

JUDICIAL COUNCIL MEETING

AGENDA

Monday, February 22, 2016

Judicial Council Room

Matheson Courthouse

Salt Lake City, Utah

Chief Justice Matthew B. Durrant, Presiding

1. 9:30 a.m. Welcome & Approval of Minutes Chief Justice Matthew B. Durrant
(Tab 1 - Action)
2. 9:35 a.m. Chair's Report. Chief Justice Matthew B. Durrant
3. 9:40 a.m. Administrator's Report. Daniel J. Becker
4. 9:50 a.m. Reports: Management Committee. Chief Justice Matthew B. Durrant
Liaison Committee. Judge David Mortensen
Policy and Planning Judge Reed Parkin
Bar Commission. John Lund, esq.
(Tab 2 – Information)
5. 10:00 a.m. Rules for Final Action. Alison Adams-Perlac
(Tab 3 – Action)
6. 10:15 a.m. Legislative Update and Budget Highlights. Rick Schwermer
(Information) Daniel J. Becker
- 11:00 a.m. Break
7. 11:10 a.m. Ethics Advisory Committee Update. Judge Michele Christiansen
(Information) Brent Johnson
8. 11:30 a.m. WINGS Update. Judge David Connors
(Tab 4 - Information) Karolina Abuzyarova
9. 11:50 p.m. Legislative Audit of Cash Bail Update. Rick Schwermer
(Tab 5 - Information)
10. 12:00 p.m. Executive Session
11. 12:05 p.m. Adjourn/Lunch

Consent Calendar

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

1. Rules for Public Comment
(Tab 6) Alison Adams-Perlac

2. Committee Appointments
(Tab 7) Tim Shea
Ron Bowmaster
Alison Adams-Perlac
Ray Wahl

3. Grant Approval
(Tab 8) Krista Airam

TAB 1

JUDICIAL COUNCIL MEETING

Minutes

Monday, January 25, 2016

Judicial Council Room

Matheson Courthouse

Salt Lake City, Utah

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant
Justice Thomas Lee
Hon. Ann Boyden
Hon. Mark DeCaria
Hon. Paul Farr
Hon. Thomas Higbee
Hon. David Marx
Hon. David Mortensen
Hon. Mary Noonan
Hon. Reed Parkin
Hon. Randall Skanchy
Hon. Kate Toomey

EXCUSED:

Hon. Marvin Bagley
John Lund, esq.

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Jody Gonzales
Debra Moore
Dawn Marie Rubio
Rick Schwermer
Tim Shea
Alison Adams-Perlac
Kim Allard
Tucker Samuelson
Nancy Sylvester
Geoff Fattah
Derek Byrne
Alyn Lunceford

GUESTS:

Hon. Paul Lyman
Joanne Slotnik, JPEC
John Ashton, JPEC

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting.

Motion: Judge Toomey moved to approve the minutes from the December 14, 2015 Judicial Council meeting. Judge Higbee seconded the motion, and it passed unanimously.

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

Chief Justice Durrant mentioned that he would be delivering the State of the Judiciary address this afternoon.

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

Mr. Becker reported on the following items:

Annual Report to the Community. A copy of the 2016 Annual Report to the Community was distributed to members of the Council. Copies of the annual report will be available at all court locations and to legislators.

Communication Director. Mr. Becker introduced Mr. Geoff Fattah, new communications director, to members of the Council. He provided background information of Mr. Fattah's work experience.

Judicial Retirement. Judge Scott Johansen retired, effective December 31, 2015. Mr. Becker noted that Judge Johansen was a huge advocate for children, and he will be missed.

Court Security Director. Final interviews were held last week. Selection is expected this week.

Second District TCE. Interviews were held last week to fill the vacancy for a court executive in the second district.

Duchesne County Courthouse. Phase I of the Duchesne County Courthouse expansion project has been completed, and they began holding court in the courthouse on January 12, 2016.

Center for Court Innovations. Utah is one of three court locations who applied to participate in a study with the Center for Court Innovation regarding procedural fairness, principles and methods. Utah courts staff met with staff from the Center of Court Innovation last week regarding the study.

2016 Legislative Session. The legislative appropriations process will begin on Wednesday. The courts base budget meeting is scheduled for February 2, with the courts expansion requests to be heard the following week.

State of the Judiciary Address. Chief Justice Durrant will deliver the State of the Judiciary address this afternoon. Transportation to the Capitol will be provided for Council members able to attend.

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:

Judge Mortensen reported on the following items: 1) meetings are being held weekly, 2) no position was taken on the majority of the bills considered by the Liaison committee, 3) HB 22 – Civil Asset Forfeiture, and 4) HJR 1 - Proposal to Amend Utah Constitution - Judges of Courts Not of Record.

Policy and Planning Meeting:

Judge Parkin reported on the following items: 1) a meeting was held where several rules were being discussed and reviewed, 2) a rule is on the agenda for final action, and 3) several rules are being recommended for public comment on the consent calendar.

Discussion took place regarding the senior judge assistance rule.

Bar Commission Report:

No report was provided at this time.

5. RULES FOR FINAL ACTION: (Alison Adams-Perlac)

Chief Justice Durrant welcomed Ms. Adams-Perlac to the meeting.

Ms. Adams-Perlac mentioned that the public comment period for Rule 4-202.02 – Records classification has closed with no public comments being received. The rule has been amended as follows: 1) deletes maiden name and mother's maiden name from the lists of private and safeguarded information, 2) classifies juvenile mediation disposition notices as juvenile court social records, and 3) notes a statutory exception to the protection of certain victim information.

Motion: Judge Toomey moved to approve the proposed amendments to Rule 4-202.02 – Records classification as recommended by the Policy and Planning Committee, with a May 1, 2016 effective date. Judge Higbee seconded the motion, and it passed unanimously.

6. LEGISLATIVE UPDATE AND INTERIM HIGHLIGHTS: (Rick Schwermer)

Mr. Schwermer provided a legislative update for members of the Council. He highlighted the following in his update: 1) Pre-Trial Release Bill, 2) Fourth District Juvenile Judgeship Bill, 3) Sixth Amendment matters, 4) HJR 1 - Proposal to Amend Utah Constitution – Judges of Courts Not of Record, 5) the 2016 Legislative Session begins today, 6) appropriation budget meeting schedule, and 7) lobbyists for the Utah State Bar.

7. BOARD OF JUVENILE COURT JUDGES UPDATE: (Judge Paul Lyman and Dawn Marie Rubio)

Chief Justice Durrant welcomed Judge Lyman and Ms. Rubio to the meeting.

Judge Lyman highlighted the following in his update: 1) 2015 referrals, overall referrals show a 3% decrease; 2) referrals in the Fourth District Juvenile Court reflect the need for an additional judgeship; 3) Phase I of mandatory e-filing of existing cases was effective December 1, 2015; 4) Phase II will focus on case creation, with mandatory e-filing of all cases by August 1, 2016; 5) juvenile judges focusing on the educational aspect of juveniles, 6) available treatment programs for youth, low risk vs. high risk; and 7) PEW study to be conducted relative to juvenile court, similar to the study conducted in district court several years ago.

Chief Justice Durrant thanked Judge Lyman for his update to the Council.

8. MODEL UTAH CIVIL JURY INSTRUCTION AMENDMENTS: (Nancy Sylvester)

Chief Justice welcomed Ms. Sylvester to the meeting.

Ms. Sylvester reminded the Council of their concerns with the language in the Model Utah Jury Instructions, Second Edition website introduction which was reviewed with members of the Council at their December meeting.

Ms. Sylvester reviewed the amendments made to address the concerns expressed. A minor wording change was recommended. Discussion took place.

Motion: Judge Toomey moved to approve the proposed amendments to the Introduction to the Model Utah Jury Instructions, Second Edition, with the recommended wording change. Judge Mortensen seconded the motion, and it passed unanimously.

9. JUDICIAL PERFORMANCE EVALUATION COMMISSION (JPEC): (Joanne Slotnik and John Ashton)

Chief Justice Durrant welcomed Ms. Slotnik and Mr. Ashton to the meeting.

Ms. Slotnik and Mr. Ashton highlighted the following in their update to the Council: 1)

the Commission is fully staffed; 2) four-hour, twice-monthly meetings have been held since September in evaluating the judges up for retention in 2016; 3) 52 judges up for retention in 2016 – 21 district court judges, 11 juvenile court judges, and 20 full-time justice court judges, have been evaluated; 4) judges who failed any part of the minimum performances standards were invited to meet with members of the Commission; 5) judges, of concern, were invited to meet with members of the Commission; 6) there is continuing concern over survey response rates; 7) advertisements will be prepared to get public interest in the reports available prior to the 2016 election; 8) judges retained in the 2016 election will not be up for retention again until 2022; 9) judges up for retention in 2018; including district, juvenile, justice, and appellate court judges, are in their retention period with mid-term reports to be prepared in June 2017; 11) judges up for retention in 2020, their mid-term period runs until June 2017; and 12) transitioning into the three-tiered groups for the purpose of evaluating justice court judges including: a) full-time, b) mid-level, and c) basic level.

Ms. Slotnik and Mr. Ashton responded to questions asked of them.

Mr. Ashton acknowledged all the work Ms. Slotnik has done, on behalf of the Commission. It was noted that Ms. Slotnik will be retiring in March.

Chief Justice Durrant thanked Ms. Slotnik and Mr. Ashton for their service on the Commission.

10. FIFTH DISTRICT MENTAL HEALTH COURT OF IRON COUNTY APPLICATION: (Rick Schwermer)

Mr. Schwermer reported that the request for application of a mental health court in Iron County was presented to the Management Committee in October. At that time, there were questions that needed to be addressed before approval regarding the following: 1) risk assessment, 2) defense attorney availability, and 3) eligibility criteria.

The revised application was included with the Council materials.

Discussion took place.

Mr. Schwermer mentioned that a new requirement when a new mental health court is established is for the mental health court staff to receive appropriate training.

Motion: Judge Skanchy moved to accept the application from the Fifth District Court for creation of a mental health court in Iron County, to include the required mental health court training. Judge Toomey seconded the motion, and it passed unanimously.

11. NAPLES CITY JUSTICE COURT RESOLUTION: (Rick Schwermer)

Mr. Schwermer provided background information on the Naples City Justice Court and the Uintah County Justice Court.

Naples City approved Naples City Resolution No. 15-285 which allows for the following: 1) revoking their application to recertify the Naples City Justice Court, 2) requesting decertification of the Naples City Justice Court, 3) inclusion of Naples City within the territorial jurisdiction of the Uintah County Justice Court with a January 1, 2016 effective date.

Discussion took place.

Mr. Schwermer provided responses to questions asked relative to the resolution.

Motion: Judge Parkin moved to maintain the Council function of certifying and decertifying courts, upon request; therefore, approving Naples City's resolution where they requested decertification of their justice court and requesting inclusion (certification) of Naples City within the territorial jurisdiction of the Uintah County Justice Court, effective January 1, 2016. Judge Farr seconded the motion, and it passed unanimously.

12. NORTH SALT LAKE JUSTICE COURT PROPOSED INTERLOCAL AGREEMENT: (Rick Schwermer)

The City of North Salt Lake is requesting to expand the territorial jurisdiction of the North Salt Lake Justice Court by entering into an interlocal agreement with West Bountiful, effective July 1, 2016.

Motion: Judge Higbee moved to approve the request to expand the territorial jurisdiction of the North Salt Lake Justice Court by entering into an interlocal agreement with West Bountiful, effective July 1, 2016. Judge Marx seconded the motion, and it passed unanimously.

13. JUSTICE COURT JUDGE CERTIFICATION: (Rick Schwermer)

Mr. Schwermer recommended the certification of the new justice court judge, Judge Cordell Pearson, appointed to the Aurora and Salina Justice Courts who recently completed justice court judge orientation and passed the orientation exam.

Motion: Judge Toomey moved to certify Judge Cordell Pearson as a justice court judge. Judge DeCaria seconded the motion, and it passed unanimously.

14. FY 2016 SPENDING PLAN AMENDMENT: (Daniel J. Becker)

Mr. Becker addressed the request from the Court of Appeals for senior judge coverage for two vacancies resulting from Judge Jim Davis' retirement and Judge John Pearce's appointment to the Supreme Court. The projected cost in FY 2016 for the senior judge coverage for the Court of Appeals is \$100,400. A handout was distributed relative to the FY 2016 Senior Judge Budget. The Management Committee has recommended approval of the request for senior judge coverage for the Court of Appeals.

Mr. Becker recommended addressing the request in one of two ways: 1) use of reserve funds, or 2) reducing one-time spending plan items.

Mr. Becker reviewed the FY 2016 senior judge budget as it relates to this request. The recommendation is to increase the FY 2016 senior judge budget by \$100,000.

The Court of Appeals request was discussed in the context of the proposed senior judge rule change.

Mr. Becker was asked, by the Policy and Planning Committee, to review with the Council how the proposed senior judge rule change would affect the courts budget and the courts spending plan. He highlighted the following in his review: 1) base budget, discretionary funds or available one-time funds; 2) approval of one-time spending plan, in April, for the coming fiscal year; 3) spending plan amended, based upon actual carry-forward funds, in September; 4) FY 2016 one-time spending plan; and 5) FY 2017 spending plan projections.

The proposed rule change provides that a presiding judge will have the authority to obligate senior judge funds. Mr. Becker referred to three options that would provide the presiding judge with the authority to obligate senior judge funds. The three options include: 1) build more into the senior judge budget for senior judge use, 2) require turnover savings from judicial vacancies be managed separately and not be included as revenue available for the annual spending plan, and 3) discuss a process where the presiding judge would have the ability to address current calendar and trial needs associated with an unplanned vacancy by developing a spending plan or coverage plan which would be prepared and signed off by the Management Committee.

Mr. Becker noted that there would not be sufficient funds to fund both the proposed senior judge rule and all of the items proposed and contained in the annual spending plan.

Discussion took place.

Motion: Judge Skanchy moved to approve \$100,400 to be funded from the courts reserve for senior judge use in the Court of Appeals. The motion was seconded, and it passed unanimously.

15. 2016 COUNCIL MEETING DATE REVISIONS: (Daniel J. Becker)

Mr. Becker reminded the Council that the dates for the Annual Judicial Conference had not been set when the 2016 Council calendar was originally set in October. The Annual Judicial Conference has been scheduled for October 5-7 in Park City.

Mr. Becker recommended the following changes be made to the 2016 Judicial Council calendar: 1) the September meeting to be scheduled for September 12, and 2) the October 24 Judicial Council meeting to be moved to October 4, in conjunction with the Annual Judicial Conference.

Motion: Judge Mortensen moved to approve the proposed changes to the 2016 Judicial Council Calendar. Judge Toomey seconded the motion, and it passed unanimously.

16. PRESENTATION ON JURY TRIALS IN DISTRICT COURT AND SIX-MONTH FILING TRENDS: (Kim Allard and Tucker Samuelson)

Chief Justice Durrant welcomed Ms. Allard and Mr. Samuelson to the meeting.

Ms. Allard reviewed the mid-year filings comparing the FY 15 and FY 16 filings. She highlighted the following in her report: 1) juvenile court referrals and events, 2) juvenile court referral trend, 3) district court filings, 4) justice reinvestment initiative changes and their effects, 5) mid-year combined district and justice court filings, 6) district court case filings – 10 years, and 7) justice court filings.

Ms. Allard introduced Mr. Tucker Samuelson who provided information on jury trials. Mr. Becker provided background information relative to the presentation on jury trials. The Conference of Chief Justices (CCJ) formed the National Civil Justice Reform Task Force which has been meeting in the past few years. A report prepared by the task force will soon be released. Mr. Becker provided preliminary information to be included in the report, including the national decline in civil jury trials.

Mr. Samuelson highlighted the following in his presentation: 1) definition of a jury trial, 2) district court – jury trials by severity, 3) district and justice courts – jury trials by severity, 4) district court – verdicts in criminal jury trials, 5) district court – civil and criminal jury trials, 6) district and justice court – civil and criminal jury trials, 7) jury trial case types for FY15, 8) jury trials per 1000 filings 9) district court – jury trial length, 10) district court – average days per jury trial, and 11) district and justice court – total trials per year.

Chief Justice Durrant thanked Ms. Allard and Mr. Samuleson for their presentation.

17. EXECUTIVE SESSION

An executive session was not held at this time.

18. ADJOURN

The meeting was adjourned.

TAB 2

**Management Committee
Minutes**

**JUDICIAL COUNCIL MANAGEMENT COMMITTEE
MINUTES**

**Tuesday, February 9, 2016
Matheson Courthouse
450 South State Street
Salt Lake City, Utah 84111**

MEMBERS PRESENT:

Chief Justice Matthew B. Durrant, Chair
Hon. Randall Skanchy
Hon. Thomas Higbee (by phone)
Hon. David Marx (by phone)
Hon. Kate Toomey

STAFF PRESENT:

Daniel J. Becker
Ray Wahl
Jody Gonzales
Debra Moore
Dawn Marie Rubio
Rick Schwermer
Tim Shea
Brent M. Johnson
Ron Bowmaster
Alison Adams-Perlac
Krista Airam
Geoff Fattah

EXCUSED:

GUESTS:

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

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

Motion: Judge Toomey moved to approve the January 12, 2016 Management Committee meeting minutes. Judge Skanchy seconded the motion, and it passed unanimously.

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

Dan Becker reported on the following items:

Court Security Director. Mr. Chris Palmer has been selected as the new court security director. He will begin on March 14. Mr. Becker provided background information on his work experience.

Utah Antidiscrimination and Labor Division. Ms. Alison Adams-Perlac has accepted a position as the Director of the Antidiscrimination Division of the Utah Department of Labor, pending the Governor's appointment. Mr. Becker wished her well.

Legislative Session – Appropriations Update. Mr. Becker highlighted the following items: 1) the courts base budget hearing before the appropriation subcommittee was held last week; 2) money from the Operations and Maintenance Budget for the Provo Courthouse was made available, in the amount of \$549,100, for the CORIS rewrite request; 3) the courts expansion hearing before the appropriations subcommittee will be held tomorrow; 4) the Fourth District Juvenile Court judgeship was reported favorable out of the House Judiciary Committee; 5) the hearing for the Fifth District Court judgeship has not yet been held; 6) the final

appropriations subcommittee hearing will be held tomorrow, and then all budget requests will be before the Executive Appropriations Committee for consideration and approval; and 7) the Building Board approved the Alteration, Repairs and Improvement Budget, and \$6.2 million for use by the court was included in that approval.

3. GRANT APPROVAL: (Krista Airam)

Chief Justice Durrant welcomed Ms. Airam was to the meeting.

Ms. Airam requested approval of the Juvenile Accountability Block Grant (JABG) in the amount of \$56,280 and a cash match of \$6,253. The grant funds provide for the following: 1) training of over 150 new and existing probation officers and deputy probation officers on implementation of policy, safety issues and de-escalation techniques, and on the Balanced and Restorative Justice Model, 2) it helps to support the implementation of evidence-based practices through assisting with funding for various other training opportunities such as the Carey Guides and Brief Intervention Tools (BITS), and 3) helps support efforts to create consistency with statewide probation supervisors in the implementation and oversight of evidence-based programming.

Ms. Airam noted that the Board of Juvenile Court Judges approved the grant application proposal.

Motion: Judge Toomey moved to approve the proposed grant application as presented and place it on the February Judicial Council consent calendar. Judge Skanchy seconded the motion, and it passed unanimously.

4. COMMITTEE APPOINTMENTS: (Tim Shea, Ron Bowmaster, Alison Adams-Perlac and Ray Wahl)

The Supreme Court recommended Justice John Pearce to serve as the Supreme Court representative on the Standing Committee on Technology. Prior to his appointment as a Supreme Court Justice, Justice John Pearce served as the Court of Appeals representative and as the committee chair. It is recommended to appoint Justice Pearce as the chair of the Standing Committee on Technology.

Motion: Judge Toomey moved to approve the appointment of Justice John Pearce as the Supreme Court representative and committee chair on the Standing Committee on Technology and place it on the February Judicial Council consent calendar. Judge Skanchy seconded the motion, and it passed unanimously.

Mr. Rick Davis' first term as the trial court executive representative on the Standing Committee on Technology expired at the end of January. The trial court executives recommended Mr. Davis for reappointment, for a second term, as the trial court executive representative on the Standing Committee on Technology.

Motion: Judge Toomey moved to approve the reappointment of Mr. Rick Davis as the trial court executive representative, for a second term, on the Standing Committee on Technology and place it on the February Judicial Council consent calendar. Judge Skanchy seconded the motion, and it passed unanimously.

The Language Access Committee has a vacancy for a trial court executive representative. The trial court executives recommended the appointment of Mr. Russell Pearson as the trial court executive representative on the Language Access Committee.

Motion: Judge Skanchy moved to approve the appointment of Mr. Russell Pearson as the trial court executive representative on the Language Access Committee and place it on the February Judicial Council consent calendar. Judge Toomey seconded the motion, and it passed unanimously.

Mr. Wahl reviewed the proposed membership of the Domestic Case Process Improvement Subcommittee. The proposed membership included the following:

District Court Judges. The subcommittee membership includes two district court judge representatives. Judge Douglas Thomas and Judge Elizabeth Hruby Mills expressed interest in serving on the subcommittee.

The Standing Committee on Children and Family Law recommended Judge Doug Thomas serve as the chair of the subcommittee and Judge Elizabeth Hruby-Mills serve as a district court representative.

Court Commissioners. The subcommittee membership includes two court commissioner representatives. Commissioner Patrick Casey, Commissioner Catherine Conklin, and Commissioner Michelle Blomquist expressed interest in serving on the Committee.

Mr. Wahl noted that Commissioner Blomquist currently serves on the Standing Committee on Children and Family Law and as a chair of one of their subcommittees. The Standing Committee on Children and Family Law recommended the appointment of Commissioner Patrick Casey and Commissioner Catherine Conklin as the two court commissioner representatives on the subcommittee.

Department of Human Services Representative. Mr. Mark Brasher, a current member on the Standing Committee on Children and Family Law has agreed to serve on the subcommittee.

Self-Help Center Representative. Ms. Mary Jane Ciccarello has agreed to serve on the subcommittee.

Legal Services Attorney. Mr. Stewart Ralphs and Ms. Brooke Robinson have expressed interest in serving on the subcommittee.

The Standing on Children and Family Law recommended the appointment of Mr. Stewart Ralphs as the Legal Services Attorney representative.

Mediator. The following mediators expressed interest in serving on the subcommittee:

1) Mr. William Downes, 2) Ms. Nancy McGahey, and 3) Mr. Gary Scholes.

The Standing Committee on Children and Family Law recommended Mr. William Downes to serve as the mediator on the subcommittee.

Family Law Attorneys. The subcommittee membership includes two family law attorneys. The following family law attorneys expressed interest in serving on the subcommittee: 1) Mr. Marty Olsen, 2) Ms. Laura Rasmussen, 3) Ms. Christina Miller, 4) Mr. Douglas Adair, 5) Ms. Lorie Fowlke, 6) Mr. Russell Minas, and 7) Ms. Emilie Bean.

The Standing Committee on Children and Family Law recommended that Mr. Marty Olsen and Mr. Douglas Adair be appointed to serve on the subcommittee.

GAL Director. Ms. Stacey Snyder has agreed to serve on the subcommittee.

AOC Administrator. Mr. Rick Schwermer has agreed to serve on the subcommittee.

Child Development Professional. The following child development professionals expressed interest in serving on the subcommittee: 1) Dr. Monica Christy, 2) Dr. Natalie Malovich, 3) Dr. Heather Walker, and 4) Ms. Ali Thomas.

The Standing Committee on Children and Family Law recommended the appointment of Ms. Ali Thomas as the child development professional on the subcommittee.

Mr. Wahl mentioned that representatives from the Senate and the House of Representatives will be selected at a later date. He noted that the Standing Committee on Children and Family Law recommend the appointment of Senator Todd Weiler, a current member of the Standing Committee, to serve as the Senate representative on the subcommittee. A House of Representative member has not been selected yet. Selection of a House of Representative member will be deferred to a later date.

Mr. Wahl mentioned that no member of a child advocacy organization expressed interest in serving on the subcommittee.

At the request of the State Bar Commission, Fourth Division Bar Commission member Liisa Hancock, was recommended for appointment to the subcommittee.

Motion: Judge Toomey moved to approve the appointments to the Domestic Case Process Improvement Subcommittee, as recommended by the Standing Committee on Children and Family Law, which will include the appointment of Senator Todd Weiler and Ms. Liisa Hancock—deferring selection of a House of Representative member to a later date and place it on the February Judicial Council Consent Calendar. Judge Skanchy seconded the motion, and it passed unanimously.

Mr. Schwermer provided a legislative update. He highlighted the following in his update: 1) last day to file any bill requests was last week, 2) constitutional amendment on justice court qualifications is no longer being considered, 3) judicial housekeeping bill is in the queue, 4) Fourth District Juvenile Court judgeship moving forward, and 5) pre-trial release legislation is still in bill drafting.

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

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

Motion: Judge Skanchy moved to approve the Council agenda for the February 22 Council meeting as amended. Judge Toomey seconded the motion, and it passed unanimously.

Motion: Judge Skanchy moved to enter an executive session discuss personnel matters. Judge Toomey seconded the motion, and it passed unanimously.

6. EXECUTIVE SESSION:

An executive session was held at this time.

7. ADJOURN

The meeting was adjourned.

Liaison Committee Minutes

JUDICIAL COUNCIL LIAISON COMMITTEE MEETING

Minutes
Friday, January 22, 2016
Matheson Courthouse
Council Room

Honorable David Mortensen, Presiding

ATTENDEES:

Hon. Paul Farr
Justice Thomas Lee
Hon. David Mortensen
Hon. Mary Noonan

STAFF PRESENT:

Daniel J. Becker
Brent Johnson
Nancy Merrill
Debra Moore
Alison Adams-Perlac
Tim Shea
Rick Schwermer
Nancy Sylvester
Ray Wahl

EXCUSED:

GUESTS:

Hon. Brendan McCullagh

1. **WELCOME: (Judge David Mortensen)**

Judge Mortensen welcomed everyone to the meeting.

***Motion:** Judge Noonan moved to approve the minutes from the Liaison Committee Meeting on January 15, 2016. Justice Lee seconded the motion. The motion carried unanimously.*

2. **Internal Legislation (Mr. Brent Johnson)**

Mr. Johnson reviewed the edits on the following lines to the housekeeping bill with the Committee.

- Lines 60-63
- Lines 125 and 126
- Line 132 add language, "in all other cases where a petition filed"

The Committee agreed with the changes.

Liaison Committee's position: Support

Pretrial Release Bill: Mr. Johnson informed the Committee that after reviewing the previous draft Judge McCullagh, Brent Johnson, and Judge Shaughnessy narrowed the language and edited the previous bill. Judge McCullagh will re-draft the bill for the Committee to review.

3. **H.B. 68 Post-Exposure Blood Testing Amendments**
(Chief Sponsor: Edward H. Redd) (Justice Thomas Lee)

The Committee discussed drafting concerns with lines 33 and 37.

Liaison Committee's position: No position but concerns with the drafting how the bill will be implemented and possible due process concerns.

4. **H.B. 128 Alimony Amendments**
(Chief Sponsor: Keven Stratton) (Judge David Mortensen)

The Committee discussed the bill and they agreed that the bill is policy.

Liaison Committee's position: No position

5. **H.B. 137 Restitution For Incarceration Costs Amendments**
(Chief Sponsor: Paul Ray) (Judge Paul Farr)

The Committee discussed the bill and agreed that the bill will incur a fiscal note. They agreed the bill is policy but there are concerns with how the bill will be implemented. The Committee had concerns with lines 130-134 and lines 139-142.

Liaison Committee's position: No position

6. **H.B. 148 Protective Order Amendments**
(Chief Sponsor: Angela Romero) (Judge David Mortensen)

This bill modifies protective order provisions in the Judicial Code by amending dismissal of protective order provisions.

The Committee suggests removing line 64. The bill will need a fiscal note.

Liaison Committee's position: No position but delete line 64.

7. **H.B. 160 Justice Court Judge Qualifications Amendments**
(Chief Sponsor: Craig Hall) (Judge Paul Farr)

This bill requires justice court judges to be admitted to the practice of law.

The bill is a potential vehicle for a statutory change. Same position as on HJR1.

Liaison Committee's position: Oppose

JUDICIAL COUNCIL LIAISON COMMITTEE MEETING

Minutes
Friday, January 29, 2016
Matheson Courthouse
Council Room

Honorable David Mortensen, Presiding

ATTENDEES:

Hon. Paul Farr
Justice Thomas Lee
Hon. David Mortensen
Hon. Mary Noonan

STAFF PRESENT:

Daniel J. Becker
Brent Johnson
Nancy Merrill
Debra Moore
Alison Adams-Perlac
Dawn Marie-Rubio
Rick Schwermer
Nancy Sylvester

EXCUSED:

GUESTS:

Hon. Brendan McCullagh

1. **WELCOME: (Judge David Mortensen)**

Judge Mortensen welcomed everyone to the meeting.

***Motion:** Judge Mary Noonan moved to approve the minutes from the Liaison Committee Meeting on January 22, 2016. Justice Thomas Lee seconded the motion. The motion carried unanimously.*

2. **H.B. 197 Lobby By State Agencies Amendments
(Chief Sponsor: Marc K. Roberts) (Justice Thomas Lee)**

This bill prohibits an employee of the state from engaging in lobbying on a legislative action.

The Committee discussed drafting concerns with lines 231 and 238, after further discussion the Committee agreed to take no position.

Liaison Committee's position: No position

3. **H.B. 206 Human Trafficking Safe Harbor Amendments
(Chief Sponsor: Angela Romero) (Judge Mary Noonan)**

This bill modifies the Utah Criminal Code regarding a child engaged in prostitution or sexual solicitation.

The Committee discussed the intent of the bill as it relates to the Courts Juvenile Probation function.

Liaison Committee's position: No position but clarify the intent

4. **H.B. 207 Fourth District Juvenile Court Judge
(Chief Sponsor: Dean Sanpei) (Judge Mary Noonan)**

This bill adds a new judge to the fourth district juvenile court.

Liaison Committee's position: Support

5. **H.B. 214 Protective Order Modifications
(Chief Sponsor: Dixon M. Pitcher) (Judge Mary Noonan)**

This bill amends provisions in the Judicial Code related to child protective orders.

The Committee discussed the impact of line 30. They agreed the bill will have a fiscal note.

Liaison Committee's position: No position but fiscal note

6. **S.B. 75 Water Rights Adjudication Amendments
(Chief Sponsor: Margaret Dayton) (Justice Thomas Lee)**

This bill modifies the procedure for adjudicating water rights.

The Committee discussed concerns with the following lines interfering with the Rules of Civil Procedure; lines 149, 276, 308, and 317. After further discussion they agreed to take no position but gently address their concern with the sponsor.

Liaison Committee's position: No position

7. **S.B. 82 Child Welfare Modifications
(Chief Sponsor: Wayne A. Harper) (Judge Mary Noonan)**

This bill amends and enacts provisions concerning child and family services.

The Committee made the following recommendations:

- line 328 use the language “prior to” in place of “as soon as practicable”
- line 624 use the wording “If the Court finds” in place of “The Court may order”

Liaison Committee's position: No position but address the concerns on lines 328 and 624.

**8. S.B. 90 Falsification Of Information In A Protective Order Proceeding
(Chief Sponsor: Alvin B. Jackson) (Judge David Mortensen)**

This bill amends provisions relating to protective orders and child protective orders when a petitioner provides false information.

The Committee noted a fiscal note and made the following drafting suggestions:

- line 191 the Committee recommends replacing the word “shall” with “may”
- line 174 clarify the language, “Notwithstanding Subsection (5)”.

Liaison Committee’s position: No position but fiscal note and raise the concerns with lines 191 and 174.

**9. S.B. 96 Uniform Deployed Parents Custody And Parent-Time Act
(Chief Sponsor: Lyle W. Hillyard) (Judge David Mortensen)**

This bill creates a uniform law governing a deploying parent, child custody, and parent-time requirements.

The bill is policy.

Liaison Committee’s position: No position

**10. S.B. 100 Traffic Fines Amendments
(Chief Sponsor: Lyle W. Hillyard) (Judge Paul Farr)**

This bill limits amounts received by local governments from traffic fines.

The bill is policy.

Liaison Committee’s position: No position but

**11. S.B. 105 Bail Amendments
(Chief Sponsor: Lyle W. Hillyard) (Judge Paul Farr)**

This bill modifies criminal procedure provisions regarding bail and bail security.

The bill is policy.

Liaison Committee’s position: No position

12. Other Business:

Mr. Schwermer reviewed the following bills with the Committee:

- H.B. 148 Protective Order Amendments, the bill got amended based on the Committee’s requests.
- H.J. R. 1 the sponsor agreed to abandon the constitutional amendment; the bill will be a statute requiring a law degree.

JUDICIAL COUNCIL LIAISON COMMITTEE MEETING

Minutes
Friday, February 5, 2016
Matheson Courthouse
Council Room

Honorable David Mortensen, Presiding

ATTENDEES:

Hon. Paul Farr
Justice Thomas Lee
Hon. David Mortensen
Hon. Mary Noonan

STAFF PRESENT:

Daniel J. Becker
Brent Johnson
Nancy Merrill
Debra Moore
Ray Wahl
Dawn Marie-Rubio
Rick Schwermer
Nancy Sylvester

EXCUSED:

GUESTS:

Hon. Brendan McCullagh

1. **WELCOME: (Judge David Mortensen)**

Judge Mortensen welcomed everyone to the meeting.

Motion: Judge Paul Farr moved to approve the minutes from the Liaison Committee Meeting on January 29, 2016. Judge Mary Noonan seconded the motion. The motion passed unanimously.

2. **H.B. 68 1st. Sub (Buff) Post-Exposure Blood Testing Amendments
(Chief Sponsor: Edward H. Redd) (Justice Thomas Lee)**

This bill allows an emergency service provider to request a blood sample if significantly exposed to a person's bodily fluids in the course of performing the provider's duties.

Mr. Schwermer updated the committee on the progress with this draft so far. Concerns were raised regarding who would access the ewarrant process. The Committee noted the need for a fiscal note.

Liaison Committee's position: No position but fiscal note and point out the concerns with the procedure.

3. **H.B. 160 1st Sub (Buff) Justice Court Qualifications Amendments
(Chief Sponsor: Craig Hall) (Judge Paul Farr)**

This bill requires justice court judges to be law school graduates.

The Committee discussed the bill, Mr. Schwermer informed the Committee that the sponsor has agreed to grandfather in all sitting judges. He informed the Committee that there will be a new draft and that it is not finished yet. The Committee agreed to wait for the language in the new draft and they are encouraged with the progress.

Liaison Committee's position: No position but the committee will wait to see the new language in the next draft.

4. **H.B. 234 Adoptive And Foster Parents Amendments
(Chief Sponsor: Angela Romero) (Judge Mary Noonan)**

This bill makes terminology changes throughout the adoption and foster parent statutes.

The committee discussed the bill and agreed to take no position.

