

| Present | Not Present |
|-------------------------------|----------------------------|
| Douglas Thompson | |
| Bryson King | Prof. Matthew Tokson |
| Meredith Mannebach | Ryan Peters |
| Craig Johnson | Hon. Elizabeth Hruby-Mills |
| David Ferguson | |
| Janet Reese | |
| William Carlson | |
| Hon. Kelly Schaefer – Bullock | |
| Hon. Denise Porter | |
| Ryan Stack | |
| Lori Seppi | |
| Jacqueline Carlton | |
| Amber Stargell | |
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Action: David Ferguson moves to adopt March meeting minutes and Craig Johnson seconds David’s motion. Lori Seppi asks to correct the name of the **Manatau case**. Ryan Stack asks clarification in the minutes to reflect which Ryan is being referenced. David and Craig renew their motions.

Rule 21.

William Carlson leads discussion on Rule 21. It is not clear if a prosecutor can appeal under Rule 21. The legislator can make the decision to extend the right of appeal via statute. William Carlson explains that Rule 21(h) is where the subcommittee made substantial changes to the rule. David Ferguson moves to submit Rule 21 to the Utah Supreme Court for review. Ryan Stack seconds David’s motion.

Rule 8.

Douglas Thompson leads discussion on Rule 8. Doug states that the Utah Supreme Court suggests stylistic changes. No need to make any changes based on the public comments.

Doug discusses email received from Judge Brendan McCullagh. The group discusses whether we can move forward with the current edits to UCrRP 8 or add Judge McCullagh’s recommendations. Doug shares Judge McCullagh’s recommendations with the committee. Group discusses Rule 8(a)(2). The current language of Rule 8 suggests that a person charged with a misdemeanor or felony has the right to court-appointed counsel. Judge McCullagh proposes the following edit to Rule 8(a)(2): *when a [] penalty of conviction includes **physical detention***... William Carlson suggests the committee to consider what to do if a defendant is indigent and waives their right to counsel.

Judge Schaeffer-Bullock requests a subcommittee to review Judge McCullagh's substantive edits. Doug and the committee discuss Judge McCullagh's suggestions to Rule 8 § (c)(1)(iii). In response to Judge McCullagh's edits, David Ferguson suggests changing the language to *laws of the relevant jurisdictions*. Doug suggests that a subcommittee should review this section further. Committee agrees to send Judge McCullagh's suggestions to a subcommittee. Judge Denise Porter is willing to help with the Rule 8 subcommittee.

Judge Shaeffer-Bullock leaves meeting. Will, Ryan Stack and Amber Stargell leaves at 1 p.m.

Rules 6, 7, and 9

The committee will address changes to Rules 6, 7, and 9 from the legislative session in our next committee meeting.

Reasonable Opportunity

Doug turns to "reasonable opportunity" email from Michael Drechsel and discusses the bill from the legislative session. Judge Porter suggests that the language suggested by the bill would fit well within Rule 7 of the Civil Procedure Rules. David Ferguson suggests we place the language in Rule 12 of the Criminal Procedure Rules instead. Doug will put together language for Rule 12 that incorporates Mike Drechsel's proposal and will email it out to the committee.

Doug then notifies the committee that several committee members will be ending their second term this summer: Judge Hruby-Mills, Ryan Stack, and Craig Johnson. He expresses his gratitude to the members for their excellent work.

The meeting is adjourned at 1:08p.m.