

JUDICIAL COUNCIL MEETING

AGENDA

**Monday, April 27, 2015
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 Reed Parkin
Bar Commission. John Lund, esq.
(Tab 2 - Information)
5. 9:40 a.m. Rules for Final Action. Alison Adams-Perlac
(Tab 3 - Action)
6. 9:50 a.m. Resources for Self-Represented Parties Committee
Update. Judge Marsha Thomas
(Tab 4 - Information) Nancy Sylvester
7. 10:10 a.m. Judicial Performance Evaluation Commission Update. . . . Joanne Slotnik
(Information)
- 10:30 a.m. Break
8. 10:45 a.m. Approval of FY 2016 Spending Plan. . . . Daniel J. Becker
(Action) Ray Wahl
9. 11:45 a.m. Approval of Court Commissioner Compensation. . . . Daniel J. Becker
(Action)
10. 11:50 a.m. Executive Session
- 11:55 a.m. Lunch
11. 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.

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| 1. Committee Appointments
(Tab 5) | Nancy Sylvester
Alison Adams-Perlac
Ron Bowmaster
Nancy Volmer
Debra Moore |
| 2. Grant Approval
(Tab 6) | Dawn Marie Rubio
Shane Bahr |
| 3. Rules for Public Comment
(Tab 7) | Alison Adams-Perlac |

TAB 1

JUDICIAL COUNCIL MEETING

Minutes
Friday, March 13, 2015
Sego Lily/Sage
Hilton Garden Inn
St George, Utah

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant
Hon. Kimberly K. Hornak, Vice Chair
Justice Jill Parrish
Hon. Marvin Bagley
Hon. Kate Toomey for Hon. James Davis
Hon. Glen Dawson
Hon. Thomas Higbee
Hon. David Marx
Hon. David Mortensen
Hon. Reed Parkin
Hon. John Sandberg
Hon. Randall Skanchy
John Lund, esq.

EXCUSED:

Hon. Ann Boyden

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Jody Gonzales
Dawn Marie Rubio
Rick Schwermer
Tim Shea
Alyn Lunceford
Brent Johnson (by phone)

GUESTS:

James Gilson, Utah State Bar
Angelina Tsu, Utah State Bar
John Baldwin, Utah State Bar
Sean Toomey, Utah State Bar
Nate Alder, Utah State Bar
Judge John Walton
Judge Derek Pullan
Peyton Smith, 3rd Dist TCE
Travis Erickson, 2nd Dist Juv TCE
Rick Davis, 5th Dist TCE
Judge Noel Hyde
Judge Robert Dale
Judge Mary Noonan

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

Chief Justice Matthew B. Durrant welcomed all members and guests to the meeting.

Motion: It was moved and seconded to approve the minutes from the February 23, 2015 Judicial Council meeting, and it passed unanimously.

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

Chief Justice Durrant reported on the following items:

He expressed his gratitude to Mr. Becker, Mr. Wahl, and Mr. Schwermer for all the work they accomplished, on behalf of the courts, during the 2015 Legislative Session.

He mentioned that he would acknowledge the work of the Bar when they arrive.

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

Mr. Becker reported on the following items:

Judicial Conduct Commission. Judge Todd Shaughnessy has been appointed, by the Supreme Court, to fill the vacancy on the Judicial Conduct Commission to replace Justice Deno Himonas.

Judicial Performance Evaluation Commission. Membership changes to the Judicial Performance Evaluation Commission (JPEC) included: 1) Mr. John Ashton has been named chair of the Commission, replacing Mr. Anthony Schofield; and 2) Mr. David Jordan, Supreme Court appointment to the Commission.

Legislative Update. A legislative update will be held on April 10 at the University Park Marriott in Salt Lake City. Senator Lyle Hillyard and Representative Eric Hutchings have been invited to speak during lunch at the update.

AOC Retirement. Mr. Ron Bowmaster, Director of IT, has announced his upcoming retirement, effective April 30. The job announcement to fill his vacancy has been posted with assistance filling the position being provided by the NCSC. He will be recognized at the April Judicial Council meeting. (*Mr. Becker subsequently notified the Council that Mr. Bowmaster had withdrawn his intent to retire.*)

4. 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 that a legislative report would be deferred to later in the meeting.

Policy and Planning Meeting:

Judge Parkin reported on the following items:

The committee has been very active addressing several rules. He mentioned that there are several rules listed on the consent calendar. The rules have been sent out for public comment.

Bar Commission Report:

Mr. Lund deferred his report to James Gilson, Utah State Bar president, who will be providing an update later in the meeting.

**5. REMARKS FROM UTAH STATE BAR PRESIDENT/PRESIDENT ELECT:
(James Gilson, Angelina Tsu, John Baldwin and Sean Toomey)**

Chief Justice Durrant welcomed Mr. Gilson, Ms. Tsu, Mr. Baldwin, and Mr. Toomey to the meeting. He expressed his appreciation to the Bar for all they do for the court system, as well as, the work they did with respect to judicial salaries, along with the Elected Offices and Judicial Compensation Commission. Chief Justice Durrant expressed his appreciation for Senator Lyle Hillyard's efforts and involvement in the process to increase judicial salaries. He also noted the continued efforts of the Bar to provide regular access to justice.

Mr. Gilson highlighted the following in his update to the Council: 1) the Bar Commission's continued focus on access to justice issues, 2) greater access to legal services for the poor with availability of the Pro Bono Program, 3) greater access to legal services for the low income population through other available services, 4) greater access to legal services for the

middle class population, 5) the Bar's focus on SJR 3 – Proposal to Amend Utah Constitution Regarding the Practice of Law during the 2015 Legislative Session, 6) creation of the Middle Class Legal Access Task Force, chaired by Ms. Angelina Tsu, to address legal access issues for the middle class population, 7) a handout was distributed with ideas to address middle class legal access issues, 8) consideration of a limited license legal technician in family law matters by the task force, and 9) celebration of the 800th anniversary of the Magna Carta with exhibits being available in April, and a big gala on April 14 at Rice Eccles Stadium.

Mr. Gilson and Ms. Tsu expressed their appreciation for the communication that takes place between the Bar and the courts.

Chief Justice Durrant thanked members of the Bar for all they do in support of the courts.

6. FIFTH DISTRICT UPDATE: (Judge John Walton, Judge Thomas Higbee, and Rick Davis)

Chief Justice Durrant welcomed Judge Walton and Mr. Davis to the meeting.

Judge Walton highlighted the following in his update: 1) with the retirement of Judge James Shumate in March of 2014; Judge Keith Barnes filled the district court judge vacancy in Cedar City, and Judge Michael Westfall filled the district court vacancy in St. George; 2) continued judicial assistance from Judge Paul Lyman, Sixth District Court, of all matters before the court in Beaver; 3) continued assistance provided by Judge Higbee twice a month in Cedar City; and 4) continued assistance provided by the new Fifth District juvenile judges with protective order calendars.

Mr. Davis highlighted the following in his update: 1) projected case filing trends in the Fifth District show an increase, 2) the ability of the Fifth District judges to handle their caseload, with visiting judge assistance, as well as, assistance from the Fifth District juvenile judges—rather than using senior judge assistance; 3) making staff structural changes in the district including reducing the number of managers in Cedar City to one case manager and cross training staff; 4) a meeting was held between Fifth District and the Southern Utah Bar in February; 5) a change in the probation process in juvenile court from a monitor report process to a interventionist process, with classes being offered to help youth and their families.

Judge Higbee highlighted the following in his update: 1) access to available services to help families of the youth in Cedar City and Beaver is a challenge, and the probation staff has been creative in addressing these deficiencies; and 2) Prime for Life for Youth Program available in the district with training and certification being received by three Fifth District probation officers.

Chief Justice Durrant thanked Judge Walton, Mr. Davis and Judge Higbee for their update.

7. BOARD OF DISTRICT COURT JUDGES UPDATE: (Judge Derek Pullan)

Chief Justice Durrant welcomed Judge Pullan to the meeting.

Judge Pullan highlighted the following in his update to the Council: 1) current members of the Board of District Court Judges; 2) working on recommendations for a uniform process for setting bail, statewide; 3) use of the Board of District Court Judges by the Judicial Council, as necessary, in providing assessment of particular matters in district court.

Chief Justice Durrant thanked Judge Pullan and members of the Board of District Court Judges for all they do for the courts.

8. LEGISLATIVE BUDGET UPDATE/INTERIM HIGHLIGHTS: (Daniel J. Becker and Rick Schwermer)

Mr. Becker expressed his appreciation to the AOC staff who provided support during the 2015 Legislative Session to include: 1) Mr. Rick Schwermer, 2) Mr. Ray Wahl, 3) Mr. Alyn Lunceford, and 4) Mr. Derek Byrne.

He highlighted the appropriation requests approved for the courts during the 2015 Legislative Session to include: 1) restoration of the general fund appropriation for trust revenue, 2) juror, witness, interpreter supplemental, 3) ADR fee increase, 4) approval of a revenue bond for a new Fourth District Courthouse in Provo for district and juvenile courts, 5) one-time and ongoing fiscal note funding, and 6) compensation and judicial salary increases.

Mr. Becker expressed his appreciation to the following for all they did relative to approval of increased judicial salaries: 1) Chief Justice Durrant, 2) the Elected Offices and Judicial Compensation Commission, and 3) Senator Lyle Hillyard.

Mr. Becker mentioned that funding was not approved for the Fourth District Juvenile Court and Fifth District Court judgeship requests.

The FY 2016 spending plan will be considered at the April Council meeting.

Mr. Alyn Lunceford provided an update on the new Fourth District Courthouse in Provo and the approved funding for improvement projects for the courts in FY 2016. He highlighted the following in his update: 1) projected cost to build the new courthouse, 2) timeline from the design phase to completion of the courthouse, 3) anticipated number of courtrooms to be completed, and 4) the majority of the FY 2016 improvement projects are slated for the Matheson Courthouse.

Chief Justice Durrant expressed his gratitude to Mr. Lunceford for all his hard work and preparation in getting the revenue bond approved for the new Fourth District Courthouse during the 2015 Legislative Session.

Mr. Schwermer highlighted the following bills considered during the 2015 Legislative Session:

- HB 137 – Change to Mandatory Retirement Age for Judges – Failed
- HB 189 – Child Welfare Mediation - Passed
- HB 240 – Judicial Discretion in Sentencing Amendments - Failed
- HB 278 – Justice Court Judge Compensation – Failed
- HB 348 – Criminal Justice Programs and Amendments – Passed
- HB 356 – 3rd Sub – Parent Child Amendments – Passed
- HB 445 – Bail Bond Surety Amendments – Failed
- SB 82 – 1st Sub – Forcible Entry Amendments – Passed
- SB 101 – 5th Sub – Adoption Amendments – Passed
- SB 141 – 1st Sub – Judiciary Amendments – Passed
- SB 167 – Juvenile Offender Amendments – Passed
- SB 183 – Judicial Salaries and Compensation – Passed
- SB 236 – Justice Court Judges Retirement Amendments – Passed
- SB297s2 – Protections for Religious Expression and Beliefs About Marriage, Family or Sexuality – Passed
- SJR 3 – Proposal to Amend Utah Constitution Regarding the Practice of Law – Failed

Mr. Schwermer thanked members of the Liaison Committee and everyone who responded to the bills being considered during the 2015 Legislative Session.

9. REPLACEMENT FOR ECR PROCESS: (Judge Randall Skanchy)

Judge Skanchy provided an updated, on behalf of Judge Hansen, on the status of the Early Case Resolution (ECR) Pilot Program in the Third District Court. He highlighted the following in his update: 1) an ECR Subcommittee held meetings to determine what actions will be taken relative to early case resolution; 2) meetings with all stakeholders to gather input on matters relative to the ECR pilot program have taken place; 3) an additional criminal judge will be assigned to hear cases on March 16; 4) Judge Hansen continues a low risk, low needs track; 5) the manner by which orders to show cause will be handled in the interim; and 6) recommendations will be prepared by April 1.

Discussion took place. Questions were asked of Judge Skanchy, and he provided responses.

10. TCE UPDATE: (Peyton Smith and Travis Erickson)

Chief Justice Durrant welcomed Mr. Erickson and Mr. Smith to the meeting.

Mr. Smith and Mr. Erickson highlighted the following in their update to the Council on behalf of the court executives: 1) during the next 4 years, 25% of court managers will be eligible for retirement; 2) percentage of court managers eligible for retirement in the next four years by district; 3) creation of a succession plan; 4) development of a six-day court skills academy; 5) development of a leadership academy; 6) participation in the Michigan State University Certified Court Manager Program by court executives, clerks of court and chief probation officers; 7) support of the transition of the judicial service representative position to the judicial assistant position, statewide; 8) organizational culture shift, to respond to the needs of a changing workforce in the court system; 9) implementing case file audit process changes; 10) more transparency in communicating with court staff; 11) e-filing in district, juvenile, and appellate courts; 12) juvenile probation update; and 13) a renewed focus on education by the juvenile court.

Mr. Becker, Mr. Wahl, and Chief Justice Durrant expressed their appreciation to the court executives for all they do for the Utah court system.

11. DAVIS COUNTY JUSTICE COURT DISSOLUTION: (Rick Schwermer)

Chief Justice welcomed Mr. Schwermer to the meeting.

Mr. Schwermer provided background information relative to Davis County's request to dissolve their justice court. He highlighted the following: 1) a letter was received by Davis County Commission giving the Council notice of their intent to dissolve the Davis County Justice Court with their request to waive the waiting period; 2) Davis County's intent to close their justice court at the end of calendar year 2016; 3) this request, as required by statute, would require permission by the Legislature to close the court with the transfer of cases to the district court; 4) Davis County did not seek legislation in the 2015 Legislative Session to address this request; and 5) without approved legislation to address Davis County's request, the appropriate adjustments in workload by the state courts cannot be addressed.

Mr. Becker mentioned that a request by the Davis County Commission of a waiver to shorten the waiting period to dissolve their justice court several years ago was denied. At that time, the Davis County Commission elected not to close their justice court.

Discussion took place.

Mr. Schwermer reported on a recent conversation with the Davis County attorney. It was also noted that no interlocal agreements have been sought by the Davis County Commission relative to dissolution of their justice court.

Motion: Judge Sandberg moved to deny the request made by the Davis County Commission for a waiver to shorten the waiting period required to dissolve the Davis County Justice Court as they did not seek the appropriate legislation during the 2015 Legislative Session, required by statute. The Davis County Commission is encouraged to meet formally with members of the Administrative Office of the Courts to resolve the matter. Judge Higbee seconded the motion, and it passed unanimously.

12. CHANGE IN JULY MEETING DATE: (Daniel J. Becker)

Mr. Becker requested the July meeting (to be held at the new Ogden Juvenile Courthouse) be moved from July 13 to July 20 due to the fact that he and Mr. Wahl will both be out of state on July 13.

Motion: Judge Skanchy moved to change the date of the July meeting from July 13 to July 20. Judge Hornak seconded the motion, and it passed unanimously.

Motion: Judge Hornak moved to enter into an executive session to discuss a personnel matter. Judge Parkin 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.

Administrative Office of the Courts

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

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

Sworn Statement under Rule 2-103(4)(B) of the Utah Code of Judicial Administration Regarding Judicial Council Meeting Closure

Chief

I, Justice Matthew B. Durrant, state as follows:

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1. On 3-13-15 (date), the Judicial Council closed its meeting. The meeting was closed only to discuss:

- the character, competence, or physical or mental health of an individual;
- litigation;
- the deployment of security personnel, devices, or systems;
- allegations of criminal misconduct; or
- consideration of a private, protected, sealed, juvenile court social, juvenile court legal, or safeguarded record.

2. For the reason(s) noted above, a recording and minutes were not kept during the closed portion of the meeting.

I declare under penalty of perjury that the statements made in this document are true and correct.

3-13-15
Date

Chief

Justice Matthew B. Durrant
Chair, Utah Judicial Council

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 2

**Management Committee
Minutes**

**JUDICIAL COUNCIL MANAGEMENT COMMITTEE
MINUTES**

**Tuesday, April 14th, 2015
Matheson Courthouse
450 South State Street
Salt Lake City, Utah**

MEMBERS PRESENT:

Chief Justice Matthew B. Durrant, Chair
Hon. Kimberly Hornak
Hon. Kate Toomey for Hon. James Davis
Hon. John Sandberg
Hon. Randall Skanchy

EXCUSED:

Hon. James Davis

GUESTS:

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Jody Gonzales
Dawn Marie Rubio
Debra Moore
Rick Schwermer
Tim Shea
Alison Adams-Perlac
Ron Bowmaster
Heather Mackenzie-Campbell
Nancy Sylvester
Nancy Volmer
Derek Byrne

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

Chief Justice Durrant welcomed everyone to the meeting. He welcomed Judge Toomey to the meeting, and he reported that she will be replacing Judge James Davis on the Council as the Court of Appeals representative. After reviewing the minutes, the following motion was made:

Motion: Judge Skanchy moved to approve the February 23, 2015 Management Committee meeting minutes. Judge Sandberg seconded the motion, and it passed unanimously.

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

He reported on the following items:

Justice Court Judges Conference. The following actions were approved at the Spring Justice Court Judges Conference: 1) Judge Paul Farr, Sandy City Justice Court, will replace Judge John Sandberg on the Council, upon his retirement at the end of June; and 2) Judge Reed Parkin was re-elected to a second term on the Council.

Facilities Standing Committee Projects. He noted that approval of a revenue bond for the Provo Courthouse was approved during the 2015 Legislative Session. Discussion is taking place regarding a new courthouse in Price between city and county government officials. He highlighted the following relative to a proposed new courthouse in Price: 1) the County is prepared to move forward with applying for CIB grant funding; 2) the new courthouse would be built behind the existing courthouse; 3) a lease increase of \$300,000 would need to be approved

in FY 2019, on a one-time basis; 4) thereafter, with the completion of the Farmington lease in FY 2020, funding would be available to address the ongoing lease requirements for the new Price courthouse; and 5) Mr. Lunceford continues to work with county officials on this project.

Justice Reinvestment Initiative. CCJJ met last week to discuss the implementation process relative to Justice Reinvestment Initiative. Funding has been set aside to be used for a uniform statewide risk and need assessment for all cases.

Magna Carta. A celebration on the 800th anniversary of the Magna Carta will take place in the rotunda of the Matheson Courthouse on April 15. A display of the document will be placed in the rotunda for viewing from April 15-17.

3. COMMITTEE APPOINTMENTS: (Nancy Sylvester, Alison Adams-Perlac, Ron Bowmaster, Nancy Volmer and Debra Moore)

The Model Criminal Jury Instructions Committee has several vacancies to fill. There are two defense attorney vacancies. Mr. David Perry and Mr. Nathan Phelps have expressed interest in serving on the committee as defense attorney representatives. The Model Criminal Jury Instructions Committee recommended the appointment of Mr. Perry and Mr. Phelps to serve as the two defense attorney representatives on the committee.

There is a vacancy on the committee for a prosecutor representative. Mr. Steve Nelson, Mr. Matthew Lloyd and Mr. Matthew Hansen have expressed interest in serving on the committee as the prosecutor representative. The Model Criminal Jury Instructions Committee recommended the appointment of Mr. Steve Nelson to serve as the prosecutor representative on the committee.

There is a vacancy on the committee for a professor representative. Professor Carissa Byrne Hessick has expressed interest in serving on the committee as a professor representative. The Model Criminal Jury Instructions Committee recommended the appointment of Ms. Byrne Hessick to serve as the professor representative on the committee.

Motion: Judge Skanchy moved to approve the appointments for two defense attorneys, a prosecutor and a professor as recommended by the Model Criminal Jury Instructions Committee and place it on the April Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

The Language Access Committee has several vacancies to fill. There is a vacancy on the committee for an approved interpreter. Mr. Amine El Fajri, Ms. Vieng Lennberg, and Ms. Karen Tao have expressed interest in serving on the committee as the approved interpreter representative. The Language Access Committee recommended the appointment of Mr. Amine El Fajri to serve as the approved interpreter representative on the committee.

The Language Access Committee recommended the reappointment of Mr. Miguel Medina to serve a second term as the certified interpreter representative on the committee.

The Language Access Committee recommended the reappointment of Ms. Jenny Andrus to serve a second term as the language professor representative on the committee.

Motion: Judge Hornak moved to approve the following appointment and reappointments as recommended by the Language Access Committee: 1) the appointment of Mr. Amine El Fajri to serve as the approved interpreter representative, 2) the reappointment of Mr. Miguel Medina to serve a second term as the certified interpreter representative, and 3) the reappointment of Ms.

Jenny Andrus to serve a second term as the language professor representative, and place it on the April Judicial Council consent calendar. Judge Sandberg seconded the motion, and it passed unanimously.

The Standing Committee on Technology recommended the reappointment of Ms. Heather Mackenzie-Campbell to serve a second term on the committee.

Motion: Judge Skanchy moved to approve the reappointment of Ms. Heather Mackenzie-Campbell to serve a second term on the Standing Committee on Technology and place it on the April Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

The Standing Committee on Judicial Outreach recommended the reappointment of Mr. Tom Langhorne to serve a second term on the committee.

Motion: Judge Skanchy moved to approve the reappointment of Mr. Tom Langhorne to serve a second term on the Standing Committee on Judicial Outreach and place it on the April Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

The Uniform Fine/Bail Schedule Committee recommended the reappointment of Judge Augustus Chin and Judge Scott Cullimore as the two justice court judge representatives to serve a second term on the committee.

Motion: Judge Sandberg moved to approve the reappointment of Judge Augustus Chin and Judge Scott Cullimore as the two justice court judge representatives to serve a second term on the committee. Judge Skanchy seconded the motion, and it passed unanimously.

The Model Civil Jury Instructions Committee has a vacancy for an attorney representative for plaintiffs and an attorney representative for defendants.

The following attorney representatives for defendants expressed interest in serving on the committee: 1) Mr. Steve Combe, 2) Mr. Chad Derum, 3) Mr. Mark Dalton Dunn, 4) Mr. Joel Ferre, and 5) Mr. Rick Shelton. The Model Civil Jury Instructions Committee recommended the appointment of Mr. Joel Ferre as the attorney representative for defendants.

The following attorney representatives for plaintiffs expressed interest in serving on the committee: 1) Mr. Nelson Abbott, 2) Ms. Patricia Kuendig, and 3) Mr. David Stevenson. The Model Civil Jury Instructions Committee recommended the appointment of Ms. Patricia Kuendig as the attorney representative for plaintiffs.

Motion: Judge Skanchy moved to approve the appointment of Mr. Joel Ferre as the attorney representative for defendants on the Model Civil Jury Instructions Committee and Ms. Patricia Kuendig as the attorney representative for plaintiffs on the Model Civil Jury Instructions Committee and place it on the April Judicial Council consent calendar. Judge Hornak seconded the motion, and it passed unanimously.

4. COMMISSIONER CERTIFICATIONS – ATTORNEY EXCLUSIONS: (Nancy Sylvester)

The following commissioners have requested attorney exclusions from their surveys in 2015: 1) Commissioner Patrick Casey, 2) Commissioner Michelle Blomquist, and 3) Commissioner David Dillon.

The certification process for commissioners was noted.
Discussion took place.

Motion: Judge Skanchy moved to not accept the request for attorney exclusions as presented by Commissioners Casey, Blomquist and Dillon as the requests do not rise to the level of criteria to be excluded. Judge Hornak seconded the motion, and it passed unanimously.

5. GRANT APPROVAL: (Dawn Marie Rubio and Derek Byrne for Shane Bahr)

The Juvenile Accountability Block Grant Application is in the amount of \$16,000 with federal grant funds in the amount of \$14,400 and a cash match of \$1,600.

Grant funding would be used for the following: 1) pay the required dues to the national Interstate Compact for Juveniles (ICJ) office; 2) pay training and travel expenses to attend the annual business meeting; 3) inform court staff and partner agencies of ICJ rule changes, coordinate and provide in person training on national ICJ issues or new ICJ rules; 4) update the juvenile court bench book for judges to include Interstate Compact information; and 5) provide training to probation officers on special topics for Interstate Compact Youth such as human trafficking.

Motion: Judge Hornak moved to approve the Juvenile Accountability Block Grant Application as presented and place it on the April Judicial Council consent calendar. Judge Sandberg seconded the motion, and it passed unanimously.

Mr. Derek Byrne reviewed the Adult Drug Court Discretionary Grant prepared by Mr. Shane Bahr, court executive of the Fourth District. The grant request is in the amount of \$199,776 over a two-year period with a \$21,840 cash match and a \$50,037 in-kind match over the same time period.

The primary goals of the grant funding includes: 1) fund one full-time problem solving court coordinator to implement and enhance evidence based practices in the seven operational problem solving courts within the district, 2) implement a process by which all felony offenders in Utah County receive the Risk and Need Triage (RANT) at the time of the first felony appearance; and 3) increase problem solving court participant capacity in the Fourth District by 25 percent.

Mr. Byrne noted that a letter with the participating judges was distributed at the beginning of the meeting.

Discussion took place. Mr. Schwermer provided information relative to the problem-solving courts in Utah County.

Motion: Judge Hornak moved to approve the Adult Drug Court Discretionary Grant Application, with clarification made relative to some of the language, and place it on the April Judicial Council consent calendar. Judge Sandberg seconded the motion, and it passed unanimously.

6. FIRST DISTRICT, RICH COUNTY DISTRICT COURT FULL AUDIT REPORT: (Heather Mackenzie-Campbell)

Chief Justice Durrant welcomed Ms. Mackenzie-Campbell to the meeting.

Ms. Mackenzie-Campbell highlighted the following in her First District, Rich County District Court full audit report: 1) in FY 2014, the court reported 130 total cases filed; 2) revenue and trust fund totals for FY 14 were noted; 3) management and court staff were recognized for implementing eight effective procedures; 4) six out of 14 observations were considered significant weaknesses; and 5) all recommended actions have been taken.

7. SEVENTH DISTRICT, EXPENDITURES LIMITED AUDIT REPORT: (Heather Mackenzie-Campbell)

Ms. Mackenzie-Campbell highlighted the following in her Seventh District, Expenditures Limited Audit report: 1) expenditures identified during the audit were from July 1, 2013 through September 30, 2014; 2) management and employees were recognized for implementing several commendable procedures; 3) two out of four observations were considered significant weaknesses; and 4) all issues have been addressed.

Motion: Judge Skanchy moved to accept the First District, Rich County District Court full audit report and the Seventh District, Expenditures Limited audit report as prepared. Judge Sandberg seconded the motion, and it passed unanimously.

8. RULE REQUIREMENT OF SB 167: (Rick Schwermer)

Mr. Schwermer mentioned that consideration must be given to the expectations of SB 167 – Juvenile Offender Amendments, effective October 1, 2015.

Section 78A-6-122. Restraint of juveniles reads as follows:

- (1) As used in this section, “restrained” means the use of handcuffs, chains, shackles, zip ties, irons, straightjackets, and any other device or method which may be used to immobilize a juvenile.
- (2) The Judicial Council shall adopt rules that address the circumstances under which a juvenile may be restrained while appearing in court. The Judicial Council shall ensure that the rules consider both the welfare of the juvenile and the safety of the court. A juvenile may not be restrained during a court proceeding unless restraint is authorized by rules of the Judicial Council.

A working group to discuss the matter has been created by the Board of Juvenile Court Judges.

A timeline for developing a rule to accommodate the requirements of SB 167 – Juvenile Offender Amendments included: 1) workgroup to meet and consider recommendations to be submitted to the Board of Juvenile Court Judges prior to their April meeting, 2) the Board of Juvenile Court Judges to review and approve the recommendations prepared by the workgroup and submit their report to the Management Committee before their May meeting, 3) the Management Committee to defer action to Policy and Planning for rule preparation at their June meeting, and 4) recommendations to the Council at their July meeting.

Motion: Judge Sandberg moved to approve the recommended timeline as outlined above. Judge Skanchy seconded the motion, and it passed unanimously.

9. FY 2016 SPENDING PLAN REVIEW: (Daniel J. Becker)

Mr. Becker provided a preview of the FY 2016 spending plan which will be presented to the Council at their April meeting for approval.

He highlighted the following FY 2016 ongoing spending plan recommendations: 1) child welfare mediator; 2) career track increase; 3) market comparability adjustment; 4) one-time limited district court law clerk to a permanent position; 5) create a permanent juvenile law clerk position; 6) court commissioner compensation – an increase, as well as, the approved cost-of-living increase; 7) use of ongoing funding for one of the Assistant Juvenile Court Administrators currently being funded through the Court Improvement Project Grant; 8) permanent funding of the remainder of the half-time self-help center staff to 30 hours; and 9) permanent funding of the district court program administrator to 90%.

Mr. Becker provided background information on the history of commissioner compensation compared to the justification that was used to increase judicial salaries.

He highlighted the following FY 2016 one-time spending plan recommendations: 1) additional funding of the senior judge budget, 2) funding for two time-limited law clerks for district court, and 3) funding for the court visitor program.

10. DEFENSE OF JUDGES: (Judge Randall Skanchy)

Judge Skanchy provided background information on the memo distributed to members of the Utah State Bar on *Utah Judge Sued in Federal Court for Civil Rights Violations Alleging Conspiracy, Bias & Using Bench to Help Friends* filed by Mr. Anthony Babbit and Mr. Phillip Willson of Salt Lake City.

Judge Skanchy requested input on what steps, proactively, can be taken by the judiciary.

Discussion took place.

Further discussion was deferred to the May Management Committee meeting to allow for Mr. Brent Johnson and Ms. Nancy Volmer to be present.

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

Chief Justice Durrant reviewed the proposed Council agenda for the April 27 Council meeting.

Motion: Judge Hornak moved to approve the Council agenda for the April 27 Council meeting as amended. Judge Skanchy seconded the motion, and it passed unanimously.

12. ADJOURN

The meeting was adjourned.

**Policy and Planning
Committee Minutes**

Minutes of the Policy and Planning Committee

April 10, 2015

Draft

Members Present

Marvin Bagley, Ann Boyden, Glen R. Dawson, Thomas M. Higbee, John R. Lund, Reed S. Parkin

Staff

Alison Adams-Perlac

(1) Approval of Minutes

Judge Boyden moved to approve the minutes of the March 6, 2015 meeting. Mr. Lund seconded the motion and it passed unanimously.

(2) Rule 3-201. Court commissioners.

Ms. Adams-Perlac explained the amendment to rule 3-201 to address a comment period for commissioner nomination and retention. She stated that the comment process for judicial nominations is not outlined by statute or the Utah Administrative Code, and that the amendments follow the recommendations made by the Commissioner Workgroup.

Mr. Lund moved to recommend the proposal, as written, to the Judicial Council. Judge Bagley seconded the motion and it passed unanimously.

(3) Rule 4-603. Mandatory electronic filing.

Ms. Adams-Perlac explained the amendment to rule 4-603. She stated that the proposal would require a written request in lieu of a specific form for a hardship exemption to the electronic filing requirement.

Judge Dawson moved to recommend the proposal, as written, to the Judicial Council. Mr. Lund seconded the motion and it passed unanimously.

(4) App. F. Records Retention Schedule.

Ms. Adams-Perlac stated that the Technology Committee has recently approved a proposal to amend the Records Retention Schedule with regard to district court records. She stated that the streamlined approach is helpful, and that in lieu of forwarding the current proposal to amend the schedule with regard to juvenile court records, that the committee consider looking at a similar approach for juvenile court records.

Ms. Adams-Perlac stated that the proposal has been reviewed with the Trial Court Executives, but that it should be reviewed with the Clerks of Court. She stated that any proposal addressing juvenile court records should have input from the Juvenile Clerks of Court and probation officers.

Mr. Lund moved that the current proposal to amend the record retention schedule regarding juvenile court rules be held, and that the proposal by the Technology Committee be thoroughly vetted prior to coming back to the Policy and Planning Committee, including considering changes to juvenile court record retention. Judge Dawson seconded the motion and it passed unanimously.

(5) Rule 1-205. Standing and ad hoc committees.

Ms. Adams-Perlac discussed the proposal to amend rule 1-205 to include a criminal law professor on the Model Criminal Jury Instructions Committee. She stated that a criminal law professor has historically been on the committee, and that the position was inadvertently left out of the committee make-up when it became a Judicial Council Standing Committee. Judge Boyden questioned whether a criminal law professor was needed. She expressed concern that the Model Criminal Jury Instructions should be plain language and that a professor has never practiced. Ms. Adams-Perlac stated that the current professor, Jensie Anderson has been very helpful in assisting the committee to resolve issues of interpretation so that the instructions can be drafted as an accurate reflection of the law.

Judge Dawson moved to recommend the proposal, as written, to the Judicial Council. Judge Bagley seconded the motion and it passed unanimously.

(6) Rule 4-902. Limited scope investigation of domestic issues.

Ms. Adams-Perlac stated that the Board of District Court Judges recommended a committee note to rule 4-902, reiterating that it is inappropriate for an investigator to make a recommendation on the ultimate issue. She stated that the Code of Judicial Administration typically has not included committee notes.

The committee expressed that the rule already covers the concerns raised by the Board in paragraph (2).

Judge Dawson moved to recommend to the Board of District Court Judges that the language of paragraph (2) covers its concerns, but that if the Board thinks the idea should be strengthened, that it should be done through enhancing the language in paragraph (2), not through a committee note. Mr. Lund seconded the motion and it passed unanimously.

Ms. Adams-Perlac agreed to pass this information on to the Board.

(7) Rule 4-502. Expedited procedures for resolving discovery issues.

Ms. Adams-Perlac explained that the Rules of Civil Procedure Committee has amended URCP 26, 30, 37, and 45 to address expedited procedures for resolving discovery issues. She stated that those amendments will be effective May 1, 2015, and that rule 4-502 needs to be repealed.

Judge Dawson moved to recommend repealing rule 4-502 to the Judicial Council. Mr. Lund seconded the motion and it passed unanimously.

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: Judicial Council
From: Alison Adams-Perlac *4/20/15*
Date: April 20, 2015
Re: Rule for Final Action

The public comment period for rule 1-205 of the Utah Code of Judicial Administration has now closed. The proposed rule received no public comments, and the Policy and Planning Committee voted to recommend it, as written, for final action by the Council.

CJA 01-0205. Standing and ad hoc committees. Amend. Reauthorizes numerous Judicial Council Standing Committees. Adds a representative from the Self-Help Center to the Committee on Resources for Self-Represented Parties.

If the proposal is approved, it will be effective May 1, 2015.

Encl. CJA 1-205.

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.

450 South State Street / P.O. Box 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3821 / Fax: 801-578-3843 / email: alisonap@utcourts.gov

1 **Rule 1-205. Standing and ad hoc committees.**

2 Intent:

3 To establish standing and ad hoc committees to assist the Council and
4 provide recommendations on topical issues.

5 To establish uniform terms and a uniform method for appointing committee
6 members.

7 To provide for a periodic review of existing committees to assure that their
8 activities are appropriately related to the administration of the judiciary.