Liaison Committee's position: No position

5. **H.B. 262 Campus Anti-Harassment Act
(Chief Sponsor: Kim Coleman) (Judge David Mortensen)**

This bill enacts provisions related to harassment at an institution of higher education.

The committee discussed the bill and agreed the bill is policy.

Liaison Committee's position: No position

6. **S.B. 79 2nd Sub (Salmon) Child Welfare Revisions
(Chief Sponsor: Alvin B. Jackson) (Judge Mary Noonan)**

This bill amends a provision in the Juvenile Court Act.

The Committee discussed concerns with the following lines:

- lines 83-86 needs clarification
- line 89 the Committee suggested adding the word "removed" in place of the word "exempt"
- line 92, 14 days is too short, and it is procedure
- line 96
- line 117
- include reference to best interest

Liaison Committee's position: No position but point out the continual drafting issues

**7. SB 90 2nd Sub (Salmon) Falsification Of Information In A Protective Order Proceeding
(Chief Sponsor: Alvin B. Jackson) (Judge David Mortensen)**

This bill amends provisions relating to protective orders and child protective orders when a petitioner knowingly provides false information.

Mr. Schwermer informed the committee that there is going to be a 3rd Substitute draft that will provide for a petition instead of a motion. The bill will have a fiscal note. The Committee pointed out the concerns with the following lines:

- lines 165, 173, and 174, the committee suggested removing the lines
- line 243 needs to be clarified

Liaison Committee's position: No position but point out the concerns.

**8. SB 107 Hate Crimes Amendments
(Chief Sponsor: Stephen H. Urquhart) (Justice Thomas Lee)**

This bill modifies provisions regarding hate crimes and criminal identification reporting requirements.

The Committee agreed that the bill is policy. They discussed lines 157-159

Liaison Committee's position: No position but raise the concern on lines 157-159.

**9. SB 111 Guardianship-Right Of Association
(Chief Sponsor: Todd Weiler) (Judge David Mortensen)**

This bill amends the Utah Uniform Probate Code in relation to association between an adult ward and a relative of the adult ward.

The Committee agreed that the bill is policy.

Liaison Committee's position: No position

**10. FL0560 PROTECTED Confidentiality of Tax Records
(Justice Thomas Lee)**

This bill addresses the confidentiality of tax records.

Mr. Schwermer informed the Committee about the background of the bill.

Liaison Committee's position: No position but wait for the new draft.

11. Other Business:

Judge Noonan will be participating in the next meeting by phone.

**NEXT MEETING: February 12, 2016
 12:15 p.m.
 Council Room**

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 *Alison Adams-Perlac*
Date: February 17, 2016
Re: Rules for Final Action

The public comment periods for rules 3-114 and 4-503 of the Utah Code of Judicial Administration have now closed. Neither of the proposals received any public comments. The Policy and Planning Committee voted to recommend the proposals, as written, to the Council for final action.

CJA 03-0114. Judicial outreach. Amend. Reorders the intent language. Provides that model outreach programs shall take into account existing curricula. Requires the committee to propose and implement rather than develop policies that encourage judicial participation in outreach programs.

The changes, at lines 3, 6, 8, 11, 13, and 15, were recommended by the Judicial Outreach Committee.

CJA 04-0503. Mandatory electronic filing. Amend. Requires an attorney seeking an exemption from e-filing to submit a written request to the District Court Administrator.

The changes, at lines 14 through 16, conform to current practice and to the exemption process outlined in other electronic filing rules.

If the Council approves these proposals, the amendments will be effective May 1, 2016.

Encl. CJA 03-0114
CJA 04-0503

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.

1 **Rule 3-114. Judicial outreach.**

2 Intent:

3 To improve public trust and confidence in the judiciary.

4 To foster a greater role for judges in service to the community.

5 To provide leadership and resources for outreach.

6 ~~To improve public trust and confidence in the judiciary.~~

7 Applicability:

8 This rule shall apply to all members of the judiciary~~justices and judges.~~

9 Statement of the Rule:

10 (1) The Committee on Judicial Outreach shall:

11 (1)(A) create and promote model outreach programs that take into account existing curricula;

12 (1)(B) promote local outreach programs;

13 (1)(C) propose and implement~~develop~~ policies and rules that encourage judicial participation in
14 outreach programs;

15 (1)(D) work with educators to ~~incorporate~~enhance civic education into school curriculums;

16 (1)(E) work with the Utah State Bar to develop joint outreach programs; and

17 (1)(F) communicate judicial outreach efforts.

18 (2) Consistent with the Code of Judicial Conduct and to increase public understanding of ~~and~~
19 ~~involvement with the administration of justice~~, the judiciary is encouraged to:

20 (2)(A) educate civic, educational, business, charitable, media and other groups about the court
21 system and judicial process; and

22 (2)(B) take an active part in the community where the participation of the judiciary will serve to
23 increase public understanding and promote public confidence in the integrity of the court system.

1 **Rule 4-503. Mandatory electronic filing.**

2 Intent:

3 To require that documents in district court civil 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 civil cases in the district
9 court on or after April 1, 2013 shall be electronically filed using the electronic filer's interface.

10 (2)(A) A self-represented party who is not a lawyer may file pleadings and other papers using any
11 means of delivery permitted by the court.

12 (2)(B) A lawyer whose request for a hardship exemption from this rule has been approved by the
13 Judicial Council may file pleadings and other papers using any means of delivery permitted by the court.
14 To request an exemption, the lawyer shall submit at the written request outlining why the exemption is
15 necessary to the District Court Administrator-Judicial Council's General Counsel on a form approved by
16 ~~the Judicial Council.~~

17 (2)(C) Pleadings and other papers in probate cases may be filed using any means of delivery
18 permitted by the court until July 1, 2013, at which time they shall be electronically filed using the
19 electronic filer's interface.

20 (3) The electronic filer shall be an attorney of record and shall use a unique and personal identifier
21 that is provided by the filer's service provider.

TAB 4

Utah WINGS Update

Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) is a multi-disciplinary problem solving body that relies on court-community partnerships to:

- Oversee guardianship practice;
- Address key policy issues;
- Improve the current system of guardianship and less restrictive alternatives;
- Engage in outreach, education;
- Enhance the quality of care and quality of life of vulnerable adults.

In April 2013 the Utah Administrative Office of the Courts convened a large working steering committee that meets bimonthly. Agendas are posted at <http://www.utcourts.gov/utc/wings>.

WINGS Executive Committee:

1. David Connors, Judge, Second District Court, WINGS Chair
2. Karolina Abuzyarova, WINGS and Court Visitor Program Coordinator
3. Kent Alderman, Elder law attorney, Elder Law Section of the Utah State Bar
4. Mary Jane Ciccarello, Director, Self-help Center, Utah State Courts
5. Nancy Sylvester, Staff Attorney, Administrative Office of the Courts
6. Shannon Alvey, Director, Office of Public Guardian

Steering Committee:

1. Carol Fletcher, Licensed caregiver, private guardian, volunteer visitor
2. Daniel Musto, Director, Long-term Care Ombudsman
3. David Connors, Judge, Second District Court, WINGS Chair
4. Ellen Silver, Director, Jewish Family Services
5. Holly Kees, Court Visitor Volunteer Coordinator
6. James Brady, Judge, Fourth District Court
7. James Toledo, Program Manager, Utah Division of Indian Affairs
8. Joseph Taylor, Crisis Intervention Team, Utah State Coordinator, SLCPD
9. Julie Rigby, Team Manager, Third District Court
10. Lisa Thornton, Private attorney, activist
11. Kent Alderman, Elder law attorney, Elder Law Section of the Utah State Bar
12. Nan Mendenhall, Director, Adult Protective Services
13. Nels Holmgren, Director, Utah Division of Aging and Adult Services
14. Patricia Vigo, Latino Liaison, Utah Parent Center
15. Robert Denton, Managing Attorney, Disability Law Center
16. Shannon Alvey, Director, Office of Public Guardian
17. Wendy Fayles, Criminal Justice Mentor, National Alliance on Mental Illness

Utah WINGS accomplishments are:

1. WINGS formed in April 2013 – groundbreaking initiative with funding from the National Guardianship Network with only three other states (OR, NY, TX, UT).
2. Held statewide guardianship summit in November 2013.

3. Published three papers from the summit in the 2014 Utah Bar Journal:
 - “Improving Service Delivery to Protected Persons and Their Guardians”
 - “The Challenge of Submitting Competent Medical Evidence of Incapacity in Guardianship Proceedings”
 - “Person-Centered Planning and Supported Decision-Making.”
4. Court staff published guardianship web pages: www.utcourts.gov/howto/family/GC.
5. Created active WINGS listserv, February 2014.
6. Formed Executive Committee, February 2014.
7. International profiling of the Utah guardianship monitoring program at the Third World Congress on Adult Guardianship in Virginia, May 2014.
8. Adopted organizational bylaws, August 2015.
9. Started collaboration with Social Security Administration and Veteran’s Administration via national conference calls and information exchange.
10. In partnership with the Utah State Bar established Guardianship Signature Program that provides free and low-cost legal representation to vulnerable adults in guardianship proceedings.
11. Featured panel consisting of Utah WINGS leaders at the 13th Rocky Mountain Geriatrics Conference, September 2015.
12. Organized three public classes for guardians and caregivers on alternatives to guardianship, guardianship procedures, and community resources in fall 2015.
13. Interviewed on KUED, Channel 7 on the guardianship monitoring program in December 2015: www.kued.org/contact/utah-courts-visitor-volunteer-program.

Activities in progress:

1. Create an online training program for the public on guardianship resources.
2. Reach out to the minorities, disseminate information and build partnerships.
3. Translate guardianship web pages into Spanish.
4. Organize live public classes on guardianship to Latino communities.

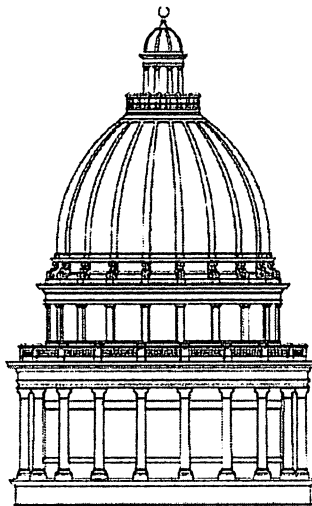
WINGS brings together professionals in the fields of law, social work, medicine, aging services, Veterans Administration, Social Security Administration, non-profit agencies, private guardians, healthcare associations, AARP, Alzheimer’s Association and others. Connections are established between agencies that sometimes served the same population but did not communicate with each other or provide referrals. WINGS widens the understanding of gaps in the area of guardianship and beyond, and offers a platform for a dialogue, coordination and face to face learning opportunities. Large bureaucratic structures started sharing information, and that, hopefully, will make the life of vulnerable adults and their caregivers and guardians easier.

Contacts:

Honorable David Connors, Second District Court, WINGS Chair,
dconnors@utcourts.gov
Karolina Abuzyarova, WINGS and Court Visitor Program Coordinator,
karolinaa@utcourts.gov, 801-578-3925

TAB 5

REPORT TO THE
UTAH LEGISLATURE
Number ILR 2016-B



**A Limited Review of the Use of
Cash Bail in Utah District Courts**

February 2016

Office of the
LEGISLATIVE AUDITOR GENERAL
State of Utah

STATE OF UTAH

Office of the Legislative Auditor General

315 HOUSE BUILDING · PO BOX 145315 · SALT LAKE CITY, UT 84114-5315
(801) 538-1033 · FAX (801) 538-1063

Audit Subcommittee of the Legislative Management Committee
President Wayne L. Niederhauser, Co-Chair · Speaker Gregory H. Hughes, Co-Chair
Senator Gene Davis · Representative Brian S. King

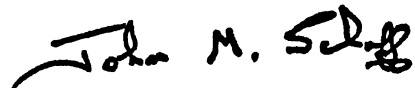
JOHN M. SCHAFF, CIA
AUDITOR GENERAL

February 1, 2016

TO: THE UTAH STATE LEGISLATURE

Transmitted herewith is our report, **A Limited Review of the Use of Cash Bail in Utah District Courts** (Report Number ILR 2016-B). We will be happy to meet with appropriate legislative committees, individual legislators, and other state officials to discuss any item contained in the report in order to facilitate the implementation of the recommendations.

Sincerely,



John M. Schaff, CIA
Auditor General

JMS/lm

REPORT TO THE UTAH LEGISLATURE

Report No. ILR 2016-B

A Limited Review of the Use of Cash Bail in Utah District Courts

February 2016

Audit Performed By:

Audit Manager	Darin Underwood
Audit Supervisor	Jesse Martinson
Audit Staff	Derek Olson

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Office of
LEGISLATIVE AUDITOR GENERAL
State of Utah

Report Number ILR 2016-B
February 2016

A Limited Review of the Use of Cash Bail in Utah District Courts

Utah's Second, Fourth, Seventh, and Eighth District courts have used cash bail in an effort to better assure appearances at court hearings. We were asked to perform a limited review of Fourth District Court's cash bail collection from defendants to determine whether cash bail was used appropriately and if bail proceeds went toward restitution for victims.

To answer this question, we examined 35 cases from the Fourth District Court for which misuse of cash bail was alleged. We found 78 percent of cash bail postings were refunded to the payee in full. None of the postings were applied toward victim restitution; however, restitution was infrequently ordered in examined cases. State statute allows the courts to decide whether bail proceeds will be applied to victim restitution. Our limited review of the Second, Fourth, Seventh, and Eighth District courts found the courts do not frequently use cash bail, but use bonding on a more frequent basis. Statute also enables judges to use cash bail in their courtrooms and set the amount of bail to be paid.

Near the end of our survey work, we were given two additional questions about cash bail. We were asked whether cash bail is an effective tool to ensure a defendant's court appearance when compared with bonding. We were also asked what costs are incurred when using cash bail versus bonding. However, these questions proved to be beyond the limited scope of this review. Answers to these questions would require a more involved, full audit. If desired by the

To determine the effectiveness of cash bail and its associated costs, a full audit approved by the Legislative Audit Subcommittee would be required.

Legislature, further in-depth analysis could be performed to determine the effectiveness of cash bail use compared to bonding.

Second, Fourth, Seventh, and Eight District Courts Use Cash Bail Infrequently

Allegations arose that some Utah district courts were using a cash-bail-only option in lieu of bonds. We looked at four district courts alleged to have improperly used the cash-bail-only option: the second, fourth, seventh, and eighth districts. We found the districts in question use cash bail less frequently than bonds. Figure 1 shows how often cash bail and bond were posted in these districts during January 2015. We looked only at counties within the districts that have larger populations.

The Second, Fourth, Seventh, and Eighth District courts do not use cash bail often.

Figure 1 In January 2015, the Second, Fourth, Seventh,* and Eighth District Courts Used Cash Bail Less Frequently than Bonds. District courts encompass multiple counties; we reviewed a sample of cases in the counties with larger populations.

District Court**	Cash Bail	Bond	Percent Cash Bail
Second District (Weber County)	5	49	9%
Fourth District (Utah County)	13	89	13%
Eighth District (Uintah County)	20	36	36%

*Note: Seventh District Court data was not included in Figure 1 because it was insufficient. However, Seventh District judges reported that they do not frequently use cash bail.

**Note: The totals noted for the respective districts do not represent totals for each district as a whole. The totals are from courts within the districts that serve larger populations.

Source: Second District, Fourth District and Eighth District courts' records

Figure 1 shows that the second, fourth, and eighth district courts used bonds more frequently than cash bail during January 2015. In sum, we found these districts used bonds 82 percent of the time and cash bail 18 percent of the time. The Seventh District Court was not included because its cash bail and bonds are not tracked beyond six months. For example, if cash bail or bond was issued, in this case, in January, and a prosecutor did not file within 120 days, then the bond would have been destroyed because the bail was no longer valid or the cash bail would have been fully refunded. However, Seventh District judges we spoke with indicated that they infrequently use the cash bail option.

Cash Bail Collected in Fourth District Court Appears to Be Set and Used Appropriately

We found that the Fourth District Court uses cash bail, but does not misuse the bail proceeds it collects from defendants. During our review of Fourth District cases, 35 of which were provided by interested stakeholders, we found all refunded bail was returned to the respective payees in full. We did not find any instances where bail monies went toward victim restitution. State statute allows the courts to apply bail toward restitution, fines, and fees incurred by the defendant. Statute also allows judges to use cash bail and enables them to set the amount of bail to be paid by defendants.

Review of Fourth District Court Cases Revealed No Misuse of Cash Bail Monies

The Fourth District Court was accused of not applying bail monies toward restitution, fines, and fees assessed against defendants. Interested stakeholders provided 35 Fourth District Court cases about which they were concerned whether collected cash bail was being used appropriately. We reviewed the cases involving cash bail postings and found no evidence of misuse of cash bail monies. Figure 2 shows the number of cases for which cash bail was posted at least once.

We found no evidence of misuse of cash bail among the Fourth District Court cases reviewed.

Figure 2 Twenty-Five of the Cases Provided to Us Had Cash Bail Posted at Least Once.

Cases	Count
Cases Provided	35
Cases Did NOT Exist or Bail was NOT Posted	<u>-10</u>
Cases in Which Cash Bail Was Posted at Least Once	25

Source: Auditor Analysis of Fourth District Cases

We found that cash bail was posted at least once in 25 cases provided by the stakeholders. We were unable to find cash bail postings for the remaining 10 cases. These cases either did not involve bail postings or were not actual Fourth District Court cases. Of the 25 cases for which cash bail was posted at least once, 27 postings occurred. Bail posting counts differ from case counts because a case can have multiple instances where a defendant (or someone acting on their behalf) posts bail. For instance, we identified two cases in which bail was posted twice by someone on the respective defendant's behalf.

These 2 cases brought total bail postings to 27 for the 25 cases. Figure 3 shows how many of the 27 postings were refunded to the payee.

Figure 3 Twenty-One of the Twenty-Seven Cash Bail Postings Were Refunded to the Payee.

Bail Postings	Count
Cash Bail Postings*	27
Cash Bail Postings NOT Refunded	-6
Number of Cash Bail Postings Refunded	21

**Note: Bail was posted twice in two cases.
Source: Auditor Analysis of Fourth District Cases*

As shown in Figure 3, 21 of the 27 bail postings were fully refunded to the payee, for a refund rate of approximately 78 percent. Conversely, 6 of the 27 bail postings were not refunded, though one posting of the six was belatedly refunded after a clerical error was discovered. Refunds were not provided for the following reasons:

- **Two Bail Forfeitures Occurred.** Two postings were declared forfeitures by the court, and the funds were transferred to the State of Utah General Fund. In both instances, the defendants failed to appear for hearings, prompting the forfeited bail.
- **Two Bail Refund Checks Returned to Court.** The court sent bail refund checks to payees for two separate bail postings. The checks were returned to the court because the payees no longer lived at the addresses provided. The postings are currently held in the Fourth District Court's trust account and will enter unclaimed property proceedings if unclaimed.
- **One Bail Post Initially Not Refunded Because of Clerical Error.** One bail posting had not been refunded because of a clerical error by court staff. Our inquiry into the case led to the discovery of the error. We found that the court clerk had not informed court accountants that the defendant had been sentenced and bail needed to be refunded. Court staff eventually corrected the error, with bail proceeds being fully refunded to the payee; this late refund is not included in the 21 cases that were initially determined to have been paid in full to the payee.

In the cases reviewed, roughly 78 percent of cash bail posting had been refunded to the payee.

- **One Case Still Pending.** One bail posting has not been refunded because the case is pending. The defendant failed to appear for a court hearing, which led to a warrant being issued for the defendant's arrest. The warrant is currently active.

Cash Bail Proceeds Were Not Applied Toward Victim Restitution

The Administrative Office of the Courts claims that cash bail is advantageous because bail monies can be applied to victim restitution and court fines. We found that all 21 bail postings previously discussed were refunded in full to the payee and not applied toward victim restitution. However, restitution was not ordered in the majority of cases involving the 21 postings. We identified four instances where restitution was ordered by the judge; in all four instances, proceeds from the postings were not applied toward restitution. We also reviewed the cases to determine if bail was applied to fines incurred by the defendants. We found fines were ordered by the judge in the majority of the cases, but in every instance, bail was not applied toward the payment of the fine.

The postings discussed above were from cases provided by the stakeholders. These cases were hand-selected by the stakeholders and occurred throughout 2014. As a result, we found it necessary to conduct an independent review of Fourth District Court cases from Utah County to better determine if cash bail proceeds were applied toward victim restitution and fines incurred by defendants. We found 13 cases for which cash bail was posted once per case during January 2015. Restitution was ordered in two cases, but bail proceeds were not applied toward restitution. Fines were ordered in six cases with one instance where bail was applied toward the fine.

Results of our limited independent review of cases were similar to results for the cases provided by the stakeholders. Bail proceeds were not applied to victim restitution; however, restitution was not frequently ordered by judges. A full audit would be needed to further validate the results of this limited review.

Courts Are Not Required to Apply Cash Bail Proceeds Toward Restitution

The courts are under no legal obligation to apply the proceeds of cash bail toward victim restitution and fines imposed on defendants.

Bail proceeds were not applied to victim restitution in the cases reviewed; however, restitution was infrequently ordered.

Regarding the application of cash bail toward restitution and fines, *Utah Code 77-20-4* states:

(5) Before refunding bail that is posted by the defendant in cash, by credit card, or by debit card, the court *may* [italics added] apply the amount posted toward accounts receivable, as defined in Section 76-3-201.1, that are owed by the defendant....

Utah Code does not require the courts to apply cash bail proceeds toward restitution, fines, or fees owed by the defendant.

Accounts receivable, as defined in *Utah Code 76-3-201.1*, consist of "...unpaid fees, overpayments, fines, forfeitures, surcharges, costs, interest, penalties, restitution to victims...." According to statute, the courts may apply refunded bail toward the defendant's restitution, fines, and fees, but are under no legal obligation to do so. The Office of Legislative Research and General Counsel (OLRGC) confirmed in a legal opinion that judges can apply cash bail towards accounts receivable but are not required to do so (see Appendix). Therefore, we conclude that the Fourth District Court's handling of cash bail in these cases was consistent with state statute.

Judges Are Allowed to Use Cash Bail Under *Utah Code*

Cash bail is an alternative that judges can use in addition to bonding. A prosecutor can request the option of cash bail, then the judge can choose to utilize this option. Bail can be used to allow accused individuals to be released on their own recognizance as indicated in *Utah Code 77-20-3*:

- (1) Any person who may be admitted to bail may likewise be released on his own recognizance in the discretion of the magistrate or court.
- (2) After releasing the defendant on his own recognizance or admitting the defendant to bail, the magistrate or court may:
 - (a) impose bail or increase or decrease the amount of the bail...

Utah Code allows judges to use cash bail and set the amount to be paid.

Therefore, the court can determine the amount of bail required to allow an accused individual to be released. State statute grants the ability to use cash bail under *Utah Code 77-20-4*: "(1) Bail may be posted: (a) in cash...." According to the legal opinion we received from OLRGC, cash bail is allowed under this provision (see

Appendix). The Administrative Office of the Courts corroborated this opinion as well. The judge is given the authority to determine the amount of bail and can accept cash as an alternative. We conclude that, despite allegations that cash bail is disallowed, judges can exercise their discretion by using cash bail.

Unknown Impact of Cash Bail Use on Court Appearance Rates and Court System Costs

Because of the limited nature of our review, we were unable to answer the questions that were raised toward the end of our survey work. These questions are whether cash bail is effective at ensuring a defendant's appearance in court, and what is the cost of cash bail use on the court system and law enforcement. Our review of cases involving cash bail provided conflicting results regarding its effectiveness at ensuring court appearance. We were also unable to determine if cash bail use increased court and law enforcement costs. To answer these questions, a full audit could be performed if it is the wish of the Legislative Audit Subcommittee. The Utah Judicial Council produced a report that assessed the effectiveness of bonds at ensuring court appearance, but not the effectiveness of cash bail. It appears the Council wants to strengthen the efficacy of bonds.

Effectiveness of Cash Bail at Ensuring Court Appearance Could Not Be Determined

We attempted to review the efficacy of cash bail at ensuring defendants appear in court. Concerns exist that increased use of cash bail escalates the number of failed appearances by defendants, thereby increasing costs to the court system and law enforcement to locate missing defendants. As mentioned, we received 35 cases selected by those alleging the ineffectiveness of cash bail to ensure a defendant's appearance in court. These cases were identified as having been filed and adjudicated in the Fourth District Court. Our review found that 32 of the 35 cases had indeed been filed and adjudicated in the Fourth District Court, as shown in Figure 4.

Interested stakeholders gave us 35 hand-picked cases, alleging that cash bail was ineffective at ensuring court appearances.

Figure 4 Twenty-Five of the 35 Cases We Reviewed Had at Least One Cash Bail Posting.

Cases	Count
Cases Provided	35
Cases NOT Verified as Fourth District Court Cases	-3
Cases Verified as Fourth District Cases	32
Cases Where Bail Was NOT Posted	-7
Cases Involving at Least ONE Cash Bail Posting	25

Source: Auditor analysis of Fourth District Court cases

We were unable to verify three cases because case numbers and court records were not found. Cash bail had been set in all 32 verified cases, but defendants in 7 cases did not post bail. Two defendants were released on their own recognizance, while the others may not have had funds available to post bail. Conversely, defendants (or someone acting on their behalf) posted bail in 25 cases.

We assessed the 25 cases involving cash bail postings to determine if cash bail ensured court appearances. We found that most cases had instances where the defendant did not appear for scheduled court dates after posting cash bail. However, these cases were hand-selected by the stakeholders to demonstrate this fact and were dated throughout the 2014 calendar year. We did not review all the cash bail received in 2014 to determine the rate of appearance. To determine if failures to appear consistently occur, we independently reviewed cases from the Fourth District for which cash bail was posted during January 2015. As seen in Figure 5, our review of the hand-selected cases and cases that we independently verified produced conflicting results. The cases provided by the stakeholders suggest cash bail is ineffective at ensuring court appearance, while the cases from January 2015 suggest cash bail is effective.

Most of the hand-selected cases had instances where the defendant did not appear in court.

Figure 5 Defendants Who Posted Bail in Utah County during January 2015 Appeared for Their Next Court Date 100 Percent of the Time.

Type	Postings	Defendant Appeared in Court After Posting	Appearance Rate
Cash Bail	13	13	100%
Bond	89	77	87%

*Note: The totals listed are from Utah County courts in the Utah 4th District Court
Source: Fourth District Court records*

The appearance rate for cash bail was actually higher than bonds. We found 13 instances where cash bail was posted for defendants. In each instance, the defendant appeared for a court meeting scheduled shortly after bail was posted; those who posted bonds had a lower appearance rate than those who posted cash bail. We must note that we did not receive or review any bond appearance rates for 2014, thus making a comparison between the two unfeasible. As our review was limited, we were unable to conduct a more intensive assessment of cases involving cash bail. Therefore, a more in-depth review is needed to determine the efficacy of cash bail at ensuring defendant appearance in court.

Costs of Cash Bail Use on Court System and Law Enforcement Could Not Be Determined

Stakeholders expressed concerns that increased cash bail use would increase costs to the court system and law enforcement as a result of more defendants failing to appear in court. Because of the limited nature of our review, we were unable to determine the financial impact of cash bail use on the court system and law enforcement. Such a study would require robust analyses of potential costs to both entities.

Utah Judicial Council Examined the Effectiveness of Bonds but Not Cash Bail

The Utah Judicial Council organized a committee to examine pretrial release practices in Utah courts, including the use of monetary bonds. The committee recently completed its work, culminating in a report entitled *Report to the Utah Judicial Council on Pretrial Release and Supervision Practices*. A portion of the report dealt with monetary bond forfeitures and failure to appear rates for defendants who used

Those who posted cash bail appeared in court more frequently than those who posted bonds.

Our limited review did not allow us to determine the financial impact of cash bail use.

According to a Utah Judicial Council report, bonds do not create a strong enough incentive to ensure court appearance.

A full, in-depth audit would be needed to determine the efficacy of cash bail use.

bonds. It cited a 23 percent failure to appear rate in Utah courts for defendants released on bond during 2013.

The report further argues that bonds do not create a strong incentive for the defendant to appear in court, and that laws and practices should be improved to create stronger incentives. Despite the discussion on bonds, we found the report did not address the use of cash bail in Utah courts. We spoke with members of the committee who authored the report and were told that they had not reviewed cash bail. However, it appears the Council is looking to strengthen the effectiveness of bond use. Despite the work the Judicial Council did, they did not address whether cash bail is more effective than surety bonds. We believe a review of this would be best performed by an independent body, such as the Office of the Legislative Auditor General.

In summary, we conducted a limited review of cash bail use among selected Utah District courts. As our review was limited, we were only able to address one of the three questions asked. Further, our findings are not representative of the Utah District Court as a whole. In addition, our findings regarding the effectiveness and cost of cash bail use are inconclusive because of the limited nature of our review. Specifically, we found the data available in the court database system insufficient for robust analysis. An in-depth assessment would require review of existing case histories and other related documents, which must be examined individually. Only an in-depth analysis of all district courts and their applicable court records could determine whether cash bail use is effective.

Recommendation

1. We recommend that the Legislative Audit Subcommittee consider prioritizing an audit regarding cash bail effectiveness and cost.

Appendix

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Memorandum

To: John Schaff, Legislative Auditor General
From: Susan Creager Allred, Associate General Counsel
Date: November 25, 2015
Re: Interpretation of Statutory Provisions Regarding Use of Cash Bail

Michael E. Christensen
Director

John L. Fellows
General Counsel

Mr. Schaff:

Mr. Jesse Martinson asked me for a legal opinion regarding the following two questions regarding the use of cash bail in the district courts.

Question 1: May courts allow a defendant to post cash bail?

The Utah Code authorizes courts to allow defendants to post cash bail, as described below.

The following section of the Utah Code provides that the court may allow the defendant to post cash bail, and addresses the procedure for returning the cash bail to the defendant.

Section 77-20-4 states:

(1) Bail may be posted:

- (a) in cash;*
- (b) by written undertaking with or without sureties at the discretion of the magistrate; or*
- (c) by credit or debit card, at the discretion of the judge or bail commissioner.*

In addition, the Utah Code provides that bail commissioners are also authorized to allow a defendant to post cash bail, reflecting the same statutory authority to allow cash bail as is granted to a judge.

Subsection 10-30-920(1) in the Municipal Code title provides:

(1) Bail may be posted:

- (a) in cash;*
- (b) by written undertaking with or without sureties at the discretion of the magistrate; or*
- (c) by credit or debit card, at the discretion of the judge or bail commissioner.*

Utah State Capitol Complex
House Building, Suite W210
PO Box 145210
Salt Lake City, Utah
84114-5210
Phone (801) 538-1032
Fax (801) 538-1712
www.le.utah.gov

Subsections 17-32-1(2) and (3) in the Counties title of the code provides:

(2) A bail commissioner may [impose bail as follows]:

(3) Any person who has been ordered by a magistrate, judge, or bail commissioner to give bail may deposit the amount with the bail commissioner:

(a) in money, by cash, certified or cashier's check, personal check with check guarantee card, money order, or credit card, if the bail commissioner has chosen to establish any of those options; . . .

Question 2: Mr. Martinson also requested my opinion regarding whether the courts may apply cash bail to accounts receivable, and if so, are the courts required to apply the bail to the accounts receivable?

The Utah Code allows the courts to apply cash bail to accounts receivable as defined in Section 77-3-201.1, but does not require that the courts apply the cash bail to accounts receivable.

Subsection 77-20-4(5) states:

(5) Before refunding bail that is posted by the defendant in cash, by credit card, or by debit card, the court may apply the amount posted toward accounts receivable, as defined in Section 76-3-201.1, that are owed by the defendant in the priority set forth in Section 77-38a-404.

Subsection 76-3-201.1(1) defines accounts receivable:

(1) As used in this section:

(a) "Accounts receivable" includes unpaid fees, overpayments, fines, forfeitures, surcharges, costs, interest, penalties, restitution to victims, third party claims, claims, reimbursement of a reward, and damages.

Conclusion

The Utah Code authorizes district court judges, in their discretion, to allow a defendant to post cash bail.

The Utah Code authorizes district court judges, in their discretion, to apply cash bail to accounts receivable as defined in Section 77-3-201.1.

Please contact me if you have additional questions in relation to this opinion.

Susan Creager Allred
Associate General Counsel
Office of Legislative Research & General Counsel



Agency Response

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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

Mr. John M. Schaff
Office of Utah State Auditor
310 State Capitol Bldg. Ste E 310
Salt Lake City, UT 84114

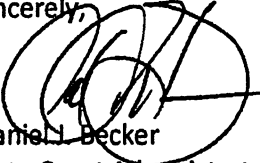
Dear Mr. Schaff:

Thank you for the opportunity to respond to the recently completed audit entitled *A Limited Review of the Use of Cash Bail in Utah District Courts*. We concur in the audit findings and found the audit a thorough review of the use of cash bail.

With respect to the one recommendation provided in the report – consideration of the effectiveness and cost of cash bail – I would note that the Judicial Council has just completed an examination of pretrial release and bail practices in the state. As noted in your report, the Council study, while not specifically addressing cash bail, does advance twelve recommendations for strengthening the pretrial and bail process. We anticipate that a number of these recommendations will be incorporated into legislation for consideration during the 2016 Legislative Session.

I would like to acknowledge the manner in which the staff of your office conducted this review. Their work was thorough, complete, and professional in all respects.

Sincerely,

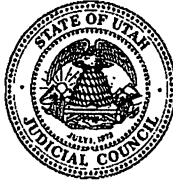


Daniel J. Becker
State Court Administrator

cc: Chief Justice Mathew B. Durrant, Utah Supreme Court

**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 6



Administrative Office of the Courts

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

MEMORANDUM

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

To: Judicial Council
From: Alison Adams-Perlac *Alison Adams-Perlac*
Date: February 17, 2016
Re: Rules for Public Comment

The Policy and Planning Committee recommends the following proposed amendments to the Utah Code of Judicial Administration. The circumstances are outlined below. If the Council votes to approve these rules, they will be opened for public comment.

CJA 03-0403. Judicial branch education. Amend. Gives the Management Committee authority to excuse an active senior judge applying for reappointment from completing the annual 30 hour education requirement based on good cause. To be eligible, the senior judge must have completed at least 60 total education hours in the two years preceding the effective date of reappointment.

The changes, at lines 46-49, were previously approved in concept by the Council. The amendment would allow the Management Committee to look at two years in the aggregate to determine whether educational requirements have been met.

CJA 04-0202.02. Records classification. Amend. Classifies jail booking sheets and nonresident violator notices of compliance as private. Deletes language addressing appellate brief addenda as those are governed by other rules.

The proposed amendment, at lines 120, 141, and 160 through 165, privatizes jail booking sheets and nonresident violator notices. Court services recommended these amendments, as both of these documents contain very sensitive information. The Policy

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.

and Planning Committee considered both documents and ultimately decided that the privacy interests outweigh the public interest in having these documents, particularly because the non-sensitive information in the booking sheet can be found in other filed documents. The other amendment is recommended since access to addenda filed with an appellate brief is governed by recent amendments to other rules in the Code of Judicial Administration and the Rules of Appellate Procedure.

