

JUDICIAL COUNCIL MEETING

AGENDA

Monday, April 22, 2013

Judicial Council Room

Matheson Courthouse

Salt Lake City, Utah

Chief Justice Matthew B. Durrant, Presiding

1. 9:00 a.m. Welcome & Approval of Minutes Chief Justice Matthew B. Durrant
(Tab 1 - Action)
2. 9:05 a.m. Chair's Report. Chief Justice Matthew B. Durrant
3. 9:15 a.m. Administrator's Report. Daniel J. Becker
4. 9:30 a.m. Reports: Management Committee. . . . Chief Justice Matthew B. Durrant
Liaison Committee. Justice Jill Parrish
Policy and Planning Judge Greg Orme
Bar Commission. John Lund, esq.
(Tab 2 - Information)
5. 9:40 a.m. Board of Justice Court Judges Update. Judge David Marx
(Information) Rick Schwermer
6. 10:00 a.m. Appointment of Senior Judges to Committees. Tim Shea
(Action)
7. 10:10 a.m. Court Interpreter – Increase in Hourly Fee. Tim Shea
(Tab 3 – Action)
8. 10:15 a.m. Mandatory E-Filing Report. Ron Bowmaster
(Information) Debra Moore
- 10:30 a.m. Break
9. 10:40 a.m. Report on Efforts to Improve Guardianship and
Conservatorship Appointments. Tim Shea
(Tab 4 - Information)
10. 11:05 a.m. JPEC Update. Rick Schwermer
(Information)
11. 11:25 a.m. FY 14 Operational Budget Approval. Daniel J. Becker
(Action) Ray Wahl

12. 11:55 a.m. Resources for Self-Represented Parties Committee
Update. Judge John Baxter
(Information) Tim Shea
13. 12:15 p.m. Senior Judge Certification. Tim Shea
(Tab 5 - Action)
14. 12:20 p.m. Executive Session
12:25 p.m. Lunch
15. 12:50 p.m. Adjourn

Consent Calendar

The consent items in this section are approved without discussion if no objection has been raised with the Admin. Office (578-3806) or with a Council member by the scheduled Council meeting or with the Chair of the Council during the scheduled Council meeting.

1. Formation of the WINGS Committee Tim Shea
(Tab 6)
2. Committee Appointment Ron Bowmaster
(Tab 7) Debra Moore
Alyn Lunceford
Dan Becker

TAB 1

JUDICIAL COUNCIL MEETING

Minutes
Friday, March 15, 2013
Lexington Hotel
Sabra Ballroom FG
St George, UT

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant
Hon. Kimberly K. Hornak, vice chair
Justice Jill Parrish
Hon. Judith Atherton
Hon. Glen Dawson
Hon. George Harmond
Hon. Paul Maughan
Hon. Brendan McCullagh
Hon. David Mortensen
Hon. Gregory Orme
Hon. Reed Parkin
Hon. John Sandberg
Hon. Larry Steele
John Lund, esq.

EXCUSED:

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Diane Abegglen
Lisa-Michele Church
Debra Moore
Rick Schwermer
Tim Shea
Ron Bowmaster

GUESTS:

Judge John Walton
Judge Jeffrey Wilcox
Lori Nelson, State Bar Pres
Curtis Jensen, State Bar Pres-Elect
John Baldwin, State Bar
Rob Rice, State Bar
Michelle Harvey, State Bar
Judge Royal Hansen
Sylvester Daniels, Second Dist TCE
Rick Davis, Fifth Dist TCE
Board of District Court Judges
Board of Juvenile Court Judges
Kevin Jenkins, The Spectrum

1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant welcomed everyone to the meeting.

Motion: It was moved and seconded to approve the minutes as written from the February 25, 2013 Judicial Council meeting. The motion passed unanimously.

2. INTRODUCTION OF NEW FIFTH DISTRICT JUDGE: (Judge John Walton)

Judge Walton introduced Judge Jeffrey Wilcox to the Judicial Council and mentioned what a fine addition he will make to the bench. On behalf of the Council, Chief Justice Durrant welcomed him to the court family.

3. CHAIR'S REPORT: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant reported on the following:

The Chief complimented Mr. Becker and his team on their activities during the Legislative Session. He mentioned that he thought that the credibility that the courts enjoyed with the Legislature was as good as it has ever been and that has served the branch well.

The Chief mentioned that Judge Atherton has announced that she will retire effective August 1, 2013. He discussed what a loss this was for the judiciary and wished Judge Atherton the best in retirement. Judge Maughan will serve as the Council's representative for the Third District Nominating Commission.

4. ADMINISTRATOR'S REPORT: (Daniel J. Becker)

Mr. Becker reported on the following items:

Mr. Becker reported on an outcome of the clerical restructuring. When the initial restructuring took place in December of 2008, 23% of the workforce had an Associate's degree and 14% a Bachelor's degree. Of new hires since January 1, 2009, 22% have an Associate's degree and 50% a Bachelor's degree. He reminded the Council that one objective of the clerical restructuring was to develop a smaller, but better educated and trained workforce to deal with the challenges of a paperless system and e-filing.

He reminded the Council that the Boards of District and Juvenile Court judges would participate in the legislative and budget update of the agenda. He also reported that recommendations for the 2014 spending plan will be presented at the April 22 Council meeting.

5. COMMITTEE REPORTS:

Management Committee Report:

Chief Justice Durrant reported that the Management Committee meeting minutes accurately reflect the issues discussed. The items needing to be addressed by the Council have been placed on today's agenda.

Liaison Committee Report:

Justice Parrish reported on the following:

She mentioned that Liaison Committee meeting minutes accurately reflect the bills discussed. She complimented the committee on their hard work and dedication during the legislative session.

Policy and Planning Meeting:

Judge Orme reported on the following:

As the committee had not met since the last Council meeting, there were no items placed on the agenda for Council consideration.

Bar Commission Report:

Mr. Lund had nothing to report as there would be several reports from the Bar at the Council meeting today.

**6. REMARKS FROM UTAH STATE BAR PRESIDENT/PRESIDENT ELECT:
(Lori Nelson, Curtis Jensen, and John Baldwin)**

Ms. Nelson reported on the Bar's midyear program and several Bar initiatives. She also provided a handout to the Council on the Annual Bar Conference in Snowmass Village, Colorado on July 17-20th. She expressed her appreciation to all the judges who have volunteered their time on Bar activities and looked forward to seeing people during the Mid-Year Bar Conference.

7. PRO BONO COMMISSION UPDATE: (Rob Rice and Michelle Harvey)

Mr. Rice and Ms. Harvey updated the Council on the implementation of the Pro Bono initiative. Particular attention was given to the work of the Pro Bono Commission and local Pro Bono Committees. Local judges were recognized for their role in helping organize the work of the local committees.