9 Applicability:

10 This rule shall apply to the internal operation of the Council.

11 Statement of the Rule:

12 (1) Standing committees.

13 (1)(A) Establishment. The following standing committees of the Council are
14 hereby established:

15 (1)(A)(i) Technology Committee;

16 (1)(A)(ii) Uniform Fine/Bail Schedule Committee;

17 (1)(A)(iii) Ethics Advisory Committee;

18 (1)(A)(iv) Justice Court Standards Committee;

19 (1)(A)(v) Judicial Branch Education Committee;

20 (1)(A)(vi) Court Facility Planning Committee;

21 (1)(A)(vii) Committee on Children and Family Law;

22 (1)(A)(viii) Committee on Judicial Outreach;

23 (1)(A)(ix) Committee on Resources for Self-represented Parties;

24 (1)(A)(x) Language Access Committee;

25 (1)(A)(xi) Guardian ad Litem Oversight Committee;

26 (1)(A)(xii) Committee on Model Utah Civil Jury Instructions; and

27 (1)(A)(xiii) Committee on Model Utah Criminal Jury Instructions.

28 (1)(B) Composition.

29 (1)(B)(i) The Technology Committee shall consist of one judge from each
30 court of record, one justice court judge, one lawyer recommended by the
31 Board of Bar Commissioners, two court executives, two court clerks and two
32 staff members from the Administrative Office.

33 (1)(B)(ii) The Uniform Fine/Bail Schedule Committee shall consist of one
34 district court judge who has experience with a felony docket, three district
35 court judges who have experience with a misdemeanor docket, one juvenile
36 court judge and three justice court judges.

37 (1)(B)(iii) The Ethics Advisory Committee shall consist of one judge from
38 the Court of Appeals, one district court judge from Judicial Districts 2, 3, or 4,
39 one district court judge from Judicial Districts 1, 5, 6, 7, or 8, one juvenile court
40 judge, one justice court judge, and an attorney from either the Bar or a college
41 of law.

42 (1)(B)(iv) The Justice Court Standards Committee shall consist of one
43 municipal justice court judge from a rural area, one municipal justice court
44 judge from an urban area, one county justice court judge from a rural area,
45 and one county justice court judge from an urban area, all appointed by the
46 Board of Justice Court Judges; one mayor from either Utah, Davis, Weber or
47 Salt Lake Counties, and one mayor from the remaining counties, both
48 appointed by the Utah League of Cities and Towns; one county commissioner
49 from either Utah, Davis, Weber or Salt Lake Counties, and one county
50 commissioner from the remaining counties, both appointed by the Utah
51 Association of Counties; a member of the Bar from Utah, Davis, Weber or Salt
52 Lake Counties, and a member of the Bar from the remaining counties, both
53 appointed by the Bar Commission; and a judge of a court of record appointed

54 by the Presiding Officer of the Council. All Committee members shall be
55 appointed for four year staggered terms.

56 (1)(B)(v) The Judicial Branch Education Committee shall consist of one
57 judge from an appellate court, one district court judge from Judicial Districts 2,
58 3, or 4, one district court judge from Judicial Districts 1, 5, 6, 7, or 8, one
59 juvenile court judge, the education liaison of the Board of Justice Court
60 Judges, one state level administrator, the Human Resource Management
61 Director, one court executive, one juvenile court probation representative, two
62 court clerks from different levels of court and different judicial districts, one
63 data processing manager, and one adult educator from higher education. The
64 Human Resource Management Director and the adult educator shall serve as
65 non-voting members. The state level administrator and the Human Resource
66 Management Director shall serve as permanent Committee members.

67 (1)(B)(vi) The Court Facility Planning Committee shall consist of one judge
68 from each level of trial court, one appellate court judge, the state court
69 administrator, a trial court executive, and two business people with experience
70 in the construction or financing of facilities.

71 (1)(B)(vii) The Committee on Children and Family Law shall consist of one
72 Senator appointed by the President of the Senate, one Representative
73 appointed by the Speaker of the House, the Director of the Department of
74 Human Services or designee, one attorney of the Executive Committee of the
75 Family Law Section of the Utah State Bar, one attorney with experience in
76 abuse, neglect and dependency cases, one attorney with experience
77 representing parents in abuse, neglect and dependency cases, one
78 representative of a child advocacy organization, one mediator, one
79 professional in the area of child development, one representative of the
80 community, the Director of the Office of Guardian ad Litem or designee, one

81 court commissioner, two district court judges, and two juvenile court judges.
82 One of the district court judges and one of the juvenile court judges shall
83 serve as co-chairs to the committee. In its discretion the committee may
84 appoint non-members to serve on its subcommittees.

85 (1)(B)(viii) The Committee on Judicial Outreach shall consist of one
86 appellate court judge, one district court judge, one juvenile court judge, one
87 justice court judge, one state level administrator, a state level judicial
88 education representative, one court executive, one Utah State Bar
89 representative, one communication representative, one law library
90 representative, one civic community representative, and one state education
91 representative. Chairs of the Judicial Outreach Committee's subcommittees
92 shall also serve as members of the committee.

93 (1)(B)(ix) The Committee on Resources for Self-represented Parties shall
94 consist of two district court judges, one juvenile court judge, one justice court
95 judge, three clerks of court – one from an appellate court, one from an urban
96 district and one from a rural district – one member of the Online Court
97 Assistance Committee, one representative from the Self-Help Center, one
98 representative from the Utah State Bar, two representatives from legal service
99 organizations that serve low-income clients, one private attorney experienced
100 in providing services to self-represented parties, two law school
101 representatives, the state law librarian, and two community representatives.

102 (1)(B)(x) The Language Access Committee shall consist of one district
103 court judge, one juvenile court judge, one justice court judge, one trial court
104 executive, one court clerk, one interpreter coordinator, one probation officer,
105 one prosecuting attorney, one defense attorney, two certified interpreters, one
106 approved interpreter, one expert in the field of linguistics, and one American
107 Sign Language representative.

108 (1)(B)(xi) The Guardian ad Litem Oversight Committee shall consist of
109 seven members with experience in the administration of law and public
110 services selected from public, private and non-profit organizations.

111 (1)(B)(xii) The Committee on Model Utah Civil Jury Instructions shall
112 consist of two district court judges, four lawyers who primarily represent
113 plaintiffs, four lawyers who primarily represent defendants, and one person
114 skilled in linguistics or communication.

115 (1)(B)(xiii) The Committee on Model Utah Criminal Jury Instructions shall
116 consist of two district court judges, one justice court judge, four prosecutors,
117 four defense counsel, and one person skilled in linguistics or communication.

118 (1)(C) The Judicial Council shall designate the chair of standing
119 committees. Standing committees shall meet as necessary to accomplish their
120 work but a minimum of once every six months. Standing committees shall
121 report to the Council as necessary but a minimum of once every six months.
122 Council members may not serve, participate or vote on standing committees.
123 Standing committees may invite participation by others as they deem
124 advisable, but only members designated by this rule may make motions and
125 vote. All members designated by this rule may make motions and vote unless
126 otherwise specified. Standing committees may form subcommittees as they
127 deem advisable.

128 (1)(D) Six months before the scheduled termination of a standing
129 committee, the Management Committee shall review the performance of the
130 committee and make recommendations to the Judicial Council regarding
131 reauthorization. Unless reauthorized by the Judicial Council, the committees
132 shall terminate on the date indicated and every six years thereafter.

133 (1)(D)(i) The Technology Committee shall terminate on June 30, 20016.

134 (1)(D)(ii) The Uniform Fine/Bail Schedule Committee shall terminate on
135 June 30, ~~2018~~06.

136 (1)(D)(iii) The Ethics Advisory Committee shall terminate on June 30,
137 ~~2019~~07.

138 (1)(D)(iv) The Justice Court Standards Committee shall terminate on June
139 30, ~~2014~~08.

140 (1)(D)(v) The Judicial Branch Education Committee shall terminate on June
141 30, ~~2020~~08.

142 (1)(D)(vi) The Court Facility Planning Committee shall terminate on June
143 30, ~~2015~~09.

144 (1)(D)(vii) The Committee on Children and Family Law shall terminate on
145 June 30, ~~2017~~09.

146 (1)(D)(viii) The Committee on Judicial Outreach shall terminate on June 30,
147 ~~2016~~09.

148 (1)(D)(ix) The Committee on Resources for Self-represented Parties shall
149 terminate on June 30, ~~2016~~09.

150 (1)(D)(x) The Language Access Committee shall terminate on June 30,
151 2017.

152 (1)(D)(xi) Notwithstanding subsection (1)(D), the Guardian ad Litem
153 Oversight Committee, recognized by Section 78A-6-901, shall not terminate.

154 (2) Ad hoc committees. The Council may form ad hoc committees or task
155 forces to consider topical issues outside the scope of the standing committees
156 and to recommend rules or resolutions concerning such issues. The Council
157 may set and extend a date for the termination of any ad hoc committee. The
158 Council may invite non-Council members to participate and vote on ad hoc
159 committees. Ad hoc committees shall keep the Council informed of their
160 activities. Ad hoc committees may form sub-committees as they deem

161 advisable. Ad hoc committees shall disband upon issuing a final report or
162 recommendations to the Council, upon expiration of the time set for
163 termination, or upon the order of the Council.

164 (3) General provisions.

165 (3)(A) Appointment process.

166 (3)(A)(i) Administrator's responsibilities. The state court administrator shall
167 select a member of the administrative staff to serve as the administrator for
168 committee appointments. Except as otherwise provided in this rule, the
169 administrator shall:

170 (3)(A)(i)(a) announce expected vacancies on standing committees two
171 months in advance and announce vacancies on ad hoc committees in a timely
172 manner;

173 (3)(A)(i)(b) for new appointments, obtain an indication of willingness to
174 serve from each prospective appointee and information regarding the
175 prospective appointee's present and past committee service;

176 (3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve
177 from the prospective reappointee, the length of the
178 prospective reappointee's service on the committee, the attendance record of
179 the prospective reappointee, the prospective reappointee's contributions to the
180 committee, and the prospective reappointee's other present and past
181 committee assignments; and

182 (3)(A)(i)(d) present a list of prospective appointees and reappointees to the
183 Council and report on recommendations received regarding the appointment
184 of members and chairs.

185 (3)(A)(ii) Council's responsibilities. The Council shall appoint the chair of
186 each committee. Whenever practical, appointments shall reflect geographical,
187 gender, cultural and ethnic diversity.

188 (3)(B) Terms. Except as otherwise provided in this rule, standing
189 committee members shall serve staggered three year terms.
190 Standing committee members shall not serve more than two consecutive
191 terms on a committee unless the Council determines that exceptional
192 circumstances exist which justify service of more than two consecutive terms.

193 (3)(C) Members of standing and ad hoc committees may receive
194 reimbursement for actual and necessary expenses incurred in the execution
195 of their duties as committee members.

196 (3)(D) The Administrative Office shall serve as secretariat to the Council's
197 committees.

TAB 4

Utah State Courts

Committee on Resources for Self-represented Parties



Strategic Plan
April 27, 2015

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.

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(5) Committee on Resources for Self-Represented Parties 10

(1) Executive Summary

The Committee on Resources for Self-represented Parties has been a standing committee of the Judicial Council since 2005. The committee completed two prior strategic plans in 2006 and 2011, and those plans have guided the direction of the committee to date. Just as in 2005, vast numbers of self-represented parties continue to patronize the Utah State Courts today.

In the current strategic plan, the committee recommends a) continued support including increased funding for the Self-Help Center; b) the development and implementation of a court navigator program; c) continued forms development; d) changes to the third year practice rule; e) improvement of lawyer directories and the development of a guided webpage for referral to legal services; f) increased availability of malpractice insurance for volunteer attorneys; g) support for the development of virtual legal services delivery; and h) increased education for those who interact with self-represented parties.

(2) Committee History

This committee was created to study and make policy recommendations to the Judicial Council concerning the needs of self-represented parties. Rule 3-115 of the Utah Code of Judicial Administration provides the charge for the committee and CJA Rule 1-205 (1)(B)(viii) sets the committee composition.

Rule 3-115 dictates that the committee shall provide leadership to identify the needs of self-represented parties, coordinate resources to meet those needs, assess available services, forms, and gaps in those forms; ensure court programs are integrated into the statewide planning for legal services; recommend measures for improving how the legal system serves self-represented parties, and develop an action plan for managing cases involving self-represented parties.

The committee began meeting in June 2005. Committee members first assessed self-represented parties' needs by use of a questionnaire. In 2006 those surveys were collected from 15 rural and urban district and justice courts. Self-represented parties, judges, clerk staff, and attorneys were surveyed.

The 2006 survey revealed that "self-represented parties require more time than represented parties, they expect court staff to provide advice they are not allowed to give, lack reasonable expectations about case outcomes, and fail to bring necessary witnesses and evidence to court and to understand procedural and evidentiary rules."

The 2006 Strategic Plan

Based on the results of the survey, the Committee presented a strategic plan to the Judicial Council in July 2006.¹ In that strategic plan, the Committee recommended the following goals for any programs developed to assist self-represented parties: ensure access to the legal system; increase education of court

¹ The 2006 strategic plain is available at <http://www.utcourts.gov/committees/ProSe/Strategic%20Plan%20Self%20Rep.pdf>

users, court personnel, and community organizations; clarify the court system so it is understandable by ordinary citizens; increase the efficiency and effectiveness of the court system by reducing the time required of judges to explain court procedures and, in turn, reduce the number of continuances; and increase understanding of court orders.

The overarching principle of the plan was that any services provided had to be equally available throughout Utah to all parties involved (defendants as well as plaintiffs); available regardless of income; and be designed to supplement and not to supplant legal representation.

The plan envisioned a web of services – some by the courts, some by community organizations, and some by lawyers. The 2006 plan gave specific recommendations including the creation of a self-help support center; development of materials and resources for clinics and workshops, and greater assistance from judicial support staff. The plan recommended 1) having the state law library educate and promote statewide access to legal information; 2) providing forms, instructions and information; 3) improving the court website, and 4) improving clerical and judicial training. The plan further recommended rule changes to allow clerical assistance with forms by a broader audience, support for unbundled legal services, and support for low- and no-fee representation.

The 2011 Strategic Plan

2011 saw the 2006 Strategic Plan updated with new recommendations and expanded prior recommendations.² The 2011 Strategic Plan recommended expanding the Self-Help Center service area to the entire state, continuing to develop forms, and preparing instructional videos. Additionally, the plan recommended developing improved working relationships with the Online Court Assistance Program (OCAP) committee and the Utah State Bar, and also the study of alternative processes for self-represented parties.

Accomplishments

Most of the recommendations from the two prior strategic plans have been completed.

- The Self-Help Center was created and is flourishing state wide.
- A forms subcommittee was created and they in turn have created (and created and created) many forms.
- Instructional videos have been created and posted on the courts' YouTube channel.
- The unauthorized practice of law rule, Special Practice Rule 14-802(c)(3), was changed to allow clerical assistance in completing a form when no fee is charged to do so.
- The Utah Courts website was redesigned to feature self-help resources.

² The 2011 strategic plan is available at <http://www.utcourts.gov/committees/ProSe/Strategic%20Plan%202011.pdf>

- The Utah State Courts Education Department now offers classes to court staff and judges on working with self-represented parties.
- And committee members, including John Baxter, Lowry Snow, Marsha Thomas, and others, have made presentations to judges on best practices in self-represented litigation.

(3) Self-Represented Parties in Utah

The following chart shows the percentages of self-represented parties in selected district court case types during fiscal year 2014.³

2014 Data

Case Type	Cases	Both Parties with Attorney	One Party with Attorney	No Party with Attorney	Self-Represented Petitioner	Self-Represented Respondent
Adoption	1,432	1%	75%	23%	23%	6%
Civil Stalking	973	8%	15%	77%	87%	83%
Conservatorship	153	1%	78%	21%	22%	3%
Contracts	2,853	20%	76%	4%	6%	77%
Custody and Support	1,314	11%	49%	40%	45%	84%
Debt Collection	66,717	1%	96%	2%	2%	98%
Divorce/Annulment	14,088	12%	29%	60%	64%	84%
Estate Personal Rep	2,077	0%	82%	18%	18%	0%
Eviction	7,770	3%	82%	16%	16%	97%
Guardianship	1,540	2%	32%	67%	68%	4%
Name Change	971	0%	17%	82%	82%	1%
Paternity	1,142	23%	43%	34%	40%	71%
Protective Orders	4,674	8%	20%	71%	84%	79%
Small Claim	5	20%	20%	60%	80%	60%
Temporary Separation	59	14%	25%	61%	61%	86%

By comparison, the following table was included in the 2006 Strategic Plan. The data is from 2005 and while it does not include the expansive amount of case types shown in the table above, in the cases types where there is overlap (such as divorce), the 2014 data reflects an overall increase in the number of cases where neither party is represented.

³ Provided by Kim Allard, Director of Court Services, in December 2014.

2005 Data

Case Type Cases	Percent w/2 Attorneys	Percent w/ 1 Attorney	Percent w/0 Attorneys	Percent Self-Represented Petitioners	Percent Self-Represented Respondents
Divorce 12,828	17%	36%	47%	49%	81%
Protective Orders 5,219	13%	33%	54%	59%	82%
Stalking 898	7%	17%	76%	84%	84%
Evictions 8,251	3%	79%	19%	19%	97%
Small Claims 15,692	0%	2%	98%	99%	99%
Debt Collections 56,733	2%	97%	1%	1%	97%
Guardianship 1,319	1%	41%	58%	59%	2%

(4) Proposed future priorities

(a) Continue support for the Self-Help Center.

The Self-Help Center serves thousands of self-represented parties each year. Due to the Judicial Council's commitment to continue its financial support of the Center, the Center, in turn, continues to increase the services it provides.

The committee supports additional funding for the Self-Help Center to allow expansion of the services they provide to self-represented parties, and also to increase educational efforts to judges, court staff, social services, government agency staff, and to self-represented parties.

(b) Develop and implement a court navigator program.

Building on successful models from other states, the Utah State Courts could design a program whereby AmeriCorps/JusticeCorps members and/or court clerks could provide procedural and navigational assistance to self-represented court patrons.

The committee recommends investigating how other states have developed these programs, and if feasible, supports implementation of a pilot program.

(c) Continue to develop forms.

A forms subcommittee meets regularly to review forms and forms-related issues, and also create new forms and informational web pages. Proposed forms are forwarded to appropriate judicial leadership for review, and once finalized, are posted on the Utah courts' website and used extensively.

The committee recommends continuing the forms subcommittee and process.

(d) Analyze and improve the third year practice rule.

The purpose of the 'third year practice rule' (Rule 14-807 of the Utah Code of Judicial Administration) is "to provide eligible law school students and recent law school graduates with supervised practical training in the practice of law for a limited period of time and to assist the Bar and the judiciary to discharge their responsibilities to help create a legal system which helps provide access to those individuals of limited means."

The committee recommends analyzing and suggesting changes to the third year practice rule in order to increase valuable skills-building opportunities for law students and also increase access to legal services for individuals of limited means.

(e) Encourage improvement of lawyer directories, webpage triage efforts, and referral sources.

The Utah State Bar provides directories for lawyer referral services and it is also in the process of creating a guided referral webpage to direct consumers and social service providers to the appropriate legal resources.

The committee recognizes the importance of these directories, guiding webpages and referral sources for self-represented parties. The committee

recommends supporting these efforts and increasing collaboration between the providers and users of these directories and webpages so that the end result is comprehensive and beneficial to all users.

(f) Support increasing availability of malpractice insurance for volunteer attorneys in all capacities.

The Utah State Bar and some legal service providers currently provide malpractice insurance for volunteer attorneys, but generally the attorneys must take on a full case to be covered. So there is still a gap in coverage for volunteer attorneys that provide legal services other than those requiring an appearance to be entered, such as simple legal advice and document preparation.

The committee recommends that this area be studied and that recommendations be made to close this gap and enable more attorneys, including non-traditional attorneys, to volunteer.

(g) Support the development and implementation of virtual services in rural areas.

The delivery of legal services to rural communities is often the first thing to be impacted when non-profit legal service organizations' funds are cut. But new technology is now changing how and in what circumstances legal services can be provided to these communities. Virtual services, such as remote document preparation, offer new hope for self-represented litigants who are isolated by geography and a lack of meaningful access to legal services.

The committee supports the increased use of technology to provide virtual legal services delivery to self-represented parties, especially to those in rural communities. Both Utah Legal Services and Timpanogos Legal Clinic are currently working on rural virtual service delivery projects and the committee supports their efforts and those like them.

(h) Suggest opportunities for educating those who interact with self-represented parties.

The responsibility for educating those who interact with self-represented parties is shared among many organizations.

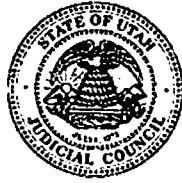
The committee recognizes and promotes the importance of efficiently announcing new resources for self-represented litigants to those stakeholders who educate judges, court staff, law school personnel, and social service providers.

(5) Committee on Resources for Self-Represented Parties

Judge Marsha C. Thomas	Chair, City of Taylorsville Municipal Justice Court
Nancy Sylvester	Staff Attorney, Administrative Office of the Courts
Leti Bentley	Director, Moab Valley Multicultural Center
Mary Jane Ciccarello	Director, Self-Help Center
Sue Crismon	Attorney, Utah Legal Services
Lisa Collins	Clerk of Court, Utah Court of Appeals
Judge Michael DiReda	Second District Court
Judge Ryan Evershed	Eighth District Juvenile Court
Carol Frank	Judicial Case Manager, Sixth District Court
Susan Griffith	Executive Director, Timpanogos Legal Center
	Adjunct Professor, BYU J. Reuben Clark Law School
Carl Hernandez	Associate Professor, BYU J. Reuben Clark Law School
Jaclyn Howell-Powers	Career Counselor
	University of Utah S. J. Quinney College of Law
Chris Martinez	Attorney, Legal Aid Society of Salt Lake City
Eric Mittelstadt	Deputy Director, Utah Legal Services
Barbara Procarione	Judicial Team Manager, Seventh District Court
Virginia Sudbury	Attorney, Law Office of Virginia Sudbury
Judge Doug Thomas	Seventh District Court
Vacant	Utah State Bar Representative
Jessica Van Buren	Director, Utah State Law Library

TAB 5

**Model Civil Jury Instructions
Committee Appointments**



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: Nancy Sylvester
Date: April 14, 2015
Re: Nominees for the Civil Jury Instructions Committee

L. Rich Humpherys and Phillip Ferguson have sat on the Civil Jury Instructions Committee since its inception and have both devoted thousands of hours to its efforts. Last month, they separately announced their retirements from the committee, leaving two vacancies to fill. One vacancy is for an attorney who primarily represents plaintiffs, and another is for an attorney who primarily represents defendants.

An email announcing the vacancies was sent out through the Bar's listserv on March 19th, and 5 attorneys applied for the "defendant" position, while 3 attorneys applied for the "plaintiff" position. On April 14, 2015, the Management Committee unanimously approved the appointment of Joel Ferre to the "defendant" position and Patricia Kuendig to the "plaintiff" position. Their letters of interest and resumes are attached and synopses of their qualifications are below.

Joel Ferre

- Utah Attorney General's Office, Litigation Division, Deputy Director (15 years with A.G.)
- Clients—state agencies, public universities, public school districts, and charter schools
- Practice includes (included) tort and commercial claims: slip-and-fall, auto accident, wrongful death, defamation, Medicaid contracts, civil rights, employment, etc.

Patricia Kuendig

- Small firm
- Family law, personal injury practice
- Former director, Young Lawyers Division
- Rising Star award in Florida—6 years
- Park City practice

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.

April 8, 2015

Nancy Sylvester
Utah Judicial Council
nancyjs@utcourts.gov

Re: Application for Attorney Position (Defense) on Utah Judicial Council
Standing Committee on Model Utah Civil Jury Instructions

Dear Ms. Sylvester and Judicial Council:

Please accept the enclosed resume in application for the attorney position on the Standing Committee on Model Utah Civil Jury Instructions. I currently work for the Utah Attorney General's Office and primarily represent civil defendants. My clients include State agencies, public universities, public school districts, and charter schools. Right now, most of my practice is tort defense and all is litigation. I have had the opportunity to try many cases to judges and juries throughout Utah in both State and Federal court.

I have been with the Utah Attorney General's Office since August of 2000. I joined the Litigation Division in August 2005. About a year ago, I was appointed Deputy Director of the Litigation Division. In addition keeping a full caseload, I help administer the Division. This includes policy development, staff supervision, and financial oversight.

Thank you for your consideration.

Sincerely,

/s/ Joel A. Ferre

JOEL A. FERRE

Home: 620 East 700 North, Kaysville, UT 84037 • jferrelaw@gmail.com • 801-541-1665
Business: 160 East 300 South, Salt Lake City, UT 84114 • jferre@utah.gov • 801-366-0534

EXPERIENCE

Office of the Utah Attorney General, Litigation Division, Salt Lake City, UT

Assistant Attorney General, August 2005-Present

Deputy Director, Litigation Division, June 2014-Present

Torts Section Chief, October 2012-June 2014

Civil trial practice in state and federal courts focusing on tort and commercial claims. Tried slip-and-fall, automobile accident, wrongful death, defamation, and Medicaid contract cases to juries and judges as first and second chair. Resolve cases through mediation and negotiation. Handle all aspects of civil discovery, including written discovery and depositions. Manage activities of Litigation Division.

Office of the Utah Attorney General, State Agency Counsel Division, Salt Lake City, UT

Assistant Attorney General, August 2000-August 2005

Represented Utah's interest in national tobacco settlement. Enforced compliance with tobacco settlement and state laws. Represented Divisions of Purchasing, Fleet Operations, and Finance. Tried employment cases to administrative courts. Argued civil rights and employment cases to United States District Court for the District of Utah, the Utah Court of Appeals and the United States Court of Appeals for the Tenth Circuit.

Alpine School District, American Fork, UT

Risk Management/ADA Coordinator, January 1998-August 2000

Administered and represented District in worker's compensation cases. Managed civil litigation. Oversaw compliance with Americans with Disabilities Act. Represented District in administrative hearings. Advised on civil rights legal compliance.

Law Offices of Barbara Maw

Associate, October 1996-January 1998

Drafted motions, performed legal research and written discovery, answered complaints, and reviewed and summarized medical records in tort cases. Tried small claims court cases.

EDUCATION

University of Utah, S.J. Quinney College of Law, Salt Lake City, UT

Juris Doctor, June 1996

Weber State University, Ogden, UT

Bachelor of Arts, Political Science, June 1993, Cum Laude

PROFESSIONAL AFFILIATIONS & COURT ADMISSIONS

Member, Utah State Bar, No. 7517 (Member, Character & Fitness Committee)

Licensed to practice before state courts in Utah, the Federal District Court for the District of Utah, and the United States Court of Appeals for the Tenth Circuit

CIVIC INVOLVEMENT & INTERESTS

Nationally licensed youth soccer coach and referee; Scout Leader, Boy Scouts of America

DODD & KUENDIG

Roger J. Dodd*
Rebecca Ross, Esq.

Patricia C. Kuendig, Esq.*
*Admitted in Utah, Georgia and
Florida.

April 6, 2015

Utah Judicial Council
c/o Ms. Nancy Sylvester
Administrative Office of the Courts
nancyjs@utcourts.gov
Sent via email ONLY

Re: Standing Committee on Model Utah Civil Jury Instructions

Dear Ms. Sylvester,

I am writing to express my interest in the position on the above-referenced committee designated for an attorney who primarily represents plaintiffs. Attached is a copy of my resume. If you have any questions or require further information, please don't hesitate to contact me.

Regards,


Patricia Kuendig

Enclosure

750 Kearns Blvd Suite 150, Park City, Utah 84068-4089
P.O. Box 684079 Park City, UT 84068-4089
(435) 200-4961 Telephone (904) 212-0563 Facsimile
patricia@kuendiglaw.com, doddlaw@doddlaw.com, rebecca@kuendiglaw.com

PATRICIA C KUENDIG

750 KEARNS BLVD., SUITE 150
PARK CITY, UTAH 84068-4079
PATRICIA@KUENDIGLAW.COM, (435) 200-4961

JURISDICTIONS:

FLORIDA, 2005

UTAH, 2012

GEORGIA, 2013

U.S. DISTRICT COURT, UTAH, 2012

U.S. DISTRICT COURT, MIDDLE DISTRICT OF GEORGIA, 2012

EDUCATION:

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, WASHINGTON, DC
J.D., August 2004

LEONARD N. STERN SCHOOL OF BUSINESS, NEW YORK UNIVERSITY, NEW YORK, NY

Bachelor of Science; May 2001

Majors: International Business and Marketing

RELEVANT EXPERIENCE:

- January 14– Present **DODD & KUENDIG, PARK CITY, UTAH**
Owner/Partner (2 – 5 Lawyer Firm)
40% Civil Litigation & P.I. (plaintiff); 40% Family Law Practice;
10% Criminal Defense & Miscellaneous
- March 11 – Jan. 14 **KUENDIG LAW OFFICES, PLLC, ST. AUGUSTINE, FL (2011 – 2014) &**
PARK CITY, UT (2012 – 2014)
Solo Practitioner
40% Civil Litigation & P.I. (plaintiff); 40% Family Law Practice;
10% Criminal Defense & Miscellaneous
- June 05 – March 11 **LAW OFFICES OF BRENDA B. SHAPIRO D/B/A THE SHAPIRO KUENDIG**
LAW GROUP, MIAMI, FL
Partner (2010 – 2011), Associate (2005 – 2010)
100% Family Law Practice
- Sep. 02 – Dec. 02 **U.S. DEPT. OF JUSTICE, CIVIL DIVISION, TORTS BRANCH,**
WASHINGTON DC
Federal Tort Claims Act Litigation, Legal Intern
- May 02 – Aug. 02 **JUDGE SOLOMON OLIVER, U.S. DISTRICT COURT, N.D. OHIO,**
CLEVELAND, OH
Judicial Extern

ORGANIZATIONS/COMMUNITY INVOLVEMENT:

UTAH BAR, YOUNG LAWYERS DIVISION
Director, 2012 – 2014

UTAH FAMILY LAW JOURNAL
Co-Editor, 2014 - 2015
Editorial Board, 2012 – 2014

UTAH ASSOCIATION FOR CRIMINAL DEFENSE LAWYERS, TRIAL ACADEMY
Faculty, 2014

NATIONAL FAMILY LAW TRIAL INSTITUTE (HOUSTON)
Faculty, 2013 - 2015

FLORIDA BAR, FAMILY LAW RULES & FORMS COMMITTEE
Member, 2010 - 2012
Liaison, Florida Bar Rules of Civil Procedure Subcommittee on E-Discovery: 2010 - 2011

FLORIDA ASSOCIATION FOR WOMEN LAWYERS, MIAMI-DADE CHAPTER
Director: 2008 – 2010

AWARDS/RECOGNITION:

RISING STAR, FLORIDA SUPER LAWYERS: 2009, 2010, 2011, 2012, 2013 & 2014
PRESIDENT'S AWARD (& DIRECTOR), MIAMI-DADE CHAPTER, FLORIDA ASSOCIATION FOR WOMEN LAWYERS: 2008 – 2009 & 2009 – 2010 (awarded for outstanding contribution to the organization)

LECTURES:

"TRIAL TACTICS," SKI & CLE,
State Bar of Georgia – Steamboat Springs, CO, January, 2015.

"PERSUASION IN FAMILY LAW TRIALS AND BEYOND,"
Oklahoma State Bar – Tulsa, OK & Oklahoma City, OK, December, 2014.

"EFFECTIVE EXAMINATIONS – DIRECT & CROSS," TRIAL ACADEMY,
U.A.C.D.L. – Salt Lake City, UT, October, 2014.

"FIRST IMPRESSIONS & VOIR DIRE," TRIAL SKILLS FROM THE WOMAN'S PERSPECTIVE,
360 Advocacy – New Orleans, LA, September, 2014.

"CROSS-EXAMINATION," NEW LAWYER SEMINAR,
Utah State Bar/U.A.C.D.L. – Salt Lake City, UT, June, 2014.

**Model Criminal Jury
Instructions Committee
Appointments**



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: Alison Adams-Perlac *Alison Adams-Perlac*
Date: April 20, 2015
Re: Model Criminal Jury Instructions Committee Appointments

Defense Attorneys

It is recommended that David Perry and Nathan Phelps be appointed to serve on the Model Criminal Jury Instructions Committee. There are two defense attorney position vacancies, and Mr. Perry and Mr. Phelps applied to fill these positions. I have attached their letters of intent and resumes. Both attorneys are experience defense attorneys and are well-qualified to serve on the committee. The Management Committee recently voted to recommend them both to serve on the committee.

Prosecutor

It is recommended that Steve Nelson be appointed to serve on the committee. There is one prosecutor position vacancy, and Matthew Lloyd, Matthew Hansen, and Mr. Nelson applied to fill it. I have attached their letters of intent and resumes. Although each applicant is well-qualified, based on his experience, it is recommended that Mr. Nelson serve on the committee. The Management Committee recently voted to recommend him to serve on the committee.

Professor

It is recommended that Professor Carissa Byrne Hessick be appointed to serve on the committee. Professor Hessick would fill the vacancy created by Professor Jensie Anderson's departure. Professor Hessick has expressed a willingness to serve and her

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.

450 South State Street / P.O. Box 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3821 / Fax: 801-578-3843 / email: alisonap@utcourts.gov

Model Criminal Jury Instructions Committee Appointments
April 20, 2015
Page 2

resume is attached. The Management Committee recently voted to recommend Professor Hessick to serve on the committee.

March 6, 2015

**Alison Adams-Perlac J.D.
Administrative Office of the Courts
450 South Main Street
P.O. Box 140241
Salt Lake City, Utah 84114-0241**

Dear Ms. Adams-Perlac,

I write to express my interest in being appointed to and serving on the Standing Committee for the Model Utah Criminal Jury Instructions.

I am a criminal defense attorney and have served Cache County as a public defender for the past 24 years where I have handled cases ranging from murders to simple misdemeanors. I have defended numerous individuals and participated in many jury trials.

I have often wondered why there weren't Model Instructions for Criminal jury trials, when there was a set for civil trials. I am excited that we are in the process of getting model instructions for criminal trials and if selected to serve on the committee would actively participate and draw on my experience to make sure the instructions would be fair to both sides.

I never thought it was completely fair the State would get to prepare the initial instructions and I have fought through the years to make sure the final version read to the jury was written as to not prejudice the rights of my client in any way.

My resume is enclosed with this letter. I would be happy to speak with you about any questions or concerns. Thank you for you time.

