

JUDICIAL COUNCIL MEETING

AGENDA

September 11, 2017

Council Room

Matheson Courthouse

450 South State Street

Salt Lake City, Utah 84111

Chief Justice Matthew B. Durrant, Presiding

1. 9:00 a.m. Welcome & Approval of Minutes Chief Justice Matthew B. Durrant
(Tab 1 - Action)
2. 9:05 a.m. Chair's Report. Chief Justice Matthew B. Durrant
3. 9:15 a.m. Administrator's Report. Richard Schwermer
4. 9:25 a.m. Reports: Management Committee. . . . Chief Justice Matthew B. Durrant
Liaison Committee. Justice Thomas Lee
Policy and Planning Judge Derek Pullan
Bar Commission. Rob Rice, esq.
(Information)
5. 9:45 a.m. Request for New Justice Court – Mona Mayor Greg Newton
(Tab 2 - Action) Kasey Wright
Jim Peters
6. 10:05 a.m. Board of Juvenile Court Judges Update. Judge Michelle Heward
(Information) Katie Gregory
7. 10:25 a.m. Court Commissioner Conduct Committee Update . . Michele Christiansen
(Information)
8. 10:45 a.m. Legislative Update and Interim Highlights. Richard Schwermer
(Tab 3 - Information)
9. 11:05 a.m. Amendments to FY 2018 Spending Plan. Richard Schwermer
(Action)
10. 11:25 a.m. Commissioner and Senior Judge Certifications. Nancy Sylvester
(Tab 4 - Action)
11. 11:50 a.m. Commissioner Vacancy Fourth District Judge James Brady
Judge Suchada Bazzelle

12. 12:00 p.m. Executive Session

13. 12:15 p.m. Adjourn

Consent Calendar

The consent items in this section are approved without discussion if no objection has been raised with the Administrative Office of the Courts (Jeni Wood jeniw@utcourts.gov) or with a Judicial Council member by the scheduled Judicial Council meeting or with the Chair of the Council during the scheduled Council meeting.

1. Committee Appointments
(Tab 5)

Geoff Fattah
Brent Johnson
Alyn Lunceford
Nancy Sylvester

Tab 1

JUDICIAL COUNCIL MEETING

Minutes

Friday, August 18, 2017
Large Conference Room A
Matheson Courthouse
Salt Lake City, Utah 84111

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant, Chair
Hon. Kate Toomey, Vice Chair
Justice Thomas Lee
Hon. Marvin Bagley
Hon. Ann Boyden
Hon. Mark DeCaria
Hon. Paul Farr
Hon. Thomas Higbee
Hon. David Marx
Hon. Reed Parkin
Hon. Derek Pullan
Hon. Todd Shaughnessy
Rob Rice, esq.

STAFF PRESENT:

Richard Schwermer
Ray Wahl
Jeni Wood
Jody Gonzales
Jim Peters
Nancy Sylvester

GUESTS:

Hon. Dennis Fuchs
Hon. Kara Pettit
Hon. Randall Skanchy
Noella Sudbury

EXCUSED:

Hon. Mary Noonan

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

Chief Justice Durrant welcomed everyone to the meeting.

Motion: Judge Kate Toomey moved to approve the minutes from the June 26, 2017 meeting. Judge Todd Shaughnessy seconded the motion, and it passed unanimously.

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

Chief Justice Durrant said he had a great experience at the recent CCJ/COSCA conference. Chief Justice Durrant noted that Jody Gonzales will be leaving the courts and thanked Ms. Gonzales for her hard work over the past nine years. Richard Schwermer thanked Ms. Gonzales for her time and dedication to the courts.

3. ADMINISTRATOR'S REPORT: (Richard Schwermer)

Mr. Schwermer reported on the following items:

Operation Rio Grande. Mr. Schwermer briefly discussed this project, and the caseload impact to state and justice courts.

JPEC. Mr. Schwermer reported on Management Committee's review of proposed changes to the JPEC survey instrument.

Chief Information Officer. Mr. Schwermer announced Heidi Anderson is the new Chief Information Officer. Mr. Schwermer noted Ms. Anderson's experience and skills.

November retreat. Mr. Schwermer discussed having a Council all-day retreat on November 20, with the morning being an informal discussion retreat and the afternoon holding the Council meeting. Mr. Schwermer said it would begin at 9:00 a.m. and end around 4:00 p.m.

ICE. Mr. Schwermer reported on discussions with CCJ and Homeland Security regarding detaining people when they appear for court. Mr. Schwermer said Homeland Security said detaining people in courthouses is an effective practice. Mr. Schwermer said the concern is that this practice might result in an increase of defendants failing to appear for court. Judge Shaughnessy noted it is not always defendants that are detained, there have also been witnesses and victims who were detained, including one person seeking a protective order.

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:

The committee met this morning and reported earlier.

Policy and Planning Meeting:

Judge Pullan had nothing new to report.

Bar Commission Report:

Mr. Rice said he is looking forward to being on the Council. Mr. Rice said the Bar Convention was a success and he appreciated having judges in attendance.

5. APPLICATION FOR INITIAL PROJECT PLANNING APPROVAL FOR PROPOSED PROBLEM SOLVING COURT PROJECT: (Hon. Dennis Fuchs and Noella Sudbury)

Chief Justice Durrant welcomed Judge Fuchs to the meeting. Judge Fuchs explained that Salt Lake County is requesting another drug court in Salt Lake. Judge Fuchs said they are striving for a 7-10 day turnaround with early screening, additional treatment personnel, and additional treatment slots for both inpatient and outpatient.

Judge Fuchs introduced Noella Sudbury, who works for Salt Lake County. Ms. Sudbury thanked the Council for their time. Ms. Sudbury said the Legislature agreed to provide funding. Judge Randall Skanchy noted this had been discussed and agreed to at their bench meeting. Judge Fuchs said screening will be taking place in jails for mental health courts as well. Ms. Sudbury noted some of the funds currently being used are coming from the JRI grant. Mr. Schwermer explained the Council's role in this process.

Judge Fuchs and Ms. Sudbury were thanked for their time.

Motion: Judge Shaughnessy moved to accept the proposal as explained. Judge Toomey seconded the motion, and it passed unanimously.

6. NOTICE OF INTENT TO DISSOLVE A JUSTICE COURT: (Jim Peters)

Chief Justice Durrant welcomed Jim Peters to the meeting. Mr. Peters said he is seeking the Council's approval to dissolve Lewiston Justice Court. Mr. Peters provided the Council with

the Notice of Intent as well as the proposed Resolution with the effective date of January 23, 2018. The Council briefly discussed the transferring of the caseload as well as the current judge's retirement date. They also discussed the possibility of having a senior judge hold court after the current judge retires at the age of 75 in February. The committee agreed that April 1 should be the effective date to give time to provide public notice.

Jim Peters was thanked for his time.

Motion: Judge Higbee moved to accept the dissolution of Lewiston Justice Court effective April 1, 2018 subject to legislative approval. Judge Toomey seconded the motion, and it passed unanimously.

7. COMMISSIONER AND SENIOR JUDGE CERTIFICATIONS: (Nancy Sylvester)
Ms. Sylvester discussed the senior judge certifications.

An executive session was requested.

8. NEW JUSTICE COURT JUDGE CERTIFICATIONS: (Jim Peters)
Mr. Peters provided the Council with Judge Bryan Memmott's information. Judge Memmott, if approved, would be a part-time judge for the Plain City Justice Court and will continue his private civil practice.

Motion: Judge Farr moved to certify Judge Bryan Memmott. Judge Parkin seconded the motion, and it passed unanimously.

9. EXECUTIVE SESSION

Motion: Judge Toomey moved to go into executive session. Judge Shaughnessy seconded the motion, and it passed unanimously.

An executive session was held.

After an executive session was held, the Council went back on the record.

Motion: Judge Toomey moved to reappoint Commissioner Michelle R. Blomquist, Commissioner Thomas R. Patton, senior judges Judge Dennis Frederick (inactive senior judge), and Judge Floyd Gowans (inactive senior judge), and to approve Judge Scott Hadley as an active senior judge. Judge DeCaria seconded the motion, and it passed unanimously.

The committee discussed changing next year's budget & planning session from one-day to one and a half days. The general consensus was to keep the meeting with one-day to accommodate long-distance travelers.

10. ADJOURN
The meeting was adjourned.

JUDICIAL COUNCIL
Budget and Planning Session
Minutes
Friday, August 18, 2017
Large Conference Room A
Matheson Courthouse
Salt Lake City, UT

Chief Justice Matthew B. Durrant, Presiding

ATTENDEES:

Chief Justice Matthew B. Durrant, Chair
Hon. Kate Toomey, Vice Chair
Justice Thomas Lee
Hon. Marvin Bagley
Hon. Ann Boyden
Hon. Mark DeCaria
Hon. Paul Farr
Hon. Thomas Higbee
Hon. David Marx
Hon. Reed Parkin
Hon. Derek Pullan
Hon. Todd Shaughnessy
Rob Rice, esq.

EXCUSED:

Hon. Mary Noonan

STAFF PRESENT:

Richard Schwermer
Ray Wahl
Jeni Wood
Jody Gonzales
Karolina Abuzyarova
Holly Albrecht
Kim Allard
Shane Bahr
John Bell
Alyn Lunceford
Heather MacKenzie-Campbell
Jim Peters
Dawn Marie Rubio
Tucker Samuelson
Nancy Sylvester

GUESTS:

Judge James Brady
Judge David Connor
Phil Dean, GOMB
Alisha Johnson
Ken Matthews, GOMB
Judge David Mortensen
Judge Kara Pettit
Nathanael Player
Judge Randall Skanchy
Peyton Smith
Gary Syphus, LFA
David Walsh, CCJJ
Michelle Wilkes

1. WELCOME: (Chief Justice Matthew B. Durrant)

Chief Justice Durrant welcomed everyone to the meeting. Chief Justice Durrant administered the oath of Rob Rice who replaced John Lund as the Utah State Bar representative on the Judicial Council.

