

Rule 3-409. Court facilities planning.**Intent:**

~~To provide for the responsibilities of the Court Facility Planning Committee.~~

To provide for the effective planning of court capital facilities.

To promote the efficient use of new and existing courthouses through application of co-location and multi-use court facility concepts.

To establish a framework for the conceptual, planning, developmental, and implementation phases of court capital facilities.

To provide for Council review and approval of all proposed court capital facilities.

To ensure adherence to the design and space guidelines and other requirements of the Utah Judicial System Capital Facilities Masterplan (“Masterplan”).

Applicability:

This rule ~~shall apply~~ applies to all court construction projects for courts of record regardless of funding source.

Statement of the Rule:

(1) **Definitions.** As used in this rule:

~~(A) “committee” means the Court Facility Planning Committee established by Rule 1-205;~~

~~(1)(AB)~~ (1)(B) **“Construction”** means capital development, alterations, renovations, and improvements;

~~(1)(BC)~~ (1)(C) **“DFCM”** means the Division of Facilities Construction and Management;

~~(1)(CD) “facility coordinator”~~ (1)(D) “Facilities Director” means the person designated by the state court administrator to manage the court facility department ~~to serve as staff to the committee; and~~

~~(E) “masterplan” means the Utah Judicial System Capital Facilities Masterplan.~~

(2) C~~J~~**udicial council responsibilities.** Only the ~~Judicial~~ Council may approve or amend the ~~M~~masterplan. Only the ~~Judicial~~ Council may approve a construction project. The Administrative Office ~~shall will~~ seek funding consistent with Council priorities.

(3) ~~Committee~~ Facilities Director **responsibilities.** The ~~committee~~ Facilities Director ~~shall will~~:

(3)(A) review trends and projections in population, caseload, and other growth indicators to anticipate courthouse construction needs;

(3)(B) review the evaluations of courthouses required by this rule and recommend the prioritized placement of courthouse construction projects within the M~~m~~asterplan;

~~(C) review recommendations from the facility coordinator on construction projects and the masterplan;~~

(3)(~~CD~~) make recommendations to the Council regarding the reordering of ~~M~~masterplan priorities and amendments to design and space guidelines;

(3)(~~DE~~) compare construction requests with the design and space guidelines of the ~~M~~masterplan to ensure the current and anticipated needs of the court are met; and

~~(F) develop a timetable for construction requests so that the committee presents its recommendations to the Council in advance of the Annual Planning Workshop;~~

(3)(~~FG~~) make recommendations to the Council for the approval, modification, or disapproval of construction requests; and

~~(H) develop procedures for the delegation of committee responsibilities to the facility coordinator.~~

(4) Masterplan.

(4)(A) There ~~shall will~~ be a facilities ~~M~~masterplan which ~~shall will~~ include design and space guidelines, workload forecasts, and a capital facility priority list. This Code and the ~~M~~masterplan will control all capital facility projects, including those implemented on behalf of the judiciary by DFCM and local governments. Exceptions to court design and space guidelines require approval of the ~~committee and notice to the Council, which may overrule the committee.~~

(4)(B) The ~~facility coordinator~~ Facilities Director ~~shall will~~ prepare a periodic report evaluating courthouse compliance with the ~~M~~masterplan. To prepare the report, the ~~facility coordinator~~ Facilities Director may use contract services. The report should assess each courthouse at least once every five years. The report should include an assessment of compliance with design and space guidelines and placement of the courthouse within the ~~M~~masterplan. ~~Committee recommendations~~ Recommendations concerning any amendment of the ~~M~~masterplan ~~shall will~~ be made to the Judicial Council at ~~the an a~~ Annual Planning Workshop ~~Facilities p~~ Planning u ~~Update before publishing any changes.~~ The Judicial Council shall republish the masterplan annually after the workshop.

(5) **Construction requests.** The ~~C~~ourt ~~E~~xecutive ~~shall will~~ submit construction project requests to the ~~facility coordinator~~ Facilities Director as part of the annual budget process. The ~~facility coordinator~~ Facilities Director ~~shall will~~ prepare analyses and recommendations ~~to the committee~~ regarding:

(5)(A) comparison of the request with the ~~M~~masterplan, including compliance with design and space guidelines and priority within the ~~M~~masterplan;

(5)(B) the cost of the programming, design, and construction phases of the project; and

(5)(C) the fiscal years during which those costs will be expended; and

~~(D) recommendations of the committee to the Judicial Council in advance of the Annual Planning Workshop. A copy of the committee recommendations shall be provided to the affected Boards of Judges.~~

(6) **Construction projects.** Construction projects approved by the Council and the ~~L~~egislature ~~will shall~~ be directed by a project design team chaired by the ~~facility coordinator~~ Facilities Director. The team ~~shall will~~ include the Court Executive, appropriate court staff ~~from the Administrative Office, the Court Security Director,~~ and a judge from the district, who is

79 appointed by the presiding judge. The project design team will continue to function through
80 completion of the project. The team ~~shall~~will develop a general design programming guide and
81 review and approve the following project documents and phases:

82 (6)(A) pre-design and site selection;

83 (6)(B) schematics design; and

84 (6)(C) design/development;

85 ~~(D) working drawings; and~~

86 ~~(E) construction documents.~~

87 (7) DCFM approval. The ~~Administrative Office~~Facilities Director ~~shall~~will obtain approval from
88 DFCM on all documents and phases for state funded capital development and improvement
89 projects previously approved by the judiciary and the legislature pursuant to this rule.

90 ~~(8) The state court administrator shall will provide for the appointment and supervision of a~~
91 ~~facility coordinator to serve as staff to the committee and to perform duties as delegated by the~~
92 ~~committee.~~

93 *Effective: ~~11/1/1996~~November 1, 2026*