Best Regards,

David M. Perry

David M. Perry

14 West 100 North, Logan, Utah 84321

Office: (435) 753.5933

Mobile: (435) 512-3954

pmplawdave@gmail.com

daveperrylaw.com

Experience

Perry, Malmberg & Perry

Logan, Utah

Partner, 1991 to present

- Law practice specializing in criminal litigation and estate planning. Lead contract attorney with Cache County providing legal representation to indigent defendants since 1991. Experienced defense in cases from infractions to felonies in juvenile, justice and district courts. Appeared at arraignments, preliminary hearings, motion hearings, trials, sentencing and successfully appealed many cases to the Utah Supreme Court. Over 20 years of experience counseling clients on wealth transfers and succession planning, as well as charitable giving, probate, trust administration, and related tax issues.
- Attorney for the Benson City culinary water improvement district.
- Contract attorney for Hyde Park, North Logan, Nibley and Hyrum.
- Contract attorney for Logan City from 1991-1994.
- Parental defense attorney in cases brought by the Attorney General's Office regarding abuse and neglect and termination of parental rights.
- Represent individuals the State seeks to involuntarily commit to the State Hospital.
- Instrumental in creating the First District Drug Court Program, which is designed to rehabilitate individuals addicted to drugs through positive reinforcement. On the Board of Directors since 2001.
- Reported decisions: *State v. Poole*, 2010 UT 25 (Utah Supreme Court established doctrine of first impression by recognizing the law of forfeiture by wrong-doing in Utah. Defendant was allowed to withdraw his plea); *State v. Ferretti*, 2011 UT App 321 (Utah Court of Appeals held the district court judge violated defendant's constitutional due process rights).

Utah State University, College of Business

Logan, Utah

Adjunct Professor, 2005

- Taught Business Law to remote locations throughout Utah via satellite.
- Taught on-line Business Law to students in China.
- Guest Lecturer in Health Class regarding the legal consequence of using alcohol and drugs from 2002 to present.

Mitton & Burningham

Salt Lake City, Utah

Associate, 1988-1991

- Prepared Estate Planning documents, set up corporations and partnerships, and implemented strategies for Asset protection.
- Researched the laws regarding fraudulent transfers in all fifty states.

Professional Seminars of America

Murray, Utah

President, 1988-1991

- A National Seminar Company promoting and presenting seminars on Asset Protection in the United States.

- Copyrighted and filed trademarks regarding the books and materials presented.

Spensley, Horn, Jubas and Lubitz Los Angeles, California
Law Clerk, 1987

- Assisted senior attorneys in corporate, patent and trademark law.
- Prepared memoranda with recommendations to multi-millionaire clients regarding offshore investments.

United States Senate Washington, D.C.
Intern, 1985

- Assisted Senator Jake Garn in matters dealing with the Senate Finance and Banking Committee.

Education

Brigham Young University, J. Reuben Clark School of Law Provo, Utah
J.D., 1988

Activities: Organized the First Chapter of the Federalist Society at B.Y.U.

Employment: Computer Consultant, assisted faculty and students in the school's word processing and legal research computer system.

Utah State University Logan, Utah

B.A. in Accounting, Minors Business Administration and Korean, 1984

Honors: Honors at Entrance Scholarship, Beta Alpha Psi honor accounting fraternity secretary, National Honor Society.

Activities: Vice-President, LDSSA Institute Committee. Manager of USU bookstore.

Affiliations and Service

- Admitted to Utah State Bar and U.S. District Court for the District of Utah Bar No. 5410
 - President Cache County Bar Association, 2005
 - Member of Utah Association of Criminal Defense Attorneys
 - Member of National Association of Criminal Defense Attorneys
 - Board of Directors of the Childrens' Justice Center
 - Board of Directors of the Planned Giving Program at Utah State University
 - Member of Estate Planning Council of Northern Utah
 - Logan Lions International, 1991-1997; served as Vice-President and President
 - State Delegate and Precinct Chair
 - Lifetime Member of Sons of the Utah Pioneers; served as President, President-elect, and Secretary
 - Jr. Grizz Basketball coach, 2006 – present
 - Missionary, LDS Church, Korea, 1979-81
 - Bishop of a YSA Singles Ward, 2003-06
-

Nathan K. Phelps
LAW OFFICE OF NATHAN PHELPS
11775 Shadow View Lane
Draper, Utah 84020
Telephone (801) 999-0399
Facsimile (801) 206-3949
nate.phelps@gmail.com

Alison Adams-Perlac
Staff Attorney
ADMINISTRATIVE OFFICE OF THE COURTS
450 South State Street
P.O. Box 140241
Salt Lake City, Utah 84114-0241

March 9, 2015

Dear Ms. Adams-Perlac,

I am writing to express my interest in becoming a criminal-defense attorney member of the Standing Committee on the Model Utah Criminal Jury Instructions.

As an attorney whose focus is on criminal appellate work, I understand the importance of jury instructions that are both legally accurate and reasonably understandable to the citizens who serve on our juries. Formulating jury instructions that meet both requirements is a complex and under-appreciated task. As an attorney who has litigated these issues from the defense perspective, I believe that I would bring an important perspective to the table.

Thank you for your consideration.

Respectfully,

Nathan K. Phelps

Nathan K. Phelps

11775 Shadow View Lane • Draper, Utah 84020
801.999.0399 • nate.phelps@gmail.com

EDUCATION & BAR ADMISSIONS

Brigham Young University, Provo, Utah

J.D., *Cum Laude*, April 2010

Associate and Senior Editor, *BYU Law Review*

University of Utah, Salt Lake City, Utah

B.A. in Political Science; B.A. in Middle-East Studies, May 2007

Utah Bar: October 2013

Texas Bar: November 2010 (inactive)

EXPERIENCE

Solo Practice, Sandy, Utah & Austin, Texas

Attorney, September 2010–December 2013, July 2014–present

- Drafting appellate briefs, motions, and memoranda for criminal and civil matters in federal and state courts.
- Appeals included challenges to the verdicts in both civil and criminal cases, state post-conviction claims, and federal post-convictions claims.
- Research and brief complicated legal matters in cases medical malpractice, bankruptcy, domestic relations, and more.
- Handled various civil and criminal matters.

Utah Administrative Office of the Courts, Salt Lake City, Utah

Law Clerk, January 2014–July 2014

- Supported Utah Courts' general counsel and staff attorneys in carrying out business of Utah's state courts.
- Researched and drafted memoranda, reports, and litigation materials.

Utah Attorney General's Office, Criminal Appeals Division, Salt Lake City, Utah

Law Clerk, January 2009–April 2010

- Drafted appeals briefs for felony and misdemeanor appeals in the Utah court system, as well as post-conviction claims.

U.S. District Court, Judge David Sam, Salt Lake City, Utah

Extern, September 2008–November 2008

Department of Justice, Obscenity Prosecution Task Force, Washington, D.C.

Extern, July 2008–August 2008

Securities & Exchange Comm., Enforcement Division, Salt Lake City, Utah

Extern, May 2008–June 2008

CARISSA BYRNE HESSICK

S.J. Quinney College of Law, University of Utah
332 South 1400 East • Salt Lake City, UT 84112
801-587-8756 • carissa.hessick@law.utah.edu

ACADEMIC APPOINTMENTS

University of Utah, S.J. Quinney College of Law

Professor of Law, 2013-present

Courses: Criminal Law, Federal Criminal Law, Legal Professional (Ethics)

Arizona State University, Sandra Day O'Connor College of Law

Professor of Law (with tenure), 2011-2013

Associate Professor, 2007-2011

Courses: Criminal Law, Criminal Procedure, Federal Crimes, Criminal Sentencing Seminar
& Workshop

2009 Outstanding Teacher Award (chosen by a vote of graduating students)

2010-13 Director, Visiting Assistant Professor Program

Harvard Law School

Climenko Fellow and Lecturer on Law, 2005-2007

Courses: Sentencing Law and Policy Seminar, Legal Research and Writing

EDUCATION

Yale Law School, J.D. 2002

Yale Law Journal, Editor

Potter Stewart Prize, Morris Tyler Moot Court of Appeals (best written and oral argument)

Prosecution Externship, New Haven State's Attorney Office

Columbia University, B.A. in Linguistics 1999

National Champion, American Parliamentary Debate Association

Vice President, Columbia University Parliamentary Debate Team

John Jay Scholar

MAJOR PUBLISHED ARTICLES

Procedural Rights at Sentencing, 90 NOTRE DAME L. REV. (forthcoming 2014) (with F.A. Hessick).

The Limits of Child Pornography, 98 IND. L.J. 1437 (2014).

Essay, *The Non-Redelegation Doctrine*, 55 WM. & MARY L. REV. 163 (2013) (with F.A. Hessick).

Double Jeopardy as a Limit on Punishment, 97 CORNELL L. REV. 45 (2011) (with F.A. Hessick).

Recognizing Constitutional Rights at Sentencing, 99 CAL. L. REV. 47 (2011) (with F.A. Hessick).

Disentangling Child Pornography from Child Sex Abuse, 88 WASH. U. L. REV. 853 (2011).

Ineffective Assistance at Sentencing, 50 B.C. L. REV. 1069 (2009).

Why Are Only Bad Acts Good Sentencing Factors?, 88 B.U. L. REV. 1109 (2008).

Appellate Review of Sentencing Decisions, 60 ALA. L. REV. 1 (2008) (with F.A. Hessick).

Violence Between Lovers, Strangers, and Friends, 85 WASH. U. L. REV. 343 (2007).

Motive's Role in Criminal Punishment, 80 S. CAL. L. REV. 89 (2006).

BOOKS

REFINING CHILD PORNOGRAPHY LAW: CRIME, LANGUAGE, AND SOCIAL CONSEQUENCES
(edited volume, under contract with University of Michigan Press)

STRANGE NEIGHBORS: THE ROLE OF STATES IN IMMIGRATION POLICY (NYU Press 2014) (co-edited with G.J. Chin)

WORKS IN PROGRESS

Towards a Theory of Mitigation

Discretion's Double Standard

ADDITIONAL PUBLICATIONS

A Critical View of the Sentencing Commission's Recent Recommendations to "Strengthen the Guidelines System," 51 HOUSTON L. REV. 1335 (2014) (invited symposium).

Juveniles, Sex Offenses, and the Scope of Substantive Law, 46 TEXAS TECH L. REV. 5 (2013) (with J.M. Stinson) (invited symposium).

Proving Prejudice for Ineffective Assistance Claims After Frye, 25 FED. SENT. REP. 147 (2012) (invited symposium) (peer reviewed).

Arizona Senate Bill 1070: Politics Through Immigration Law, in ARIZONA FIRESTORM: GLOBAL IMMIGRATION REALITIES, NATIONAL MEDIA, AND PROVINCIAL POLITICS (Rowman & Littlefield 2012) (with G.J. Chin and M.L. Miller).

Post-Booker Leniency in Child Pornography Sentencing, 24 FED. SENT. REP. 87 (2011) (invited symposium) (peer reviewed).

Arizona's S.B. 1070: Separating Fact From Fiction, 1 L.J. SOC. JUST. 43 (2011) (invited symposium).

Mandatory Minimums and Popular Punitiveness, 2011 CARDOZO L. REV. DE NOVO 23 (invited response essay to Eric Luna & Paul Cassell, *Mandatory Minimalism*, 32 CARDOZO L. REV. 1 (2010)).

A Legal Labyrinth: Issues Raised by Arizona Senate Bill 1070, 25 GEO. IMM. L.J. 47 (2010) (with G.J. Chin, T.M. Massaro, and M.L. Miller).

Race and Gender as Explicit Sentencing Factors, 14 J. GENDER RACE & JUST. 127 (2010) (invited symposium).

Federal Sentencing Changes Since the "Change" Election, 23 FED. SENT. REP. 143 (2010) (with F.A. Hessick) (invited symposium) (peer reviewed).

Five Years of Appellate Problems After Booker, 22 FED. SENT. REP. 85 (2009) (with F.A. Hessick) (peer reviewed).

Appellate Review of Sentencing Policy Decisions After Kimbrough, 93 MARQ. L. REV. 717 (2009) (invited symposium).

Is an Act Reasonableness Inquiry Necessary?, in CRIMINAL LAW CONVERSATIONS (Oxford University Press 2009) (commenting on Cynthia Lee, *Reasonable Provocation and Self-Defense: Recognizing the Distinction between Act Reasonableness and Emotion Reasonableness*).

An Interdisciplinary Introduction to Punishment, 11 NEW CRIM. L. REV. 498 (2008) (reviewing JOSE FALCON Y TELLA & FERNANDO FALCON Y TELLA, PUNISHMENT AND CULTURE: A RIGHT TO PUNISH? (Peter Muckley trans., Martinus Nijhoff 2006)).

Rita, Claiborne, and the Courts of Appeals' Attachment to the Sentencing Guidelines, 19 FED. SENT. REP. 171 (2007) (with F.A. Hessick) (peer reviewed).

Prioritizing Policy Before Practice After Booker, 18 FED. SENT. REP. 167 (2006) (peer reviewed).

JUDICIAL CLERKSHIPS

Hon. A. Raymond Randolph,
U.S. Court of Appeals for the D.C. Circuit 2004-2005

Hon. Barbara S. Jones,
U.S. District Court for the Southern District of New York 2003-2004

OTHER WORK EXPERIENCE

Wachtell, Lipton, Rosen & Katz New York, NY
Litigation Associate 2002-2003

Professor Steven Duke Yale Law School
Research Assistant 2001-2002

Professor Anita Allen-Castellitto University of Pennsylvania Law School
Research Assistant Spring 2000

PRESENTATIONS AND SPEAKING ENGAGEMENTS

Panelist, Roundtable discussion on Mercy, Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL (August 4, 2014)

Presenter, "Towards a Theory of Mitigation," CrimFest, Rutgers School of Law, Rutgers, NJ (July 21, 2014)

Speaker, "Procedural Rights at Sentencing," Faculty Workshop, UNC School of Law, Chapel Hill, NC (March 20, 2014)

Presenter, "Procedural Rights at Sentencing," Criminal Justice Colloquium Roundtable, SMU Dedman School of Law, Dallas, TX (January 23, 2014)

Featured Speaker, Federal Sentencing at a Crossroads, University of Houston Law Center, Houston, TX (November 15, 2013)

Speaker, "Enforcing Procedural Rights at Sentencing," Law and Society Association, Boston, MA (May 30, 2013)

Speaker, "Substantive Law and the Case Against Treating Juveniles Like Adults," Juveniles and the Criminal Law Symposium, Texas Tech School of Law, Lubbock, TX (April 5, 2013)

Speaker, "Procedural Rights at Sentencing," Faculty Workshop, Washington University School of Law, St. Louis, MO (March 19, 2013)

Speaker, "Setting New Professional Standards in Non-Capital Cases," Just/Justice: Valuing Fairness and Efficiency in the Criminal Justice System Symposium, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (March 1, 2013)

Presenter, "The Limits of Child Pornography," Southwest Criminal Law Workshop, University of Nevada Las Vegas, William S. Boyd School of Law, Las Vegas, NV (September 7, 2012)

Speaker, "Child Pornography 2.0," Law and Society Association, Honolulu, HI (June 6, 2012)

Speaker, "Double Jeopardy as a Limit on Punishment," Faculty Workshop, University of Texas School of Law, Austin, TX (October 20, 2011)

Presenter, "Incorporating Sentencing," Southwest Criminal Law Workshop, University of California, Irvine School of Law, Irvine, CA (September 17, 2011)

Speaker, "Double Jeopardy as a Limit on Punishment," Faculty Workshop, University of Iowa College of Law, Iowa City, IA (September 16, 2011)

Speaker, "Double Jeopardy as a Limit on Punishment," Faculty Workshop, Emory University School of Law, Atlanta, GA (September 7, 2011)

Speaker, "Recognizing Constitutional Rights at Sentencing," Faculty Workshop, Chapman University School of Law, Orange, CA (April 18, 2011)

Presenter, "Child Pornography 2.0," Southwest Junior Law Professors Workshop, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (March 14, 2011)

Speaker, "Recognizing Constitutional Rights at Sentencing," Faculty Workshop, Willamette University College of Law, Salem, OR (February 7, 2011)

Moderator, "Immigration and the Role of States," 13th Annual Federalist Society Faculty Conference, San Francisco, CA (January 7, 2011)

Presenter, "Double Jeopardy as a Limit on Punishment," Prawfsfest Faculty Workshop, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (December 6, 2010)

Speaker, "Double Jeopardy as a Limit on Punishment," Faculty Workshop, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (October 25, 2010)

Speaker, "Arizona Senate Bill 1070: An Overview," The Role of the States in Immigration Policy and Enforcement, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (October 8, 2010)

Presenter, "Double Jeopardy as a Limit on Punishment," Rocky Mountain Junior Scholars Forum, University of Utah S.J. Quinney College of Law, Salt Lake City, UT (September 24, 2010)

Speaker, "Recognizing Constitutional Rights at Sentencing," Faculty Workshop, Florida State College of Law, Tallahassee, FL (September 7, 2010)

Presenter, "Arizona Senate Bill 1070: A Preliminary Report," Southwest Criminal Law Conference, Denver University School of Law, Denver, CO (August 28, 2010)

Panelist, "Beyond the Job Talk: Maneuvering Presentation Formats," Southeastern Association of Law Schools Annual Meeting, Palm Beach, FL (July 31, 2010)

Panelist, "White Collar Sentencing," Federal Bar Council 2010 Winter Bench & Bar Conference, Kailua-Kona, HI (February 24, 2010)

Presenter, "The Underenforcement of Constitutional Norms at Sentencing," Prawfsfest Faculty Workshop, Southwestern Law School, Los Angeles, CA (December 3, 2009)

Presenter, "The Underenforcement of Constitutional Norms at Sentencing," Southwest Criminal Law Workshop, University of Arizona James E. Rogers College of Law, Tucson, AZ (October 3, 2009)

Presenter, "Punishing Kiddie Porn," Rocky Mountain Junior Scholars Forum, BYU Law School, Provo, UT (September 25, 2009)

Speaker, "Race and Gender as Explicit Sentencing Factors," Symposium, University of Iowa College of Law, Iowa City, IA (September 11, 2009)

Presenter, "Punishing Kiddie Porn," Junior Crim Prof Conference, George Washington Law School, Washington, DC (July 20, 2009)

Speaker, "Appellate Review of Sentencing Policy Decisions After *Kimbrough*," Marquette University Law School, Criminal Appeals Conference, Milwaukee, WI (June 16, 2009)

Speaker, "Punishing Kiddie Porn," Law and Society Association, Denver, CO (May 29, 2009)

Speaker, "Ineffective Assistance of Counsel in Discretionary Sentencing Systems," Law and Society Association, Denver, CO (May 28, 2009)

Presenter, "Punishing Kiddie Porn," Prawfsfest Faculty Workshop, Florida State College of Law, Tallahassee, FL (April 30, 2009)

Moderator, "Post-conviction Review: Procedures, Experiences, and Lessons," Forensic Science for the 21st Century: The National Academy of Sciences Report and Beyond, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (April 4, 2009)

Speaker, "Considering Prior Good and Bad Acts at Sentencing," Law and Society Association, Montreal, Canada (June 1, 2008)

Speaker, "Considering Prior Good and Bad Acts at Sentencing," Faculty Workshop, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (February 7, 2008)

Presenter, "Considering Prior Good and Bad Acts at Sentencing," Prawfsfest Faculty Workshop, Loyola Law School, Los Angeles, CA (December 6, 2007)

Speaker, "Violence Between Lovers, Strangers, and Friends," Criminal Justice, and Security Program Lunch Speaker Series, University of Arizona James E. Rogers College of Law, Tucson, AZ (November 14, 2007)

Speaker, "Considering Prior Good and Bad Acts at Sentencing," Faculty Workshop, Widener Law School, Harrisburg, PA (November 5, 2007)

Speaker, "Violence Between Lovers, Strangers, and Friends," Law and Society Association, Berlin, Germany (July 28, 2007)

Moderator, "Networking: Building a New Girls Network," Harvard Women's Law Association Alumnae Conference, Cambridge, MA (February 16, 2007)

SELECT MEDIA APPEARANCES

Marcia Coyle, *An Ideological Gulf, and Familiar Combatants, in Arizona Immigration Case*, THE NATIONAL LAW JOURNAL (April 23, 2012)

Alia Beard Rau, *Ariz. to defend its tough immigration law at Supreme Court*, USA TODAY (April 21, 2012)

Kristina Shevory, *Why Veterans Should Get Their Own Courts*, THE ATLANTIC (December 2011)

Op-ed, *Returning Vets Need Jobs, Help with Courts*, ARIZONA REPUBLIC (Nov. 9, 2011) (with M. Karin)

Erica Goode, *Michigan Town Split on Child Pornography Charges*, N.Y. TIMES (March 8, 2011)

Op-ed, *Ariz. Sentencing Laws Should Be Reformed*, ARIZONA REPUBLIC (Dec. 20, 2010)

Miriam Jordan, *Obama Administration Argues Against Arizona Law*, THE WALL STREET JOURNAL (July 23, 2010)

Tim Gaynor, *No Ruling in Hearing Over Arizona Immigration Law*, REUTERS (July 22, 2010)

Christopher Shea, *Is sexting constitutional?*, BOSTON GLOBE (May 2, 2010)

Amir Efrati, *Judges Consider New Factor at Sentencing: Military Service*, THE WALL STREET JOURNAL (December 31, 2009)

SELECT PROFESSIONAL ACTIVITIES

National Association of Criminal Defense Lawyers, Getting Scholarship into Courts Project

Member of Academic Advisory Board

June 2012 — present

American Association of Law Schools

Executive Committee Member, Criminal Justice Section

July 2014 — present

Member of Committee to Review Scholarly Papers

2014-2015

United States Attorney's Office, District of Arizona, Law Enforcement

Coordinating Committee (LECC) Reentry Initiative

Member of Executive Workgroup

March 2011 — April 2013

Member of Policy & Strategy sub-committee

Arizona State Legislature, Federal Sex Offender Registration Notification Act Study Committee

October 2009 — April 2013

Appointed by Governor as University Researcher with expertise in the area of sex offender research

BAR ADMISSIONS

United States Supreme Court, 2010

New York State, 2003

Southern District of New York, 2003

MATTHEW J. HANSEN

796 Wind Mill Lane, Kaysville, UT 84037

Mobile: (801) 573-5990

Home: (801) 682-8404

MatthewJohnHansen@gmail.com

Alison Adams-Perlac, J.D.
Staff Attorney
Administrative Office of the Courts
450 South State Street
P.O. Box 140241
Salt Lake City, Utah 84114-0241
Phone: 801-578-3821
Fax: 801-578-3843

RE: Standing Committee on the Model Utah Criminal Jury Instructions

Dear Ms. Adams-Perlac,

I am writing to introduce myself as a candidate to serve on the Standing Committee on the Model Utah Criminal Jury Instructions. I have applied for committees in the past and have not yet had the opportunity to serve. I have a strong interest in giving back to a profession that has given me so much.

As a Deputy District Attorney I deal with difficult and complex legal issues on a daily basis. I have tried approximately 90 cases to jury—these cases include misdemeanor and complex felony cases. I have tried murder, special victim, and other violent cases. In addition, I have been involved with difficult financial crime cases. I understand the importance of jury instructions and I would welcome the opportunity to serve. This is a subject that I have a lot of personal interest in and would appreciate working with others that share this passion.

I am intentionally trying to keep my letter brief but I hope you truly understand my strong desire to serve and to grow as a professional from associating from the excellent individuals that serve on this outstanding committee.

Thank you for reviewing my materials,

Matthew J. Hansen

MATTHEW J. HANSEN

796 Wind Mill Lane, Kaysville, UT 84037

Mobile: (801) 573-5990

Home: (801) 682-8404

MatthewJohnHansen@gmail.com

EDUCATION

Juris Doctorate, SJ Quinney College of Law, University of Utah

Salt Lake City, Utah

- Member of Phi Alpha Delta
- Certificate of Excellence in Secured Transactions
- Member of Utah Bar
- Graduation December 2000

Master of Business Administration, David Eccles School, University of Utah

Salt Lake City, Utah

- Graduation December 2000

Bachelor of Science, Finance, Brigham Young University

Provo, Utah

- Graduation April 1998

TRAINING

Salt Lake County Sheriff's Office

June 2014-Present

3365 South 900 West, Salt Lake City, UT 84119

Instructor for new cadets

- Instruction on United States Constitution
- Instruction on the Utah Constitution
- Instruction on the Utah Courts

EXPERIENCE

Eagle Gate College

April 2014-Present

915 North 400 West Layton, Utah 84041

Adjunct Professor

- Criminal Law
- Business Law
- Employment Law
- Forensics
- Legal Research
- Legal Writing
- Rules of Evidence

Salt Lake County District Attorney's Office

March 2011-Present

111 East Broadway, Suite 400 SLC UT 84011

Deputy District Attorney

- Member of Gang Team (2013-current)
 - (a) Prosecute known gang members
 - (b) Represent office at Safe Street Meetings
 - (c) Represent office at Metro Gang Intelligence Meetings
- Member of Violent Felony team (2011-2013)
 - (a) Prosecute violent felony cases
- 70+ jury trials
- Juvenile Court and District Court
- Conducts research on case law and prepares written briefing
- Prosecutes felony and misdemeanor criminal cases
- Reviews and prepares orders, conclusions and findings of fact

Salt Lake City Prosecutor's Office

April 2009-March 2011

349 South 200 East, SLC UT 84114

Senior Prosecutor

- Conduct arraignments, pre-trials, and bench/jury trials.
- Analyze case law, administrative policy and statutes.

2nd District Court **July 2008 – April 2009**
425 North Wasatch, Layton UT 84041
Traffic Judge/Referee

- Presided over traffic cases, set bail, order dismissals, or otherwise equitably disposed of citations.

St. George City **June 2007 – April 2009**

175 East 200 North, St George UT 84770

Administrative Law Judge

- Authority to hold hearings, take testimony, and to determine if violations of code exist.
- Authority to sign subpoenas; rule on admissibility of evidence, and issue written orders.
- Developed proper temperament to explain complex procedures to unrepresented parties.

Law Office of Matthew J. Hansen

April 2008 – April 2009

2881 East 3400 South, SLC UT 84109

Attorney

- Primary practice area being criminal and corporate.

Richmond American Homes of Utah, Inc

Feb. 2005 – Apr. 2008

849 West LeVoy Dr, Suite 100 Taylorsville UT 84123

Attorney/Director of Environmental Compliance and Safety Compliance (OSHA)

- Represented Company in criminal and administrative proceedings.
- Interpreted Federal, State, and City statutory requirements
- Managed division-wide quality assurance program and budgets.
- Coordinated all training and certification programs for 100+ individuals

Forum Group Inc.

Feb. 2003 – Feb. 2005

414 East Ivy Woods Lane, Midvale UT 84047

Attorney

- Contract development and negotiation.

Salt Lake City Prosecutor's Office

July 2001 – Feb. 2003

349 South 200 East, SLC UT 84114

Prosecutor

- Conducted arraignments, pre-trials, and bench/jury trials.
- Analyzed case law, administrative policy and statutes.
- Represented City on Community Councils and Community Action Teams.

Intermountain Health Care

May – Sept. 2000

Vendor Relations

- Reviewed and negotiated support terms for license agreements and contracts.
- Created contract summaries and evaluations.

Utah Alternative Dispute Resolution

Jan. – Sept. 2000

State sponsored mediation agency/Mediator

- Led parties through mediation negotiations.
- Authored mediation agreements.

RESEARCH

Research Assistant/Author

Book: Covering Your Assets: A Guide for Bank Directors in the New Millennium

- Researched and authored the first chapter and introduction to a book dealing with bank board of director liability. Edited and made contributions to the entire book.

Matthew E. Lloyd
2662 South 50 West
Bountiful, Utah 84010
(801) 661-5823
mattelloyd@gmail.com

March 6, 2015

Alison Adams-Perlac
J.D. Staff Attorney
Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84111
alisonap@utcourts.gov

Ms. Adams-Perlac:

I am writing to express my interest in the position with the Standing Committee on the Model Utah Criminal Jury Instructions. I have been a prosecutor in Utah for over ten years and have tried many cases before a jury. During those years, I have drafted many of my own jury instructions, and adjusted jury instructions that prosecutors' offices use or other attorneys provided to me. I have found that personal collections of jury instructions are outdated, confusing and misstate the law.

In addition to jury trial experience, I have a strong writing and research background. I was a law clerk in the First Judicial District of Utah for two years. My responsibilities included researching and writing memorandum decisions for the juvenile and district court judges in Logan and Brigham City. In addition, I continue to conduct my own research and writing motions and responses to motions as necessary in my role as a prosecutor.

Model jury instructions create the best possible direction to jurors on the procedure they must follow and the law applied to the case they hear. A plain language and logical set of instructions minimize potential injustices, confusing the issues, and elements of a crime. I would gladly welcome the chance to be part of the Model Jury Instructions Committee, and I believe my experiences make me an asset to your team.

Please see my resume in conjunction with this letter. You may contact me at (801) 661-5823 or mattelloyd@gmail.com. Thank you for your time and consideration.

Sincerely,

Matthew E. Lloyd

MATTHEW E. LLOYD
2662 South 50 West
Bountiful, Utah 84010
Work (801) 281-1240 Cell (801) 661-5823 mattelloyd@gmail.com

EDUCATION

Juris Doctor, May, 2001. Northern Illinois University College of Law, DeKalb, Illinois. Cum Laude.
Bachelor of Science, June, 1996. Utah State University, Logan, Utah. Major in Political Science.

EXPERIENCE

Assistant Attorney General, Office of the Utah Attorney General. Duties include prosecuting cases in the State of Utah. I am a member of the Special Prosecutions Team. My case load is primarily public corruption and sexual abuse cases. I have the responsibility, in addition to prosecuting cases, to review screening decisions made by prosecutors in other counties pursuant to an agreement between the county attorneys, the Salt Lake County District Attorney and the Utah Attorney General. (October 2014 to present)

Deputy District Attorney, Salt Lake County District Attorney's Office. Duties included prosecuting cases in the Utah Third District Courts. I was assigned to a general felony team, the special victims unit, and the nonviolent felony team. In my latest assignment, I handled felony DUI cases, drug possession, theft, burglary, domestic violence and securities fraud cases, in addition to a special victims case load with adult and child sex / physical abuse cases. (December 2007 to October 2014)

Deputy County Attorney, Utah County Attorney's Office. Duties included prosecuting misdemeanors in the Utah County Justice Court. I held that assignment for two years and prosecuted DUI cases, possessions of marijuana, trespass cases, assaults, domestic violence cases and traffic violations. I then spent a year prosecuting felony cases of every sort in the Utah Fourth District Court, and then was moved to a special victims case load and prosecuted sex crimes and child abuse. (November 2002 to December 2007)

Law Clerk, First District Court, Utah. Duties included researching and writing draft memorandum decisions for the Judges, sitting in on hearings and trials, and consulting the First District Judges concerning legal issues presented. (November 2002 to November 2004)

Deputy County Attorney, Cache County Attorney's Office. Prosecuted assigned cases, drafted motions and responses to motions, and wrote memoranda on assigned research topics. I worked at the Cache County Attorney's Office on a volunteer basis. (August 2002 to November 2002)

Law Clerk, Office of the General Counsel, Northern Illinois University. Pursuant to Illinois Supreme Court Rule 7-11, I obtained a limited license to practice law in Illinois. Primary duties involved the collection of debts resulting from default on Perkins Student Loans. (May 2000 to May 2001)

MILITARY

Primary Leadership Development Course, Ft. Lewis, Washington.

Advanced Individual Training, Ft. Lee, Virginia.

Sergeant, 300 Q.M. Co. Peru, Illinois and 854 Q.M. Co. Logan, Utah, U.S. Army Reserve. I was responsible for regular maintenance of assigned equipment and staying current with all of my duties as an automated logistical specialist. Also, I was responsible for both classroom and practical training. (June 1992 to June 2002).

HONORS/SKILLS

Ironman Triathlon St. George (2011). Ironman Triathlon Coeur d'Alene (2013). Utah County SWAT "Hell Week" 2007 graduate. Ruddy and Varga Bankruptcy Prize. Army Physical Fitness Badge (for a perfect score on the Army physical fitness test). Icon Award of Excellence. Commander's Coin (given to top three graduates at advanced individual training). Army Achievement Medal.



Ralph Chamness
Chief Deputy
Civil Division

Lisa Ashman
Administrative
Operations

SIM GILL
DISTRICT ATTORNEY

Jeffrey William Hall
Chief Deputy
Justice Division

Blake Nakamura
Chief Deputy
Justice Division

March 6, 2015

Alison Adams-Perlac
Staff Attorney
Administrative Office of the Courts
450 South State Street
P.O. Box 140241
Salt Lake City, Utah 84114-0241

Re: Standing Committee on the Model Utah Criminal Jury Instructions

Dear Ms. Adams-Perlac,

I would like to be considered for the Standing Committee on the Model Utah Criminal Jury Instructions. I live in the Third Judicial District and I am a prosecutor with the Salt Lake County District Attorney's Office and a Special Assistant United States Attorney with the United States Attorney's Office for the District of Utah. As detailed below, I believe my unique skill set and background would be a significant benefit to the Standing Committee on the Model Utah Criminal Jury Instructions, and I am excited about the opportunity to serve as a member of this Committee.

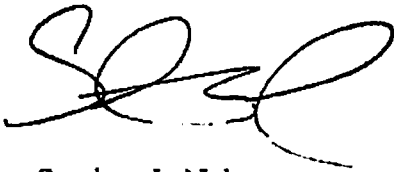
First, as a career prosecutor, I have significant experience practicing before the judges of the Third Judicial District. I have experience with every type of criminal case, and with all stages of the criminal process. I have chaired approximately 75 felony jury trials, including homicides, gang offenses, drug offenses, and sex offenses. I also have extensive experience before district court judges in federal court, having served as a Special Assistant United States Attorney for the District of Utah since 2008. I have tried to a jury six cases in federal court.

In addition to my experience as a working prosecutor, I also have substantial academic experience which would aid me as a member of this Committee. My Ph.D.

dissertation, a discussion of the evolution of the doctrine of sovereign immunity over time in federal district court, is about trial court decision making. I have been teaching undergraduate and graduate students for a decade about judicial decision making. I have also written numerous law review articles, many of which contain discussions of judicial decision making.

These experiences, in short, give me unique insight into the process of trying cases to a jury, and I welcome the opportunity to meaningfully contribute to the workings of this Committee as one of its member. If you have any additional questions about my qualifications for service on this Committee, please don't hesitate to contact me.

All the best,

A handwritten signature in black ink, appearing to read 'S. Nelson', with a stylized flourish at the end.