2. GOVERNOR'S OFFICE OF MANAGEMENT AND BUDGET ECONOMIC PRESENTATION: (Phil Dean)

Chief Justice Durrant welcomed Phil Dean, Budget Director and Chief Economist from the Governor's Office of Management and Budget to the meeting. Mr. Dean presented demographic statistics for the state of Utah. Mr. Dean highlighted the components of Utah's economy, including population, employment, and educational components. Mr. Dean noted the state of Utah will end the fiscal year with a surplus. Mr. Dean stated tax reform will be a big issue with the Legislature this year.

Chief Justice Durrant thanked Mr. Dean for his update.

3. OVERVIEW OF BUDGET PLANNING SESSION: (Richard Schwermer)

Mr. Schwermer asked the committee to consider changing future budget meetings from one day to one and a half days. Mr. Schwermer stated this theoretically could start Thursday afternoon and continue for a full day on Friday. Mr. Schwermer said this meeting is important so the Council has an opportunity to hear from Boards and administrators. Mr. Schwermer briefly discussed the executive budget committee's role. Mr. Schwermer explained this is the meeting to hear requests and have a thorough conversation and understanding by the Council. Mr. Schwermer said the reason for extensive discussion is so that when the request is presented to the Legislature, he and others can explain why the courts need and have prioritized these requests. Mr. Schwermer stated there is a proposed housekeeping bill from the Liaison Committee meeting that held this morning that will be addressed, later in the day.

Chief Justice Durrant thanked Mr. Schwermer for his update.

4. FISCAL TRENDS AND RESTRICTED FUNDS REPORTS: (John Bell)

Chief Justice Durrant welcomed John Bell to the meeting. Mr. Bell highlighted the FY 2019 annual budget plan. Mr. Bell presented the fiscal data and trends; COLA and benefit increases since 2007; Children's Legal Defense Fund (CLDF); Alternative Dispute Resolution (ADR); court complex fund; actual/projected complex revenue and expenditures; law library non-lapsing dedicated credit fund; security fee; court's traffic caseload over time; justice court technology, security, and training account; trust interest account; trust interest GFR account expenses to revenue overtime comparison; building block summary; and the district board report. Mr. Schwermer noted this year the courts' pass-through for funding for security is down almost 11%. Mr. Schwermer stated sheriff's have a statutory responsibility to provide court security. Judge Todd Shaughnessy posed a potential scenario where the sheriffs would cut FTE deputies to compensate for the deficit. Mr. Schwermer said conversations are held on a continual basis with the sheriffs. Judge Boyden asked if the statute requires a certain number of deputies. Mr. Schwermer stated the statute does not require a certain amount. Ray Wahl noted there have been discussions on efficiencies with the sheriffs in covering security for the courts.

Chief Justice Durrant thanked Mr. Bell for his presentation.

5. CASELOAD DATA PRESENTATION OVERVIEW: (Kim Allard)

Chief Justice Durrant welcomed Kim Allard to the meeting. Ms. Allard initially discussed Supreme Court case filings; Court of Appeals case filings; district court case filings, justice court filings, and juvenile court referrals. Ms. Allard highlighted district court weighted hours and noted the weighted caseload is based on a new formula. Ms. Allard detailed the juvenile court weighted caseloads.

Chief Justice Durrant thanked Ms. Allard for her presentation.

**6. REPORTS AND BUDGET REQUESTS FROM BOARDS AND COMMITTEES
Board of District Court Judges: (Judge Randall Skanchy, Shane Bahr)**

Chief Justice Durrant welcomed Judge Skanchy to the meeting. Judge Skanchy addressed case filings in the Third District Court. Judge Skanchy stated there are currently 28 assigned judges in the Third District with over 4,000 cases per judge per year. Judge Skanchy noted additional statistics for the Third District Court. Judge Skanchy discussed the weighted caseloads between the districts. Judge Skanchy stated with an additional four judicial officers the weighted caseload would decrease to 110%.

The Board of District Court Judges has the following budget requests: 1) funding of four judicial officers and 8 staff for the Third District (\$1,780,000).

Shane Bahr next discussed the request for attorney law clerks. Mr. Bahr said the district courts are requesting five FTE attorney law clerks, three for the Fourth District and two ongoing positions for existing positions paid with one-time money (\$481,250).

Chief Justice Durrant thanked Judge Skanchy for his presentation.

Technology Standing Committee: (Ray Wahl)

Justice Pearce asked Mr. Wahl to present the budget requests as he was out of the office.

The Technology Standing Committee has the following budget requests: 1) implement a 5-year computer replacement schedule (\$250,000 ongoing funds); 2) upgrade 5-year old Salt Lake server (\$350,000 one-time funds); 3) upgrade VOIP/Wifi (\$75,000 one-time funds); and 4) implement courtroom audio/visual replacement schedule (\$525,000 ongoing funds and 1 FTE).

Mr. Wahl was asked to research the DTS standard to replace servers.

Chief Justice Durrant thanked Mr. Wahl for his presentation.

System Wide Request: (Judge David Connors, Judge Brady, Nancy Sylvester, and Ray Wahl)

The following system-wide budget requests have been made:

- Guardianship Reporting and Monitoring Program (\$183,700 ongoing funds, 2 FTE's)
- Replace appropriation from the Court Complex Restricted Account in the Main Line Item with Ongoing General Funds (\$313,400 ongoing general funds)
- District Court Program Administrator (\$24,200 ongoing funds, .25 FTE)

- Justice Court Administrator (\$75,000 ongoing, .5 FTE)

Chief Justice Durrant thanked Judge David Connors, Judge Brady, Nancy Sylvester, and Ray Wahl for their presentation.

Court Facilities Planning Committee: (Judge David Mortensen and Alyn Lunceford)

Chief Justice Durrant welcomed Judge Mortensen and Alyn Lunceford to the meeting.

Alyn Lunceford addressed the requests. Mr. Lunceford discussed the need for a new facility in Manti. Mr. Lunceford noted the request for the Manti facility is the highest priority on the 10-year master plan. Mr. Lunceford would like this request to be considered a Judicial Council priority. Mr. Lunceford next discussed funding for the expansion of the Wasatch County Court. This would allow an additional courtroom in Heber. Currently there is only one courtroom that is shared by both the district and juvenile courts. Mr. Lunceford noted Wasatch County has agreed to bond for these funds contingent on a commitment letter from the Court Administrator. Construction would begin the summer of 2018. The courts are tenants in the current and proposed space.

The Court Facilities Planning Committee has the following requests: 1) lease (\$2,927 ongoing funds for lease increases); and 2) Wasatch County Justice Center Expansion (\$200,000 ongoing funds).

Chief Justice Durrant thanked Judge Mortensen and Alyn Lunceford for their presentation.

7. STATE COURT ADMINISTRATOR'S REVIEW AND RECOMMENDATIONS

Mr. Schwermer reviewed the FY 2018 budget requests, totaling \$5,270,077, with the following recommendations:

Increase in Third District Judicial Staff. (\$1,780,000, 12 FTE's) Mr. Schwermer recommended this request be deferred. Mr. Schwermer further noted at that time this should be the Council's first priority for judicial resources.

Law Clerks. (\$481,250, 5 FTE's) Mr. Schwermer clarified these are not court clerks, these are attorney law clerks. Mr. Schwermer recommended that the three Fourth District FTE law clerk positions be advanced as a building block.

Computer Replacement Schedule. (\$250,000) This has historically been addressed with one-time funding. Mr. Schwermer recommended this request be deferred until April, 2018.

Courtroom A/V Replacement. (\$525,000, 1 FTE) Mr. Schwermer recommended this request be referred to the Technology Standing Committee and deferred until April, 2018.

Replace Main Server. (\$350,000 one-time) Mr. Schwermer recommended advancement for funding of this request with one-time funds.

Upgrade Courthouse Wifi Statewide, and VOIP Upgrade. (\$75,000 one-time) Mr. Schwermer recommended to defer this issue until April, 2018.

Replace Main Line Item Court Complex Fund. (\$313,400) Mr. Schwermer noted this was the Council's highest priority last year and should be again. Mr. Schwermer recommended this request be an obligation or building block.

Guardianship Reporting and Monitoring Program. (\$183,700, 2 FTE's) Mr. Schwermer believes this request should get high priority. Mr. Schwermer noted if the Legislature is unwilling to fund this program then the courts should accept the Legislature's direction and abandon the program. Mr. Schwermer recommended taking this to the Legislature once more and advancing as a building block.

District Court Program Administrator. (\$24,000, .25 FTE) Mr. Schwermer noted the request of budgeting ongoing personnel with one-time money is not an area that needs to be addressed with the Legislature. Mr. Schwermer recommends to not advance this and instead to continue funding with one-time funds for now.

Justice Court Administrator. (\$75,000, .5 FTE) Mr. Schwermer noted the request of budgeting ongoing personnel with one-time money is not an area that needs to be addressed with the Legislature. Mr. Schwermer recommends to not advance this and instead continue funding with one-time funds for now.

Lease Contract Increases. (\$2,927) Mr. Schwermer stated this is a small request and covered addressed existing resources. Mr. Schwermer recommended this request not be advanced and to instead use existing funds.

Wasatch County Justice Center Expansion. (\$200,000) Mr. Schwermer stated this request has not met the threshold as an urgent need at this time. The scheduling conflicts occur occasionally and the justice court is located in the same building and can be utilized with notice. Mr. Schwermer recommended this request not be advanced.

Juror/Witness/Interpreter Supplemental. (\$1,009,600 one-time) Mr. Schwermer noted this cost has already been incurred; therefore the request needs to be advanced.

8. BUILDING BLOCK DISCUSSION AND JUDICIAL COUNCIL DECISIONS ON PROPOSED FY 2018 LEGISLATIVE REQUESTS

Mr. Wahl explained the process for assigning and prioritizing the building blocks.

