

1 **Rule 3-403. Judicial branch education.**

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3 **Intent:**

4 To establish the Judicial Branch Education Committee's ("Committee") responsibility to develop
5 and evaluate a comprehensive education program for all judicial officers and court staff.

6 To establish education standards for judicial officers and court staff, including provisions for
7 funding and accreditation for educational programs.

8 To ensure that education programs, including opportunities for job orientation, skill and
9 knowledge acquisition, and professional and personal development, are available to all
10 members of the judicial branch and that such programs utilize the principles of adult education
11 and focus on participative learning.

12 To emphasize the importance of participation by all judicial branch employees in education and
13 training as an essential component in maintaining the quality of justice in the Utah courts.

14 **Applicability:**

15 This rule shall apply to all judicial officers and court staff, except seasonal employees and law
16 clerks.

17 **Statement of the Rule:**

18 **(1) Organization.**

19 (1)(A) **Judicial branch education committee.** The Committee shall submit to the
20 Council for approval proposed policies, standards, guidelines, and procedures applicable
21 to all judicial branch education activities. It shall evaluate and monitor the quality of
22 educational programs and make changes where appropriate within the approved
23 guidelines for funding, attendance, and accreditation.
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25 (1)(B) **Responsibilities of members.** Committee members shall propose policies and
26 procedures for developing, implementing, and evaluating orientation, continuing skill
27 development, and career enhancement education opportunities for all judicial branch
28 employees; formulate an annual education plan and calendar consistent with the judicial
29 branch education budget; and serve as advocates for judicial branch education,
30 including educating the judiciary about the purpose and functions of the Committee.
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32 **(1)(C) Committee meetings.**

33 (1)(C)(i) The Committee shall meet twice a year. Additional meetings may be
34 called as necessary. A majority of voting members in attendance is required for
35 official Committee action.

36 (1)(C)(ii) The chairperson may recommend to the Council that a Committee
37 member be replaced if that member is absent without excuse from two
38 consecutive Committee meetings or fails to meet the responsibilities of
39 membership as outlined in paragraph (1)(B).
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41 **(2) Administration.**

42 **Judicial Education Officer.** The Judicial Education Officer, under the direction of the
43 Court Administrator, shall serve as staff to the Committee and be responsible for the
44 administration of the judicial education program consistent with this rule.

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(3) Education standards for judicial officers.

(3)(A) Requirements for judicial officers (judges, court commissioners, active senior judges and active senior justice court judges).

(3)(A)(i) All new judicial officers shall participate in the first designated orientation program offered after the date the judge is administered the oath of office, unless attendance is excused for good cause by the Management Committee.

All judicial officers shall complete 30 hours of pre-approved education ~~annually~~each fiscal year, to be implemented on a schedule coordinated by the Committee. To satisfy annual program requirements judicial officers will complete training on harassment and abusive conduct prevention; ethics; inclusion and elimination of bias.

Judicial officers may attend a combination of approved local, state, or national programs. Active and inactive senior judges and retired judges may attend approved local or state programs and the annual judicial conference, but an inactive senior judge or retired judge must pay all expenses.

~~(3)(A)(ii) **Active senior judge.** If an active senior judge applies to be reappointed and will have completed at least 60 total education hours in the two years preceding the effective date of reappointment, the Management Committee may, for good cause shown, excuse the judge from having to complete the annual 30 hour education requirement.~~

(3)(A)(iii) **Inactive senior judges and retired judges.** If an inactive senior judge or a retired judge applies to be an active senior judge, the judge shall demonstrate that:

~~(3)(A)(iii)(a) less than three years has passed since he or she last complied with the continuing education requirements of an active senior judge;~~

~~(3)(A)(iii)(b) he or she has complied with the MCLE requirements of the Utah State Bar for at least three years before the application;~~

(3)(A)(iii)(~~a~~) he or she has attended 30 hours of approved judicial education within one year before the application; or

(3)(A)(ii~~a~~)(~~b~~) he or she has attended the new judge orientation for judges of the courts of record within one year before the application.

(3)(B) Program components. Education programs for judicial officers shall include: a mandatory new judge orientation program; a variety of programs addressing substantive and procedural law topics, aimed at skill and knowledge acquisition; and programs geared to professional and personal development, to meet the continuing needs of judicial officers.