Stephen L. Nelson
Deputy District Attorney

STEPHEN L. NELSON

2548 Pasadena Street
 Salt Lake City, Utah 84109
 (801) 485-2994
 stephenlowenelson@gmail.com

Education:

University of Utah, Department of Political Science, SLC, UT
Ph.D., 2010

Fields: American Government and Public Administration
 Dissertation: "The King's Wrongs and the Federal District Courts:
 Understanding the Discretionary Function Exception to the Federal Tort
 Claims Act"
 Chair: Dr. Richard Green

University of Utah, S.J. Quinney College of Law, SLC, UT
Juris Doctor, 2002

Staff Member, Utah Law Review

Westminster College, SLC, UT

Bachelor of Arts (Economics), 1999

Student Body President, 1998-1999

Supplemental Instructor, Introduction to Macroeconomics, 1998-1999

Employment:

Deputy District Attorney, Salt Lake County District Attorney's Office, SLC, UT

Unit Chief, Violent Felonies Unit, 2013-Present
 Special Assistant United States Attorney, District of Utah, 2008-Present
 Organized Gang Prosecution Team, 2007-2013
 Special Assistant Attorney General, Utah Attorney General, 2011
 Homicide Team, 2008-2011
 Narcotics Enforcement Team, 2005-2007
 General Felonies Team, 2005

Steve Nelson for District Attorney, SLC UT

2014 Republican nominee for Salt Lake County District Attorney

Assistant Attorney General, Utah Attorney General's Office, SLC, UT

Children's Justice Division, 2002-2005

University of Utah, Center for Public Policy and Administration, SLC, UT

Graduate Research Assistant, 2001-2002

Law Clerk, Utah Attorney General's Office, SLC, UT

Public Affairs/State Agency Counsel Division, 2000-2002

Publications:

"Administrative DREAM Acts: Examining State Higher Education Governing Board Policies Regarding In-State Tuition for Undocumented Immigrant Students," Stephen L. Nelson, J.L. Robinson, A. Bergevin, Georgetown Immigration Law Journal, Vol. ____, pp. ____ (forthcoming, Spring 2015).

"States Taking Charge: Examining the Role of Race, Party Affiliation, and Preemption in the Development of In-State Tuition Laws for Undocumented Immigrant Students," Stephen L. Nelson, J. L. Robinson, and K. H. Glaubitz, Michigan Journal of Race and Law, Vol. 19, pp. 247-286 (Spring 2014).

"Reduced Tuition Benefits for Undocumented Immigrant Students: The Implications of a Piecemeal Approach to Policymaking," Stephen L. Nelson, K. H. Glaubitz, and J. L. Robinson, Santa Clara Law Review, Vol. 53 pp. 897-936 (Spring 2013).

"The King's Wrongs and the Federal District Courts: Understanding the Discretionary Function Exception to the Federal Tort Claims Act," Stephen L. Nelson, South Texas Law Review, Vol. 51, pp. 101- 147 (Fall 2010).

"Families in Crisis, Challenges for Policymakers: Examining the Troubled Lives of Drug Endangered Children," Stephen L. Nelson, K. Prince, & M. Searcy, Ohio Northern Law Review, Vol. 36, No. 1, pp. 81-114 (2009).

"Snapshots of Suspects and Defendants: A Discussion of Arrest and Prosecution Outcomes in Drug Endangered Children Cases," Stephen L. Nelson, K. Prince & M. Searcy, Quinnipiac Law Review, Vol. 27, No. 4, pp. 837-880 (2009).

Conference Presentations:

2014 Utah Violent Crimes Conference, "Attempted Murder: One of the Most Difficult Crimes to Prove," September 4, 2014, West Valley City, UT.

2014 International Family Violence and Child Victimization Conference, "Not Just a Federal Offense: Examining State Laws Criminalizing Human Trafficking," July 14, 2014, Portsmouth, NH.

2013 National Alliance for Drug Endangered Children Conference, "Discussing State Legislation Criminalizing Drug Endangerment: The Implications of a "Piecemeal Approach" to Policymaking," November 20, 2013, Oklahoma City, OK.

1st Annual Utah Robbery Conference, "Courtroom Testimony: Tips and Training for Effective Case Managers," October 11, 2013, Salt Lake City, UT.

2012 National Alliance for Drug Endangered Children Conference, "The Constitutional and Evidentiary Issues in DEC Prosecutions: An Examination of Appellate Challenges to State DEC Laws," October 24, 2012, Des Moines, IA.

36th National Organization for Victim Assistance Conference, "Families in Crisis, Challenges for Policymakers: Examining the Troubled Lives of Drug-Endangered Children," August 22, 2010, Salt Lake City, UT.

59th Annual Session of the University of Utah School on Alcoholism and Other Drug Dependencies, "A Retrospective Study of Drug Endangered Children and Caregivers," June 22, 2010, Salt Lake City, UT.

2009 Utah Drug Endangered Children Conference, "Salt Lake County Drug Endangered Children Cases Research Project," August 5, 2009, Salt Lake City, UT.

58th Annual Session of the University of Utah School on Alcoholism and Other Drug Dependencies, "A Retrospective Study of Drug Endangered Children and Caregivers," June 23, 2009, Salt Lake City, UT.

2008 National Alliance for Drug Endangered Children Conference, "Evaluated Programs: the Comprehensive Approach to Drug Endangered Children," October 7, 2008, Salt Lake City, UT.

2008 International Family Violence and Child Victimization Conference, "Working Together to Protect Child Victims: Identifying Gaps in Services to Those Who Endanger Children in Utah," July 28, 2008, Portsmouth, NH.

2007 National Drug Endangered Children Conference, "Child Endangerment Prosecutions: What Happens to These Cases and Why?," October 11, 2007, Kansas City, MO.

2007 Utah Drug Endangered Children Conference, "From Charges to Convictions: A Collaborative Approach," August 9, 2007, SLC, UT.

2006 Utah Drug Endangered Children Conference, "Collecting Evidence for a Prosecutable Child Endangerment Case," August 18, 2006, SLC, UT.

University/College Courses Taught:

University of Utah, Salt Lake City, UT:

Spring 2015: Introduction to Criminal Jurisprudence (Poli-Sci 3220)
 Spring 2015: Introduction to Public Administration (Poli-Sci 3300)
 Fall 2014: Introduction to Public Policy (Poli-Sci 3320)
 Fall 2014: Environmental Politics (Poli-Sci 3390)
 Fall 2014: Advanced American Government (Poli-Sci 5100)
 Summer 2014: Environmental Politics (Poli-Sci 3390)
 Summer 2014: Introduction to American Government (Poli-Sci 1100)
 Spring 2014: Immigration and Refugee Policy (Poli-Sci 6995)
 Spring 2014: Introduction to Criminal Jurisprudence (Poli-Sci 3220)
 Spring 2014: Introduction to Public Administration (Poli-Sci 3300)
 Fall 2013: Administrative Theory (Poli-Sci 6300)
 Fall 2013: Advanced American Government (Poli-Sci 5100)
 Fall 2013: Environmental Politics (Poli-Sci 3390)
 Summer 2013: Environmental Politics (Poli-Sci 3390)

Summer 2013: Introduction to American Government (Poli-Sci 1100)
 Spring 2013: Introduction to Criminal Jurisprudence (Poli-Sci 3220)
 Spring 2013: Policy Analysis (Poli-Sci 5323)
 Fall 2012: Administrative Theory (Poli-Sci 6300)
 Fall 2012: Advanced American Government (Poli-Sci 5100)
 Fall 2012: Environmental Politics (Poli-Sci 3390)
 Summer 2012: State and Local Government (Poli-Sci 3030)
 Summer 2012: Introduction to American Government (Poli-Sci 1100)
 Spring 2012: Policy Analysis (Poli-Sci 5323)
 Fall 2011: Administrative Theory (Poli-Sci 6300)
 Fall 2011: Environmental Politics (Poli-Sci 3390)
 Summer 2011: State and Local Government (Poli-Sci 3030)
 Summer 2011: Introduction to American Government (Poli-Sci 1100)
 Spring 2011: Advanced American Government (Poli-Sci 5100)
 Spring 2011: Administrative Theory (Poli-Sci 6300)
 Fall 2010: Administrative Theory (Poli-Sci 6300)
 Summer 2010: Introduction to American Government (Poli-Sci 1100)
 Spring 2010: Administrative Theory (Poli-Sci 6300)
 Spring 2010: Introduction to American Government (Poli-Sci 1100)
 Fall 2009: Administrative Theory (Poli-Sci 6300)
 Fall 2009: Introduction to American Government (Poli-Sci 1100)
 Summer 2009: Introduction to American Government (Poli-Sci 1100)
 Spring 2009: Introduction to American Government (Poli-Sci 1100)
 Fall 2008: Introduction to American Government (Poli-Sci 1100)
 Summer 2008: Introduction to American Government (Poli-Sci 1100)
 Spring 2008: Introduction to American Government (Poli-Sci 1100)
 Fall 2007: Introduction to American Government (Poli-Sci 1100)
 Spring 2007: Introduction to Public Administration (Poli-Sci 3300)
 Fall 2006: Introduction to Public Administration (Poli-Sci 3300)
 Spring 2006: Introduction to Public Administration (Poli-Sci 3300)
 Fall 2004: Introduction to Public Administration (Poli-Sci 3300)

Salt Lake Community College, Taylorsville, UT:

Fall 2011: Economic History of the United States (Econ 1740)
 Fall 2011: Introduction to Macroeconomics (Econ 2020)
 Spring 2010: Introduction to Macroeconomics (Econ 2020)
 Spring 2009: Introduction to Macroeconomics (Econ 2020)
 Fall 2008: Introduction to Macroeconomics (Econ 2020)
 Summer 2008: Economics as a Social Science (Econ 1010)
 Spring 2008: Introduction to Macroeconomics (Econ 2020)
 Fall 2007: Introduction to Macroeconomics (Econ 2020)
 Summer 2007: Economics as a Social Science (Econ 1010)
 Spring 2007: Introduction to Macroeconomics (Econ 2020)
 Fall 2006: Introduction to Macroeconomics (Econ 2020)

Westminster College, SLC, UT:

Fall 2002: Introduction to Constitutional Law and Civil Liberties (Poli-Sci 355)

Service:

Chair, Needs Assessment and Data Collection Work Group, National Alliance for Drug Endangered Children, 2011-Present

Member, Needs Assessment and Data Collection Work Group, National Alliance for Drug Endangered Children, 2007-2011

Law Enforcement Subcommittee Chair, Salt Lake City Police Department COPS Methamphetamine Initiative, 2006-2010

Community Involvement:

Salt Lake City Redistricting Committee, November – December 2011

Boy Scouts of America, Troop 234: Merit Badge Counselor for Citizenship in the World, Citizenship in the Nation, and Citizenship in the Community Merit Badges, 2010

Awards:

2014 Special Recognition for Demonstrated Excellence, United States Department of Justice, Federal Bureau of Investigation

2013 United States Attorney's Office for the District of Utah Award for Superior Litigative Performance as a Team

2012 Trial Attorney of the Year, Salt Lake County District Attorney's Office

2008 Gang Prosecutor of the Year, Utah Gang Investigator's Association

2007 Outstanding Achievement Award, 18th Annual Utah Gang Conference

2003 Robert H. Hinckley Graduate Scholarship, University of Utah, SLC, UT

2002-2003 Scott M. Matheson Fellowship in Public Policy, University of Utah, SLC, UT

1999 Communicator of the Year, Westminster College

**Language Access Committee
Appointments**



Administrative Office of the Courts

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

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

MEMORANDUM

To: Judicial Council
From: Alison Adams-Perlac *Alison Adams-Perlac*
Date: April 20, 2015
Re: Language Access Committee Appointments

Approved Interpreter Vacancy

It is recommended that Amine El Fajri be appointed to serve on the Language Access Committee. There is an approved interpreter vacancy, and Mr. El Fajri, Vieng Lennberg, and Karen Tao have applied to fill the position. I have attached Mr. El Fajri's resume and letter of intent, and Ms. Lennberg's and Ms. Tao's resumes. Based on his experience, it is recommended that Mr. El Fajri be appointed to serve on the committee. The Management Committee recently voted to recommend Mr. El Fajri to serve on the committee.

Reappointments

It is recommended that certified interpreter Miguel Medina be reappointed to serve on the Language Access Committee for a second term. Mr. Medina's current term expires at the end of this month. Mr. Medina has served since April 30, 2012, and he has expressed an interest in being reappointed. He has attended almost every meeting, and he participates meaningfully. Mr. Medina provides helpful insight into the role and responsibilities of interpreters. The Management Committee recently voted to reappoint Mr. Medina to the committee.

It is recommended that language professor Jenny Andrus be reappointed to serve on the Language Access Committee for a second term. Professor Andrus's current term expires at the end of this month. Professor Andrus has served since April 30, 2012,

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.

Language Access Committee Appointments
April 20, 2015
Page 2

and she has expressed an interest in being reappointed. She has attended most meetings, and she participates meaningfully. She currently serves as the chair of the committee's Language and Culture Subcommittee and has developed a language and culture training for judges and court employees. Ms. Andrus also currently serves on the Standing Committee on the Model Criminal Jury Instructions. The Management Committee recently voted to reappoint Ms. Andrus to the committee.

March 22nd, 2015

Amine El Fajri
3717 S Appleseed Rd
Salt Lake City Utah 84119
Cell: 801-326-9525
fajri2000@hotmail.com

To whom it may concern,

The purpose of this letter is to apply for the position of Approved Interpreter on the Language Access Committee. I am an Arabic approved court interpreter with the Utah State Courts and the founder of Utah International Services, a language services provider. I have over 7 years of experience specializing in legal interpreting, medical interpreting and translation. I am an active member of the National Association of Judiciary Interpreters and Translators (NAJIT). I am also a member of the American Translators Association and I serve with Utah Translators and Interpreters Association (UTIA).

It is my goal to combine my range of experience with my ability to be a compassionate, enthusiastic and skilled interpreter who will serve and add a positive contribution to the Language Access Committee.

Sincerely,

Amine El Fajri

AMINE EL FAJRI
Tel- (801) 326 9525
2540 Northside Dr Apt 215
San Diego
CA 92108
Email- fajri2000@hotmail.com

CAREER AIM

Results oriented professional seeking to contribute learned skills in a position of responsibility

SUMMARY

- Experience in various administrative environments, which include: Marketing, Invoicing, Import/Export, bookkeeping, reconciliation.
- Stevens-Henager College Graduate with Master of business Administration
- Marketing Assistant in Saval Bois Company, Audit/Accounts Assistant in Moroccan Office of Phosphates, Import/Export Assistant in Office of Ports Exploitation.

EDUCATION

- **Master of Business Administration**
Stevens-Henager College- Salt lake city - June 2009
- **Master of higher specialized studies – Marketing & International Commerce**
National school of Commerce and Management- Morocco - June 2007
- **Bachelor of Commerce - Business Administration minor in International Commerce**
Advanced School of Business-Tunisia - June 2005
- **Baccalaureate Degree - Experimental Sciences**
Chouaib Doukkali High School- Morocco - June 2000

EXPERIENCE

Utah International Services **Since 2013**
Owner

- Translation & Interpreting Services

Utah State Courts **Jul 2011 to Present** **Approved**
Arabic/French Interpreter----- Salt Lake City.

- Consecutive interpretation
- Simultaneous interpretation
- Sight interpretation
- Providing a verbal summary (into English)
- Providing a typed summary (into English)
- Transcription
- Translation
- Summarization
- Validation of information

Lingulstica International **Jul 2008 to Present**
Medical Arabic/French interpreter----- Salt lake city.

- Medical consecutive interpretation
- Medical simultaneous interpretation
- Medical sight interpretation
- Providing a verbal summary (into English)
- Translation

InterContinental Hotels Group (IHG) **Jul 2008 to Dec 2012**
Reservations Agent----- Salt lake city.

Answering both English & French calls coming into our International Reservation Center in a professional manner.
Serving our guests with professionalism and enthusiasm.
Booking the perfect hotels for customers.
Manage issues brought up by guests with patience.
Work on projects as assigned by the team managers.
Always look for ways on how to improve the service we give to our guests.
Assist in developing new strategies to increase our reservations and provide perfect service.

Convergys **Jan 2008 to Jun 2008**
Customer service representative----- Salt lake city.

Provide excellent customer service to nationwide customers.

Saval Bois Company **Feb 2007 to Jun 2007**
Marketing Assistant

Assisted Management in assigned tasks.
Provide incident management to clientele.
Provide quality solutions to nationwide customers.
Consult clientele on trading techniques, and strategies.

Audit/Accounts Assistant **Mar 2006 to August 2006**
Cherifien office of phosphates ----- Casablanca, Morocco.

- Bookkeeping, Preparation of trial balances to final accounts, Audit financial books, Calculating dividends for companies, Reconciliation for petty cash, bank statements and cashbooks, Making of Tax returns, Handling other clerical duties

PROFILE OF SKILLS

- Good administrative skills
- Effective communication skills
- Good analytical and intellectual abilities
- Self Motivated and desire to succeed
- Good leadership qualities and team management abilities.

EXTRA CURRICULUM ACTIVITIES

- Member of the *American Translators Association - ATA*
- Member of the *National Association of Judiciary Interpreters and Translators – NAJIT*
- Member of the *Utah Translators & Interpreters Association - UTIA*
- Member of the executive committee of the *Utah Morocco Alliance*
- Volunteer for *Services of the city of Salt Lake City*
- Soccer coach License D
- Soccer Referee Grade 8

ADDITIONAL QUALIFICATIONS

- Hard Working
- Dependable
- Honest
- Self-motivated
- Willing to Learn
- Fluent French
- Fluent Arabic



Rosa Oakes <rosao@utcourts.gov>

Resume

1 message

Vieng Lennberg <vieng.interpreter@gmail.com>
To: Rosa Oakes <rosao@utcourts.gov>

Mon, Mar 23, 2015 at 10:03 AM

Hi Rosa here is a copy of my short resume. Sorry for the delay, I guess I haven't done one for a while..

Vieng Lennberg

8572 S. 3310 W., West Jordan, UT 84088

801-565-8199 Home - 801-550-9002 Cell

vieng.interpreter@gmail.com

Profile: Proficient in MS Words, Excel, Outlook, 10 key, and can type up to 75 wpm.

Over 10 years of customer service and telephonic interpreter for Lao and Thai languages.

Feb. 12, 2005 - Present. Interpreter for various different sources/companies all over United States over 10 years for hospitals, courts, insurance, etc.. Also translating documents.

JetBlue Airways - Reservation Agent from 12/27/2011 - Present

* Queues Crews

Data entry, Provide customers solutions, refund all their travel tickets, sync customers tickets so they are ready to travel and check-in, check for duplicate bookings, call customers for delays and cancelled flights.

Lab Corp of America- 02-2007 to 07-2007

Health Care Specialist

- * Deal on a daily basis with patient information
- * Maintain confidential information
- * Input patient information into computer database
- * Reach out to clients regarding missing billing information
 - * Bill patient healthcare
 - * Data entry

Karen J. Tao
(801) 898-8089
Karen.J.Tao@hotmail.com
2339 S Green Street
Salt Lake City, Utah 84070

Academic Qualification

The National Society of Leadership and Success Inducted Member
Inducted Member of Phi Theta Kappa
2002 - 2006 University of Utah
Bachelor's Degree Double Major in Psychology and Sociology
Criminology Certificate

Experiences

2012-2013 Community Project Vice Chair-- The National Society of Leadership and Success
2012-2014 Service Project Chair Organization of Chinese American Utah Chapter
VITA—Volunteer Income Tax Assistance

Skills

Series 3, 34
Utah State Courts approved interpreter for Cantonese
Excellent Knowledge of MS Word, Outlook, Excel, PowerPoint, and Access.
Past licenses held—mortgage loan officer, public notary
60+ wpm

Languages

Fluent in spoken and written English
Native Chinese Speaker, Fluent in both Cantonese and Mandarin with written Chinese

Work Experience

November 14 to Present *State of Utah DWS*
Senior Business Analyst—analyze data to discover patterns in improper payments resulting from fraud/identity theft. Facilitate training sessions for office assistants. Participate in discussion about business rules about criminal prosecution on fraud cases.

June 14 to October 14 *Goldman Sachs*
Lead Specialist Associate—provide clearing, execution, and custody services for all trading products across 75 exchanges. Involve in cost allocation, accruals, metric reporting for all trading activities accurately. Review breaks in the system and provide solutions.

Feb 11 to June 14 *IBFX/TradeStation*
New accounts specialist—review clients applications for accounts with IBFX for forex trading accounts. Answer any questions potential clients may have regarding current service, as well as general information about the forex trading and IBFX.
Client Service Representative—answer questions from retail clients about the trading platform via chats, emails, and telephone. Provide support to Chinese clients. Educate clients on basic market knowledge. Assist with credit card deposits.
Senior Liquidity Manager—review escalated trade ticket and respond to client. Monitor and investigate reporting errors and process failures. Resolve discrepancies in a timely manner to reduce risk.

*IBFX was acquired by TradeStation in 2011

Sept 08 to Feb 11 *West Valley City Justice Court*
Judge's in-court lead clerk. Prepare reports and court forms, such as motions and warrants. Enter minutes of proceedings. Examines legal documents submitted to court for adherence to law or court procedures. Explain procedures or forms to parties in cases.

Aug 07 to Nov 08 *American Express*
Customer Care Professional—provide prompt, efficient and exceptional customer service; answer incoming phone calls with inquiries on company services, billing discrepancies, product inquires, annual percentage rates, payment issues and other general inquiries
IPO Duties—Monitor Real-Time adherence, maintain schedule, coordinate internal meeting schedules to ensure staff is adequate for the flow of phone calls. Manage vacation time/sick time allowances, overtime allowances, holiday staffing, and other scheduling analysis to support Operations Leaders and floor leaders. Softwares used: eWFM, CMS, RTA

January 07 to January 11 *US postal office (part time)*
Data conversion operations
Input data, process mail pieces projected on monitor and code them to be delivered to the correct destination.

Aug 06 to April 07 *Div. Of Child and Family Services*

DCFS Caseworker I

Monitor out-of-home services to ensure physical, mental, educational and developmental needs are met. Interact with family members of clients/residents to consult on therapy, prescribed care; follow through, and/ or determine and resolve family impact on client disorders.

May 06 to Aug06 *Div. of Juvenile Justice Services*
JJS Tech I
Oversee delinquent youth in group settings, individual encounters, visitations and community involvement activities.

Sept 04 to April 06 *Nutritional Management LLC*
Call Center Team Lead
Manage, train, and mentor agents on phone skill and data entry
Monitor phone calls to ensure quality
Take escalated calls from irate customers
Assist manager with career development of agents

References

Lavinia Taumoepeau	3 rd District Court Clerk (in-court)	(801) 238-7369
Clara So	JJS Counselor	(801) 859-1625
Andrew Anderson	IBFX Client Services Manager	(801) 577-1417
Arthur Apostolakos	IBFX Client Services Senior Manager	(801) 930-6805
Sandra Bangarter	West Valley Justice Court Supervisor	(801) 965-7902
Juan Marquez	3 rd District Court Spanish Interpreter	(801) 850-4066

**Standing Committee on
Technology Appointment**

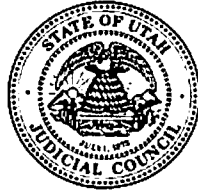
March 19, 2015

To: Management Committee Members
From: Dan Becker
Subject: Reappointment to the Technology Committee

Under the Rules of Judicial Administration, the Technology Committee is to have two members who are staff of the Administrative Office of the Courts. Heather Mackenzie- Campbell is presently completing a three year term in one of the two AOC slots. Because one of the major initiatives in the recently adopted Technology Strategic Plan is to address accounting enhancements, Heather's continued membership on the committee would be extremely helpful.

Accordingly, I would recommend that Ms. Mackenzie-Campbell be reappointed to the Technology Committee for a second three year term.

**Standing Committee on
Judicial Outreach
Appointment**



Administrative Office of the Courts

Chief Justice Christine M. Durham
Utah Supreme Court
Chair, Utah Judicial Council

April 7, 2015

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

MEMORANDUM

TO: Utah Judicial Council's Management Committee
FROM: Nancy Volmer, Public Information Office
RE: Committee Renewal

The Standing Committee on Judicial Outreach recommends the following committee appointment:

- Utah Judicial Institute Director Tom Langhorne has completed his first term on the committee and would like to serve a second term. The chair of the committee, Judge Elizabeth Hruby-Mills, recommends a third term for Mr. Langhorne.

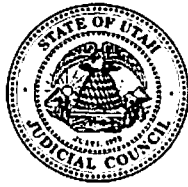
Rule 3-114. Judicial Outreach Standing Committee on Judicial Outreach

Intent of the committee:

- To foster a greater role for judges in service to the community.
- To provide leadership and resources for outreach.
- To improve public trust and confidence in the judiciary.

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

**Uniform Fine/Bail Committee
Appointments**



Administrative Office of the Courts

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

March 16, 2015

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

MEMORANDUM

TO: Management Committee

FROM: Debra Moore, District Court Administrator

RE: Uniform Fine/Bail Schedule Committee

The terms of two justice court representatives on the Uniform Fine/Bail Schedule Committee have expired. Judge Augustus Chin and Judge Scott Cullimore have served one term and are eligible for reappointment. They are both willing to serve another term on the Committee.

As Chair of the Committee, Judge James Brady, recommends that they both be reappointed.

cc: Hon. James Brady

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

TAB 6

**Juvenile Accountability Block
Grant Application**

SECTION 1: COVER SHEET

Juvenile Accountability Block Grant Application



State of Utah
Commission on Criminal and Juvenile Justice
 Utah State Capitol Complex
 Senate Building Suite 330
 PO Box 142330
 Salt Lake City, Utah 84114-2330
 Ph: (801) 538-1031
 Fax: (801) 538-1024

For CCJJ use ONLY:

1. Implementing Agency Name & Address
 (Include full 9 digit zip code)

Utah Administrative Office of the Courts
 450 South State, P.O. Box 140241
 Salt Lake City Utah 84114-0241

2. Director's phone number: 801-578-3811

3. Authorized Official's phone #: 801-578-3807

Director's cellular number:

Authorized Officials cellular #:

Dir. E-mail Address: kristaa@utcourts.gov

E-mail Address: danb@utcourts.gov

4. Will this award (check one):

Enhance an Existing Program Initiate a New Program

5. Beginning & Ending Dates of Program:

05/01/2015 to 03/31/2016

Previous grant # (if applicable): 11L09

6. DUNS Number:
096311365

7. CCR Number

8. CCR Expiration Date:

9. Congressional District(s) Served:
First, Second, Third, Fourth

10. Federal Tax Identification Number
(87-?????)
87-876000545

11. Title which *describes* the program to be funded:
Interstate Compact for Juveniles

2. Budget Summary	Total Project Costs	Federal Grant Funds	Cash Match
Personnel	\$0	\$0	\$0
Consultant/Contract	\$0	\$0	\$0
Equipment / Supplies & Operating (ESO)	\$12,000	\$11,500	\$500
Travel/Training	\$4,000	\$2,900	\$1,100
Column Totals	\$16,000	\$14,400	\$1,600

13. *Print Name & Title of Official Authorized to Sign: Daniel Becker, Utah State Courts Administrator

14. Signature of Official Authorized to Sign: _____ Date: _____

15. **Print Name of Program Director: Krista Airam, Assistant Juvenile Court Administrator

16. Signature of Program Director: _____ Date: _____

For CCJJ Use Only

Ronald B. Gordon, Jr.
Executive Director of CCJJ

Date: _____

* (e.g. Mayor, County Commissioner, State Agency CEO) NOTE: Chiefs and Sheriffs are not authorized to approve contracts for their local government. ** This is the individual responsible for the day-to-day management of the grant program

Section 2: PROGRAM AREA CHECKLIST

The Office of Juvenile Justice and Delinquency Prevention requires all projects to identify the purpose for which these funds will be used on the table below. You must account for 100% of the requested funds in one purpose area.

Program Area		
01	Graduated Sanctions	\$
06	Training for Law Enforcement & Court Personnel	\$
15	Court/Probation Programming	\$
10	Information Sharing	\$14,400

Section 3: PROJECT SUMMARY (Sections will expand. Limit to one page.)

Problem Statement (problem being addressed)

Prior to the passage of the legislation that created the Interstate Compact for Juveniles (ICJ), the movement of youth among states was governed and monitored by a professional organization, the Association of Juvenile Compact Administrators (AJCA). In the late 1990's, it became apparent that not all states were going to comply with the rules set up by a professional organization. This was concerning because states could only encourage cooperation from other states, without any recourse if states did not follow the established rules.

Partially because of those concerns, national legislation was written and passed by the required majority of the states for the Adult Compact. The Juvenile Compact followed a similar path and passed legislation in the required number of states. The purpose of the compact is to facilitate the movement of youth amongst states for their supervision and to return runaway youth to their home states. Utah passed legislation during the 2004 Legislative session and waited quite some time before it could be adopted nationally. With the recent addition of Georgia into the Compact, every state and two territories have joined the Compact. The first meeting of the National Commission was held in December 2008. Rules were promulgated for enacting states and there was a transition period between the use of old rules and the adoption of new rules. The new rules called for the adoption of state councils to serve as an advisory and advocacy body for state policymakers. Utah has developed its ICJ State Council which held six meetings thus far: October 2011, April 2012, October 2012, April 2013, November 2013, June 2014, and November 2014. The next State Council meeting is scheduled for June 16, 2015.

Project Description (include numbers served)

The Interstate Compact for Juveniles office is administered by the Utah Administrative Office of the Courts. The Interstate Compact office is managed by a Compact Commissioner appointed by the Governor, and a designated ICJ coordinator is responsible for case processing and communication with other states. This office pays mandatory dues to the national compact office, conducts the day-to-day operations relating to the compact, and is responsible to schedule meetings for the ICJ State Council. The Utah ICJ Office also coordinates and oversees training for court staff on the new electronic national ICJ database (JIDS) that each state is required to use to process cases.

This grant would underwrite the annual dues that each state is required to pay to the national ICJ office to remain in compliance and to be an active member of the compact. The grant would also allow the ICJ coordinator to conduct state wide ICJ training sessions for probation officers to assure accurate and effective processing of ICJ cases, attend the ICJ Annual Business meeting, and to hold training for probation officers on special topics related to ICJ such as human trafficking.

Goals and Objectives

1. Hold meetings of the Utah ICJ State Council to ensure that Utah is compliance with the rules of the compact and to address issues of policy and practice.
2. Pay the required \$12,000 in dues to the national ICJ office in July 2015.
3. Attend the Annual Business meeting and training in August, 2015 in Madison, Wisconsin.
4. Inform court staff and partner agencies of ICJ rule changes, coordinate and provide in person training on national ICJ issues or new ICJ Rules.
5. Update the Juvenile Court bench book for judges to include Interstate Compact information.
5. Provide training to probation officers on special topics for Interstate Compact youth such as human trafficking.

Programmatic Activities

1. Hold biannual meetings of the Utah ICJ State Council
2. Track and report on the number of youth who are in Utah on ICJ
3. Track and report on the number of youth who are sent to other states from Utah on ICJ
4. Inform court staff and partner agencies about ICJ rule changes and provide in person training if necessary
5. Attend the national meeting and vote on ICJ rule changes in August 2015 in Madison, Wisconsin.
6. Provide training on special topics regarding Interstate Compact such as human trafficking.

Participating Agencies

Juvenile Court, Juvenile Justice Services staff as well as policymakers and community partners.

Plans for Supplemental and Future Funding of the Project:

With state budget reductions, it has become difficult to pay the required dues to the national ICJ office. When the compact legislation was passed, the total dues amount was not appropriated because it was not known at that time what the dues structure would be. The Utah Juvenile Court is committed to following compact rules, thereby supporting the safe transfer of juveniles across state lines.

Utah Juvenile Court administrators have been submitting budget requests for one time funding for ICJ extradition costs that are not covered under this grant during the last two years. Additionally, as JABG funding runs out, the Juvenile Court Administrator will submit a budget request for one time funding for the ICJ dues on a yearly basis. It is anticipated that ICJ dues will increase beginning in 2018, therefore additional funding will be needed to be in compliance with the compact rules.

Section 4a: Performance Measurement Data Collection Plan

The Office of Juvenile Justice and Delinquency Prevention requires projects identify and report on select performance measures from OJJDP's performance measurement system and develop a data collection plan that specifies the collection method and measurement. Projects are required to report: 1) All applicable Core measures and two optional output measures, and 2) two Non-Mandatory output and outcome measures (total of 4 non-mandatory measures). Use the JABG Performance Measures found at: https://www.ojjdp-dctat.org/help/program_logic_model.cfm?grantID=17

Program Name: Interstate Compact for Juveniles

Program Area: Information Sharing

MEASURE & ITS #	DEFINITION	REPORTING FORMAT	FREQUENCY OF COLLECTION	RESPONSIBLE FOR COLLECTION	DATA SOURCE (UNIT AND/OR AGENCY)	HOW PROCESSED OR RETRIEVED
Core Measures						
1. Number and percent of programs/initiatives employing evidence-based programs or practices	Report the number and percent of programs/initiatives employing evidence based programs or practices. These include programs and practices that have been shown, through rigorous evaluation and replication, to be effective at preventing or reducing juvenile delinquency or related risk factors, such as substance abuse. Model programs can come from many valid sources (e.g., Blueprints, OJJDP's Model Programs Guide, SAMHSA's Model Programs, state model program resources, etc.).	A. Number of program/initiatives employing evidence based programs or practices B. Total number of programs/initiatives C. Percent (A/B)				Not applicable (Not a direct services program)
2. Number and percent of youth with whom an evidence-based program or practice was used	The number and percent of youth served with whom an evidence-based program or practice was used. These include programs and practices that have been shown, through rigorous evaluation and replication, to be effective at preventing or reducing juvenile delinquency or related risk factors, such as substance abuse. Model programs can come from many valid sources (e.g., Blueprints for Violence Prevention, OJJDP's Model Programs Guide, SAMHSA's Model Programs, etc.).	A. The number of youth served using an evidence-based program or practice B. Total number of youth served during the reporting period C. Percent (A/B)				Not applicable (Not a direct services program)
3. Number of program youth and/or families served during the reporting period	An unduplicated count of the number of youth (or youth and families) served by the program during the reporting period. Program records are the preferred data source.	A. Number of program youth/families carried over from the previous reporting period B. New admissions during the reporting period C. Total youth/families served during the reporting period (A+B)				Not applicable (Not a direct services program)

4. Number and percent of program youth completing program requirements

The number and percent of program youth who have successfully fulfilled all program obligations and requirements. This does not include youth who are still participating in ongoing programs. Program obligations will vary by program, but should be a predefined list of requirements or obligations that clients must meet before program completion. The total number of youth (the "B" value) includes those youth who have exited successfully and unsuccessfully. Program records are the preferred data source.

The number and percent of participating program youth who were arrested or seen at a juvenile court for a delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source.

The number of youth tracked should reflect the number of program youth that are followed or monitored for arrests or offenses. Ideally this number should be all youth served by the program during the reporting period.

A youth may be 'committed' to a juvenile facility anytime that he/she is held overnight.

Certain jurisdictions refer to adjudications as 'sentences'.