He reviewed the budget categories to be considered when prioritizing the budget requests to include: 1) obligations, 2) deferral or alternative funding, 3) elimination, 4) building blocks, 5) supplemental, and 6) fiscal note building blocks.

Categorization of Each Request:

Increase in Third District Judicial Staff:	alternate funding
Law Clerks:	appropriation building block with the funding changed from five law clerks to the three law clerks requested for the Fourth District Court. Adjust the new funding request to \$288,750, which would leave the remaining \$199,500 to be deferred.
Computer Replacement Schedule:	defer until April, 2018
Courtroom A/V Replacement:	defer and refer to Standing Committee
Upgrade IT Server:	building block
Upgrade Courthouse Wifi Statewide, and VOIP Upgrade:	defer
Replace Main Line Item Court Complex Fund:	obligation
Guardianship Reporting and Monitoring Program:	building block

District Court Program Administrator: defer
Justice Court Administrator: defer
Lease Contract Increases: eliminate
Wasatch County Justice Center Expansion: eliminate
Juror/Witness/Interpreter Supplemental: supplemental

Motion: Judge Paul Farr moved to place increase in Third District judicial staff in alternative funding. Justice Tom Lee seconded the motion. The motion passed unanimously.

The Committee agreed to the placement of the remaining items.

After further discussion, the Committee opted out of written ballots for voting to prioritize the items listed in appropriated building blocks, which are: 1) Law clerks; 2) Upgrade IT server; and 3) Guardianship.

Judge Toomey moved to prioritize as listed below. Justice Lee seconded the motion. The motion passed unanimously.

- 1) Upgrade IT server;
- 2) Law clerks; and
- 3) Guardianship.

9. PROPOSED LEGISLATION

Mr. Schwermer reported that the Liaison Committee met prior to the Budget and Planning Session, and they considered several matters. Mr. Schwermer highlighted the draft Judiciary Amendments proposal. The Council discussed several provisions, including a proposed amendment to the wrongful denial of a writ provision.

Motion: Judge Higbee moved to approve the draft Judiciary Amendments bill. Judge Shaughnessy seconded the motion, and it passed with Judge Pullan voting no.

Motion: Judge Bagley moved the Manti facility be advanced as a priority for the Council. Judge Higbee seconded the motion. The motion passed unanimously.

10. ADJOURN

The meeting was adjourned.

Tab 2

HANSEN WRIGHT

ATTORNEYS

233 South Pleasant Grove Blvd., Suite 202
Pleasant Grove, Utah 84062
Telephone: (801) 443-2380
Facsimile: (801) 796-0984
hansenwright.com

JAMES TUCKER HANSEN
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MARK D. EDDY
BRIAN K. HAWS

LARAMIE D. MERRITT
TIMOTHY G. MERRILL
CHERYLYN M. EGNER
OF COUNSEL: M. REED ADAMS

July 27, 2017

Board of Justice Court Judges
P.O. Box 140241
Salt Lake City, Utah 84114-0241
Email: jamesp@utcourts.gov

Re: *Mona City Justice Court*

Dear Board Members:

I represent Mona City and am writing this as a cover letter to Mona City's Application for a justice court. Mona is a rural community with an approximate population of 2,200 located in the I-15 corridor 33 miles south of Provo, Utah. Mona's need for a justice court has been increasing over the past several years as its population is growing rapidly. The latest statistics indicate that Mona has a growth rate of 4.2%. As the population of Mona increases, there are more Mona residents who are involved in the justice system for both criminal and civil matters. Currently, the closest justice court is the Juab County Justice Court, which is located seven miles away in Nephi. This means that every time there is a Mona City court issue, whether it be a civil case for the collection of City utility fees or a criminal dog bite case, Mona employees and residents are having to travel to Nephi for court matters. The more the population of Mona increases the more burden this travel distance puts on Mona City and residents. Additionally, there is no public transportation between Mona and Nephi, so it is difficult for Mona residents who don't have access to a vehicle to appear at court proceedings or have face-to-face interaction with the court or its clerks. A justice court in Mona will enhance the access that its residents have to the judicial system.

In addition to the convenience and access advantages, Mona's having a justice court will allow the justice system to deal with issues that are unique to Mona. While Nephi and Mona are both rural communities, Mona has many ordinances and policies that differ from Nephi's ordinances. A justice court in Mona will allow the justice system (prosecutor, court clerks, etc.) to be more tailored to the specific needs and circumstances of Mona.

The above are just a few of the reasons why Mona is in need of its own justice court. Mona wants to serve its residents the best it can and believes its own justice court is critical in that endeavor. Also, Mona is committed to providing the resources necessary for a justice court

to operate properly. It just completed a new City building that includes areas specifically designed to house a justice court.

Mona is ready and desires to open its justice court as soon as possible. As mentioned above, it already has the facility to house the court. Furthermore, Mona has the resources in place to begin operation quickly. Accordingly, Mona requests that the one year waiting period for opening a court be waived and that it be authorized to open its justice court as soon as possible.

Feel free to give me a call if you have any questions. Thank you for your consideration.

Sincerely,

HANSEN WRIGHT

/s/ Kasey L. Wright

KASEY L. WRIGHT
Attorney at Law

APPLICATION FOR NEW JUSTICE COURT

Name of Entity: Mona City

Proposed Court Location: 22 West Center Street, Mona, Utah 84645

Anticipated Level of the Court (Circle one):

I II III IV

Anticipated average case filings per month: 0 to 60

Please attach a map which shows the boundaries of the proposed Court's jurisdiction. (The map should also show all Courts which are located within 25 miles of the location of the Court).

State the population within the jurisdiction of the proposed court according to the most recent figures. 2,100

List all law enforcement agencies which will be regularly involved in law enforcement within the jurisdiction of the proposed court.

Utah Highway Patrol, 425 West Sheep Lane, Nephi, Utah 84648; (435) 623-1018

Juab County Sheriff's Department, 425 Sheep Lane, Nephi, Utah 84648; (435) 623-1349

If the applicant has a law enforcement department, state the number of sworn law enforcement officers within the department.

Mona City does not currently have its own law enforcement department.

If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services to the proposed Court.

Juab County Sheriff's Department, 425 Sheep Lane, Nephi, Utah 84648; (435) 623-1349

List all existing Justice Courts within 25 miles of the proposed Court:

Name of Existing Court	Address	Miles from Location of Proposed Court
Juab County Justice Court	146 North Main Nephi, Utah 84648	7.4
Nephi City Justice Court	42 East 200 North Nephi, Utah 84648	7.4
Genola Justice Court	275 West Main Santaquin, Utah 84655	14.2
Goshen Justice Court	275 West Main Santaquin, Utah 84655	14.2

Santaquin Justice Court	275 West Main Santaquin, Utah 84655	14.2
Payson Justice Court	439 West Utah Avenue Payson, Utah 84651	20.1
Levan City Justice Court	P.O. Box 40 Levan, Utah 84639	20.6

For each Court listed above, list the average number of cases filed each month during the most recent calendar year which would have been filed in the proposed Court, had the proposed Court been in operation.


Approximately 30 cases in Juab County Justice Court.

If waiver or extension of any requirement is requested, please specify each requirement and indicate factors which demonstrate a need for the waiver or extension. For any requested extension, please include the time requested. For each requested waiver, please indicate whether or not this application is conditioned upon receiving a waiver. Remember, those items which are statutory are **not waivable** (Numbers 1-17).

Mona City requests that the requirement of not being located within 25 miles of another justice court be waived.

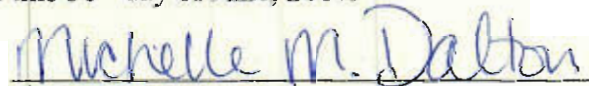
I am familiar with the minimum operational standards for a Justice Court. Enclosed please find a written opinion from our attorney, Kasey L. Wright, advising the undersigned entity of all requirements for the creation and operation of a Justice Court, and the feasibility of this entity maintaining a Justice Court. Also, please find enclosed a resolution requesting certification for a new Court which resolution affirms that the undersigned entity is willing to meet all requirements for certification (except when the application is conditioned upon receiving a waiver) during the initial term of the proposed Court.

DATED this 30th day of June, 2017.



GREG NEWTON
Mona City Mayor

SUBSCRIBED AND SWORN to before me this 30th day of June, 2017.



NOTARY PUBLIC

Residing at: 236 S. 100 E.
Mona, Ut. 84645

My Commission Expires:

12-15-2020



NOTE: Please find attached the Application for Certification. After a Court is approved and before the Court begins to operate, it will be necessary for the governing body of the entity which has requested certification to fill out the application and forward it to James M. Peters, staff to the Board of Justice Court Judges, at P.O. Box 140241, Salt Lake City, Utah 84114-0241 or jamesp@utcourts.gov.

COURT CERTIFICATION AFFIDAVIT

Proposed Court Location: Mona City

Applicant: Mona City

Address: 50 West Center Street, Mona, Utah 84645

Telephone: (435) 623-4320

Level of Court (Circle one): 1 II III IV

Case Filings Per Month: 0 to 60

Daily Court Hours: 1:00 p.m. to 5:00 p.m.

Number of Full-time Clerks: 0

Hours Worked Per Week Per Clerk: N/A

Number of Part-time Clerks: 1

Hours Worked Per Week Per Clerk: 20

This form is divided into two parts. Section I contains those requirements that are statutory and are not waivable. Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived pursuant to the procedure set forth in the instructions to applicant included with the application for certification.

Comes now Greg Newton, for Mona City, and except as specifically noted below, certifies as follows:

SECTION I

THE FOLLOWING ITEMS ARE STATUTORY AND CANNOT BE WAIVED. CERTIFICATION WILL NOT BE GRANTED UNLESS EACH REQUIREMENT IS MET.

