than $5000 is 6187 for "Small Office Equipment" and 6188 for "Office Furnishings."

B. Fixed Asset Inventory Listing

AOC Fixed Asset Liaison

c. by April 30 of each year, submit an inventory of all equipment and furnishings with an original purchase price of $10,000 or more to the AOC Finance Fixed Asset Record Keeper.
d. verify the fixed asset inventory at least once every year.

6. Both the Retired Asset List and the Active Asset list shall be maintained for audit and reference purposes for four fiscal years.
7. Employees and Judges are responsible for their own personal property and should maintain a list or label the property brought to the workplace.
8. Courts are encouraged to develop policies and procedures to control items susceptible to loss or theft that are not required to be recorded in Vantage Financial.
9. Any asset that is lost or stolen must be reported to the AOC Finance Fixed Asset Record Keeper. Refer to policy 14-03.00 Lost or Stolen Property.
10. The recorded cost of an asset received in an exchange or trade-in is the fair market value of the asset received. The recorded expenditure, however, is the net amount paid.

Procedure:

A. Acquisitions

Purchaser

a. Follow the Purchasing policy and procedures outlined in this manual. Refer to Section 7 Purchasing.
b. Charge the purchase of any asset only to the appropriate current expense account.
   i. The account code for the purchase of an asset costing $10,000 or more is 6702 for "Office Furniture and Equipment."
   ii. The account code for the purchase of an asset costing less than $10,000 is 6187 for "Small Office Equipment" and 6188 for "Office Furnishings."

B. Local Record Keeping & Reporting

Local Fixed Asset Record Keeper

a. Employee (independent of Payment Authorizer) acts as Fixed Assets Record Keeper (at each district and at AOC).
b. The Fixed Asset Record Keeper shall maintain a "Retired Asset List" of fixed assets that are no longer at the location and retain all documents relating to the disposition of fixed asset property. These records should be retained for at least 4 years.
c. By April 30 each year, each Fixed Asset Record Keeper shall submit to AOC Finance Fixed Asset Record Keeper a list of all current equipment and furnishings with an original purchase price of $10,000 or more along with a current FY Retired Asset List.

1. When a fixed asset with a value of $5000 or more, is purchased or leased and the court has received delivery, record the acquisition in Vantage Financial.
2. When necessary, transfer, retire, delete, etc., fixed assets and current assets recorded in Vantage Financial, as reported by each court location.
3. Prepare an annual fixed asset report as required by State Finance.
4. Maintain an inventory of equipment and furnishings with an original purchase price of more than $5000.

C. Central Record Keeping

AOC Finance Fixed Asset Record Keeper

a. When a fixed asset with a value of $10,000 or more, is purchased or leased and the court has received delivery, record the acquisition in Vantage Financial.
b. When necessary, transfer, retire, delete, etc., fixed assets and current assets recorded in Vantage Financial, as reported by each court location.
c. Prepare an annual fixed asset report as required by State Finance.
d. Maintain an inventory of equipment and furnishings with an original purchase price of $10,000.

D. Custody of Assets

a. Employee(s), independent of authorization and record keeping duties, verifies the existence of the fixed assets and inventory in the district at least once every year.
    i. The employee will trace the items on the Fixed Asset List maintained by AOC Finance Department within Vantage Financial.
    ii. Any asset that is lost or stolen must be reported to the AOC Finance Department.

Rule 3-408. Inventory.

Intent:

To comply with Division of Finance regulation of fixed assets.

To secure property other than fixed assets.

Applicability:

This rule applies~~shall apply~~ to the A~~a~~dministrative O~~o~~ffice ~~of the courts~~ and all courts of record.

Statement of the Rule:

(1) Fixed assets.

(1)(A) Within their respective courts, designated local fixed asset record keepers will~~court executives shall~~ maintain an inventory of fixed assets meeting the capitalization threshold established in the Accounting Manual~~with an original purchase price of $5,000 or more other than computer and recording equipment~~. The local fixed asset record keeper will annually verify and submit the inventory to the Administrative Office~~court executive shall annually submit the inventory to the director of Management Services no later than April 30~~.

(1)(B) The Administrative Office will ~~director of Management Services shall~~ maintain a ~~an~~ centralized inventory of fixed assets for ~~of~~ the A~~a~~dministrative O~~o~~ffice and courts of record~~all computer and recording equipment, regardless of location, with an original purchase price of $5,000 or more~~.

(1)(C) The Administrative Office will ~~director of Management Services shall~~ report the inventory of fixed assets ~~of $5,000 or more~~ to the Division o~~-~~f Finance as required by the Accounting Manual~~law~~.

