Agenda
Committee on Court Forms

Administrative Office of the Courts / Scott M. Matheson Courthouse
450 South State Street

February 14, 2022 / 12:00 to 2:00 p.m.
Virtual Meeting
https://utcourts.webex.com/utcourts/j.php?MTID=m15cbd01f19d4f764cae816aaac21cfff

1. Welcome and approval of December meeting minutes	Randy Dryer
2. Review of electronic voting • Justice Court Cover Sheet • Motion to Delay (Stay) Enforcement of Judgment • Order on Motion to Delay (Stay) Enforcement of Judgment)	Kaden Taylor
Presentations	
3. Presentation from Heidi Anderson on the court website and MyCase	Heidi Anderson
Family Law Forms	
4. Family Law and Probate Form Header Templates • Family Law Header Template • Probate Header Template	Nathanael Player and Kaden Taylor
5. List of forms requiring update under URCP 20 Rule Change	Kaden Taylor
Expungement Forms	
6. Expungement Forms • Petition to Expunge Records (Charges Never Filed) • Petition to Expunge Records (Conviction) • Petition to Expunge Records (Dismissal or Acquittal) • Petition to Expunge Records (Drug Possession Conviction) • Petition to Expunge Records (Special Certificate from BCI)	Jake Smith
7. Motion to Reduce Conviction	Jake Smith
Miscellaneous Forms	
8. Summons (Mobile Home Park Evictions)	Nathanael Player

9. Acceptance of Service	Nathanael Player
10. Classifying a Record as Sealed • Motion to Classify Record as Sealed • Findings of Fact, Conclusions of Law and Order on Motion to Classify Record as Sealed	Nathanael Player

To view forms status updates, use the following link:
https://docs.google.com/spreadsheets/d/18-Y2P8-gx6dSngSohQ19nf4EJ3uYQ-KR0dh3abpGTEw/edit?usp=sharing

Meeting Dates

April 11	June 13	October 17^
May 9*	August 8	December 12

* Additional meeting for legislative updates
^ Moved for Indigenous People's/Columbus Day

MINUTES
Utah Judicial Council
Committee on Court Forms
Administrative Office of the Courts

Webex video conferencing
December 13, 2021
12 - 2 pm

MEMBERS PRESENT	MEMBERS EXCUSED	GUESTS	STAFF
Amber Allemann		Amy Hernandez	Minhvan Brimhall – recording secretary
Judge Randy Birch		Judge Marvin Bagley	
Judge Su Chon			
Randy Dryer, Chair			
Guy Galli			
Scott Hill			
Judge Elizabeth Lindsley			
Kara Mann			
Comm. Russell Minas			
Nathanael Player			
Stewart Ralphs			
Keri Sargent			
Kaden Taylor			
Mary Westby			

I. WELCOME AND APPROVAL OF MINUTES:

Randy Dryer welcomed the committee members to the meeting. The Committee considered the minutes from the October 18, 2021 meeting. No revisions were made to the minutes. Mary Westby moved to approve the full minutes. Stewart Ralphs seconded the motion. The motion unanimously passed.

Judge Bagely has been recommended to join the committee. His appointment is pending Judicial Council approval. Nathanael Player provided an update to the Judicial Council on the committee's work.

II. Electronic voting:

- **Revised Petition for Relief Under the Post-Conviction Remedies Act was approved**

The minutes will include forms that have been approved by the committee via electronic voting. The Petition for Relief under the Post-Conviction Remedies Act was recently approved though electronic voting.

III. Update to minutes:

A correction was made to the June meeting minutes. The committee approved the Debt Collection Complaint form during the June meeting. The correction will be noted in these minutes.

With no additional discussion, Mr. Player improved the correction as noted. Mr. Ralphs seconded the motion. The motion unanimously passed.

IV. Presentation from Heidi Anderson on the court website and MyCase:

Heidi Anderson was unable to attend today's meeting and will share her presentation on MyCase at a future meeting.

V. Court Form Translation Policy:

The Stylistic Committee is in the process of reviewing the translation policy on court forms. Kara Mann will present the Stylistics Committee's proposal at the next meeting.

