

Rule 3-202. Court referees prohibited.**Intent:**

To prohibit courts from establishing the position of court referee.

Applicability:

This rule applies to all trial courts.

Statement of the Rule:**(1) Definitions.**

(1)(A)“Court referee” means any person by any title, including but not limited to court referee, traffic referee, hearing officer, or adjuster who resolves or recommends resolution of any case. “Court referee” does not include, other than:

(1)(A)(i) a judge appointed under Article VIII of the Utah Constitution;

(1)(A)(ii) a senior judge appointed under Rules 41-201 or Rule 41-203 of the Utah Supreme Court Rules of Professional Practice;

(1)(A)(iii) a judge pro tempore appointed under Rule 41-202 of the Utah Supreme Court Rules of Professional Practice;

(1)(A)(iv) a court commissioner or Division Commissioner appointed under Rule 3-201 ~~or 3-201.01~~;

(1)(A)(v) a master appointed under Rule 53 of the Utah Rules of Civil Procedure ~~53~~;

(1)(A)(vi) a Court Clerk ~~of court~~ acting under Rule 4-704; or

(1)(A)(vii) a juvenile court probation officer ~~acting~~ appointed under Utah Code Section 78A-6-205602 or Rule 7-301 ~~by any title, including but not limited to court referee, traffic referee, hearing officer, or adjuster who resolves or recommends resolution of any case.~~

(1)(B) “Division Commissioner” is as defined in Rule 3-201.01.

(2) Court referees prohibited. Court referees are prohibited.

Effective: ~~January 1, 2013~~ November 1, 2026