CJA 04-0404. Jury selection and service. Amend. Incorporates recent amendments to the statute regarding a juror's term of service.

The proposed amendment, at lines 40 through 41, reflects changes to the Utah Code addressing juror terms of service. Unlike other jurors, jurors living in a county of the fourth, fifth, or sixth class or a county of the third class with populations up to 75,000 do not fulfill their terms of service simply by complying with a summons as directed.

CJA 04-0903. Uniform custody evaluations. Amend. Clarifies the list of professionals who may perform custody evaluations. Eliminates the provision allowing two custody evaluators to be appointed if one party resides out of state. Adds additional factors for a custody evaluator to consider when conducting an evaluation.

The changes, found throughout the proposal, were vetted and recommended by the Standing Committee on Children and Family Law. That committee is concerned that multiple evaluations are not helpful for judges because the evaluators only communicate with one party.

Encl. CJA 3-403
 CJA 4-202.02
 CJA 4-404
 CJA 4-903

1 **Rule 3-403. Judicial branch education.**

2 **Intent:**

3 To establish the Judicial Branch Education Committee's responsibility to develop and evaluate a
4 comprehensive education program for all judges, commissioners and court staff.

5 To establish education standards for judges, commissioners and court staff, including provisions for
6 funding and accreditation for educational programs.

7 To ensure that education programs, including opportunities for job orientation, skill and knowledge
8 acquisition, and professional and personal development, are available to all members of the judicial
9 branch and that such programs utilize the principles of adult education and focus on participative learning.

10 To emphasize the importance of participation by all judicial branch employees in education and
11 training as an essential component in maintaining the quality of justice in the Utah courts.

12 **Applicability:**

13 This rule shall apply to all judges, commissioners and court staff, except seasonal employees and law
14 clerks.

15 **Statement of the Rule:**

16 (1) Organization.

17 (1)(A) Judicial branch education committee. The Judicial Branch Education Committee shall
18 submit to the Council for approval proposed policies, standards, guidelines, and procedures applicable to
19 all judicial branch education activities. It shall evaluate and monitor the quality of educational programs
20 and make changes where appropriate within the approved guidelines for funding, attendance, and
21 accreditation.

22 (1)(B) Responsibilities of members. Committee members shall propose policies and procedures
23 for developing, implementing, and evaluating orientation, continuing skill development, and career
24 enhancement education opportunities for all judicial branch employees; formulate an annual education
25 plan and calendar consistent with the judicial branch education budget; and serve as advocates for
26 judicial branch education, including educating the judiciary about the purpose and functions of the
27 Committee.

28 (1)(C) Committee meetings.

29 (1)(C)(i) The Committee shall meet twice a year. Additional meetings may be called as
30 necessary. A majority of voting members in attendance is required for official Committee action.

31 (1)(C)(ii) The chairperson may recommend to the Council that a Committee member be
32 replaced if that member is absent without excuse from two consecutive Committee meetings or fails
33 to meet the responsibilities of membership as outlined in paragraph (1)(B).

34 (2) Administration. Judicial Education Officer. The Judicial Education Officer, under the direction of
35 the Court Administrator, shall serve as staff to the Committee and be responsible for the administration of
36 the judicial education program consistent with this rule.

37 (3) Standards for judges and court commissioners.

38 (3)(A)(~~ii~~) Program requirements. All judges and court commissioners shall participate in the first
39 designated orientation program offered after the date the judge is administered the oath of office, unless
40 attendance is excused for good cause by the Management Committee. All judges, court commissioners,
41 active senior judges, and active senior justice court judges shall complete 30 hours of pre-approved
42 education annually, to be implemented on a schedule coordinated by the Committee. Judges of courts of
43 record and court commissioners may attend a combination of approved local, state, or national programs.
44 Active and inactive senior judges and retired judges may attend approved local or state programs and the
45 annual Utah Judicial Conference, but an inactive senior judge or retired judge must pay all expenses.

46 (3)(A)(i) Active senior judge. If an active senior judge applies to be reappointed and will have
47 completed at least 60 total education hours in the two years preceding the effective date of
48 reappointment, the Management Committee may, for good cause shown, excuse the judge from having
49 to complete the annual 30 hour education requirement.

50 (3)(A)(ii) Inactive senior judges and retired judges. If an inactive senior judge or a retired judge
51 applies to be an active senior judge, the judge shall demonstrate that:

52 (3)(A)(ii)(a) less than three years has passed since he or she last complied with the continuing
53 education requirements of an active senior judge;

54 (3)(A)(ii)(b) he or she has complied with the MCLE requirements of the Utah State Bar for at least
55 three years before the application;

56 (3)(A)(ii)(c) he or she has attended 30 hours of approved judicial education within one year before
57 the application; or

58 (3)(A)(ii)(d) he or she has attended the new judge orientation for judges of the courts of record
59 within one year before the application. (3)(B)(i) Program components. Education programs for judges and
60 court commissioners shall include: a mandatory new judge orientation program; a variety of programs
61 addressing substantive and procedural law topics, aimed at skill and knowledge acquisition; and
62 programs geared to professional and personal development, to meet the continuing needs of judges and
63 court commissioners over the long term.

64 (3)(B)(~~ii~~) Annual conferences. Justice court judges and active senior justice court judges shall
65 attend the annual justice court conference unless excused by the Management Committee for good
66 cause. Because the annual judicial conference represents the only opportunity for judges to meet and
67 interact as a group and to elect their representatives, judges, active senior judges and court
68 commissioners of the courts of record are strongly encouraged to attend that conference.

69 (4) Standards for court staff.

70 (4)(A) State employees.

71 (4)(A)(i) Program requirements. All court staff employed by the state shall complete 20 hours
72 of approved coursework annually.

73 (4)(A)(ii) Program components. Education programs for court staff employed by the state
74 shall include: on-the-job orientation for new employees as well as semi-annual Orientation Academies;

75 skill development programs that teach technical and job-related competencies; and enhancement
76 programs that promote personal and professional growth within the organization.

77 (4)(B) Local government employees.

78 (4)(B)(i) Program requirements. All court staff employed by the justice courts shall complete
79 10 hours of approved coursework annually. All other court staff employed by local government shall
80 complete 20 hours of approved coursework annually.

81 (4)(B)(ii) Program components. Education programs for court staff employed by local
82 government shall include: annual training seminar; skill development programs that teach technical and
83 job-related competencies; and enhancement programs that promote personal and professional growth.

84 (5) Reporting.

85 (5)(A) Judges, commissioners and court staff governed by these standards shall report
86 participation in education programs on a form developed by the Committee.

87 (5)(B) For court staff, compliance with judicial branch education standards shall be a performance
88 criterion in the evaluation of all staff.

89 (5)(B)(i) Supervisory personnel are responsible to ensure that all staff have an opportunity to
90 participate in the required education. Failure of a supervisor to meet the minimum education standards or
91 to provide staff with the opportunity to meet minimum education standards will result in an unsatisfactory
92 performance evaluation in the education criterion.

93 (5)(B)(ii) Failure of staff to meet the minimum education requirements will result in an
94 unsatisfactory evaluation on the education criterion unless the employee provides documented reasons
95 that the employee's failure to meet the education standards is due to reasons beyond the employee's
96 control.

97 (6) Credit. Judicial education procedures shall include guidelines for determining which programs
98 qualify as approved education within the meaning of these standards.

99 (7) Funding.

100 (7)(A) Budget. In preparing its annual request for legislative appropriations, the Council shall
101 receive and consider recommendations from the Committee. The Committee's annual education plan
102 shall be based upon the Council's actual budget allocation for judicial education.

103 (7)(B) In-state education programs. Judicial branch funds allocated to in-state judicial education
104 shall first be used to support mandatory in-state orientation programs for all judicial branch employees
105 and then for other education priorities as established by the Committee with input from the Boards of
106 Judges and Administrative Office.

107 (7)(C) Out-of-state education programs. To provide for diverse educational development, to take
108 advantage of unique national opportunities, and to utilize education programs which cannot be offered in-
109 state, the annual education plan shall include out-of-state education opportunities. The Committee shall
110 approve national education providers and shall include in the education procedures, criteria to be applied
111 by the Administrative Office to out-of-state education requests. Criteria shall include relevance to the

112 attendee's current assignment and attendance at in-state programs. Disagreement with a decision to
113 deny an out-of-state education request may be reviewed by a quorum of the Committee at the applicant's
114 request.

115 (7)(D) Tuition, fees, and travel. The Committee shall develop policies and procedures for paying
116 tuition, fees, per diem, and travel for approved programs. State funds cannot be used to pay for
117 discretionary social activities, recreation, or spouse participation. The Committee may set financial limits
118 on reimbursement for attendance at elective programs, with the individual participant personally making
119 up the difference in cost when the cost exceeds program guidelines.

120

121

1 **Rule 4-202.02. Records classification.**

2 **Intent:**

3 To classify court records as public or non-public.

4 **Applicability:**

5 This rule applies to the judicial branch.

6 **Statement of the Rule:**

7 (1) Court records are public unless otherwise classified by this rule.

8 (2) Public court records include but are not limited to:

9 (2)(A) abstract of a citation that redacts all non-public information;

10 (2)(B) aggregate records without non-public information and without personal identifying
11 information;

12 (2)(C) appellate filings, including briefs;

13 (2)(D) arrest warrants, but a court may restrict access before service;

14 (2)(E) audit reports;

15 (2)(F) case files;

16 (2)(G) committee reports after release by the Judicial Council or the court that requested the
17 study;

18 (2)(H) contracts entered into by the judicial branch and records of compliance with the terms of a
19 contract;

20 (2)(I) drafts that were never finalized but were relied upon in carrying out an action or policy;

21 (2)(J) exhibits, but the judge may regulate or deny access to ensure the integrity of the exhibit, a
22 fair trial or interests favoring closure;

23 (2)(K) financial records;

24 (2)(L) indexes approved by the Management Committee of the Judicial Council, including the
25 following, in courts other than the juvenile court; an index may contain any other index information:

26 (2)(L)(i) amount in controversy;

27 (2)(L)(ii) attorney name;

28 (2)(L)(iii) case number;

29 (2)(K)(iv) case status;

30 (2)(L)(v) civil case type or criminal violation;

31 (2)(L)(vi) civil judgment or criminal disposition;

32 (2)(L)(vii) daily calendar;

33 (2)(L)(viii) file date;

34 (2)(~~L~~M) party name;

35 (2)(~~M~~N) name, business address, business telephone number, and business email address of an
36 adult person or business entity other than a party or a victim or witness of a crime;

37 (2)(~~NO~~) name, address, telephone number, email address, date of birth, and last four digits of the
38 following: driver's license number; social security number; or account number of a party;

39 (2)(~~OP~~) name, business address, business telephone number, and business email address of a
40 lawyer appearing in a case;

41 (2)(~~PQ~~) name, business address, business telephone number, and business email address of
42 court personnel other than judges;

43 (2)(~~QR~~) name, business address, and business telephone number of judges;

44 (2)(~~RS~~) name, gender, gross salary and benefits, job title and description, number of hours
45 worked per pay period, dates of employment, and relevant qualifications of a current or former court
46 personnel;

47 (2)(~~ST~~) unless classified by the judge as private or safeguarded to protect the personal safety of
48 the juror or the juror's family, the name of a juror empaneled to try a case, but only 10 days after the jury
49 is discharged;

50 (2)(~~TU~~) opinions, including concurring and dissenting opinions, and orders entered in open
51 hearings;

52 (2)(~~UV~~) order or decision classifying a record as not public;

53 (2)(~~VW~~) private record if the subject of the record has given written permission to make the record
54 public;

55 (2)(~~WX~~) probation progress/violation reports;

56 (2)(~~XY~~) publications of the administrative office of the courts;

57 (2)(~~YZ~~) record in which the judicial branch determines or states an opinion on the rights of the
58 state, a political subdivision, the public, or a person;

59 (2)(~~ZAA~~) record of the receipt or expenditure of public funds;

60 (2)(~~AABB~~) record or minutes of an open meeting or hearing and the transcript of them;

61 (2)(~~BBCC~~) record of formal discipline of current or former court personnel or of a person
62 regulated by the judicial branch if the disciplinary action has been completed, and all time periods for
63 administrative appeal have expired, and the disciplinary action was sustained;

64 (2)(~~CCDD~~) record of a request for a record;

65 (2)(~~DD EE~~) reports used by the judiciary if all of the data in the report is public or the Judicial
66 Council designates the report as a public record;

67 (2)(~~EEFF~~) rules of the Supreme Court and Judicial Council;

68 (2)(~~FFGG~~) search warrants, the application and all affidavits or other recorded testimony on
69 which a warrant is based are public after they are unsealed under Utah Rule of Criminal Procedure 40;

70 (2)(~~GGHH~~) statistical data derived from public and non-public records but that disclose only public
71 data;

72 (2)(~~HHII~~) Notwithstanding subsections (6) and (7), if a petition, indictment, or information is filed
73 charging a person 14 years of age or older with a felony or an offense that would be a felony if committed

74 by an adult, the petition, indictment or information, the adjudication order, the disposition order, and the
75 delinquency history summary of the person are public records. The delinquency history summary shall
76 contain the name of the person, a listing of the offenses for which the person was adjudged to be within
77 the jurisdiction of the juvenile court, and the disposition of the court in each of those offenses.

78 (3) The following court records are sealed:

79 (3)(A) records in the following actions:

80 (3)(A)(i) Title 78B, Chapter 6, Part 1, Utah Adoption Act six months after the conclusion of
81 proceedings, which are private until sealed;

82 (3)(A)(ii) Title 78B, Chapter 15, Part 8, Gestational Agreement, six months after the
83 conclusion of proceedings, which are private until sealed; and-

84 (3)(A)(iii) Title 76, Chapter 7, Part 304.5, Consent required for abortions performed on
85 minors; and

86 (3)(B) expunged records;

87 (3)(C) orders authorizing installation of pen register or trap and trace device under Utah Code
88 Section 77-23a-15;

89 (3)(D) records showing the identity of a confidential informant;

90 (3)(E) records relating to the possession of a financial institution by the commissioner of financial
91 institutions under Utah Code Section 7-2-6;

92 (3)(F) wills deposited for safe keeping under Utah Code Section 75-2-901;

93 (3)(G) records designated as sealed by rule of the Supreme Court;

94 (3)(H) record of a Children's Justice Center investigative interview after the conclusion of any
95 legal proceedings; and

96 (3)(I) other records as ordered by the court under Rule 4-202.04.

97 (4) The following court records are private:

98 (4)(A) records in the following actions:

99 (4)(A)(i) Section 62A-15-631, Involuntary commitment under court order;

100 (4)(A)(ii) Section 76-10-532, Removal from the National Instant Check System database;

101 (4)(A)(iii) Title 78B, Chapter 6, Part 1, Utah Adoption Act, until the records are sealed; and

102 (4)(A)(iv) Title 78B, Chapter 15, Part 8, Gestational Agreement, until the records are sealed;

103 and

104 (4)(B) records in the following actions, except that the case history; judgments, orders and
105 decrees; letters of appointment; and the record of public hearings are public records:

106 (4)(B)(i) Title 30, Husband and Wife, including qualified domestic relations orders, except that
107 an action for consortium due to personal injury under Section 30-2-11 is public;

108 (4)(B)(ii) Title 77, Chapter 3a, Stalking Injunctions;

109 (4)(B)(iii) Title 75, Chapter 5, Protection of Persons Under Disability and their Property;

110 (4)(B)(iv) Title 78B, Chapter 7, Protective Orders;

111 (4)(B)(v) Title 78B, Chapter 12, Utah Child Support Act;
112 (4)(B)(vi) Title 78B, Chapter 13, Utah Uniform Child Custody Jurisdiction and Enforcement
113 Act;
114 (4)(B)(vii) Title 78B, Chapter 14, Uniform Interstate Family Support Act;
115 (4)(B)(viii) Title 78B, Chapter 15, Utah Uniform Parentage Act; and
116 (4)(B)(ix) an action to modify or enforce a judgment in any of the actions in this subparagraph
117 (B);
118 (4)(C) an affidavit supporting a motion to waive fees;
119 (4)(D) aggregate records other than public aggregate records under subsection (2);
120 (4)(E) alternative dispute resolution records;
121 (4)(F) applications for accommodation under the Americans with Disabilities Act;
122 (4)(G) jail booking sheets;
123 (4)(~~G~~H) citation, but an abstract of a citation that redacts all non-public information is public;
124 (4)(~~H~~I) judgment information statement;
125 (4)(~~I~~J) judicial review of final agency action under Utah Code Section 62A-4a-1009;
126 (4)(~~J~~K) the following personal identifying information about a party: driver's license number, social
127 security number, account description and number, password, identification number, maiden name and
128 mother's maiden name, and similar personal identifying information;
129 (4)(~~K~~L) the following personal identifying information about a person other than a party or a victim
130 or witness of a crime: residential address, personal email address, personal telephone number; date of
131 birth, driver's license number, social security number, account description and number, password,
132 identification number, maiden name, mother's maiden name, and similar personal identifying information;
133 (4)(~~L~~M) medical, psychiatric, or psychological records;
134 (4)(~~M~~N) name of a minor, except that the name of a minor party is public in the following district
135 and justice court proceedings:
136 (4)(~~M~~N)(i) name change of a minor;
137 (4)(~~M~~N)(ii) guardianship or conservatorship for a minor;
138 (4)(~~M~~N)(iii) felony, misdemeanor or infraction;
139 (4)(~~M~~N)(iv) child protective orders; and
140 (4)(~~M~~N)(v) custody orders and decrees;
141 (4)(~~N~~O) nonresident violator notice of noncompliance;
142 (4)(~~O~~P) personnel file of a current or former court personnel or applicant for employment;
143 (4)(~~O~~Q) photograph, film or video of a crime victim;
144 (4)(~~P~~R) record of a court hearing closed to the public or of a child's testimony taken under URCrP
145 15.5:
146 (4)(~~P~~R)(i) permanently if the hearing is not traditionally open to the public and public access
147 does not play a significant positive role in the process; or

- 148 (4)(~~PR~~)(ii) if the hearing is traditionally open to the public, until the judge determines it is
149 possible to release the record without prejudice to the interests that justified the closure;
- 150 (4)(~~QS~~) record submitted by a senior judge or court commissioner regarding performance
151 evaluation and certification;
- 152 (4)(~~RT~~) record submitted for in camera review until its public availability is determined;
- 153 (4)(~~SU~~) reports of investigations by Child Protective Services;
- 154 (4)(~~TV~~) victim impact statements;
- 155 (4)(~~UW~~) name of a prospective juror summoned to attend court, unless classified by the judge as
156 safeguarded to protect the personal safety of the prospective juror or the prospective juror's family;
- 157 (4)(~~VX~~) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure, except
158 briefs filed pursuant to court order;
- 159 (4)(~~WY~~) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure; and
160 (4)(~~X~~) an addendum to an appellate brief filed in a case involving:
- 161 (4)(~~X~~)(i) adoption;
- 162 (4)(~~X~~)(ii) termination of parental rights;
- 163 (4)(~~X~~)(iii) abuse, neglect and dependency;
- 164 (4)(~~X~~)(iv) substantiation under Section 78A-6-323; or
- 165 (4)(~~X~~)(v) protective orders or dating violence protective orders;
- 166 (4)(~~YZ~~) other records as ordered by the court under Rule 4-202.04.
- 167 (5) The following court records are protected:
- 168 (5)(A) attorney's work product, including the mental impressions or legal theories of an attorney or
169 other representative of the courts concerning litigation, privileged communication between the courts and
170 an attorney representing, retained, or employed by the courts, and records prepared solely in anticipation
171 of litigation or a judicial, quasi-judicial, or administrative proceeding;
- 172 (5)(B) records that are subject to the attorney client privilege;
- 173 (5)(C) bids or proposals until the deadline for submitting them has closed;
- 174 (5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation before
175 issuance of the final recommendations in these areas;
- 176 (5)(E) budget recommendations, legislative proposals, and policy statements, that if disclosed
177 would reveal the court's contemplated policies or contemplated courses of action;
- 178 (5)(F) court security plans;
- 179 (5)(G) investigation and analysis of loss covered by the risk management fund;
- 180 (5)(H) memorandum prepared by staff for a member of any body charged by law with performing
181 a judicial function and used in the decision-making process;
- 182 (5)(I) confidential business records under Utah Code Section 63G-2-309;

- 183 (5)(J) record created or maintained for civil, criminal, or administrative enforcement purposes,
184 audit or discipline purposes, or licensing, certification or registration purposes, if the record reasonably
185 could be expected to:
- 186 (5)(J)(i) interfere with an investigation;
 - 187 (5)(J)(ii) interfere with a fair hearing or trial;
 - 188 (5)(J)(iii) disclose the identity of a confidential source; or
 - 189 (5)(J)(iv) concern the security of a court facility;
- 190 (5)(K) record identifying property under consideration for sale or acquisition by the court or its
191 appraised or estimated value unless the information has been disclosed to someone not under a duty of
192 confidentiality to the courts;
- 193 (5)(L) record that would reveal the contents of settlement negotiations other than the final
194 settlement agreement;
- 195 (5)(M) record the disclosure of which would impair governmental procurement or give an unfair
196 advantage to any person;
- 197 (5)(N) record the disclosure of which would interfere with supervision of an offender's
198 incarceration, probation or parole;
- 199 (5)(O) record the disclosure of which would jeopardize life, safety or property;
- 200 (5)(P) strategy about collective bargaining or pending litigation;
- 201 (5)(Q) test questions and answers;
- 202 (5)(R) trade secrets as defined in Utah Code Section 13-24-2;
- 203 (5)(S) record of a Children's Justice Center investigative interview before the conclusion of any
204 legal proceedings;
- 205 (5)(T) presentence investigation report;
- 206 (5)(U) except for those filed with the court, records maintained and prepared by juvenile
207 probation; and
- 208 (5)(V) other records as ordered by the court under Rule 4-202.04.
- 209 (6) The following are juvenile court social records:
- 210 (6)(A) correspondence relating to juvenile social records;
 - 211 (6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations, substance
212 abuse evaluations, domestic violence evaluations;
 - 213 (6)(C) medical, psychological, psychiatric evaluations;
 - 214 (6)(D) pre-disposition and social summary reports;
 - 215 (6)(E) probation agency and institutional reports or evaluations;
 - 216 (6)(F) referral reports;
 - 217 (6)(G) report of preliminary inquiries; and
 - 218 (6)(H) treatment or service plans.
- 219 (7) The following are juvenile court legal records:

- 220 (7)(A) accounting records;
- 221 (7)(B) discovery filed with the court;
- 222 (7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes, findings,
- 223 orders, decrees;
- 224 (7)(D) name of a party or minor;
- 225 (7)(E) record of a court hearing;
- 226 (7)(F) referral and offense histories
- 227 (7)(G) and any other juvenile court record regarding a minor that is not designated as a social
- 228 record.
- 229 (8) The following are safeguarded records:
 - 230 (8)(A) upon request, location information, contact information and identity information other than
 - 231 name of a petitioner and other persons to be protected in an action filed under Title 77, Chapter 3a,
 - 232 Stalking Injunctions or Title 78B, Chapter 7, Protective Orders;
 - 233 (8)(B) upon request, location information, contact information and identity information other than
 - 234 name of a party or the party's child after showing by affidavit that the health, safety, or liberty of the party
 - 235 or child would be jeopardized by disclosure in a proceeding under Title 78B, Chapter 13, Utah Uniform
 - 236 Child Custody Jurisdiction and Enforcement Act or Title 78B, Chapter 14, Uniform Interstate Family
 - 237 Support Act or Title 78B, Chapter 15, Utah Uniform Parentage Act;
 - 238 (8)(C) location information, contact information and identity information of prospective jurors on
 - 239 the master jury list or the qualified jury list;
 - 240 (8)(D) location information, contact information and identity information other than name of a
 - 241 prospective juror summoned to attend court;
 - 242 (8)(E) the following information about a victim or witness of a crime:
 - 243 (8)(E)(i) business and personal address, email address, telephone number and similar
 - 244 information from which the person can be located or contacted;
 - 245 (8)(E)(ii) date of birth, driver's license number, social security number, account description
 - 246 and number, password, identification number, maiden name, mother's maiden name, and similar
 - 247 personal identifying information.
 - 248

1 **Rule 4-404. Jury selection and service.**

2 **Intent:**

3 To identify the source lists from which the master jury list is built.

4 To establish a uniform procedure for jury selection, qualification, and service.

5 To establish administrative responsibility for jury selection.

6 To ensure that jurors are well informed of the purpose and nature of the obligations of their service at
7 each stage of the proceedings.

8 **Applicability:**

9 This rule shall apply to all trial courts.

10 **Statement of the Rule:**

11 (1) Master jury list and jury source lists; periodic review.

12 (1)(A) The state court administrator shall maintain for each county a master jury list as defined by
13 the Utah Code.

14 (1)(B) The master jury list for each county shall be a compilation of the following source lists:

15 (1)(B)(i) driver licenses and identification cards for citizens of the United States 18 years of
16 age and older from the Drivers License Division of the Department of Public Safety; and

17 (1)(B)(ii) the official register of voters from the Elections Division of the Office of the Lt.
18 Governor.

19 (1)(C) The Judicial Council may use additional source lists to improve the inclusiveness of the
20 master jury list for a county.

21 (1)(D) At least twice per year the state court administrator shall obtain from the person
22 responsible for maintaining each source list a new edition of the list reflecting any additions, deletions,
23 and amendments to the list. The state court administrator shall renew the master jury list for each county
24 by incorporating the new or changed information.

25 (1)(E) The master jury list shall contain the name, address, and date of birth for each person
26 listed and any other identifying or demographic information deemed necessary by the state court
27 administrator. The state court administrator shall maintain the master list on a data base accessible to the
28 district courts and justice courts of the state.

29 (1)(F) The state court administrator shall compare the number of persons on each master jury list
30 for a county with the population of the county 18 years of age and older as reported by the Economic and
31 Demographic Data Projections published for the year by the Office of Planning and Budget. The state
32 court administrator shall report the comparison to the Judicial Council at its October meeting during even
33 numbered years. The sole purpose of this report is to improve, if necessary, the inclusiveness of the
34 master jury list.

35 (2) Term of service and term of availability of jurors.

36 (2)(A) The following shall constitute satisfactory completion of a term of service of a juror:

37 (2)(A)(i) serving on a jury panel for one trial whether as a primary or alternate juror regardless
38 of whether the jury is called upon to deliberate or return a verdict;

39 (2)(A)(ii) reporting once to the courthouse for potential service as a juror;

40 (2)(A)(iii) except for a juror living in a county of the fourth, fifth, or sixth class or a county of
41 the third class with populations up to 75,000, complying with a summons as directed, even if not directed
42 to report to the courthouse; or

43 (2)(A)(iii) expiration of the term of availability.

44 (2)(B) The term of availability of jurors shall be as follows, unless a shorter term is ordered by the
45 court:

46 (2)(B)(i) one month for the trial courts of record in Salt Lake county;

47 (2)(B)(ii) three months for the trial courts of record in Davis, Utah, and Weber counties; and

48 (2)(B)(iii) six months for all other courts.

49 (3) Random selection procedures.

50 (3)(A) Random selection procedures shall be used in selecting persons from the master jury list
51 for the qualified jury list.

52 (3)(B) Courts may depart from the principle of random selection in order to excuse or postpone a
53 juror in accordance with statute or these rules and to remove jurors challenged for cause or peremptorily.

54 (4) Qualified jury list.

55 (4)(A) For each term of availability as defined above, the state court administrator shall provide,
56 based on a random selection, to the court the number of jurors requested by that court. This shall be the
57 list from which the court qualifies prospective jurors. The names of prospective jurors shall be delivered to
58 the requesting court in the random order in which they were selected from the master jury list. The court
59 shall maintain that random order through summons, assignment to panels, selection for voir dire,
60 peremptory challenges, and final call to serve as a juror; or the court may rerandomize the names of
61 jurors at any step.

62 (4)(B) For each term of availability the court should request no more than the number of
63 prospective jurors reasonably calculated to permit the selection of a full jury panel with alternates if
64 applicable for each trial scheduled or likely to be scheduled during the term. The number of prospective
65 jurors requested should be based upon the size of the panel plus any alternates plus the total number of
66 peremptory challenges plus the anticipated number of prospective jurors to be postponed, excused from
67 service or removed for cause less the number of jurors postponed to that term.

68 (4)(C) The clerk of the court shall mail to each prospective juror a qualification form. The
69 prospective juror shall file the answers to the questions with the clerk within ten days after it is received.
70 The state court administrator shall develop a uniform form for use by all courts. In addition to the
71 information required by statute, the qualification form shall contain information regarding the length of
72 service, and procedures and grounds for requesting an excuse or postponement.

73 (4)(D) If a prospective juror is unable to complete the answers, they may be completed by
74 another person. The person completing the answers shall indicate that fact.

75 (4)(E) If the clerk determines that there is an omission, ambiguity, or error in the answers, the
76 clerk shall return the form to the prospective juror with instructions to make the necessary addition,
77 clarification, or correction and to file the answers with the clerk within ten days after it is received.

78 (4)(F) The clerk shall review all answers and record the prospective juror as qualified or
79 disqualified as defined by statute.

80 (4)(G) The clerk shall notify the state court administrator of any determination that a prospective
81 juror is not qualified to serve as a juror, and the state court administrator shall accordingly update the
82 master jury list.

83 (4)(H) A prospective juror whose qualification form is returned by the United States Postal Service
84 as "undeliverable," or "moved - left no forwarding address," or "addressee unknown," or other similar
85 statement, shall not be pursued further by the clerk. The clerk shall notify the state court administrator
86 who shall accordingly update the master jury list.

87 (4)(I) If a prospective juror fails to respond to the qualification questionnaire and the form is not
88 returned by the U.S. Postal Service as undeliverable, the clerk shall mail the qualification form a second
89 time with a notice that failure to answer the questions may result in a court order requiring the prospective
90 juror to appear in person before the clerk to complete the qualification form. If a prospective juror fails to
91 answer the questions after the second mailing, the qualification form and a summons may be delivered to
92 the sheriff for personal service upon the prospective juror. The summons shall require the prospective
93 juror to answer the questions and file them with the court within ten days or to appear before the clerk to
94 prepare the form. Any prospective juror who fails to answer the questions or to appear as ordered shall
95 be subject to the sanctions set forth in the Utah Code.

96 (5) Excuse or postponement from service.

97 (5)(A) No competent juror is exempt from service.

98 (5)(B) Persons on the qualified juror list may be excused from jury service, either before or after
99 summons, for undue hardship, public necessity or because the person is incapable of jury service under
100 the Utah Code. The court shall make reasonable accommodations for any prospective juror with a
101 disability. Excuse from jury service satisfies the prospective juror's statutory service obligation.

102 (5)(C) A prospective juror may be postponed to later in the term or to a future term for good
103 cause.

104 (5)(D) Without more, being enrolled as a full or part-time post-high school student is not sufficient
105 grounds for excuse from service.

106 (5)(E) Disposition of a request for excuse from service or postponement may be made by the
107 judge presiding at the trial to which panel the prospective juror is assigned, the presiding judge of the
108 court, or the judge designated by the presiding judge for that purpose. The presiding judge may establish
109 written standards by which the clerk may dispose of requests for excuse from service or postponement.

110 (6) Summons from the qualified jury list.

111 (6)(A) After consultation with the judges or the presiding judge of the court, the clerk shall
112 determine the number of jurors needed for a particular day. The number of prospective jurors summoned
113 should be based upon the number of panels, size of the panels, any alternates, the total number of
114 peremptory challenges plus the anticipated number of prospective jurors to be postponed, excused from
115 service or removed for cause. The clerk shall summon the smallest number of prospective jurors
116 reasonably necessary to select a trial jury.

117 (6)(B) The judge may direct that additional jurors be summoned if, because of the notoriety of the
118 case or other exceptional circumstances, the judge anticipates numerous challenges for cause.

119 (6)(C) Juror summons.

120 (6)(C)(i) The summons may be by first class mail delivered to the address provided on the
121 juror qualification form or by telephone.

122 (6)(C)(ii) Mailed summonses shall be on a form approved by the state court administrator.
123 The summons may direct the prospective juror to appear at a date, time, and place certain or may direct
124 the prospective juror to telephone the court for further information. The summons shall direct the
125 prospective juror to present the summons for payment. The summons may contain other information
126 determined to be useful to a prospective juror.

127 (6)(C)(iii) If summons is made by telephone, the clerk shall follow the procedures of
128 paragraph (9) of this rule.

129 (7) Assignment of qualified prospective jurors to panels. Qualified jurors may be assigned to panels in
130 the random order in which they appear on the qualified jury list or may be selected in any other random
131 order. If a prospective juror is removed from one panel, that prospective juror may be reassigned to
132 another panel if the need exists and if there are no prospective jurors remaining unassigned.

133 (8) Selection of prospective jurors for voir dire. Qualified jurors may be selected for voir dire in the
134 random order in which they appear on the qualified jury list, or may be selected in any other random
135 order.

136 (9) Calling additional jurors. If there is an insufficient number of prospective jurors to fill all jury panels,
137 the judge shall direct the clerk to summon from the qualified jury list such additional jurors as necessary.
138 The clerk shall make every reasonable effort to contact the prospective jurors in the order listed on the
139 qualified jury list. If after reasonable efforts the clerk fails to contact a juror, the clerk shall attempt to
140 contact the next juror on the list. If the clerk is unable to obtain a sufficient number of jurors in a
141 reasonable period of time, the court may use any lawful method for acquiring a jury.

1 **Rule 4-903. Uniform custody evaluations.**

2 **Intent:**

3 To establish uniform guidelines for the ~~preparation~~ performance of custody evaluations.

4 **Applicability:**

5 This rule shall apply to the district and juvenile courts.

6 **Statement of the Rule:**

7 ~~(1) Custody evaluations shall be performed by persons with the following minimum qualifications:~~

8 ~~(1)(A) Social workers who hold the designation of Licensed Clinical Social Worker or equivalent license~~
9 ~~by the state in which they practice may perform custody evaluations within the scope of their licensure.~~

10 ~~(1)(B) Doctoral level psychologists who are licensed by the state in which they practice may perform~~
11 ~~custody evaluations within the scope of their licensure.~~

12 ~~(1)(C) Physicians who are board certified in psychiatry and are licensed by the state in which they~~
13 ~~practice may perform custody evaluations within the scope of their licensure.~~

14 ~~(1)(D) Marriage and family therapists who hold the designation of Licensed Marriage and Family~~
15 ~~Therapist (Masters level minimum) or equivalent license by the state in which they practice may perform~~
16 ~~custody evaluations within the scope of their licensure.~~

17 (1) Custody evaluations shall be performed by professionals who have specific training in child
18 development, and who are licensed by the Utah Department of Occupational and Professional Licensing
19 as either a (a) Licensed Clinical Social Worker, (b) Licensed Psychologist, (c) Licensed Physician who is
20 board certified in psychiatry, or (d) Licensed Marriage and Family Therapist.

21 (2) Every motion or stipulation for the performance of a custody evaluation shall include:

22 (2)(A) the name, address, and telephone number of each evaluator nominated, or the evaluator
23 agreed upon;

24 (2)(B) the anticipated dates of commencement and completion of the evaluation and the
25 estimated cost of the evaluation;

26 (2)(C) specific factors, if any, to be addressed in the evaluation.