8. BOARD OF DISTRICT COURT JUDGES UPDATE: (Judge Scott Hadley and Debra Moore)

Judge Hadley introduced the members of the Board of District Court Judges. He thanked them and Ms. Moore for their contributions. He reported on the transition of the district courts to mandatory e-filing and use of electronic records. He noted that additional improvements to the signature process were in progress. Judge Hadley expressed appreciation for the legislative liaisons and all who worked with the Legislature during the recent session. He reported that the Board had discussed the proposed leadership rule and recommended against its adoption. Board members believe that the rule is not necessary.

Judge Hadley further reported that the Board recommends that the Judicial Council consider adopting a Judicial Outreach Day to enable all members of the judiciary to participate in a pre-planned day of activities to educate schools, communities, and the public about the judicial branch. The Board proposes that judges report the results of their activities to their Board representative, and would like the Council's endorsement to adopt this program for the district court bench.

Regarding the recent ethics opinion on use of treatment provider lists, the Board supports reconsideration of the opinion by the Council and will make specific recommendations to the Council in May. The Board is currently studying the appropriate role of the court when contact is lost with a guardian or conservator.

Judge Hadley concluded by inviting the Council to make assignments to the Board.

9. TCE UPDATE: (Sylvester Daniels and Rick Davis)

Mr. Daniels reported on issues related to District Court that included the ECR Court in Third District, Case Assignment Divisions in Fifth District, the law clerk/bailiff program in Fourth District and the Consistency Committee in Second District. He also discussed the preparation for mandatory e-filing that included the back scanning program in Fourth District and the contract sites moving to electronic records.

Mr. Davis reported on issues related to Juvenile Court and innovative practices that included examples of evidence-based practices implemented and the focus on case planning. He

also discussed the progress that had been made by the Juvenile Court with the electronic record, orders being completed in court and the standardization of forms.

Both Mr. Daniels and Mr. Davis made mention of cross training of judicial assistants and the workload adjustments made in the districts.

Chief Justice Durrant expressed his appreciation for the work of the Trial Court Executives.

10. JUDGES WORKSPACE APPLICATION: (Debra Moore and Ron Bowmaster)

Mr. Bowmaster made a PowerPoint presentation to the Council on the Judicial Workspace, which included how it was created, the training and support necessary, and its implementation. He showed a portion of an on-line training program module on the workspace and gave an update on e-filing.

Ms. Moore discussed the training that has occurred with five "beta" judges and their teams. The Judges involved included Judges Kouris, Allen, Skanchy, Shaughnessy and Connors and their teams. Additional training was provided before the release to Judges Mortensen, Brady, Harmond, McClellan, Ludlow, Lee and Bagley and their teams.

The presentation included progress on documents attached and hearings completed. There was a review of comments made by various judges.

Mr. Bowmaster concluded with a report on the number of attorneys registered as e-filers, the percentage of civil cases e-filed, and the number of criminal e-filings.

Chief Justice Durrant, on behalf of the Council, expressed appreciation for all the hard work done on this project and the preparation for mandatory e-filing on April 1.

11. LEGISLATIVE AND BUDGET UPDATE/INTERIM HIGHLIGHTS: (Rick Schwermer, Daniel J. Becker, and Ray Wahl)

Mr. Becker began the discussion by expressing his appreciation to the team that provided support during the Legislative Session. They included Derek Byrne, Alyn Lunceford, Kim Allard, Ray Wahl and Rick Schwermer. Mr. Becker made special mention of the work of Mr. Schwermer, who spends all 45 days of the session in an office at the Capitol and how he is able to manage the bills filed, amendments made, develop fiscal notes and represent the Court's interest. His efforts have created credibility with those legislators and staff involved in the session. Mr. Becker characterized the session as quiet for the courts, with the exception of child welfare legislation. He also mentioned that the Legislature was quite supportive of several of the budget priorities of the Courts and consequently, we were treated well.

Mr. Wahl presented information on the budget appropriated to the Courts this year. He reviewed a handout that reviewed the requests made by the Judicial Council and their funding status, which included the two judges in Eighth District, the request for law clerks, the funding for IT programming, and several special accounts that received funding. This information was going to be reviewed again at the Legislative Update on April 5.

Mr. Schwermer mentioned that the Liaison Committee reviewed 56 bills, and took positions on 21. Of those bills, all that were supported passed, and none that were opposed passed.

He reviewed the following bills and indicated that some would be discussed at the Legislative Update. The bills he reviewed included:

HB 105 - Serious Youth Offenders Amendments
HB 156s6 - Restoration of Terminated Parent Rights
HB 239 s2 - Jury Service Amendments
HB 309 - Judicial Performance Evaluation Amendments
HB 327 - Probate Amendments
SB 1/HB 388 - Alimony Amendments
SB 49s1 - Child Welfare Modification
SB 111 Electronic Filing of Traffic Citations and Accident
SB 112s3 - Work Week Amendments
SB 116 - Garnishment for Debt Collection
SB 155s1 - Post Adoption Contract Agreements
SB 156 - Jail Release Amendments
SB 204 - Judiciary Amendments
SB 255 - Human Service Amendments

12. REVIEW OF JPEC MEETING

Mr. Wahl attended the JPEC meeting on March 12 and reported on the following:

- 1) The Legislative session – JPEC did not get additional funding they had requested for Justice Court evaluations.
- 2) A meeting was held with the Lieutenant Governor where they discussed the need for additional funding to publicize the availability of performance reports for judges up for retention. A committee was formed chaired by Nate Alder, and included Myron March and Dave Lambert, to pursue additional funding.
- 3) There was a lengthy discussion about the concern that there was gender/ethnicity bias in their surveys. They have asked Market Research to look at this issue closer.
- 4) They reported on Justice Court recommendations and the wrap up of grant activities.
- 5) They discussed the survey subcommittee and still were looking at ways to qualitatively evaluate appellate court judges. Suggestions included getting retired appellate court judges to assist with developing a fair standard and checking with the National Association of Appellate Court Judges to see if they had information that might prove useful to such evaluations.
- 6) JPEC staff reported that they would launch court staff surveys for those judges up for retention in 2014 within one month.

13. ADJOURN

There being no further business, the meeting was adjourned at 4:15 pm.

TAB 2

**JUDICIAL COUNCIL MANAGEMENT COMMITTEE
MINUTES**

**Tuesday, April 9th, 2013
Matheson Courthouse
450 South State Street
Salt Lake City, Utah**

MEMBERS PRESENT:

Chief Justice Matthew B. Durrant, Chair
Hon. Kimberly Hornak, vice chair
Hon. Judith Atherton
Hon. George Harmond
Hon. John Sandberg (by phone)

EXCUSED:

GUESTS:

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Diane Abegglen
Lisa-Michele Church
Jody Gonzales
Debra Moore
Rick Schwermer
Tim Shea
Ron Bowmaster

1. WELCOME AND APPROVAL OF MINUTES: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant welcomed everyone to the meeting. After reviewing the minutes, the following motion was made:

Motion: Judge Atherton moved to approve the minutes. Judge Harmond seconded the motion, and it passed unanimously.