Other sentences may be community based sanctions, such as community service, probation etc. Example: If I am tracking 50 program youth then, 'B' would be 50. Of these 50 program youth that I am tracking, if 25 of them were arrested or had a delinquent offense during the reporting period, then 'C' would be 25. This logic should follow for 'D' and 'E' and 'F' values. The percent of youth offending measured short-term will be auto calculated in 'G'.

- A. Number of program youth who exited the program having completed program requirements
- B. Total number of youth who exited the program during the reporting period (either successfully or unsuccessfully)
- C. Percent (A/B)

- A. Total number of program youth served
- B. Number of program youth tracked during the reporting period
- C. Of B, the number of program youth who had an arrest or delinquent offense during the reporting period
- D. Number of program youth who were committed to a juvenile facility during the reporting period
- E. Number of program youth who were sentenced to adult prison during the reporting period
- F. Number of youth who received another sentence during the reporting period
- G. Percent OFFENDING (C/B)

Not applicable
(Not a direct services program)

Not applicable
(Not a direct services program)

5. Number and percent of program youth who OFFEND (short term)

Updated 04/01/2012

6. Number and percent of program youth who OFFEND (long term)

Updated 04/01/2012

The number and percent of participating program youth who were arrested or seen at a juvenile court for a delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source.

The number of youth tracked should reflect the number of program youth that are followed or monitored for arrests or offenses 6-12 months after exiting the program.

A youth may be 'committed' to a juvenile facility anytime that he/she is held overnight.

Certain jurisdictions refer to adjudications as 'sentences'.

Other sentences may be community based sanctions, such as community service, probation etc.

Example: A grantee may have several youth who exited the program 6-12 months ago, however, they are tracking only 100 of them, therefore, the 'A' value will be 100. Of these 100 program youth that exited the program 6-12 months ago, 65 had an arrest or delinquent offense during the reporting period, therefore the 'B' value should be recorded as 65. This logic should follow for 'C' and 'D' and 'E' values. The percent of youth offending measured long-term will be auto calculated in 'F'

The number and percent of participating program youth who were arrested or seen at a juvenile court for a new delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source

The number of youth tracked should reflect the number of program youth that are followed or monitored for new arrests or offenses. Ideally this number should be all

7. Number and percent of program youth who RE-OFFEND (short term)

Updated 04/01/2012

- A. Total number of program youth who exited the program 6-12 months ago that you are tracking
- B. Of A, the number of program youth who had an arrest or delinquent offense during the reporting period
- C. Number of program youth who were committed to a juvenile facility during the reporting period
- D. Number of program youth who were sentenced to adult prison during the reporting period
- E. Number of youth who received another sentence during the reporting period
- F. Percent OFFENDING (B/A)

- A. Total number of program youth served
- B. Number of program youth tracked during the reporting period
- C. Of B, number of program youth who had a new arrest or new delinquent offense during the reporting period
- D. Number of program youth who were

Not applicable
(Not a direct services program)

Not applicable
(Not a direct services program)

youth served by the program during the reporting period.

Certain jurisdictions refer to adjudications as 'sentences'.

Other sentences may be community based sanctions, such as community service, probation etc.

Example: If I am tracking 50 program youth then the 'B' value would be 50. Of these 50 program youth that I am tracking, if 25 of them had a new arrest or had a new delinquent offense during the reporting period, then 'C' would be 25. This logic should follow for 'D', 'E', and 'F' values. The percent of youth re-offending measured short-term will be auto calculated in 'G'.

The number and percent of participating program youth who were arrested or seen at a juvenile court for a new delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source.

The number of youth tracked should reflect the number of program youth that are followed or monitored for new arrests or offenses 6-12 months after exiting the program.

Certain jurisdictions refer to adjudications as 'sentences'.

Other sentences may be community based sanctions, such as community service, probation etc.

Example: A grantee may have several youth who exited the program 6-12 months ago, however, they are tracking only 100 of them for re-offenses, therefore, and the 'A' value will be 100. Of these 100 program youth that exited the program 6-12 months ago 65 had a new arrest or new delinquent offense during the reporting period,

recommitted to a juvenile facility during the reporting period

E. Number of program youth who were sentenced to adult prison during the reporting period

F. Number of youth who received another sentence during the reporting period

G. Percent RECIDIVISM (C/B)

A. Number of program youth who exited the program 6-12 months ago that you are tracking

B. Of A, the number of program youth who had a new arrest or new delinquent offense during the reporting period

C. Number of program youth who were recommitted to a juvenile facility during the reporting period

D. Number of program youth who were sentenced to adult prison during the reporting period

E. Number of youth who received another sentence during the reporting period

F. Percent RECIDIVISM (B/A)

8. Number and percent of program youth who RE-OFFEND (long term)

Updated 04/01/2012

Not applicable
(Not a direct services program)

therefore the 'B' value should be recorded as 65. This logic should follow for 'C', 'D', and 'E' values. The percent of youth offending measured long-term will be auto calculated in 'F'.

The measure determines the number of program youth who are harmed or adversely affected by someone else's criminal actions. Victimization can be physical or psychological; it also includes harm or adverse effects to youth's property.

The number of youth tracked should reflect the number of program youth that are followed or monitored for victimization. Ideally this number should be all youth served by the program during the reporting period.

Example: If I am tracking 50 program youth, then, the 'B' value would be 50. Of these 50 program youth that I am tracking, if 25 of them were victimized during the reporting period, then 'C' would be 25. The percent of youth who are victimized measured short-term will be auto calculated in 'D' based on 'B' and 'C' values.

The measure determines the number of program youth who are harmed or adversely affected by someone else's criminal actions. Victimization can be physical or psychological; it also includes harm or adverse effects to youth's property. The number of youth tracked should reflect the number of program youth that are followed or monitored for victimization 6-12 months after exiting the program. Example: A grantee may have several youth who exited the program 6-12 months ago, however, they are tracking only 100 of them, therefore, and the 'A' value will be 100. Of these 100 program youth that exited the program 6-12 months ago 65 had been victimized during the reporting period, therefore the 'B' value should be recorded as 65. The percent of youth who are victimized measured long-term will be auto calculated in 'C' based on 'A' and 'B'

- A. Total number of program youth served
- B. Number of program youth tracked during the reporting period for victimization
- C. Of B, the number of program youth who were victimized
- D. Percent VICTIMIZED (C/B)

Not applicable
(Not a direct services program)

9. Number and percent of program youth who are VICTIMIZED (short term)

Updated 04/01/2012

10. Number and percent of program youth who are VICTIMIZED (long term)

Updated 04/01/2012

- A. Number of program youth who exited the program 6-12 months ago that you are tracking for victimization
- B. Of A, the number of program youth who were victimized during the reporting period
- C. Percent VICTIMIZED (B/A)

Not applicable
(Not a direct services program)

<p>11. Number and percent of program youth who are RE-VICTIMIZED (short term)</p> <p>Updated 04/01/2012</p>	<p>The re-victimization measure counts the number of youth who experienced subsequent victimization. Victimization can be physical or psychological; it also includes harm or adverse effects to youth's property.</p> <p>The number of youth tracked should reflect the number of program youth that are followed or monitored for re-victimization. Ideally this number should be all youth served by the program during the reporting period.</p> <p>Example: If I am tracking 50 program youth, then the 'B' value would be 50. Of these 50 program youth that I am tracking, if 25 of them were re-victimized during the reporting period, then 'C' would be 25. The percent of youth who are re-victimized measured short-term will be auto calculated in 'D' based on 'B' and 'C' values.</p>	<p>A. Total number of program youth served</p> <p>B. Number of program youth tracked during the reporting period for re-victimization</p> <p>C. Of B, the number of program youth who were re-victimized</p> <p>D. Percent RE-VICTIMIZED (C/B)</p>		<p>Not applicable (Not a direct services program)</p>
<p>12. Number and percent of program youth who are RE-VICTIMIZED (long term)</p> <p>Updated 04/01/2012</p>	<p>The re-victimization measure counts the number of youth who experienced subsequent victimization. Victimization can be physical or psychological; it also includes harm or adverse effects to youth's property.</p> <p>The number of youth tracked should reflect the number of program youth that are followed or monitored for re-victimization 6-12 months after exiting the program.</p> <p>Example: If I am tracking 50 program youth, then the 'A' value would be 50. Of these 50 program youth that I am tracking, if 25 of them were re-victimized during the reporting period, then 'B' would be 25. The percent of youth who are re-victimized measured long-term will be auto calculated in 'C' based on 'A' and 'B' values.</p>	<p>A. Number of program youth who exited the program 6-12 months ago that you are tracking for re-victimization</p> <p>B. Of A, the number of program youth who were re-victimized during the reporting period</p> <p>C. Percent RE-VICTIMIZED (B/A)</p>		<p>Not applicable (Not a direct services program)</p>
<p>Select one of the following from 13A through 13L depending on the primary focus of the program & delete the remain other rows.</p>				
<p>13A. Substance use (short term)</p>	<p>The number and percent of program youth who have exhibited a decrease in substance use during the reporting period. Self-report, staff rating, or urinalysis are</p>	<p>A. Number of program youth served during the reporting period with the noted behavioral change</p>		<p>Not applicable (Not a direct services program)</p>

	most likely data sources.	<ul style="list-style-type: none"> B. Total number of youth receiving services for target behavior during the reporting period C. Percent (A/B) 	
13A. Substance use (long term)	The number and percent of program youth who exhibited a decrease in substance use 6-12 months after exiting the program. Self-report, staff rating, or unanalysis are most likely data sources.	<ul style="list-style-type: none"> A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago C. Percent (A/B) 	Not applicable (Not a direct services program)
13B. Social competence (short term)	The number and percent of program youth who have exhibited a desired change in social competencies during the reporting period. Social competence is the ability to achieve personal goals in social interaction while simultaneously maintaining positive relationships with others over time and across situations. Self-report or staff ratings are the most likely data sources.	<ul style="list-style-type: none"> A. Number of program youth served during the reporting period with the noted behavioral change B. Total number of youth receiving services for the target behavior during the reporting period C. Percent (A/B) 	Not applicable (Not a direct services program)
13B. Social competence (long term)	The number and percent of program youth who exhibited a desired change in social competencies 6-12 months after exiting the program. Social competence is defined as the ability to achieve personal goals in social interaction while simultaneously maintaining positive relationships with others over time and across situations. Self-report or staff ratings are the most likely data sources.	<ul style="list-style-type: none"> A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago C. Percent (A/B) 	Not applicable (Not a direct services program)
13C. School attendance (short term)	The number and percent of program youth who have exhibited a desired change in school attendance during the reporting period. Self-report or official records are the most likely data sources.	<ul style="list-style-type: none"> A. Number of program youth served during the reporting period with the noted behavioral change B. Total number of youth receiving services for the target behavior during the reporting period 	Not applicable (Not a direct services program)

**13C. School attendance
(long term)**

The number and percent of program youth who exhibited a desired change in school attendance 6-12 months after exiting the program.
Self-report or official records are the most likely data sources.

- C. Percent (A/B)
 - A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change
 - B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago
 - C. Percent (A/B)

Not applicable
(Not a direct services program)

**13D. GPA
(short term)**

The number and percent of program youth who have exhibited a desired change in GPA during the reporting period.
Self-report or official records are the most likely data sources.

- A. Number of program youth served during the reporting period with the noted behavioral change
- B. Total number of youth receiving services for target behavior during the reporting period
- C. Percent (A/B)

Not applicable
(Not a direct services program)

**13D. GPA
(long term)**

The number and percent of program youth who exhibited a desired change in GPA 6-12 months after exiting the program.
Self-report or official records are the most likely data sources.

- A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change
- B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago
- C. Percent (A/B)

Not applicable
(Not a direct services program)

**13E. GED
(short term)**

The number and percent of program youth who earned their GED during the reporting period.
Self-report or staff ratings are the most likely data sources.

- A. Number of program youth served during the reporting period with the noted behavioral change
- B. Total number of youth receiving services for target behavior during the reporting period
- C. Percent (A/B)

Not applicable
(Not a direct services program)

**13E. GED
(long term)**

The number and percent of program youth who earned their GED 6-12 months after exiting the program.
Self-report or staff ratings are the most

- A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral

Not applicable
(Not a direct services program)

	likely data sources.	change	
		B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago	
		C. Percent (A/B)	
13F. High School Completion (short term)	The number of youth who have completed High School during the reporting period. Program records are the preferred data source.	A. Number of program youth served during the reporting period with the noted behavioral change	Not applicable (Not a direct services program)
		B. Total number of youth receiving services for target behavior during the reporting period	
		C. Percent (A/B)	
13F. High School Completion (long term)	The number and percent of program youth who exhibited an increase in high school completion 6-12 months after exiting the program. Program records are the preferred data source.	A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change	Not applicable (Not a direct services program)
		B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago	
		C. Percent (A/B)	
13G. Job Skills (short term)	The number and percent of program youth who exhibited an increase in job skills during the reporting period. Self-report or staff rating is most likely data source.	A. Number of program youth served during the reporting period with the noted behavioral change	Not applicable (Not a direct services program)
		B. Total number of youth receiving services for target behavior during the reporting period	
		C. Percent (A/B)	
13G. Job Skills (long term)	The number and percent of program youth who exhibited an increase in job skills 6-12 months after exiting the program. Self-report or staff rating is most likely data source.	A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change	Not applicable (Not a direct services program)
		B. Total number of youth who received services for the target behavior and who exited the	

13H. Employment status (short term)	The number of program youth who have exhibited an improvement in employment status during the reporting period. Self-report or staff ratings are most likely data sources.	<p>program 6-12 months ago</p> <p>C. Percent (A/B)</p> <p>D.</p> <p>A. Number of program youth served during the reporting period with the noted behavioral change</p> <p>B. Total number of youth receiving services for target behavior during the reporting period</p> <p>C. Percent (A/B)</p>	Not applicable (Not a direct services program)
13H. Employment status (long term)	The number and percent of program youth who exhibited an improvement in employment status 6-12 months after exiting the program. Self-report or staff ratings are most likely data sources.	<p>A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change</p> <p>B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago</p> <p>C. Percent (A/B)</p>	Not applicable (Not a direct services program)
13I. Family relationships (short term)	The number and percent of program youth who have exhibited a desired change in family relationships during the reporting period. Such changes are positive ones that could be related to increased positive interaction with family members. Examples are improved communication and increased emotional and practical support. Self-report or staff ratings are the most likely data sources.	<p>A. Number of program youth served during the reporting period with the noted behavioral change</p> <p>B. Total number of youth receiving services for target behavior during the reporting period</p> <p>C. Percent (A/B)</p>	Not applicable (Not a direct services program)
13I. Family relationships (long term)	The number and percent of program youth who have exhibited a desired change in family relationships 6-12 months after exiting the program. Such changes are positive ones that could be related to increased positive interaction with family members. Examples are improved communication and increased emotional and practical support. Self-report or staff ratings are the most likely data sources.	<p>A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change</p> <p>B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago</p> <p>C. Percent (A/B)</p>	Not applicable (Not a direct services program)

13J. Antisocial behavior (short term)

The number and percent of program youth who have exhibited a desired change in antisocial behavior during the reporting period. Antisocial behavior is a pervasive pattern of behavior that displays disregard for and violation of the rights of others, societal mores, or the law (such as deceitfulness, irritability, fighting, disruptive behavior, consistent irresponsibility, lack of remorse, or failure to conform to social norms).

Self-report or staff ratings are the most likely data sources.

- A. Number of program youth served during the reporting period with the noted behavioral change
- B. Total number of youth receiving services for the target behavior during the reporting period
- C. Percent (A/B)

Not applicable
(Not a direct services program)

13J. Antisocial behavior (long term)

The number and percent of program youth who exhibited a desired change in antisocial behavior 6–12 months after exiting the program. Antisocial behavior is a pervasive pattern of behavior that displays disregard for and violation of the rights of others, societal mores, or the law (such as deceitfulness, irritability, fighting, disruptive behavior, consistent irresponsibility, lack of remorse, or failure to conform to social norms).

Self-report or staff ratings are the most likely data sources.

- A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change
- B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago
- C. Percent (A/B)

Not applicable
(Not a direct services program)

13K. Gang resistance/ involvement (short term)

The number and percent of program youth who have exhibited a desired change in gang resistance behavior during the reporting period.

Self-report or staff ratings are the most likely data sources.

- A. Number of program youth served during the reporting period with the noted behavioral change
- B. Total number of youth receiving services for the target behavior during the reporting period
- C. Percent (A/B)

Not applicable
(Not a direct services program)

13K. Gang resistance/ involvement (long term)

The number and percent of program youth who exhibited a desired change in gang resistance behavior 6–12 months after exiting the program.

Self-report or staff ratings are the most likely data sources.

- A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change
- B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago
- C. Percent (A/B)

Not applicable
(Not a direct services program)

13L. Cultural Skill building/Cultural Pride (short term)	The number of program youth who exhibit increased knowledge and/or understanding of tribal background, history, traditions, language and/or values.	A. Number of program youth served during the reporting period with the noted behavioral change B. Total number of youth receiving services for the target behavior during the reporting period C. Percent (A/B)				Not applicable (Not a direct services program)
13L. Cultural Skill building/Cultural Pride (long term)	The number of program youth who exhibit increased knowledge and/or understanding of tribal background, history, traditions, language and/or values 6-12 months after exiting the program.	A. Total number of youth who exited the program 6-12 months ago who had the noted behavioral change B. Total number of youth who received services for the target behavior and who exited the program 6-12 months ago C. Percent (A/B)				Not applicable (Not a direct services program)
MEASURE & ITS #	DEFINITION	REPORTING FORMAT	FREQUENCY OF COLLECTION	RESPONSIBLE FOR COLLECTION	DATA SOURCE (UNIT AND/OR AGENCY)	HOW PROCESSED OR RETRIEVED
OUTPUT MEASURES						
Mandatory Measures						
267. Amount Of Jabg/Tribal JADG Funds Awarded For System Improvement	The amount of JABG/Tribal JADG funds in whole dollars that are awarded for System Improvement during the reporting period. Program records are the preferred source.	Funds awarded to program for services	Quarterly	Krista Airam Assistant Juvenile Court Administrator	Administrative Office of the Courts	Manually
Non-Mandatory Measures						
268. Number of partner agencies	Number of agencies that have a formal partnership agreements	Number of partner agencies	Quarterly	Krista Airam Assistant Juvenile Court Administrator and ICJ Coordinator	ICJ Council Membership records	Manually
276. Number of planning or training events held during the reporting period.	Number of planning or training activities held during the reporting period.	Number of planning or training events held during the reporting period.	Quarterly	Krista Airam Assistant Juvenile Court Administrator & ICJ Coordinator	Meeting and training records	Manually
OUTCOME MEASURES						

Mandatory Measures

None Required

Non-Mandatory Measures

279. Number of program policies changed, improved or rescinded during the reporting period

The number of cross-agency policies or procedures changed, improved, or rescinded during the reporting period.

A. Number of programs policies changed during the reporting period
B. Number of programs policies rescinded during the reporting period

Quarterly

Krista Airam
Assistant Juvenile
Court
Administrator and
ICJ Coordinator

ICJ Council meeting records and Probation Chiefs policy committee

Manually

282. Number of interagency information requests

Number of requests for information to the grantee's agency from partner agencies or from the grantee's agency to partner agencies.

Number of interagency information requests

Quarterly

ICJ Coordinator

ICJ coordinator's information sharing records (email / phone calls / meetings)

Manually

Section 4b: Performance Measures Targets

Instructions: Transfer only the applicable measures (those you can realistically collect and are applicable to the project) from the previous section to the chart below. Please add or remove rows as needed. (The annual target will not always match the sum of the four quarters. For example, the number of youth served each quarter will most likely not equal the total number of youth served during the grant year as youth carry over from one quarter to the next.) Use the columns to indicate the target or goal you plan to reach each quarter, aggregating the targets/goals for an annual total in the final column. Use raw numbers and the reporting format identified in the OJJDP Performance Measurement Data Collection Tool.

Program Name: Interstate Compact for Juveniles

Program Area: Information Sharing

#	MEASURE	1 ST QUARTER TARGET	2 ND QUARTER TARGET	3 RD QUARTER TARGET	4 TH QUARTER TARGET	ANNUAL TARGET OR GOAL TOTAL
OUTPUT MEASURES						
267	Amount Of Jabg/Tribal Jadg Funds Awarded For System Improvement	\$307 (grant)	\$12,152 (grant) \$1,400 (cash match)	\$1,592 (grant) \$200 (cash match)	\$349 (grant)	\$14,400 (grant) \$1,600 (cash match)
268	Number of partner agencies	10	10	10	10	40
276	Number of planning or training events held during the reporting period.	2	1	2	3	8
OUTCOME MEASURES						
279	Number of program policies changed, improved or rescinded during the reporting period	0	0	1	1	2
282	Number of interagency information requests	15	15	15	15	60

Section 5: TARGET POPULATION

A. TARGET POPULATION DESCRIPTION:
 This project is not a direct service project. The target population is Juvenile Court staff and community partners.

Check all that apply to the project's service population:

Justice Related Criteria: At-Risk Population (no priors) First Time Offenders Repeat Offenders
 Sex Offenders Status Offenders Violent Offenders
 Youth population not served directly

Age: 0-10 11-17 18 and over
 Youth population not served directly

Geographic: Rural Suburban Tribal Urban Not Applicable

Populations Served: Mental Health Substance Abuse Truant/Dropout
 Youth population not served directly

B. ESTIMATED NUMBERS TO BE SERVED BY PROJECT (use raw numbers, not percentages):

Gender	Ages
Males _____	_____ To _____
Females _____	_____ To _____

OJJDP requires each state to examine the disproportionate confinement of minorities in the juvenile justice system and to develop a plan to address the problem. The following data assists the state in identifying any programs that serve this population.

C. ESTIMATED NUMBER OF YOUTH TO BE SERVED (use raw numbers, not percentages):

Race/Ethnicity	Totals	Male	Female	Age Ranges
American Indian & Alaska Native				
Asian				
Black/African American				
Hispanic Origin (of any race)				
Native Hawaiian & other Pacific Islander				
Two or More Races				
White				
GRAND TOTALS				

D. DESCRIBE SERVICES PROVIDED SPECIFICALLY FOR MINORITIES:

1. Will the project provide targeted services for any of the racial/ethnic groups noted above? If so, which?
2. Demonstrate extensive knowledge of the barriers that clients face. Show how they are appropriately addressed and removed. How will the cultural competency of the staff be ensured. Demonstrates extensive knowledge of specific cultural characteristics of the target population.

The mission of the Utah Court requires fair and equal justice for all patrons of the system. The Courts are addressing disproportionate minority representation in the system in several ways. First, all employees and judges are required to attend cultural competency training. Additionally, the Administrative Office of the Courts is working with the Utah State Court's Judicial Institute to incorporate cultural competency in all probation officer training. By creating an atmosphere of inclusiveness, the courts are striving to fully engage youth and families in the court process.

The Juvenile Court continues their efforts to reduce disproportionate minority contact (DMC) by working with CCJJ to reduce overrepresentation at multiple points in the system. Three of our Chief Probation Officers are participating in local working groups to address disproportionate minority representation in the juvenile justice in Weber, Salt Lake, and Utah county. These DMC groups have been formed along the Wasatch Front to address issues on a local level.

Secondly, the courts have been successful in hiring employees that reflect the racial makeup of clients served. The employment of a diverse workforce provides an added benefit of employees being able to communicate to parents and youth in their native language. Financial incentives are provided for employees who use their language skills for their job. Additionally, the court has a court interpreter program which maintains a list of interpreters statewide, provides training, and continually strives to improve the program. Interpreters are available for court hearings as well as for probation preliminary inquiries and other court-related meetings.

Thirdly, the Juvenile Court has taken steps to improve the collection of racial data on the patrons it serves and continuously monitors the collection of data in districts. Changes to the C.A.R.E. information system have provided information that is more specific when race is not able to be collected. These distinctions allow court employees to identify if the lack of data is due to the youth or family declining to provide the information or if the information was not readily available at the time the record was created. With this additional information, employees are in a better position to know when additional efforts are needed to collect that information. This information is used to identify areas of disparity and then to adopt approaches to help address this disparity. The Utah Juvenile Court continues to work on areas identified as a concern by RRI in collaboration with the Utah Commission on Criminal and Juvenile Justice.

Section 6: PROBLEM STATEMENT

Describe the problem this project will address. Provide statistics documenting identified risk and protective factors. Include data from the UBJJ Risk & Protective Factors Tool and the SMART system provided by OJJDP. Data from other official sources (.e.g. school district, units of local government, state government, federal government or institution of higher learning) may also be included. Limit of three pages.

Prior to its adoption, the Interstate Compact for Juveniles (ICJ) relied on the cooperation of the sending and receiving state for those youth crossing state boundaries and being supervised in another jurisdiction. Furthermore, a professional organization developed rules to operate the compact but had no authority to enforce the rules. Similar to the adult compact, the ICJ wrote model legislation, which was passed by the required percentage of states to make it law. Utah passed compact legislation in 2004 and was one of the first states to do so. Utah waited until 2008 before the required number of states acted upon and passed legislation. The ICJ now exists, has a national office located in Lexington, Kentucky. As part of the compact, Utah is required to pay dues to the national office, which is charged with adopting a set of rules for states to abide by, the development of training materials, a website and a national database that will be used by member states. The first meeting of the National Interstate Commission for Juveniles was held in December 2008 and there has been a subsequent yearly annual business meeting since then.

One rule of ICJ directed each state to develop a state Council that would adopt local rules and educate those organizations that need to know about ICJ. Utah State Council has been formed and the Council has held six meetings thus far. Members of the Council include community partners, legislators, probation managers, juvenile court judges, community representatives, etc. The Council has established by-laws and has discussed numerous ICJ policies and processes such as collaboration of the Utah ICJ and ICPC offices, probation policies specific to interstate youth, and handling of runaway youth.

A national database (JIDS) was released in November 2012 and since that time Utah has taken an active role in ensuring our state is in compliance with entering information into the system, training our staff on the utilization of the system, and ensuring quality assurance of our users.

For further information on ICJ and its history, one can go to their website at www.juvenilecompact.org. Rules, training materials, member states, minutes of various committees, including the executive committee, and survey information are all part of the website. The website, however, is not widely known by staff and policy makers.

Section 7: PROJECT DESIGN AND MANAGEMENT

Explain how your program will work. Cite relevant research to show that the program strategy is effective. Explain each step or phase of the project in the following areas: project activities, client flow, staffing, and collaboration. Include a timeline identifying program activities for the entire grant year.

Is the project an evidence based program? YES NO (*not a direct service program*)

Name of the evidence based model: NA

If yes, select one source from which the program model was cited:

- | | |
|---|--|
| <input type="checkbox"/> Blueprints for Violence Prevention | <input type="checkbox"/> Hamilton Fish Institute |
| <input type="checkbox"/> CASEL (Collaborative for Academic, Social, & Emotional learning) | <input type="checkbox"/> Institute for Medicine |
| <input type="checkbox"/> Centers for Disease Control and Prevention | <input type="checkbox"/> NIDA Preventing Drug Abuse |
| <input type="checkbox"/> Community Guide to Helping America's Youth | <input type="checkbox"/> National Institute of Justice What Works Report |
| <input type="checkbox"/> Department of Education Safe, Disciplined, & Drug-free Schools | <input type="checkbox"/> OJJDP Model Programs Guide |
| <input type="checkbox"/> Drug Strategies, Inc. | <input type="checkbox"/> Promising Practices Network |
| <input type="checkbox"/> Making the Grade | <input type="checkbox"/> SAMSHA Model Programs |
| | <input type="checkbox"/> Surgeon General's Youth Violence Report |
| | <input type="checkbox"/> Other (e.g., State model program resources) |

If other, please specify: NA

Please indicate the name of the evidence-based program implemented: NA

Section 8: WORK PLAN AND TIMETABLE

Provide a detailed WORK PLAN, using the chart below, giving a month by month description of activity for the time period covered by this application. You must include the following (table will expand to fit):

- Activities necessary to achieve objectives
- Timetable for completion of each activity
- Staff position or consultants to be assigned to each activity
- Location where the activity will occur

Calendar Months	Activities	Assigned Position	Location
05/01/2015 to 06/14/2015	Plan the ICJ State Council meeting	Jessica Eldredge, Dawn Marie Rubio, and Chris Morgan	Salt Lake City
06/18/2015	Hold the Utah Council meeting	Jessica Eldredge, Dawn Marie Rubio, and Chris Morgan	Salt Lake City
07/01/2015 to 07/30/2015	Process invoice for dues	Dawn Marie Rubio	AOC
08/24/15 to 08/26/15	Attend the national ICJ training and meeting	Jessica Eldredge	Madison, Wisconsin
05/01/2015 to 03/31/2016	Coordinate and provide in person training on JIDS and new ICJ Rules	Jessica Eldredge	Judicial districts
10/01/2015 to 11/30/2015	Plan and hold the ICJ State Council meeting	Jessica Eldredge, Dawn Marie Rubio, and Chris Morgan	Salt Lake City
05/01/2015 to 12/31/2015	Update ICJ policies for placement in the Juvenile Court Bench book	Emily Iwasaki and Jessica Eldredge	Salt Lake City
05/01/2015 to 03/31/2016	Plan a training for probation officers regarding special topics in relationship to ICJ	Jessica Eldredge	Salt Lake City

Section 9: PROJECT GOALS AND OBJECTIVES

Goals and objectives should be directly related to the Problem Statement. **Goals** should describe what you expect your project to achieve when it is completed. Goals need to be both realistic and achievable. **Objectives** identify what your agency will do to reach the project goals. They are the short-term results produced by the project that together will lead to the accomplishment of the goals. **Activities** are the specific actions that will help reach your goals and objectives.

Goal: Ensure compliance with Interstate Compact Rules	
Project Objective	Activities
1. Pay required ICJ dues	1) Process invoice and pay dues to the national office
2. Represent Utah at the national ICJ meeting and training	1) Attend training and meetings in August 2015 2) Vote on proposed ICJ Rules changes 3) Inform court employees and community partners of changes and ICJ processes
3. Ensure that all staff is trained on new ICJ Rules and on using the new ICJ electronic database JIDS	1) Probation chiefs and the ICJ coordinator Jessica Eldredge to coordinate and conduct in person training in each district as needed
4. Hold a quarterly ICJ Council meeting	1) Plan the meeting in May 2015 2) Send the agenda and invite guests 3) Hold the quarterly meeting on June 16, 2015 4) Plan and hold an additional meeting between November 2015 and January 2016
5. Create and include Interstate Compact policies in an already existing Juvenile Court bench book	1) Draft documents for placement in the bench book 2) Seek Board of Juvenile Court Judges approval for placement of the documents in the bench book
6. Plan a training for probation officers on special topics related to ICJ	1) Seek ICJ Council input at the June Council meeting. 2) Plan training topic and agenda 3) Hold training with probation officers across the state

Section 10: BUDGET MATRIX AND NARRATIVE

Category	In-Kind Match	Cash Match	Grant Funds	Total
Personnel	\$0	\$0	\$0	\$0
Consultant/Contract	\$0	\$0	\$0	\$0
Equipment / Supplies/ Operating	\$0	\$500	\$11,500	\$12,000
Travel & Training	\$0	\$1,100	\$2,900	\$4,000
Total	\$0	\$1,600	\$14,400	\$16,000

FISCAL OFFICER (IMPLEMENTING AGENCY)
(Name, title, mailing address and zip code, area code and phone, fax, e-mail)

Milton Margaritas, Budget Officer
450 South State, P.O. Box 140241
Salt Lake City, Utah 84114-0241
801-578-3863 office
801-578-3854 fax
miltonm@email.utcourts.gov

PERSONNEL SALARIES AND FRINGE BENEFITS

This section is for full or part-time salaried employees. Employees who are not on the payroll are classified as consultants. If known, list name of individual. If a person has not been hired, type "vacant" and give the title of the position. "Number of Hours" refers to total hours spent on the grant implementation. **Do not request grant funding for an employee who is already on the payroll unless the original position held by that person will be filled by a new employee.** Salaries may not exceed those normally paid for comparable positions in the community or the unit of government associated with the project. The hourly rate for personnel salaries can be determined on the basis of 8 hours per day, 40 hours per week, 173.33 hours per month, or 2,080 hours per year. Paid vacation and sick leave are allowable expenditures, but *must not exceed the time that is normally allowed by the agency or unit of government* associated with the project. All leave earned must be used or paid during the period of the grant. See Guidelines for additional information regarding overtime restrictions.

Name	Title	# Hours	Hourly Rate	Total Salary
Salary Subtotal				\$0

EMPLOYER'S SHARE OF FRINGE BENEFITS

Fringe benefits are to be based on the employer's share only. Enter the percentage of monthly rate for each fringe benefit, the total wage amount, the number of months, if applicable, and the total amount of the employer's share of benefits. Fringe benefit base wage amounts for part-time employees must be prorated according to the percentage of total time spent with each employer. "FICA", "Pension", "Health Insurance", "Workers Compensation", and "Unemployment Compensation" are matters that should be reviewed by the applicant's fiscal or personnel officer before completing this part of the application.

Fringe Benefits	% or Monthly Rate	Eligible Wage Amount or Number of Months	Total Employer's Share of Fringe Benefits
FICA			
Pension/Medicare			
Health Insurance			
Worker's Comp			
Unemployment Comp			
Other (explain)			
Other (explain)			
Fringe Subtotal			\$0

Grant Funds Requested	Match Provided (if applicable)	Personnel Total
\$0	\$0	\$0

BUDGET NARRATIVE/PERSONNEL

Provide a brief description of the duties of personnel charged to this project, including educational background and prior work experience. If administrative personnel not engaged in the day-to-day activities of the project are included in this budget, explain why they are essential to the project's operation.

PERSONNEL	NARRATIVE

CONSULTANTS/CONTRACTS

Persons with specialized skills who are not on the payroll are considered consultants. When a consultant is known, a resume listing the consultant's qualifications and contract must accompany the application. However, if the position is vacant and the project receives funding, this information must be forwarded to UBJJ/CCJJ when a contract with the consultant is signed. All procurement transactions whether negotiated or competitively bid without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. Describe the procedure to be used in acquiring the consultant (i.e., small purchase procedures, competitively sealed bids, non-competitive negotiation, etc.) Consultant fees for individuals may not exceed \$56.25 per hour or \$450 per day, for an 8-hour day, plus expenses, without prior approval from UBJJ/CCJJ. Fee justification must be provided in the budget narrative.

Consultant Name	Services to be Provided	# Hours	Hourly Rate	Total Cost

Consultant Expenses
 (May include travel, training, food, lodging, and other allowable incidental travel costs.)

Consultant Fee Justification
 (Include the basis of selection and method of procurement. Any sole source consultant requires prior approval from CCJJ.)