27 (3) Every order requiring the performance of a custody evaluation shall:

28 (3)(A) require the parties to cooperate as requested by the evaluator;

29 (3)(B) restrict disclosure of the evaluation's findings or recommendations and privileged
30 information obtained except in the context of the subject litigation or other proceedings as deemed
31 necessary by the court;

32 (3)(C) assign responsibility for payment from the beginning of the evaluation through the custody
33 evaluation conference, as well as the costs of the written report if requested;

34 (3)(D) specify dates for commencement and completion of the evaluation;

35 (3)(E) specify any additional factors to be addressed in the evaluation;

36 (3)(F) require the evaluator to provide written notice to the court, counsel and parties within five
37 business days of completion (of information-gathering) or termination of the evaluation and, if terminated,
38 the reason;

39 (3)(G) require counsel ~~or~~ and parties to ~~schedule complete a settlement custody evaluation~~
40 conference with the court and the evaluator within 45 days of notice of completion (of information
41 gathering) or termination unless otherwise directed by the court so that evaluator may issue a verbal
42 report; and

43 (3)(H) require that any party wanting a written custody evaluation report ~~to be prepared~~ give
44 written notice to the evaluator within 45 days after the settlement custody evaluation conference.

45 ~~(4) In divorce cases where custody is at issue, one evaluator may be appointed by the court to conduct~~
46 ~~an impartial and objective assessment of the parties and submit a written report to the court. When one of~~
47 ~~the prospective custodians resides outside of the jurisdiction of the court two individual evaluators may be~~
48 ~~appointed. In cases in which two evaluators are appointed, the court will designate a primary evaluator.~~
49 ~~The evaluators must confer prior to the commencement of the evaluation to establish appropriate~~
50 ~~guidelines and criteria for the evaluation and shall submit only one joint report to the court.~~

51 (5 4) The purpose of the custody evaluation will be to provide the court with information it can use to
52 make decisions regarding custody and parenting time arrangements that are in the child's best
53 interest. ~~This is accomplished by assessing the prospective custodians' capacity to parent, the~~
54 ~~developmental, emotional, and physical needs of the child, and the fit between each prospective~~
55 ~~custodian and child. Unless otherwise specified in the order, evaluators must consider and respond to~~
56 each of the following factors:

57 (5 4)(A) the developmental needs of the child (including, but not limited to physical, emotional,
58 educational, medical and any special needs), and the parents' demonstrated understanding of,
59 responsiveness to, and ability to meet, those needs.

60 (5 4)(A B) the child's preference the stated wishes and concerns of each child, taking into the
61 consideration the child's cognitive ability and emotional maturity.

62 (5 4)(B C) the relative benefit of keeping siblings together;

63 (5 4)(C D) the relative strength of the child's bond with ~~one or both~~ of the prospective
64 custodians, meaning the depth, quality and nature of the relationship between a prospective custodian
65 and child;

66 (5 4)(D E) the general interest in continuing previously determined custody parenting
67 arrangements where the child is has been happy and well adjusted;

68 (5 4)(E F) factors relating to the prospective custodians' character ~~or status or~~ and their
69 capacity ~~or~~ and willingness to function as parents, including:

70 (5 4)(E F)(i) parenting skills

71 (5 4)(F)(ii) co-parenting skills (including, but not limited to, the ability to facilitate the
72 child's relationship with the other parent, and to appropriately communicate with the other parent);

73 ~~(5 4)(F)(iii)~~ moral character; ~~and~~
74 ~~(5 4)(F)(iv)~~ emotional stability;
75 ~~(5 4)(E F)(ii v)~~ duration and depth of desire for custody and parent-time;
76 ~~(5 4)(E F)(iii vi)~~ ability to provide personal rather than surrogate care;
77 ~~(5 4)(E F)(iv vii)~~ significant impairment of ability to function as a parent through drug
78 abuse, excessive drinking or other causes;
79 ~~(5 4)(E F)(v viii)~~ reasons for having relinquished custody or parent-time in the past;
80 ~~(5 4)(E F)(vi ix)~~ religious compatibility with the child;
81 ~~(5 4)(E F)(vii x)~~ kinship, ~~including in extraordinary circumstances stepparent status~~ the
82 child's interaction and relationship with the child's step-parent(s), extended family members, and/or any
83 other person who may significantly affect the child's best interest;
84 ~~(5 4)(E F)(viii xi)~~ financial ~~condition~~ responsibility; ~~and~~
85 ~~(5 4)(E F)(ix xii)~~ evidence of abuse of the subject child, another child, or spouse; ~~and~~
86 (5 4)(G) factors affecting a determination for joint legal and/or physical custody as set forth in
87 Utah Code 30-3-10.2; and
88 ~~(5 4)(F H)~~ any other factors deemed important by the evaluator, the parties, or the court.

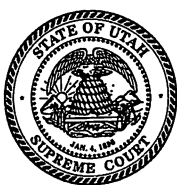
89 (6 5) In cases in which specific areas of concern exist such as domestic violence, sexual abuse,
90 substance abuse, mental illness, and the evaluator does not possess specialized training or experience in
91 the area(s) of concern, the evaluator shall consult with those having specialized training or experience.
92 The assessment shall take into consideration the potential danger posed to the child's custodian and the
93 child(ren).

94 (7 6) In cases in which psychological testing is employed as a component of the evaluation, it shall be
95 conducted by a licensed psychologist who is trained in the use of the tests administered, and adheres to
96 the ethical standards for the use and interpretation of psychological tests in the jurisdiction in which he or
97 she is licensed to practice. If psychological testing is conducted with adults and/or children, it shall be
98 done with knowledge of the limits of the testing and should be viewed within the context of information
99 gained from clinical interviews and other available data. Conclusions drawn from psychological testing
100 should take into account the inherent stresses associated with divorce and custody disputes.

101 ~~Advisory Committee Note. The qualifications enumerated in this rule are required for the performance of a~~
102 ~~custody evaluation. However, if the qualifications are met, a practitioner from another state with a different~~
103 ~~title will not be barred from performing a custody evaluation.~~

TAB 7

**Standing Committee on
Technology**



Timothy M. Shea
Appellate Court Administrator

Andrea R. Martinez
Clerk of Court

Supreme Court of Utah

450 South State Street
P.O. Box 140210
Salt Lake City, Utah 84114-0210
Appellate Clerks' Office
Telephone 801-578-3900

January 20, 2016

Matthew B. Durrant
Chief Justice
Thomas R. Lee
Associate Chief Justice
Christine M. Durham
Justice
Deno G. Himonas
Justice
John A. Pearce
Justice

To: Management Committee
From: Tim Shea *T. Shea*
Re: Technology Committee

The Supreme Court has nominated Justice John Pearce to serve as its representative on the Technology Committee. Justice Pearce has been serving as the Court of Appeals' representative and as committee chair for about two years. I have been serving on the committee in lieu of a justice, and Justice Pearce will replace me.

The Judicial Council also will need to appoint a committee chair from among its members:

Shane Bahr	Court Executive, Fourth District Court
Chris Davies	Clerk of the Court, Third District Court
Rick Davis	Court Executive, Fifth District Court
Judge Matthew Funk	First District Justice Court
Dawn Hautamaki	Clerk of the Court, Eighth District Court
Judge Angela Foncesbeck	First District Juvenile Court
Justice John Pearce	Supreme Court
Brian Ross	Administrative Office of the Courts
Dawn Marie Rubio	Juvenile Court Administrator
Judge Stephen Roth	Court of Appeals
Judge Michael Westfall	Fifth District Court

February 4, 2016

Judicial Council
Management Committee
Matheson Courthouse
450 So State Street
Salt Lake City, Utah 84114

Attention: Jody Gonzales

RE: The Standing Committee on Technology

Dear Council Members,

The Technology Committee develops and makes recommendations to the Judicial Council relating to the plans, priorities, and strategies that guide and govern technology as applied to Utah's courts and management structure.

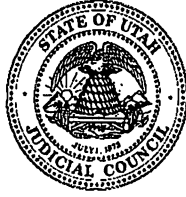
Rick Davies' first term as a representative of the Trial Court Executives expired on January 28, 2015. The Trial Court Executives have nominated Rick Davies to serve a second term on the Technology Committee.

I would ask that you act favorably on the nomination of Rick Davies to the Technology Committee.

Respectfully submitted,

Ron Bowmaster
Director, IT Division

Language Access Committee



Administrative Office of the Courts

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

MEMORANDUM

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

To: Management Committee
From: Alison Adams-Perlac *Alison Adams-Perlac*
Date: February 8, 2016
Re: Language Access Committee Appointments

The Language Access Committee has a vacancy for a Trial Court Executive (TCE). The TCEs recently nominated Russell Pearson, the TCE in the Eighth District, to fill the vacancy. If appointed, Mr. Pearson is willing to serve. This committee's recommendation will go on the Judicial Council's February consent calendar.

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.

**Domestic Case Process
Improvement Subcommittee**

Memorandum

To: Management Committee

From: Standing Committee on Children and Family Law (SCCFL)
Ray Wahl, Staff

RE: Domestic Case Process Improvement Subcommittee

Date: February 5, 2016

First of all, let me apologize for the late information provided on the membership of the above committee. With the timing of the last Standing Committee meeting, giving sufficient time for people to indicate their interest and provide a resume, and the Committee having a conference call on February 5th to make recommendations to the Management Committee, it does not give much time to read through resumes.

As you will recall, the Judicial Council authorized this subcommittee of the Standing Committee on Children and Family Law. I have included a copy of the committee charge and its membership. The process used by the Standing Committee to make recommendations to the Management Committee included brainstorming potential names to serve on the committee and an invitation to those people that included information on the subcommittee charge and its membership. Once interest was determined and resumes received, a conference call was held by the SCCFL. All resumes sent in were discussed on the call, and the SCCFL respectfully makes the following recommendations:

Two District Court Judges

Judge Douglas Thomas and Judge Elizabeth Hruby-Mills expressed an interest in serving. The SCCFL recommends that the Management Committee appoint Judge Thomas as the chair and ask Judge Hruby-Mills to serve.

Two Court Commissioners

Three commissioners expressed an interest; Commissioners Casey, Conklin and Blomquist. Commissioner Blomquist pointed out that she is on the SCCFL and her subcommittee would play a part in the deliberations of the subcommittee. The SCCFL recommends that Commissioner Patrick Casey and Commissioner Catherine Conklin be appointed to the subcommittee.

Page Two

Standing Committee on Children and Family Law

GAL Director

Stacey Snyder has agreed to serve on the committee.

AOC Administrator

Rick Schwermer has agreed to serve on the committee.

Department of Human Services Representative

Mark Brasher, who is on the SCCFL, has agreed to serve on the committee.

Self-Help Center Representative

Mary Jane Ciccarello has agreed to serve on the committee.

Mediator

Three mediators expressed interest in serving on the committee; William Downes, Nancy McGahey, and Gary Scholes. The SCCFL recommends that William Downes be appointed to the committee.

Legal Services Attorney

Two people expressed an interest in serving on the committee; Stewart Ralphs and Brooke Robinson. The SCCFL recommends that Stewart Ralphs be appointed to the committee.

Two Family Law Attorneys

There were seven attorneys who expressed an interest in serving on the committee; Marty Olsen, Laura Rasmussen, Christina Miller, Douglas Adair, Lorie Fowlke, Russell Minas, and Emilie Bean. The SCCFL recommends that Marty Olsen and Douglas Adair be appointed to the committee.

Child Development Professional

There were four people who expressed an interest in serving on the committee; Dr. Monica Christy, Dr. Natalie Malovich, Dr. Heather Walker, and Ali Thomas. The SCCFL recommends that Ali Thomas be appointed to the committee.

Please note that even though invitations went out to several people, no member of a child advocacy organization expressed interest. In addition, a request will go to the Speaker of the House and President of the Senate to appoint legislators to the committee. I will be at the meeting, in the event the Management Committee has any questions.

Judicial Council Study: Domestic Case Process Improvements

Committee Charge:

The Judicial Council's Children and Family Law Standing Committee is charged with conducting a thorough review of existing domestic case processing statutes, rules, and practices and determining if there are alternatives and improvements that should be considered. This study should be limited to domestic cases and shall not include juvenile delinquency or child welfare proceedings. Specifically, the committee should:

- Examine programs in place in other jurisdictions that are aimed at simplifying process, reducing the adversarial nature of domestic proceedings, protecting children of divorcing parents, and reducing time and costs for litigants in order to determine what constitutes "best practices" in the adjudication of domestic disputes.
- Conduct an inventory of current practices and programs and assess both their effectiveness and the extent to which they are consistent with best practices in the field.
- Compile and examine data on the management of domestic cases, including case processing performance indicators, so as to identify promising practices that should be more broadly replicated.
- Conduct the study so as to take into account the individual perspectives of children, litigants, victims, self-represented litigants, attorneys, judges, commissioners, advocates, and service providers.
- Examine programs and services, such as OCAP, Self-Help Center, and forms to determine if additional or improved services are needed.
- Examine the commissioner process and determine if efficiencies are possible in their interaction with district court judges.
- Formulate proposed solutions to problems identified, including attendant resource requirements, statute, and rule changes.

Timetable:

The standing committee should complete its work and report its findings and recommendations to the Judicial Council at the July 2017 meeting of the Judicial Council. This will allow sufficient time to seek the input of various interested parties and allow the Judicial Council time to decide what, if any, legislation should be advanced to the 2018 Legislature.

Membership:

The standing committee will conduct this study through a sub-committee composed of the following membership appointed by the Management Committee of the Judicial Council:

- | | |
|---|---------------------------------------|
| (2) district court judges | (1) Member of the Senate |
| (2) court commissioners | (1) Member of the House |
| (1) Legal Services attorney | (1) mediator |
| (2) family law attorneys | (1) Member of a child advocacy organ. |
| (1) Department of Human Services representative | (1) child development professional |
| GAL director | (1) an AOC administrator |
| Self-Help Center representative | |

A committee chair will be named by the Management Committee of the Judicial Council.

Staff support to the committee will be assigned by the state court administrator

The committee will operate under the oversight of the standing committee which shall monitor the work and progress of the committee. The chair of the standing committee shall file the committee's report with the Judicial Council, indicating whether the standing committee endorses the recommendations contained in the report.



Ray Wahl <rayw@utcourts.gov>

Re: Standing Committee on Children and Family Law

Judge Douglas Thomas <dbthomas@utcourts.gov>
To: Ray Wahl <rayw@utcourts.gov>

Tue, Jan 26, 2016 at 10:14 AM

Dear Ray:

This e-mail is to formally express my interest in serving on the Domestic Case Process Improvement Committee. I currently serve on the Family Law Executive Committee of the Utah State Bar and have done so for approximately the past 10 years. I also serve on the Standing Committee for Children and Family Law (SCCFL) and its existing subcommittees. Finally, I serve on the Standing Committee for Self-Represented Litigants. I accepted that latter assignment with the understanding my SCCFL responsibilities would have priority.

Before my appointment as a district court judge, I served as a court commissioner for approximately 4 years. In my law practice, I focused almost exclusively on domestic relations cases. I also was a court-approved mediator at that time and mediated approximately 300 divorce and post-divorce cases before taking the bench. If you have any further questions, please let me know.

Thank-you for all you do for the SCCFL and the judiciary as a whole. It has been my privilege to work with you.

Judge Thomas

On Thu, Jan 7, 2016 at 8:26 AM, Ray Wahl <rayw@utcourts.gov> wrote:
See attached letter inviting you to serve on a subcommittee.



Ray Wahl <rayw@utcourts.gov>

Re: Standing Committee on Children and Family Law

Judge Elizabeth Hruby <ehruby@utcourts.gov>
To: Ray Wahl <rayw@utcourts.gov>

Sun, Jan 10, 2016 at 1:27 PM

Ray,

I am very interested in serving on this committee. I am currently serving on the CJC Advisory Board, Rules of Criminal Procedure, Family Law Executive Board, and Chairperson of the Judicial Outreach Committee. Also, I have law and motion calendar on Mondays, so I would not be able to attend any meeting on Mondays. I also have trials set through May, so my calendar is challenging. I am hopeful it could work though if I am selected to serve.

Thanks, Liz

On Thu, Jan 7, 2016 at 8:27 AM, Ray Wahl <rayw@utcourts.gov> wrote:
See attached letter inviting you to serve on a subcommittee.

T. Patrick Casey
Third District Court
P.O. Box 1860
Salt Lake City, UT 84114-1860
E-Mail: ccasey@utcourts.gov
Phone: (801) 238-7007

CURRENT
EMPLOYMENT

- Court Commissioner, Third District Court, Salt Lake City, Utah.
- July, 1996 to Present—Responsible for conducting temporary and enforcement hearings and pre-trial settlement conferences in civil domestic relations matters, cohabitant abuse protective order hearings, and mental health civil commitment hearings.
- August, 1995 through June, 1996—Acting Judge *Pro Tempore* assigned to cover criminal and civil caseload of one Division II (formerly Circuit Court) judge.
- July, 1992 through July, 1995—responsible for conducting criminal arraignments, felony first appearances, preliminary hearings, and misdemeanor pre-trials and trials (including jury trials), in former Third Circuit Court. Also responsible for setting bail and approving search and arrest warrants.

PREVIOUS
PROFESSIONAL
EMPLOYMENT

- Parsons, Behle & Latimer, Salt Lake City, Utah. June, 1981 through June, 1992. Commercial and employment litigation practice before federal and state courts and agencies. Additional experience with bankruptcy, real estate, business enterprise organization and commercial transactions.

PROFESSIONAL
ACTIVITIES

- 2006-2008—Commissioner representative (non-voting) to Board of District Court Judges.
- 2006-present—Online Court Assistance Program Oversight Committee.
- 2001-2010—Judicial Performance Evaluation Committee.
- 1993-present (occasional)—Judge for University of Utah Law School Mock Trial Program.
- Utah State Bar Association service: 1991-92—Utah State Bar Ethics Advisory Opinion Committee, 1991-Utah Volunteer Lawyers Project volunteer; 1987-88—Editorial Board of *The Barrister*, publication of Utah State Bar Young Lawyers Association; 1984—Organizing committee for Mid-Year Meeting.

LEGAL EDUCATION

- University of Michigan Law School J.D. *Cum laude*, 1981. “Senior Judge” in Writing and Advocacy Program (teaching first-year law students legal research, writing and advocacy skills).

UNDERGRADUATE
EDUCATION

- Colorado College, Colorado Springs, Colorado. B.A. *Cum laude*, 1977. Phi Beta Kappa; major in History. Exchange student to Pädagogische Hochschule, Göttingen, Germany, 1976-76.
- Additional undergraduate study at: University of Utah, 1987-89; University of Colorado at Denver, Colorado, 1977-78; and Regis College, Denver, Colorado, 1971-72.

ADDITIONAL
INFORMATION

- Born January 3, 1954.
- Admitted to practice in Utah (state and federal courts) in 1981.
- Conversant in German language. Basic proficiency in Spanish, French, and Italian.



Ray Wahl <rayw@utcourts.gov>

Re: Standing Committee on Children and Family Law

Commissioner T. Patrick Casey <ccasey@utcourts.gov>
To: Ray Wahl <rayw@utcourts.gov>

Thu, Jan 7, 2016 at 9:04 AM

Hi, Ray--

Yes, I am interested in serving on this subcommittee. My resume is attached. I am presently serving on the OCAP Advisory Committee. That committee only meets quarterly, if that. In the event of scheduling conflicts I would resign from that Committee.

TPC

On Thu, Jan 7, 2016 at 8:17 AM, Ray Wahl <rayw@utcourts.gov> wrote:
See attached letter inviting you to serve on a subcommittee.

 **Resume.doc**
35K



Ray Wahl <rayw@utcourts.gov>

Re: Standing Committee on Children and Family Law

Commissioner Catherine Conklin <cconklin@utcourts.gov>
To: Ray Wahl <rayw@utcourts.gov>

Thu, Jan 7, 2016 at 10:22 AM

Thanks! I am very interested in serving on this committee. Right now, the only other committee I'm on is the Education Standing Committee, although I am on its subcommittees for conference planning. If a resume would be helpful, I'm happy to submit one.

Hope you're enjoying the new year!

Cathy

On Thu, Jan 7, 2016 at 8:18 AM, Ray Wahl <rayw@utcourts.gov> wrote:
As attached letter inviting you to serve on a subcommittee.



Third Judicial District Court

Michelle R. Blomquist
Commissioner

February 1, 2016

Mr. Ray Wahl
Third District Court
450 South State Street
Salt Lake City, UT 84111

Re: Domestic Case Process Improvement Committee

Dear Ray,

Please accept this letter as my willingness to participate in the Domestic Case Process Improvement Committee. I would very much be willing to participate in the hard work that will occur on this committee. You have requested that I outline the committees in which I participate. They are as follows:

1. Standing Committee of Children and Family Law
2. Divorce Procedures Subcommittee (chair)
3. Divorce Education for Children Subcommittee
4. Admin Committee (a planning committee for the Third District Court)

Please note that, the Divorce Procedures Subcommittee is also a subcommittee of the Standing Committee of Children and Family Law. Whether or not I am chosen to participate in the Domestic Case Process Improvement Committee, please note that my subcommittee stands ready, willing and able to assist in any issues or assignments the Domestic Case Process Improvement Committee may give us.

Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Michelle R. Blomquist".

Michelle R. Blomquist
Third District Court Commissioner

MARK L. BRASHER

195 North 1950 West, Salt Lake City, Utah 84116

801-538-4104

mbrasher@utah.gov

SKILLS SUMMARY

Senior manager with seventeen years experience in state government, child support and Human Services administration.

EMPLOYMENT

Deputy Director, Department of Human Services

January 2013 - Present

Salt Lake City, Utah

Responsible for:

- Human Services \$750 million annual budget
- Bureau of Internal Audit and Review
- Office of Recovery Services
- Office of Fiscal Operations
- Human Services Administrative Hearings Office
- Office of Licensing
- Human Services Bureau of Contract Management
- DHS Liaison with Department of Technology Services
- DHS Liaison with Utah Attorney General's Office

Director, Office of Recovery Services

May 2005 – December 2012

Salt Lake City, Utah

Responsible for:

- The statewide administration of Utah's Child Support Enforcement programs under Titles IV-A, IV-D and IV-E.
- The statewide administration of Utah's Medicaid Cost Avoidance, Cost Recovery and Third Party Liability programs under Title XIX.
- Direct the administration of federal grant to improve paternity establishment. Federal grant is a cooperative effort with the Office of Vital Records.
- Governance member on E-Rep (electronic MIS for Public Assistance, Food Stamps, Medicaid and Child Care) governance and coordination group.

**Regional Director, Child Support Services
Office of Recovery Services**

June 2001 – April 2005

- Senior administrator for Child Support Services in the Central Region of Utah.
- Served on technical assistance group to improve systems design to improve medical enforcement.
- Developed a Judicial Enforcement team and implemented a successful approach to child support collections increasing collections with an historically non-paying population.

- Liaison with the US Attorney's Office for federal prosecution of criminal non-support.
- Liaison to state legislative sponsor for the Uniform Parentage Act, passed in the '05 legislature.

COMMITTEES AND MEMBERSHIPS

- Appointed by Governor Leavitt to the Child Support Guidelines Committee from 2000 to 2003.
- Appointed as voting member on Governance Board for e-Rep TANF eligibility computer system 2003
- Appointed in 2005 by National Association of State Medicaid Directors as the Region VIII Representative for Coordination of Benefits – Third Party Liability Technical Assistance Group
- Appointed in 2009 as ORS/DHS voting member to the Utah Defendant Offender Workforce Development Task Force (UDOWD)
- Appointed to the Standing Committee on Children and Family Law since 2006
- Appointed as voting member on Governance Board for PRISM the replacement system for Medicaid Information System (MIS) 2011
- Medical Care Advisory Committee (MCAC) voting member for Human Services December 2012
- Divorce Proceedings Sub-committee member subordinate to SCCFL
- Member of National Child Support Enforcement Association
- Member of American Public Human Services Association
- Member of Center for Law and Social Policy

EDUCATION

B.S. in Political Science
Math Minor
University of Utah, Salt Lake City, Utah



Utah State Courts' Self-Help Center

January 15, 2016

Ray Wahl
Deputy Director
AOC, Utah State Courts

Delivered via email to rayw@utcourts.gov

Re: Domestic Case Process Improvements Committee, Judicial Council Standing Committee on Children and Family Law

Dear Ray:

Please accept this letter and attached resume as my application to be appointed to the Domestic Case Process Improvements Committee. It would be an honor to serve on the committee and I believe I would be an effective member.

As the director of the Self-Help Center, I deal with domestic case procedures on a daily basis, especially from the point of view of the self-represented litigant. For over a year now, I have also been involved with the pro se calendars scheduled by the domestic relations commissioners in the Third Judicial District of Salt Lake County. Together with volunteer lawyers, the Legal Aid Society of Salt Lake, and Utah Dispute Resolution, the Self-Help Center works with the commissioners to help self-represented parties resolve their domestic cases in court.

Most recently, I have participated with the State Justice Institute on a national study of remote services delivery systems. Utah was one of eight states involved in this study and I had the opportunity to make site visits to courts in California and Alaska where I studied domestic case early resolution programs and other case management efforts. In addition, as part of the study, Utah examined 100 divorce cases and 50 minor guardianship cases where all parties were self-represented and tracked how those cases reached resolution.

Over the course of my legal career, I have focused on family law, elder law, and the delivery of legal services. I would welcome the opportunity to put my experience to work with this special committee, and to learn how to better serve self-represented parties from my colleagues.

Thank you for your kind consideration.

Sincerely yours,

Mary Jane Ciccarello

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.

Self-Help Center: 888-683-0009 | selfhelp@utcourts.gov
P.O. Box 140220 | Salt Lake City, UT 84114-0220

MARY JANE CICCARELLO

maryc@email.utcourts.gov; 801-238-7921

Education and Academic Honors

- Juris Doctor, 1993, S.J. Quinney College of Law, University of Utah, Salt Lake City, Utah
- Masters of Philosophy, Italian, 1978, Columbia University, New York, New York
- Masters of Arts, Italian, 1976, Columbia University, New York, New York
- Bachelors of Arts, *magna cum laude*, 1975, Barnard College, New York, New York

Work and Professional Experience

- Director, Self-Help Center, Utah State Courts, 2008 to present
- Co-Director, Borchard Foundation Center on Law & Aging, July 2007 to present
- Adjunct Faculty, University of Utah S.J. Quinney College of Law, 2002 to present (courses taught: Elder Law; The Law's Approaches to Legal Capacity and Standards for Legal Decision Making; Poverty Law)
- Private attorney specializing in elder law, 2003 to 2008
- Older Americans Act Title III legal services attorney for Summit and Wasatch Counties, Utah (through Mountainlands Area Agency on Aging), July 2005 to December 2008
- Legal Services Developer, Utah Division of Aging & Adult Services, 1999-2003
- Associate Dean of Student Affairs, University of Utah S.J. Quinney College of Law, 1996 to 1999
- Staff Attorney and Director of the Senior Lawyer Volunteer Project at Utah Legal Services, 1994 to 1996
- Staff Attorney and Pro Bono Coordinator, Legal Aid Society of Salt Lake, 1993 to 1994

Community Service

- Member, Utah Judicial Council's Standing Committee on Resources for Self-Represented Parties, 2005 to present
- Member, Planning Committee, 2016 ABA National Aging and Law Conference, Washington, D.C.
- Member and Workgroup Chair, Utah Supreme Court's Task Force to Examine Limited Legal Licensing, 2015
- Member, Futures Commission of the Utah State Bar, 2015
- Member, Planning Committee, 2014 Third World Congress on Adult Guardianship, Washington, D.C.
- Facilitator, 2011 Third National Guardianship Summit, Salt Lake City, Utah
- Member of the Utah Judicial Council's Ad Hoc Committee on Probate Law and Procedure, 2007 to 2009
- President (2003-2005) and board member (1999-2014), Jewish Family Service of Salt Lake
- Chair (2002-2004) and member (1998-2005), Needs of the Elderly Committee of the Utah State Bar; the Committee received the 2003 Utah State Bar's Distinguished Committee of the Year award while I was chair
- Member, Utah Department of Human Services Institutional Review Board,

2000-2003

- Member, University of Utah Bennion Center Service Learning Faculty Committee, 1997-1999
- Member, Board of Legal Aid Society of Salt Lake, 1996-1999
- Utah State Courts Meritorious Service Award, 2010
- Recipient of the 2008 Pete Suazo Social Justice Award for individual advocacy by the University of Utah Graduate School of Social Work
- Recipient of the 1996 Utah State Bar Distinguished Pro Bono Lawyer of the Year

Publications

“Person Centered Planning and Supported Decision Making” (with Maureen Henry), *Utah Bar Journal*, Vol. 27, No. 3, May/June 2014.

Revised and updated my previously published article on “Aging Agencies: Federal Level” *The Encyclopedia of Elder Care*, 2nd edition, 2008, Springer Publishing Company, New York.

“Recent Legal Trends Affecting Your Older Patients” commissioned article for a special geriatrics issue of *Clinical Obstetrics and Gynecology*, September 2007.

“Assisted Living in Utah: A Brief Overview for Consumers” (with Joanne Wetzler), *Utah Bar Journal*, Vol. 19, No.1, Jan./Feb. 2006.

“Lawyers Acting as Guardians: Policy and Ethical Considerations” *31 Stetson Law Review*, Vol. 2 (2002) (with Edward D. Spurgeon)

Guest Editor, *Legal Aspects of Autonomy and Guardianship in Adulthood*, *Intermountain Aging Review*, Vol. 2, No. 2 (2000)

“Alternatives to Guardianship: Using Legal Tools to Preserve Personal Autonomy” *Intermountain Aging Review*, Vol. 2, No. 2 (2000)

“The Lawyer in Other Fiduciary Roles: Policy and Ethical Considerations” *53 Fordham L. Rev.* 1357 (1994) (with Edward D. Spurgeon)

Personal

Married to Morris Rosenzweig, composer and Distinguished Professor of Music at the University of Utah, with two adult sons

William W. Downes, Jr.
1945 South 1100 East, Suite 200
Salt Lake City, Utah 84106
(801) 531-7400
william.downes@gmail.com
DownesMediation.com

Education

1976 **Juris Doctor (J.D.)**
University of Maryland

1972 **Bachelor of Science (B.S.)**
Princeton University

Mediation Training

1990 Family Mediation Training
CDR Associates
Boulder, Colorado

1991 Commercial Mediation Training
American Arbitration Association

1992 Commercial Mediation Training
United States Mediation and Arbitration

1997 ADA Mediation Training
Minneapolis, Minnesota

Professional Licenses

1978 Admitted to the Utah State Bar

Mediation Experience

1990 – present Active mediation practice, mediating over 5,000 conflicts including divorce, automobile accidents, product liability claims, ADA claims, employment claims, guardianship and conservatorship, and commercial disputes.

Employment

1999- 2004 Utah Dispute Resolution – Executive Director

Legal Experience

- 1976 Law Clerk to the Honorable Joseph M. Hannon
Washington, D.C.
- 1978-1999 Private law practice with concentration in family law,
administrative law, workers compensation, commercial litigation
and personal injury claims.

Mediation Teaching Experience

- 1992 – 1997 University of Utah
(a) Basic Mediation Skills
(b) Family Mediation Skills
- 1995 – 1999 Administrative Office of the Courts
(a) Basic Mediation Skills
(b) Family Mediation Skill
- 1999- present Utah Dispute Resolution
(a) Basic Mediation Training
(b) Family Mediation Training

Professional Associations

- 1993 – present Association for Conflict Resolution
- 1978 – present Utah State Bar Association

Professional Awards

- 2000 Peter W. Billings, Sr. Outstanding Dispute Resolution Service
Award
- 2010 UCCR Peacekeeper Award

Committees

- Chairman of Board of Trustees for Utah Dispute Resolution
- Judicial Council's Ad Hoc Committee on Alternate Dispute
Resolution



Ray Wahl <rayw@utcourts.gov>

Re: Standing Committee on Children and Family Law

ommediation@att.net <ommediation@att.net>

Sun, Jan 31, 2016 at 4:59 PM

Reply-To: ommediation@att.net

To: Ray Wahl <rayw@utcourts.gov>

Dear Mr. Wahl and Management Committee,

I am submitting my attached resume in response to your solicitation for members of the newly created Domestic Case Process Improvements Committee. I would bring a mediator's perspective to this committee as well as my years of experience overseeing Utah Dispute Resolution (UDR), a nonprofit provider of mediation services. The majority of UDR's clients are low-income and unrepresented, and I have observed the challenges they face in navigating our court system.

Thank you for your consideration.

Sincerely,

Nancy McGahey

On Thursday, January 7, 2016 8:22 AM, Ray Wahl <rayw@utcourts.gov> wrote:

See attached letter inviting you to serve on a subcommittee.

Resume NJM Mediation Jan 2016.pdf
205K

NANCY MCGAHEY

Utah Dispute Resolution • 645 South 200 East • Salt Lake City, Utah 84111

Work Phone: 801-532-4841 • Fax: 801-531-0660 • email: nancy.mcgahey@utahbar.org

EDUCATION

M.A. Communication (Interpersonal and Intercultural focus)
University of New Mexico, 1991

M.A. Training & Learning Technologies (Instructional Design focus)
University of New Mexico, 1991

B.A. Liberal Arts and Education – University of Denver, 1972

Post-Graduate Certificate Alternative Dispute Resolution – University of Utah, 1995

PROFESSIONAL EXPERIENCE

November 2004 to present

Executive Director – *Utah Dispute Resolution, Salt Lake City, Utah*

Directs nonprofit agency focused on providing mediation services and training.

- Oversees agency programs, operations, staff, and fiscal management.
- Conducts fund raising activities; manages budget of over \$250,000
- Designs and facilitates training; mentors new mediators, conducts mediations.

2002-2003

Instructional Designer – *Niche Associates, Sandy, Utah*

Designed and developed courseware for technical writing company.

- Completed needs assessment to identify training objectives.
- Designed and developed instructional courseware for computer virus detection software.

1998-2002

Private Consultant: Corporate Training & College Instructor – *Salt Lake City, Utah*

Designed, developed, and presented corporate training and college courses.

- Instructed college courses in communication, conflict management, and human resources at the University of Phoenix and Salt Lake Community College.
- Developed and facilitated workshops on communication, conflict management, problem solving, interviewing, delegation, and career development for Utah corporations.

1995 to 1998

Manager Human Resource Development – *Ameritech Library Services, Provo, Utah*

Established a HRD department of nine trainers to develop managerial and technical skills.

- Designed, developed, and facilitated manager development programs.
- Developed competency model for company's systems analyst positions.

1995

Communication Manager – *Ameritech Library Services, Provo, Utah*

Served as information liaison between Product Engineering and other company divisions.

- Facilitated communications for the company's product decision-making bodies.
- Developed and administered new mechanisms to meet division communication needs.

1993 to 1995

Instructional Designer – *Ameritech Library Services, Provo, Utah*

Planned, designed, developed, and coordinated technical training for employees.