2. ADMINISTRATOR'S REPORT: (Daniel J. Becker)

He reported on the following items:

Judicial Retirement. Judge Michael Lyon has announced his upcoming retirement, effective September 1, 2013.

Court Staff Announcement. Ms. Lisa-Michele Church has given notice of her upcoming resignation as Juvenile Court Administrator, effective April 30, 2013.

Guardian ad Litem Director. Ms. Elizabeth Knight has accepted the position of Guardian ad Litem Director, and she will begin on April 29.

2017 Fall Court Technology Conference. Salt Lake City has been selected as the site for the 2017 Fall Court Technology Conference. Mr. Becker noted that this conference draws a large number of national and international attendees.

First District Judicial Nominee. Mr. Becker was notified by the Governor's office that Mr. Kymber Housley, First District judicial nominee to replace Judge Clint Judkins, has withdrawn his name. The vacancy will be reposted, and the judicial nominating process will begin again.

Judicial Conduct Commission. Mr. Becker suggested an invitation be extended to Mr. Colin Winchester, Executive Director, of the Judicial Conduct Commission to attend Judicial

Council meetings periodically to provide an opportunity for communication between the Commission and the Council. The Management Committee was in agreement.

FY 2014 Operational Budget Preview. Mr. Becker provided a preview of the recommendations for the FY 2014 operational budget.

Mr. Becker highlighted the following recommendations to the courts budget relative to ongoing funding requests: 1) \$318,000 – career track compensation for clerks, probation officers and a select few additional positions; 2) \$887,000 – savings from the move to mandatory e-filing to be used as compensation for personnel in the clerks offices; 3) move one district court law clerk from one-time funding to ongoing funding permanently; 4) provide half-time ongoing funding for the juvenile law clerk, with a quarter of the funding to continue as one-time funding, and a quarter of the funding to continue with CIP funding; 5) \$100,000 – IT programming needs, and 6) \$119,000 – market comparability adjustments for support service coordinators, administrative assistants and IT positions.

The following recommendations to the courts budget relative to one-time funding requests were highlighted: 1) \$333,000 – four law clerks, 2) \$60,000 – IT programming needs, 3) an additional AOC legal counsel position, and 4) \$200,000 – place in reserve.

3. AMENDMENT TO THE AUDIT SCHEDULE: (Ray Wahl)

With the retirement of the Fourth District Clerk of Court, a change in fiduciary duty limited audit of the trust accounts has been added to the 2013 audit schedule.

Motion: Judge Atherton moved to approve the 2013 amended audit schedule as recommended. Judge Harmond seconded the motion, and it passed unanimously.

4. COURT INTERPRETER – INCREASE IN HOURLY FEE: (Tim Shea)

Mr. Shea requested approval of a one percent increase in the hourly fee for the court interpreters, to coincide with the one percent salary increase approved by the legislature for state employees.

Motion: Judge Hornak moved to adopt the interpreter fee schedule for FY 2014 and recommend approval of the fee schedule including the one percent increase. Judge Harmond seconded the motion, and it passed unanimously.

5. FORMATION OF THE WINGS COMMITTEE: (Tim Shea)

Mr. Shea provided an update on the formation of the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS). The formation of the advisory body was a recommendation from the Third National Guardianship Summit held in Salt Lake City in 2011. Utah, along with New York, Arizona and Texas were awarded grant funding in the amount of \$7,000 for a Working Interdisciplinary Network of Guardianship Stakeholders.

He highlighted the following in his update: 1) provided a list of the members and staff to the advisory body with an initial meeting scheduled for April 17; 2) hold a one-day Utah-focused summit to identify issues facing the public, providers, law enforcement, the courts, the Bar, and others, and provide recommendations to the noted issues; 3) hold monthly meetings; 4) prepare a draft of post-summit recommendations; 5) provide a draft charge for WINGS and present it to the Council for consideration; and 6) reported on the continued efforts of the court visitor program.

Discussion took place. Mr. Shea and Ms. Moore provided input on behalf of the Board of District Court Judges regarding differences of opinion on whether it is appropriate for court volunteers to use locator services for guardians who fail to file reports.

6. BOARD OF DISTRICT COURT JUDGES – PROPOSAL TO DESIGNATE A DAY A YEAR FOR JUDICIAL OUTREACH: (Debra Moore)

At the request of the Board of District Court Judges, Ms. Moore reviewed the proposal to designate a day a year for judicial outreach on their behalf.

One of the Board of District Court Judges goals for the 2012/2013 year is to engage in judicial outreach activity and to encourage the district bench to participate. Ms. Nancy Volmer attended a recent Board meeting to provide options of available outreach opportunities for judges.

The Board is requesting a date be calendared for the judicial outreach activity. Discussion took place. The Management Committee asked Ms. Moore to take the issue back to Board and get clarification on the specifics of their proposal.

7. REAPPOINTMENT TO THE CHILD SUPPORT GUIDELINES COMMITTEE: (Daniel J. Becker)

Judge Clark McClellan's first term on the Child Support Guidelines Committee has expired. He is willing to serve a second term on the Committee.

Motion: Judge Harmond moved to approve the reappointment of Judge Clark McClellan to serve on the Child Support Guidelines Committee and place it on the April Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

8. JPEC UPDATE: (Rick Schwermer)

Members of the Council's JPEC workgroup, along with Mr. Rick Schwermer, attended JPEC's monthly meeting today. Judge Harmond, Judge Hornak, and Chief Justice Durrant provided feedback on their perceptions of the meeting. Discussion took place.

Mr. Schwermer provided an update on the JPEC meeting. He highlighted the following in his update to include: 1) discussion on the integrity of the survey data and methodology for judges up for retention in 2014, 2) concerns regarding the judicial performance evaluation process, and 3) comments provided by Commission members. Discussion took place.

It was noted that a response, in writing, would be provided by the Commission chair.

Motion: Judge Hornak moved to enter into an executive session for purpose of discussing a matter concerning professional competence. The motion was seconded, and passed unanimously.

9. MANDATORY E-FILEING REPORT: (Debra Moore and Ron Bowmaster)

Ms. Moore and Mr. Bowmaster provided an update to the Committee on the move to mandatory e-filing.

Ms. Moore distributed a handout entitled *District Court – Electronic Record Update*.

She highlighted the following in her update: 1) the move to mandatory e-filing has transitioned smoothly, 2) the amount of work undertaken by the clerks of court in preparation for the change to the front counters has been tremendous, 3) OCAP being prepared for pro se litigants, 4) several go-to-meeting training sessions scheduled in April, 5) second phase of the

judicial workspace application is underway, 6) enhancements to the document signing function are being addressed, 7) addressing formatting issues, 8) all additional/upgraded equipment requested by the districts has been delivered and installed, 9) the Board of District Court judges is requesting standardization of equipment, and 10) actions taken to prepare the Bar for mandatory e-filing were noted.