Grant Funds Requested	Match Provided (if applicable)	Consultants Total
\$0	\$0	\$0

EQUIPMENT / SUPPLIES / OPERATING

Equipment: items to be purchased that are over \$5,000. Supplies: office supplies, cleaning, maintenance, AND OPERATING supplies, training materials, books and subscriptions, research forms, postage stamps, food, and other materials that are expendable with the life of the project. All equipment and supply purchases covered by this grant must be necessary for the project to achieve its goals and objectives. All procurement transactions, whether negotiated or competitively bid and without regard to dollar value, shall be conducted in a manner so as to provide a maximum open and free competition. Purchases between \$1,000 and \$5,000: Quotes should be obtained (by phone, fax or letter) from at least two vendors. Awards must be made to vendor submitting the lowest quote meeting the minimum specifications and required delivery date. Purchases exceeding \$5,000: A competitive sealed bid process must be conducted. Sole source contracts must be approved by CCJJ prior to being awarded.

Item	Cost	Time Period	Total
Rent-Facilities			
Telephone			
Non-consultant Contract Help			
a. Bookkeeping/Audit			
b. Maintenance			
c. Other (Specify) ICJ Dues	\$12,000		\$12,000
Auto Lease/Short-Term Rental			
Equipment Lease/Short-Term Rental			
Photocopying			
Printing			
Grant Management Costs (In-Kind)			
Other (Specify)			
Other (Specify)			
Other (Specify)			

Procurement Method to be Used (cell will expand)

Equipment / Supplies / Operating Justification and Narrative: Justify the purpose and use of each item noted above.

Annual fees of \$12,000.00 are required to be paid to the national ICJ office by each state. The fees enable Utah to remain in compliance with national and state legislation, to access the national database, and to vote on ICJ rule changes.

Printing costs associated with printing the Utah State Courts Juvenile Court Bench book for the specific purpose of adding several pages of information as it relates to Interstate Compact for Juveniles.

Grant Funds Requested	Match Provided (if applicable)	"Other" Total
\$11,500	\$500	\$12,000

TRAVEL & TRAINING

Grant related *travel charges must not exceed the rates allowed by the State of Utah*. Organizations whose written travel policies are less restrictive than the State of Utah, or that do not have their own written travel policy, must adhere to the State of Utah travel policy. "Per Diem" includes food and lodging. Meals provided gratis must be deducted from the per diem rate allowed. The "Other" category includes parking, telephone, or other allowable incidental travel costs. (This applies to grant funded employees only, not consultants.) The mileage rate may not exceed \$.50/mile.

Vehicle	# Miles	Mileage Rate	Total
Mileage	150	.38	\$57
Air, Bus, etc.	Destination	Fare	Total
Airfare for attendance to Annual Business Meeting	Madison, Wisconsin	\$514	\$514
Shuttle/Taxi to/from airport	Madison, Wisconsin	\$60	\$60
Per Diem	# Days	Per Diem Rate	Total
Meals per diem for attendance to National Conference	3 days	Out of state per diem meals \$46 x 3	\$138
Meals per diem for attendance to ICJ Council meeting	4 days x \$39		\$156
Meals per diem for ICJ Training in state	\$39 x 4 days x 2 trainers		\$312
Meals per diem for ICJ special topics Training	\$39 x 26		\$1,014
Conference Registration	# People	Rate	Total
Other			Total
In state lodging for trainers	2 nights X 2 people	\$90 X 2 X 2	\$360
Lodging for attendance to National Conference	3 days X \$150.00 (anticipated conference rate)		\$450
Airport parking	3 days x \$13		\$39
Lodging for ICJ Council members to attend two Council meetings	4 nights x \$100(Salt Lake rate)		\$400
Lodging for ICJ special topics training	\$100 x 5 people		\$500

Travel and Training Justification and Narrative

Attendance to the Annual Business meeting travel costs are estimated and based upon out of state per diem rates and within policy guidelines.

Interstate Compact Council meeting and Interstate Compact Rules training travel costs are estimated and rates are based upon the state per diem policies.

Interstate Compact special topics training travel costs are estimated and will be determined once plans have been developed and finalized regarding when and where the training will be held. It is

anticipated that these costs will be offset by court funds and to minimize costs to the grant.

Grant Funds Requested	Match Provided (if applicable)	Travel & Training Total
\$2,900	\$1,100	\$4,000

SECTION 12: LETTERS OF PARTICIPATION

Applicants must submit a Letter of Participation from each local agency or organization that is involved with the project, contributing resources, or making referrals (e.g., courts, treatment programs, shelters). Applicants should refer to the appropriate category in the Guidelines to ensure that appropriate letters are included. Failure to submit the appropriate Letters of Participation may remove the application from further funding consideration. List below the agencies providing letters of participation and the number of referrals:

Participating Agency Name and Role	Projected # of Referrals (if applicable)



--	--

Attach copies of each letter to all copies of the application.



LETTER OF PARTICIPATION FORMAT

All responses must show active cooperation with the applicant and with the project and must use the format below.
Please do not solicit or include letters of support. Each participating agency should use its letterhead and this format.

To: Utah Board of Juvenile Justice
From: (Participating Agency)
Re: (Project Name)
Date: (Must be current dated letter)

We hereby commit to providing the following services or referrals to further the objective of _____ project:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

Authorized Signature

Typed Name

Title

**Adult Drug Court
Discretionary Grant Proposal**

Judicial Council Grant Application Proposal Code of Judicial Administration 3-411

FEDERAL GRANTS

Contact Person/Phone: Shane Bahr 801-429-1038 Date: 4/7/2015

Judicial District or Location: Fourth Judicial District

Grant Title Adult Drug Court Discretionary Grant Grantor: Bureau of Justice Assistance (BJA)

Grant type (check one): New Renewal Revision

Grant Level (check one): Low Med. High.
Under \$1,000,000 \$1,000,000 to \$10,000,000 Over \$10,000,000

Issues to be addressed by the Project: This grant initiative will address program coordination and enhancement in the seven operational problem solving courts in the Fourth District.

Explanation of how the grant funds will contribute toward resolving the issues identified: Grant funds will support a full-time Problem Solving Court Coordinator who will work with each problem solving court to implement and enhance best practices in accordance with the drug court certification requirements. The Coordinator will also address some of the findings reported in Performance Audit No. 14-08 "A Performance Audit of Utah's Adult Drug Courts" Items to be address will be enhanced coordination, early risk/need screening, and drug court capacity expansion in the Fourth District.

Fill in the chart(s) for estimated state fiscal year expenditures for up to three years:

Total Funding Sources

(PROVIDE EXPLANATION OF ALL MATCHES IN THE COMMENTS SECTION)
MATCHING STATE DOLLARS

State Fiscal Year	Grant Amount	Other Matching Funds from Non-State Entities	MATCHING STATE DOLLARS					Total Funds
			General Fund	Dedicated Credits	Restricted Funds	Other (Write In)	Maintenance of Effort	
FY 2016	\$99,888		\$10,920					\$110,808
FY 2017	\$99,888		\$10,920					\$110,808
FY								\$0

IN-KIND MATCH

(PROVIDE EXPLANATION OF ALL MATCHES IN THE COMMENTS SECTION)
MATCHING STATE DOLLARS

State Fiscal Year	Grant Amount	Other Matching Funds from Non-State Entities	MATCHING STATE DOLLARS					Total Funds
			General Fund	Dedicated Credits	Restricted Funds	Other (Write In)	Maintenance of Effort	
FY 2016	\$99,888		\$25,019					\$124,907
FY 2017	\$99,888		\$25,018					\$124,906
FY								\$0

Comments Total Grant request is \$199,776 for a twenty-four month grant cycle with at total match of \$71,877.
 \$21,840 is Cash Match which includes travel and equipment
 \$50,037 is In-Kind Match and consists of Salary and Benefits

Will additional state funding be required to maintain or continue this program or its infrastructure when this grant expires or is reduced? Yes No If yes, explain:

As positive results are realized from the efforts of a Problem Solving Court Coordinator in the Fourth District, continuing funds will be sought on a state level to sustain this initiative.

Will the funds to continue this program come from within your existing budget: Yes No N/A

How many additional permanent FTEs are required for the grant? 1 Temp FTEs? 0.5

This proposal has been reviewed and approved by the following:
 The court executives and judges in the affected district(s).
 The Grant Coordinator and the Budget Manager at the Administrative Office of the Courts.
 The affected Board(s) of Judges.

Approved by the Judicial Council _____ by _____
 Date Court Administrator

Copy forwarded to Legislative Fiscal Analyst _____
 date

Grant Application Package

Opportunity Title:	BJA FY 15 Adult Drug Court Discretionary Grant Program
Sponsoring Agency:	Bureau of Justice Assistance
CFDA Number:	16.585
CFDA Description:	Drug Court Discretionary Grant Program
Opportunity Number:	BJA-2015-4087
Competition ID:	BJA-2015-4089
Opportunity Open Date:	02/19/2015
Opportunity Close Date:	04/16/2015
Agency Contact:	For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email responsecenter@ncjrs.gov; fax to 301-240-5830; or web chat at https://webcontact.ncjrs.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

Application Filing Name:

Select Forms to Complete

Mandatory

[Application for Federal Assistance \(SF-424\)](#)

[Assurances for Non-Construction Programs \(SF-424B\)](#)

[Budget Narrative Attachment Form](#)

[Disclosure of Lobbying Activities \(SF-LLL\)](#)

[Other Attachments Form](#)

[Project Narrative Attachment Form](#)

Optional

[Faith Based EEO Survey](#)

Instructions

[Show Instructions >>](#)

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here. If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

Application for Federal Assistance SF-424

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
---	---	--

* 3. Date Received: Completed by Grants.gov upon submission.	4. Applicant Identifier: _____
--	--

5a. Federal Entity Identifier: _____	5b. Federal Award Identifier: _____
--	---

State Use Only:

6. Date Received by State: _____	7. State Application Identifier: _____
---	---

8. APPLICANT INFORMATION:

* a. Legal Name: Utah State Court		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 87-6000545	* c. Organizational DUNS: 0963113650000	

d. Address:

* Street1:	125 North 100 West
Street2:	_____
* City:	Provo
County/Parish:	_____
* State:	UT: Utah
Province:	_____
* Country:	USA: UNITED STATES
* Zip / Postal Code:	84601-2849

e. Organizational Unit:

Department Name: _____	Division Name: _____
----------------------------------	--------------------------------

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr.	* First Name: Shane
Middle Name: _____	
* Last Name: Bahr	
Suffix: _____	

Title: Trail Court Executive

Organizational Affiliation: _____

* Telephone Number: 801-429-1038	Fax Number: _____
---	--------------------------

* Email: shaneb@utcourts.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*** Other (specify):**

*** 10. Name of Federal Agency:**

Bureau of Justice Assistance

11. Catalog of Federal Domestic Assistance Number:

16.585

CFDA Title:

Drug Court Discretionary Grant Program

*** 12. Funding Opportunity Number:**

BJA-2015-4087

*** Title:**

BJA FY 15 Adult Drug Court Discretionary Grant Program

13. Competition Identification Number:

BJA-2015-4089

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

UT4Dist_Q14_Areas Affected.docx

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Utah, Fourth Judicial District, Enhancement and Early Identification (RANT) Project

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="199,776.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="71,877.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="271,653.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

* First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number:

Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Completed on submission to Grants.gov	Utah, State Court Administrator
APPLICANT ORGANIZATION	DATE SUBMITTED
Utah State Court	Completed on submission to Grants.gov

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
0348-0046

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name: [REDACTED] * Street 1: [REDACTED] Street 2: [REDACTED] * City: [REDACTED] State: [REDACTED] Zip: [REDACTED] Congressional District, if known: [REDACTED]		
5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime: [REDACTED]		
6. * Federal Department/Agency: [REDACTED]	7. * Federal Program Name/Description: Drug Court Discretionary Grant Program CFDA Number, if applicable: 16.585	
8. Federal Action Number, if known: [REDACTED]	9. Award Amount, if known: \$ [REDACTED]	
10. a. Name and Address of Lobbying Registrant: Prefix [REDACTED] * First Name [REDACTED] Middle Name [REDACTED] * Last Name [REDACTED] Suffix [REDACTED] * Street 1 [REDACTED] Street 2 [REDACTED] * City [REDACTED] State [REDACTED] Zip [REDACTED]		
b. Individual Performing Services (including address if different from No. 10a) Prefix [REDACTED] * First Name [REDACTED] Middle Name [REDACTED] * Last Name [REDACTED] Suffix [REDACTED] * Street 1 [REDACTED] Street 2 [REDACTED] * City [REDACTED] State [REDACTED] Zip [REDACTED]		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
* Signature: Completed on submission to Grants.gov		
* Name: Prefix [REDACTED] * First Name [REDACTED] Middle Name [REDACTED] * Last Name [REDACTED] Suffix [REDACTED]		
Title: [REDACTED]	Telephone No.: [REDACTED]	Date: Completed on submission to Grants.gov
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

Project Abstract



Part 1: Please identify the applicant point of contact (POC)

OMB No. 1121-0329
Approval Expires 07/31/2016

Applicant POC	
Organization Name	Utah Fourth Judicial District
POC Name	Shane Bahr
Phone Number	801-429-1038
Email Address	shaneb@utcourts.gov
Mailing Address	125 North 100 West Provo, UT 84601

Part 2: Please identify the application

Application Information	
Solicitation Name	Adult Drug Court discretionary Grant Program FY 2015 Competitive Grant
Project Title	Fourth District Enhancement and RANT Expansion Project
Proposed Start Date	October 1, 2015
Proposed End Date	September 30, 2017
Funding Amount Requested	\$199,776

Part 3: Please identify the project location and applicant type

Project Location and Applicant Type	
Project Location (City, State)	Judicial District
Applicant Type (Tribal Nation, State, County, City, Nonprofit, Other)	State



Part 4: Please provide a project abstract

Enter additional project abstract information. Unless otherwise specified in the solicitation, this information includes:

- Brief description of the problem to be addressed and target area and population
- Project goals and objectives
- Brief statement of project strategy or overall program
- Description of any significant partnerships
- Anticipated outcomes and major deliverables

Text should be single spaced; do not exceed 400 words.

Project Abstract

The Utah Fourth Judicial District is requesting Adult Drug Court Discretionary Grant Program funds under Category II: Enhancement, in the amount of \$199,776. The length of this grant funding is twenty-four months. The primary goals of this grant initiative are to: 1) fund one full-time Problem Solving Court Coordinator (PSCC) to implement and enhance evidence based practices in the seven operational problem solving courts within the district; 2) implement a process by which all felony offenders in Utah County receive the Risk And Need Triage (RANT) at the time of the felony first appearance; and 3) increase problem solving court participant capacity in the Fourth Judicial District by twenty-five percent.

The Fourth District Court serves Juab, Utah, Millard, and Wasatch counties which consist of urban, suburban, and rural communities and has a population of over 600,00. The first felony drug court (FDC) in the Fourth District was established in Utah County in 1999 followed by a second FDC in 2006. The Wasatch County FDC was established in 2000 and the Juab County and Millard County FDCs were created in 2004. Utah County created a mental health court in 2004 and a Veterans Treatment Court in January, 2015. All problem solving courts in the Fourth District are post-plea and target high-risk and high-need offenders as determined by the RANT.

All seven operational problem solving courts in the Fourth Judicial District currently function without a coordinator. The Fourth District problem solving courts currently serve 150 participants. One intended outcome of this initiative is increase participant capacity from 150 participants up to 188 participants.

Key components of drug court are addressed on the following pages of the application:

- Key Component #1- Pages 7, 10, 14,
- Key Component #2 - Pages 6, 7, 8,10,11,14
- Key Component #3 - Pages 3, 6, 7, 11, 15,16
- Key Component #4 – Pages 4, 7, 8, 10
- Key Component #5 – Pages 8
- Key Component #6 – Pages 2, 9, 14,
- Key component #7- Pages 8
- Key Component #8- Pages 2, 14, 19
- Key Component #9 – Pages 2, 3, 11, 14, 16
- Key Component #10 – Pages 8, 11, 14, 16



Part 5: Please indicate whether OJP has permission to share the project abstract

If the applicant is willing for the Office of Justice Programs (OJP), in its discretion, to make the information in the project abstract above publicly available, please complete the consent section below. Please note, the applicant's decision whether to grant OJP permission to publicly release this information will not affect OJP's funding decisions. Also, if the application is not funded, granting permission will not guarantee that information will be shared, nor will it guarantee funding from any other source.

- Permission not granted
- Permission granted (Fill in authorized official consent below.)

On behalf of the applicant named above, I consent to the information in the project abstract above (including contact information) being made public, at the discretion of OJP consistent with applicable policies. I understand that this consent is only necessary to the extent that my application is unfunded; information submitted in an application that is funded (including this abstract) is always releasable to the public consistent with FOIA rules. I certify that I have the authority to provide this consent.

Authorized Official (AO) Consent	
Signature	Date
AO Name	Dan Becker
Title	State Court Administrator
Organization Name	Utah State Courts
Phone Number	801-578-3806
Email Address	danb@utcourts.gov

Note: This document is to be submitted as a separate attachment with a file name that contains the words "Project Abstract."



Program Narrative

Category 2: Enhancement - \$199,776

The Utah Fourth Judicial District is requesting federal grant dollars to: 1) fund one full-time **Problem Solving Court Coordinator (PSCC)** to implement and enhance evidence based practices in the seven problem solving courts operating within the district; 2) implement a process by which felony defendants in Utah County take the **RANT (Risk And Need Triage)** at the earliest feasible time after arrest; and 3) Increase participant capacity by twenty-five percent.

At present there are not state, county, or other municipal funds available to support a PSCC position or to implement the other goals of this project. The Utah Administrative Office of the Courts (AOC) has extended a charge to the Fourth Judicial District to seek grant opportunities to fund this project. If funded, this project will serve as a pilot for other districts in the state. As positive results from this project are recognized, the Fourth District Trial Court Executive will submit a fiscal building block request to the AOC; requesting funds to sustain this initiative.

A) Statement of the Problem (25 percent of 100)

*A Performance Audit of Utah's Felony Drug Courts*¹ (state audit) reports findings on the twenty-five adult drug courts across the state. While findings in this report are generalized from observations of adult drug courts across the state, the findings are definitely transferable to the problem solving courts in the Fourth District. In response to the state audit, the Fourth District is applying for funding to address three observations and recommendations noted in the audit report: **Program Coordination, Early Risk / Need Screening, and to Expand Problem Solving Court Capacity by Twenty-Five Percent.**

¹Office of the Utah State Auditor, 2015; Performance Audit No. 14-06, *A Performance Audit of Utah's Felony Drug Courts*

Program Coordination (key component 6)

Since inception, problem solving courts in the Fourth District have operated without a court coordinator. Program coordination has become a secondary responsibility of various team members. Judges, probation officers, treatment providers, and judicial staff have assumed this responsibility in addition to their other duties. As a result, coordination activities have often not been prioritized.

Utah courts operate under a unified court system governed by the Utah Judicial Council. The Judicial Council is responsible for adopting uniform rules for the administration of all courts in the state. In 2002 the Judicial Council adopted the first version of the Utah Adult Drug Court Certification Standards. These standards now consist of 84 items which are consistent with the *Adult Drug Court Best Practices Standards*², 55 of the standards are required for certification, 25 are presumed to be met unless the inability to meet the standard is demonstrated, and four are recommended for drug courts seeking re-certification.

For an adult drug court to be certified in the State of Utah, a court must adhere to the required standards. Each adult drug court undergoes an audit conducted by a staff member from the AOC. Results from the audit are then presented to the Judicial Council with a recommendation to certify or decertify the court. (key components 8 and 9)

In the Fourth District it has historically fallen to a judge, judicial assistant, intern, or law clerk, to complete the Certification Checklist. Programmatic and outcome data is extremely difficult, if not impossible, to obtain because there has not been one assigned person responsible to collect, maintain, and organize the required information. Furthermore, if there are practices

² National Association of Drug Court Professionals; Volume I, copyright 2013; *Adult Drug Court Best Practices Standards*

identified through the audit process that need to be enhanced or implemented, there hasn't been anyone assigned to work through challenges encountered by the respective stakeholders.

Since October 2014, four district court judges who preside over problem solving courts have attended the NDCI Judicial Training in Reno, Nevada (*key component #9.*) Two of these judges are new to the drug court process and will be presiding over drug courts which have existed for several years. In March 2015, another district judge completed the Veterans Treatment Court Planning Initiative. From these trainings, each judge and team has identified essential components in their respective drug courts that need to be implemented or enhanced. Implementing essential components will fall by the wayside unless judges or other team members dedicate time to make it happen. Program enhancement components that have been identified include, but are not limited to: 1) program coordination, including updating policy and procedure manuals for each of the existing problem solving courts; 2) gaps in effective community supervision; 3) early identification of high risk and high need offenders; 4) data collection and evaluation; 5) team training and implementation of best practices; 6) community outreach and collaboration. To ensure these and other best practices are implemented it is essential to have a PSCC as part of each Fourth District problem solving court team.

Early Risk / Need Screening (*key component #3*)

As noted in the state audit, "NADCP literature indicates that when populations of differing risk and need levels co-mingle positive outcomes are reduced. According to the creators of the RANT assessment tool, RANT assessments should be conducted on each (defendant) as soon as possible after an arrest is made. Early assessment helps to ensure the separation of differing risk and need populations. Utah Felony Drug Courts (FDC) use the RANT as a pre-sentencing tool..."

At present, unless a defendant has been pre-screened and placed on the FDC track, judges and prosecutors in the Fourth District do not know a defendant's risks and needs before sentencing. This may lead to mixing different risk and need populations by referring offenders to available programs. As a result, the Fourth District may be increasing recidivism among substance abusers.

The state audit suggests, "Administering a RANT assessment to offenders at the time of arrest could improve individual treatment outcomes, reduce recidivism, and decrease incarceration costs." In response to the state audit findings, the Fourth District court proposes to administer the RANT to defendants in Utah County at the earliest feasible time. Potentially, at the time of their felony first appearance which generally take place within ten days of arrest. Conducting the RANT on defendants charged with a felony will provide the data needed to determine the need for specific risk-level treatment in Utah County and provide the necessary information to determine FDC capacity.

Capacity Expansion *(key component 4)*

The Fourth Judicial District is comprised of Juab, Millard, Utah, and Wasatch counties and has a total population of over 600,000³ people. There are seven operational problem solving courts in the Fourth District including four adult drug courts, one mental health court, and one veterans treatments court in the district serving, in sum, approximately 150 offenders. The state audit suggests, when comparing the number of FDC participants in Utah County to counties of similar size, Utah County FDC has the highest completion rate (76 percent) with the fewest terminations, incarcerations or deaths. However, the Utah County FDC serves far fewer clients per capita than other counties of comparable size. From 2008 through 2013, the Utah County FDC averaged 92 participants. It is estimated, comparing Utah County to similar county

³ <http://quickfacts.census.gov>

populations, that Utah County FDC could serve 324 high risk / high need offenders, which is nearly 3.5 times the current FDC capacity. One primary goal of this initiative will be to increase problem solving court participant enrollment by 25 percent during the two years of funding.

The 2015 State Legislature passed HB 348 known as the "Justice Reinvestment Act". Much of this legislation is geared towards reduction of prison beds and places emphasis on community based treatment in lieu of incarceration. While it is still early to know exactly how this legislation will impact problem solving courts in the Fourth District, we do know that problem solving courts play a part of the continuum in this important piece of legislation. It is anticipated that drug court capacity in the Fourth District will increase at some point during this two year grant award. When drug court capacity is increased, it will necessitate additional coordination and early identification of high risk / high need offenders who are eligible to participate in the problem solving court. This grant initiative will assist the Fourth District prepare for an increase in drug court participants.

History: The first FDC in the Fourth District was established in Utah County in 1999 followed by a second FDC in 2006. The Wasatch County FDC was established in 2000 and the Juab County and Millard County FDCs were created in 2004. Utah County created a mental health court in 2004 and a Veterans Treatment Court in January, 2015.

Utah County is the largest county in the district (pop. 551,891). Utah County has two adult drug courts serving approximately 60 participants; one mental health court with 40 participants; and one newly created veterans treatment court with a capacity of serving 15 justice involved veterans. Juab County (pop. 10,348) and Millard County (pop. 12,662) each serve 10 adult drug court clients, and Wasatch County (pop. 26,437) currently serves 16 adult drug court

clients. All problem solving courts in the Fourth District are “post-plea” and target high-risk / high need offenders.

Since inception all drug court teams have operated without a court program coordinator. The teams work very well together and each team member has done their best to pitch in and get the job done. There is an effort at the state level to coordinate, monitor certification compliance, train drug court practitioners and implement best practices. However, there has not been a single point of contact at the local level to coordinate efforts and implement best practices in the Fourth District problem solving courts.

Current Operation: Problem Solving Courts in the Fourth District are currently operating with policy manuals that are non-existent, or out of date. If funded, updating policy and procedure manuals will be among the first tasks completed by the PSCC.

- **Referral, screening, and assessment** (*key components #2 & #3*) – Referrals to the various problem solving courts are generally made by the defendant’s attorney. Once the referral has been submitted, the County Attorney conducts a pre-screening that determines legal eligibility. Eligibility criteria listed in the legal screen tool include: 1) the defendant must not be facing charges of distribution or possession with intent to distribute or the factual basis must not involve distribution; 2) the defendant must live in the respective county; 3) the defendant cannot have been to the Utah State Prison previously, or have been to prison in another state or country; 4) the defendant cannot have a conviction for any prior crime of violence including any type of assault or other crime of violence (exception made for veterans court on a case by case basis); 5) the defendant cannot have a previous conviction for distribution or possession with intent

to distribute controlled substances. If the defendant meets the legal criteria, he or she is then referred to the treatment provider to complete the RANT.

- **Target Population** (*key component #3*) - Per Utah Code⁴, only offenders who are high risk / high need as measured by the RANT are admitted to the program.
- **Structure of the problem solving courts** (*key component 2*) – All problem solving courts in the Fourth District are Post-Plea. Depending upon the type of court and current charges, the offender may receive a plea in abeyance or enter a plea and be sentenced as part of the condition of entry into the program.
- **Current Capacity** (*key component #4*) - At present the Fourth District Problem Solving Courts have the capacity to serve approximately 150 offenders. The courts are generally at or above capacity. The goal for purposes of this grant will be to expand overall capacity by twenty-five percent; up to 188 participants.
- **Length and phases of the program** – As a general rule, there are four phases in the problem solving court programs. Successful participants must advance through each program phase based on achievement of realistic and defined behavioral objectives. Because each of the seven problem solving courts in the district operates slightly differently, the respective phase requirements are not listed in this application. The *minimum* length of stay in a respective problem solving courts is twelve months.
- **Case Management** (*key components #1 and #4*) – Treatment agencies assume the responsibility for clinical case management for drug court clients. A case management representative attends each staff meeting and court status hearing. Service effort information (from Adult Probation and Parole and the Court) will be integrated into a

⁴ Utah Code 78A-5-201(5)

data set by submission of weekly case management progress reports to Utah County aDDAPT and the Fourth District Felony Drug Court Team. Juab, Millard and Wasatch counties each have treatment providers who operate in a similar fashion.

- **Community Supervision** (*key component #2*) – Participants who are on felony probation receive community supervision by Adult Probation and Parole (AP&P). In some instances, participants who have a plea in abeyance are either supervised by AP&P or by local law enforcement. In some jurisdictions, community supervision of participants with pleas in abeyance is problematic because AP&P and local law enforcement agencies do not have resources to provide community supervision to this population. This is a gap that needs to be addressed by the PSCC.
- **Recovery support services delivery plan** (*key components #4 and #10*) – By the second phase of the program, participants are required to become involved in community support groups. These groups may include AA, NA, Healthy Activities Support, Church support groups, Alumni groups, and mentor programs.
- **Judicial Supervision** (*Key Component #7*) - Each participant appears before the judge for a status hearing no less frequently than every two weeks during the first phase of the program. Frequency of status hearings may be adjusted based on phase advancement, but all participants will appear before a judge at least one time per month. In cases where participants have received a plea in abeyance, participants generally appear before the judge once per week.
- **Process for randomizing drug testing** (*key component #5*) – Random drug tests are to be administered at least twice per week following the outlined procedure: 1) Treatment program clinical staff or drug court case managers may assign a color or number to any

client in order to establish a schedule for randomized drug testing; 2) Drug Testing Lab staff will establish the randomization of colors to be called; 3) When the color schedule is established, lab staff will call the drug testing line daily and record the color or colors of the day; 4) Clients assigned a color by treatment or drug court staff will be instructed to call in daily to see if their color has been called and report as instructed.

- **Incentive and sanctions** (*key component #6*) – Sanctions and incentives are communicated to participants and team members via discussion and a written sanctions and incentives grid. The levels of sanction or incentive given are based on the participant's phase in the program.
- **Graduation requirements and expulsion criteria** (*key component # 6*) – To graduate from the adult drug court participants must have: A minimum of 90 days consecutive abstinence with clean and valid UAs; continued treatment participation; maintain safe living arrangements; maintain employment and/or education; meeting with Court Case Manager once a month; appearance in Court every month; obtained GED or high school diploma (if appropriate) and; continued participation in community support meetings.

A participant may be terminated from the program for failing to successfully complete the program. Normally, termination will occur after graduated sanctions have been imposed and the participant has continually disregarded the rules or orders of the Court. A participant may be summarily terminated for being charged a sex offense or any felony. Persistent non-compliance with treatment directives are also grounds for termination. The participant may be terminated if he or she engages in violent, threatening or criminal behavior which endangers the welfare of co-participants, of the court personnel, or threatens the integrity of the court program.

- **Restitution costs and all fees required for program participation** (*key component #2*)
 - Participants are not required to pay additional fees to participate in problem solving courts. If participants are under AP&P supervision, they are required to pay and stay current on their monthly supervision fees. A participant may graduate from the program once they have completed the court and treatment expectations. They may remain under supervision until restitution and treatment fees are paid in full.

Treatment Services (*key components #1 and #4*)

Utah County Department of Drug and Alcohol Prevention and Treatment (UCaDDAPT) is the main provider of treatment services for the Utah County Felony Drug Court. As such, UCaDDAPT uses the following SAMHSA National Registry of Evidenced Base Programs and Practice: Relapse Prevention, Contingency Management, Motivational Interviewing, 12 Step Facilitation, Cognitive Behavior Therapy, and Medication Assisted Therapy (MAT). Providers in the other counties follow similar programs and practices.

Utah County aDDAPT also employs a variation of a cognitive behavioral therapy based approach called Cognitive Transformation Therapy. Based on the work of P.C. Giordano (Giordano, Cernkovich, & Rudolph, 2002), it is specifically designed for the criminal population to positively affect internal change in the clients' perceptions, attitudes, and values, and to improve the client's internal locus of control. Finally, a major objective of the program is to help the clients establish a sobriety based community support system to help them bridge the gap from treatment to "real life."

Utah County aDDAPT provides a wide continuum of care, as well as special population programs to meet the treatment and wrap-around service needs of persons suffering from

addiction. Appropriate levels of care are determined by ASAM Placement Criteria. The assessment process determines which ASAM level of care the client will enter upon admission. Movement within the treatment continuum is fluid and based on client progress and need. Utah County aDDAPT has provided a comprehensive continuum of substance abuse services for many years. Treatment services presently include all ASAM levels of care except for Partial Hospital, Ambulatory Detox, ASAM Levels III.7 and IV, and Medically Managed and Monitored Detox. In addition, Utah County aDDAPT provides outpatient treatment and medication management for dually diagnosed clients and treatment for some special populations.

Felony Drug court research has identified participants which benefit most are those assessed as having high criminogenic risk and a high need for substance abuse treatment. All prospective candidates for the Fourth District Felony Drug Court complete the RANT to determine if they meet the high risk/high need eligibility criteria for Felony Drug Court. A copy of the RANT is kept in their drug court file. All of the clinical staff on the drug court team has been trained to administer the RANT. Offenders who do not meet the high risk / high need criteria are referred to the appropriate level of care.

B. Project Design and Implementation (40 percent of 100) *(key components #2, 3, 9 and #10)*

Participants pay a portion of their treatment, case management, and drug testing fees on a sliding fee scale set at the time of their admission into treatment. The sliding fee scale is based on income and family size, and is anchored to the current Federal Poverty Level. Unpaid fees will not keep the participant from graduating from the program. However, participants may remain under some level of supervision, outside of drug court, until fees and restitution are paid in full.

Offenders who wish to enter drug court are first screened by the county attorney for legal eligibility. If the offender meets the legal eligibility criteria for drug court, the offender is then referred to complete the RANT to determine if they meet the high risk and high need eligibility criteria. If the offender meets these two eligibility requirements and is willing to enter a plea, they are brought into court at the next available court date (generally six weeks from arrest). Drug court programs in the Fourth District do not require an initial period of incarceration prior to admittance into the program.

Adult Drug Court Certification Standards in Utah require the drug court program to have a written policy addressing medically assisted treatment (MAT). The Fourth District drug courts do not deny appropriate and eligible clients access to the program because of their medically necessary use of FCA-approved medication assisted treatment. Decisions regarding MAT are made at the direction of a physician's recommendation or prescription.

Gender and cultural specific programming is delivered in all Utah County aDDAPT treatment programs. Utah County has a proportionately larger and younger family population. Females comprise 49.8% of the Utah population. Consequently, female specific and female/children specific treatment programs (Promise of Women and Children) has expanded at both outpatient and residential levels.

Utah County aDDAPT has become acutely aware of the rising need for substance abuse treatment services to military veterans. Clinical staff has received training in assessing and treating Post Traumatic Stress Disorder, as well as having professional staff with military training to consult and provide services to veteran clients. Utah County Foothill Residential Treatment Center has been approved by the Veteran's Administration as meeting all of the qualifications for treating veterans in a residential substance abuse treatment setting.

Utah County has an increasing Spanish speaking population. Fourth District FDC clients can participate in outpatient treatment designed specifically for native Spanish speakers, conducted by culturally competent Spanish speaking staff. Utah County aDDAPT also has a service referral relationship with Centro de la Familia de Utah.

Sexual orientation issues are considered in the context of the recovery process on an individual client basis. Utah County aDDAPT has onsite staff that are LBGTQ culturally competent trained. In addition, UCaDDAPT has a referral relationship with the Open and Affirming 12 Step Group, the United Church of Christ and the PRIDE Center in Salt Lake City.

Tasks to be completed by the PSCC throughout the two years of grant funding will incorporate evidence-based principles to address the following grant solicitation priorities: 1) **enhance court operations; and 2) expand the number of participants served that meet the existing target population description.** The PSCC will be tasked with enhancing services to the participant populations specifically through the coordination of services in accordance with the Utah Problem Solving Court Certification requirements and in response to the state audit. In addition, the coordinator will be responsible for planning and coordinating the drug courts team training, implementation of evidence based practices, and data collection and evaluation. Initially, emphasis will be placed on serving the adult felony drug court population. However, the coordinator may also assist the mental health court and veterans treatment court as time permits.