(3)(C) Annual conferences. Justice court judges and active senior justice court judges shall attend the annual justice court conference unless excused by the Board of Justice Court Judges for good cause. Because the annual judicial conference represents the

90 only opportunity for judges to meet and interact as a group and to elect their
91 representatives, judicial officers are strongly encouraged to attend that conference.
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93 **(4) Standards for court staff.**

94 **(4)(A) State employees.**

95 **(4)(A)(i) Program requirements.** All court staff employed by the state shall
96 complete 20 hours of approved coursework annually. To satisfy annual program
97 requirements state employees must complete training on harassment and
98 abusive conduct prevention; ethics; inclusion and elimination of bias.
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100 **(4)(A)(ii) Program components.** Education programs for court staff employed by
101 the state shall include: onboarding for new employees as well as new employee
102 orientation; skill development programs that teach technical and job-related
103 competencies; and enhancement programs that promote personal and
104 professional growth within the organization.
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106 **(4)(B) Local government employees.**

107 **(4)(B)(i) Program requirements.** All court staff employed by the justice courts
108 shall complete 10 hours of approved coursework annually.
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110 **(4)(B)(ii) Program components.** Education programs for court staff employed by
111 local government shall include: annual training seminar; skill development
112 programs that teach technical and job-related competencies; and enhancement
113 programs that promote personal and professional growth. Professional and
114 personal development programs may include training on harassment and
115 abusive conduct prevention; ethics; inclusion and elimination of bias.
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117 **(5) Reporting.**

118 **(5)(A)** Judicial officers and court staff governed by these standards shall report
119 participation in education programs on a form developed by the Committee.

120 **(5)(B)** For court staff, compliance with judicial branch education standards shall be a
121 performance criterion in the evaluation of all staff.

122 **(5)(B)(i)** Supervisory personnel are responsible to ensure that all staff have an
123 opportunity to participate in the required education. Failure of a supervisor to
124 meet the minimum education standards or to provide staff with the opportunity to
125 meet minimum education standards will result in an unsatisfactory performance
126 evaluation in the education criterion.

127 **(5)(B)(ii)** Failure of staff to meet the minimum education requirements will result
128 in an unsatisfactory evaluation on the education criterion unless the employee
129 provides documented reasons that the employee's failure to meet the education
130 standards is due to reasons beyond the employee's control.
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132 **(6) Credit.** Judicial education procedures shall include guidelines for determining which
133 programs qualify as approved education within the meaning of these standards.
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135 **(7) Funding.**

136 (7)(A) **Budget.** In preparing its annual request for legislative appropriations, the Council
137 shall receive and consider recommendations from the Committee. The Committee's
138 annual education plan shall be based upon the Council's actual budget allocation for
139 judicial education.
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141 (7)(B) **In-state education programs.** Judicial branch funds allocated to in-state judicial
142 education shall first be used to support mandatory in-state orientation programs for all
143 judicial branch employees and then for other education priorities as established by the
144 Committee with input from the Boards of Judges and Administrative Office.
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146 (7)(C) **Out-of-state education programs.** To provide for diverse educational
147 development, to take advantage of unique national opportunities, and to utilize education
148 programs which cannot be offered in-state, the annual education plan shall include out-
149 of-state education opportunities. The Committee shall approve national education
150 providers and shall include in the education procedures, criteria to be applied by the
151 Administrative Office to out-of-state education requests. Criteria shall include relevance
152 to the attendee's current assignment and attendance at in-state programs.
153 Disagreement with a decision to deny an out-of-state education request may be
154 reviewed by a quorum of the Committee at the applicant's request.
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156 (7)(D) **Tuition, fees, and travel.** The Committee shall develop policies and procedures
157 for paying tuition, fees, per diem, and travel for approved programs. State funds cannot
158 be used to pay for discretionary social activities, recreation, or spouse participation. The
159 Committee may set financial limits on reimbursement for attendance at elective
160 programs, with the individual participant personally making up the difference in cost
161 when the cost exceeds program guidelines.
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163 **(8) Mentoring.**

164 (8)(A) Within seven business days after a new district or juvenile judge has been sworn
165 in, the Presiding Judge shall appoint a mentor to the new judge.

166 (8)(B) Within fourteen business days after a new district or juvenile judge has been
167 sworn in, the mentor and the new judge shall meet and review the Judicial Mentoring
168 Guidelines and Best Practices Recommendations, complete the Mentors' Checklist
169 contained therein and the mentor, within that same fourteen business day period, shall
170 provide the completed Mentor's Checklist to the Judicial Education Officer.
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172 *Effective: May 1, 202~~4~~3*