- Assessed needs; designed and developed training for technical support employees.
- Planned, coordinated, and directed in-house training; presented client workshops.

1991 to 1992

Curriculum Development Specialist – *Department of Energy Central Training Academy
Albuquerque, New Mexico*

Designed and developed training courseware for nuclear safeguards and security personnel.

- Planned and managed video training project; wrote scripts and course materials.
- Developed evaluation standards to certify training programs for ISO 9000 compliance.

1989-1991

Part Time Positions During Graduate School—New Mexico

Project Manager—New Mexico Engineering Research Institute, Albuquerque (1990-1991)
Planned and managed a research project to evaluate an interactive video.

Teaching Assistant—University of New Mexico, Department of Communication (1990)
Delivered undergraduate courses in interpersonal communication.

Graduate Research Assistant—Los Alamos National Laboratories, Los Alamos, NM (1989)
Planned, organized, and conducted an assessment to identify employee development needs.

Consultant—City of Albuquerque Treasury Division (1989)
Designed and conducted an assessment of department change efforts.

1985-1987

Executive Director – Big Brothers/Big Sisters of La Plata County, Durango, Colorado

Managed and directed nonprofit youth service agency of 100+ volunteers, clients, and staff.

- Developed promotional materials; delivered presentations to increase community awareness.
- Screened and trained volunteers, clients, staff; provided on-going consultation services.

MEDIATION QUALIFICATION

Master Mediator Designation – Utah State Court Roster of Mediators since 2003
Domestic Mediation Mentor Designation – Utah State Court Approved since 2007
Primary Trainer Designation for Mediation Training – Utah State Court Approved since 2005

MEDIATION EXPERIENCE

Mediator, Trainer, Mentor – Utah Dispute Resolution, 2004 to present
Mediator, Co-Parenting Mediation Program – Utah State Court, 2002 to present
Pro-bono mediator – Utah Dispute Resolution – Salt Lake City, 1995 to 2004
Pro-bono mediator – New Mexico Center for Dispute Resolution, 1988-1989

**MEDIATION TRAINING
COMPLETED**

Peacebuilding Skills—Ghost Ranch, NM workshop, Robert and Alice Evans, 2013
Advanced Mediation Skills – Nina Meierding, 2009
Beyond Yes Dialogue Series – Harvard Negotiation Project, 2007
Victim-Offender Dialogue Training – Utah State Courts, 1995, 2006
Annual UCCR Symposium – Utah Council on Conflict Resolution, 2002 to 2015
Annual ACR Conference – Association for Conflict Resolution, 2005, 2006, 2007
Domestic Violence – Utah Domestic Violence Council, 2005
Domestic Violence: Issues in Mediation – Utah State Court sponsored, 2002
Divorce and Child Custody Mediation – Utah State Court sponsored, 1998
32-hour Basic Mediation Training – New Mexico Center for Dispute Resolution, 1988
Additional Workshops on Mediation Topics 1996 to present

**TRAINING & COURSE
TOPICS PRESENTED**

Basic Mediation
Domestic Mediation
Resolving Workplace Conflict
Domestic Violence Awareness and Screening for Mediators
Domestic Violence: Advanced Skills for Mediators
Conflict Management Systems (college course)
Human Resource Management (college course)
Organizational Communication (college course)
Introduction to Interpersonal Communication (college course)
Interpersonal Communication Research (college course)

**PROFESSIONAL AFFILIATIONS
& RECOGNITION**

Association for Conflict Resolution (ACR) – family and education subsections
Utah Council on Conflict Resolution (UCCR) – past Chair/current member , Board of Trustees
Dispute Resolution Section – Utah State Bar Association
UCCR Symposium Planning Committee – past Chair/current member
UCCR Peacekeeper Award – 2009 recipient



Ray Wahl <rayw@utcourts.gov>

Re: Standing Committee on Children and Family Law

Gary Scholes <gary@helpresolvedisputes.com>

Sat, Jan 30, 2016 at 9:27 AM

To: Ray Wahl <rayw@utcourts.gov>

Mr. Wahl and Members of the Standing Committee on Children and Family Law,

I am honored by your consideration of my possible service on the subcommittee for the Standing Committee on Children and Family Law. My interest in serving on the Domestic Case Process Improvements Committee of the Standing Committee on Children and Family Law is three fold. First, as a mediator that provides services in Utah for domestic cases I am interested in the dispute resolution aspect. Second, as a licensed attorney (California licensed), I have an interest in how the law serves those in domestic cases. Third, a personal interest as a citizen who has witnessed the effects of Domestic cases in my own life and those I love. I feel these three perspectives will be of value to the subcommittee and I would feel honored to serve.

Attached in your consideration of my candidacy is my Resume-Curriculum Vitae. I look forward to hearing from you.

Best Regards,

Gary J. Scholes
Mediator, Arbitrator, Dispute Resolution Expert
Scholes Dispute Resolution Services, LLC
435-767-8608
www.helpresolvedisputes.com

This email contains confidential mediation communication. If you are not the intended recipient, please notify the sender and delete this email.

On Thu, Jan 7, 2016 at 8:23 AM, Ray Wahl <rayw@utcourts.gov> wrote:

See attached letter inviting you to serve on a subcommittee.

Gary J Scholes Resume-CV 2016.pdf
229K

Gary J. Scholes, Esq.

(435) 767-8608 • 507 S. 450 W. Cedar City, Utah 84720 • gjscholes@gmail.com

EXPERIENCE

Scholes Dispute Resolution Services, LLC

Mediator, Arbitrator, and Dispute Resolution Specialist

Utah

2011–Present

- Help resolve a variety of disputes by creatively and collaboratively conducting mediations and arbitrations, including reviewing and drafting parties' settlement agreements.
- Provide organizations such as non-profits and the federal government with conflict resolution services.
- Counsel clients on effective use of negotiation and conflict resolution strategies.
- Utilize computer software to manage marketing, accounting, and other business administrative duties including budget, database, web management, and search engine optimization to increase market share.

Utah Council on Conflict Resolution

Southern Utah Representative, Board Member

Utah

2012–Present

- Organize, schedule, promote, and host bi-monthly meetings for organization members and public.
- Develop and present conflict resolution materials and publications to organizations and communities.
- Participate in the organization's planning and decision making to achieve the organization's goals.

Catalino Law Offices

Attorney, Law Clerk

Los Angeles, CA

2009–2011

- Carried out conservatorships, probate and trust administrations including drafting court filings and petitions for all phases of administration and appeared in Los Angeles Superior courts.
- Drafted accountings and federal estate tax returns, and conducted discovery.
- Conducted client meetings for and assisted in creating and executing estate planning documents including wills, trusts, assignments, non pro rata agreements, power of attorneys, medical directives, and grant deeds.
- Researched and drafted advisory memoranda on a range of issues for a foreign consulate including family, employment, international child custody, international tax, habeas corpus, and corporation validity issues.
- Assisted in day-to-day operations, including scheduling appointments and managing case deadlines.

Center for Conflict Resolution

Mediator Volunteer

Reseda, CA

2007–2011

- Conducted mediations in fast-paced environment of Los Angeles Superior Court small claims courts in a variety of disputes, including real estate, consumer, and auto accident claims.
- Helped parties settle, draft, and review agreements by quickly developing rapport with diverse groups.

Pepperdine University – Office of the General Counsel

Law Clerk

Malibu, CA

May 2008–March 2009

- Reviewed, summarized and counseled negotiation points for university contracts to various departments.
- Drafted advisory memoranda and legal documents concerning legal issues affecting the university such as the California Coastal Act, domain names, privacy, tax, intellectual property, licensing, and contract.

JAMS ADR

Mediator Extern

Los Angeles, CA

September 2008–March 2009

- Prepared mediation briefs for and observed employment and tort mediations with experienced mediators.
- Analyzed and discussed mediations, outcomes, and strategies with mediators.

Arbitration Mediation Conciliation Center

Arbitrator Extern

Woodland Hills, CA

January–April 2008

- Observed and analyzed 26 construction defect arbitrations.
- Drafted mock arbitration awards, compared them with true awards and discussed them with arbitrators.

Gary J. Scholes, Esq.

(435) 767-8608 • 507 S. 450 W. Cedar City, Utah 84720 • gjscholes@gmail.com

Pepperdine University School of Law Research Assistant

Malibu, CA
September–November 2007

- Researched and edited article “Symbolic Speech: A Message From Mind to Mind” authored by Professor James McGoldrick which was published in the Oklahoma Law Review Spring 2008 volume.

United States District Court for the District of Utah Law Clerk Extern for the Honorable Bruce S. Jenkins

Salt Lake City, UT
June–July 2007

- Researched and drafted bench memoranda on motions for summary judgment. Researched a range of issues such as the Privacy Act, Americans with Disabilities Act, and Age Discrimination in Employment Act.
- Acquired trial advocacy skills by observing and discussing oral arguments and trials with Judge and clerk.

Convergys Corporation Sales Supervisor

Cedar City, UT
2003–2006

- Managed and led 40 employees selling financial products to consistently achieve 120% of sales goals for a global leader in customer care, human resource, learning and business support services.
- Prepared and conducted employee trainings to ensure excellent product knowledge and customer service.
- Created and implemented incentive plans to surpass sales targets.
- Improved employee job satisfaction and morale by planning and carrying out activities as member of employment committee.
- Analyzed sales data using computer software to discover and improve individual and program performance.

MEMBERSHIPS

California State Bar, Admitted December 2009 (State Bar Number 266445).

Utah Court Mediation Roster, Basic and Domestic Mediation qualified, February 2012 to Present.

EDUCATION

Pepperdine University School of Law and Straus Institute for Dispute Resolution

Malibu, CA
May 2009

Juris Doctor and Master of Dispute Resolution

GPA/Class Rank: 83.598 / Top 30%

Outstanding Grades: Legal Research and Writing (A); Real Estate Finance (A); Advanced Real Estate Transactions (A); Interviewing, Counseling, and Planning (A); Constitution Law: Fed-State Powers (A-); Community Property (A-); Business Planning (A-); International Commercial Arbitration (A-)

Journal: *Pepperdine Dispute Resolution Law Journal*, Staff Member

Activities: Phi Delta Phi; J. Reuben Clark Law Society – Vice President

Southern Utah University

Cedar City, UT
May 2006

Bachelor of Science, summa cum laude, Marketing

GPA: 3.923

Honors: University’s Outstanding Management Scholar (2004-2005)
Presidential Academic Scholarship (Full Tuition)
Dean’s List (Every Semester)

ADDITIONAL INFORMATION

Foreign Language Skills: Fluent Italian

STEWART P. RALPHS
1157 South 700 East
Salt Lake City, Utah 84105
(801) 750-5696

PROFESSIONAL

Member, Utah State Bar Association October 1990
Member, Family Law Section of Utah State Bar
Utah State Teaching Certificate, 1987

EDUCATION

University of Utah College of Law, Salt Lake City, Utah
Juris Doctor degree May 1990
Staff member, *Journal of Contemporary Law/Journal of Energy Law and Policy*
Student Bar Association

Brigham Young University, Provo, Utah
Bachelor of Arts degree April 1987 *magna cum laude* GPA 3.89
Major: History Teaching Minors: Political Science Teaching and English
Phi Kappa Phi, Phi Alpha Theta, Phi Eta Sigma
Participant, London Study Abroad Program 1985; Recipient, Mae Covey Gardner Award

PUBLICATIONS

"Taxation of Non-Indian Mineral Leases on Tribal Lands: Validity of Both Tribe and State Severance Taxes" *Journal of Contemporary Law/Journal of Energy Law and Policy*
"Utah Rule of Civil Procedure 26: For Family Lawyers" *The Utah Journal of Family Law*
Fall/Winter 2010

EXPERIENCE

Legal Aid Society of Salt Lake July 1994 - present
Executive Director

Responsible for administration and management of private non-profit agency. Responsible for personnel decisions, establish policies and procedures, create and update agency forms and administer leases, contracts, and insurances. Meet monthly with Executive Committee and Board of Trustees. Coordinate fundraising activities and annual budget with Development Director, review and authorize all expenditures. Maintain partial domestic relations case load, create and update master legal forms, conduct staff and attorney meetings.

Legal Aid Society of Salt Lake April 1993 - June 1994
Director, Domestic Violence Victim Assistance Program:

Manage and supervise legal staff of five. Responsible for obtaining protective orders for victims of domestic violence with a case load of over 300. Conduct seminars for attorneys, community volunteer groups and law enforcement. Developed "friend of the court" program to assist pro se litigants at protective order hearings

Legal Aid Society of Salt Lake July 1991 - April 1993

Staff Attorney, Domestic Relations:

Manage a case load of approximately 200 cases dealing with divorce, paternity, modifications, custody, visitation and related family law matters. Supervise paralegal assistant, law school interns and volunteers. Responsible for client intakes, document preparation, and litigation at hearings and trial with practice in district and juvenile courts.

Private Practice October 1990- July 1991

Associated with Michael K. Jones, Attorney at Law

General civil litigation including domestic relations, contracts and estate planning.

PROFESSIONAL ASSOCIATIONS/RECOGNITIONS

Recipient, Utah State Bar Family Lawyer of the Year, 1994

Member, Utah State Bar Family Law Executive Committee 1995 – present, Chair 2003;

Legislative and Rules Subcommittee, Chair 2008-2015

Member and Co-Chair, Utah State Child Support Advisory Committee 2001 – 2004

Member, Utah Domestic Violence Coalition 1995- present; Chair 2003-04

United Way Executive Directors Association 1994 – 2010 (when discontinued)

United Way of Salt Lake Board of Directors 2008-2011

Utah Business Magazine: “Legal Elite” January 2007

Utah substance Abuse & Anti-Violence Coordinating Council: 2006 Governor’s Award
(advocacy for domestic violence legislation and victims of abuse)

Member and mentor, Third District Pro Bono Committee, Utah State Bar Pro Bono Program

Member and mentor, Utah State Bar Modest Means Program Committee

Member, Governors Utah Domestic Violence Policy Advisory Committee

Member and Co-Chair, Utah Crime Victim Legal Clinic Advisory Committee

Member, Utah Court Self-Represented Litigant Committee

Member, Utah Court On-Line Court Assistance Program Board, ~1998 - 2013

BROOKE LYN ROBINSON

1370 Red Fox Trace, Logan UT, 84321 • (435) 760-0746 • brookerobinson89@gmail.com

EDUCATION & BAR MEMBERSHIP

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

Juris Doctor, April 2014

- Member of the Utah State Bar, October 2014
- Utah 7th Judicial District Pro Bono Committee Member, 2014-present
- Awards: J. Reuben Clark Public Service Award, Faculty Award for Meritorious Achievements & Distinguished Service, and ALI-CLE Scholarship & Leadership Award
- Journal of Public Law, Executive Editor, 2013–14 & Associate Editor, 2012 – 13
- National Lawyer's Guild, Co-President & Human Rights Chair, 2011 – 14
- Public Interest Law Foundation, Publicity Chair, 2013 – 14
- International Law & National Security Research Assistant, Professor Eric Jensen, 2012 – 14
- CSO Pathways Program, Public Interest Mentor, 2013 – 14
- International Law Students Association, President, 2013 – 14 & VP of Administration, 2012 – 13

Brigham Young University, Provo, Utah

Bachelor of Science, Political Science, August 2010

- GPA 3.8, BYU Academic Scholarship 2007 – 10
- Pi Sigma Alpha Presidency, 2009 – 10
- Jerusalem Center Study Abroad Program, 2010

EXPERIENCE

Utah Legal Services, Provo, UT

Attorney, December 2014 – present

- Attorney of record for a large case load of family law and domestic violence cases, argued hearings, drafted legal memoranda, ran legal clinics, screened cases, presented on elder law, and supervised pro bono cases

Salt Lake County District Attorney's Office, Salt Lake City

Legal Fellow, August – November 2014

- Worked on case preparation, research, second chair in trial, preliminary hearings, and motion calendar
- Drafted statement of plea and pleadings for motions to suppress, speedy trial, Interstate Agreement on Detainers, motions to strike, and withdrawing guilty pleas

Senator Luz Robles, Salt Lake City, UT

Legal Fellow, January – April 2014

- Provided legislative and legal assistance to state senator for the 2014 legislative session

Shared Hope International, Washington D.C.

Legal Fellow, May – August 2013

- Produced legal analysis and recommendations on human trafficking laws nationwide

Good of All, Washington D.C.

Human Rights Intern, February 2013 – June 2014

- Advocated human rights law by creating videos and writing articles for a non-profit organization

Utah Legal Services, Ogden, UT

Legal Intern, June – August 2012

- Assisted in family law cases by drafting legal memoranda and running local legal clinics

Institute for the Public International Law, Dr. Stefan Talmon, Bonn, Germany

Legal Intern, Summer 2012

- Researched international law topics on the ICJ, UN, and prepared lectures for international conferences

Sen. Harry Reid, Senate Democratic Steering & Outreach Committee, Washington D.C.

Intern, September – December 2008

- Responsible for administrative assistance, planning government events, compiling publicity file, outreach to rural constituents, leading team research projects, including the Hispanic Outreach Packet for 2009

SERVICE

Child Rescue, January 2014 – present

- Coordinated legal research and advocacy for a local anti-human trafficking non-profit

Salt Lake County District Attorney's Office, January 2014 – July 2014

- Assisted on human trafficking research for conference and publication

MARTIN N. OLSEN 8142 South State Street

Midvale, Utah 84047
(801) 255-7176

EDUCATION University of Utah College of Law, Salt Lake City, Utah, Juris Doctor degree, May, 1991

University of Utah, Salt Lake City, Utah
Bachelor of Science degree, June, 1988
Finance, cum laude.

Brigham Young University

SCHOLASTIC Leary Scholar, University of Utah College of Law, 1990;

HONORS/ Student Bar Association Second Year President;

AWARDS College of Law Faculty/Student Council Member;

Phi Kappa Phi, Beta Gamma Sigma, Golden Key, Beta Sigma, Financial Management
Association Honor Societies;
Beta Sigma Business Honor Society Scholarship

EMPLOYMENT Attorney, Olsen & Olsen, Attorneys & Counselors at Law, July 1993 - July 1995,
July 1996 - Present, Areas of concentration: civil litigation, child advocacy and appellate
practice

Non-Contract Guardian Ad Litem, Third Judicial District Court, February
1995 - Present, Represent children in abuse and neglect cases as well as
children involved in domestic violence/protective order cases; conflict
attorney for Utah State Office of Guardian Ad Litem

Guardian Ad Litem Attorney, Third District Court Permanency Project,
July 1995 - July 1996, Litigation attorney for abused and neglected children
who had been in state's custody in excess of eighteen months in permanency
proceedings

Judicial Law Clerk, Utah State Court of Appeals, Judge Leonard H.
Russon, January 1992 - July 1993, Drafted legal opinions, performed
extensive legal research, reviewed and copyworked chamber opinions,
supervised chamber interns and externs, worked closely with Judge Russon
through case progress

Extern, Utah State Supreme Court, Justice I. Daniel Stewart, 1991, Drafted
opinions, performed legal research, reviewed and copyworked opinions,
worked closely with Justice Stewart through opinion process

Law Clerk, Utah State Attorney General's Office, Tax and Business
Division, January 1990 - December 1992, Concentrated principally in
UDITPA Corporate Franchise Tax, sales and use tax, and minerals
production tax; drafted model tax statutes; interpreted tax statutes and regs

Tutorial Instructor, University of Utah College of Law, Criminal Law,
1990 - 1991, Instructed students in criminal law course, lectured students

enrolled on weekly basis, prepared assignments and examinations

Martin N. Olsen
Page Two

PROFESSIONAL Member, Standing Committee on Public Education, Presidential appointment responsible for

AFFILIATIONS developing, compiling, editing and distributing American Bar Association publications and

term, August 2006 to programatic materials to practitioners and members of the general public;
August, 2009

Legal Needs of **Chair, American Bar Association, Steering Committee on the Unmet**

and directing all **Children**; term, August 2004 - July 2006; principal committee coordinating children's projects and initiatives within the American Bar Association

July 2008; policy **Board Member, Utah State Juvenile Justice Services**, term, July 2005 - making board for Utah's juvenile justice and youth corrections system

September 2004 - **Vice Chair, Statewide Board for Children's Justice Centers**, term, present; formulating and coordinating comprehensive fundraising for Utah's Children's Justice Centers

Board of the ABA, **Board of Governors**, American Bar Association, elected to Governing August, 1999; term, 2000 - 2003; Liaison to Steering Committee on the Unmet Legal Needs of Children

making body charged **Chair, Board of Division of Child and Family Services**, Statewide policy with oversight of Utah's Division of Child and Family Services, term,
January 2003 - 2004

Governor Michael Leavitt, **Board Member**, Division of Child and Family Services, appointed by July 1, 2000; term, 2000 - 2004; Liaison to Council on Domestic Violence and Child Abuse and Neglect, July 2000 - present

1999 - present **Executive Board Member**, Utah State Bar Litigation Section, January,

Procedure, appointed by **Member**, Supreme Court Advisory Committee on the Rules of Juvenile Chief Justice Michael D. Zimmerman, 1998 - 2003

Unmet Legal Needs of **Member**, American Bar Association (ABA) Steering Committee on the Children, 1997 - 2000

Member, Long Range Planning of the ABA Young Lawyers Division

(YLD), August 1997 - August 2000

Law Committee, Human
Committee, 1998 - 1999

Director, ABA/YLD, oversee Children and the Law Committee, Family and Civil Rights Committee, and Real Property and Probate Law

Member, ABA/YLD Resolutions Committee, 1997 - 1998

Association of Western States
in Young Lawyers Division

Chair, ABA/YLD Western Caucus, July 1997 - July 1998, Chair

District Representative, ABA/YLD, 1996-1998, Represent the Districts of Utah and Nevada; member of ABA/YLD Executive Council

Martin N. Olsen
Page Three

Committee Member, Needs of Children Committee, ABA Family Law Section, May 1997 - Present

Vice Chair, ABA Children and the Law Committee, July 1996 - July 1997

Regional Coordinator, ABA Aspiring Youth Program, 1996 - Present

Project, February, 1997 - Present

Member, ABA/YLD, Domestic Violence Committee-Youth Violence

President-Elect, Utah State Bar Young Lawyers Division, 1994 - 1995

President, Utah State Bar Young Lawyers Division 1995 - 1996

Ex-Officio Member, Utah State Bar Commission, July 1995 - July 1996

Chair, ABA/YLD Children & the Law Committee Newsletter, July 1995 - July 1996

Planning Board Member, ABA/YLD Children & the Law Committee, July 1995 - Present

Board Member, Big Brothers/Big Sisters of Salt Lake City, September 1995 - July 1996

Subcommittee Member, Commission on Criminal and Juvenile Justice Subcommittee, September 1993 - 1994, Appointed by Governor Leavitt as Citizen Representative to evaluate current juvenile justice system for recommendation of possible organizational structures for the State's system.

Co-Chair, Committee For the Restoration of the Salt Lake County Children's Shelter, 1994 - 1995

Member, Utah State Bar Needs of Children Committee, 1992 - Present

Chair, Subcommittee for Legislative Tracking of Children's Issues, 1994 - 1996

Member, Utah State Bar Subcommittee on Professionalism and Civility in the Practice of Law, 1994 - Present

Volunteer, Guardian Ad Litem in Third District, 1994 - Present

Judge Pro Tempore, Third Circuit Court, Sandy Department, 1993 - Present

Volunteer, Tuesday Night Bar, 1992 - Present

COMMUNITY Volunteer, Primary Children's Hospital, Child Life Unit, 1993 - Present
AFFILIATIONS

Wish Granter, Make a Wish Foundation of Utah, 1998 - Present

1999, provided

Mentor, Village Project, Third District Juvenile Court, May 1997 - May
mentoring to youths involved in the juvenile justice system

Martin N. Olsen
Page Four

City, Utah,

Member, Board of Advisors, Ririe Woodbury Dance Company, Salt Lake
May 1998 - Present

day event - "Peace

Co-Chair, Y.W.C.A. Week Without Violence, 1996, Developed curriculum
and planned events
for Y.W.C.A.'s second annual week without violence. Chaired Children's
Begins With Me Day" at Washington Elementary

Volunteer, Big Brothers/Big Sisters of Greater Salt Lake, 1992 - 1996

Sitting Member, Utah Kids Coalition, 1994 - Present

HONORS/ AWARDS Salt Lake County Vital Volunteer, 1995

American Bar Association Child Advocacy Law Award, 1998

Utah State Bar Young Lawyer of the Year, 1998

REFERENCES Justice Leonard H. Russon, Utah State Supreme Court
Judge Lee Dever, Former Third District Court Judge
S. Camille Anthony, Executive Director, Utah Department of
Administrative Services
Jeff Hollingworth, Attorney at Law, Nelson, Christensen, Hollingworth &
Williams
Kristin G. Brewer, Former Director State Office of Guardian ad Litem
Elizabeth Knight, Director Office of Guardian ad Litem

LAURA MASNER RASMUSSEN

205 26th Street, Suite 34
Ogden, Utah 84401
(801) 394-5526

EDUCATION

Golden Gate University School of Law; San Francisco, California: J.D., May 1996

Activities: Student Bar Association
International Law Student Association
Women's Law Association
Sport and Entertainment Law Association
Moot Court/Mock Trial
Alternative Dispute Resolution Program

Special Classes: Writing and Research, Fall 1993
Appellate Advocacy Workshop, Spring 1995

**University of California at Davis; Davis, California:
Bachelor of Arts Degree in Communications, June 1993**

Honors: Dean's Honor List

Activities: Pre-Law Club
Native American Students Organization
Phi Mu Sorority

**Notre Dame High School; Salinas, California:
High school diploma, college preparation and AP classes**

Honors: Honor Student

Activities: Student Government
Drama Club/roles in school theatre productions
Sadd
Swim Team

LEGAL EMPLOYMENT

Law Firm of Farr, Rasmussen & Farr; Ogden, Utah: December 2013-present

Partner: General Practice

Law Firm of Farr, Kaufman, Nichols, Olds, Kaufman & Rasmussen, LLC; Ogden, Utah: February 2005-present

Partner: General Practice

Law Office of Daniel Wilson; Ogden, Utah: October 1999-February 2005

Associate: General Practice

Sole Practitioner/Contract Attorney; Ogden, Utah: May 1998-October 1999

Weber County Law Library; Ogden, Utah: March 1998-November 1998

Associate Specialist: Manage daily operations of library
Manage legal resources and reference materials
Provide legal research assistance
Conduct computer, legal research, and internet seminars

Lecturer: Sexual harassment seminar for staff and management
(November 1999-2004) Internet and legal research
Labor and Employment Law
Estate planning

Consultant: Provide advice and consulting regarding reference
(as needed) materials, layout, and legal resources

Law Offices of Greene, Chauvel, Descalso & Tully; San Mateo, California: 1995-1997

1994-1996: Law Clerk/Paralegal

Skills: Research legal issues/case preparation
Draft legal memorandum and motions
Create settlement conference statements
Prepare deposition summaries
Formulate discovery plans/case management
Manage general discovery and exhibits
Document organization in complex cases.

1996-1997: Associate Attorney

Areas of practice:

Insurance Defense (State Farm)
Business and Corporate Law/Litigation
Transportation/Trucking (Liability Defense)

OTHER POSITIONS HELD

Children's Classic; Daycare center, locations in North and South Ogden: General Counsel, 2006-2014

Nature Fence Designs; LLC; Landscaping, Ogden: General counsel, March 2013-present

Choice Holdings, LLC; Development/real estate, South Ogden: General counsel, 2012-present

All India Medical Society of Utah; Medical society, South Ogden: General counsel August 2013-present

Holly's Nails, LLC; Nail salon, South Ogden Utah: General business advisor and consultant, May 2008-present

Barrera Enterprises, LLC; Ogden-area community improvement, Ogden Utah: General Counsel, April 2008-2009

Sandra's Gluten-Free Bakery, LLC; Bakery, Perry Utah: General Counsel, November 2007-present

Millcreek Mobile Homes, Inc.; Mobile Home Co-op, Ogden Utah: General Counsel, 2006-present

Precision Insulation, LLC; Insulation Contractor, Ogden Utah: General Counsel, 2005-present

Total Family Medicine, LLP; Medical Practice, Idaho Falls Idaho: General Counsel, 2003-2008

All American Garage Doors, LLC; Garage Door Contractor Roy, Utah: General Counsel, 2003-2007

Rasmussen Construction; General Contractor, Ogden Utah: General Counsel, August 1997-present

Jeffco Refractories, Inc; Nevada: General Counsel, January 1999-2002

Executive Protection Services of Utah; ADT Alarm System Franchise, Ogden Utah:
General Counsel, April 2000-2002

Chantilly Bridal; Bridal Shop, Ogden and Salt Lake City, Utah: General Counsel,
August 1997-2001

Creative Design Awnings & Signs; Sign Company, Bountiful Utah: General Counsel,
May 1999-2001

Fairway Development, LLC; Golf Course and Land Development Company, Ogden
Utah: General Counsel, October 1999-2000

LICENSURE

California: Bar Number 184544

Active Status 1996-1998

Inactive Status 1998-present

Good Standing

Utah: Bar Number 8074

Active Status 1998-present

Good Standing

LEGAL MEMBERSHIP/SERVICE/HONORS

California State Bar: Member 1996-present

Utah State Bar: Member 1998-present

Utah State Bar: Mentor (6 years of service, mentored 5 attorneys)

Utah State Bar Mentor Coordinator: Weber County liason (2010-present)

Utah State Bar Mentor Training and Resource Committee: Member (2011-present)

Utah State Bar Spring Convention—2012: Chair

Weber County Bar Association: Member 1998-present

*2009 President of the Weber County Bar Association

*2010-2012 Treasurer of the Weber County Bar Association

Weber County Bar Association Public Service Committee: Chair (2010-present)

Weber County Justice Court Judge Nominating Commission: Chair 2010-2014

American Inns of Court, Rex E. Lee Inn: Member

Family Law Section of the Utah State Bar: Member

Juvenile Law Section of the Utah State Bar: Member

“Utah Legal Elite” for 2008, 2009, 2011, 2013 and 2014: Selected by peers as one of the State’s ‘best-of-the-best’ lawyers and recognized in *Utah Business Magazine* as among Utah’s top attorneys in FAMILY LAW.

Distinguished as one of “America’s Most Honored Professionals” for 2011 and 2015.

Martindale-Hubbell Highly Rated Peer Review: 2015

SPECIAL SKILLS

Familiar with major word processing software, including Word Perfect, Microsoft Word, Microsoft Office, Excel, Adobe and Quickbooks. Able to operate Macintosh or PC computers.

Experience using law-related software and databases for legal research, case and document management.

Proficient at using the internet for legal research and have compiled a comprehensive directory of internet sites for legal research.

Trained and skilled in the use of Lexis, Westlaw, Versuslaw, and Courtlinks.

Lecturer, public speaker: Weber County Library Legal Research on the Internet class, Weber County Library Sexual Harassment, Internet Training, and Estate Planning seminars for employees.

PUBLIC SERVICE

Case Mentor for District Court (drug and mental health court) RISE program
(domestics/family law)
2015

Girl Scouts of Utah

Bonneville High School Cheer Team: 2013-present

PTA

School Volunteer

Christmas Box House: Organizer of annual charity event

Weber County Libraries, Utah

Legal Seminars

Public speaking engagements promoting the Utah State Bar Mentor program, charities and pro bono services

Mentor Training for Utah State Bar: Instructor/lecturer (2011, 2012, 2014 sessions and 2015 training video)

Numerous Pro Bono Representation/Projects (California and Utah)
1996 to present

Legal Aid, California Bar Association

Provided pro bono services to indigent individuals, 1994-1997

Homeless Advocacy Project, San Francisco, California

Provided legal advice and representation of homeless clients, 1994-1996

Phi Mu Sorority, University of California at Davis

Toys for Tots fundraising campaign, 1992

Elliott School, Gilroy California

Tutor for dyslexic children, 1990-1997

CHRISTINA INGE MILLER

EDUCATION:

University of Idaho, College of Law

Juris Doctorate: May 1997

Idaho State University

B.S. Secondary Ed: May 1994

EXPERIENCE:

MILLER LAW GROUP
Park City, Utah
- family & criminal

Owner
September 2002 – present

TESCH, VANCE & MILLER
Park City, Utah
- family, criminal, general civil litigation

Attorney
May 1997 – September 2002

U S ATTORNEYS OFFICE
Moscow, Idaho
- criminal law prosecution

Externship Clerk
August 1996 – May 1997

PURSER, EDWARDS & SHIELDS
Salt Lake City, Utah
- insurance defense

Summer Associate
May 1996 – November 1996

LANDECK WESTBERG JUDGE & GRAHAM
Moscow, Idaho
- general civil litigation

Legal Intern/Clerk
May 1995 – May 1996

RACINE OLSEN NYE COOPER & BUDGE
Pocatello, Idaho

Legal Assistant
August 1990 – August 1994

LB CATTLE COMPANY
Pocatello, Idaho

Ranch Hand / Co-Owner
November 1986 – May 1994

ACCOMPLISHMENTS/BOARDS:

Utah Legal Elite Recognition (7x)
Organized the Family Law Section Annual Seminar (2010-2016)
Community Lifetime Leadership Award – Park City (2014)
Graduate of Park City Leadership – Class 13 (2007)
Governor’s Silver Bowl Award – Summit County (2001)
Outstanding Alumni Award – University of Idaho (2001)
Utah Young Lawyer of the Year (2000)
Started the Tuesday Night Bar in Park City (1999)
Presented at seminars for AAML, Association of Collaborative Professionals and Utah State Bar

Past Boards / Clubs:

- Park City Bar Association (President and Executive Board Member)
- Children’s Justice Center Summit/Wasatch County (Co-founder)
- Children’s Counseling Center (Board Member)
- National Sports Foundation (Board Member)
- Egyptian Theatre Company (President and Board Member)
- Park City Arts Council (President and Board Member)
- Habitat for Humanity (President and Board Member)

Current Board / Clubs:

- Utah Star Bar Family Law Section (Executive Committee)
- Utah Association of Collaborative Professionals (Member)
- Park City Rotary Club (Past President)
- Park City Fire Department Administrative Control Board (Vice Chair)
- Summit County Sheriff Advisory Committee (Board Member)
- Ecker Hill Middle School – School Community Council (Board Member)
- Trailside Elementary – PTA
- Park City High School Interact Club (co-advisor)
- Park City Leadership Alumni (Class 13 Representative)
- Juvenile Diabetes Research Foundation – Utah Chapter (Member)

REFERENCES:

Joe Tesch, Tesch Law Firm
435-649-0077, joet@teschlaw.com

Marty Olsen, Olsen & Olsen
801-255-7176, molsen@olsenfamilylaw.net

Chief Paul Hewitt, Park City Fire Department and Park City Rotary Club
435-659-5473, phewitt@pcfd.org

Myles Rademan, Leadership Park City and Park City Rotary Club
435-901-8778, mylesrad@gmail.com

Dr. Valerie Hale, SugarHouse Family Counseling
801-485-0400, drvaleriehale@gmail.com



ADAIR LAW FIRM, P.C.

