

IN THE SUPREME COURT OF THE STATE OF UTAH

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Standing Order No. 17

(Temporary Standing Order for Extensions of Time in Criminal Appeals)

Effective January 23, 2026

Extensions of time in criminal appeals have become endemic in Utah's appellate courts. The cause of the extensions is consistent—the public defender agencies and the Utah Attorney General's office do not have enough appellate counsel to keep up with the number of appeals filed. Counsel regularly request more time to file appellate briefs. In criminal appeals, extensions of up to 180 days have become standard.

Reasonable extensions of time in both civil and criminal appeals are usually unopposed. Allowing parties to stipulate to unopposed extensions, rather than file motions demonstrating good cause, improves efficiency for counsel, the parties, and the courts. Counsel and the parties can focus their time and resources on the substance of the appellate work instead of the formalities of unopposed motions.

Accordingly, concurrent to this Standing Order, the Utah Supreme Court amended rule 22 of the Utah Rules of Appellate Procedure to allow extensions of time to file briefs, in any appeal, by stipulation instead of by motion. Under the amended rule, counsel may, by timely stipulation and without awaiting a court order, extend the time to file any brief by a total of 60 days.

Criminal appeals, however, currently warrant a greater extension of the time to file briefs—longer than 60 days—because of the current attorney shortages at the publicly-funded defense and prosecution agencies. Through this Standing Order, counsel in criminal appeals may, by timely stipulation and without awaiting a court order, extend the time to file any brief by a total of 180 days. Any stipulation to extend the total time to file a brief beyond the 60 days allowed by rule 22 and up to 180 days must (1) be filed prior to the expiration of the time for which the extension is sought and (2) must cite this Standing Order. Requests for extension beyond 180 days must be made by motion under rule 22.

This Standing Order is temporary. It will be withdrawn or amended as staffing shortages at the public defender agencies and the Utah Attorney General's office are resolved, or when the additional time is no longer needed.

IT IS SO ORDERED.

DATED this 23rd day of January, 2026

A handwritten signature in black ink, appearing to read 'Matthew B. Durrant', written over a horizontal line.

Matthew B. Durrant
Chief Justice
Utah Supreme Court