(2) Inventory procedures. The Accounting Manual will~~director of Management Services shall~~:

(2)(A) establish ~~develop~~ detailed fixed asset inventory procedures, capitalization thresholds, segregation of duties, and reporting responsibilities ~~for implementing this rule~~; and

(2)(B) require courts to develop local controls to safeguard property susceptible to loss or theft that does not meet the fixed asset capitalization threshold. ~~a form for recording the following information for each fixed asset or other property:~~

~~(3)(B)(i) a brief description, including a serial number if any;~~

~~(2)(B)(ii) actual or estimated date of purchase;~~

~~(2)(B)(iii) actual or estimated purchase price; and~~

~~(2)(B)(iv) the disposition of the item.~~

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

TAB 4

CJA 3-104. Presiding judges
CJA 3-108. Judicial assistance
CJA 3-113. Senior judges

Notes: The proposed amendments are intended to make the judicial assistance process clearer and more flexible for presiding judges while preserving appropriate oversight. In addition to cleanup and reorganization, the draft broadens the circumstances in which assistance may be requested, replaces the existing priority structure with factors for presiding judges to consider, and expressly allows direct use of senior judges in exigent circumstances, including when a district is operating above weighted caseload capacity, the need is immediate, or using a sitting judge would create a substantial burden elsewhere. The drafts also create clearer processes for extended vacancy coverage and for planned or recurring senior judge assignments, with budget consultation or Management Committee approval when appropriate.

Rule 3-104. Presiding judges.

Intent:

To establish the procedure for election, term of office, role, responsibilities, and authority of presiding judges and associate presiding judges.

Applicability:

This rule ~~shall apply~~applies to presiding judges and associate presiding judges in the d~~D~~istrict and j~~J~~uvenile c~~C~~ourts.

Statement of the Rule:

(1) **Election and term of office.**

(1)(A) **Presiding judge.** The presiding judge in multi-judge courts ~~shall~~ must be elected by a majority vote of the judges of the court. The presiding judge's term of office ~~shall~~ will be at least two years. A district, by majority vote of the judges of the court, may re-elect a judge to serve successive terms of office as presiding judge. In the event that a majority vote cannot be obtained, the presiding judge ~~shall~~ will be appointed by the presiding officer of the Council to serve for two years.

(1)(B) **Associate presiding judge.**

(1)(B)(i) In a court having more than two judges, the judges may elect one judge of the court to the office of associate presiding judge. An associate presiding judge ~~shall~~ will be elected in the same manner and serve the same term as the presiding judge in paragraph (1)(A).

(1)(B)(ii) When the presiding judge is unavailable, the associate presiding judge ~~shall~~ will assume the responsibilities of the presiding judge. The associate presiding judge ~~shall~~ will perform other duties assigned by the presiding judge or by the court.

(1)(C) **Removal.** A presiding judge or associate presiding judge may be removed as the presiding judge or associate presiding judge by a two-thirds vote of all judges in the district. A successor presiding judge or associate presiding judge ~~shall~~ will then be selected as provided in this rule.

(2) **Court organization.**

(2)(A) **Court en banc.**

(2)(A)(i) Multi-judge courts ~~shall~~ must have regular court en banc meetings, including all judges of the court and the Trial C~~c~~ourt E~~e~~xecutive (TCE), to discuss and decide court business. The presiding judge has the discretion to excuse the attendance of the ~~court executive~~TCE from court en banc meetings called for the purpose of discussing the performance of the court executive. In single-judge courts, the judge ~~shall~~ must meet with the ~~court executive~~TCE to discuss and decide court business.

(2)(A)(ii) The presiding judge ~~shall~~ will call and preside over court meetings. If neither the presiding judge nor associate presiding judge, if any, is present, the presiding judge's designee ~~shall~~ will preside.

(2)(A)(iii) Each court ~~shall~~ must have a minimum of four meetings each year.

(2)(A)(iv) An agenda ~~shall~~ must be circulated among the judges in advance of the meeting with a known method on how matters may be placed on the agenda.

(2)(A)(v) In addition to regular court en banc meetings, the presiding judge or a majority of the judges may call additional meetings as necessary.

(2)(A)(vi) Minutes of each meeting ~~shall~~ must be taken and preserved.

(2)(A)(vii) Other than judges and ~~court executive~~TCEs, those attending the meeting ~~shall~~ will be by court invitation only.

(2)(A)(viii) The issues on which judges should vote ~~shall~~ will be left to the sound discretion and judgment of each court and the applicable sections of the Utah Constitution, statutes, and this Code.