VI. Motion to Delay:

- Motion to Delay (Stay) Enforcement of Judgment
- Order on Motion to Delay (Stay) Enforcement of Judgment

Utah Rules of Civil Procedure rule 62 changed in November suggesting that a stay could not be requested without posting a bond or security with the court. The form was modified to reflect the changes to rule 62 and sent to the committee for electronic voting. The amendments did not get approved and is before the committee today for further discussion.

The committee discussed concerns with the amended language proposal and understanding of the new language approved in the rule change. The committee determined that language in paragraph 4 on the motion and order need to be further discussed and rewritten. Judge Chon, Mary Westby and Nathanael Player will meet to discuss addition amendments to the Motion and Order to Delay Stay and will present the amendments for consideration through electronic voting.

VII. Declaration of Financial Status (Criminal) and Order:

The forms on Declaration of Financial Status and the order went through minor language modification by the Stylistics Committee. The modification made the forms uniform to other court approved forms. The forms will be active January 1, 2022.

The committee discussed and recommended minor language amendments to provide clarity of necessary information, formatting to aid in the ease in completing the form, and removed requested information not pertinent to the purpose of the form.

Following further discussion, Ms. Westby moved to approve the Declaration and Order as amended. Mr. Ralphs seconded the motion. The motion unanimously passed.

VIII. Family Law Form Header and Signature Block Templates:

- Divorce Case Template
- Parentage Case Template
- Custody Case Template

The committee received a recommendation to change "Petitioner" and "Respondent" on the forms to "Party A" and "Party B." The committee discussed the proposed amendments and made additional recommendations to include other options for the parties to check when filing out the form, as well as minor additional language amendments.

The committee recommended to use "Petitioner" and "Respondent" rather than "Party A" and "Party B" to identify the parties on the form, as "Petitioner" and "Respondent" clearly identifies the parties involved. Mr. Player noted that the language of "Party A" and "Party B" is in the rule, but not in statute. The committee also recommended to include "Other parties (if any)" option on the form.

Following further discussion, Mr. Player moved to approve the amendments as discussed. Judge Chon seconded the motion. The motion unanimously passed.

I. Protective Order Forms:

- Protective orders
    - Notice of Safeguarded information
    - Notice of Safeguarding information for Juveniles

The Protective Order forms are federally mandated NCIC forms for filing in Domestic Violence matters. Victims can use the form for continuous protective order. Amy Hernandez met with various groups to receive feedback on the forms. These are new forms. The forms are protected and are not to be e-filed. The forms can be emailed to the court for filing and clerks are instructed not to scan the form into the case, only enter information in the case docket. The majority of the information for the forms will be sent by the prosecutor on the case. The forms only apply to criminal matter. The forms are not filed by LPP's

The committee discussed the form and recommended minor language amendments. The committee also recommended including instructions for data entry for court clerks, and emailing instructions for the petitioner.

Following additional discussion, Mr. Ralphs noted the forms were reviewed and approved by the Legal Defender Association. Mr. Ralphs moved to approve the form as drafted and amended. Mr. Player seconded the motion. The motion unanimously passed.

The same amendments were made recommended by the committee on the juvenile court form. With those changes, Mr. Ralphs moved to approve the forms as discussed. Ms. Westby seconded the motion. The motion unanimously passed.

II. Expungement Forms:

- Petition to Expunge Records (Charges Never Filed)
- Petition to Expunge Records (Conviction)
- Petition to Expunge Records (Dismissal or Acquittal)
- Petition to Expunge Records (Drug Possession Conviction)
- Petition to Expunge Records (Special Certificate from BCI)

Due to time constraints, this item will be reviewed at a future meeting.

III. Motion to Reduce Conviction:

Due to time constraints, this item will be reviewed at a future meeting.

IV. Classifying a Record as Sealed:

- Motion to Classify a Record as Sealed
- Findings of Fact, Conclusions of Law and Order on Motion to Classify Record as Sealed

Due to time constraints, this item will be reviewed at a future meeting.

V. ADJOURN:

The meeting adjourned without a motion. Meeting ended at 2:10 pm. The next meeting will be February 14, 2022, from noon to 2 pm via Webex video conferencing.