The PSCC serves as the “hub” of the problem solving court program and is responsible for program development, enhancement, and the day to day administrative operations of the court. The PSCC is an important member of the multidisciplinary team that responds to the offenses and treatment needs of program participants. The coordinator acts as an advocate and

intermediary for the program, the team, the community, and is part of problem solving court teams nationwide. It will be the responsibility of the PSCC funded by this grant to work with other stakeholders to build and expand capacity and bring together the professionals necessary to successfully reduce crime and substance abuse among participants. In addition, the coordinator works with the community to help them better understand the purpose of the program, as well as working with vocational and educational service providers within that community to assist with aftercare and reintegration efforts. The coordinator also ensures that the team as a whole successfully implements cogent policies and procedures to identify and assess the risk, need, and service requirements of each individual program participant. Funding for a PSCC will also allow judges and probation officers to focus more on their respective duties and ensure these critical tasks are completed in each problem solving court.

Project Goals and Objectives

The ultimate outcome of this initiative is to enhance **program coordination** among the seven problem solving courts in the Fourth Judicial District to address the following BJA grant priorities: 1) enhance court operations; and 2) expand the number of participants served that meet the existing target population description.

1. **Enhance Court Operations** (*key components 1,2,6,8,9,10*) - According to the NADCP⁵, Adult drug court teams should consist of a judge, coordinator, prosecutor, defense attorney, treatment providers, probation officer, and law enforcement. A Problem Solving Court Coordinator is needed to best meet the intent of all Ten Key Components of Adult Drug Court and the Seven Program Design Features. The coordinator's primary responsibility is to coordinate the efforts of all team members to oversee the day-to-day operations of the program and administer treatment and supervisory interventions.

⁵ National Association of Drug Court Professionals; NADCP.org

Since inception, problem solving courts in the Fourth District have operated without a Problem Solving Court Coordinator. As previously mentioned, coordination efforts have historically been conducted by other team members and have often not been the priority. Grant funding will allow the Fourth District Problem Solving Courts to achieve the following goals.

Goal I: Increase Program Coordination

Objective I: During the first year of grant funding, the PSCC will revise each problem solving court's Policy and Procedure and Participant Manuals.

Objective II: During the first and second years of grant funding the PSCC will review the Utah Adult Drug Court Certification Checklist with each drug court team and identify standards that need to be enhanced or implemented in order to be eligible for recertification.

Objective III: During the first and second years of grant funding, the PSCC and other team members will attend training sponsored by BJA/OJP and will also participate in local and state drug court training.

Objective IV: The PSCC will coordinate County and District Steering Committee meetings every 6 months.

Objective V: The PSCC will establish, in concert with the state PSC coordinator, data elements to be collected for program process and outcome evaluations.

Objective VI: Identify gaps in community supervision and implement possible solutions.

2. Expand the Number of Participants Served that Meet the Existing Target

Population Description (Key Component 3) - Eligible Participants are identified early and promptly placed in the drug court program. The Fourth District problem solving courts are severely underutilized. As noted in Key Component #3, best results are realized when eligible

participants are identified early and the initial appearance before the drug court judge and enrollment into treatment services occur as soon after arrest as possible.

The Screening and Assessment Principles, listed in the Seven Program Design Features, recommends to “screen promptly and systematically for all offenders potentially eligible for the drug court” and states that “assessments should be conducted using instruments that have been validated for the targeted population and updated periodically.”

Under this initiative, the Fourth District court proposes to administer the RANT screening tool at the time of the felony first appearance which generally takes place within ten days of arrest. The RANT was derived from years of systematic research by TRI scientists and other national experts investigating the critical elements of specialized programs for drug offenders. It determines which types of drug offenders are best suited for which types of programs.

Goal II: Establish a process in which non-violent offenders in Utah County will take the RANT (Risk And Need Triage) at their felony first appearance

Objective I: Establish a suitable process for administering the RANT

Objective II: Contract with a part-time RANT Coordinator

Objective III: Coordinate with local graduate students to administer RANT

Goal III: Increase the number of participants in the Fourth District Problem Solving Courts by twenty-five percent.

Objective I: PSCC will participate in local justice involved committees to identify potential treatment funding resources that will promote increased problem solving court participation.

Objective II: The PSCC will coordinate with a contract provider and student interns to conduct the RANT screening on all non-violent felony offenders in Utah County at the felony first appearance hearing.

C. Capabilities and Competencies (20 percent) *(key components 9 and 10)*

The Fourth District consists of four counties and has seven operational problem solving courts. Each problem solving court team is made up of members from the respective county and members assume the same roles and responsibilities:

Judge - Presides over non-adversarial court appearances and leads the problem solving court team in creating a participant focused recovery program.

Coordinator – Oversees the activity of the team, conducts quality assurance of each team member, maintains client data, remains informed regarding budgetary concerns of the problem solving courts and coordinates services from each discipline, and the local community, in a manner that is most therapeutic to the drug court participant. (Funding from this grant will support a coordinator for these courts.)

Prosecutor – Acts as “gate keeper” and selects offenders who are legally eligible to participate in the program; he/she obtains prior criminal histories of offenders, participates in team meetings and attends non-adversarial court proceedings.

Defense Attorney – Acts as “gate keeper” and selects offenders who participate in the program; he/she obtains prior criminal histories of offenders, participates in team meetings and attends non-adversarial court proceedings. Ensures participant’s legal rights are protected.

Community Supervision Representative – Actively monitors drug court participants outside of the drug court setting, including conducting home and job visits. All client contact is documented and visits logged to help encourage positive participant behavior.

Treatment Provider - Provides rehabilitative therapy sessions, drug screening, case management and monitoring for court participants. Additionally, within the bounds of ethics and

legalities, a court treatment provider shares information regarding the progress of a participant in appropriate settings to all problem solving court team members.

Program Evaluator - Assists the drug court team in developing, capturing, and communicating useful and useable information for key stakeholders and other audiences.

Juab County Team Members - Judge Jennifer Brown is a newly appointed judge and presides over the Juab County adult drug court. Juab County ADC team members consist of Jared Eldridge, prosecutor; Milton Harmon, defense counsel, Lea Gibson, Central Utah Counseling; and Randy Hall, AP&P.

Millard County Team Members – Judge Jennifer Brown is a newly appointed judge and presides over the Millard County adult drug court. She attended the training for drug court judges in March, 2015. Kaela Jackson is the Millard County prosecutor and Tate Bennett serves as defense counsel for the drug court participants. Teresa Turner is the treatment representative on the drug court team and works for Central Utah Counseling Center. Ian Adams is the Adult Probation and Parole officer who is assigned to provide community supervision to drug court participants.

Utah County Team Members- Judge James Taylor and Judge James Brady preside over the two Utah County FDCs. Both judges have been involved with adult drug courts for several years and each has attended training for drug court judges within the last six months. Other team members consist of Rosie Jensen, Utah County Substance Abuse; Sherry Ragan, Doug Finch, and Kelsey Young, Utah County Prosecutors; Stephen Fraizer and Dustin Parmley, Public Defenders; Laura Trammel, Utah County Sheriff, and Katrina Storick, Fourth District Court Clerk.

Judge Samuel McVey presides over the Veterans Treatment Court and has completed the VTCPI training with his team. Judge Fred Howard has been involved with drug courts for several years and currently presides over the mental health court.

Wasatch County Team Members – Judge Derek Pullan has presided over the Wasatch County adult drug court for many years. Judge Roger Griffin is a newly appointed district court judge and will be assuming the drug court responsibilities in Wasatch County in the near future. He attended drug court Judicial Training in March, 2015. Other team members are: Prosecutor, Matt King; Defense Attorney, Dana Facemeyer; Treatment Providers, Brittney Case and Anita Graham from Wasatch Family Clinic; and Probation officer, John Carpenter.

Other team members – Shane Bahr is the Fourth District Trial Court Executive and will serve as project director to this initiative. He will be responsible for the quarterly grant reports. Mr. Bahr has worked in problem solving courts for nearly twenty years and has coordinated problem solving courts in Idaho and in Colorado at the state and local levels. Mr. Bahr will supervise and work closely with the grant funded PSCC.

Katrina Storick is a Fourth District Judicial Assistant who has been assigned to work specifically with problem solving courts. She attends pre-court staff meeting and court hearings. She will assist the PSCC to collect data and organize team meetings.

D. Evaluation *(key component 8)*

The Utah Department of Human Services (DHS) was awarded an Adult Drug Court Grant statewide in FY13 (Award Number 2013-DC-BX-0015). One goal of the statewide grant is to develop performance and descriptive measures for adult drug court and to then conduct a statewide drug court evaluation. The PSCC will coordinate with the state drug court coordinator to ensure the prescribed data elements are being collected in the Fourth District to assist in this

statewide evaluation effort. The Fourth District has a local program evaluator who is working with the advisory committee to identify data elements to be collected to evaluate the programs.

As a unified court system, Utah Courts utilizes CORIS (Courts Records Information System) to maintain the official court record. For purposes of this grant proposal, the in-court clerk will enter information into CORIS as required to maintain the court record. The PSCC will coordinate with other team members to collect required information, not available through CORIS reports, to be submitted through BJA's Performance Measurement Tool (PMT).

As previously noted, this grant initiative will serve as a pilot for the other judicial districts in Utah. As the goals of this project are recognized, the Fourth District Trial Court Executive (TCE) will report to the State Problem Solving Court Coordinator. The TCE will also prepare a "Building-Block" request, seeking permanent, full-time funding for the PSCC position and costs associated with this initiative.

Utah has not, as yet, adopted a Medicaid expansion program. Should the Legislature and Governor approve a Medicaid expansion program, it is anticipated that treatment resources for drug court participants could be greatly enhanced. If treatment resources are increased, the PSCC will be in place to coordinate how this will impact problem solving courts in the Fourth District.

FOURTH DISTRICT TIME TASK PLAN

Goal I: Increase Program Coordination			
<u>OBJECTIVES</u>	<u>TASKS</u>	<u>COMPLETION DATE</u>	<u>RESPONSIBLE PARTY</u>
Objective I: During the first year of grant funding, the PSCC will revise each problem solving court Policy and Procedure / Participant Manual	Task I: Hire full- time PSCC	11/01/2015	Trial Court Executive PSCC and teams
	Task II: PSCC will meet with each team and identify what documents currently exist	12/15/2015	
	Task III: PSCC will establish team meetings to identify current and desired policies	01/30/2016	PSCC and teams
	Task IV: As needed, the PSCC will provide best practices training/education to each team.	Ongoing	PSCC
	Task V: PSCC and team members will approve policy/procedures and participant handbook	09/30/2016	PSCC and teams
Objective II: During the first and second years of grant funding the PSCC will review the Utah Adult Drug Court Certification Checklist with each drug court team and identify standards that need to be enhanced or implemented in order to be eligible for recertification.	Task I: PSCC will review the Certification Checklist with each team and identify one standard to be implemented or enhanced in the following six months Task II: PSC and teams will implement or enhance identified standard	01/01/2016	PSCC and teams
		07/01/2016 01/01/2017 07/01/2017	
Objective III: During the first and second years of grant funding, the PSCC and other team members will attend training sponsored by BJA/OJP and will also participate in local and state drug court training.	Task I: Identify seven team members including PSCC and two judges who will attend the NADCP National Conference	07/30/2016	PSCC
		07/30/2017	

FOURTH DISTRICT TIME TASK PLAN

<u>OBJECTIVES</u>	<u>TASKS</u>	<u>COMPLETION DATE</u>	<u>RESPONSIBLE PARTY</u>
Objective IV: The PSCC will coordinate County and District Steering Committee meetings every 6 months.	Task I: PSCC will schedule team meetings with each of the seven problem solving courts. Adult drug courts will take priority	Ongoing every six months after grant award	PSCC / Judicial Assistant
Objective V: The PSCC will establish, in concert with the state PSC coordinator, data elements to be collected for program process and outcome evaluations and begin collection	Task I: District PSCC will meet with state PSCC and identify data elements to be collected for statewide evaluation.	01/01/2016	PSCC
	Task II: PSCC will identify which team members have access to the required data elements	04/01/2016	PSCC
	Task III: Create a mechanism for data collection and begin collecting information	06/01/2016	PSCC / Judicial Assistant
Objective VI: Identify gaps in community supervision and implement possible solutions.	Task I: PSCC meet with 4 th district AP&P manager and Sheriff rep to identify options for supervising drug court participants who have received a plea in abeyance.	05/01/2016	PSCC
Goal II: Establish a process by which felony defendants in Utah County will take the RANT (Risk And Need Triage) within ten days of arrest			
Objective I: Establish a suitable process for administering the RANT	Task I: The PSCC will meet with judges, district attorney, and defense counsel to establish suitable process for administering the RANT	01/01/2016	PSCC and Trial Court Executive
Objective II: Contract with a part-time RANT Coordinator	Task I: Advertise for and contract with a RANT Coordinator	01/01/2016	Trial Court Executive

FOURTH DISTRICT TIME TASK PLAN

<u>OBJECTIVES</u>	<u>TASKS</u>	<u>COMPLETION DATE</u>	<u>RESPONSIBLE PARTY</u>
Objective III: Recruit graduate externs to administer the RANT	Task I: The PSCC will coordinate with a contract provider and student interns to conduct the RANT screening on felony offenders in Utah County within ten days of arrest	03/01/2016 and ongoing	PSCC and RANT Coordinator
	Task II: RANT coordinator and externs will begin RANT screening	04/01/2016 Ongoing	RANT Coordinator
Goal III: Increase the number of participants in the Fourth District Problem Solving Courts by twenty-five percent			
Objective I: Identify how many potential non-violent offenders are eligible to participate in problem solving court	Task I: At least every six months, review RANT data to determine how many non-violent offenders are eligible to participate in drug court based on risk and need.	10/01/2016 04/01/2017 10/01/2017	PSCC Coordinator
Objective II: Identify funding resources that will expand participant capacity	Task I: The PSCC will participate in local justice involved committees to identify potential funding resources that will promote increased problem solving court participation.	Ongoing	PSCC
	Task II: Specifically, the PSCC will monitor the status of: HB 348; Medicaid Reform, and County / State funding	Ongoing	PSCC
	Task III: As funding resources are identified, the PSCC will work with respective teams to increase capacity	Ongoing	PSCC
Quarterly Participant Projections	1 st Quarter - 150	2 nd Quarter - 155	3 rd Quarter- 160
	5 th Quarter - 170	6 th Quarter - 175	7 th Quarter - 180



? General Instructions & Resources

[View Budget Summary](#)

OMB APPROVAL NO: 1121-0329

EXPIRES 7/31/2016

Budget Detail Worksheet

- (1) **Purpose:** The Budget Detail Worksheet is provided for your use in the preparation of the budget and budget narrative. All required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be left blank. Indicate any **non-federal (match)** amount in the appropriate category, if applicable.
- (2) For each budget category, you can see a sample by clicking (**To View an Example, Click Here**) at the end of each description.
- (3) There are various hot links listed in red in the budget categories that will provide additional information via documents on the internet.
- (4) **Record Retention:** In accordance with the requirements set forth in **28 CFR Parts 66** and **70**, all financial records, supporting
- (5) The information disclosed in this form is subject to the Freedom of Information Act under 5 U.S.C. 55.2.

- A. **Personnel** - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization. Include a description of the responsibilities and duties of each position in relationship to fulfilling the project goals and objectives. (Note: Use whole numbers as the percentage of time, an example is 75.50% should be shown as 75.50)

PERSONNEL (FEDERAL)

Name	Position	Computation				Cost
		Salary	Basis	Percentage of Time	Length of Time	
UnKnown	Problem Solving Court Coordinator	\$ 47,840.00	Year	100.00	2	\$ 95,680.00
FEDERAL TOTAL						\$ 95,680.00

PERSONNEL NARRATIVE (FEDERAL)

Grant funds will be utilized to fund a full-time Problem Solving Court Coordinator (PSCC) in years one and two of the project. While drug courts in the Fourth Judicial District have existed for several years, they have operated without a PSCC. The PSCC salary is calculated at \$23.00 per hour or \$47,840 annually. Salary for two years of funding will amount to \$95,680 plus benefits. $\$23.00 \times 2080 = \$47,840.00 \times \text{two years} = \$95,680.00$.

PERSONNEL (NON-FEDERAL)

Name	Position	Computation				Cost
		Salary	Basis	Percentage of Time	Length of Time	
Shane Bahr	TCE	\$ 90,918.00	Year	0.10	2	\$ 18,184
Katrina Storick	Judicial Assistant	\$ 35,114.00	Year	0.25	2	\$ 17,557
FEDERAL TOTAL						\$ 35,741

PERSONNEL NARRATIVE (NON-FEDERAL)

Shane Bahr is the 4th District Trial Court Executive and will serve as the Project Director. He will dedicate ten percent of his time working with the PSCC and the drug court teams on this project.

Katrina Storick is the Judicial Assistant currently assigned to the Speciality Courts Team. Katrina will dedicate twenty-five percent of her time to this project. She will assist the PSCC collect participant data, attend court hearings, and participate in team meetings.

TOTAL PERSONNEL	\$ 131,420.60
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- B. **Fringe Benefits** - Fringe benefits should be based on actual known costs or an approved negotiated rate by a Federal agency. If not based on an approved negotiated rate, list the composition of the fringe benefit package. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation and Unemployment Compensation. (Note: Use decimal numbers for the fringe benefits rates, an example is 7.65% should be shown as .0765)

FRINGE BENEFITS (FEDERAL)

Description	Computation		Cost
	Base	Rate	
Two years PSCC Benefits - Based on Utah Court Employee Benefit Package	\$ 95,680.00	0.40	\$ 38,272
	FEDERAL TOTAL		\$ 38,272

FRINGE BENEFITS NARRATIVE (FEDERAL)

Based on the FY16 Utah Court Benefit Package and includes Life Insurance, Health Insurance, Dental, and 401k Match. The approximate rate for benefits is 40% of the base salary.

FRINGE BENEFITS (NON-FEDERAL)

Description	Computation		Cost
	Base	Rate	
TCE Benefits	\$ 18,184.00	\$ 0.40	\$ 7,274
JA Benefits	\$17,557.00	\$ 0.40	\$ 7,023
NON-FEDERAL TOTAL			\$ 14,296

FRINGE BENEFITS NARRATIVE (NON-FEDERAL)

Based on the FY16 Utah Court Benefit Package and includes Life Insurance, Health Insurance, Dental, and 401k Match. The approximate rate for benefits is 40% of the base salary.

TOTAL FRINGE BENEFITS	\$ 52,568
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Travel - Itemize travel expenses of staff personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Describe the purpose of each travel expenditure in reference to the project objectives. Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known, or if unknown, indicate "Location to be determined." Indicate source of Travel Policies applied Applicant or Federal Travel Regulations. Note: Travel expenses for consultants should be included in the "Contractual/Consultant" category.

TRAVEL (FEDERAL)

Purpose of Travel	Location	Computation							Cost	
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	Cost		
Problem Solving Court Coordinator and Drug Court Team Members to attend the NADCP National Drug Court Conference or other BJA sponsored training	2016 - Anaheim 2017 - Wash. DC	Lodging	\$ 200.00	Night	5	4	2	\$ 8,000.00		
		Meals	\$ 65.00	Day	6	4	2	\$ 3,120.00		
		Mileage	\$ 0.65	Mile	100		16	\$ 1,040.00		
		Transportation:								
		Airfare	\$ 600.00	Round-trip		4	2	\$ 4,800.00		
		Local Travel								
		Other								
		Registration Fee	\$ 700.00		1	4	2	\$ 5,600.00		
		Subtotal						\$ 22,560.00		\$ 22,560.00

TRAVEL (FEDERAL)

Purpose of Travel	Location	Computation							Cost
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	Cost	
District Travel	Various locations within the district and state	Lodging	\$ -	Night				\$ -	
		Meals	\$ -	Day				\$ -	
		Mileage	\$ 0.65	Mile	320		48	\$ 9,984.00	
		Transportation:							
			\$ -	Round-trip				\$ -	
		Local Travel	\$ -					\$ -	
		Other							
			\$ -					\$ -	
		Subtotal						\$ 9,984.00	
FEDERAL TOTAL								\$ 32,544.00	

PERSONNEL NARRATIVE (FEDERAL)

Four drug court team members, including the PSCC, will attend the NADCP National Conference each year of this project. Given there are multiple drug courts in the district, each team will have representation at a national conference during the two year grant period. Travel per diem and reimbursements rates are based on state travel allowance in accordance with the State Accounting Manual

District Travel - Since there are multiple drug courts in the district, it will be necessary for the PSCC to travel to each court to provide assistance. The PSCC's primary office will be located in Provo (Utah County) and will travel to Wasatch, Juab, and Millard counties. One round trip visit to each of these locations per month is over 320 miles. Calculations above assume the PSCC will visit each site two times per month. The current mileage reimbursement rate is .65 / mile.

TRAVEL (NON-FEDERAL)

Purpose of Travel	Location	Computation						Cost
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	
Two Judges and/or TCE to attend NADCP National Conference	2016 - Anaheim 2017 - Wash. DC	Lodging	\$ 200.00	Night	5	3	2	\$ 6,000.00
		Meals	\$ 65.00	Day	6	3	2	\$ 2,340.00
		Mileage	\$ 0.65	Mile				\$ -
		Transportation:						
		Airfare	\$ 600.00	Round-trip		3	2	\$ 3,600.00
		Local Travel	\$ -					\$ -
		Other						
		Registration Fee	\$ 700.00		1	3	2	\$ 4,200.00
		Subtotal						
NON-FEDERAL TOTAL								\$ 16,140.00

TRAVEL NARRATIVE (NON-FEDERAL)

The 4th District will pay for three judges or court staff to attend the National Drug Court Conference each year of the project with the PSCC and the other team members. Travel per diem and reimbursements rates are based on state travel allowance in accordance with the State Accounting Manual. Airline and lodging costs are calculated using current rates.

TOTAL TRAVEL	\$ 48,684.00
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D. **Equipment** - List non-expendable items that are purchased (Note: Organization's own capitalization policy for classification of equipment should be used). Expendable items should be included in the "Supplies" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary or the success of the project. and describe the procurement method to be used.

EQUIPMENT (FEDERAL)

Item	Computation		Cost
	Quantity	Cost	
			\$ -
FEDERAL TOTAL			\$ -

EQUIPMENT NARRATIVE (FEDERAL)

EQUIPMENT (NON-FEDERAL)

Item	Computation		Cost
	Quantity	Cost	
Laptop PC*	2	\$ 800.00	\$ 1,600.00
Printer*	2	\$ 600.00	\$ 1,200.00
Desk Chair*	2	\$ 500.00	\$ 1,000.00
Scanner*	2	\$ 450.00	\$ 900.00
Docking stations and Monitors*	2	\$ 500.00	\$ 1,000.00
		\$ -	\$ -
		\$ -	\$ -
NON-FEDERAL TOTAL			\$ 5,700.00

EQUIPMENT NARRATIVE (NON-FEDERAL)

The Fourth District will provide office space for the PSCC and for the contract RANT coordinator in one of the existing courthouses. The equipment listed above will be purchased by the Fourt District and will be calculated as (*) cash match. Cost associated with these items are based on the state court new employee cost guidelines. The equipment will be used for day to day word processing and data collection. The RANT coordinator will utilize this equipment to conduct and process the RANT screening.

TOTAL EQUIPMENT	\$ 5,700.00
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E. **Supplies** - List items by type (office supplies, postage, training materials, copying paper, and expendable items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

SUPPLIES (FEDERAL)

Supply Items	Computation		Cost
	Quantity/Duration	Cost	
		\$ -	\$ -
FEDERAL TOTAL			\$ -

SUPPLIES NARRATIVE (FEDERAL)

SUPPLIES (NON-FEDERAL)

Supply Items	Computation		Cost
	Quantity/Duration	Cost	
		\$ -	\$ -
NON-FEDERAL TOTAL			\$ -

SUPPLIES NARRATIVE (NON-FEDERAL)

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TOTAL SUPPLIES	\$ -
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F. **Construction** - Provide a description of the construction project and an estimate of the costs. As a rule, construction costs are not allowable. In some cases, minor repairs or renovations should be classified in the "other" category. Consult with the program office before budgeting funds in this category.

CONSTRUCTION (FEDERAL)

Purpose	Description of Work	Cost
		\$ -
	FEDERAL TOTAL	\$ -

CONSTRUCTION NARRATIVE (FEDERAL)

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CONSTRUCTION (NON-FEDERAL)

Purpose	Description of Work	Cost
		\$ -
	NON-FEDERAL TOTAL	\$ -

CONSTRUCTION NARRATIVE (NON-FEDERAL)

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TOTAL CONSTRUCTION	\$ -
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G. **Consultants/Contracts** - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed. **Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day or \$56.25 per hour require additional justification and prior approval from OJP.

CONSULTANT FEES (FEDERAL)

Name of Consultant	Service Provided	Computation			Cost
		Fee	Basis	Quantity	
		\$ -	8 Hour Day		\$ -
SUBTOTAL					\$ -

CONSULTANT FEES NARRATIVE (FEDERAL)

CONSULTANT FEES (NON-FEDERAL)

Name of Consultant	Service Provided	Computation			Cost
		Fee	Basis	Quantity	
		\$ -	8 Hour Day		\$ -
SUBTOTAL					\$ -

CONSULTANT FEES NARRATIVE (NON-FEDERAL)

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Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.). This includes travel expenses for anyone who is not an employee of the applicant such as participants, volunteers, partners, etc.

CONSULTANT EXPENSES (FEDERAL)

Purpose of Travel	Location	Computation						Cost
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	
		Lodging	\$ -	Night				\$ -
		Meals	\$ -	Day				\$ -
		Mileage	\$ -	Mile				\$ -
		Transportation:						
			\$ -	Round-trip				\$ -
		Local Travel	\$ -					\$ -
		Other						
			\$ -					\$ -
		Subtotal						\$ -
SUBTOTAL								\$ -
FEDERAL TOTAL								\$ -

CONSULTANT EXPENSES NARRATIVE (FEDERAL)

CONSULTANT EXPENSES (NON-FEDERAL)

Purpose of Travel	Location	Computation						Cost	
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips		Cost
		Lodging		Night				\$ -	
		Meals	\$ -	Day				\$ -	
		Mileage	\$ -	Mile				\$ -	
		Transportation:							
			\$ -	Round-trip				\$ -	
		Local Travel	\$ -					\$ -	
		Other							
			\$ -					\$ -	
		Subtotal						\$ -	
								SUBTOTAL	\$ -
								NON-FEDERAL TOTAL	\$ -

CONSULTANT EXPENSES NARRATIVE (NON-FEDERAL)

TOTAL CONSULTANTS	\$ -
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Contracts - Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000. A sole source contract may not be awarded to a commercial organization that is ineligible to receive a direct reward.

CONTRACTS (FEDERAL)

Item	Cost
Part-Time RANT Coordinator	\$ 33,280.00
FEDERAL TOTAL	\$ 33,280.00

CONTRACTS NARRATIVE (FEDERAL)

Grant funds will be utilized to contract with a part-time RANT Coordinator. The individual will be responsible for conducting the RANT screening on all no-violent offenders in Utah County at the time of their Felony First Appearance. Further, this individual will coordinate with graduate students from local universities to assist with conducting Rant screenings. Calculations are based upon an hourly wage of \$16.00, up to twenty hours per week with no benefits.

CONTRACTS (NON-FEDERAL)

Item	Cost
	\$ -
NON-FEDERAL TOTAL	\$ -

CONTRACTS NARRATIVE (NON-FEDERAL)

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TOTAL CONTRACTS	\$ 33,280.00
TOTAL CONSULTANT/CONTRACTS	\$ 33,280.00

H. **Other Costs** - List items (e.g., rent (arms-length transaction only), reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent or provide a monthly rental cost and how many months to rent. The basis field is a text field to describe the quantity such as square footage, months, etc.

OTHER COSTS (FEDERAL)

Description	Computation				Cost
	Quantity	Basis	Cost	Length of Time	
			\$ -		\$ -
FEDERAL TOTAL					\$ -

OTHER COSTS NARRATIVE (FEDERAL)

OTHER COSTS (NON-FEDERAL)

Description	Computation				Cost
	Quantity	Basis	Cost	Length of Time	
			\$ -		\$ -
NON-FEDERAL TOTAL					\$ -

OTHER COSTS NARRATIVE (NON-FEDERAL)

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TOTAL OTHER COSTS	\$ -
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- i. **Indirect Costs** - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully-executed, negotiated agreement), must be attached. If the applicant does not have an approval rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate of the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories. *(Note: Use whole numbers as the indirect rate, an example is an indirect rate of 15.73% should be shown as 15.73).* To View an Example, Click Here.

INDIRECT COSTS (FEDERAL)

Description	Computation		Cost
	Base	Rate	
	\$ -	0.00	\$ -
	FEDERAL TOTAL		\$ -

INDIRECT COSTS NARRATIVE (FEDERAL)

INDIRECT COSTS (NON-FEDERAL)

Description	Computation		Cost
	Base	Rate	
	\$ -	0.00	\$ -
NON-FEDERAL TOTAL			\$ -

INDIRECT COSTS NARRATIVE (NON-FEDERAL)

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	TOTAL INDIRECT COSTS	\$ -
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Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	\$ 95,680	\$ 35,741	\$ 131,421
B. Fringe Benefits	\$ 38,272	\$ 14,296	\$ 52,568
C. Travel	\$ 32,544	\$ 16,140	\$ 48,684
D. Equipment	\$ -	\$ 5,700	\$ 5,700
E. Supplies	\$ -	\$ -	\$ -
F. Construction	\$ -	\$ -	\$ -
G. Consultants/Contacts	\$ 33,280	\$ -	\$ 33,280
H. Other	\$ -	\$ -	\$ -
Total Direct Costs	\$ 199,776	\$ 71,877	\$ 271,653
I. Indirect Costs	\$ -	\$ -	\$ -
TOTAL PROJECT COSTS	\$ 199,776	\$ 71,877	\$ 271,653

Federal Request	\$ 199,776
Non-Federal Amount	\$ 71,877
Total Project Cost	\$ 271,653

Public Reporting Burden

Paper Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestion for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project; 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Administrative Office of the Courts

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

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

April 7, 2015

Denise E. O' Donnell
Director, Bureau of Justice Assistance
Office of Justice Programs
810 Seventh Street, NW
Washington, DC 20531

Dear Ms. O'Donnell:

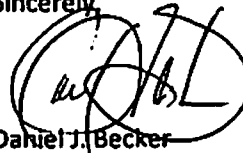
Utah's Fourth Judicial District is seeking Adult Drug Court Discretionary Grant dollars in the amount of \$199,776 to enhance the operation of its problem solving courts. We have identified the need for a Problem Solving Court Coordinator at the district level who can coordinate the efforts of these seven operational courts.

The goals of this initiative are to 1) fund one full-time Problem Solving Court Coordinator who will implement and enhance evidence-based problem solving court practices; 2) create a process by which all felony offenders complete a Risk and Need screening within ten days of arrest; and 3) increase the capacity of the existing problem solving courts. At present, there is no local or state funding available to support such a coordinator position.

In seeking federal grant money, we are demonstrating our ongoing commitment to the success of problem solving courts in Utah. If funded, this project will serve as a pilot for the other judicial districts in the state. As positive results are realized from the efforts of a Problem Solving Court Coordinator in the Fourth District, continuing funds will be sought on a state level to sustain this initiative.

We appreciate the opportunity for federal assistance in this worthy cause, and thank you for your consideration of our request.

Sincerely,



Daniel J. Becker
Utah State Court Administrator

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.



April 10, 2015

Fourth District Court

Denise E. O'Donnell
Director, Bureau of Justice Assistance
Office of Justice Programs
810 Seventh Street, NW
Washington, DC 20531

Dear Ms. O'Donnell,

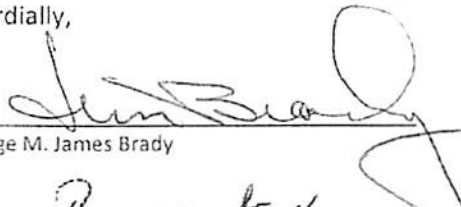
The Fourth Judicial District is actively involved in the problem solving courts of the State of Utah. At present there are seven problem solving courts in operation on our district level, the work of which requires considerable effort to coordinate. We have identified the need for a Problem Solving Court Coordinator and are seeking Adult Drug Court Discretionary Grant money to help fund that new position, as no state or local dollars are available at this time.

It is anticipated that the Coordinator will be responsible to implement and enhance evidence-based practices in the problem solving courts, and also create a process by which all felony offenders complete a risk/need screening within ten days of arrest. We believe the addition of a Coordinator to our staff will be a great asset to the program at this time, and we give our full support to this request.

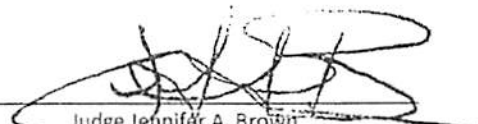
In seeking federal grant money, we also demonstrate our ongoing commitment to the success of problem solving courts in Utah. If funded, this project will serve as a pilot for other judicial districts in the state. As positive results are realized from the efforts of a Problem Solving Court Coordinator in the Fourth District, continuing funds will be sought on a state level to sustain this initiative.

We thank you for your consideration of our application, and appreciate the opportunity for federal assistance in this worthy cause.

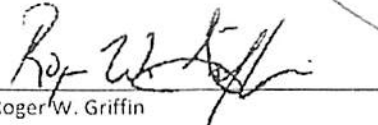
Cordially,



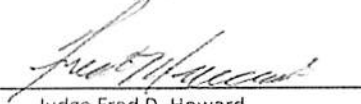
Judge M. James Brady



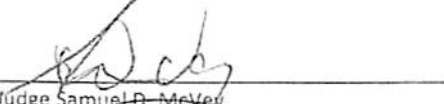
Judge Jennifer A. Brown



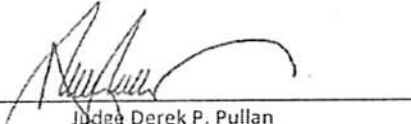
Judge Roger W. Griffin



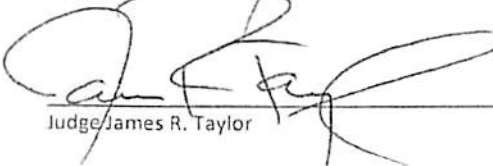
Judge Fred D. Howard



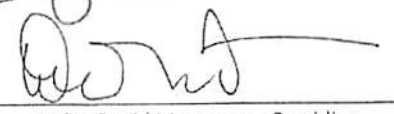
Judge Samuel D. McVey



Judge Derek P. Pullan



Judge James R. Taylor



Judge David Mortensen, Presiding

TAB 7



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: Alison Adams-Perlac *Alison Adams-Perlac*
Date: April 20, 2015
Re: Amendments to the Utah Code of Judicial Administration Recommended for Public Comment

The Policy and Planning Committee recommends the following amendments to the Utah Code of Judicial Administration. If no concerns are raised, the proposed amendments will be opened for public comment and will be subject to change after the comment period.