(2)(B) **Absence of presiding judge.** When the presiding judge and the associate presiding judge, if any, are absent from the court, an acting presiding judge will ~~shall~~ be appointed. The method of designating an acting presiding judge ~~shall~~ will be at the discretion of the presiding judge. All parties that must necessarily be informed ~~shall~~ will be notified of the judge acting as presiding judge.

(3) **Administrative responsibilities and authority of presiding judge.**

(3)(A) **General—Caseload—Appeals**

(3)(A)(i) **Generally.** The presiding judge is charged with the responsibility for the effective operation of the court. He or she is responsible for the implementation and enforcement of statutes, rules, policies, and directives of the Council as they pertain to the administration of the courts, orders of the court en banc, and supplementary rules. The presiding judge has the authority to delegate the performance of non-judicial duties to the ~~court executive~~TCE. When the presiding judge acts within the scope of these responsibilities, the presiding judge is acting within the judge's judicial office.

(3)(A)(ii) **Caseload.** Unless the presiding judge determines it to be impractical, there is a presumption that the judicial caseload of the presiding judge will~~shall~~ be adjusted to provide the presiding judge sufficient time to devote to the management and administrative duties of the office. The extent of the caseload reduction will~~shall~~ be determined by each district.

(3)(A)(iii) **Appeals.** Any judge of the judicial district may ask the Chief Justice or ~~Judicial~~ Council to review any administrative decision made by the presiding judge of that district.

(3)(B) **Coordination of judicial schedules.**

(3)(B)(i) The presiding judge ~~shall~~ will be aware of the vacation and education schedules of judges and be responsible for an orderly plan of judicial absences from court duties.

(3)(B)(ii) Each judge ~~shall~~ must give reasonable advance notice of his or her absence to the presiding judge consistent with Rule 3-103~~(4)~~.

~~(3)(C) Authority to appoint senior judges. The presiding judge is authorized to assign a senior judge for judicial assistance consistent with Rule 3-108.~~

(3)(C) Active senior judge assignments. The presiding judge may assign an active senior judge only as authorized by Rule 1-201 of the Utah Supreme Court Rules of Professional Practice and in accordance with Rule 3-108.

(3)(D) **Court committees.** The presiding judge ~~shall,~~will, where appropriate, make use of court committees composed of other judges and court personnel to investigate problem areas, handle court business, and report to the presiding judge and/or the court en banc.

(3)(E) **Outside agencies and the media.**

(3)(E)(i) The presiding judge or ~~court executive~~TCE ~~shall~~ will be available to meet with outside agencies, such as the prosecuting attorney, the city attorney, public defender, sheriff, police chief, bar association leaders, probation and parole officers, county governmental officials, civic organizations and other state agencies when appropriate. The presiding judge ~~shall~~ will be the primary representative of the court.

(3)(E)(ii) Generally, the presiding judge or, at the discretion of the presiding judge, the ~~court executive~~TCE will~~shall~~ represent the court, ~~and~~ make statements to the media on matters pertaining to the ~~total~~ court, and provide general information about the court, ~~and the law, and about~~ court procedures~~,~~ court practices, and court rulings where ethics permit.

(3)(F) **Docket management and case and judge assignments.**

(3)(F)(i) The presiding judge will~~shall~~ monitor the status of the dockets in the court and implement improved methods and systems of managing dockets.

(3)(F)(ii) The presiding judge will~~shall~~ assign cases and judges in accordance with supplemental court rules to provide for an equitable distribution of the workload and the prompt disposition of cases.

(3)(F)(iii) Individual judges of the court will~~shall~~ convey needs for assistance to the presiding judge. The presiding judge ~~shall~~will, through the State Court Administrator, request assistance of visiting judges or other appropriate resources when needed to handle the workload of the court.

(3)(F)(iv) The presiding judge willshall discuss problems of delay with other judges and offer necessary assistance to expedite the disposition of cases.

(3)(G) **Trial Court Eexecutives.**

(3)(G)(i) The presiding judge willshall review the proposed appointment of the court executiveTCE made by the State Court Administrator and must concur in the appointment before it will be effective. The presiding judge mustshall obtain the approval of a majority of the judges in that jurisdiction prior to concurring in the appointment of a court executiveTCE.

(3)(G)(ii) The presiding judge for the respective court level and the Courtstate Llevel Aadministrator mustshall jointly develop an annual performance plan for the court executiveTCE.

(3)(G)(iii) Annually, the state Court Llevel Aadministrator willshall consult with the presiding judge in the preparation of an evaluation of the court executiveTCE's performance for the previous year, also taking into account input from all judges in the district.

(3)(G)(iv) The presiding judge willshall be aware of the day-to-day activities of the court executiveTCE, including coordination of annual leave.