Please indicate Yes or No to each of the following:

1. Arrangements have been made so that all official court business will be conducted in a public facility. Yes
2. Court is open daily. Yes
3. The hours of court operation will be posted conspicuously. Yes
4. The judge and the clerk will be required to attend court at regularly scheduled times based on the level of the court. Yes
5. The judge will be compensated at a fixed rate, within the statutory range. Yes
6. The responsible governmental entity will provide and compensate sufficient clerical personnel necessary to conduct the business of the court. Yes
7. The responsible governmental entity will assume the expenses of the travel of the judge for purposes of required judicial education. Yes
8. The responsible governmental entity will assume the expenses of the travel of each clerk for the purposes of attending training sessions conducted by the Judicial Council. Yes
9. The responsible governmental entity will provide the Court with:
 - a. Sufficient prosecutorial support Yes
 - b. Funding for attorneys for indigent defendants, as appropriate Yes
 - c. Sufficient local law enforcement officers to attend court as provided by statute Yes
 - d. Security for the court as provided by statute Yes
 - e. Witness and juror fees Yes
 - f. Copies of the motor vehicle laws of the State of Utah, appropriate copies of the Utah Code, the Justice Court Manual, state laws affecting local governments, local ordinances and other necessary legal reference materials Yes
10. Procedures have been adopted to insure that fines, surcharges and assessments which are payable to the state will be forwarded as required by law. Yes

11. Court will be held within the jurisdiction of the court, except as provided by law (78A-7-212). Yes
12. All required reports and audits will be filed as required by law or Rule of the Judicial Council. Yes
13. A verbatim record of all court proceedings will be maintained by an appropriate audio recording system. Yes

SECTION II

Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived or an extension granted pursuant to the procedure set forth in the instructions to applicant included with this application for certification.


Please indicate YES or NO to each of the following:

1. Arrangements have been made so that court will be open each day as appropriate for the classification of the court. Yes
2. Arrangements have been made so that the judge will be available to attend court and to conduct court business as needed. Yes
3. Minimum furnishings in the courtroom have been provided, including:
 - a. Desk and chair for the judge Yes
 - b. A six inch riser Yes
 - c. Desk and chair for the court clerk Yes
 - d. Chairs for witnesses Yes
 - e. Separate tables and appropriate chairs for plaintiffs and defendants Yes
 - f. A Utah State flag Yes
 - g. A United States flag Yes
 - h. A separate area and chairs for at least four jurors Yes
 - i. A separate area with appropriate setting for the public Yes
 - j. An appropriate room for jury deliberations Yes
 - k. An appropriate area or room for victims and witnesses which is separate from the public Yes
 - l. A judicial robe Yes
 - m. A gavel Yes
 - n. Current bail schedules Yes
 - o. A copy of the Code of Judicial Administration Yes
 - p. Necessary forms and supplies Yes

- q. Office space for the judge Yes
- r. Office space for the court clerk Yes
- s. Secure filing cabinets Yes
- t. Appropriate office supplies Yes
- u. A cash register or secured cash box Yes
- v. At least one computer with internet access Yes
- w. Access to a copy machine Yes
- 4. The appropriate number of clerks will be provided as required by the classification of the court, and will be present during the time court is open each day and as needed during court sessions. Yes
- 5. Does the applicant have the law enforcement department: No
- 6. If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services for the applicant: Juab County Sheriff's Department
- 7. A security plan will be submitted consistent with C.J.A. Rule 3-414. Yes
- 8. The court has the ability to electronically report to the Driver License Division, the Bureau of Criminal Identification and the Administrative Office of the Courts as required. Yes
- 9. I am familiar with the minimum operational standards for this court, and except as noted below, those standards are currently in place and available to the court. Yes

Any exceptions to the above are specifically set forth as follows:

DATED this 30th day of June, 2017.


GREG NEWTON
Mona City Mayor

SUBSCRIBED AND SWORN to before me this 30th day of June, 2017 by

_____.

Michelle M. Dalton
NOTARY PUBLIC

My Commission Expires:

12-15-2020



June 30, 2017

Mayor Greg Newton
Mona City Council
50 West Center Street
Mona, Utah 84645

Re: *Requirements for Justice Court.*

Dear Mayor & Council:

As part of the process of certifying Mona's Justice Court, I am required to provide you with this letter outlining the requirements for the City to implement its justice court. The following outlines the requirements that must be satisfied to have a justice court:

1. All official court business shall be conducted in a courtroom or an office located in a public facility which is conducive and appropriate to the administration of justice (Utah Code Ann. §78A-7-213).
2. The court shall be opened and judicial business shall be transacted every day as provided by law (Utah Code Ann. §78A-7-213), although the judge is not required to be present during all hours that the court is open. Specifically, the justice court shall be opened for at least one hour each day that the court is required to be open as provided by law. Additional hours of operation are specified in C.J.A. Rule 9-105.
3. The hours that the court will be open shall be posted conspicuously at the court and in local public buildings (Utah Code Ann. §78A-7-213).
4. The judge and the clerk of the court shall attend the court at regularly scheduled times (Utah Code Ann. §78A-7-213).
5. Mona shall provide and compensate a judge and clerical personnel to conduct the business of the court (Utah Code Ann. §78A-7-206 and §78A-7-207).
6. Mona shall assume the expenses of travel, meals, and lodging for the judge of that court to attend required judicial education and training (Utah Code Ann. §78A-7-205).
7. Mona shall assume the cost of travel and training expenses of clerical personnel at training sessions conducted by the Judicial Council (Utah Code Ann. §78A-7-103).
8. Mona shall **provide a sufficient** public prosecutor to attend the court and perform **the duties of prosecution** (Utah Code Ann. §78A-7-103).

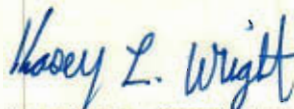
9. Mona shall provide adequate funding for attorneys where persons are indigent as provided by law (Utah Code Ann. §78A-7-103).
10. Mona shall provide sufficient local law enforcement officers to attend court when required and provide security for the court (Utah Code Ann. §78A-7-103).
11. Witnesses and jury fees as required by law shall be paid by Mona (Utah Code Ann. §10-7-76 and Utah Code Ann. §17-50-319).
12. Any fine, surcharge, or assessment received by the Mona justice court which is payable to the State shall be forwarded to the State as required by law (Utah Code Ann. §78A-7-120 and Utah Code Ann. § 78A-7-121).
13. Levan shall pay the judge of its justice court a fixed compensation, within the range provided by statute (Utah Code Ann. §78A-7-206).
14. Court shall be held within the jurisdiction of the court, except as provided by law (Utah Code Ann. §78A-7-212).
15. Mona shall provide and keep current for the court a copy of the Utah Code, the Justice Court Manual, state laws affecting local governments, Utah Court Rules Annotated, local ordinances, and other necessary legal reference material (Utah Code Ann. §78A-7-103).
16. All required reports and audits shall be filed as required by law or by rule of the Judicial Council pursuant to Section Utah Code Ann. §78A-7-215.
17. Mona justice court shall use a common case management system and disposition reporting system as specified by the Judicial Council (Utah Code Ann. §78A-7-213).

Mayor & City Council
Re: *Requirements for Justice Court*
June 27, 2017
Page 2

After reviewing the applicable portions of Utah Code Ann. Regarding justice court, my opinion is that Levan Town's justice court certification should be renewed. If you have questions, feel free to contact me.