DOUGLAS D. ADAIR
ATTORNEY AT LAW

585 WEST 500 SOUTH, SUITE 120
BOUNTIFUL, UTAH 84010
DADAIR@JJBLEGAL.COM

TELEPHONE: (801) 292-0409
FACSIMILE: (801) 292-6414

January 20, 2016

VIA U.S. MAIL AND E-MAIL

Administrative Office of the Courts
c/o Raymond Wahl
450 South State Street
P.O. Box 140241
Salt Lake City, Utah 84114-0241
rayw@utcourts.gov

Re: *Domestic Case Process Improvements Committee*

Dear Mr. Wahl:

I have recently learned of a vacancy on the Domestic Case Process Improvements Committee. This letter and the enclosed resume will confirm my interest in and willingness to fill that vacancy. I am a private practice attorney with a well established family law practice. My practice is heavily based on referrals from other attorneys (including family law attorneys) and clients. I strive to practice with high quality and high ethics. In my work, I practice extensively in the Third and Second District and I interact extensively with Judges, Commissioners, mediators, custody evaluators, and the like.

In addition, I have been a member of the Family Law Executive Committee of the Utah State Bar for the past eight years. I was the President during 2013 and I currently Chair the Sub-Committee that coordinates monthly luncheons. I was also the President of the Davis County Bar for two years.

Through service as both a family law attorney and in these leadership positions, I have learned to work as a team player with other attorneys, mental health professionals, and community leaders. If selected for this vacancy, I would be willing to play my designated "role on the team" and dedicate the necessary time and attend the meetings to provide a quality contribution. I appreciate your consideration.

Respectfully,

Douglas D. Adair
Attorney at Law

Enclosure: Resume

DOUGLAS D. ADAIR

495 East 475 South, Centerville, Utah 84014
Tel. (801) 292-0409 (Cell) (801) 949-9965

EDUCATION

Juris Doctor

S. J. Quinney College of Law, University of Utah, Salt Lake City, Utah, May 1993

Bachelor of Science in Finance

David Eccles School of Business, University of Utah, Salt Lake City, Utah, December 1989

PROFESSIONAL EXPERIENCE

Equity Partner and Owner

Douglas D. Adair, Attorney at Law, P.C., North Salt Lake/Bountiful, Utah, April 2006 - present
Administer and litigate complex family law actions, including divorce, custody, parental rights, paternity, adoption, and protective order cases from initial court filing through temporary order hearings to trial. Appear at various court proceedings before commissioners and judges, such as temporary order hearings, pre-trial hearings, order-to-show-cause hearings, protective order hearings, and trials. Negotiate and mediate cases through representing clients at mediation proceedings and settlement conferences. Write diverse pleadings and legal documents, including petitions, motions, memoranda, affidavits, and court orders. Establish and maintain effective relationships with clients, judges, commissioners, court personnel, attorneys, partners, support staff, and general public. Supervise a paralegal dedicated to practice.

Partner

Crist, Cathcart, and Peterson, L.L.C., Bountiful, Utah, September 2004 - April 2006
Counseled litigants in complex family law cases, including divorce, custody, alimony, parental rights, paternity, adoption, and protective orders at all stages from initial court filing through temporary order hearing to trial. Represented clients at numerous temporary order hearings, pre-trial hearings, order-to-show-cause hearings, protective order hearings, and trials before commissioners and judges throughout Utah. Negotiated and mediated legal actions through appearing at mediation proceedings and settlement conferences. Drafted diverse pleadings and legal documents, including petitions, motions, memoranda, affidavits, and court orders. Managed relationships successfully with clients, judges, commissioners, attorneys, partners, and general public. Supervised support staff dedicated to practice.

Partner

Cramer, Cramer, and Adair, L.L.C., Bountiful, Utah, August 2000 - September 2004
Managed family law cases, including divorce, parental rights, custody, alimony, and protective orders at all stages from initial court filing through temporary order hearing and trial. Represented litigants before commissioners and judges in temporary order hearings, pre-trial hearings, order-to-show-cause hearings, protective order hearings, and trials. Negotiated and mediated legal actions through appearing at mediation proceedings, and settlement conferences. Drafted pleadings, such as petitions, motions, memorandums, affidavits, and other legal documents. Established and maintained successful relationships with clients, judges, commissioners, attorneys, partners, and staff. Supervised support staff.

Associate

Richer, Swan and Overholt, P.C., Salt Lake City, Utah, August 1996 - December 1999

Represented clients primarily in area of commercial litigation by appearing in different court proceedings, for example motions and order in supplemental proceedings hearings, pre-trial hearings, and writ hearings. Drafted various pleadings, such as motions and memoranda on summary judgment, complaints, court orders, and other legal documents. Interacted and worked effectively with judges, court personnel, colleagues, and corporate clients.

Associate

David Paul White and Associates, Salt Lake City, Utah, January 1996 - August 1996

Appeared at court hearings in matters involving family, business, and criminal law. Drafted court pleadings, motions, and memoranda in family and business law, and civil litigation.

Judicial Law Clerk

Honorable Brent J. Moss, Idaho Seventh Judicial District Court, Rexburg, Idaho, January 1994 - June 1995

Performed legal research in various areas of civil and criminal law. Drafted judicial opinions, findings, and memoranda in a broad variety of legal matters. Managed judicial case load and calendar. Interacted and worked effectively with Judge Moss and other judges, court personnel, attorneys, and general public.

Law Clerk

Utah Attorney General's Office, Tax and Revenue Division, Salt Lake City, Utah, 1992 - 1993

Performed legal research and wrote memoranda on findings in areas of insurance, real estate, and banking law under the supervision of three attorneys.

Law Clerk

Mazuran, Verhaaren, and Hayes, Salt Lake City, Utah 1991 - 1992

Performed legal research in municipal and business law and wrote memoranda on findings.

PROFESSIONAL HONORS AND ACHIEVEMENTS

Executive Committee, Family Law Section of Utah State Bar

Past Chair and current Sub-Committee Chair on Luncheons

Coordinate professional development lecture series for members of the Family Law Section.

Presented annual case law update to members of the Family Law Section in 2005, 2006, and 2008.

Davis County Bar Association

President, 2009 - 2011

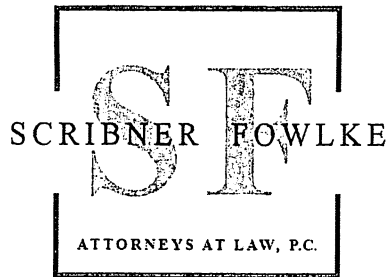
Promoted high standards of ethical and professional conduct by organizing a professional development training series presented by prominent judges and attorneys.

Utah's Legal Elite for Family Law by Utah Business Magazine

Listed among top Utah Family lawyers.

Previous Private Guardian Ad Litem

Previously served as a Guardian Ad Litem attorney representing children in family law cases (no longer active).



LORIE D. FOWLKE
Lorie@sfutahlaw.com

January 27, 2016

Management Committee of the Judicial Council
Utah Administrative Office of the Courts
Salt Lake City, Utah
Attn: Ray Wahl

Re: *Domestic Case Process Improvements Committee*

Dear Mr. Wahl,

I would like to be considered as one of the two family law attorneys to serve on the Domestic Case Process Improvements Committee. Currently I serve on the Family Law Executive Committee for the Utah State Bar and am Chair of the legislative subcommittee, due to my three terms of service in the House of Representatives. As part of my service on the Uniform Law Commission, I became aware that Utah is one of a very few states (13) that has no family court. Representative Lowry Snow approached me soon after this discovery and asked me about proposing legislation that better protected children and families. Together, we later met with Rick Schwermer about the possibility of creating a family court. Enclosed with this letter is a copy of the proposal I prepared for that meeting. Mr. Schwermer indicated he would bring the issue to the Judicial Council's attention. Perhaps this meeting is one reason the Judicial Council opted to create this new committee.

As a family law attorney for the last 22 years, I have watched the transformation of different processes in this state to address family law issues, from the creation of Commissioners to the implementation of mandatory mediation. The study in 1994-95 recommended creation of a family court. However, the judges serving did not want to serve in a family court, and such a court was never created. Respectfully, I submit that the better way to address that problem is to select family law judges from the family law bar. That way it is more likely to have family law judges who are knowledgeable in the substantive area of family law, and who further, have a desire to serve in that arena.

THOMAS J. SCRIBNER

LORIE D. FOWLKE

PHILLIP E. MILLER

Wahl
Page Two
January 27, 2016

Rep. LaVar Christensen has spoken to me about what we could do to make Utah a "crowning jewel" for families in this country. Frankly, our state laws do not reflect any special attention for family law cases, which I submit, is unfortunate, given that Utah is known as a family friendly environment. It would be my sincere pleasure to serve on this committee and help find solutions that could better protect our families.

Sincerely yours,

/s/ **Lorie D.**

Fowlke

LORIE D. FOWLKE
Attorney at Law

LDF:ld
Enclosures: Family court proposal
Resume

THOMAS J. SCRIBNER

LORIE D. FOWLKE

PHILLIP E. MILLER

Telephone 801 375 5600 Facsimile 801 375 5607 Info@sfutahlaw.com 2696 North University Ave Ste #220, Provo, UT 84604

www.scribnerfowlke.com

THE TIME HAS COME FOR A FAMILY COURT IN UTAH

The problem.

- Families and more specifically children are harmed when exposed to protracted litigation, creating a negative impact on their emotional/psychological development.¹
- The adversarial justice system harms people when emotions are already raw due to pending family dissolution and it exacerbates contentiousness.
- The "win-lose" mentality may breed failure to effectively deal with differences.
- Children are often used as pawns in a battle between parents.
- Family resources may be depleted due to protracted litigation rather than spent on family needs.
- Family lawyers can experience burnout and can be threatened, even physically by hostile litigants.
- Some judges are ill-equipped or untrained to make the best decisions for matters that are often psycho-social.
- Well-founded fears of escalating domestic violence may go unaddressed or worse, trigger a punitive response to the victim.
- Inconsistent orders may exist when family issues are handled in different courts.
- Burdens of litigation influence the work lives of litigants affecting job performance.
- Unchecked hostility between parents is harmful to children, while adversarial processes cause further deterioration and acrimony.
- Insufficient coordination between varied professionals who work with fragile families means lost opportunities to help the family and can lead to conflicting orders.
- Many Judges do not like to do family law cases
- Judges may not be familiar with family law issues
- Cases are presented, during the course of divorce litigation, to a Commissioner, but the trial is before a judge who has no familiarity with the case.
- Balancing the destructiveness of the adversarial process for the family with the concern of every individual to the constitutional right to due process.

Proposal

Deep and meaningful reform of the family law process is warranted with a major shift in tone. We should create a family court, with an emphasis on therapeutic justice, perhaps starting in counties of the first and second class, to replace the Commissioner system. The family court role should center on re-structuring a family so that family members emerge from litigation prepared as much as possible to support their children and other family members emotionally, economically, and socially, with a holistic approach incorporating therapeutic justice.

¹ Babb, Barbara A., *Families Matter: Recommendations to Improve Outcomes for Children and Families in Court*, June 2014 Family Matters Symposium, University of Baltimore School of Law Sayra and Neil Meyerehoff Center for Families, Children and the Courts (CFCC), p.8.

The increase in cost to the courts will come from funding benefits to former Commissioner positions to pay for judges. Other judges may transfer from regular calendars to domestic court calendars. The transfer of judges can be done by attrition since it is anticipated that current sitting judges will not want to be family court judges. Some costs will be saved by eliminating duplicative hearings between Commissioners and Judges.

Judges should be district court judges with the same authority as any other district court judge, the same as juvenile court judges. They should be selected with a focus on having the specific training and temperament to handle a family court. The family court system should "incorporate interdisciplinary collaboration, including input from lawyers, judges, mediators, mental health professionals, and financial experts, among others."² Outcome data should be collected to evaluate the effectiveness of developing family court programs and policies.

History/Background

In about 1995 a study showed the a family court system would be beneficial but the judges did not want it. However, for a period of time, all new judges had to commit to being willing to handle a family law court calendar. The family court never materialized and at some point they quit asking prospective judges about it. District court judges prefer courts of general jurisdiction for the variety of work. This proposal would still allow that variety, only eliminating family law cases (and possibly probate), which most judges dislike anyway.

We have an exemplary juvenile court system. Juvenile court judges do not want traditional family law cases brought into their system, believing that it will detract from their mission of protecting children. Therefore, this family court would not be a "unified" court but handle family law cases that are not delinquency or child welfare matters.

Domestic cases are 12% of cases filed and 14% of judicial workloads. Probate is another 4% and may or may not be included in a family court. As of 2008, Utah is one of only 13 states who have no type of family law court system.³

Advantages of a family court

- It could keep the same judge for one case
- There would be more timely trials as there would be no chance of bumping trial dates for criminal matters
- There would be no duplicative hearings with Objections to Commissioner recommendations or contempt hearing sanctions.
- Judges would be there who were experts in family law with the temperament suited for family law cases
- Judges would *want* to be there in family court because they would be drawn from a pool of practitioners who wanted to be family court judges

² Babb, Barbara A., *Families Matter: Recommendations to Improve Outcomes for Children and Families in Court*, June 2014 Family Matters Symposium, University of Baltimore School of Law Sayra and Neil Meyerehoff Center for Families, Children and the Courts (CFCC).

³ Babb, Barbara A., *Reevaluating Where we Stand: A Comprehensive Survey of America's Family Justice Systems*, University of Baltimore Legal Studies Research Paper No. 2008-13, Exhibit F. (In 1998 there were 17 states without any type of family court.)

- It would allow for more problem-solving, solution oriented approach as described in therapeutic justice model encouraged by the Center for Family, Children and the Courts (CFCC)and Assn. for families and conciliation courts (AFCC).
- It could provide a more interdisciplinary approach to judicial and legal decision-making.
- It would also be in a position to make a more user friendly approach for pro se litigants, which are plentiful in family litigation
- The court could develop a triage approach to screen for domestic violence and addictions, provides early dispute resolution, identifies unmet legal and non-legal needs of litigants and refer litigants to appropriate services. *Id.* p.5.

Summary of Families Matters Symposium

Interdisciplinary nature:

- Judges
- Academics
- Lawyers
- Mediators
- Financial experts
- Mental health professionals
- Custody evaluators
- Domestic Violence advocates
- Court Administrators

Mission: Identify most pressing problems and formulate a strategy to promote change

Overall Suggestions for Reform:

- Uniform Family Court-fundamental to family justice system reform
- Differentiated case management approaches
 - Screen public health issues, domestic violence, addiction
 - Adopt a triage process that identifies family characteristics, provides appropriate dispute resolution process based on those characteristics
- Identify unmet legal and non-legal needs of litigants
- Refer/provide litigants with appropriate services
- Consider providing legal representative to litigants for crucial matters (child custody)
- Provide effective assistance to self-represented litigants
- Incorporate interdisciplinary collaboration (input from lawyers, judges, mediators, mental health professionals and financial experts)
- Authorize court to mandate family law litigants to take parenting classes
- Examine/revamp family law curricula to include interdisciplinary instruction per AFCC
- Examine/adopt effective family law practices and programs developed in other countries
- Collect outcome data to evaluate effectiveness of family court programs/policies
- Keep judges that are suited by temperament to sit in family court; train comprehensively
- Adopt standards for custody evaluators (like those by APA and AFCC)
- Educate the public about legal battles harm, realities, with financial, tax and other implications, and availability of ADR and other services
- Domestic violence as a public health as well as public safety issue with intensive case management and specialized training and certification for those who practice in the field

Sticking Points:

- Nature of the child's voice: direct unfiltered representation v. strictly limiting child representation v. filtered through mental health professionals
- Mediation in domestic violence cases
- Extent courts should delegate to non-judicial personnel, though benefits recognized
- Necessity of balancing due process with destructiveness of adversarial process; sometimes their "day in court" is essential for a sense of fairness to obtain resolution

Group 1. Alternative Dispute Resolution/ Interdisciplinary Collaboration

Group 2. Financial Dimensions/Attorneys and Other Professionals

Group 3. Lack of Resources

Group 4. Courts

Group 5. Role of the Child/Child's Voice

Group 6. Domestic Violence/Abuse

LORIE D. FOWLKE

596 West 1200 North, Orem, Utah 84057 (801) 225-0721(h)/ (801) 375-5600(o)

LEGAL EXPERIENCE

Partner, Scribner Fowlke, P.C., Provo, Utah, 1999 - present
Practice Areas: Domestic, General Litigation
Utah State Legislator, House of Representatives 2004-2010
(Chair Judiciary committee; Utilities and Technology committee, Public Education Approps. Comm., Sentencing Comm., Uniform Law Comm.)
Commissioner, Uniform Law Commission, 2009 – present
Special Master, Court appointed on domestic cases, 2002-2008
Guardian Ad Litem, 4th District Court, Conflict/Pro bono 1996-present
Areas of Practice: Juvenile delinquency, Abuse and neglect
Utah Legal Services, Pro bono attorney, Provo, Utah, 1994 to present
Areas of Practice: domestic, landlord tenant
Mediator, Court Approved Roster, 1998-present; collaborative law trained
U.S. Postal Service, 1999-2013: EEOC disputes
Public Defender, Santaquin City Justice Court, Utah, 2205-2008
Associate Attorney, Jeffs, & Jeffs, P.C., Provo, Utah, Oct. 1994 to 1999
Areas of Practice: Domestic, Juvenile, Probate.

Law School

Law Clerk, Jeffs & Jeffs, P.C., Provo, 1993-1994
Law Clerk, Utah Legal Services, Utah, May 1993 to Oct. 1994
Extern, U.S. District Court Judge Dee Benson, Jan. 1993 - Apr 1993
Law Clerk, Utah County Attorney's Office, May 1992 to May 1993
Law Clerk, Greg Hadley, Provo, Utah, July 1992
Research Assistant, Prof. Ray J. Davis, Law School, Summer 1992
Intern, Utah Legal Services, Provo, Utah, Summer 1992

Previous Employment

Paralegal, McCullough & Jones, Orem, Utah, 5 years, 1984-1989/
Bankruptcies, Collections, Domestic
Paralegal, Stringham & Larsen, Salt Lake City, Utah, 2 years, 1976-1978
/ Ltd. Partnerships, Pension Plans
Police Officer, (first female on patrol) Santa Barbara Police Dept., 2
years, 1974 - 1976 Santa Barbara, California/Patrol streets, take calls,
report, testify

BUSINESS EXPERIENCE

Author. Published book: Thinking Divorce? Think Again!; produced
accompanying DVD of same title, 2004.

Weekly Newspaper Columnist. Wrote weekly legal advice column
entitled "A Matter of Law", published in the Provo Daily Herald Sunday
Edition, 2 years, January 1995 - January 1997.

Film/Video Distributor, Falcon West Media, 6 years, 1989 to 1995
Own Company; Market training educational videos, manage business.

Film Production Supervisor, various film projects including "Rockwell" feature film starring NBA basketball star Karl Malone, "A King and His People", two half hour news feature documentaries on the Island Kingdom of Tonga, and "American English in Modern Situations", 13 Part Series on teaching English as a Second Language.

CEO, Alpine Film Exchange, 5 years, 1979 - 1984
Market and sell training and educational videos nationally and internationally, manage company internal affairs, locate and establish sub-distributors in Japan, the Middle East, South America.

EDUCATION

Juris Doctorate Degree, April 1994

J. Reuben Clark Law School, Cum Laude

Moot Court

Invited as Editor, Journal of Public Law

Trial Advocacy Traveling Team (Regional Trial Competitions, 2 years)

Teaching Assistant, Criminal Law (Professor David Dominquez)

Model Water Code, Commentary Contributing Author

Vice-President, Family Law Society

Brigham Young University (BYU) Graduate School

Communications-Public Relations/Law Enforcement, 1 year

Bachelor of Science Degree, BYU, Law Enforcement

Associate Degree, Utah Valley University, Legal Assistant

PROFESSIONAL AFFILIATIONS

American Inns of Court I, student member 1993-94, Barrister 1998-2006, Master 2006 to 2014.

Central Utah Bar Association, President 1998-99, Sec-Treas 1996-97

J. Reuben Clark Law Society, member 1994-present; Chair 2007 to 2009

Utah State Bar Association, member 1994 to present

Women Lawyers of Utah, President, Utah County Chapter, 1995-96

Women in Leadership, member 1996 to present, on Board 2006 to present

COMMUNITY SERVICE

Utah State Legislator, 2004-2010/*State Delegate* 2002-2004

Small Claims Judge, 2008 to present

Utah Executive Ethics Committee, 2013 to present

Utah County Public Defense Advisory Board, 2013-present

Circles USA Ally, 2014 to present

Founding board member, Real Women Run, 2013-2015

In-House Counsel, Utah Regional Ballet, 1997 -2010

Boy Scouts of America, merit badge counselor, government/horsemanship

Children's Justice Center, board member 2008 to 2013

Defense Appellate Representation Task Force, 2009-2010

Provo Citizens Police Dept. Audit Oversight Comm., Chair, 2011

RUSSELL Y. MINAS, ESQ.

PRINCE, YEATES & GELDZAHLER, P.C.

Telephone: (801) 524-1000

Facsimile: (801) 524-1098

15 West South Temple, Suite 1700

Salt Lake City, UT 84101

Email: rminas@princeyeates.com

EDUCATION

1989	University of Utah S.J. Quinney College of Law Juris Doctor	Salt Lake City, UT
1984	University of Utah Bachelor of Arts – History	Salt Lake City, UT

PROFESSIONAL EXPERIENCE

2015-Present	Prince, Yeates & Geldzahler Shareholder Domestic relations, mediation, adoption, guardianship, juvenile and criminal defense.	Salt Lake City, UT
2014-2015	Van Cott, Bagley, Cornwall & McCarthy Of Counsel Domestic relations, mediation, adoption, guardianship, juvenile and criminal defense.	Salt Lake City, UT
1995-2014	Russell Y. Minas, PC Sole Practitioner Owner of a solo practice specializing in domestic relations, mediation, collaborative family law, adoptions, guardianships, and juvenile law.	Salt Lake City, UT
1994 – 1995	Mooney & Associates Associate Counsel Small firm practice handling domestic, juvenile, adoption, contract, personal injury, estate planning, and criminal matters.	Salt Lake City, UT
1993-1994	Legal Aid Society of Salt Lake Executive Director Overall administration and management of private non-profit agency providing domestic legal services to the indigent. Duties included personnel decisions, policy and procedures creation and, administration of leases and contracts, grant-writing, coordination of fundraising activities, annual budget, authorization of agency expenditures, creation of legal forms, leading staff and attorney meetings. Represented agency on Utah Domestic Violence Council.	Salt Lake City, UT
1990-1993	Legal Aid Society of Salt Lake Domestic Violence Victim Assistance Program Director Managed and supervised the domestic violence program legal staff. Represented clients in protective order matters. Conducted training seminars for attorneys, community volunteer groups, law enforcement and the judiciary. Developed standardized court protective order forms. Represented agency on Utah Domestic Violence Council.	Salt Lake City, UT
1989-1990	Legal Aid Society of Salt Lake Staff Attorney Managed a full domestic relations caseload in matters of divorce, paternity, decree modifications, custody, parent-time and related family law matters. Supervised paralegal assistants, law school interns and volunteers. Responsible for client intake, document preparation, mediation and litigation through all phases of proceedings.	Salt Lake City, UT

RECOGNITIONS

Fellow – American Academy of Matrimonial Lawyers
Martindale-Hubbell AV Peer Rating
Utah State Bar 2013 Family Law Attorney of the Year
Utah Business Magazine “Legal Elite” - Family Law (2015-2016)

PROFESSIONAL SERVICE

Utah State Bar - Family Law Section Executive Committee (2003-Present) (Chair 2006-07)
Utah Online Court Assistance (OCAP) Policy Board (2008-Present)
Utah Child Support Guidelines Advisory Committee (Co-Chair) (2013-Present)
Utah State Bar Fall Forum Committee (2005-Present)
Utah Standing Committee on Children and Family Law – Custody Evaluation Subcommittee (2012-2015)
Utah Standing Committee on Resources for Self-Represented Parties (2011-2014)
Utah State Bar Ethics Diversion Committee (2008-2012)
Utah Family Court Task Force (1993-94)
Utah Domestic Violence Advisory Council (1990-94)

PROFESSIONAL MEMBERSHIPS

Association of Family and Conciliation Courts
Utah Association of Collaborative Professionals (Chair 2006-07)
Utah Council on Conflict Resolution

COMMUNITY SERVICE

Board of Trustees - Center for Documentary Expression and Art (2012-Present)
Board of Trustees - SPLORE (1998-2005) (Chair 1999-2003)

BEAN & MICKEN

A PROFESSIONAL CORPORATION

EMILIE A. BEAN
CHRISTINA L. MICKEN

ATTORNEYS AT LAW
471 W. HERITAGE PARK BLVD. SUITE 1
LAYTON, UTAH 84041



STANLEY M. SMEDLEY
1968-1990

DAVID E. BEAN - Ret.
1957 - 2013

TELEPHONE (801) 825-3477
FAX (801) 774-0318

January 29, 2016

Dear Management Committee Members:

I appreciate the opportunity to apply for the Domestic Case Process Improvements Committee. Please be aware that I have given significant thought as to whether I would have real input to provide to the committee and the best use of my time and yours. My decision to apply for membership on the committee has come down to the issue of service to the law, the courts and the parties who must make use of the court process.

As my resume indicates I have been in practice with the same small law firm in Layton, Utah for my entire twenty-three (23) year career. I followed my father, uncle and older brother into the practice of law. After only a few years in general practice it became evident that I would spend my career focused on family law issues including divorce, adoption, guardianship and practice in Juvenile Courts.

I have found that the fabric of our society is woven into the pivotal decisions made on the foundational level before the commissioners and judges. Society as a whole, especially those who never step foot inside a courtroom, fails to appreciate how fundamental and pervasive the decisions made in our courts are to their everyday lives. Recommendations made by subcommittees should not be about politics or the aspirations of attorneys to be on committees. The recommendations should be made by those in the trenches of the work.

Thank you for consideration of my name. I hope that I bring experience and diversity with a genuine desire to research, review and find the best approach to domestic cases for our state.

Sincerely,

A handwritten signature in cursive script that reads "Emilie".

Emilie A. Bean

Emilie A. Bean
152 West 5000 South
Washington Terrace, UT 84405

Position: Domestic Attorney for Domestic Case Process Improvements Committee

Experience: Bean & Micken
 fka Bean & Smedley
 October 1992 - present
 471 West Heritage Park, Ste. 1
 Layton, UT 84041

President and majority shareholder

Bean & Smedley
May 1990- October 1992
190 South Fort Lane, Ste. 2
Layton, UT 84041

Law Clerk

Education: University of Utah College of Law
 Juris Doctor
 August 1989 - May 1992
 Dean's List

Weber State College
Bachelor of Arts
September 1984 -June 1987
Weber State newspaper *Signpost* News Editor and Graphics Editor
Multiple news writing and graphic arts awards

Related Service: Divorce Procedures Subcommittee
 2016-present
 Master in the Rex E. Lee Inns of Court 1997-present
 Historian 2004-2006
 Second District Judicial Selection Committee 1998-2002
 Second District Selection Committee for Commissioners

Interests: Photography, graphic design, tennis, fishing and gardening.

CURRICULUM VITAE

MONICA D. CHRISTY, PH.D.

March, 2014

5383 South 900 East, Suite 290
Murray, Utah 84117

Phone: (801) 263-3335
Facsimile: (801) 263-2845

ACADEMIC DEGREES:

B.S. with High Distinction in Psychology, 1968, University of Illinois, Champaign-Urbana

M.A., Developmental Psychology, 1971, University of Minnesota, Minneapolis

Ph.D., Developmental Psychology, 1974, University of Minnesota, Minneapolis (APA approved)

Post-Doctoral Program, Clinical Psychology, 1978, Case Western Reserve University, Cleveland, Ohio (APA approved)

CONTINUING EDUCATION:

Post-doctoral graduate course-work and/or post-doctoral workshops including the following content areas: Post Traumatic Stress Disorder, Domestic Violence, Sexual Abuse, Sexual Compulsions, Child Custody, Childhood and Adolescent Disorders, Attachment Research, Forensic Psychology, Mood Disorders, Psychological Assessment & Testing, Professional Ethics, Eating Disorders, Personality Disorders, Chemical Dependency, Hypnosis, Sexual Dysfunction, Psychopharmacology, Psychology of Pain, Aging and Dementia, Neuro-Developmental Disorders, Fibromyalgia & CFS, Bipolar Disorder, Low Self Esteem, and Risk Assessment.

LICENSES / CREDENTIALS:

Licensed Psychologist, State of Utah, 1980 – present

Listed in the *National Register of Health Service Providers in Psychology*, 1981 – present

PROFESSIONAL POSITIONS AND ACTIVITIES:

Member, Standing Committee on Children and Family Law (SCCFL), Utah Judicial Council, 2002 – 2010

Chair, Subcommittee on Child Custody Evaluations, SCCFL, 2002 to 2010; continuing member, 2010 - present

Member, Subcommittee on Special Masters/ Parent Coordination, SCCFL, 2003 to 2008

Member, Subcommittee on Court Procedures, SCCFL, 2006 to 2009

Consultant, Division of Occupational and Professional Licensing, Department of Commerce, State of Utah, 1991 – present

Chairperson, State of Utah Psychology Licensing Board, 1990– 1991; Member, 1987 – 1991

President, Utah Psychological Association, 1986 – 1987; Board Member, 1980 – 1984 and 1985 – 1988

Advisory Board Member, Big Brothers/Big Sisters Association of Utah, 1981 – 1993

Salt Lake County Child Sexual Abuse Task Force, 1984 – 1989

Chairperson of Committee on Child Sexual Abuse, Utah Psychological Association, 1984 – 1985

Child Abuse Task Force, Salt Lake County Commission on Youth, 1984

Director of Public Information and Newsletter Editor, Utah Psychological Association, 1980 - 1984

CLINICAL EXPERIENCE:

Clinical Psychologist, Monica D. Christy, Ph.D., P.C., 1986 – present

Clinical work includes:

- Individual, couple and family psychotherapy/counseling with adults, adolescents, and children
- Parent counseling
- Clinical evaluations of adults and children

- Parent Coordination
- Forensic evaluations and consultation
- Court-appointed custody evaluations

Member, Active Psychology Staff, CPC Olympus View Hospital, 1989 – 1994
 Admitting and Treating Psychologist – Adult, Chemical Dependency,
 and Adolescent Units

Contracting Provider of Adult and Adolescent Group Psychotherapy and Psychological
 Evaluations, CPC Olympus View Hospital, 1987 – 1992

Clinical Psychologist in private practice, 1980 – 1986

Clinical Psychologist, Salt Lake County Mental Health, Third District Juvenile Court,
 1980 – 1985

Consultant and Evaluator, Odyssey House, Salt Lake City, 1981 – 1986

Visiting Staff/Consultant, Inpatient Psychiatry, Pioneer Valley Hospital, West Valley
 City, 1984

Consultant, Salt Lake D. D. Center, Salt Lake City, 1982 – 1983

Post-Doctoral Psychology Internship, Pittsburgh Child Guidance Center, Pittsburgh,
 Pennsylvania (APA approved), 1978 – 1979
 Responsibilities included:

- Primary Therapist, PCGC
- Consultant, Psychiatry Clinic, Children's Hospital of Pittsburgh
- Consultation and Research, Parental Stress Center,
 Children's Hospital of Pittsburgh
- Family Therapist, Family Therapy Clinic, Western Psychiatric
 Institute, University of Pittsburgh

Psychology Trainee, Day Treatment Center, Wade Park Veterans Administration
 Hospital, Cleveland, Ohio, 1977 – 1978

Clinical Psychology Trainee, Psychology Clinic, Case Western Reserve University,
 Cleveland, Ohio, 1977 – 1978

FORENSIC EXPERIENCE:

Qualified/Testified as an Expert Witness in:

- Third District Juvenile Court, Utah
- First, Second, Third, Fourth, and Fifth Judicial District Courts in Utah
- U.S. District Court
- State District Courts in Washington, Colorado and Wyoming
- U.S. Department of Labor Administration Proceedings
- Criminal and Civil Proceedings
- Cases reviewed by the Utah Court of Appeals and the Utah Supreme Court

Types of Evaluations Performed:

- Child Custody Evaluations (Court-appointed), 1980 to present
- Parent-Time Evaluations (Court-appointed), 2003 to present
- Child Sexual Abuse Evaluations
- Psychological Evaluations of Victims and Perpetrators of Physical and Sexual Abuse
- Assessments of Psychological Injury
- Psychological Disability Evaluations
- Evaluations of "State of Mind"
- Psychological Evaluations of Juvenile Offenders and their Parents
- Psychological Evaluations of Parents Accused of Neglect and Abuse/
Permanent Deprivation Evaluations
- Independent Medical Examinations

Consultation with:

- District Attorney's Office, Salt Lake, Utah, Uintah, & Juab Counties
- Attorney General's Office, Utah
- Attorneys specializing in criminal defense, appeals, employment law, sexual harassment, sexual abuse and family law

CONSULTATION TO INDUSTRY:

Provider and Director, Abbott Critical Care Employee Assistance Program, Salt Lake City, Utah, 1991 – 1993

Local EAP Affiliate/Provider for several national EAP providers to industry, 1986 – 2003

Consultant and Research Psychologist, Fisher-Price Toys, Division of Quaker Oats Corporation, East Aurora, New York, 1972 – 1977

ADMINISTRATIVE AND SUPERVISORY EXPERIENCE:

Director, Intermountain Counseling Center (DBA for Monica D. Christy, Ph.D., P.C.),
1986 – 2003

Vice President, Professional Staff, CPC Olympus View Hospital, 1990 – 1991

Director of Psychological Services, CPC Olympus View Hospital, 1989 – 1992

Clinical Supervision of Pre- and Post-Doctoral Psychology Interns, University of Utah,
1982 – 1994

Director of *Shoplifting School*, a secondary prevention/family communication program
for juvenile offenders, Third District Juvenile Court, Salt Lake County Mental
Health, 1980 – 1983

Supervision of Research Staff, Fisher-Price Toys, 1972 – 1977

Director of Nursery School Staff and Program, Fisher-Price Toys, 1972 – 1977

TEACHING EXPERIENCE:

Presenter at various professional seminars and workshops – see “Professional and
Community Presentations,” 1980 to present

Presenter, Workshops on Stress Management, HCA St. Marks Hospital Women’s Center,
1991 – 1992

Presenter, Workshops on Menopause, HCA St. Marks Hospital Women’s Center, 1991 --
1992

Consultation and Teaching, Salt Lake City and Murray Probation Officers, Third District
Juvenile Court, Salt Lake City, 1980 – 1982

Teaching Assistant, University of Minnesota, 1970 – 1971

Nursery School Teacher, Mississippi Valley Montessori School, St. Paul, Minnesota,
1970 – 1971

RESEARCH EXPERIENCE:

Community Consultation Project, Western Psychiatric Institute, University of Pittsburgh,
1978 – 1979 (Mannarino, et al.)

