

MINUTES
**Utah Judicial Council's
Committee on Court Forms**
Administrative Office of the Courts
450 South State Street
Salt Lake City, UT 84111
August 13, 2018
12:00 – 2:00 p.m.
Council Room

Attendees

Kim Allard
Cyndi Bayles
Randy Dryer
Guy Galli
Judge Elizabeth Lindsley
Kara Mann
Nathanael Player
Judge James Taylor
Jessica Van Buren
Mary Westby
Stewart Ralphs

Excused

Judge Gregory Bown
Christina Cope
Brent Johnson

Staff

Minhvan Brimhall, Recording Secretary

Guests

Cathy Dupont
Nicole Bless

I. WELCOME AND APPROVAL OF MINUTES

Randy Dryer welcomed the Committee members to the meeting. The Committee discussed the July 9, 2018 minutes. No correction or revision was made to the minutes. Mary Westby moved to approve the full minutes. Guy Galli seconded the motion and it passed unanimously.

II. PROPOSED 2019 MEETING DATES

The committee discussed the meeting schedule for 2019. Meetings will be held the second Monday of each month with the exception of October 7 and November 4 due to Columbus and Veterans' day.

A motion was not made to approve the 2019 dates.

III. REPORT ON LPP RULE REGARDING DEFINITION OF FAMILY LAW CASES

Cathy Dupont provided an update on the LPP program. The inaugural class is slated to begin in January 2019. The LPP Committee confirmed that LPP work in family law would not include guardianship issues, adoption issues, conservatorship, and no name changes except within the context of a divorce. The LLP Committee will be meeting within the next week to review USB rule 14-802 and LPP 15-701 to consider language changes to the rules in providing clarification for name changes. Mr. Player brought to the attention of the group that the current rule discusses forcible entry and detainer, but does not include unlawful detainer. The LPP Committee will discuss including unlawful detainer into the rule prior to publication. Ms. Dupont also reports that at the last bar conference, the LPP panel discussed that when a tort is presented in a family law matter, the LPP is unauthorized to represent the client on that portion of the hearing. Tort matters would need to be presented by an attorney. LPP rules have been approved for a November 1 effective date. Ms. Dupont is working to have the rules cleaned up and ready for publication. Ms. Dupont believes the first round of LPPs will be working in the field around this time next year. Ms. Dupont was thanked for her report and time and efforts with the LPP program.

IV. JUVENILE COURT MOTION/REQUEST TO SUBMIT/ORDER ON MOTION

Mr. Player provided an update on language changes to juvenile court motions forms. The changes now allow the form to be more in line with all forms related to juvenile court matters. Judge Lindsley requested that the "Order on Motion to" form be removed from the set as this form cannot be electronically signed. Once an order has been made, the court clerk is able to generate an electronic motion for signature that will be distributed to all parties.

With no additional discussion, Judge Lindsley moved to remove the "Order on Motion to" form from the packet, and approve the "Motion to" and "Request to Submit for Decision" forms. Judge Taylor seconded the motion and it passed unanimously.

V. OCAP/STANDING COMMITTEE ON FORMS PLAIN LANGUAGE PROJECT

Kim Allard opened discussion on OCAP forms. The OCAP forms have been managed for the past 20 years by a policy board. Ms. Allard and Mr. Ralphs are members of the board. Many of the forms are driven by the case types that LPPs will be using (divorce, custody, paternity, child custody jurisdiction, unlawful detainer, etc.) The Stylistic Committee made a conscious effort to make the forms more efficient and coincide with the start of the OCAP program. The committee will also be adding identification to the top of the generated documents, as well as have the ability to sign the form. The committee will be doing this independent of the plain language work. Ms. Allard states that the current divorce documents are located online only. Forms that are online are updated regularly. Petitioners/respondents should be referred to the online forms.

Ms. Allard discussed changes made to the forms by the Stylistic Committee. The new forms will contain language changes, stylistic changes and statute references in each section. The provisions are ready for review and approval from the Forms Committee, prior to presentation to the Judicial Council for final approval.

The Committee went through each section for additional language changes, clarification of content, and efficiency and structure of the form. The Committee reviewed and approved the first 37 pages. The remaining pages will be reviewed at the next meeting.

VI. ADJOURN

With no further items for discussion the meeting adjourned at 2 pm. The next committee meeting is Monday, September 10 at 12 PM in the Council Room.