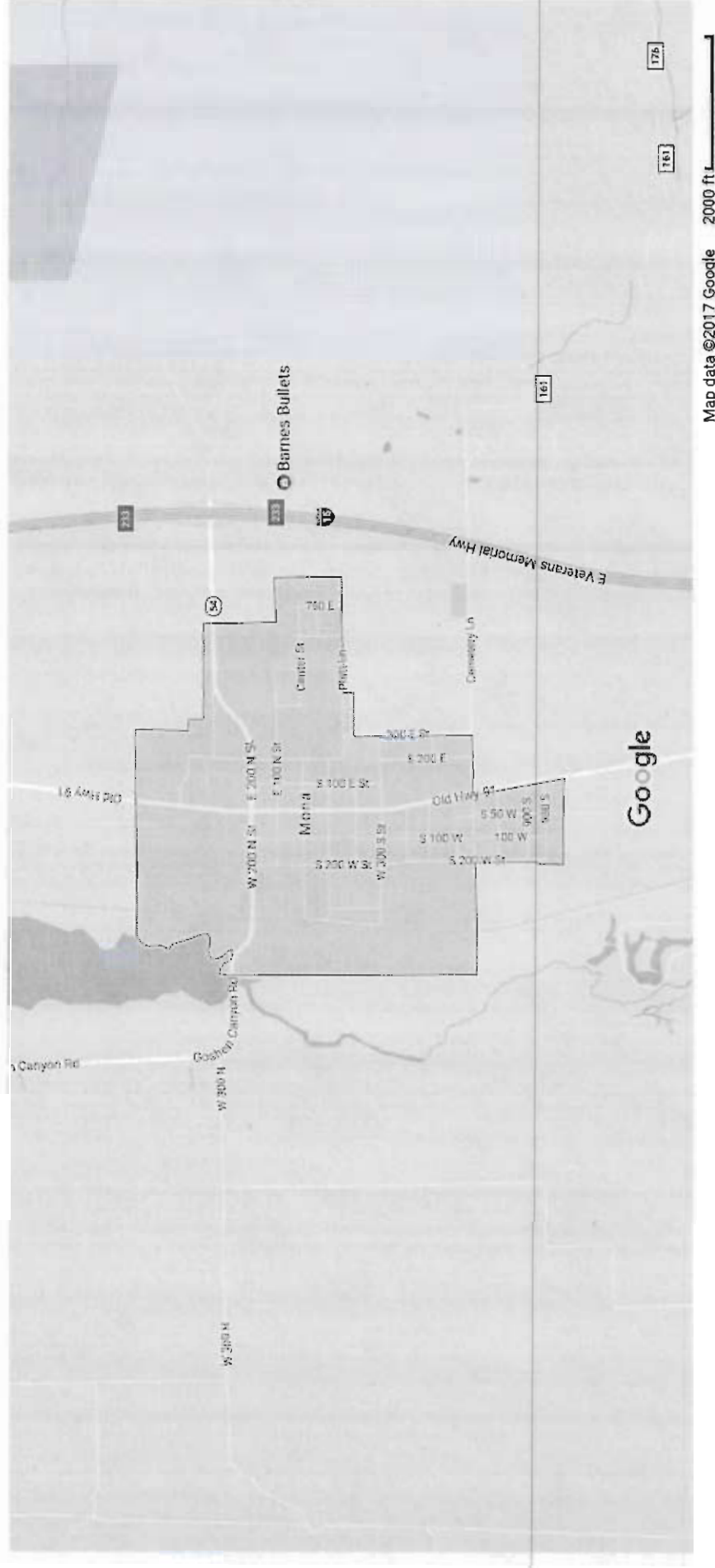
Sincerely,

HANSEN WRIGHT

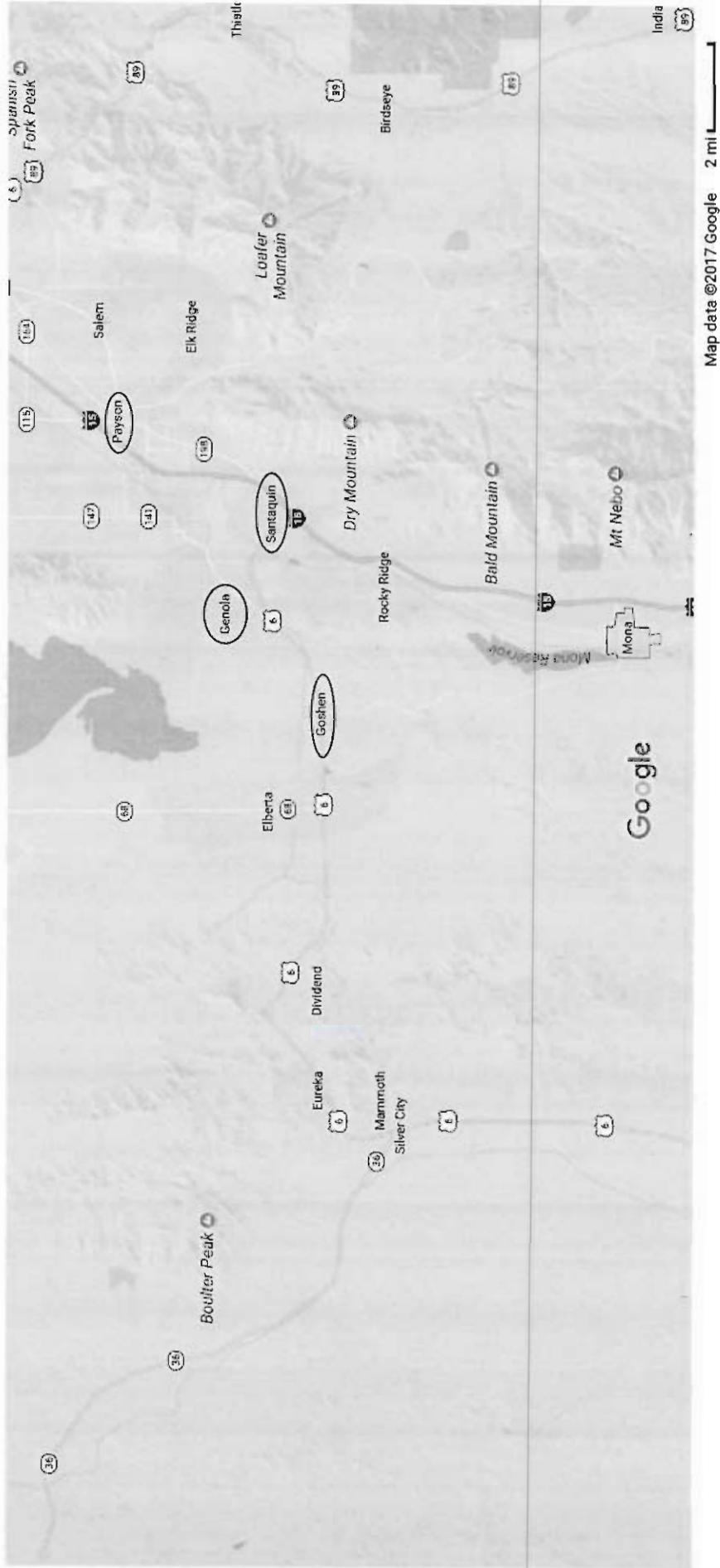


KASEY L. WRIGHT
Attorney at Law

YES

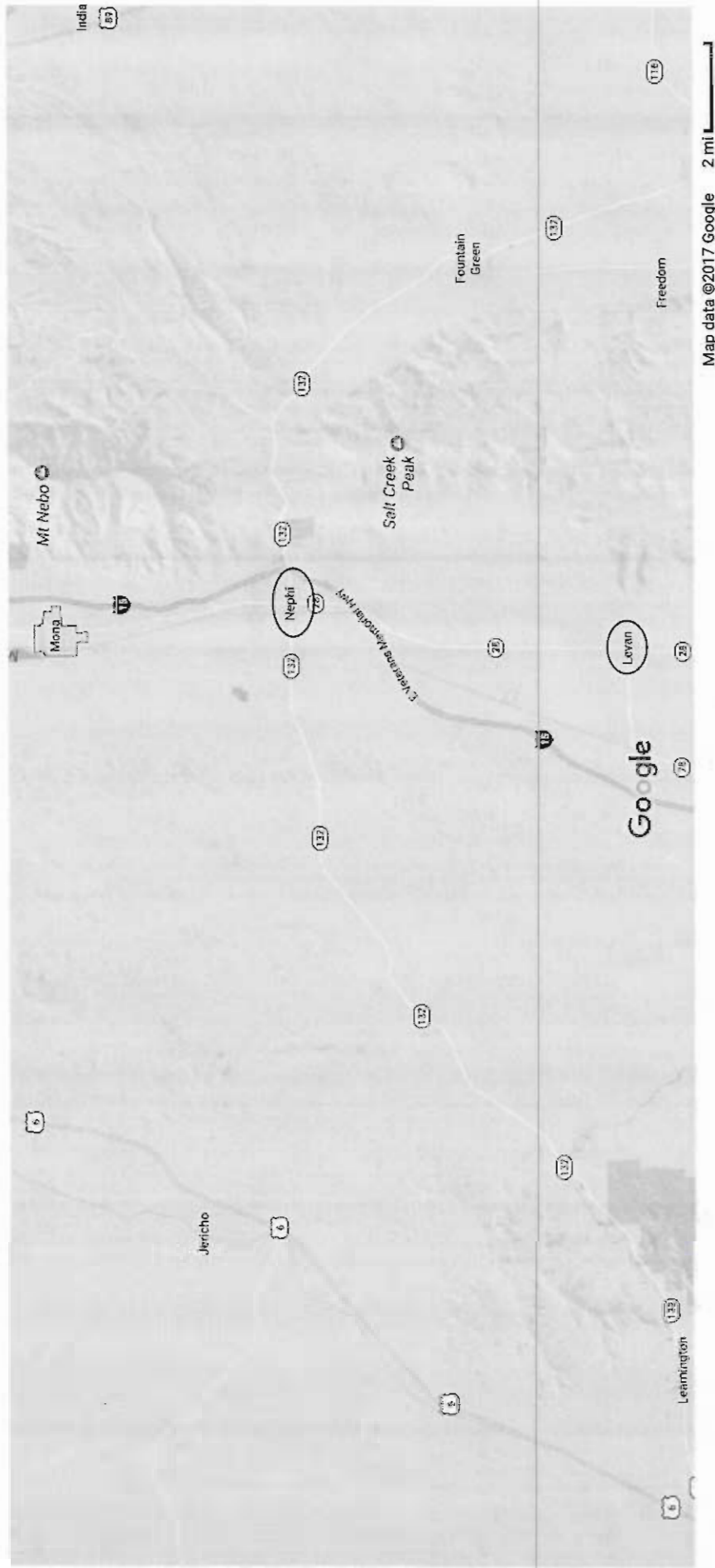


Google Maps Mona



Google Maps

Mona



RESOLUTION NO. 06-27-17

A RESOLUTION REQUESTING THE CERTIFICATION OF THE MONA CITY JUSTICE COURT.

WHEREAS, Mona City desires to establish a justice court in its jurisdiction;

WHEREAS, Utah Code Ann. §78A-7-101 et seq. sets forth the requirements for establishing a justice court;

WHEREAS, the Mona City Council has requested and received an opinion from City Attorney Kasey L. Wright, which sets forth the requirements for the establishment and operation of justice court by Mona City;

WHEREAS, the opinion letter provided by the City Attorney also gives a positive opinion on the feasibility of the City continuing to operate and maintain a justice court; and

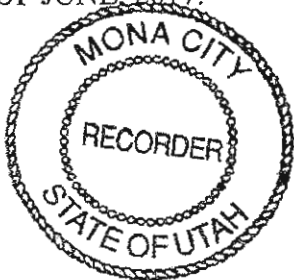
WHEREAS, the Mona City Council has determined that it is in the best interest of Mona City to establish and operate a justice court.

NOW THEREFORE BE IT RESOLVED, that:


1. Mona City requests that a Mona City justice court be certified by the appropriate entities; and
2. Mona City is willing and capable of meeting the requirements for the creation and operation of a justice court during the entire term of its initial certification.

This Resolution shall become effective upon its passage.


PASSED AND ADOPTED BY THE MONA CITY COUNCIL, STATE OF UTAH, ON THIS 27th DAY OF JUNE, 2017.