CJA 3-201. Court commissioners. Amend. Provides a public comment process for commissioner nominations and reappointments.

The Policy and Planning Committee voted to recommend the proposal, as written, for public comment.

CJA 4-603. Mandatory electronic filing. Amend. Provides that a person seeking a hardship exemption may do so by filing a written request in lieu of a form.

The Policy and Planning Committee voted to recommend the proposal, as written, for public comment.

CJA 1-205. Standing and ad hoc committees. Amend. Adds a criminal law professor to the membership makeup of the Model Criminal Jury Instructions Committee.

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.

450 South State Street / P.O. Box 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3821 / Fax: 801-578-3843 / email: alisonap@utcourts.gov

Amendments to the Utah Code of Judicial Administration Recommended for
Public Comment
April 20, 2015
Page 2

The Policy and Planning Committee voted to recommend the proposal, as written, for public comment.

CJA 4-502. Expedited procedures for resolving discovery issues. Repeal. Repeals rule 4-502 as expedited procedures for resolving discovery issues are now covered by rules 26, 30, 37, and 45 of the Utah Rules of Civil Procedure.

The Policy and Planning Committee voted to recommend the proposal, as written, for public comment.

Encl.	CJA 3-201
	CJA 4-603
	CJA 1-205
	CJA 4-502

1 **Rule 3-201. Court commissioners.**

2 **Intent:**

3 To define the role of court commissioner.

4 To establish a term of office for court commissioners.

5 To establish uniform administrative policies governing the qualifications,
6 appointment, supervision, discipline and removal of court commissioners.

7 To establish uniform administrative policies governing the salaries, benefits
8 and privileges of the office of court commissioner.

9 **Applicability:**

10 This rule shall apply to all trial courts of record.

11 **Statement of the Rule:**

12 (1) Definition. Court commissioners are quasi-judicial officers established
13 by the Utah Code.

14 (2) Qualifications.

15 (A) Court commissioners must be at least 25 years of age, United States
16 citizens, Utah residents for three years preceding appointment and residents
17 of Utah while serving as commissioners. A court commissioner shall reside in
18 a judicial district the commissioner serves.

19 (B) Court commissioners must be admitted to practice law in Utah and
20 exhibit good character. Court commissioners must possess ability and
21 experience in the areas of law in which the court commissioner serves.

22 (C) Court commissioners shall serve full time and shall comply with Utah
23 Code Section 78A-2-221.

24 (3) Appointment - Oath of office.

25 (A) Selection of court commissioners shall be based solely upon
26 consideration of fitness for office.

27 (B) When a vacancy occurs or is about to occur in the office of a court
28 commissioner, the Council shall determine whether to fill the vacancy. The
29 Council may determine that the court commissioner will serve more than one
30 judicial district.

31 (C) A committee for the purpose of nominating candidates for the position
32 of court commissioner shall consist of one judge from each court that the
33 commissioner will serve, three lawyers, and two members of the public.
34 Committee members shall be appointed by the presiding judge of the district
35 court of each judicial district. The committee members shall serve three year
36 terms, staggered so that not more than one term of a member of the bench,
37 bar, or public expires during the same calendar year. The presiding judge
38 shall designate a chair of the committee. All members of the committee shall
39 reside in the judicial district. All members of the committee shall be voting
40 members. A quorum of one-half the committee members is necessary for the
41 committee to act. The committee shall act by the concurrence of a majority of
42 the members voting. When voting upon the qualifications of a candidate, the
43 committee shall follow the voting procedures of the judicial nominating
44 commissions.

45 (D) If the commissioner will serve more than one judicial district, the
46 presiding judges of the districts involved shall select representatives from
47 each district's nominating committee to form a joint nominating committee with
48 a size and composition equivalent to that of a district committee.

49 (E) No member of the committee may vote upon the qualifications of any
50 candidate who is the spouse of that committee member or is related to that
51 committee member within the third degree of relationship. No member of the
52 committee may vote upon the qualifications of a candidate who is associated
53 with that committee member in the practice of law. The committee member

54 shall declare to the committee any other potential conflict of interest between
55 that member and any candidate as soon as the member becomes aware of
56 the potential conflict of interest. The committee shall determine whether the
57 potential conflict of interest will preclude the member from voting upon the
58 qualifications of any candidate. The committee shall record all declarations of
59 potential conflicts of interest and the decision of the committee upon the issue.

60 (F) The administrative office of the courts shall advertise for qualified
61 applicants and shall remove from consideration those applicants who do not
62 meet minimum qualifications of age, citizenship, residency, and admission to
63 the practice of law. The administrative office of the courts shall develop
64 uniform guidelines for the application process for court commissioners.

65 (G) The nominating committee shall review the applications of qualified
66 applicants and may investigate the qualifications of applicants to its
67 satisfaction. The committee shall interview selected applicants and select the
68 three best qualified candidates. The committee shall receive public comment
69 on those candidates as provided in paragraph (4).

70 (H) When the public comment period has closed, the comments shall go to
71 the nominating committee. If any comments would negatively affect the
72 committee's decision on whether to recommend a candidate, the candidate
73 shall be given notice and an opportunity to respond to the comments. If the
74 committee decides not to recommend a candidate based on the comments,
75 the committee shall select another candidate from the interviewed applicants
76 and again receive public comment on the candidates as provided in
77 paragraph (4).

78 (I) The chair of the nominating committee shall present the names,
79 applications, and the results of background investigations of the nominees to

80 the judges of the courts the court commissioner will serve. The committee
81 may indicate its order of preference.

82 (HJ) The judges of the courts the court commissioner will serve shall select
83 one of the nominees by a concurrence of a majority of judges voting. The
84 concurrence of each court independent of the others is necessary for
85 selection.

86 (IK) The presiding judge of the district court of the district the court
87 commissioner will primarily serve shall present the name of the selected
88 candidate to the Council. The selection shall be final upon the concurrence of
89 two-thirds of the members of the Council. The Council shall vote upon the
90 selection within 45 days of the selection or the concurrence of the Council
91 shall be deemed granted.

92 (JL) If the Council does not concur in the selection, the judges of the district
93 may select another of the nominees or a new nominating process will be
94 commenced.

95 (KM) The appointment shall be effective upon the court commissioner
96 taking and subscribing to the oath of office required by the Utah Constitution
97 and taking any other steps necessary to qualify for office. The court
98 commissioner shall qualify for office within 45 days after the concurrence by
99 the Council.

100 (4) Public comment for appointment and retention.

101 (A) Final candidates for appointment and court commissioners who are up
102 for retention shall be subject to public comment.

103 (B) For final candidates, the nominating committee shall be responsible for
104 giving notice of the public comment period.

105 (C) For court commissioners, the district in which the commissioner serves
106 shall be responsible for giving notice of the public comment period.

107 (D) The nominating committee or district in which the commissioner serves
108 shall:

109 (i) email notice to each active member of the Utah State Bar including the
110 names of the nominees or court commissioner with instructions on how to
111 submit comments;

112 (ii) publish the names of the nominees or court commissioner with
113 instructions on how to submit comments in a newspaper of general circulation;
114 and

115 (iii) allow at least 10 days for public comment.

116 (E) Individuals who comment on the nominees or commissioners should be
117 encouraged, but not required, to provide their names and contact information.

118 (F) The comments are classified as protected court records and shall not
119 be made available to the public.

120 (45) Term of office. The court commissioner shall be appointed until
121 December 31 of the third year following concurrence by the Council. At the
122 conclusion of the first term of office and each subsequent term, the court
123 commissioner shall be retained for a term of four years unless the judges of
124 the courts the commissioner serves remove the commissioner in accordance
125 with paragraph (6)(C). The term of office of court commissioners holding office
126 on April 1, 2011 shall end December 31 of the year in which their term would
127 have ended under the former rule.

128 (5) Performance evaluation and public comments.

129 (A) The presiding judge of the district shall prepare an evaluation of the
130 commissioner's performance on an annual basis, on forms provided by the
131 administrative office. The presiding judge shall provide copies of the
132 evaluation to the Judicial Council. A copy of the performance plan and any
133 subsequent evaluation shall be maintained in the official personnel file in the

134 administrative office. Court commissioners shall comply with the program for
135 judicial performance evaluation, including any recommendations made in the
136 evaluation.

137 (B) When the public comment period has closed, the comments shall go to
138 the presiding judge in the district in which the commissioner serves. If any
139 comments would negatively affect the presiding judge's decision on whether
140 to discipline or remove the commissioner from office, the commissioner shall
141 be given notice and an opportunity to respond to the comments.

142 (6) Removal and sanctions.

143 (A) If the commissioner's performance is not satisfactory, the presiding
144 judge, with the concurrence of the judges of that jurisdiction, may discipline
145 the commissioner or remove the commissioner from office. If the
146 commissioner disagrees with the presiding judge's decision, the commissioner
147 may request a review of the decision by the Management Committee of the
148 Council.

149 (B) The court commissioner may be removed by the Council:

150 (i) as part of a reduction in force;

151 (ii) for failure to meet the evaluation and certification requirements; or

152 (iii) as the result of a formal complaint filed under CJA Rule 3-201.02 upon
153 the concurrence of two-thirds of the Council.

154 (C) The court commissioner may be removed without cause by the judges
155 of the courts the commissioner serves at the conclusion of a term of office.
156 Removal under this paragraph shall be by the concurrence of a majority of all
157 judges of the courts the commissioner serves. A decision to remove a
158 commissioner under this paragraph shall be communicated to the
159 commissioner within a reasonable time after the decision is made, and not
160 less than 30 days prior to termination.

161 (D) The court commissioner may be sanctioned by the Council as the
162 result of a formal complaint or by the presiding judge or judges of the courts
163 the commissioner serves. Sanctions may include but are not limited to private
164 or public censure, restrictions in case assignments, mandatory remedial
165 education, suspension for a period not to exceed 60 days, and reduction in
166 salary.

167 (7) Salaries and benefits.

168 (A) The Council shall annually establish the salary of court commissioners.
169 In determining the salary of the court commissioners, the Council shall
170 consider the effect of any salary increase for judges authorized by the
171 Legislature and other relevant factors. Except as provided in paragraph (6),
172 the salary of a commissioner shall not be reduced during the commissioner's
173 tenure.

174 (B) Court commissioners shall receive annual leave of 20 days per
175 calendar year and the same sick leave benefits as judges of the courts of
176 record. Annual leave not used at the end of the calendar year shall not accrue
177 to the following year. A commissioner hired part way through the year shall
178 receive annual leave on a pro rated basis. Court commissioners shall receive
179 the same retirement benefits as non-judicial officers employed in the judicial
180 branch.

181 (8) Support services.

182 (A) Court commissioners shall be provided with support personnel,
183 equipment, and supplies necessary to carry out the duties of the office as
184 determined by the presiding judge.

185 (B) Court commissioners are responsible for requesting necessary support
186 services from the presiding judge.

187

1 **Rule 4-603. Mandatory electronic filing.**

2 **Intent:**

3 To require that documents in district court criminal cases be filed electronically.

4 To provide for exceptions.

5 **Applicability:**

6 This rule applies in the district court.

7 **Statement of the Rule:**

8 (1) Except as provided in Paragraph (2), pleadings and other papers filed in criminal
9 cases in the district court on or after March 31, 2014 shall be electronically filed using
10 the electronic filer's interface.

11 (2)(A) A self-represented party who is not a lawyer may file pleadings and other
12 papers using any means of delivery permitted by the court.

13 (2)(B) A lawyer whose request for a hardship exemption from this rule has been
14 approved by the Judicial Council may file pleadings and other papers using any means
15 of delivery permitted by the court. To request an exemption, the lawyer shall submit a
16 ~~the written~~ request to the Judicial Council's General Counsel ~~on a form approved by the~~
17 ~~Judicial Council.~~

18 (2)(C) The Information may be filed using any means of delivery permitted by the
19 court until January 1, 2015, at which time it shall be electronically filed using the
20 electronic filer's interface.

21 (3) The electronic filer shall be an attorney of record and shall use a unique and
22 personal identifier that is provided by the filer's service provider.

Rule 1-205.

Comport with changes to Rule 1-205 effective May 1, 2015

1 Rule 1-205. Standing and ad hoc committees.

2 Intent:

3 To establish standing and ad hoc committees to assist the Council and provide
4 recommendations on topical issues.

5 To establish uniform terms and a uniform method for appointing committee
6 members.

7 To provide for a periodic review of existing committees to assure that their activities
8 are appropriately related to the administration of the judiciary.

9 Applicability:

10 This rule shall apply to the internal operation of the Council.

11 Statement of the Rule:

12 (1) Standing committees.

13 (1)(A) Establishment. The following standing committees of the Council are hereby
14 established:

15 (1)(A)(i) Technology Committee;

16 (1)(A)(ii) Uniform Fine/Bail Schedule Committee;

17 (1)(A)(iii) Ethics Advisory Committee;

18 (1)(A)(iv) Justice Court Standards Committee;

19 (1)(A)(v) Judicial Branch Education Committee;

20 (1)(A)(vi) Court Facility Planning Committee;

21 (1)(A)(vii) Committee on Children and Family Law;

22 (1)(A)(viii) Committee on Judicial Outreach;

23 (1)(A)(ix) Committee on Resources for Self-represented Parties;

24 (1)(A)(x) Language Access Committee;

25 (1)(A)(xi) Guardian ad Litem Oversight Committee;

26 (1)(A)(xii) Committee on Model Utah Civil Jury Instructions; and

27 (1)(A)(xiii) Committee on Model Utah Criminal Jury Instructions.

28 (1)(B) Composition.

Rule 1-205.

Comport with changes to Rule 1-205 effective May 1, 2015

29 (1)(B)(i) The Technology Committee shall consist of one judge from each court of
30 record, one justice court judge, one lawyer recommended by the Board of Bar
31 Commissioners, two court executives, two court clerks and two staff members from the
32 Administrative Office.

33 (1)(B)(ii) The Uniform Fine/Bail Schedule Committee shall consist of one district
34 court judge who has experience with a felony docket, three district court judges who
35 have experience with a misdemeanor docket, one juvenile court judge and three justice
36 court judges.

37 (1)(B)(iii) The Ethics Advisory Committee shall consist of one judge from the Court of
38 Appeals, one district court judge from Judicial Districts 2, 3, or 4, one district court judge
39 from Judicial Districts 1, 5, 6, 7, or 8, one juvenile court judge, one justice court judge,
40 and an attorney from either the Bar or a college of law.

41 (1)(B)(iv) The Justice Court Standards Committee shall consist of one municipal
42 justice court judge from a rural area, one municipal justice court judge from an urban
43 area, one county justice court judge from a rural area, and one county justice court
44 judge from an urban area, all appointed by the Board of Justice Court Judges; one
45 mayor from either Utah, Davis, Weber or Salt Lake Counties, and one mayor from the
46 remaining counties, both appointed by the Utah League of Cities and Towns; one
47 county commissioner from either Utah, Davis, Weber or Salt Lake Counties, and one
48 county commissioner from the remaining counties, both appointed by the Utah
49 Association of Counties; a member of the Bar from Utah, Davis, Weber or Salt Lake
50 Counties, and a member of the Bar from the remaining counties, both appointed by the
51 Bar Commission; and a judge of a court of record appointed by the Presiding Officer of
52 the Council. All Committee members shall be appointed for four year staggered terms.

53 (1)(B)(v) The Judicial Branch Education Committee shall consist of one judge from
54 an appellate court, one district court judge from Judicial Districts 2, 3, or 4, one district
55 court judge from Judicial Districts 1, 5, 6, 7, or 8, one juvenile court judge, the education
56 liaison of the Board of Justice Court Judges, one state level administrator, the Human
57 Resource Management Director, one court executive, one juvenile court probation

Rule 1-205.

Comport with changes to Rule 1-205 effective May 1,
2015

58 representative, two court clerks from different levels of court and different judicial
59 districts, one data processing manager, and one adult educator from higher education.
60 The Human Resource Management Director and the adult educator shall serve as non-
61 voting members. The state level administrator and the Human Resource Management
62 Director shall serve as permanent Committee members.

63 (1)(B)(vi) The Court Facility Planning Committee shall consist of one judge from
64 each level of trial court, one appellate court judge, the state court administrator, a trial
65 court executive, and two business people with experience in the construction or
66 financing of facilities.

67 (1)(B)(vii) The Committee on Children and Family Law shall consist of one Senator
68 appointed by the President of the Senate, one Representative appointed by the
69 Speaker of the House, the Director of the Department of Human Services or designee,
70 one attorney of the Executive Committee of the Family Law Section of the Utah State
71 Bar, one attorney with experience in abuse, neglect and dependency cases, one
72 attorney with experience representing parents in abuse, neglect and dependency cases,
73 one representative of a child advocacy organization, one mediator, one professional in
74 the area of child development, one representative of the community, the Director of the
75 Office of Guardian ad Litem or designee, one court commissioner, two district court
76 judges, and two juvenile court judges. One of the district court judges and one of the
77 juvenile court judges shall serve as co-chairs to the committee. In its discretion the
78 committee may appoint non-members to serve on its subcommittees.

79 (1)(B)(viii) The Committee on Judicial Outreach shall consist of one appellate court
80 judge, one district court judge, one juvenile court judge, one justice court judge, one
81 state level administrator, a state level judicial education representative, one court
82 executive, one Utah State Bar representative, one communication representative, one
83 law library representative, one civic community representative, and one state education
84 representative. Chairs of the Judicial Outreach Committee's subcommittees shall also
85 serve as members of the committee.

Rule 1-205.

Comport with changes to Rule 1-205 effective May 1, 2015

86 (1)(B)(ix) The Committee on Resources for Self-represented Parties shall consist of
87 two district court judges, one juvenile court judge, one justice court judge, three clerks of
88 court – one from an appellate court, one from an urban district and one from a rural
89 district – one member of the Online Court Assistance Committee, one representative
90 from the Utah State Bar, two representatives from legal service organizations that serve
91 low-income clients, one private attorney experienced in providing services to self-
92 represented parties, two law school representatives, the state law librarian, and two
93 community representatives.

94 (1)(B)(x) The Language Access Committee shall consist of one district court judge,
95 one juvenile court judge, one justice court judge, one trial court executive, one court
96 clerk, one interpreter coordinator, one probation officer, one prosecuting attorney, one
97 defense attorney, two certified interpreters, one approved interpreter, one expert in the
98 field of linguistics, and one American Sign Language representative.

99 (1)(B)(xi) The Guardian ad Litem Oversight Committee shall consist of seven
100 members with experience in the administration of law and public services selected from
101 public, private and non-profit organizations.

102 (1)(B)(xii) The Committee on Model Utah Civil Jury Instructions shall consist of two
103 district court judges, four lawyers who primarily represent plaintiffs, four lawyers who
104 primarily represent defendants, and one person skilled in linguistics or communication.

105 (1)(B)(xiii) The Committee on Model Utah Criminal Jury Instructions shall consist of
106 two district court judges, one justice court judge, four prosecutors, four defense counsel,
107 one criminal law professor, and one person skilled in linguistics or communication.

108 (1)(C) The Judicial Council shall designate the chair of standing committees.
109 Standing committees shall meet as necessary to accomplish their work but a minimum
110 of once every six months. Standing committees shall report to the Council as necessary
111 but a minimum of once every six months. Council members may not serve, participate
112 or vote on standing committees. Standing committees may invite participation by others
113 as they deem advisable, but only members designated by this rule may make motions
114 and vote. All members designated by this rule may make motions and vote unless

Rule 1-205.

Comport with changes to Rule 1-205 effective May 1, 2015

115 otherwise specified. Standing committees may form subcommittees as they deem
116 advisable.

117 (1)(D) Six months before the scheduled termination of a standing committee, the
118 Management Committee shall review the performance of the committee and make
119 recommendations to the Judicial Council regarding reauthorization. Unless reauthorized
120 by the Judicial Council, the committees shall terminate on the date indicated and every
121 six years thereafter.

122 (1)(D)(i) The Technology Committee shall terminate on June 30, 2006.

123 (1)(D)(ii) The Uniform Fine/Bail Schedule Committee shall terminate on June 30,
124 2006.

125 (1)(D)(iii) The Ethics Advisory Committee shall terminate on June 30, 2007.

126 (1)(D)(iv) The Justice Court Standards Committee shall terminate on June 30, 2008.

127 (1)(D)(v) The Judicial Branch Education Committee shall terminate on June 30,
128 2008.

129 (1)(D)(vi) The Court Facility Planning Committee shall terminate on June 30, 2009.

130 (1)(D)(vii) The Committee on Children and Family Law shall terminate on June 30,
131 2009.

132 (1)(D)(viii) The Committee on Judicial Outreach shall terminate on June 30, 2010.

133 (1)(D)(ix) The Committee on Resources for Self-represented Parties shall terminate
134 on June 30, 2010.

135 (1)(D)(x) The Language Access Committee shall terminate on June 30, 2017.

136 (1)(D)(xi) Notwithstanding subsection (1)(D), the Guardian ad Litem Oversight
137 Committee, recognized by Section 78A-6-901, shall not terminate.

138 (2) Ad hoc committees. The Council may form ad hoc committees or task forces to
139 consider topical issues outside the scope of the standing committees and to
140 recommend rules or resolutions concerning such issues. The Council may set and
141 extend a date for the termination of any ad hoc committee. The Council may invite non-
142 Council members to participate and vote on ad hoc committees. Ad hoc committees
143 shall keep the Council informed of their activities. Ad hoc committees may form sub-

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2015

144 committees as they deem advisable. Ad hoc committees shall disband upon issuing a
145 final report or recommendations to the Council, upon expiration of the time set for
146 termination, or upon the order of the Council.

147 (3) General provisions.

148 (3)(A) Appointment process.

149 (3)(A)(i) Administrator's responsibilities. The state court administrator shall select a
150 member of the administrative staff to serve as the administrator for committee
151 appointments. Except as otherwise provided in this rule, the administrator shall:

152 (3)(A)(i)(a) announce expected vacancies on standing committees two months in
153 advance and announce vacancies on ad hoc committees in a timely manner;

154 (3)(A)(i)(b) for new appointments, obtain an indication of willingness to serve from
155 each prospective appointee and information regarding the prospective appointee's
156 present and past committee service;

157 (3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve from the
158 prospective reappointee, the length of the prospective reappointee's service on the
159 committee, the attendance record of the prospective reappointee, the
160 prospective reappointee's contributions to the committee, and the
161 prospective reappointee's other present and past committee assignments; and

162 (3)(A)(i)(d) present a list of prospective appointees and reappointees to the Council
163 and report on recommendations received regarding the appointment of members and
164 chairs.

165 (3)(A)(ii) Council's responsibilities. The Council shall appoint the chair of each
166 committee. Whenever practical, appointments shall reflect geographical, gender,
167 cultural and ethnic diversity.

168 (3)(B) Terms. Except as otherwise provided in this rule, standing committee
169 members shall serve staggered three year terms. Standing committee members shall
170 not serve more than two consecutive terms on a committee unless the Council
171 determines that exceptional circumstances exist which justify service of more than two
172 consecutive terms.

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2015

173 (3)(C) Members of standing and ad hoc committees may receive reimbursement for
174 actual and necessary expenses incurred in the execution of their duties as committee
175 members.

176 (3)(D) The Administrative Office shall serve as secretariat to the Council's
177 committees.

178

1 ~~Rule 4-502. Expedited procedures for resolving discovery issues.~~

2 Intent:

3 ~~To further the just, speedy, and inexpensive determination of civil actions.~~

4 Applicability:

5 ~~This rule shall apply to motions and stipulations for extraordinary discovery, motions~~
6 ~~to compel discovery and motions for a discovery protective order in the district court.~~

7 Statement of the Rule:

8 ~~(1) In all cases counsel shall:~~

9 ~~(1)(A) Promptly notify the court of any stipulations for extraordinary discovery~~
10 ~~entered pursuant to Rule 26(c)(6)(A), including notice to the court of any stipulations~~
11 ~~that extend the presumptive deadlines set forth in Rule 26(c)(5). Stipulations shall be~~
12 ~~prepared on or substantially comply with the form accompanying this rule.~~

13 ~~(1)(B) Promptly notify the court of any settlements or stipulations in the case,~~
14 ~~particularly where such settlements or stipulations may affect a pending motion or trial~~
15 ~~date.~~

16 ~~(2) The parties shall do the following before filing with the court any discovery~~
17 ~~motion, including a Motion for Extraordinary Discovery under Utah R. Civ. P.~~
18 ~~26(c)(6)(B), Motion to Compel under Utah R. Civ. P. 37, or Motion for Protective Order~~
19 ~~under Utah R. Civ. P. 37:~~

20 ~~(2)(A) Meet and confer regarding the issues, in person or by telephone, and attempt~~
21 ~~in good faith to resolve or narrow the issues without court involvement.~~

22 ~~(2)(B) File and serve on all parties a "Statement of Discovery Issues", in a form~~
23 ~~consistent with the requirements of Rule 10. The statement shall not exceed four pages~~
24 ~~and shall not include exhibits. The statement should contain at least the following:~~

25 ~~(2)(B)(i) the precise relief sought;~~

26 ~~(2)(B)(ii) the basis or reason for the relief sought;~~

27 ~~(2)(B)(iii) a statement regarding proportionality under Utah R. Civ. P. 26(b)(2); and~~

28 ~~(2)(B)(iv) a statement in compliance with Rule 26(c)(6), if applicable; and~~

29 ~~(2)(B)(v) a certification stating that the parties have met and conferred regarding the~~
30 ~~issues and attempted in good faith to resolve or narrow the issues without court~~
31 ~~involvement.~~

32 ~~The party shall also file and circulate in accordance with the requirements of Utah~~
33 ~~Rule of Civil Procedure 7(f)(2) a separate proposed form of Order consistent with the~~
34 ~~relief sought.~~

35 ~~(2)(C) Within five days following service of the "Statement of Discovery Issues", any~~
36 ~~party objecting to the relief sought may file and serve a "Statement in Opposition" in a~~
37 ~~form consistent with the requirements of Rule 10. The opposition shall not exceed four~~
38 ~~pages and shall not include exhibits. The opposition should briefly address pertinent~~
39 ~~issues raised in the statement. The party shall also file a separate proposed form of~~
40 ~~Order consistent with the relief sought. The parties' written submissions will be docketed~~
41 ~~and placed in the court file.~~

42 ~~(2)(D) Upon filing the opposition, or expiration of the time for doing so, either party~~
43 ~~may, and the party seeking relief shall, file with the court a Request to Submit for~~
44 ~~Decision under Utah R. Civ. P. 7(d).~~

45 ~~(2)(E) The court will promptly set a telephone conference to discuss the matter, and~~
46 ~~will advise the parties by email or telephone of the date and time for the conference.~~
47 ~~The court reserves the right to decide the issue(s) without a telephone conference if it~~
48 ~~determines that a conference is unnecessary, and in its discretion, may require the~~
49 ~~appearance of counsel and/or the parties in lieu of a telephone conference.~~

50 ~~(2)(F) The court will resolve most if not all discovery issues during or in advance of~~
51 ~~the phone conference. The court anticipates that no discovery motions will be~~
52 ~~necessary, but if appropriate, the court will use the telephone conference to set a~~
53 ~~briefing schedule for a motion addressing all unresolved issues together with a hearing~~
54 ~~date, if needed. In most circumstances, the court anticipates adopting one or the other~~
55 ~~of the proposed Orders.~~

56 ~~(3) If the discovery deadline passes and a Certificate of Readiness for Trial has not~~
57 ~~been filed, the court may at its discretion issue an order to show cause why the case~~
58 ~~should not be dismissed. At that hearing, the court will dismiss the case without~~
59 ~~prejudice, order deadlines for specific actions to be taken, or set a trial date. If actions~~
60 ~~are not completed as ordered, the matter may be dismissed without further notice. If~~
61 ~~parties wish to stay proceedings, they should file an appropriate motion during the~~
62 ~~pendency of the case deadlines.~~



Stipulation for Extraordinary Discovery — ~~PDF~~ | ~~Word~~



**ADDITIONAL COUNCIL
MEETING HANDOUTS**



FY 2016 Proposed Judicial Council Budget Plan

Ongoing Spending Plan Proposal						
#	New Available Ongoing Funding by Source	Funding Type	Amount	#	Proposed Ongoing Spending Plan	Amount
1	Ongoing Turnover Savings	Internal Savings	613,406	Budget Obligations		
2	H.B. 20 -- Jury Duty Amendments (Rep. Hall, C.)	Fiscal Note	(3,300)	1	Career Track Obligations	252,100
3	H.B. 189 -- Child Welfare Mediation (Rep. Hutchings, E.)	Fiscal Note	86,000	2	Market Comparability Adjustments	152,900
4	H.B. 334 Substitute -- Child and Family Amendments (Rep. Christensen, L.)	Fiscal Note	5,300	3	Child Welfare Mediator (1 FTE)	86,000
5	H.B. 356 Third Substitute -- Parent and Child Amendments (Rep. Christensen, L.)	Fiscal Note	32,000	Discretionary Budget Items		
6	H.B. 378 Second Substitute -- White Collar Crime Registry (Rep. McKell, M.)	Fiscal Note	7,000	4	District Law Clerk (1 FTE)	88,800
7	S.B. 59 -- Domestic Violence Amendments (Sen. Weiler, T.)	Fiscal Note	9,100	5	Juvenile Law Clerk (1 FTE)	88,800
8	S.B. 119 Substitute -- Prescription Database Revisions (Sen. Weiler, T.)	Fiscal Note	22,400	6	Commissioner Compensation	93,494
9	S.B. 150 -- Driving Under the Influence Sentencing Revisions (Sen. Jenkins, S.)	Fiscal Note	37,200	7	District Court Program Administrator (.5 FTE to .75 FTE)	23,812
10	S.B. 167 -- Juvenile Offender Amendments (Sen. Osmond, A.)	Fiscal Note	57,600	8	Transfer of CIP Grant Personnel Funding to GF (.3 FTE)	39,000
11	VOIP Budget Savings (Castle Dale, Moab, Monticello, Price)	Internal Savings	15,200	9	Self-help Center	57,000
Total Available Ongoing Funds			\$ 881,906	Total Ongoing Expenditures		\$ 881,906

One-time Spending Plan Proposal						
#	Available One-time Funding	Funding Type	Amount	#	Proposed One-time Spending Plan	Amount
1	One-time Personnel Turnover Savings & Current Expense	Internal Savings	1,427,748	1	Employee Incentive Awards	200,000
2	H.B. 378 Second Substitute -- White Collar Crime Registry (Rep. McKell, M.)	Fiscal Note	28,000	2	Employee Assistance	10,000
				3	Second Language Stipend	88,400
				4	Tuition Assistance	100,000
				5	Education Initiatives	40,000
				6	PJ/TCE Leadership Conference	16,000
				7	Grant Matching Funds	50,000
				8	Contract Site Adjustment Funds	10,000
				9	Juvenile Court Extradition Funds	10,000
				10	Judicial Operations Budget	46,600
				11	Utah Code	62,000
				12	Pro Tem/Interpreter/Jury Training	9,000
				13	Senior Judges	90,000
				14	Volunteer Court Visitor Program	160,100
				15	4th Juv Clerical Support	58,700
				16	Courtroom Technology, Remote Services	80,000
				17	District Court Program Administrator (.75 FTE to 1.0 FTE)	17,700
				18	Time-limited Law Clerks (2 FTEs)	177,600
				19	4th District Scanning Project	28,800
				20	Reserve	200,848
Total Available One-time Funds			\$ 1,455,748	Total One-time Expenditures		\$ 1,455,748

Proposed On Going Spending Plan

Total Funds **881,906**

Obligations:

- **Career Track** **- 252,100**
- **Market Comparability** **- 152,900**
- **Child Welfare Mediation** **- 86,000**

Remaining Discretionary Funds **390,906**

- 1. Juvenile Court Law Clerk** **- 88,800**

- 2. District Court Law Clerk** **- 88,800**

- 3. Increase Commissioner Compensation (5%)** **- 93,494**

- 4. Transfer Court Improvement Program
Funding to General Funds (.3 FTE)** **- 39,000**

- 5. Self Help Center (replace one time funds
w/ ongoing funds for ¾ time personnel)** **- 57,000**

- 6. District Court Program Admin. (replace one
time funds with ongoing funds (.5 to .75 FTE))** **- 23,812**

Total Allocation **881,906**

4/27/2015

Court Commissioner Compensation

Survey Results

State	Commissioner/equivalent	Salary	Percentage of Gen. Juris. Salary
Alaska	Yes	88,000	48%*
Arizona	Yes	130,500	90%
California	Yea	156,919	85%
Colorado	Yes	124,260	86%
Delaware	Yes	111,775	62%
Kansas	Yes	80,970	67%
Maine	Yes	88,421	73%
Michigan	Yes	106,000	76%
Minnesota	Yes	124,486	90%
Missouri	Yes	118,027	81%
Nebraska	Yes	110,000	74%
New Mexico	Yes	94,708	80%
North Dakota	Yes	108,492	80%
Average		112,880	79%
Maryland	No		
Idaho	No		
Hawaii	No		
Virginia	No		

Georgia	No
West Virginia	No
New Hampshire	No
South Dakota	No
Kentucky	No
New Jersey	No
Nevada	No
Texas	No
South Carolina	No
Oklahoma	No
South Dakota	No
North Carolina	No
Oregon	No
Massachusetts	No
Florida	No
Rhode Island	No
Pennsylvania	No
Alabama	No

***Not included in calculation of averages because some areas receive a geographical salary differential**

Utah Government Positions

Court Commissioners

Current Salary – 122,482

As of 7/1/15 if 3% COLA awarded – 126,157

Recommended (5%) – 128,606

12% = 137,180

Administrative Law Judge I:

Salary Range - 60,907 to 91,496

Actual Average – 76,268

Administrative Law Judge II:

Salary Range – 67,902 to 102,000

Actual – 82,509

Board of Pardons Members:

Set rate for all members – 114,004

Note: job description for Board positions states that the maximum rate should be set at 90% of a district court judge salary. However, the actual rate being paid is 83.5% of a district court judge salary.

Court Commissioner Compensation

	Current	District Judge 7/1/15	3% COLA	4%	5%	6%	7%	8%	9%	10%	11%	12%
Current Commissioner	\$122,482		\$126,157	\$127,381	\$128,606	\$129,831	\$131,056	\$132,281	\$133,505	\$134,730	\$135,955	\$137,180
District Judge	\$136,500	\$152,850										
Percent Difference	90%		83%	83%	84%	85%	86%	87%	87%	88%	89%	90%
Total Cost (11 FTE)			\$56,106	\$74,793	\$93,494	\$112,196	\$130,898	\$149,600	\$168,287	\$186,989	\$205,691	\$224,393