

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

Webex video conferencing  
February 13, 2023  
12 - 2 pm

<u>MEMBERS PRESENT</u>	<u>MEMBERS EXCUSED</u>	<u>GUESTS</u>	<u>STAFF</u>
Amber Alleman		Bryson King	
Judge Bagley		Jim Peters	
Judge Brent Bartholomew		Shonna Thomas	
Randy Dryer			
Guy Galli			
Bret Hayman			
David Head			
Scott Jarvis			
Judge Chelsea Koch			
Commissioner Russell Minas			
Nathanael Player			
Stewart Ralphs			
Keri Sargent			
Kaden Taylor			
AJ Torres			

**1. Welcome and Approval December minutes**

Randy Dryer explained that the next committee meeting in April will likely be his last as chair. He asked for those who are interested in serving as the next chair of the committee to contact him. Randy Dyer also mentioned one other possible nomination he will make for a position on the committee.

Approval of Minutes: Judge Bartholomew moves to approve the December 2022 minutes, Stewart Ralphs seconds. Minutes approved.

## **2. Review of Electronic Voting**

The minutes are to reflect that the electronic voting for the **Statement of Defendant in Support of Guilty Plea** form resulted in the form being approved.

**Commented [KT1]:** In our meeting I accidentally stated the Rights and Instructions form was voted on electronically. I will ask that we approve the minutes to state the correct form was approved electronically.

## **3. Rights and Instructions Form (Juvenile Court)**

Jim Peters, Justice Court Administrator, circulated this proposed form to a number of judges, including the Board of Justice Court Judges and the presiding judges of each district. One of the universal issues with the form was that it was too long. There were also several other comments on the form that Jim Peters received. Bryson King, Associate General Counsel for the courts, recommended creating a subcommittee to review the form prior to bringing the form to the full committee for approval.

After discussion concerning the committee, Randy Dryer asked Jim Peters and Bryson King to meet together to decide who should be the chair of this subcommittee to review the forms. Those on the Forms Committee who would like to be on this subcommittee will let Mr. Peters and Mr. King know. The committee asks for a status report on the April meeting.

## **4. Order of Eviction and Notice That You Must Move (Order of Restitution)**

The Council had concerns with the previous form the committee approved because of the space allowing for a judge to list a date and time for the eviction. Statute gives the person 3 days to leave. After discussion the committee edited the proposed language to make the statement easier to understand to defendant's in the case as to what date they need to move out.

Judge Bartholomew motions to approve, David Head seconds. Form approved.

## **5. Notice of Disclosure Requirements**

This form includes new language concerning when someone needs to disclose information in a case. This language is similar to what is in the Financial Declaration. The form language was also updated to avoid using terms such as petitioner or respondent since either party may use this form.

Stewart Ralphs motions to approve, Amber Alleman seconds. Form approved.

## **6. Guardianship Reports**

Shonna Thomas with the courts gave an overview of the process of the changes to the Guardianship forms. The forms were revised after receiving feedback that the forms were confusing and not being filled out correctly. WINGS looked over the forms and made changes. The forms include more instructions in the form and are reorganized in a way that makes the

form easier to use and to flow better. The attempt is to make them more user friendly to the general user.

**Inventory Report:**

With no discussion on this specific form, David Head motions to approve, Judge Bagley seconds. Form is approved.

**Financial Accounting:**

The committee discusses the differences between this and the inventory form. After discussion on the name of the form, the committee updates the title to say “Guardian Financial Accounting (Adult) to the Conservator / Guardian or Conservator Financial Accounting (Adult) to the Court. Judge Bartholomew motions to approve, Judge Koch seconds. Form approved.

**Report on the Status of the Protected Person:**

Shonna Thomas mentioned that the content of this form is largely the same as the previous version, but formatting and the order of the text has changed along with some changes to the wording.

Judge Bagley motions to approve the form, Brent Hayman seconds. Form approved.

## **7. Guardianship Motions and Requests**

Many of these forms are based on previous forms that were created due to the legislative session last year. WINGS has taken the existing forms and split them into multiple forms or updated existing forms.

**Request to Assign a Court Visitor and Order Assigning a Court Visitor:**

This is an existing form that WINGS edited to take into account feedback received concerning the form. Shonna highlights the last page of the order which is written to explain to attorneys what a court visitor can do.

Judge Bartholomew motions to approve the form, David Head seconds. Form approved.

**Motion to Review or Alter a Guardianship or Conservatorship of an Adult:**

This form resulted in splitting the Motion to Review, Terminate, or Remove Guardian or Conservator into multiple forms.

Judge Koch motions to approve, David Head seconds. Forms approved.

**Motion to Review or Alter a Guardianship or Conservatorship of a Minor:**

Shonna Thomas explained that some options on this form are only options in a minor guardianship.

Judge Koch motions to approve, David Head seconds. Form approved.

**Motion to Terminate a Guardianship or Conservatorship of an Adult and Minor:**  
There are a few differences between when you can terminate a minor guardianship, but the forms are very similar.

Amber Alleman moves to approve, Nathanael Player seconds. Form approved.

**Motion to Change Accounting Report Requirements:**  
Among other changes this motion includes an option to ask to change the frequency of reports in addition to the dates of the reports.

Judge Koch motions to approve, Stewart Ralphs seconds. Form approved.

### **Conclusion**

Randy Dryer brought to the committee's attention the Standard Protective Order for Civil Discovery that he hopes will be brought to the Committee at the April meeting and encouraged the committee to review that form ahead of time. Randy Dryer briefly reviewed his duties as committee chair for the committee so that those members interested in the position will know what it entails. Meeting adjourned at 1:20.