MONA CITY
A Municipal Corporation


GREG NEWTON
Mayor

ATTEST:


LYLA R. SPENCER
City Recorder

78A-7-102 Establishment of justice courts.

- (1)
 - (a) For the purposes of this section, to "create a justice court" means to:
 - (i) establish a justice court; or
 - (ii) establish a justice court under Title 11, Chapter 13, Interlocal Cooperation Act.
 - (b) For the purposes of this section, if more than one municipality or county is collectively proposing to create a justice court, the class of the justice court shall be determined by the total citations or cases filed within the territorial jurisdiction of the proposed justice court.
- (2) Municipalities or counties of the first or second class may create a justice court by filing a written declaration with the Judicial Council on or before July 1 at least two years prior to the effective date of the election. Upon demonstration of compliance with operating standards as established by statute and the Judicial Council, the Judicial Council shall certify the creation of the court pursuant to Section 78A-7-103.
- (3)
 - (a) Municipalities or counties of the third, fourth, or fifth class may create a justice court by demonstrating the need for the court and filing a written declaration with the Judicial Council on or before July 1 at least one year prior to the effective date of the election.
 - (b) A municipality or county establishing a justice court shall demonstrate to the Judicial Council that a justice court is needed. In evaluating the need for a justice court, the Judicial Council shall consider factors of population, case filings, public convenience, availability of law enforcement agencies and court support services, proximity to other courts, and any special circumstances.
 - (c) The Judicial Council shall certify the establishment of a justice court pursuant to Section 78A-7-103, if the council determines:
 - (i) a need exists;
 - (ii) the municipality or county has filed a timely application; and
 - (iii) the proposed justice court will be in compliance with all of the operating standards established by statute and the Judicial Council.
- (4)
 - (a) A municipality that has an established justice court may expand the territorial jurisdiction of its justice court by entering into an agreement pursuant to Title 11, Chapter 13, Interlocal Cooperation Act, with one or more other municipalities, or the county in which the municipality exists.
 - (b) A justice court enlarged under this section may not be considered as establishing a new justice court. An expanded justice court shall demonstrate that it will be in compliance with all of the requirements of the operating standards as established by statute and the Judicial Council before the justice court expands.
 - (c) A municipality or county seeking to expand the territorial jurisdiction of a justice court shall notify the Judicial Council:
 - (i) no later than the notice period required in Section 78A-7-123, when the expanded justice court is a result of the dissolution of one or more justice courts; or
 - (ii) no later than 180 days before the expanded court seeks to begin operation when the expanded justice court is a result of other circumstances.
 - (d) The Judicial Council shall certify the expansion of a justice court if it determines that the expanded justice court is in compliance with the operating standards established by statute and the Judicial Council.

- (5) Upon request from a municipality or county seeking to create a justice court, the Judicial Council may shorten the time required between the city's or county's written declaration or election to create a justice court and the effective date of the election.
- (6) The Judicial Council may by rule provide resources and procedures adequate for the timely disposition of all matters brought before the courts. The administrative office of the courts and local governments shall cooperate in allocating resources to operate the courts in the most efficient and effective manner based on the allocation of responsibility between courts of record and not of record.

Amended by Chapter 205, 2012 General Session

Tab 3

Interim Highlights

August 28 Vol. 17, No. 3



In This Issue

Administrative Rules Review

Business and Labor

Commission for the Stewardship of Public Lands

Commission on Federalism

Economic Development and Workforce Services

Education

Federal Funds Commission

Government Operations

Health and Human Services

Health Reform Task Force

Judiciary

Law Enforcement and Criminal Justice

Legislative Management Committee

Legislative Water Development Commission

Native American Legislative Liaison Committee

Natural Resources, Agriculture, and Environment

Point of the Mountain Development Commission

Property Tax Working Group of Utah

Political Subdivisions

Public Utilities, Energy and Technology

Retirement and Independent Entities

Revenue and Taxation

Senate Judicial Confirmation

Transportation Governance and Funding Task Force

Transportation

Utah International Relations and Trade Commission

Utah Tax Review Commission

Veteran's and Military Affairs Commission

Legislative Interim Meetings

Meetings were held August 22, 2017, or as noted

Administrative Rules Review Committee

July 17, 2017

Administrative Rules and Agency Actions Governing Complaint Investigations

Discussed with the Division of Occupational and Professional Licensing the process it uses to investigate complaints against occupational and professional license holders.

Charter School Board Requests for Additional Campuses

Discussed with the State Board of Education the board's [implementation](#) of statutory and administrative [rule criteria](#) to determine whether a charter school will be allowed to open an additional campus, what factors guide the determination, and whether statutes and administrative rules are sufficiently clear to assure consistency in making determinations. The board agreed to review its rules governing these determinations and provide the committee with a written report.

July 31, 2017

Driver License Division and DUI Drug Hearing Process

Discussed the hearing [process](#) and timeline for individuals arrested for driving under the influence who request a hearing. Examined why these individuals may not receive notice of a final decision from the hearing until after their provisional license has expired. Explored potential solutions.

July 31, 2017

Higher Education: Policies and Procedures Development

Received a [presentation](#) from Weber State University

regarding its process for developing and approving campus policies and procedures.

August 24, 2017

Fees Required to Obtain a Concealed Firearm Permit

Discussed an additional \$20 fee, which became effective August 1, 2017, assessed to new applicants for a concealed firearm permit and whether there is adequate authority in [statute](#) to assess the fee. The Bureau of Criminal Identification agreed to provide the committee with a written timeline of the \$20 fee that will include what groups were assessed the fee and when the bureau began collecting the fee on each group.

Higher Education: Policies and Procedures Development

Received a [presentation](#) from Dixie State University regarding its process for developing and approving campus policies and procedures and requested that staff research the effects of college enrollment on a student's constitutional rights.

Chairs: Rep. Brian M. Greene / Sen. Howard A. Stephenson
Staff: Art L. Hunsaker (Policy Analyst) / Amy L. West (Attorney) / Tracey Fredman (Legislative Assistant)

Business and Labor

Extending Benefit Corporations to LLCs

Discussed creating a benefit limited liability corporation (LLC), which were authorized by the Legislature and would function similarly to a benefit corporation. Benefit corporation, specify a percentage of their profit to donate to charity.

Fireworks

Action: A committee bill file was opened to address issues related to fireworks.

Mold Abatement and Remediation for Rentals

Discussed the sufficiency of the statutory remedies available to a tenant who discovers mold in the tenant's rental unit. Also discussed nonlegislative solutions, including encouraging the landlord and tenant to negotiate a due diligence period during which the tenant could test for mold and radon.

Chairs: Rep. James A. Dunnigan / Sen. Curtis S. Bramble
Staff: Christine R. Gilbert (Attorney) / Amy L. West (Attorney) / Andrea Crabb (Legislative Assistant)

Commission for the Stewardship of Public Lands

July 27, 2017

Law Enforcement Jurisdiction

Discussed issues related to jurisdiction over federal land in Utah. The legal authority of the federal government verses the state was described based on whether the federal government has exclusive jurisdiction, concurrent jurisdiction, or a proprietary interest.

Action: Directed staff to conduct research and prepare a report that describes the state's jurisdiction, from where that jurisdiction is derived, and how jurisdiction is ceded to the federal government.

Report from the Division of Oil, Gas and Mining

Received a [report](#) from the Division of Oil, Gas and Mining (DOGM) regarding the division's recommendations on dealing with oil, gas, and mining issues for lands subject to the Utah Public Land Management Act, including:

- allowing a transition period for retooling DOGM databases to accommodate information from the Bureau of Land Management;
- identifying and clarifying the application of other federal land management laws and requirements on any documents, orders, or directives regarding land transfer;
- allowing for funding of new responsibilities on land that is transferred; and
- considering a pilot project of land transfer to "debug" the transfer process on a smaller scale.

Action: Voted to have the chairs send a letter to the Division of Oil, Gas and Mining requesting the division research and report how the state can assume federal duties related to the administration of mineral programs.

Wildfire Update from the Division of Forestry, Fire, and State Lands

Received a [report](#) from the Division of Forestry, Fire, and State Lands regarding wildfire statistics in Utah as of July 26, 2017. To date, 211,120 acres have burned in Utah, 57% of which were burnt as a result of fires started by humans.

Action: Voted to direct certain commission members to discuss with the Division of Forestry, Fire, and State Lands ways in which the Legislature can be more involved with the wildfire settlement negotiations between the state and federal government.

Chairs: Sen. David P. Hinkins / Rep. Keven J. Stratton
Staff: Megan L. Bolin (Policy Analyst) / RuthAnne Frost (Attorney) / Joshua M. Weber (Legislative Assistant)

August 2017



Commission on Federalism

July 26, 2017

Federalism Outreach Report

Received a report from a legislator regarding:

- efforts to work with other states;
- discussions at a recent meeting of state representatives in Denver; and
- the creation of a federalism brochure to inform interested parties of a future federalism conference.

Article V Update

Received a report from a legislator regarding cooperation with other state representatives to develop the process and procedures for a potential convention of the states, with the purpose of proposing a balanced federal budget.

Action: *Voted to prepare a Utah plan regarding the substance and procedure for an Article V convention.*

Continuing Legal Education on Federalism

Discussed working with the Utah State Bar to authorize the federalism videos and curriculum prepared by the Utah Valley University as continuing legal education credit.

Fire Suppression on Federal Lands

Discussed the recent Brian Head fire and its impact on the health, safety, and general welfare of the communities in southern Utah.

Received a report from the Utah Division of Forestry, Fire, and State Lands regarding the management of public lands and wildfire management efforts.

Heard testimony from a legislator, county commissioners, and other parties about the environmental and fiscal impact of the Brian Head fire on Garfield, Kane, and Iron counties.

Action: *Voted to create and send:*

- letters regarding jurisdiction on public lands from the commission to Utah's federal delegations and federal agencies,
- a letter inviting representatives from all fifty states to join us in petitioning their federal delegations regarding jurisdictional issues over public lands; and
- a letter to the attorney general's office asking them to analyze this issue and recommend whether to pursue legal action.



