

1 **Rule 3-409. Court facilities planning.**

2 **Intent:**

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

4 To provide for the effective planning of court capital facilities.

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

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

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

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

12 **Applicability:**

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

15 **Statement of the Rule:**

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

17 ~~(A) "committee" means the Court Facility Planning Committee established by Rule 1-~~
18 ~~205;~~

19 (1)(AB) "Construction" means capital development, alterations, renovations, and
20 improvements;

21 (1)(BC) "DFCM" means the Division of Facilities Construction and Management;

22 (1)(CD) "facility coordinator/Facilities Director" means the person designated by the
23 state court administrator to manage the court facility department. ~~to serve as staff to the~~
24 ~~committee; and~~

25

26 ~~(E) "masterplan" means the Utah Judicial System Capital Facilities Masterplan.~~

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

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

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

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

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

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

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

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

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

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

47 **(4) Masterplan.**

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

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

64 **(5) Construction requests.** The Court Executive ~~shall will~~ submit construction project
65 requests to the ~~facility coordinator~~ Facilities Director as part of the annual budget process. The
66 ~~facility coordinator~~ Facilities Director ~~shall will~~ prepare analyses and recommendations ~~to the~~
67 ~~committee~~ regarding:

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

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

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

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

75 **(6) Construction projects.** Construction projects approved by the Council and the Legislature
76 ~~will shall~~ be directed by a project design team chaired by the ~~facility coordinator~~ Facilities
77 Director. The team ~~shall will~~ include the Court Executive, appropriate court staff ~~from the~~
78 ~~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~~ May 1, 2026*