Mr. Bowmaster provided a statistical update on the move to mandatory e-filing from July 2012 – March 2013. He reported that things are going very well with the move.

Mr. Becker and Chief Justice Durrant expressed their gratitude to all court staff involved with the move to mandatory e-filing and its smooth transition.

10. COMMITTEE APPOINTMENTS: (Tim Shea, Ron Bowmaster, Debra Moore, and Craig Bunnell)

A vacancy exists on the Court Interpreter Committee for a juvenile court judge. The Board of Juvenile Court Judges has recommended the vacancy be filled with an active senior judge. Discussion took place.

Motion: Judge Hornak moved to discuss this matter further at the April Judicial Council meeting. Judge Harmond seconded the motion, and it passed unanimously.

Judge Carolyn McHugh, chair of the Standing Committee on Technology, recommended the appointment of Ms. Dawn Hautamaki to fill a vacancy for a clerk of court on the Committee.

Motion: Judge Harmond moved to approve Ms. Dawn Hautamaki to fill the clerk of court vacancy on the Standing Committee on Technology and place it on the April Judicial Council consent calendar. Judge Atherton seconded the motion, and it passed unanimously.

The Standing Committee for Court Facility Planning has a vacancy for a district court judge due to Judge L.A. Dever's term expiring in January. The Board of District Court Judges recommended the following three district court judges for consideration: 1) Judge Samuel McVey, 2) Judge Donald Eyre, and 3) Judge Wallace Lee. Discussion took place.

Motion: Judge Atherton moved to approve the appointment of Judge Samuel McVey to fill the district court judge vacancy on the Standing Committee for Court Facility Planning and place it on the April Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

Mr. Becker noted that with the vacancy left by Judge Dever's term expiring, there is a vacancy on the Standing Committee for Court Facility Planning for a committee chair. He recommended the appointment of Judge James Davis to fill the committee chair vacancy.

Motion: Judge Hornak moved to approve the appointment of Judge James Davis to fill the committee chair vacancy on the Standing Committee for Court Facility Planning and place it on the April Judicial Council consent calendar. Judge Harmond seconded the motion, and it passed unanimously.

The Guardian ad Litem Oversight Committee currently has two vacancies, as well as, a third one effective April 1, 2013. The Committee has submitted three names for consideration to include: 1) Mr. David Littlefield, 2) Mr. Gerald Hardcastle, and 3) Mr. Michael Jorgensen. Discussion took place.

Motion: Judge Hornak moved to defer consideration of committee appointments to the Guardian ad Litem Oversight Committee until the May meeting to allow Ms. Elizabeth Knight, new GAL Director, to be present for discussion. Judge Sandberg seconded the motion, and it passed unanimously.

11. JUSTICE COURT CONFERENCE – ATTENDANCE REQUEST: (Rick Schwermer:

This matter was discussed in an executive session.

Motion: Judge Hornak moved to excuse Judge Virginia Ward from attending the Justice Court Judges' Annual Conference in St George this week. Judge Atherton seconded the motion, and it passed unanimously.

12. APPROVAL OF JUDICIAL COUNCIL AGENDA: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant reviewed the proposed Council agenda for the April 22 Council meeting.

Motion: Judge Atherton moved to approve the agenda for the April 22 Council meeting as amended. Judge Harmond seconded the motion, and it passed unanimously.

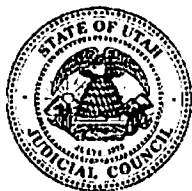
13. EXECUTIVE SESSION:

An executive session was entered into at this time.

14. ADJOURN

The meeting was adjourned.

TAB 3



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

MEMORANDUM

Daniel J. Becker
State Court Administrator
Raymond H. Wahl
Deputy Court Administrator

To: Management Committee
From: Tim Shea *TS*
Date: March 22, 2013
Re: 1% increase for hourly court interpreters

I request that Judicial Council approve a 1% increase in the hourly fee for court interpreters. This decision will extend to interpreters, who are independent contractors, the benefit of the 1% salary increase approved by the legislature for employees.

The Judicial Council considers in April the fee paid to interpreters for the following fiscal year. Rule 3-306(9)(A). Because of budget restraints, the only adjustment to the hourly rate since 2009 is a 1% increase which the Council approved for FY 2013. The effect on the several levels of qualification will be as follows:

Fiscal Year	Certified	Approved	Registered 1	Registered 2	Conditionally Approved
2005	\$30.00	\$25.00	\$25.00	\$20.00	\$17.50
2006	\$35.00	\$30.00	\$30.00	\$22.50	\$17.50
2007	\$36.23	\$31.05	\$31.05	\$23.29	\$17.50
2008	\$37.50	\$32.14	\$32.14	\$24.10	\$17.50
2009	\$38.63	\$33.10	\$33.10	\$24.82	\$18.03
2013	\$39.02	\$33.43	\$33.43	\$25.07	\$18.21
2014	\$39.41	\$33.77	\$33.77	\$25.32	\$18.39

For 2012, the National Center for State Courts reports the following, among states paying an hourly fee, for certified interpreters:

- | | | | |
|------------|---------|---------|----------|
| • Average: | \$53.20 | • High: | \$150.00 |
| • Median: | \$50.00 | • Low: | \$15.93 |

Based on the fees paid during FY 2012, the most recent full year available, the estimated total cost of the increase for 2014 will be approximately \$7,600.

This change does not affect the four staff interpreters. They will receive the 1% salary increase of other employees.

The mission of the Utah judiciary is to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law.

TAB 4



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

MEMORANDUM

Daniel J. Becker
State Court Administrator
Raymond H. Wahl
Deputy Court Administrator

To: Judicial Council
From: Tim Shea *TJS*
Date: April 12, 2013
Re: Report on efforts to improve guardianship and conservatorship appointments

(1) Goals

- Raise awareness
- Improve a risky environment

(2) Planners

- Board of District Court Judges
- George Harmond, Seventh District Court Judge
- Jessica Van Buren, Director, State Law Library
- Karolina Abuzyarova, Program Coordinator, Volunteer Court Visitor Program
- L.A. Dever, Third District Court Judge
- Mary Jane Ciccarello, Director, Self Help Center
- Michaelle Jones, Volunteer Coordinator, Volunteer Court Visitor Program
- Tim Shea, Staff Attorney

(3) Teachers

- Brent Johnson, General Counsel
- Carol Price, Security Director
- Cora Gant, Fourth District Court Judicial Assistant
- David Connors, Second District Court Judge
- Don Muller, LCSW, Valley Mental Health
- Donna Russell, Director, Office of Public Guardian
- Fawn Reed, Volunteer Auditor, Court Visitor Program
- James Brady, Fourth District Court Judge
- Julie Rigby, Judicial Team Manager, Third District Court
- Kelly Rogerson, Second District Court Judicial Case Manager
- Margy Campbell, Master Guardian/Owner, Guardian & Conservator Services
- Nan Mendenhall, Director, Adult Protective Services

The mission of the Utah judiciary is to provide the people an open, fair,
efficient, and independent system for the advancement of justice under the law.