August 2017

August 23, 2017

Article V Rulemaking Report

Received a report from a legislator regarding ongoing efforts to develop the rules and procedures for a possible Article V convention of the states.

Report on Commission Letters

Received a report from commission staff regarding [letters](#) sent to federal agencies, state representatives, and the Utah congressional delegation. The letters notified each recipient of the findings made by the Commission on Federalism regarding mismanagement of federal lands that results in a threat to the health, safety, and general welfare of the residents of Utah.

Report on National Conference of State Legislatures

Received a report from a legislator regarding efforts to engage with representatives of other states on issues of federalism while attending the Legislative Summit of the National Conference of State Legislatures.

Utah Water Policy

Received a [presentation](#) from the Utah Farm Bureau and a legislator regarding the current laws and historical development of water rights. In Utah, 75% of the usable water originates on federal lands.

Received testimony from members of the public regarding current water laws and problems that federal government agencies have caused for ranchers and farmers in rural Utah.

***Action:** Voted to initiate the jurisdiction dispute resolution process with the federal government on the issue of water rights in Utah.*

Chairs: Rep. Ken Ivory / Sen. Allen M. Christensen
Staff: Jerry D. Howe (Managing Policy Analyst) / Nathan W. Brady (Policy Analyst) / Robert H. Rees (Attorney) / Cassidy Hansen (Legislative Assistant)

Economic Development and Workforce Services

Economic Development Incentives

Received a [presentation](#) from committee staff on best practices in evaluating incentives. The presentation described the findings of a Pew Center on the States [study](#) that places Utah in the middle tier of states in terms of their incentive evaluation processes. The presentation also highlighted past work that the [Office of the Legislative Fiscal Analyst](#) and the [Revenue and Taxation Interim](#)

[Committee](#) have done on this topic.

Governor's Office of Economic Development

Received a [presentation](#) from the Governor's Office of Economic Development regarding proposed changes to the office that would allow the office to focus on fulfilling its core mission and vision. The proposed changes include:

- allowing the Utah Broadband Outreach Center to sunset;
- moving the administration of Private Activity Bonds to the Department of Workforce Services; and
- eliminating the role of State Science Advisor and allowing those duties to be fulfilled by the Utah Science, Technology, and Research Initiative.

***Action:** Opened a committee bill file regarding the proposed changes to the Governor's Office of Economic Development.*

Minimum Wage

Received a [presentation](#) from committee staff on recent research regarding the minimum wage.

Received a presentation from a legislator and heard public comment regarding raising the minimum wage in Utah. The presentation highlighted the inability of those earning the federal minimum wage to provide for basic needs. The presentation also identified possible policy options including:

- raising the state minimum wage to a level commiserate with the most recent increase in the minimum wage adjusted for inflation;
- creating a process to adjust the minimum wage for inflation every two years; and
- raising the state minimum wage for tipped employees.

Utah Broadband Outreach Center

Conducted a sunset review of the Utah Broadband Outreach Center, which is scheduled to sunset in July 2018. As part of this review, the Governor's Office of Economic Development provided a [presentation](#) describing the mission and background of the center, its accomplishments over the past six years, and its future projects. The office recommended that the statute creating the center be allowed to sunset, but that its staff and some of its functions be absorbed by the office.

Utah's Entrepreneurship Environment

Received a presentation from Church & State, a nonprofit

organization focused on entrepreneurship in the state, regarding Utah's entrepreneurship environment. The presentation highlighted the vibrant entrepreneurial community in the state and the importance of collaboration in maintaining a thriving entrepreneurial ecosystem. The presentation also identified potential policies that could improve the entrepreneurial environment in the state, including:

- creating partnerships between state grant programs and private investment enterprises;
- attracting foreign direct investment through comanaged funds with public involvement;
- better coordinating resources available to entrepreneurs; and
- implementing policies that incentivize collaboration.

Chairs: Rep. Rebecca P. Edwards / Sen. Jacob L. Anderegg
Staff: Ryan M. Hunter (Policy Analyst) / Peter Asplund (Attorney) / Debra Hale (Legislative Assistant)

Education

Educator Salaries and Retention

Received presentations related to educator salaries and retention, including:

- a [presentation](#) from State Board of Education staff describing the results of an analysis of educator retention data;
- presentations from school districts about exit surveys and the reasons educators leave the districts;
- a [presentation](#) from researchers about a planned survey of current and former educators; and
- a [presentation](#) from the Department of Workforce Services comparing educator salaries to salaries in other fields and the competitiveness of Utah educator salaries in Utah compared to other states.

Every Student Succeeds Act State Plan

Received a [presentation](#) from State Board of Education staff about Utah's Every Student Succeeds Act state [plan](#), which is required to be approved by the Department of Education in order for the state to receive certain federal funds.

Chairs: Rep. Val L. Peterson / Sen. Ann Millner
Staff: Allyson R. Goldstein (Policy Analyst) / Nathan W. Brady (Policy Analyst) / Rebekah M. Bradway (Attorney) / Victoria Ashby (Attorney) / Debra Hale (Legislative Assistant)

Federal Funds Commission

August 16, 2017

Administrative Burden of Federal Grants for Public Education

Discussed the level of administrative burden placed on school districts that receive federal funds. Received input from the State Board of Education. Discussed an [audit](#) by the Legislative Auditor General's Office on federal grants for public education.

Medicaid Waiver

Received a report from the Department of Health about a Medicaid federal block grant program and a submission of a [state waiver](#) from Medicaid requirements, including information potential state savings.

Risk of Federal Government Shutdown

Examined the talking points and presentations made at the recent National Conference of State Legislators Legislative Summit in Boston that pertained to the risk and impact of a federal government shutdown.

***Action:** Requested legislative staff and the governor's office to provide the commission with the necessary tools to address the risk of a government shutdown.*

Chairs: Rep. Justin L. Fawson / Sen. Lincoln Fillmore
Staff: Adam J. Sweet (Policy Analyst) / Shannon C. Halverson (Attorney) / Joshua M. Weber (Legislative Assistant)

Government Operations

Boards and Commissions Review

Received a [presentation](#) from committee staff regarding the progress of the committee's study of legislative boards and commissions and received reports from eight boards and commissions.

***Action:** Directed staff to open a committee bill file to:*

- *repeal the Government Procurement Private Proposal Program Committee;*
- *repeal the Legislative Committee on Landfill Siting Disputes;*
- *repeal the Constitutional Revision Commission; and*
- *require the Data Security Management Council to meet at least quarterly rather than monthly.*

August 2017

Governmental Immunity

Received a [presentation](#) from the Division of Risk Management regarding:

- how limitations on judgements under the Governmental Immunity Act affect the state risk fund;
- the state's excess liability insurance;
- state insurance premiums; and
- other state interests.

Unclaimed Property

Reviewed the [Uniform Unclaimed Property Act](#) and discussed the potential expansion of the types of property that are required to be remitted to the state as unclaimed property.

Veterans' and Military Affairs

Received a [statutorily required report](#) from the Department of Veterans' and Military Affairs regarding the work of the department in the previous year.

Chairs: Rep. Jeremy A. Peterson / Sen. Wayne A. Harper
Staff: Brian J. Bean (Policy Analyst) / Thomas R. Vaughn (Attorney) / Brent M. Gage (Legislative Assistant)

Health and Human Services

Long-Term Planning for Health Care Reform

[Examined](#) the structure and performance of the United States and Utah healthcare systems.

Received reports from [The Commonwealth Fund](#), [Intermountain Healthcare](#), and [University of Utah Health](#). The reports highlighted lessons to be learned and recommendations for reform.

Chairs: Rep. Brad M. Daw / Sen. Lincoln Fillmore
Staff: Mark D. Andrews (Policy Analyst) / Tara Harrison (Attorney) / Eric N. Weeks (Deputy General Counsel) / Joshua M. Weber (Legislative Assistant)

Health Reform Task Force

August 23, 2017

Medicaid Waiver

Received a [presentation](#) by the Utah Department of Health on the state's [recent request](#) for amendments to its 1115 waiver approved by the Legislature last year and amendments to the state's Primary Care Network program. The federal government has not approved the waiver or the

requested amendments. However, the department has not been told to stop planning for implementation of the waiver beginning November 1, 2017. A children's advocacy organization recommended that the state not implement the waiver until the state has obtained additional information on the waiver's impact on individuals.

Healthcare Reform

Received a report from a task force chair that the governor recently met with the chair and others in preparation for the governor's upcoming appearance before the United States Senate's Committee on Health, Education, Labor and Pensions, where the governor will share Utah's perspective on healthcare reform.

Guaranty Associations

Received a report from the Utah Insurance Department that the National Association of Insurance Commissioners is hoping to finalize model guaranty association legislation by the end of 2017. The American Council of Life Insurers recommended that the task force continue its study of guaranty associations, but that the Legislature not amend the state's guaranty association statute until the model legislation is available. Also received an update from the Utah Insurance Department on the liquidation of Arches Health Plan. The Arches receiver has joined a class action law suit to obtain \$57 million in unpaid risk corridor payments from the federal government.

Behavioral Healthcare Coverage

Considered whether state funds used to draw down federal funds for Medicaid behavioral healthcare services should be increased annually, as other similar funding sources are for certain other Medicaid services.

Considered whether certain long-acting injectable drugs used in behavioral healthcare treatment should be classified as a pharmacy benefit rather than a medical benefit.

Considered behavioral healthcare treatment provider concerns about post-payment adjustments to health insurance claims. Received reports from the [Utah Association of Counties](#), addiction treatment providers, and the [Office of the Legislative Fiscal Analyst](#).