Research Psychologist, Fisher-Price Toys, 1972 – 1977

Research Assistant, Institute of Child Development, University of Minnesota, 1968 – 1972 (see publications below)

PROFESSIONAL AFFILIATIONS:

American Psychological Association

American Association of Sex Educators, Counselors, and Therapists

PROFESSIONAL AND COMMUNITY PRESENTATIONS:

Psychotherapeutic Techniques with Adolescents, Specialized Foster Care Staff/Parents, Division of Family Services, Salt Lake City, 1980 – 1982

Understanding and Preventing Vandalism, Anti-Crime Rally, Salt Lake City, May 1981

Psychological Testing: Its Use in Court, Guardian Ad-Litem Training Program, Salt Lake City, April and November 1982; October 1985

Psychotherapy with Adolescents, Psi Chi, Department of Psychology, University of Utah 1983

Juvenile Delinquency, The Mental Health Association of Utah, Salt Lake City, March 1983

The Treatment of Bulimia, Salt Lake County Mental Health Pre-Doctoral Psychology Interns 1983

Determining the Credibility of Children's Reports of Sexual Molestation, Incest Assessment: Advanced Workshop, Primary Children's Medical Center, Park City, Utah, May 1984

Adolescent Depression and Suicide, KUTV, February, March 1985; June 1986

Joint Custody: Proposed Legislation, Utah Congress of Parents and Teachers, December 1985

Adolescent Behavior and Therapy, Advanced Resident Training, Family Practice Division, Department of Family and Community Medicine, University of Utah Medical Center, April 1986 – September 1988

Youth Suicide, YWCA, April 1986

Adolescent Depression, Court Staff, Third District Juvenile Court, Salt Lake City, August 1986

Sexual Abuse Allegations, Talk-About, KSL Television, June 1987

Consumerism in Mental Health, Panel, First Annual Fall Conference on Children and Youth, Riverdell Hospital, September 1987

Self-Esteem and Image Enhancement, Granite School District Counselors, Psychologists, and Principals, Olympus View Hospital, April 1988

Visitation Rights of Parents, Judiciary Interim Committee, Utah State Legislature, May 1988

Alternatives to the Resolution of Domestic Disputes, Utah State Bar Mid-Year Meeting, November 1989

Children Coping with Divorce, KTVX, March 1989

Effects of Divorce on Children, Regional Conference, Big Brothers/Big Sisters Association, October 1989

Marital Relationships, Young Presidents Association, September 1991; Utah Cardiologists, HCA St. Marks Hospital, February 1992

Child Custody and Visitation, Utah State Senate Task Force on Divorce, Child Custody and Visitation, July 1992

The Child Witness in Sex Abuse Cases, Teenage Relationships, Latchkey Children, Children after Forty, Joint Custody, Distant Fathers, Focus, KSL TV, February 1989; December 1989; February 1990; June 1990; June 1991; February 1993

Psychological Testing in Custody Evaluations, Utah State Bar Family Law Section Luncheon, October 17, 1997

Custody Evaluations of Pro Se Parties: What Evaluators Need from Counsel, Utah State Bar Annual Spring Family Law Seminar, May 9, 2003

New Custody Evaluation Procedures, District Court Judges' Business Meeting, May 16, 2003

The Custody Evaluation Parent Conference, Utah State Bar Collaborative Family Law Seminar, January 21, 2005

Custody Evaluation Settlement Conferences, Utah Judicial Institute: 2007 District Court Judges Conference, May 17, 2007

Expediting the Resolution of Custody Disputes, Utah Judicial Institute: 2009 District Court Judges Conference, May 14, 2009

The New Parent Coordination Option & Rule, Utah State Bar Family Law Section, October 29, 2010

Family Conflict & Custody Issues, UUMC Child Psychiatry Residents & Fellows Seminar, November 3, 2010 & November 7, 2012

Rule 4-903 – How is it Working? Utah Fellows, American Academy of Matrimonial Lawyers and the Family Law Section of the Utah State Bar, December 7, 2012

PUBLICATIONS:

Scott, K.G. & Christy, M. (1968). Dependent measures of children's discrimination learning. *Psychonomic Science*, 12, 53-54

Fredricks, A.G., Hertz, T.W., Moynahan, E.D., Simpson, W.E., Arnold, M.R., Christy, M.D., Cooper, C.E., & Stevenson, H.W. (1971). Interrelations among learning and performance tasks at the preschool level. *Developmental Psychology*, 4, 164-172

Pick, A.D., Hales, J.J., Christy, M.D., Frankel, G.W., & Glick, J.A. (1972). The effect of a human facial context on the discrimination of curved lines. *Psychonomic Science*, 27, 239-240

Pick, A.D., Christy, M., & Frankel, G. (1972). A developmental study of visual selective attention. *Journal of Experimental Child Psychology*, 14, 165-175

Masters, J.D., & Christy, M. (1974). Achievement standards for contingent self-reinforcement: Effects of task length and task difficulty. *Child Development*, 45, 6-13

Mannarino, A.P., Christy, M.D., Durlak, J.A., & Magnussen, M.S. (1982). Evaluation of social competence training in schools. *Journal of School Psychology*, 20, 11-19

Associated Clinical & Counseling Psychologists
5691 South Redwood Road, Ste. 15 Taylorsville, Utah 84123
Telephone: (801) 281-4084 FAX: (801) 281-4083

January 20, 2015

Dear Mr. Wahl and Committee Members:

I am responding to an inquiry from Mr. Wahl regarding my interest in serving on the recently created Domestic Case Process Improvements Committee. I have been a licensed psychologist in the state of Utah for over thirty years. Much of my career has been spent providing direct clinical services to children, adults and families. This has included conducting independent evaluations for the Division of Child and Family Services to assist with treatment planning in cases of child abuse or neglect, as well as issues related to the termination of parental rights.

In 1998, I began doing custody and parent-time evaluations for the District Courts. Over time this has become a larger part of my practice, and I have done this on a full-time basis since approximately 2010. Since I first started conducting custody work, this area of expertise has changed from the evaluator simply providing a written report, to conducting Pre-Trial Settlement Conferences, to participating in settlement conferences in which a mediator is frequently present. This experience gave me great respect for mediation as a form of alternative dispute resolution, and led to my interest in expanding my professional expertise to include mediation. I completed basic mediation and domestic mediation training in 2013, and have since completed my practicum hours with Hobbs Mediation. I am listed on the domestic roster of mediators maintained by the Utah Administrative Office of the Courts.

As a long standing member of the Association of Family and Conciliation Courts, I regularly attend their training and conferences. I value this organization as an important source of information about the field of family conflict and domestic dispute, in both legal and clinical settings.

I believe that my many years of clinical experience, at both the Juvenile and District Court level, along with my training and expertise would be valuable assets in serving on the Domestic Case Process Improvements Committee. I am attaching my professional vita for your review. Please feel free to contact me if you have any questions. I am most readily available by cell phone at 801-403-3498. Thank you for your consideration and I look forward to an opportunity to serve in this capacity.

Best regards,

Natalie J. Malovich, Ph.D.
Licensed Psychologist

801-403-3498

n_malovich@
comcast.net

Associated Clinical & Counseling Psychologists
5691 South Redwood Road, Ste. 15 Salt Lake City, Utah 84123
Telephone: (801)281-4084 FAX: (801)281-4083

Natalie J. Malovich, Ph.D.

OFFICES:

Associated Clinical and Counseling Psychologists
5691 South Redwood Road, Suite 15
Salt Lake City, Utah 84123
(801) 281-4084, ext. 15

Aspen Mediation
466 East 500 South, Ste. 100
Salt Lake City, Utah 84111
(801) 664-5607

EDUCATION:

August 1978 B.S. Utah State University, Logan, Utah
Major: Psychology

Minor: Biology

May 1983 M.S. Utah State University, Logan, Utah
Professional-Scientific Psychology, clinical emphasis
(APA Approved Program)

June 1985 Ph.D. University of Missouri - St. Louis
Clinical Psychology
(APA Approved Program)

CREDENTIALS: Utah Psychologist License # 86-113772-2501, 1986-present

Listed on the roster of Domestic Mediators maintained by
the Utah Administrative Office of the Court, June 2015

PROFESSIONAL ORGANIZATIONS:

Utah Psychological Association
Board of Directors, Member-At-Large, 2001-04
Membership Chair, 2002-05
Family Forensic Issues Task Force, 2009-2013

Division of Occupational and Professional Licensing
Psychologist Licensing Board, 2006 to 2012
Board Chair, 2007 to 2012
American Psychological Association

Association of Family and Conciliation Courts
Member, Colorado Chapter

PROFESSIONAL EXPERIENCE:

- 1988 to current Clinical Director and Co-Owner, Associated Clinical and Counseling Psychologists. Conduct Court-ordered custody and parent-time evaluations, as well as general psychological evaluations for children, adolescents, and adults. Provide individual and family therapy for children, adolescents, and adults.
- 1987 to 1989 Clinical Psychologist, Charter Summit Hospital. Completed psychological evaluations for inpatients on the child, adolescent, and adult units. Provided specialized group therapy for victims of sex abuse on an as-needed basis.
- 1987 to 1989 Clinical Psychologist, The Children's Center. Completed psychological evaluations and provided individual and group treatment for emotionally and behaviorally disordered children, primarily of preschool age. Conducted individual and family therapy with parents, as part of their children's treatment, and supervised group therapists providing day treatment.
- 1986 to 1988 Psychology Resident and Licensed Psychologist, Assessment and Psychotherapy Associates. Performed psychological evaluations, as well as Court ordered assessments requested by the Division of Child and Family Services, to assist in dispositional planning. Conducted individual, family, and marital therapy.
- 1985 to 1987 Psychology Resident and Licensed Psychologist, Salt Lake Valley Mental Health. Conducted individual and group treatment, as well as assessment of children adolescents, and adults. Postdoctoral training focused on the treatment of families and children.
- 1983 to 1984 Psychology Intern, Salt Lake Veterans Administration Medical Center (APA approved). Completed placements in Medicine, Neurology, and Geriatrics as part of the psychology consult service. Administered intellectual and psychological testing, as well as neuropsychological assessment. Provided psychotherapy for medical patients and consulted with staff regarding patient management and psychiatric disposition. Completed an off-site placement at the Children's Center, working with emotionally and behaviorally disordered children.
- 1983 Research Assistant, Washington University Medical School. Assisted with data collection and conducted diagnostic parent interviews with an NIMH

grant examining psychopathology in the children of depressed parents.

- 1982 to 1983 Instructor and Houseparent, Life Skills Foundation for the Mentally Retarded, St. Louis, Missouri. Designed and implemented behavioral programs, assisted with tasks of daily living, and intervened in crisis situations in a residential program for developmentally disabled adults. Conducted social skills training and counseling for residents.
- 1981 to 1982 Victim Advocate and Counselor, Victim/Witness Assistance Unit, St. Louis Circuit Attorney's Office. Provided crisis intervention and counseling to inner city victims of sexual assault. Also assisted victims and witnesses in understanding and negotiating the Court process. Designed and implemented a volunteer program for paraprofessionals to provide stress management, education, and telephone support for victims.
- 1979 to 1980 Research Assistant, Women's Educational Equity Act Grant, Utah State University. Worked with a nationally funded grant entitled Curriculum Analysis Project in the Social Sciences. Position involved data collection, classroom observation, consultation, and writing guidelines for psychology courses.

PUBLICATIONS AND PAPERS:

- Malovich, N.J. (1980). The effects of neutral and sex-specific terminology on sex stereotyping. Unpublished master's thesis. Logan, Utah: Utah State University.
- Jenkins, M.M., Barngrover, M.E., Malovich, N.J., & Wilson, D.L. (1982). Student-faculty communication patterns. In J.M. Gappa and J. Pearce (Eds.) Sex and gender in the social sciences: Reassessing the introductory course. Washington, D.C.: American Psychological Association.
- Russo, N.F. & Malovich, N.J. (1982). Assessing the introductory psychology course. In J.M. Gappa and J. Pearce (Eds.) Sex and gender in the social sciences: Reassessing the introductory course. Washington, D.C.: American Psychological Association.
- Malovich, N.J. (1984). Curriculum Analysis Project for the Social Sciences. Toronto, Canada: American Psychological Association.
- Malovich, N.J. (1985). Sexual harassment on campus: Students' attitudes and beliefs. Unpublished doctoral dissertation. St. Louis, Missouri: University of Missouri.
- Malovich, N.J. & Stake, J.E. (1990). Sexual harassment on campus: Individual differences in attitudes and beliefs. Psychology of Women Quarterly. 14, 63-81.

PROFESSIONAL PRESENTATIONS:

Child Abuse, Neglect, and Dependency Law. Salt Lake City, Utah. June 20, 2001.

Kids in the Middle: Supporting Children in Custodial Disputes. Jordan School District Guidance Programs Training Seminar. October 31, 2002.

Children in the Crossfire: Treatment with Children Experiencing Divorce. Utah Counseling Association Annual Conference. February 13, 2004.

Learning to Step Together: Issues Facing the Blended Family. Utah Counseling Association Annual Conference. February 13, 2004.

Custody and Parent Time Evaluations: Ethical and Procedural Issues Facing the Mental Health Professional. (Co-presenter with Valerie Hale, Ph.D.) Training session for the Division of Occupational and Professional Licensing. January 11, 2006.

Treatment of Children Experiencing Divorce and/or Custody Disputes. Critical Issues Facing Children and Adolescents. The 11th Annual Conference. Salt Lake City, Utah. November 13, 2008.

Negotiating Ethical Pitfalls: Ethical Dilemmas in Mental Health Practice. University of Utah Counseling Center. Staff Development Series. January 12, 2011.

Children of High Conflict Divorce. Jordan School District Guidance Programs Training Seminar. January 21, 2011.

Child Custody Evaluation: Focus on the Child. Utah State Bar, Family Law Section Training. September 23, 2011.

Child Custody Evaluation and Parental Alienation. Guest lecturer for Family Law class. University of Utah Department of Family and Consumer Studies. November 17, 2015.

SPECIALIZED CONTRACTS:

1990 to present Utah Department of Corrections. One of three programs approved to provide Court ordered assessment and treatment of sexual perpetrators. The clinic conducts psychosexual evaluations and provides an intensive outpatient program for sex offenders ordered by the Court.

1992 to present Division of Human Services contract to provide assessment and treatment to perpetrators and victims of domestic violence.

1993 to present Salt Lake Valley Mental Health contract to provide services to special populations including: developmentally disabled children and adults; victims of neglect and/or physical or sexual abuse; sexual perpetrators; families under supervision by the Division of Child and Family Services; and children in foster care placement.

January 2016

HEATHER WALKER, Ph. D.
LICENSED PSYCHOLOGIST
PSYCHOLOGICAL SERVICES, INC.
1945 S 1100 E Ste . 200
Salt Lake City, UT 84106
Ph. 801-485-0400; fax 801-746-5004

February 1, 2016

Dear Mr. Wahl,

I was very excited to see all that your committee is trying to do. I am a psychologist that has worked in family law field for the past seventeen years. My background was in Child Development and I have since conducted over two hundred Child Custody and Parent time evaluations. Many evaluators are burning out with the adversarial nature of our work and I have looked for other ways to serve the same clients without litigation. Therefore, I have served on the board for Collaborative Family Law for two years or more and had helped to change that title to one that included mental health folk. (Association of Collaborative Professionals.) It appeared that it was going to take much more than a few of us to help in changing the way we manage Family Law cases. My interest in serving on your board is related to helping our community process these very tough cases in a more productive way. Working with a team that has that goal would be a challenge and an honor for me. Thank you for considering my application. I have attached my CV to this letter.

Sincerely,

Heather Walker, Ph.D.

CURRICULUM VITAE

*Heather Walker, Ph.D.
Licensed Psychologist
Psychological Services, Inc.*

1945 S. 1100 E. Ste. 200
Salt Lake City, UT. 84106
Phone: 801-485-0400; Fax: 801-746-5004

EDUCATION:

Post-Doctorate. University of Utah, Salt Lake City, UT, 1997
Counseling Psychology (Emphasis on Forensic Psychology)

Ph.D. University of Utah, Salt Lake City, UT, 1995
Major: Developmental Psychology: Dissertation: Similarities and differences in father v. mother infant play.

M.Sc. University of Calgary, Calgary, Alberta, 1988
Major: Psychology

B.A. Dalhousie University, Halifax, Nova Scotia, 1982
Major: Psychology
Honor's Program: 1983-1984

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

American Psychological Association
Association of Family and Conciliatory Courts (AFCC)
Collaborative Family Law of Utah (ACP)
International Association of Chiefs of Police
Society for Police and Criminal Psychology

PROFESSIONAL EXPERIENCE:

1998-present	Licensed Psychologist, Private Practice. Services Provided: Adult and child therapy, Psychological Evaluations. Forensic Specialties: Custody and Visitation Evaluations, Criminal Psychological Evaluations (Responsibility, Competency, Dangerousness).
2011-present	Police and Public Safety: Fitness for Duty Evaluations, Counseling.
1999-2016	Contract Vendor for United States Probation and Pretrial Services Office (Psychological Evaluations for Pretrial and Pre-sentencing)
2003-2004	Contract Provider for the State of Utah, Department of Human Services,

- Division of Mental Health (Provide Competency Evaluations and other Legal/ Psychological Evaluations for the Court).
- 2002-2004 Affiliate Provider for Sex Offender Treatment with the Utah Department of Corrections.
- 1998-1999 Licensed Psychologist, Vice President, Intermountain Center for Cognitive Therapy. Salt Lake City, UT.
- 1998-1999 Licensed Psychologist, Forensic Unit, Valley Mental Health. Salt Lake City, UT.
- 1997-1998 Psychologist. Aroostook Mental Health Center, Maine.
- 1996-1997 Psychology Intern, Intake and Assessment Specialist. Criminal Justice Services division, County Division, Salt Lake City, UT.
- 1995-1997 Primary Service Coordinator/Therapist. Forensic Unit, Valley Mental Health, Salt Lake City, UT.
- 1995-1996 Study Coordinator on Substance Abuse in Pregnancy Project. Social Research Institute, University of Utah.
- 1993-1995 Research Coordinator for Maternal Depression Project. University of Utah.
- 1994 Primary Service Coordinator/ Therapist. North Valley Mental Health, Salt Lake City, UT.
- 1994 Statistical Consultant on Minority Disparity in Youth Corrections Project. Dept. of Social Work, University of Utah.
- 1989-1993 Research Assistant on Maternal Depression Project. University of Utah.
- 1991-1992 Psychology Intern. Assessment and Psychotherapy Associates, Salt Lake City, UT.
- 1991-1992 Crisis and Treatment Worker. Valley Mental Health, Intensive Treatment Unit, Salt Lake City, UT.
- 1991 Statistical Consulting for Equal Opportunity Office, University of Utah.
- 1988 Statistical Consulting for Holy Cross Hospital, Calgary, Alberta.

TEACHING EXPERIENCE:

- 1989-1993 University of Utah, Instructor for Child Development, Statistics, Adolescence, and Research Methods.
- 1988-1991 University of Utah, Teaching assistant for courses in Child Development and Statistics.
- 1985-1988 University of Calgary, Teaching assistant for courses in: Introductory Psychology, Program Evaluation, Child Development, Clinical Psychology, disorders.

PUBLICATIONS:

Dickson, L. Walker, H., & Fogel, A. (1997). The relationship between smile-type and play-type during parent-infant play. Developmental Psychology.

Fogel, A., Walker, H., & Dodd, D. (Submitted). The co-regulation coding system: Theory and research on communication processes between mothers and children. Psychological Review.

Fogel, A., Nwokah, E., Hsu, H., Dedo, J., and Walker, H. (1992). Posture and communication in Mother-Infant Interaction. In G. Savelsbergh (Ed.), The development of coordination in infancy. Amsterdam: Elsevier.

Walker, H., Rowland, G.L., & Boyes, M.C. (1991). Personality, personal epistemology, and moral judgment. Psychological Reports, 68, 767-772.

Walker, H., Messinger, D., Fogel, A., & Karns, J. (1992). Social and communicative development in infancy. In V. B. Van Hasselt & M. Hersen (Eds.) Handbook of Social Development: A Lifespan Perspective. New York: Plenum Press.

Earhard, B. & Walker, H. (1985). An "outside-in" processing strategy in the perception of form. Perception and Psychophysics, 38, 249-260.

CONFERENCE PRESENTATIONS:

Walker, H. and C. Storey: The Role of Mental Health Professionals in Mediation, Presented at UCCR Annual Symposium, 2012

Role of Mental Health Professionals in Collaborative Law, Presented at Collaborative Law Retreat, 2011

Child Custody Consultants

Helping Families to Put Children First

Ali Thomas, LCSW

1140 36th Street Suite 265

Ogden, UT 84403

801-430-0458

January 29, 2016

Dear Members of the Management Committee,

It is with great appreciation that my name has been submitted for possible appointment to the Domestic Case Process Improvements Committee. Attached to this cover letter you will find my resume. Since 2008 the majority of my practice has been dedicated to understanding and helping high conflict families in the area of divorce and custody. I believe in collaboration before litigation. I focus on solutions and education when conducting custody evaluations. Many of the families, who come through the district court because of family litigation, do so because they lack insight and understanding. It is not enough to offer recommendations for custody and parent time, often these parents need someone to offer a different perspective, research based practices, and new interventions. I am committed to do that in each of my cases. Aside from this, I have created a high conflict co-parenting program and curriculum that appears to follow the identified committee charge of reducing the adversarial nature of domestic proceedings, protecting children of divorcing parents, and reducing time and costs for litigants. Finding more effective interventions to "help families put children first" is the mantra of my practice.

Thank you for your time and consideration,

Ali Thomas, LCSW

Ali Thomas, LCSW
1140 36th Street Suite 265
Ogden, Utah 84403
(801) 430-0458

EMPLOYMENT HISTORY

Child Custody Consultants--Private Practice

03-08 to present

Child Custody Evaluator-Child and Family Therapist-Provide child custody evaluations conducted in accordance with the Code of Judicial Administration, Rule 4-903. Provide individual and family therapy to specifically address attachment related issues, family divorce, trauma, and emotional dysregulation. Provide therapeutic visitation to teach healthy forms of attachment, positive parenting and relationship rebuilding between parent and child. Act as an expert witness in cases which end in trial. Created curriculum and currently teach High Conflict Co-Parenting Program to parents unable to resolve conflict related to custody and co-parenting in divorce.

Tristan Inc.

01-04 to present

Clinical Director—**Began April 2008 to present.** Provide supervision and direction to therapists currently working under me. Ensure clinical program is meeting all DHS contracted services and licensing requirements. Ensure clinical program is meeting all Medicaid requirements. Ensure clinical program is consistent with research based treatment modalities.

Children and Youth Therapist-Provide individual, family therapy, and therapeutic family visits to children and their families. Specializing in Attachment Disorder, childhood trauma and transracial adoption/foster placements. Provide mental health assessments with mental health diagnosis, treatment planning, coordination of services with allied agencies and/or support services. Treatment philosophy is derived from Dialectical Behavior Therapy, Functional Family Therapy, and Cognitive-Behavioral Therapy. Expert witness in family court cases involving custody issues (i.e. reunification, support services, parental right termination). Oversee clinical program and staff to ensure progressive clinical interventions and outcomes.

Davis Behavioral Health

05-03 to 05-08

Adult Outpatient Therapist-Provide individual outpatient therapy to SPMI and Medicaid clients. Diagnose mental health disorders and formulate treatment plans. Formulation of mental health assessments to include psychological, biological, social and spiritual aspects. Coordination of services with allied agencies and psychiatric staff. Treatment philosophy is derived from a strengths perspective, which incorporates interventions such as dialectical behavior therapy, cognitive restructuring, motivational interviewing, and relapse prevention.

Women's Recovery Center Therapist-Provide individual and group therapy to dually diagnosed (substance abuse and mental health) women in residential, day treatment, and outpatient setting. Diagnose mental health disorders to include Axis I Substance Abuse and Dependence, formulate treatment plans, provide structure and support for therapeutic milieu.

Crisis Team-Assess clients in crisis either by phone, walk-in, or hospital emergency room. Assess level of dangerousness, current life stressors, history of mental illness, safety. Determine level of care and needs for the client. Consult with doctors to determine psychiatric hospitalization needs, educate family members and support systems on plans for safety. Document findings and disposition. Assess commitment status.

Assessment and Psychotherapy Associates

02-03 to 06-03

Adult Outpatient Therapist-Worked specifically with men and women recently released from prison or jail in group setting. Therapeutic groups consisted of Relapse Prevention Skills, Domestic Violence, and Anger Management. Assess progress in treatment. Reported to parole/probation officers.

Division of Youth Corrections

08-98 to 05-03

Counselor III-As a shift leader and supervisor of counselors, job duties included: providing a safe, structured environment for residents and staff, work to problem solve and apply crisis intervention when necessary, facilitate group counseling sessions, provide individual and family counseling, ensure positive communication with parents and allied agencies, provide training for new employees in regards to facility and Division policy and procedure, evaluate and provide feedback to all counselors under my supervision, development and assessment of programming.

Youth and Family Centered Services

05-93 to 08-98

Marketing and Admissions Team Member-Consulted with clients to determine their needs and priorities in regards to the children they were accountable for. Demonstrated effective presentation skills by having a strong knowledge of the youth services program and juvenile justice system. Demonstrated skillful communication and negotiation. Identified problems, diagnosed causes, and determined corrective actions, which were necessary in providing effective customer service to caseworkers and youth in custody.

Regional Administrator Region 1 and 2-Administered all functions of the regional office to include: supervision of all youth counselors and proctor parents. Ensured each youth was provided an extensive continuum of safe, effective, community based services. Applied crisis intervention techniques when needed. Conducted training for all employees. Responsible for all human resource activities for employees under my supervision. Maintained regional budget, revenue, and expenses. Conducted internal investigations and audits. Applied problem-solving skills to identify facts, explore options, and implement solutions.

Support Services Coordinator/Youth Counselor-Hired and trained all residential treatment parents. Direct supervisor of residential treatment parents. Provided support and direction in times of crisis. Provided a structured, safe, learning environment for youth in my care. Modeled appropriate social and professional skills. Coordinated all medical, dental, educational, and mental health needs. Linked youth to these services. Monitored appropriate and inappropriate behaviors in regards to youth/authority and youth/peer relationships. Assessed physical, emotional, and mental health needs of youth.

Avatar inc.

06-90 to 05-93

Rehabilitation Therapist-Provided a safe, structured learning environment to individuals with mental and physical disabilities. Taught appropriate daily living and social skills to clients, facilitated groups, programming and activities.

PRACTICUM-INTERNSHIP HISTORY

Davis Behavioral Health

08-02 to 05-03

Adult Outpatient Therapist-Provided individual outpatient therapy to SPMI and Medicaid clients. Diagnose mental health disorders and formulate treatment plans. Formulation of mental health assessments to include psychological, biological, social and spiritual aspects. Coordination of services with allied agencies and psychiatric staff. Treatment philosophy is derived from a strengths perspective, which incorporates interventions such as cognitive restructuring, motivational interviewing, and relapse prevention.

CASIE Program - Davis County School District

08-01 to 04-02

School Social Worker-Provided individual and family therapy to elementary aged youth who were placed in an alternative education program. Facilitated group therapy to include social skills development, communication skills, anger management, and self-esteem building. Assessed individual clients for mental health needs and diagnosed using DSMIV-TR criteria. Provided programming alternatives and behavior modification ideas to primary teachers.

EDUCATION

University of Utah---Salt Lake City, Utah
Graduate School of Social Work
Graduated May 2003
Overall GPA 3.883

Weber State University---Ogden, Utah
Major---Social Work Minor---Criminal Justice
Graduated BSW Fall 2000
Social Work GPA 3.8 Overall GPA 3.3

PRESENTATIONS AND TRAINING FACILITATOR

AAML 24th Annual Seminar Special Problems in Divorce December 2015
Title—Reconciliation After Alienation or Lack of Contact, Todd Dunn Ph.D. Co-facilitator

Weber County Bar Family Law Section Luncheon July 2015
Title—Understanding Custody Evaluations Through the Lens of Collaboration

Commissioners' Conference October 2014
Title—Overnight Visits for Children Three and Under

Family Law Lunch, Utah Family Law Section October 2014
Title—A New Approach to Conflict Resolution for High Conflict Parents, Brian Florence Co-facilitator

Cache Valley Women's Bar Association November 2013
Title—Gatekeeping. Facilitative, Restrictive, Protective.

Cache Valley Women's Bar Association October 2012
Title—Relocation In Child Custody Evaluations

Second District Judges' Meeting 2011
Title—The Role of the Treating Expert

Spring Mental Health Conference May 2006---Park City, UT
Title---Dialectical Behavior Therapy for Adolescent Females

Davis Behavioral Health March 2004---Layton, UT
Title---Relapse and Recovery

LICENSES, ACHIEVEMENTS, CERTIFICATIONS

Licensed in State of Utah---Licensed Clinical Social Worker
Member of AFCC
Member NASW
Nominated Practicum Student of the Year---2002
Member Phi Alpha Honor Society---position of treasurer held
First-aid and CPR certified
Targeted Case Management Certified
Positive Control Certified
Developed treatment programming / skills development programming for YFCS

TAB 8

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

FEDERAL GRANTS

Contact Person/Phone: Krista L. Airam Date: 2/1/2016

Judicial District or Location: Administrative Office of the Courts

Grant Title: PO/DPO Safety Training and Management Training Grantor: CCJJ/OJJDP

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 funds probation officer and deputy probation officer safety training, the Restorative Justice Conference, and Evidence Based practice training such as Carey Guides and Brief Intervention Tools(BITS) Training.

Explanation of how the grant funds will contribute toward resolving the issues identified: The grant provides for training of over 150 new new and existing probation officers and deputy probation officers on implementation of policy, safety issues, and de-escalation techniques and on the Balanced and Restorative Justice Model through the conference. Additionally, it helps to support the implementation of evidence based practices through assisting with funding for various other trainings such as the Carey Guides and Brief Intervention Tools(BITS). It also helps support efforts to create consistency with statewide probation supervisors in the implementation and oversight of evidence based programming.

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)

CASH MATCH 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	
FY2016 (FED FY12)	\$56,280		\$6,253					\$62,533
FY								\$0
FY								\$0

(PROVIDE EXPLANATION OF ALL MATCHES IN THE COMMENTS SECTION)

IN-KIND MATCH 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								\$0
FY								\$0
FY								\$0

Comments: _____

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: Funds will be needed to continue safety training for staff. Additionally funds will be needed to continue to provided training on evidence based programs.

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

How many additional permanent FTEs are required for the grant? 0 Temp FTEs? 0

This proposal has been reviewed and approved by the following:
The court executives and judges in the affected district(s).
X The Grant Coordinator and the Budget Director at the Administrative Office of the Courts.
X The affected Board(s) of Judges.

Approved by the Judicial Council _____ by _____
Date Court Administrator

Copy forwarded to Legislative Fiscal Analyst _____ date _____

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

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

Director's cellular number:

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

4. Will this award (check one):

Enhance an Existing Program Initiate a New Program

3. Authorized Official's phone #: 801- 578-3806

Authorized Officials cellular #:

E-mail Address: danb@utcourts.gov

5. Beginning & Ending Dates of Program:

March 1, 2016 to November 20, 2016

Previous grant # (if applicable): 11L08

6. DUNS Number:

096311365

7. CCR Number

10. Federal Tax Identification Number

87-876000545

8. CCR Expiration Date:

11. Title which *describes* the program to be funded:

PO/DPO Safety Training and EBP Training

12. Budget Summary

Total Project Costs

Federal Grant Funds

Cash Match

	Total Project Costs	Federal Grant Funds	Cash Match
Personnel	\$0	\$0	\$0
Consultant/Contract	\$17,500	\$17,500	\$0
Equipment / Supplies & Operating (ESO)	\$25,000	\$25,000	\$0
Travel/Training	\$20,033	\$13,780	\$6,253
Column Totals	\$62,533	\$56,280	\$6,253

13. *Print Name & Title of Official Authorized to Sign

Dan Becker

14. Signature of Official Authorized to Sign

Date:

15. **Print Name of Program Director

Krista Airam

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	\$56,280
15	Court/Probation Programming	\$

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

Problem Statement (problem being addressed)

The lack of training for line staff can create safety issues, lack of understanding of policy, potential liability for the state, and problems implementing new initiatives. In addition, changes in technology and implementation of evidence-based practices requires additional training for staff, managers, and community partners to ensure the quality of evidence intervention delivery. This also helps to ensure fidelity and the effective implementation of the Case Planning model which Utah has adopted. The lack of training for management and no exposure to national best practices and approaches can result in the inability to adapt to the changing environment. Exposure to such practices also helps to ensure appropriate responsivity approaches in responding to and helping youth within the juvenile justice system.

Project Description (include numbers served)

This project is designed to continue to support training efforts for court probation staff and managers. The PO Safety Committee will continue to implement the new PO Safety Curriculum across the state. PO Safety training will continue to support training efforts to train over 150 probation officer and deputy probation officers on the implementation of policy, incorporating best practices regarding safety, and de-escalation techniques. This grant will serve to support these training efforts and to purchase additional safety materials for the local districts.

Additionally this grant serves to help fund the Restorative Justice Conference which will serve approximately 65 staff and supervisors on work crew safety and the Balanced and Restorative Justice Model principles while incorporating best practices in working with youth. It is anticipated that court funds will help offset grants funds to pay for this conference

The continued implementation of Carey Guides and Brief Intervention Tools will continue to allow probation officers to serve as change agents by working with youth on criminogenic risk factors and targeting specific action steps to deter further penetration into the Juvenile Justice System. The Carey Guides/BITS training will serve approximately 120 probation officer and managers. In addition, the Supervisors EBP training will serve approximately 35 court probation managers and will help to increase their coaching and modeling skills in an EBP environment while implementing the Carey Guide Briefcase.

This grant serves to support a statewide initiative of the Best Practice Committee to bring supervisors together for an annual workshop to continue to work on implementing ongoing statewide quality assurance and consistency.

Lastly, this grant provides the opportunities for court leaders and managers to attend a National Conference to increase knowledge and understanding of best practices in Juvenile Justice.

Goals and Objectives

- (a) Conduct PO Safety Trainings across the state by certified facilitators
- (b) Conduct a Restorative Justice Conference
- (c) Conduct new and refresher trainings on the use of Carey Guides and Brief Intervention Tools (BITS)
- (d) Conduct an evidence-based programming training for chiefs and supervisors
- (e) Conduct an annual supervisor training/workshop to increase statewide consistency and quality assurance
- (f) Attend a National Conference to continue to help support evidence based practice initiatives in the State of Utah.

Programmatic Activities

1. PO Safety Trainings across the judicial districts.
2. Restorative Justice Conference.
3. Training on Carey Guides and Brief Intervention Tools (BITS).
4. Increase supervisor capacity for modeling, coaching and consistency by hosting an annual supervisor workshop and providing Carey Guide BriefCase training.
5. Attendance to National Conferences.

Participating Agencies

Juvenile Court deputy probation officers, probation officers, supervisors, chiefs, and contract providers.