- Norman L. Foster, M.D., Director, Center for Alzheimer's Care
- Rob Denton, Managing Attorney, Disability Law Center
- Royal Hansen, Third District Court Judge
- Theo Judson, Division of Services for People with Disabilities

(4) Developments

- HB 327, sponsored by Rep. Lowry Snow and initiated by a bar committee, included amendments for three recommendations from the judiciary's guardianship committee:
 - a definition of incapacity focused on functional limitations rather than cognitive decision making only;
 - require nationally recognized credentials for qualification as a professional guardian; and
 - express recognition of the judge's authority to direct the inquiries of a court visitor.
- The Board of District Court Judges has created a workgroup to examine the role of the court in trying to re-establish contact with guardians and conservators with whom the court has lost contact.

(5) Work product

(a) Volunteer Court Visitors

- The volunteer court visitor program started in the Third and Seventh Districts and now also serves the Second and Fourth Districts. Services include investigations and reports about:
 - excusing the respondent from the hearing;
 - the respondent's circumstances and well being;
 - the guardian's or conservator's annual reports; and
 - the whereabouts of a guardian or conservator with whom the court has lost contact.
- Participation in numerous volunteer fairs. Continuing contacts with numerous community partners. News articles about the program.
- 12-hour training curriculum qualified for MCLE credit. Publication of reference manuals for volunteers.
- 25 volunteers. Plus 10 more interviewed and 6 background checks pending.
- Volunteers' investigations:

Type of Investigation	Cases Assigned	Reports Filed
Request to excuse respondent from the hearing	24	21
Respondent's/protected person's circumstances and well-being	7	7
Audit annual reports	13	12
Guardian's/protected person's whereabouts	21	17

- 247 hours donated by the volunteers.
- Weekly meetings increasingly focused on staffing cases.

(b) Education

- Volunteer Court Visitors in Guardianship Cases, Utah Bar Journal, Volume 26 No. 1 January/February 2013.
- Grand families: Introduction to annual reporting requirements.
- Approximately three dozen web pages (pending in the publication queue) on how to be and how to become a guardian or conservator.
- Petition to be appointed guardian and supporting forms.
- Petition to be appointed conservator and supporting forms.
- Four classes on managing guardianship and conservatorship cases conducted around the state in April and May. Publication of reference manuals for clerks.
- Plenary session on guardianship law and procedure scheduled for the district judges' conference on May 2. Publication of bench books for judges.

(c) Outreach

- Public screening of "Last Will and Embezzlement" and discussion after the film in Salt Lake City and Moab.
- Initial contacts made for a pilot program in Utah County in which the Timpanogos Legal Center administers a roster of lawyers to serve as respondent's counsel.
- Awarded a modest grant from the National Guardianship Network to form a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS).

(6) Discoveries

- Petitioner's lawyer recruits a lawyer to represent respondent.
- Lawyer prepares pleadings for the petitioner and appears as respondent's counsel.
- Most courts have not been monitoring and enforcing the requirement that guardians and conservators report annually. The efforts in 2007 to bring the reporting up-to-date have not endured.
- Protected person dies. Evidence of torture. Guardian is charged with murder and pleads guilty to manslaughter and aggravated abuse of a vulnerable adult.
- Two foreign-born minors adopted by Utah couple who allow district court to appoint someone else as guardian. Appointment is never finalized, but purported guardian acts as though she has that authority. She takes the children to Missouri where they may have been victims of sex trafficking. (She is appointed as guardian for two other minors and took them to Missouri as well.) One of the children escapes and finds the Sexual Assault Victims Advocate at the YWCA in St. Joseph, who believes this may be a scheme for sex trafficking of minors.

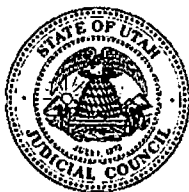
Guardian has been reported to the Social Security Administration for possible Social Security fraud.

- Daughter petitions for appointment as guardian of father in Utah while father is residing in California. Respondent not present or represented at the hearing.
- Grandson appointed as guardian in 1999. Files four reports; none since 2007. Moves protected person to Kansas without advising court or following statutory transfer procedures. Denies protected person's siblings the opportunity to see their sister. Operating under a power of attorney, probably signed while protected person was under guardianship.
- Granddaughter/caregiver objects to the appointment, but court rules she does not have standing as an interested person.
- Son (or daughter) is appointed as guardian of father (or mother) and evicts step mother (or step-father) from the protected person's home.
- Interested persons who should be served with notice are not.
- Father appointed as conservator of minor son to accept a \$123,000 inheritance. Ordered to file annual accounting. Does not. Ordered to deposit money in a restricted account. Does not. Moves to Georgia. Mother claims money is gone and not spent for the benefit of the son.
- \$10,000 in stock unaccounted for between one accounting report and the next. \$29,000 more in expenditures than in earnings and savings. \$65,000 in expenditures in journal entries with no paper trail.
- CORIS indicates that the percentage of hearings at which the respondent is present remains extremely low — consistently between 5% and 7% of hearings — despite the volunteer court visitor program. The clerks perceive that respondents are attending more frequently. The difference is perhaps explained by hearings to terminate the appointment after the protected person has died.

(7) Recommendations

- Consolidate and clearly state the guardian's duties and authority.
- Require that, as in the appointment of a guardian for an adult, the petitioner serve the petition to appoint a conservator on the respondent, rather than just the notice of hearing and serve the notice of the hearing on interested persons automatically, rather than require that they request notice.
- Require an inquiry and report by a court visitor in all petitions to appoint a guardian or a conservator for an adult.
- Require all guardians and conservators to complete a SSN-based background check before appointment and to report any subsequent criminal complaints or convictions. Require professional guardians and conservators, including the Office of Public Guardian, to certify that they require the same of their caseworkers.

TAB 5




Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

MEMORANDUM

Daniel J. Becker
State Court Administrator
Raymond H. Wahl
Deputy Court Administrator

To: Judicial Council
From: Tim Shea 
Date: April 8, 2013
Re: Certification of Judith S.H. Atherton as an Active Senior Judge

Judge Judith S.H. Atherton has applied to be appointed as an Active Senior Judge. Judge Atherton's application form, which shows compliance with the minimum qualifications for office and with judicial performance standards, is attached. The results of the most recent survey also are attached. Judge Atherton meets all of the performance standards, and certification appears to be in order. The Council's certification decision will be forwarded to the Supreme Court for their consideration in the appointment process.

The mission of the Utah judiciary is to provide the people an open, fair,
efficient, and independent system for the advancement of justice under the law.