(3)(G)(v) Pursuant to Council policy and the direction of the Courtstate Llevel Aadministrator, the court executiveTCE has the responsibility for the day-to-day supervision of the non-judicial support staff and the non-judicial administration of the court. The presiding judge, in consultation with the judges of the jurisdiction, willshall coordinate with the court executiveTCE on matters concerning the support staff and the general administration of the court including budget, facility planning, long-range planning, administrative projects, intergovernmental relations, and other administrative responsibilities as determined by the presiding judge and the Courtstate Llevel Aadministrator.

(3)(H) **Courtrooms and facilities.** The presiding judge willshall direct the assignment of courtrooms and facilities.

(3)(I) **Recordkeeping.** Consistently with Council policies, the court executiveTCE, in consultation with the presiding judge, willshall:

(3)(I)(i) coordinate the compilation of management and statistical information necessary for the administration of the court;

(3)(I)(ii) establish policies and procedures and ensure that court personnel are advised and aware of these policies; and

(3)(I)(iii) approve proposals for automation within the court in compliance with administrative rules.

(3)(J) **Budgets.** The court executiveTCE, in consultation with the presiding judge, willshall oversee the development of the budget for the court. In contract sites, the court

~~executive~~TCE will~~shall~~ supervise the preparation and management of the county budget for the court on an annual basis and in accordance with the Utah Code.

(3)(K) **Judicial officers.**

(3)(K)(i) In the event that another judge or commissioner of the court fails to comply with a reasonable administrative directive of the presiding judge, interferes with the effective operation of the court, abuses his or her judicial position, exhibits signs of impairment, or violates the Code of Judicial Conduct, the presiding judge may:

(3)(K)(i)(a) m~~M~~eet with and explain to the judge or commissioner the reasons for the directive given or the position taken and consult with the judge or commissioner;~~.~~

(3)(K)(i~~i~~)(b) d~~D~~iscuss the position with other judges and reevaluate the position;~~.~~

(3)(K)(i~~ii~~)(c) p~~P~~resent the problem to the court en banc or a committee of judges for input;~~.~~

(3)(K)(i~~v~~)(d) r~~R~~equire the judge or commissioner to participate in appropriate counseling, therapy, education, or treatment;~~.~~

(3)(K)(i~~v~~)(e) r~~R~~eassign the judge or commissioner to a different location within the district or to a different case assignment; or~~.~~

(3)(K)(~~v~~i)(f) r~~R~~efer the problem to the ~~Judicial~~ Council or to the Chief Justice.

(3)(K)(~~v~~ii) In the event that the options listed above in ~~subsections (i) through (vi)~~ paragraph (3)(K)(i) do not resolve the problem and where the refusal or conduct is willful, continuous~~al~~, and the presiding judge believes the conduct constitutes a violation of the Code of Judicial Conduct, the presiding judge must~~shall~~ refer the problem to the Council or the Judicial Conduct Commission.

(3)(L) **Cases under advisement.**

(3)(L)(i) A case is considered to be under advisement if it meets the criteria outlined in R~~r~~ule 3-101.

(3)(L)(ii) Once a month, each judge must~~shall~~ submit a statement on a form to be provided by the State Court Administrator notifying the presiding judge of any cases or issues held under advisement for more than two months and the reason why the case or issue continues to be held under advisement.

(3)(L)(iii) Once a month, the presiding judge must~~shall~~ submit a list of the cases or issues held under advisement for more than two months to the appropriate ~~state~~ Court L~~l~~evel A~~a~~dministrator and indicate the reasons why the case or issue continues to be held under advisement.

(3)(L)(iv) If a judge fails to submit a statement required under (3)(L)(ii), the presiding judge mustshall notify the appropriate Courtstate Llevel Aadministrator. If the Courtstate Llevel Aadministrator determines that a judge has willfully failed to submit a statement, the Courtstate Llevel Aadministrator mustshall notify the Management Committee.

(3)(M) **Board of judges.** The presiding judge willshall serve as a liaison between the court and the Board for the respective court level.

(3)(N) **Supervision and evaluation of court commissioners.** The presiding judge is responsible for the development of a performance plan for the cCourt cCommissioners serving in that court and shall must prepare an evaluation of the cCommissioner's performance on an annual basis. A copy of the performance plan and evaluation shall must be maintained in the commissioner's official personnel file in the Administrative Office.

(3)(O) **Magistrate availability.** The presiding judge in a district court willshall consult with the Jjustice Ccourt Aadministrator to develop a rotation of magistrates that ensures regular availability of magistrates within the district. The rotation shall will take into account each magistrate's caseload, location, and willingness to serve.

Effective: May 30, 2024December 1, 2026

Rule 3-108. Judicial assistance.

