

1 **Rule 1. General provisions.**

2 **(a) Applicability of rules.** These rules govern the procedure in all actions in the
3 business and chancery court of the state of Utah, whether cognizable at law or in equity,
4 except as governed by other rules promulgated by this court or statutes enacted by the
5 Legislature. These rules govern all actions brought after they take effect and all further
6 proceedings in actions then pending. If, in the opinion of the court, applying a rule in an
7 action pending when the rule takes effect would not be feasible or would be unjust, the
8 former procedure applies.

9 **(b) Title.** These rules are known and may be cited as the Utah Rules of Business and
10 Chancery Procedure. These rules may be abbreviated as U.R.B.C.P.

11 **(c) Applicability of Utah Rules of Civil Procedure.** The Utah Rules of Civil Procedure
12 apply in the business and chancery court except where:

13 (1) There is a rule of the same number in the Utah Rules of Business and Chancery
14 Procedure; or

15 (2) The Utah Rules of Business and Chancery Procedure exclude the application of
16 these rules by specific rule number as set forth in Appendix A to these rules.

17 **(d) Reference to “court.”** Unless otherwise noted, the use of “court” in these rules
18 means the business and chancery court of the state of Utah.

19 **(e) Interpretation of rules.** These rules will be liberally construed and applied to
20 achieve the just, speedy, and inexpensive determination of every action.

21 **(f) Citation to court decisions.** This court’s decisions (whether reported or unreported)
22 may be cited by parties as persuasive authority. A party citing a decision of this court
23 must provide a copy of the decision to the other parties and the court when it is cited.

24 **Advisory Committee Note**

25 These rules were drafted using the Utah Rules of Civil Procedure as their base
26 line. Thus, where the Committee determined that the Rules of Civil Procedure were

27 adequate for the Business and Chancery Court, these rules simply incorporate them by
28 reference rather than repeat the identical language. For example, although these rules
29 include significant modifications to Utah Rule of Civil Procedure 26, necessitating a
30 distinct Rule 26 for the Business and Chancery Court, the Committee concluded that
31 Utah Rule of Civil Procedure 37, including its mechanisms for enforcing the parties'
32 discovery obligations under Rule 26, could be adopted into these rules without
33 modification and is therefore incorporated by reference.

34 *Effective May/November 1, 20__*

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