Senior Judge Application Active Status

Qualifications for Office

I, Judith S.H. Atherton, hereby apply for the office of Active Senior Judge and declare as follows:

- 1) I was retained in the last election in which I stood for election.
- 2) I voluntarily resigned from judicial office, OR I involuntarily retired from judicial office due to disability from which I have recovered or which can be accommodated.
- 3) I am physically and mentally able to perform the duties of judicial office.
- 4) I demonstrate appropriate ability and character.
- 5) I am admitted to the practice of law in Utah, but I do not practice law.
- 6) I am eligible to receive compensation under the Judges' Retirement Act, subject only to attaining the appropriate age.
- 7) I am familiar with current statutes, rules and case law.
- 8) I will satisfy the education requirements of an active judge.
- 9) I will attend the annual judicial conference.
- 10) I will accept assignments within the limits established by Rule 11-201.
- 11) I will conform to the Code of Judicial Conduct, the Code of Judicial Administration and rules of the Supreme Court.
- 12) I obtained attorney survey results on the final judicial performance evaluation survey conducted prior to termination of service sufficient to have been certified for retention election.
- 13) I continue to meet the requirements for certification for judicial performance evaluation as those requirements are established for active senior judges.
- 14) I was not removed from office or involuntarily retired on grounds other than disability.

- 15) I was not suspended during my final term of office or final six years in office, whichever is greater.
- 16) I did not resign as a result of negotiations with the Judicial Conduct Commission or while a complaint against me was pending before the Supreme Court or pending before the Judicial Conduct Commission after a finding of reasonable cause.
- 17) I will submit relevant information as requested by the Judicial Council.
- 18) My date of birth is [REDACTED] and my retirement date is 8/1/2013.
- 19) I have not been subject to any order of discipline for conduct as a senior judge.
- 20) There ☐ is ☒ is not a complaint against me pending before the Supreme Court or before the Judicial Conduct Commission after a finding of reasonable cause.
- 21) During my current term as an active senior judge there have been 0 orders of discipline against me entered by the Supreme Court, and I have attached a copy of each.
- 22) The address at which I can be contacted after retirement is:

[REDACTED]

And my email address is:

[REDACTED]

Judicial Performance Evaluation Information

I further declare as follows:

- 23) I have held no more than three cases per calendar year under advisement more than 60 days after submission.
- 24) I have held no cases under advisement more than 180 days after submission.
- 25) I am in substantial compliance with the Code of Judicial Conduct.
- 26) I am physically and mentally fit for office.
- 27) I have obtained the following judicial education hours for the years indicated.

2010	2011	2012
34	38.75	32

I waive my claim of confidentiality and request that a copy of any complaints submitted to the Judicial Conduct Commission be sent to the person shown below, if requested.

Date 4/3/13

Judith S.H. Atherton
Judith S.H. Atherton

Please complete and return to:

Tim Shea
POB 140241
Salt Lake City, Utah 84114-0241
Fax: 801-578-3843
Email: tims@utcourts.gov

Survey Responses for The Honorable Judith S. H. Atherton

Question:	Certification Score	Excellent		More than Adequate		Adequate		Less than Adequate		Inadequate		# of Valid Responses		No Personal Knowledge	
	Passing Score 70%+	Judge	Peer Group	Judge	Peer Group	Judge	Peer Group	Judge	Peer Group	Judge	Peer Group	Judge	Peer Group	Judge	Peer Group
	%	%	%	%	%	%	%	%	%	%	%	Count		Count	
1) Behavior is free from impropriety and the appearance of impropriety.	87%	47%	50%	28%	23%	13%	15%	8%	7%	5%	5%	109	847	0	11
2) Behavior is free from bias and favoritism.	82%	42%	48%	28%	23%	12%	15%	11%	9%	7%	6%	109	844	0	14
3) Avoids ex parte communications.	95%	49%	53%	33%	27%	13%	15%	3%	3%	2%	3%	104	791	5	67
4) Understands the rules of procedure and evidence.	86%	48%	46%	29%	30%	9%	16%	6%	5%	8%	3%	109	838	0	20
5) Perceives legal and factual issues.	86%	47%	44%	27%	29%	12%	16%	6%	6%	8%	4%	107	837	2	21
6) Is prepared for hearings and trials.	96%	51%	48%	31%	29%	14%	19%	1%	3%	3%	2%	106	832	3	26
7) Demonstrates appropriate demeanor.	90%	47%	48%	22%	23%	20%	18%	4%	5%	6%	7%	108	842	1	16
8) Maintains order in the courtroom.	98%	59%	53%	23%	29%	16%	17%	1%	1%	1%	0%	108	847	1	11
9) Gives parties a fair opportunity to present the case.	90%	46%	47%	27%	27%	17%	16%	6%	6%	5%	4%	109	840	0	18
10) Oral and written decisions and orders are clear and well reasoned.	90%	47%	42%	31%	28%	12%	19%	6%	6%	4%	5%	98	796	11	62
11) Issues orders and opinions without unnecessary delay.	92%	44%	44%	33%	30%	15%	20%	3%	3%	5%	3%	100	802	9	56
12) Effectively uses pretrial procedures to narrow and define the issues.	96%	50%	42%	28%	29%	18%	20%	2%	5%	2%	3%	100	775	9	83
13) Overall, the performance of this judge or commissioner is:	90%	44%	43%	25%	28%	20%	17%	5%	7%	6%	4%	108	842	1	16

TAB 6



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

MEMORANDUM

Daniel J. Becker
State Court Administrator
Raymond H. Wahl
Deputy Court Administrator

To: Management Committee
From: Tim Shea *TS*
Date: March 26, 2013
Re: Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

Utah is one of four states awarded a \$7,000 grant for a Working Interdisciplinary Network of Guardianship Stakeholders. The others are New York, Oregon and Texas. The group's initial meeting will be April 17. The members and staff are:

- Daniel Musto, Long-term Care Ombudsman
- David Connors, Second District Court
- Donna Russell, Office of Public Guardian
- Ellen Silver, Jewish Family Services
- Jackie Redno, National Alliance on Mental Illness
- Julie Rigby, Third District Court
- Karolina Abuzyarova, AOC
- Kent Alderman, Lewis Hansen Waldo Pleshe Flanders
- Margy Campbell, Guardian & Conservator Services
- Mary Jane Ciccarello, Self Help Center
- Michaelle Jones, AOC
- Nan Mendenhall, Adult Protective Services
- Nels Holmgren, Division of Aging and Adult Services
- Norman Foster, Center for Alzheimer's Care
- Robert Denton, Disability Law Center
- Tim Shea, AOC
- Membership reserved for a family guardian

WINGS will be a multi-disciplinary advisory body, focusing on guardianship issues from many different perspectives. Forming such a group was one of the recommendations from the Third National Guardianship Summit held in Salt Lake City in 2011.