Intent:

To establish the authority, procedure, and criteria for judicial assistance.

Applicability:

This rule ~~shall apply~~ applies to judicial assistance provided by active senior judges and judges of courts of record.

Statement of the Rule:

(1) ~~**Criteria for requesting**~~ **Judicial assistance.** Judicial assistance may~~shall~~ be provided ~~only~~ for the following reasons:

(1)(A) ~~when assistance is needed because of~~to assist with a judicial vacancy or an absence due to an illness, accident, or disability;

(1)(B) to prevent ~~the occurrence of~~ or ~~to~~ reduce a critical accumulated backlog;

(1)(C) to assist with ~~handle~~ a particular case involving complex issues and extensive time ~~which~~ that would ~~have a~~ substantially impact ~~on~~ the court's calendar;

(1)(D) to replace ~~a sitting judge who is absent because of assignment as a tax judge, water law judge, illness or to replace~~ the sitting judges in that location because of disqualification in a particular case;

(1)(E) to mentor a newly appointed judge;

(1)(F) to ~~handle cases~~provide coverage during vacation periods or while a sitting judge attends ~~during attendance at~~ education programs ~~by the sitting judge, following~~ after the judge has made every effort ~~by that judge~~ to adjust the calendar to minimize the need for assistance, and only ~~to handle those~~ for matters ~~which~~ that cannot be accommodated by the other judges of the court during the absence;

~~(1)(G) to provide education and training opportunities to judges of one court level in the disposition of cases in another court level;~~

(1)(G~~H~~) in district court, to provide coverage for a sitting tax or water law judge, or to handle cases involving taxation or water, as defined in R~~r~~ules 6-103 or ~~and cases involving water, as defined in rule~~ 6-104;

(1)(H) in district court, to provide coverage when a sitting district court judge serves as a visiting judge with the Supreme Court;

(1)(I) to handle automatic expungement cases; ~~and~~

(1)(J) to serve on a grand jury panel or~~.~~

(1)(K) when the presiding judge determines that judicial assistance is necessary to address other circumstances affecting the fair, timely, or efficient administration of justice.

(2) **Factors for consideration.** When making judicial assistance requests and determinations under this rule, the presiding judge should consider the following factors:

(2)(A) whether the assistance can be provided by a sitting judge before requesting assistance from an active senior judge;

(2)(B) the judge's experience and familiarity with the subject matter;

(2)(C) the judge's proximity to the court in need, if travel is required; and

(2)(D) the anticipated expenses and available budget.

(3) **Requests for senior judge assistance.**

(3)(A) Before requesting assistance from an active senior judge, the presiding judge should consider the factors listed in paragraph (2). In exigent circumstances, the presiding judge may request the assistance of a senior judge for limited or immediate coverage without first applying those factors. Exigent circumstances may include, but are not limited to, when:

(3)(A)(i) judges in the district are operating above 100% capacity, as determined by the weighted caseload study;

(3)(A)(ii) the need for judicial assistance is immediate or time-sensitive and cannot reasonably be met by a sitting judge; or

(3)(A)(iii) assigning a sitting judge would create a substantial burden on the court or district.

(3)(B) If senior judge assistance is needed for an extended period of time due to a sudden vacancy, the presiding judge and Trial Court Executive should consult with the State Court Administrator or their designee regarding the anticipated budgetary impact.

(3)(C) If a presiding judge seeks to use senior judges for planned, recurring, or extended coverage not otherwise addressed by this rule, including coverage of particular calendars over a period of time, the presiding judge must submit a proposal to the Management Committee for administrative approval of the coverage plan and budget. The proposal must describe the need for senior judge assistance, the proposed coverage plan, and the budget needed to implement the plan.

~~(2) **Assigning a senior judge for judicial assistance.**~~

~~(2)(A) Unless exigent circumstances occur, a presiding judge shall seek assistance under the priorities listed in paragraph (3) before assigning a senior judge.~~

~~(2)(B) If the assignment of a senior judge shall be for more than 14 judicial days, the presiding judge shall seek approval from the Management Committee, and present to~~

~~the Management Committee a plan for meeting the needs of the court and a budget to implement the plan. The plan should describe the calendars to be covered by judges of the district, judges of other districts, and senior judges. The budget should estimate the funds needed for travel by the judges and senior judges.~~

~~(3) **Criteria for transferring or assigning judges.** The transfer or assignment of judges for judicial assistance under this rule, shall, in general, be based upon the following priorities:~~

~~(3)(A) experience and familiarity with the subject matter, including, in district court cases involving taxation, as defined in rule 6-103, and cases involving water, as defined in rule 6-104;~~