Plans for Supplemental and Future Funding of the Project

Given the budget situation, it is unlikely the Judicial Council or Legislature will be able to fund the above trainings and activities in the future. However, the Juvenile Court is committed to ensuring staff are training on appropriate safety measures, evidence-based practice principles, and management trainings for staff therefore this grant helps to continue to create sustainability of these programs. With the new direction of PO Safety, the courts have tried to increase sustainability of the program by certifying court staff as facilitators of the training which will help to increase internal capacity. The Restorative Justice Conference has previously been primarily funded through grant funds, however it is anticipated that this year's conference will be partially funded by juvenile court funds. Additionally, other steps are being made to hold trainings locally in order to minimize costs to the grants and reduce travel of participants.

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: PO/DPO Safety Training and EBP Training

Program Area: 6. Training Law Enforcement/Court Personnel

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)	Annually	Grant Director	Administrative Office of the Courts	CPC Program Assessment Records
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)

<p>Not applicable (Not a direct services program)</p>				<p>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)</p>	<p>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.</p>	<p>4. Number and percent of program youth completing program requirements</p>
<p>Not applicable (Not a direct services program)</p>				<p>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)</p>	<p>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'.</p>	<p>5. Number and percent of program youth who OFFEND (short term) Updated 04/01/2012</p>

<p>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.</p> <p>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.</p> <p>A youth may be 'committed' to a juvenile facility anytime that he/she is held overnight.</p> <p>Certain jurisdictions refer to adjudications as 'sentences'.</p> <p>Other sentences may be community based sanctions, such as community service, probation etc.</p> <p>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'.</p>	<p>6. Number and percent of program youth who OFFEND (long term)</p> <p>Updated 04/01/2012</p>	<p>The number and percent of program youth who exited the program 6-12 months ago that you are tracking</p> <p>Of A, the number of program youth who had an arrest or delinquent offense during the reporting period</p> <p>Number of program youth who were committed to a juvenile facility during the reporting period</p> <p>Number of program youth who were sentenced to adult prison during the reporting period</p> <p>Number of youth who received another sentence during the reporting period</p> <p>Percent OFFENDING (B/A)</p>	<p>Not applicable (Not a direct services program)</p>
<p>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.</p> <p>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</p>	<p>7. Number and percent of program youth who RE-OFFEND (short term)</p> <p>Updated 04/01/2012</p>	<p>Total number of program youth served</p> <p>Number of program youth tracked during the reporting period</p> <p>Of B, number of program youth who had a new arrest or new delinquent offense during the reporting period</p> <p>Number of program youth who were</p>	<p>Not applicable (Not a direct services program)</p>

<p>8. Number and percent of program youth who RE-OFFEND (long term)</p> <p>Updated 04/01/2012</p>	<p> youth served by the program during the reporting period.</p> <p>Certain jurisdictions refer to adjudications as 'sentences'.</p> <p>Other sentences may be community based sanctions, such as community service, probation etc.</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 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'.</p>	<p>recommitted to a juvenile facility during the reporting period</p> <p>E. Number of program youth who were sentenced to adult prison during the reporting period</p> <p>F. Number of youth who received another sentence during the reporting period</p> <p>G. Percent RECIDIVISM (C/B)</p>	
	<p>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.</p> <p>Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source.</p> <p>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.</p> <p>Certain jurisdictions refer to adjudications as 'sentences'.</p> <p>Other sentences may be community based sanctions, such as community service, probation etc.</p> <p>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, therefore the 'B' value should be recorded</p>	<p>A. Number of program youth who exited the program 6-12 months ago that you are tracking</p> <p>B. Of A, the number of program youth who had a new arrest or new delinquent offense during the reporting period</p> <p>C. Number of program youth who were recommitted to a juvenile facility during the reporting period</p> <p>D. Number of program youth who were sentenced to adult prison during the reporting period</p> <p>E. Number of youth who received another sentence during the reporting period</p> <p>F. Percent RECIDIVISM (B/A)</p>	<p>Not applicable (Not a direct services program)</p>

	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'.					
9. Number and percent of program youth who are VICTIMIZED (short term) Updated 04/01/2012	<p>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.</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 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.</p>	<p>A. Total number of program youth served</p> <p>B. Number of program youth tracked during the reporting period for victimization</p> <p>C. Of B, the number of program youth who were victimized</p> <p>D. Percent VICTIMIZED (C/B)</p>				Not applicable (Not a direct services program)
10. Number and percent of program youth who are VICTIMIZED (long term) Updated 04/01/2012	<p>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.</p> <p>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.</p> <p>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' values.</p>	<p>A. Number of program youth who exited the program 6-12 months ago that you are tracking for victimization</p> <p>B. Of A, the number of program youth who were victimized during the reporting period</p> <p>C. Percent VICTIMIZED (B/A)</p>				Not applicable (Not a direct services program)
11. Number and percent of program youth who	The re-victimization measure counts the number of youth who experienced	A. Total number of program youth served				Not applicable (Not a direct services program)

<p>are RE-VICTIMIZED (short term)</p> <p>Updated 04/01/2012</p>	<p>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>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>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 most likely data sources.</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</p>				<p>Not applicable (Not a direct services program)</p>

Non-Mandatory Measures						
MEASURE AND ITS #	DEFINITION	REPORTING FORMAT	FREQUENCY OF COLLECTION	RESPONSIBLE FOR COLLECTION	DATA SOURCE	HOW PROCESSED OR RETRIEVED
OUTCOME 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 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 Program Guide, SAMHSA's Model programs, state model program resources, etc.).	A. Number of programs/initiatives employing evidence based programs or practices B. Total number of programs/initiatives Percent (A/B)	Quarterly	Grant Director	Training records or email response	Manually
OUTPUT MEASURES						
3. Number and percent of court personnel trained in preventing or controlling juvenile crime	Measure of infrastructure. Appropriate for programs providing or facilitating training for court personnel or programs, such as court, that utilize court personnel. Report the raw number of court personnel to receive any formal training about preventing or controlling crime during the reporting period (include both training that offers general information about the topics and practical training). Include training from any source and using any medium as long as the training receipt can be verified. Include staff that started training during the reporting period even if the training did not conclude before the end of the reporting period. Percent is the raw number divided by the total number of court personnel in the pool from which those trained were selected. For example, if 10 law clerks from the district court were trained, the total pool would be the total personnel serving the district court.	A. Number of court personnel trained B. Number of court personnel Percent (A/B)	Quarterly	Education Department Chief Probation Officers	Education Department Chief Probation Officers	Training Records
5. Number of hours of training offered to court	Measure of system accountability based on the idea that properly trained staff can	A. Number of hours of training offered to court	Quarterly	Education Department	Education Department	Training Records

personnel	provide better service. Appropriate for programs providing or facilitating training for court personnel or programs, such as courts, that use court personnel. Report the raw number of hours of training offered to staff during the reporting period. Include in-house and external training and any training medium as long as it can be verified that the target staff were aware of the training opportunity and were able to avail themselves of it (e.g., the training was not cost prohibitive or offered at a time that conflicted with other necessary duties). Include training that started during the reporting period even if it did not conclude before the end of the reporting period.	personnel		Chief Probation Officers	Chief Probation Officers	
23. Number of complaints about staff filed by youth.	Measure of program operations. Based on the idea that well-trained staff will receive fewer complaints. Appropriate for programs such as police departments or courts, whose staff or personnel have received at least some training in crime prevention and control. Report the number of complaints recorded during the reporting period. Include only formal complaints filed or for which the filing process was started.	A. Number of complaints about staff filed by youth	Quarterly	Trial Court Executives	Court Personnel Files	Administrative Records

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 QJDP Performance Measurement Data Collection Tool.

Program Name: PO/PO Safety Training and EBP Training
Program Area: 6- Training Law Enforcement/Court Personnel

#	MEASURE	1 ST QUARTER TARGET	2 ND QUARTER TARGET	3 RD QUARTER TARGET	4 TH QUARTER TARGET	ANNUAL TARGET OR GOAL TOTAL
OUTCOME MEASURES						
1	Number and percent of programs/initiatives employing evidence-based programs or practices	3	3	3	3	3*
OUTPUT MEASURES						
3	Number and percent of court personnel trained in preventing or controlling juvenile crime	40	25	40	40	402**
5	Number of hours of training offered to court personnel				16	58**
23	Number of complaints about staff filed by youth.	0	0	0	0	0

* Maintain 3 evidence based programs throughout the grant year. **Quarterly and Annual Target Goals are estimated and may need to be adjusted at 1st Quarter reporting based upon scheduling of trainings

Section 5: TARGET POPULATION

A. TARGET POPULATION DESCRIPTION:

Provide a description of the overall target population.

This is not a direct services program.

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. The Court's Education Department also offers several classes that focus on better serving diverse populations with more in-depth understanding of cultural practices and traditions of populations.

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. For employees who are not bi-lingual, the courts maintain a list of approved interpreters covering a list of approved interpreters covering 24 different languages. Approved interpreters complete a one-day course, pass an ethics exams and meet other requirements in order to be listed. Certified interpreters complete a two-day course and must pass a rigorous exam in the simultaneous, consecutive, and sight modes of interpretation. Court rule requires the use of a certified interpreter unless one is not available. Probation officers can access the interpreter pool for preliminary inquiry meetings and other court-related meetings. If the probation officer is fluent in the language, the officer may conduct the meeting in the family's native language. The probation order and other court related documents have also been translated into different languages, with Spanish being the primary language. By conducting meetings in the youth and family's native language and by providing translated materials, the court is increasing equal access to the justice system.

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 and the Utah Criminal Justice Center.

Additionally, 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. Currently, the Juvenile Court is working with CCJJ to reduce the disparity by working with local collaborative DMC groups in Weber, Salt Lake, and Utah counties. These three working groups are currently chaired by the local chief probation officer in the area and efforts are currently underway to implement best practices in relation to school resource officers and school administrators in working with youth. Subsequently, juvenile court probation managers and staff will be involved in presenting information regarding the Juvenile Court process to various stakeholders during this process.

Finally, as part of the safety training, the instructor is required to address cultural differences and how they might influence a particular situation, and focusing on appropriate responses to those situations. Scenarios created in all trainings reflect cultural awareness and class participants are to consider how their understanding of cultures may influence their responses to situations. In addition,

evidence based practices training covers the issue of responsivity, where probation officers are trained to assess and respond to individual and family factors that would influence the likelihood of an intervention or approach being effective. Responsivity factors include cultural, social, educational, and economic factors. Probation officers are trained to assess and respond appropriately to these factors to ensure that all youth have a greater likelihood of being successful and maintaining law abiding behavior. Additionally, probation officers are trained to match their style to the learning style of the youth and refer to appropriate programs that support evidence-based programming that consider responsivity factors..

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.

The requirements of probation staff and managers have changed over the years with shifting focus on best practices and evidence based programming. The Utah Juvenile Court has implemented a variety of evidence based programming initiatives in order to enhance probation services and to reduce the likelihood of youth penetrating the Juvenile Justice System. The use of evidence based approaches by programs is an essential aspect of reducing recidivism and improving outcomes for youth involved with the Juvenile Court. Research shows that when programs incorporate evidence based practices reductions in recidivism can be realized (Latessa & Gordon 1994, Lipsey & Wilson 1998, Joplin et. al 2004). As a result of continuing to implement best practices and evidence based programming several areas of specialty training are needed.

The first specialty area is safety training. Probation staff spend a great deal of time in the community supervising juveniles with identified risk and protective factors. Additionally, deputy probation officers spend the majority of their time supervising youth on work crew sites. According to a national survey conducted by the American Probation and Parole Association, staff safety was regarded as the most important issue in community corrections. Research has indicated that at least half of all probation officers will be physically assaulted at least once in their career. These findings indicate that officers need regular and frequent training on officer safety and that those skills should emphasize prevention, planning and safety as mechanisms that will reduce the need to employ physical skills. Safety training techniques also need to be consistent with policy and uniform across the organization. Such an approach reduces the likelihood officers will be harmed and lowers agency liability. During this last year, efforts have been made to train probation/deputy probation officer as facilitators of PO Safety techniques utilizing best practices. This provides an opportunity to move towards creating sustainability of officer safety efforts and focus on quality assurance and fidelity of trainers.

The second specialty area focuses training probation staff on evidence based practices, such as Carey Guides and Brief Intervention Tools (BITS). It is essential that probation officers receive ongoing training in evidence based practices. Research shows that it is not merely the amount of time spent on probation duties that relates to better outcomes, but the quality and focus of the time spent (Bonita et al.2008). Bonta et al. (2008) found offenders who receive services and interventions based on evidence based practices tend to show lower recidivism rates than offenders who do not receive interventions and services based on evidence based practices (Andrews & Bonta 2006). When probation staff follow principles of effective intervention and target criminogenic needs, it can lead to reductions in recidivism (Bonta et al. 2008).

The third area of specialty training relates to the training of staff involved in work crew activities. In Juvenile Court probation officers and deputy probation officers are involved in work crew activities. Work crew provides a means for youth to work off restitution owed to their victims. The youth gain practical skills by completing work in the community, the community benefits from the services performed and the victim receives payment. This is supportive of the Balanced and Restorative Justice

Model (BARJ) which encompasses offender accountability, public protection, and competency development. Supervising a work crew requires deputy probation officers to be familiar with adolescent development, motivational interviewing techniques, and the ability to ensure safety of youth and community work sites. Due to budget reductions, responsibility for specialized training for staff involved in work crew was delegated to the districts. As has been our experience with the probation officer safety program, district-level training often varies greatly. Because these staff have direct and on-going contact with youth, it has been determined that we must prioritize this training to ensure that staff have the necessary training and tools to effectively perform their work.

The fourth area of specialty is the training of probation management staff on conducting quality case audits in an electronic environment and consistent with evidence-based practice principles. The National Implementation Research Network (NIRN) suggests when implementing evidence-based practices within an organization one area management should consider is the leadership drivers and whether or not these drivers are adaptive or technical challenges. NIRN suggests agencies should be prepared to address both types of challenges in implementing evidence based practices. As such one of Utah's challenges, both technical and adaptive, involves ensuring quality implementation of evidence based practices. The statewide chief probation officers have assigned a working committee *Best Practices Work Group*, to identify areas of action. An immediate area of attention involves quality case reviews. This committee has worked with computer programmers to revise the notes section in the statewide data base to provide clearer identification of case planning efforts with individual cases. A new *Electronic Case File Record Audit* has been approved by the Board of Juvenile Court Judges which considers Utah's electronic record initiative. The committees focus this year will be to continue to create consistent policies and practices statewide through use of the Electronic Case File Audit and also other quality assurance initiatives.

Lastly, in order to ensure evidence based practices are utilized throughout the Juvenile Court process it is essential for Juvenile Court managers to acquire a broad knowledge of current research and expertise in the field. The need to maintain expertise in current evidence based programming and best practices in working with delinquent youth. Participation and training at national conferences allows the Juvenile Court managers the ability to ensure proper implementation of best practices in the Juvenile Court. Attendance at these conferences not only exposes staff to state of the art training in evidence based practices, but allows staff to share and incorporate this knowledge in Utah's Juvenile Court system. In the past, this funding has resulted in staff being elected to national leadership positions, awards for programs the Juvenile Court operates, provided opportunities for several staff to present at National Conferences regarding Utah's Case Planning Model, and opportunities for staff to develop additional leadership skills.

Sources:

Andrews, D. A., and Bonta, J. 2006. *The Psychology of Criminal Conduct* (4th ed.). Newark, NJ: LexisNexis.

Bonta, J. Ruge, T., Scott, T., Bourgon, G., and Yessine, A. 2008. Exploring the Black Box of Community Supervision. *Journal of Offender Rehabilitation* 47(3): 248-270.

Lipsey, M.W. and D.B. Wilson. (1998). Effective Intervention for Serious Juvenile Offenders: A Synthesis of Research. In R. Loeber and D. P. Farrington (Eds.), *Serious and Violent Juvenile*

Offenders: Risk Factors and Successful Interventions, Thousand Oaks, CA: Sage. *Criminology*, 28(3), 369-404.

Latessa, E.J. & J. Gordon. (1994). Examining the Factors Related to Success or Failure with Felony Probationers: A Study of Intensive Supervision. In C. B. Fields (Ed.), *Community-Based Corrections: Innovative Trends and Specialized Strategies*. Garland Press.

NIRN - The National Implementation Research Network. (n.d.). *NIRN*. Retrieved May 26, 2014, from <http://nirn.fpg.unc.edu/>

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

Name of the evidence based model: _____

Correctional Program Checklist and the principles of evidence-based practices

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 checked="" type="checkbox"/> Other (e.g., State model program resources) |

If other, please specify:

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

The Juvenile Court will be using the Risk, Need, Responsivity Model, which is the core of evidence based practices in probation as seen by the research of Andrews & Bonta, Latessa, Lipsey, and other leaders in the field. This research will be used in the PO Safety Training, Restorative Justice Conference training, Carey Guides/BITS, Supervisor's Workshop, and Supervisors BriefCase training and ongoing evidence-based practices training. When the Risk, Need, Responsivity model is applied, it has shown to decrease recidivism by 26 percent (Andrews, Bonta & Hogue, 1990; Andrews & Bonta, 2006). In addition, when probation staff use evidence-based practices with juveniles on probation, it has shown to increase effectiveness by up to 46 percent (Bonta, Rugge, Scott, Bourgon, & Yessine 2008). With the implementation of these programs probation officers will continue to be equipped with information and tools they need to help reduce criminogenic risk factors and to help support behavioral changes with the youth on their case loads.

Name of the evidence based model:

The Utah Juvenile Court will be applying the Risk, Needs, Responsivity Model, which is a well-researched, effective approach to probation as seen by the following publications:

Andrews, D. A. (1989). Recidivism is Predictable and Can Be Influenced: Using Risk Assessments to Reduce Recidivism. *Forum on Correctional Research*, 1(2), 11-17.

Andrews, D.A. (1994). *An Overview of Treatment Effectiveness: Research and Clinical Principles*. Ottawa, Canada: Department of Psychology, Carleton University.

Andrews, D., I. Zinger, R. Hoge, J. Bonta, P. Gendreau, and F. Cullen. (1990). Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis.

Joplin, Lore et al, *Using an Integrated Model to Implement Evidence-based Practices in Corrections*, 2004; and *Implementing Evidence-Based Practices in Community Corrections: The Principles of Effective Intervention*, Crime and Justice Institute, 2004.

Latessa, E.J. (1998). A Summary of ICCA's "What Works with Substance Abusers" Research Conference. *The ICCA Journal*. (March), 6-8.

Latessa, E. J. (1999). What Works in Correctional Intervention. *Southern Illinois University Law Review*, 23:415-426.

Latessa, E. J. (1999). *What Works Strategic Solutions: International Community Corrections Association Examines Substance Abusers: Substance Abuse*. Lanham, MD: American Correctional Association.

Latessa, E.J. & J. Gordon. (1994). Examining the Factors Related to Success or Failure with Felony Probationers: A Study of Intensive Supervision. In C. B. Fields (Ed.), *Community-Based Corrections: Innovative Trends and Specialized Strategies*. Garland Press.

Latessa, E.J. and A. Holsinger. (1998). The Importance of Evaluating Correctional Programs: Assessing Outcome and Quality. *Corrections Management Quarterly*, 2(4), 22-29.

Latessa, E. and M. Moon. *A Practitioners Guide to Evaluation Research*. Cincinnati, OH: University of Cincinnati.

Lipsey, M. (1990). *Juvenile Delinquency Treatment: A Meta-analytic Inquiry into the Variability of Effects*. Paper prepared for the Research Synthesis Committee of the Russell Sage Foundation.

Lipsey, M.W. and D.B. Wilson. (1998). Effective Intervention for Serious Juvenile Offenders: A Synthesis of Research. In R. Loeber and D. P. Farrington (Eds.), *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, Thousand Oaks, CA: Sage. *Criminology*, 28(3), 369-404.

PROJECT DESIGN:

Probation safety training will be delivered in three levels: the first training focuses on basic safety rules, policy and verbal de-escalation, the second training focuses on skill development, stress training, night safety, and office visits, and the third training focuses on defensive tactics. Both PO Safety I and II are taught by members of the PO Safety Committee, whereas PO Safety III must be taught by a certified facilitator. All new probation officers are required to attend all three courses during their first year of employment. All existing probation officers are required to attend a refresher course annually. The trainings will be held at various locations throughout the state to reduce the need for staff to travel. To enhance officers' ability to practice the defensive tactics learned, each local judicial district is working to incorporate safety discussions into weekly and/or monthly staff meetings. In addition each local district prioritizes specific training needs to incorporate specific defensive techniques that need to be practiced all year long.

The second area of specialty relates to ongoing onsite and online training for probation officers and managers on the effective implementation of evidence-based practices in case planning and risk assessment. The Juvenile Court will provide training and training materials on tools for effective case planning such as NCTI and the Carey Guides, responsivity principles, matching youth with appropriate and effective programs, and quality assurance of evidence-based practices implementation. This will also include a yearly supervisor training to focus on consistent supervisory practices across the state including quality assurance and fidelity to the case planning model.

The Juvenile Court is also proposing that specialized training be provided for those who are involved with work crew activities, and include van safety training, supervising youth on work crew activities, liability, and policy training in those areas. In the past the Restorative Justice Conference has created an opportunity for deputy probation officers and managers across the state to convene together to be trained on policy, evidence based programming, and adolescent development. This provides for an opportunity to network with other staff members and the ability to learn from various experiences from across the state.

Management staff will also attend national training conferences and institutes such as the American Probation and Parole Association National Conference. The information learned at these trainings will be used to help develop the conference agendas for the training identified in this proposal and to continue to implement evidence based programming within the system.

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
03/01/2016 to 11/20/2016	PO/DPO Safety Training <ul style="list-style-type: none"> • Work with PO Safety Committee and Education Department to schedule appropriate trainings • Conduct evaluations of the trainings 	PO Safety Committee John Bowers, Education Liaison Chief Probation Officers	Statewide
03/01/2016 to 11/20/2016	EBP Training <ul style="list-style-type: none"> • Carey Guide and BITS Training (date and location TBD) • EBP Supervisors Training (date and location TBD) 	Grant Director & Chief Probation Officers	TBD
03/01/2016 to 11/20/2016	Restorative Justice Conference (Work Crew Training) <ul style="list-style-type: none"> • Work with Restorative Justice Committee • Find venue and sign contract • Provide on-site organization • Conduct evaluation 	Restorative Justice Committee Education Department Grant Director	TBD
03/01/2016 to 11/20/2016	Supervisor Training <ul style="list-style-type: none"> • Work with Best Practices Committee • Develop Agenda and Training Items • Conduct Evaluation of Training 	Best Practices Committee	Salt Lake

03/01/2016 to 11/20/2016	National Conference Attendance <ul style="list-style-type: none">• Determine conference attendees and most applicable conference	Grant Director and Juvenile Court Administrator	TBD
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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.

<p>Goal: To ensure that probation officers and deputy probation officers have the necessary training in order to comply with policy, effectively implement evidence-based practices, and perform duties in a manner that maintains the safety and the effectiveness of the officers working with the youth, the public, and community partners.</p>	
<p>Project Objective (a) Train all new probation/deputy probation on officer safety. (b) Train existing probation/deputy probation officers on officer safety on an annual basis.</p>	<p>Activities</p> <ul style="list-style-type: none"> • PO Safety Committee Oversight • Conduct PO I, II, and III trainings •
<p>(c) Train all deputy probation officers and managers in work crew on safety issues, polices and effective interventions with youth.</p>	<p>Activities</p> <ul style="list-style-type: none"> • Restorative Justice Committee Oversight • Hold a Restorative Justice Conference

<p>Goal: To ensure juvenile court probation staff and managers have the necessary training to effectively and successfully implement evidence-based programming which incorporate case planning principles. In addition to ensure quality assurance of Utah's Case Planning Model</p>	
<p>Project Objective (a) Provide new and refresher training on implementation of evidence based practices</p>	<p>Activities</p> <ul style="list-style-type: none"> • Chief Probation Officer Oversight • Conduct training on Carey Guides and Brief Intervention Tools
<p>(b) Participate in and attend National Conferences on evidence-based practices and effective leadership</p>	<p>Activities</p> <ul style="list-style-type: none"> • Participate in and attend National Conferences on evidence based practices and effective leadership
<p>(c) Conduct a yearly Supervisor's training</p>	<p>Activities</p> <ul style="list-style-type: none"> • Best Practices Committee Oversight and development of agenda, location, and site location

Section 10: BUDGET MATRIX AND NARRATIVE

Category	Cash Match	Grant Funds	Total
Personnel	\$0	\$0	\$0
Consultant/Contract	\$0	\$17,500	\$17,500
Equipment / Supplies/ Operating	\$0	\$25,000	\$25,000
Travel & Training	\$6,253	\$13,780	\$20,033
Total	\$6,253	\$56,280	\$62,533

FISCAL OFFICER (IMPLEMENTING AGENCY)

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

Milton Margaritas
Budget Officer
450 S. State, P.O. Box 140241
SLC, Ut. 84114-0241
801-578-3863 office phone
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				

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			\$

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
The Carey Group	Carey Guide & BITS Training	TBD	TBD	\$10,500
The Carey Group	Training for Supervisors on EBP	TBD	TBD	\$7,000

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

Carey Guides/BITS Training:

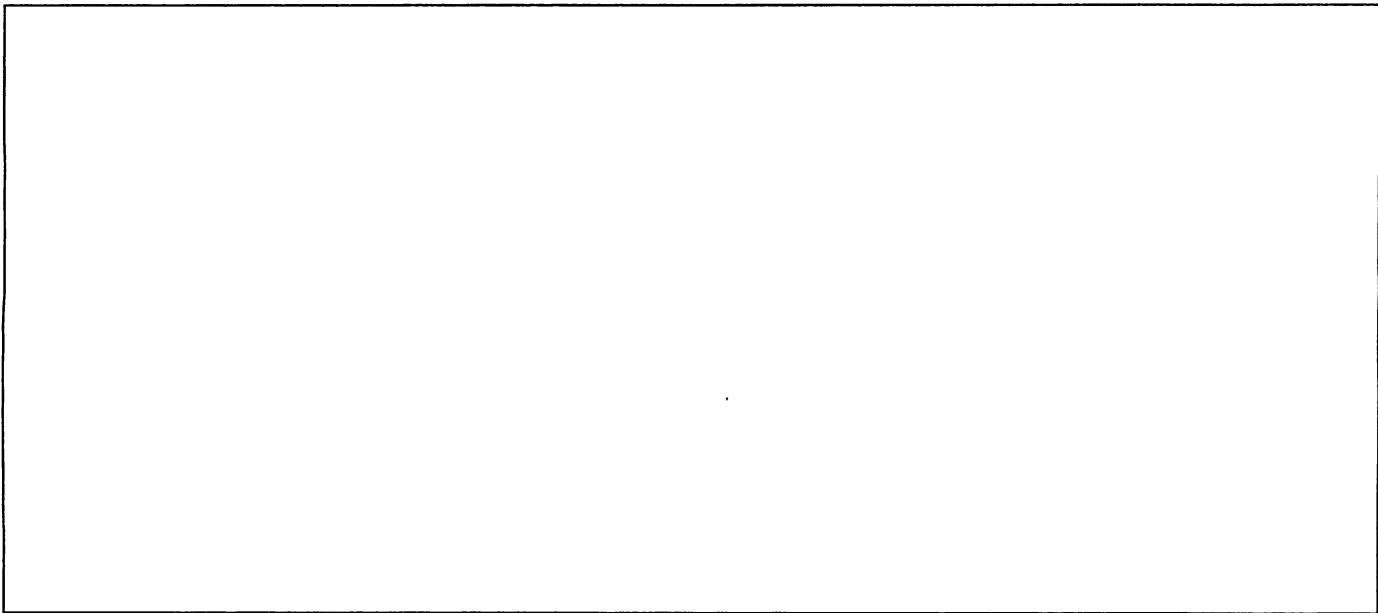
New Carey Guide/BITS Training (2 Day Training)
 Refresher Training on Carey Guides/BITS (Two 1 day trainings)
 \$10,500 including consultant fees and travel costs (See explanation below)

Supervisor Training on EBP
 Training on utilization of Carey Guide BriefCase (2 day Training)
 \$7,000 (See explanation below)

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

Carey Guides/BITS Training: It is anticipated the courts will request The Carey Group to conduct an initial (new) Carey Guide/BITS training and two new refresher trainings to continue to implement and enhance probation officers knowledge of evidence based practices. It is anticipated that these trainings will occur during the same week in order to reduce the amount of travel costs associated thus reducing the overall cost of the training. It is anticipated the consultant cost of this training which includes all travel costs will be approximately \$10,500 which would include one consultant for all four training days. The final details, costs, and logistics have not been worked out and final approval by CCJJ will be requested prior to finalization of any sole source request/contract outlining specific consultant fees.

Supervisor Training on Coaching on EBP: It is anticipated the courts will request The Carey Group to conduct training on the use of the Carey Guide BriefCase which supports implementation on evidence based programming including modeling and coaching skills for supervisors. This is a two day training which is delivered best with two consultants. It is anticipated the consultant costs of this training which includes all travel costs will be approximately \$7,000 which would include one consultant for the two day training. The final details, costs, and logistics have not been worked out and final approval by CCJJ will be requested prior to finalization of any sole source request/contract outlining specific consultant fees.



Grant Funds Requested	Match Provided (if applicable)	Consultants Total
\$17,500	\$0	\$17,500

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	Approximately \$500 per day per room	8 total rental days (cost per day depends upon total # of rooms)*	\$5,000
Telephone			
Non-consultant Contract Help			
a. Bookkeeping/Audit			
b. Maintenance			
c. Other (Specify)			
Auto Lease/Short-Term Rental			
Equipment Lease/Short-Term Rental	Approximately \$500 per day per room	8 days (cost per day depends upon total # of rooms)*	\$5,000
Photocopying			
Printing:			
Grant Management Costs (In-Kind)			
Other (Specify): Carey Guides/BITS, NCTI, and Carey Guide BriefCase and other EBP materials	\$10,000		\$10,000
Other (Specify): PO Safety Training Materials/Supplies	\$5,000		\$5,000
Other (Specify)			

Procurement Method to be Used (cell will expand)

For all of the above purchases all appropriate purchasing guidelines and policies will be followed.

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

***Rent Facilities** – Rental fees are projected at an estimate of \$500.00 per day per conference room utilized and depending on the type of room and number of participants in the conference. Rental room fees are anticipated for the Carey Guide training, Supervisor EBP training, and for the Restorative Justice Conference. It is anticipated the Restorative Justice Conference will utilize more than one conference room per day due to breakout sessions and training needed. It is anticipated that court funds will offset some of the costs for the Restorative Justice Conference.

Equipment Lease- Equipment fees are projected at an estimate of \$500 per day depending upon the type of equipment utilized such as AV equipment, equipment hook-ups, Internet connections, etc. for conference rooms during the Carey Guide training, Supervisor EBP training, and Restorative Justice Conference. It is anticipated that court funds will offset some of the costs for the Restorative Justice Conference.

EBP Materials- This includes costs of additional EBP materials such as the Carey BriefCases which includes EBP booster session modules, a USB drive containing materials and exercises for each of the coaching sessions, EBP skill cards, criminogenic need cards, and a professional development plan. In order to continue to support chiefs and supervisors in the implementation of evidence-based practices it is essential to continue to provide resources and materials to this group to support this effort. Other EBP resources such as NCTI Real Colors Books and other materials that may be needed. Court funds will be utilized to supplement the costs of EBP materials.

PO Safety Supplies: Other (PO Safety Supplies): Includes additional purchases of mats, kick boxes, training materials, in order to continue to ensure each local district has enough PO Safety equipment to support continued efforts of consistent training of staff. In the previous grant funds were expended to purchase some PO Safety supplies but additional funds are needed to support PO Safety implementation in the districts. It is anticipated that each judicial district would be allotted an amount of money to spend to meet the needs of their individual districts.

Grant Funds Requested	Match Provided (if applicable)	"Other" Total
\$25,000	\$0	\$25,000

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	880	.38	\$335
Air, Bus, etc.	Destination	Fare	Total
APPA –National Conference	Cleveland, OH	Approximately \$800 x 2 (Including airfare, taxi, and baggage fees)	\$1,600(cash match)
Lodging	# Days	Rate	Total
Restorative Justice Conference	2 days	Approximately 33 nights rooms needed and are estimated at approximately \$100.00 per night based upon location. This cost will vary per participant based upon State Travel Policy. Not all attendees will need lodging both nights.	\$3,300
PO Safety Facilitator Travel for Training	12 days	Approximately \$100.00 per night based upon location. This cost will vary per participant based upon State Travel Policy	\$1,200
Carey Guide Training & Supervisors EBP Training	6 days	Approximately 43 rooms needed and are estimated at approximately \$100.00 per night based upon location. This cost will vary per participant based upon State Travel Policy. Not all attendees will need lodging.	\$4,300*(partial cash match)
Supervisor Annual Workshop	1 day	Approximately 8 rooms are needed and are estimated at \$100.00 per night based upon location. This cost will vary per participant based upon State Travel Policy. Not all attendees will need lodging.	\$800*
Per Diem	# Days	Per Diem Rate	Total
Restorative Justice Conference Per Diem	2 days	\$40 per day – this cost will vary per participant based upon State Travel Policy	\$1,520*
PO Safety Facilitator Travel for Training-per diem	12 days	\$40 per day – this cost will vary per participant based upon State Travel Policy	\$480
Carey Guide Training & Supervisors EBP per diem	6 days	\$40 per day- this cost will vary per participant based upon State Travel Policy	\$3,100*

Supervisor Annual Workshop	1 day	Approximately 10 attendees would qualify for per diem @ \$40 per day. Costs will vary per participant based upon State Travel Policy	\$400*
Conference Registration	# People	Rate	Total
APPA Conference Registration	2	\$340	\$680(cash match)
APPA Conference Lodging	2	Approximately \$150 x 2 x 4 nights	\$1,200(cash match)
APPA Conference Per diem	2	Approximately \$46 x 2 x 4 days	\$368 (cash match)
Other			Total
APPA Membership			\$750(cash match)

Travel and Training Justification and Narrative

*All travel and training costs for the Restorative Justice Conference (approx. 65 attendees), Carey Guide Training (approx. 120 attendees), Supervisor EBP Training (Approx. 35 attendees) , PO Safety Facilitator Travel (approx. 12 days of lodging needed) , and Supervisor Annual Workshop (approx. 35 attendees) are estimated totals based upon the State Travel policy and per diem guidelines. Based upon the location of the conference and training will determine appropriate lodging and per diem rates for those that qualify according to state per diem and lodging policy, it should be noted that not all attendees will qualify or need lodging. The Restorative Justice Conference will be offset by court funds to minimize the costs to the grants. Additionally, other training events per diem and lodging costs will be offset by court funds as necessary depending upon funding.

It is anticipated that two court managers will attend the APPA conference in August which will be hosted in Cleveland, Ohio. These conference expenditures are based upon the estimated cost of attendance and these costs will be covered by the courts cash match required by the grant. Attendance to this conference will help to support leadership potential within the organization and to identify potential speakers for local statewide and district conferences. In addition, attendance will allow participants to bring back best practice approaches in both evidence based programming and in leadership practices.

Grant Funds Requested	Match Provided (if applicable)	Travel & Training Total
\$13,780	\$6,253	\$20,033

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