Our initial effort, approved as part of the grant application, will be to invite participants from around the state to a one-day Utah-focused summit to identify issues facing the public, providers, law enforcement, the courts, the bar, etc., and recommend how to respond to those issues. We will use the grant for the summit's expenses. Since the chief justice is using his good offices to convene the group, we will present the recommendations to the Judicial Council for its consideration, but I anticipate

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recommendations beyond court administration and court procedures. Indeed, I anticipate recommendations that may affect many, if not all, of the disciplines represented on WINGS.

We are planning for monthly meetings until November and further meetings in 2014 to draft the post-summit recommendations. If there is legislation, it could not be filed until the 2015 general session.

Based on the experience from this initial project, the group will draft a charge for WINGS and present it to the Council for its consideration.

TAB 7

Utah Court of Appeals

Chambers of
Judge Carolyn B. McHugh

450 South State Street
Salt Lake City, Utah 84114 - 0230
(801) 578-3950
FAX (801) 238-7981

March 25, 2013

Judicial Council
Management Committee
Matheson Courthouse
450 South State Street
Salt Lake City, Utah 84111

Attention: Jody Gonzales

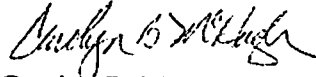
Re: The Standing Committee on Court Technology

Dear Council Members:

The Technology Committee develops and recommends to the Judicial Council the information technology, plans and priorities governing the courts of record. Currently, there is a vacancy on the Committee consisting of one of the two court clerk representatives.

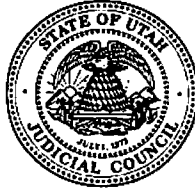
As the chairperson of the Technology Committee, I recommend that Dawn Hautamaki be appointed to fill that vacancy. This recommendation is with the approval and concurrence of the clerks of court.

Sincerely,



Carolyn B. McHugh
Presiding Judge,
Utah Court of Appeals

c: Ron Bowmaster



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

April 11, 2013

Daniel J. Becker
State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council

FROM: Mark Bedel, District Court Program Administrator

RE: Recommendation for appointment to the Judicial Council Standing Committee for Court Facility Planning

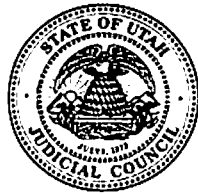
There is a vacancy on the Judicial Council Standing Committee for Court Facility Planning, due to the end of Judge L. A. Dever's term in January.

Rule 1-205 states that the committee "shall consist of one judge from each level of trial court, one appellate court judge, the state court administrator, a trial court executive, and two business people with experience in the construction or financing of facilities."

Having considered the recommendations from the Board of District Court Judges, the Management Committee recommends that Judge Samuel McVey, District 4 presiding judge, be appointed to replace Judge Dever on the Court Facility Planning Committee.

The mission of the Utah judiciary is to provide an open, fair,
efficient, and independent system for the advancement of justice under the law.

450 South State Street / P.O. Box 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3800/ Fax: 801-578-3843



Administrative Office of the Courts

Chief Justice Matthew B. Durrant
Utah Supreme Court
Chair, Utah Judicial Council

April 17, 2013

Daniel J. Becker
State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

To: Judicial Council

From: Alyn Lunceford

RE: Courts Facility Planning Standing
Appointment of New Committee Chair

Judge L.A. Dever has served as Chair of the Courts Facility Planning Standing Committee for the last 5 years and his second term ended in January of this year.

I am requesting the Judicial Council appoint a new Chair for the Committee. My recommendation for the appointment is Judge James Davis from the Court of Appeals. His history with this committee and interest in facilities is very valuable for this position.

The Management Committee recommends the appointment of Judge James Davis as the chair of the Courts Facility Planning Standing Committee.

To: Member of the Judicial Council
From: Dan Becker
Subject: Re-Appointment to the Child Support Guidelines Committee
Date: April 16, 2013

Judge Clark McClellan is presently serving the remainder of an unexpired term on the Child Support Guidelines Committee and is eligible for appointment for a full four-year term. He is willing to accept an appointment for a full four-year term.

The Management Committee recommends that Judge McClellan be re-appointed for a full term on the committee.

**ADDITIONAL COUNCIL
MEETING HANDOUTS**

District Court
Electronic Record Update: April 11, 2013

General efilng	Dated Completed
Mandatory efilng in all civil and domestic cases implemented on April 1, 2013	April 1, 2013
Probate efilng mandatory July 1, 2013	In progress
Voluntary criminal defense efilng available statewide	Oct 2012
Prosecutor's efilng available in Cache, Weber, and Davis counties only (information only)	Oct 2012
Mandatory efilng in criminal cases	TBD
OCAP being prepared for voluntary efilng – estimated completion, Fall 2013	In progress
Savings - review all district and juvenile court clerical vacancies statewide	Ongoing
<ul style="list-style-type: none"> All savings reserved for future clerical compensation 	
<ul style="list-style-type: none"> Additional savings reserved includes file folders, toner & ink, storage space, fax machines 	
Statistics – see handout for statistics as of March 31, 2013	
Judicial Workspace	Date
Phase 1: Hearing preparation and management	
<ul style="list-style-type: none"> Beta testing and training of lead judicial team(s) in each district 	Feb 2013
<ul style="list-style-type: none"> Released 	Feb 2013
<ul style="list-style-type: none"> Online training “quick tips” on documents, pop-ins and notes features 	Mar 2013
<ul style="list-style-type: none"> Go-to-Meeting training sessions scheduled for judicial teams 	Apr 2013
Phase 2: In-chambers case management development	
<ul style="list-style-type: none"> Workgroups formed (judges & commissioners group, judicial support staff group, combined group) 	Apr 2013
<ul style="list-style-type: none"> Workgroups begin to meeting in May 2013 	
<ul style="list-style-type: none"> Converting minutes to documents that will open quickly 	

District Court
Electronic Record Update: April 11, 2013

Forum; March Mid-Year meeting; University of Utah Law School)	
• July Annual meeting, Fall Forum, March Mid-Year meeting	Various
• New admissions ceremonies	Various
Bar Journal article	Jan 2013
Distribute brochures and post notices at courthouses	Ongoing
Conduct statewide and local trainings	Various
• Local Bar associations	Various
• Family Law Section	Nov 2012
• Litigation Section	Jan 2012
• University of Utah law school	April 2013
Post basic online training video on website	Jan 2013
Post additional "quick tip" online training videos on website	Apr 2013
Update FAQs and other information on e-filing webpage	Ongoing
Update online training videos on website	Ongoing

District Court
Electronic Record Update: April 11, 2013

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Update FAQs and other information on e-filing webpage	Ongoing
Update online training videos on website	Ongoing