~~(3)(B) active judges before active senior judges with consideration of the following:~~

~~(3)(B)(i) proximity to the court in need if the judicial assignment requires travel;~~

~~(3)(B)(ii) priority of judicial coverage by a judge from a court of equal jurisdiction; and~~

~~(3)(B)(iii) priority of judicial coverage by a judge whose subject matter jurisdiction is most closely related to that of the court in need.~~

~~(3)(C) availability; and~~

~~(3)(D) expenses and budget.~~

(4) **Assignment of ~~active~~ sitting judges.**

(4)(A) **Equal-jurisdiction assignments.** A sitting judge of a court of record may be temporarily assigned to a court of equal jurisdiction in another judicial district by the presiding judge of the district in which the assigned judge normally serves.

(4)(B) **Different-jurisdiction assignments.** A sitting judge of a court of record may be temporarily assigned to a court of different jurisdiction in the same or another judicial district by the Presiding Officer.

(4)(C) **Tax and water cases.** In district court cases involving taxation, as defined in Rule 6-103, or water, as defined in Rule 6-104, with the approval of the Presiding Officer, the supervising tax judge or supervising water judge may assign a sitting district court judge to serve temporarily as a tax or water law judge in another judicial district.

(4)(D) **Automated orders.** The Presiding Officer may designate a district or juvenile court presiding judge to serve as the signing judge for automatic expungements and deferred traffic prosecution orders in all district or juvenile courts within the presiding judge's district with jurisdiction over eligible cases. The length of the assignment may coincide with the judge's term as presiding judge.

(4)(E) **Requests, duration, and authority.** A request for a temporary assignment under paragraphs (4)(A) through (4)(C) must be conveyed through the presiding judge of the court requesting assistance to the person authorized to make the assignment. The

assignment must be for a specified period or for the duration of a specified case. A judge temporarily assigned to another court has the same authority as a judge of that court.

~~(4)(A) Any active judge of a court of record may serve temporarily as the judge of a court with equal jurisdiction in a different judicial district upon assignment by the presiding judge of the district in which the judge to be assigned normally sits or, in district court cases involving taxation, as defined in rule 6-103, and cases involving water, as defined in rule 6-104, assignment by the supervising tax judge or the supervising water judge with the approval of the presiding officer of the Council.~~

~~(4)(B) Any active judge of a court of record may serve temporarily as the judge of a court with different jurisdiction in the same or a different judicial district upon assignment by the presiding officer of the Council or assignment by the state court administrator or designee with the approval of the presiding officer of the Council.~~

~~(4)(C) The presiding officer of the Council may appoint a district or juvenile court presiding judge as the signing judge for automatic expungements and deferred traffic prosecution orders in all district or juvenile courts within the presiding judge's district with jurisdiction over eligible cases. The length of the assignment may coincide with the judge's term as presiding judge.~~

~~(4)(D) The assignment shall be made only after consideration of the judge's calendar. The assignment may be for a special or general assignment in a specific court or generally within that level of court and shall be for a specific period of time, or for the duration of a specific case. Full time assignments in excess of 30 days in a calendar year shall require the concurrence of the assigned judge. The state court administrator or designee shall report all assignments to the Council on an annual basis.~~

~~(4)(E) Requests for the assignment of a judge shall be conveyed, through the presiding judge, to the person with authority to make the assignment under paragraphs (A) and (B). A judge who is assigned temporarily to another court shall have the same powers as a judge of that court.~~

(5) **Notice of assignments.**

(5)(A) A copy of an order assigning a sitting judge under paragraph (4) must be sent to the State Court Administrator or designee.

(5)(B) Senior judge assignments must comply with Rule 3-113 and Rule 1-201 of the Utah Supreme Court Rules of Professional Practice.

~~Notice of assignments made under this rule shall be made in writing, a copy of which shall be sent to the state court administrator or designee.~~

~~(6) **Schedule of trials or court sessions.** The state court administrator or designee, under the supervision of the presiding officer of the Council, may schedule trials or court sessions and designate a judge to preside, assign judges within courts and throughout the state, reassign cases to judges, and change the county for trial of any case if no party to the litigation files timely objections to the change~~.

Effective: ~~May 30, 2024~~December 1, 2026

Rule 3-113. Senior judges.

Intent:

To establish the responsibility to provide support services for active senior judges.

To provide for the compensation of active senior judges.

Applicability:

This rule ~~shall apply~~applies to ~~judicial~~ court employees and ~~to~~ active senior judges of courts of record.