Available Revenue for FY14

4/4/2013

Ongoing General Funds

Ongoing Turnover Savings	1,213,400
H.B. 10 Substitute -- Sex Offense Amendments (Rep. Greenwood, R.)	2,400
H.B. 13 -- Protection of Children Riding in Motor Vehicles (Rep. Arent, P.)	6,600
H.B. 50 -- Dating Violence Protection Act (Rep. Seelig, J.)	124,200
H.B. 100 Second Substitute -- Internet Privacy Amendments (Rep. Barlow, S.)	8,100
H.B. 102 Substitute -- Arson Penalties Amendments (Rep. Wiley, L.)	2,800
H.B. 103 -- Wireless Telephone Use Restrictions (Rep. Perry, L.)	4,000
H.B. 239 Second Substitute -- Jury Service Amendments (Rep. Hall, C.)	22,600
H.B. 338 -- Alimony Revisions (Rep. McIlff, K.)	26,900
S.B. 49 Substitute -- Child Welfare Modifications (Sen. Harper, W.)	4,000
S.B. 80 Substitute -- Removal from Database Restricting Firearm Purchase (Sen. Thatcher, D.)	10,100
S.B. 125 -- District Court Judge Amendments (Sen. Van Tassell, K.)	240,000
S.B. 127 -- Juvenile Court Judge Amendments (Sen. Van Tassell, K.)	353,300
S.B. 131 -- Assault Amendments (Sen. Osmond, A.)	10,500
S.B. 155 Sub -- Postadoption Contact Agreements - Courts (Sen. Hillyard, L.)	8,100
Drug Courts	130,000
Data Processing E-Filing Programming Funds	-
Transfer from Contracts Line-Item for UCA	93,000
VOIP Budget Savings (Richfield, West Valley, Logan, Silver Summit, Tooele)	28,000
Carry Forward Projection (Personnel + CE)	-
Total Available Funds	2,288,000

One-time General Funds

	-
	-
	(6,600)
	-
	-
	-
	-
	(11,300)
	-
	(4,000)
	-
	-
	-
	-
	-
	-
	-
	10,000
	-
	-
	-
	1,417,600
	1,405,700

Ongoing Obligations

8th Juvenile Judge	338,800
8th District Judge	240,000
Clerical Increase	887,000
Career Track	318,200
1 Law Clerk	83,400
Juvenile Law Clerk (50% Ongoing, 25% CIP, 25% 1-time)	41,700
IT Programming	100,000
Drug Courts	159,100
Market Comparability Adjustments	119,800

Examples of Possible One-time Expenditures

Time-limited Law Clerks - 4 FTEs	333,600
Additional IT Support & Programming	100,000
Attorney - Legal Counsel	98,000
Second Language Stipend	88,400
Employee Assistance	10,000
Tuition Assistance	75,000
Employee Incentive Awards	200,000
Grant Matching Funds	50,000
Contract Site Adjustment Funds	10,000
Pro Tem/Interpreter/Jury Training	9,000
ECR Evaluation	25,000
Juvenile Law Clerk (.25% Funding)	20,900
Leadership Conference Travel/Food	30,000
Juvenile Court Extradition Funds	12,000
Juvenile Court School Liaison	12,000
Statewide Drug Court Conference	40,000
District Court Program Administrator (.5 FTE to .75 FTE)	18,600
UCA Purchases	71,200
Reserve	202,000

Obligated Funds	2,288,000
------------------------	------------------

1,405,700

Total Available Funds - Obligated Funds = Remaining Funds

-

-

General Session 2013--Courts' Budget Information for FY13 and FY14

FY 2013 Appropriated Budget

Line Item	Appropriated Budget	FY 12 Carry Forward Funds	Supplemental Appropriations	FY 2013 Totals
Main	105,246,400	2,140,900	573,400	107,960,700
Grand Jury	800	300	-	1,100
C & L	19,106,500	250,700	(21,500)	19,335,700
JWI	2,152,400	(114,700)	114,700	2,152,400
GAL	6,052,300	130,100	-	6,182,400
Totals	132,558,400	2,407,300	666,600	135,632,300

FY 2014 Appropriated Budget

Line Item	Appropriated Budget - HB 5	SB 2 - FY 14 Ongoing Increases	SB 7 - Comp Increases	SB 3 - Bill of Bills Increases	FY 2014 Appropriated Totals
Main	105,214,000	460,600	2,758,600	811,700	109,244,900
Grand Jury	800	-	-	-	800
C & L	19,106,500	177,500	2,900	-	19,286,900
JWI	1,552,400	-	8,700	-	1,561,100
GAL	6,052,300	185,400	162,400	89,000	6,489,100
Totals	131,926,000	823,500	2,932,600	900,700	136,582,800

General Session 2013 Bill #/Bill Title Funded by SB 3	Ongoing GF Fiscal Note Amounts	1-time Fiscal Note Funds	Totals
Data Processing E-Filing Programming Funds		10,000	10,000
H.B. 10 Substitute -- Sex Offense Amendments (Rep. Greenwood, R.)	2,400		2,400
H.B. 13 -- Protection of Children Riding in Motor Vehicles (Rep. Arent, P.)	6,600	(6,600)	-
H.B. 50 -- Dating Violence Protection Act (Rep. Seelig, J.)	124,200		124,200
H.B. 100 Second Substitute -- Internet Privacy Amendments (Rep. Barlow, S.)	8,100		8,100
H.B. 102 Substitute -- Arson Penalties Amendments (Rep. Wiley, L.)	2,800		2,800
H.B. 103 -- Wireless Telephone Use Restrictions (Rep. Perry, L.)	4,000		4,000
H.B. 239 Second Substitute -- Jury Service Amendments (Rep. Hall, C.)	22,600	(11,300)	11,300
H.B. 338 -- Alimony Revisions (Rep. McIlff, K.)	26,900		26,900
S.B. 49 Substitute -- Child Welfare Modifications (Sen. Harper, W.)	4,000	(4,000)	-
S.B. 80 Substitute -- Removal from Database Restricting Firearm Purchase (Sen. Thatcher, D.)	10,100		10,100
S.B. 125 -- District Court Judge Amendments (Sen. Van Tassell, K.)	240,000		240,000
S.B. 127 -- Juvenile Court Judge Amendments (Sen. Van Tassell, K.)	353,300		353,300
S.B. 131 -- Assault Amendments (Sen. Osmond, A.)	10,500		10,500
S.B. 155 Sub -- Postadoption Contact Agreements - Courts (Sen. Hillyard, L.)	8,100		8,100
GAL Volunteer Advocate--CASA	50,000		50,000
S.B. 155 Sub -- Postadoption Contact Agreements - GAL (Sen. Hillyard, L.)	39,000		39,000
Total Fiscal Note Funds	912,600	(11,900)	900,700

FY 2014 Funding Increases:	Amounts Appropriated
SB 3 - Fiscal Notes & Other Funding Adjustments	900,700
SB 2 Ongoing Increases	823,500
SB 7 Compensation Increases	2,932,600

\$ Increase From FY13 Appropriated to FY14 Appropriated

4,024,400

% Change FY13 to FY 14

3.04%