Statement of the Rule:

(1) **Support services.**

(1)(A) **Orientation.** The Administrative Office will ~~shall~~ provide a new senior judge orientation course within three months of an active senior judge~~the~~ appointment ~~as active senior judge~~. The orientation ~~shall~~ will include information on judicial assignments, forms, compensation, available training, and reappointment processes.

(1)(B) **Services.** The Trial C~~c~~ourt E~~e~~xecutive (TCE) of the court in which an active senior judge is serving ~~shall~~ will make available services as would normally be needed in the performance of a judge's official duties.

(1)(C) **Assignment order and notice.** ~~**Notice of appointment – assignment.** The court executive of the court in which an active senior judge is serving shall execute the necessary notice of appointment for the case or matters to which the judge has been assigned. The order of assignment shall include the district the judge will serve, the court location, the assignment for which service is needed, and the signature and date of the presiding judge or the presiding judge's designee. The order shall be sent to the state court administrator or designee.~~

(1)(C)(i) In accordance with Rule 1-201 of the Utah Supreme Court Rules of Professional Practice, senior judge assignments must be made by written order. The assignment order must include:

(1)(C)(i)(a) the judicial district and court location;

(1)(C)(i)(b) the case, calendar, or other assignment for which service is needed;

(1)(C)(i)(c) the date of the assignment; and

(1)(C)(i)(d) the presiding judge's signature.

(1)(C)(ii) The TCE of the court level the active senior judge will serve must provide notice of the assignment by sending a copy of the signed assignment order to the State Court Administrator or designee.

(1)(D) **Assistance.** The TCE~~court executive~~ of the ~~district in which an~~court the active senior judge serves will~~shall~~ provide the following assistance as needed:

(1)(D)(i) administrative services;

(1)(D)(ii) orientation on case management system, district processes, and equipment;

(1)(D)(iii) access to electronic files, court documents, and a computer;

(1)(D)(iv) travel arrangements; and

(1)(D)(v) preparation of reimbursement vouchers.

(2) **Compensation.** Active senior judges will~~shall~~ be compensated at the rate and for the services and duties as set forth herein.

(2)(A) Compensation for the performance of judicial duties related to the assignment of cases, service on a grand jury panel, service on court committees, service on court projects, rules and policies, or the mentoring of a new judge will~~shall~~ be at an hourly rate equal to the hourly rate of a trial court judge, and will~~shall~~ be paid in half-day increments.

(2)(B) Compensation for all other duties, such as attendance at Board meetings and educational functions required by court rules will~~shall~~ be paid at the rate of $50.00 per half day (1-4 hours) and $100.00 per full day (over 4 hours).

(2)(C) For travel required in the performance of judicial duties related to assigned cases or calendars, senior judges will~~shall~~ be compensated for travel time in excess of one and one-half hours round trip at the hourly rate of a trial court judge, and for expenses, e.g., per diem, mileage, and lodging, at the rates allowed for state employees. Active senior judges are required, as court employees, to complete the Defensive Driver Training every two years.

(2)(D) For travel required in the performance of judicial duties not related to an assigned case, senior judges will~~shall~~ be compensated:

(2)(D)(i) for round-trip travel time as follows:

(2)(D)(i)(a) 0 - 1.5 hours: No payment

(2)(D)(ii)(b) 1.5 - 5.5 hours: $25.00

(2)(D)(iii)(c) More than 5.5 hours: $50.00

(2)(D)(ii) for expenses, e.g., per diem, mileage, and lodging, at the rates allowed for state employees.

(2)(E) Because senior judges do not have access to state vehicles, mileage will~~shall~~ be paid at the higher rate according to the state travel policy.

(2)(F) Except for the incentive benefit in Rrule 3-501, compensation willshall not include any form of benefits, i.e., state retirement contributions, medical or life insurance premiums, etc.

Effective: May 30, 2024December 1, 2026

TAB 5

Rule 11 Notice

Notes: See attached memo.

Administrative Office of the Courts

Associate Chief Justice Jill M. Pohlman
Utah Supreme Court
Chair, Utah Judicial Council

September 29th, 2026

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

M E M O R A N D U M

TO: **Management Committee Meeting**

FROM: **Brody Arishita, Chief Information Officer**
Judge Jennifer Mabey
Commissioner Marian Ito
Jaelynn Jenkins, Law Clerk

RE: **Statewide Approach to AI-Generated Court Filings and Rule 11 Notice Standardization**

Executive Summary

Following recent discussions within the AI Staff Subcommittee, this memorandum outlines recommendations and operational concerns regarding the increasing prevalence of artificial intelligence (AI) in court filings. As generative AI tools become more accessible, Utah courts are experiencing a rise in filings containing hallucinated case citations, fabricated factual assertions, and unverified legal authority.

Per the recommendation of the AI Staff Subcommittee, this topic has been scheduled for discussion at the Management Committee meeting. This memorandum synthesizes ground level operational impacts across all levels of court personnel and outlines proposed statewide solutions.

Ground-Level Impacts on Judicial Resources

The integration of generative AI into litigation has introduced significant administrative and judicial burdens. Reports from judicial officers, law clerks, and court staff reveal several acute challenges across the state:

Impact on Judicial Officers

- **Citation Verification Burden:** Judges and commissioners are forced to manually verify an increasing number of statutory and case law citations because filings submitted by both self-represented litigants and licensed attorneys contain hallucinated legal citations.
- **Attorney Filings:** AI accuracy issues are not limited to pro se parties. In one recent proceeding, an attorney submitted a motion attempting to enforce a non-existent court order; an error that opposing counsel failed to recognize, requiring direct judicial intervention to identify.

Impact on Law Clerks and Case Management

- **High-Volume Hallucinated Filings:** Law clerks face severe bottlenecks reviewing voluminous, AI-generated submittals.
- **Case Study (*Foster v. Foster*):** In *Foster v. Foster* (Heber Case No. 214500076), a single pro se party generated 179 docket entries between May 6 and September 1, most of which contained AI hallucinations. Managing this single case has caused substantial disruption and consumed extensive judicial resources.
- **Increase in Vexatious Litigant Motions:** The high frequency of low-barrier, AI-generated filings has prompted a noticeable rise in represented parties seeking court orders to deem opposing pro se parties as vexatious litigants.

Impact on Judicial Assistants and Court Operations

- **Inundation of Inquiries:** Judicial assistants regularly deal with a continuous flow of follow-up phone calls and emails associated with AI-driven filing volume.
- **Unintelligible Communications:** Pro se litigants are increasingly utilizing generative AI to draft correspondence to court staff, producing emails that are largely unintelligible and difficult to resolve.
- **Harm to Pro Se Parties:** Self-represented litigants often fail to realize that submitting AI-hallucinated filings severely damages their own legal claims and standing in court.

Summary of Impacted Judicial Roles

Judicial Role	Primary AI-Related Burden	Key Context / Example
Judicial Officers	Necessity of verifying all unfamiliar citations due to attorney and pro se hallucinations	Motion filed to enforce a non-existent order
Law Clerks	Meticulous review required for high-volume filings containing fabricated authorities	*Foster v. Foster* (179 docket entries in 4 months)
Judicial Assistants	Managing high volumes of phone inquiries and unintelligible AI-drafted emails	Operational bottlenecks and staff workload strain
Represented Parties	Increased motion practice regarding vexatious litigant designations	Rising trend in vexatious litigant filings

Proposed Statewide Approaches

To establish consistent expectations across the judiciary while maintaining accessible tools for self-represented litigants, the AI Staff Subcommittee recommends expanding existing district initiatives into a unified statewide framework:

1. Standardization of Rule 11 Popup Reminders

Building on the Rule 11 Notice designed by the 4th District Subcommittee, the state should implement automated popup reminders within eFiling systems and the MyCase portal. These popups will explicitly remind all filers of their legal obligation under Rule 11 to verify the accuracy and authenticity of all submitted content, including AI-generated text.

2. Self-Help Center Plain-Language Guidance

Develop clear, plain language educational resources on the Utah Courts website via the Self-Help Center. This material will inform pro se litigants on appropriate technology usage and explicitly highlight the legal risks of relying on unverified AI output.

To Counsel and Parties: The district court case management system has automatically generated this notice. Rule 11(b) of the Utah Rule of Civil applies to all attorneys and self represented parties. The rule provides:

By presenting a pleading, written motion, or other paper to the court (whether by signing, filing, submitting, or advocating), **an attorney or unrepresented party** is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances,

> (b)(1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
>
> (b)(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
>
> (b)(3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
>
> (b)(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

This rule applies to ALL pleadings, motions, responses or other signed documents. This includes papers generated with the assistance of Artificial Intelligence (AI) or other technological aids.

While AI can be a useful tool, the use of such technological aids has its shortcomings. AI can hallucinate (make up) law and facts. The overuse or

misuse of AI may result in wasted time and resources and affects the administration of justice for all court patrons.

Attorneys and pro se parties are required to make a reasonable inquiry to verify the law and facts referred to in their submissions are accurate. If an attorney or pro se litigant violates Rule 11(b), the court may impose sanctions. See Rule 11(c). Self represented parties and attorneys are responsible for everything they file.

Sanctions for Rule 11 are made on a case by case basis but may include sanctions which are not monetary in nature as well as fines or attorney fees.