Action: *Voted to open a bill file addressing state funding of Medicaid behavioral healthcare services.*

Chairs: Rep. James A. Dunnigan / Sen. Allen M. Christensen
Staff: Mark D. Andrews (Policy Analyst) / Eric N. Weeks (Deputy General Counsel) / Joshua M. Weber (Legislative Assistant)

Judiciary

Administrative Office of the Courts - Sunset Review

Action: *Opened a committee bill file to remove the Office of the Court Administrator from the Sunset Act and to make technical changes.*

Indigent Defense

Heard a [presentation](#) from the Utah Indigent Defense Commission updating the committee on the activities of the commission.

Jury Nullification and Jury Instructions

Discussed the role of a jury in a criminal trial.

Mandatory Courses for Divorcing Parties

Received a [report](#) from the Administrative Office of the Courts regarding the effectiveness of divorce education programs created by statute.

Chairs: Rep. Mike K. McKell / Sen. Todd Weiler
Staff: Joseph T. Wade (Policy Analyst) / Patricia Owen (Attorney) / Andrea Crabb (Legislative Assistant)

Law Enforcement and Criminal Justice

Crisis Intervention Teams

Received a presentation from the Salt Lake City Police Department on employing crisis intervention training to help officers with post-traumatic stress disorder and prepare law enforcement to recognize mental health needs in their communities. Received a [presentation](#) from Crisis Intervention Team Utah concerning the history of the organization and best practices for crisis intervention teams.

Off-Duty Law Enforcement Work

Discussed [draft legislation](#) "Office Duty Employment of Law Enforcement Officer," which would address requirements for a law enforcement officer to engage in off-duty employment. Received presentations from the Salt Lake Police Department Secondary Employment Office and the Unified Police Department concerning requirements for officers to engage in secondary employment.

Report on the Operations of the Indigent Defense Commission

Received a [presentation](#) by the Indigent Defense Commission regarding its creation and purpose. The

commission also provided an overview and analysis of preliminary data collected about indigent defense in the state.

Chairs: Rep. Lee B. Perry / Sen. Don L. Ipson
Staff: Esther Chelsea-McCarty (Attorney) / Joshua M. Weber (Legislative Assistant)

Legislative Management Committee

August 02, 2017

Office of Legislative Research and General Counsel

Action: *Approved motions to:*

- *accept the recommendation of the Office of Legislative Research and General Counsel Subcommittee recommendation to appoint John Q. Cannon as Director of the Office of Legislative Research and General Counsel; and*
- *appoint Bryant R. Howe as the Acting Director of the Office of Legislative Research and General Counsel from August 12, 2017 to September 5, 2017.*

Chairs: President Wayne L. Niederhauser / Speaker Gregory H. Hughes
Staff: John L. Fellows (General Counsel) / Denise Johnson (Administrative Assistant)

Legislative Water Development Commission

August 22, 2017

Lake Powell Pipeline

Received a report from the Division of Water Resources, Washington County Water Conservancy District, and Kane County Water Conservancy District on the proposed Lake Powell Pipeline project.

State Water Strategy Advisory Team Report

Received a [report](#) from the State Water Strategy Advisory Team on [recommendations regarding water issues](#), including conservation, demand, development, quality, natural system preservation, climate change impact, economic impact, policy formulation, and innovation.

Utah Lake Restoration

Received a report on Utah Lake Restoration from the [Department of Natural Resources](#), Division of Wildlife Resources, [Division of Water Quality](#), and the Utah Lake Commission. The commission reviewed 2017 General Session H.C.R. 26 "[Concurrent Resolution Urging Restoration of Utah Lake](#)."

August 2017

Chairs: Rep. Keith Grover / Sen. Margaret Dayton
Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Attorney) / Cassidy Hansen (Legislative Assistant)

Native American Legislative Liaison Committee

August 13, 2017

Economic Enterprise Development

Received a report on the Shoshone Tribe's economic development efforts, including efforts to compete for federal government contracts. Tribal representatives reported increasing difficulty in competing for federal contracts due to changes in the federal government's contract awarding process that negatively impact small businesses.

Land Purchases at Bear River Massacre Site

Received a report on the Shoshone Tribe's agreement with a private landowner to purchase 650 acres of land located on the site of the Bear River Massacre of 1863. The purchase is to be made with proceeds from tribal-owned businesses and is scheduled to be concluded by the end of 2017.

Tribal EPA Program

Discussed the Shoshone Tribe's efforts to promote air

quality, including its air management program.

Tribal Hunting and Fishing Ordinance

Received a report on Shoshone tribal hunting and fishing rights and related activities of tribal members.

Tribal Overview

Received an overview of the history and cultural and educational programs of the Northwestern Band of Shoshone Nation.

Chairs: Rep. John R. Westwood / Sen. Kevin Van Tassell
Staff: Art L. Hunsaker (Policy Analyst) / Patricia Owen (Attorney) / Joshua M. Weber (Legislative Assistant)

Natural Resources, Agriculture, and Environment Committee

Environmental Health Scientist Act

Action: Adopted as a committee bill draft legislation "[*Environmental Health Scientist Act Amendments*](#)" which modifies qualifications for licensure of environmental health scientists and extends the sunset date of the licensing act for a period of 10 years.



Regulation of Above-Ground Storage Tanks

Received a [report](#) from the Division of Environmental Response and Remediation on possible regulation of above-ground storage tanks. The division reported on selected above-ground tank leaks, reviewed regulation options, and discussed regulation in other western states.

State Agency Best Practices and Stewardship Efforts to Improve Air Quality

Received a [report](#) from the State Coordinator of Resource Stewardship on the efforts of state agencies to promote improved air quality. The coordinator also reviewed the resource stewardship annual [report](#).

State Water Strategy Advisory Team

Received a [report](#) from the State Water Strategy Advisory Team outlining recommendations on water issues, including conservation, demand, development, quality, natural system preservation, climate change impact, economic impact, policy formulation, and innovation.

Utah Agricultural Code Recodification

Received a report from the Department of Agriculture and Food on possible changes to the agriculture code as a follow up to the [recodification](#) done in the 2017 General Session.

Water Development Commission

***Action:** Adopted as a committee bill "[Legislative Water Development Commission Amendments](#)," which repeals the sunset date for the commission and authorizes the commission to meet up to six times per calendar year if approved by the Legislative Management Committee.*

Chairs: Rep. Keven J. Stratton / Sen. Margaret Dayton
Staff: J Brian Allred (Policy Analyst) / RuthAnne Frost (Attorney) / Cassidy Hansen (Legislative Assistant)

Point of the Mountain Development Commission

July 20, 2017

Point of the Mountain Baseline Scenario

Received a [presentation](#) from members of the commission on the work of advisory groups that have studied potential future scenarios for the Point of the Mountain area, and from Envision Utah on a baseline scenario for the same area. The baseline scenario identified one possibility for the future of the Point of the Mountain, describing how the Point of the Mountain area will look in 2050 without the strategic planning of the commission.

Chairs: V. Lowry Snow / Mr. Christopher Conabee
Staff: Ryan M. Hunter (Policy Analyst) / Peter Asplund (Attorney) / Robert H. Rees (Attorney) / Andrea Crabb (Legislative Assistant)

Political Subdivisions

Audit Review: "A Review of Best Practices for Internal Control of Limited Purpose Entities"

Received a [presentation](#) from the Office of the Legislative Auditor General regarding an audit, "[A Review of Best Practices for Internal Control of Limited Purpose Entities](#)," and discussed the audit's recommendations.



August 2017

Action: Directed staff to coordinate a meeting with stakeholders, under direction of a committee member, to discuss the audit's findings and recommendations.

Action: Directed staff to open bill files, as necessary, to address legislative changes recommended by the stakeholder group.

Draft Legislation: "Community Reinvestment Agency Amendments"

Action: Approved as a committee bill draft legislation "[Community Reinvestment Agency Amendments](#)," which amends Title 17C, Limited Purpose Local Government Entities - Community Reinvestment Agency Act.

Local Government Enforcement Mechanisms

Received an update from a legislator on a review of the default penalties that are established in statute for certain violations.

Utah's Associations of Governments

Received a [presentation](#) from representatives of Utah's Associations of Governments (AOGs) that described the history of AOGs, how they are governed and work in relation to Utah's counties and cities, and the various services provided by each, including aging services, community development and planning, economic development, housing, human services, and transportation planning.

Chairs: Rep. Dixon M. Pitcher / Sen. Daniel W. Thatcher
Staff: Megan L. Bolin (Policy Analyst) / Michael E. Curtis (Attorney) / Lori Rammell (Legislative Assistant)

Property Tax Working Group of the Utah Tax Review Commission

August 22, 2017

Review of Utah's Property Tax System

Reviewed a list of possible issues that the working group could review as part of its deliberations including the "truth in taxation" process, personal property tax system, the residential exemption, exemptions in general, land assessed under the Farmland Assessment Act, and centrally assessed property.

Action: Prioritized the following issues to review:

- truth in taxation;
- the exemption for primary residential property; and

- business activities operated by government entities.

Chairs: Mr. Lawrence C. Walters
Staff: Bryant R. Howe (Deputy Director) / Leif G. Elder (Policy Analyst) / Patricia Owen (Attorney) / Shannon C. Halverson (Attorney) / Andrea Valenti Arthur (Attorney) / Brent M. Gage (Legislative Assistant)

Public Utilities, Energy and Technology

Audit Report

Reviewed the Legislative Auditor General's [audit](#) recommendations regarding the distribution and use of local 911 surcharge funds.

Microgrids

Received a [presentation](#) from HEAL Utah about the types and benefits of microgrids in use at campuses, in municipalities, and for critical infrastructure.

Status and Future of Renewable Energy

Discussed the cost and feasibility of wind and solar power infrastructure in Utah.

Received a [presentation](#) from sPower and remarks from MIC Renewable Energy Holdings and Rocky Mountain Power.

Sunset Review

Discussed sunset review of [Utah Code Subsection 54-4-13.4 \(1\)\(a\)\(ii\)](#), Natural gas fueling stations and facilities -- Recovery of Expenditures for stations and facilities. Received a [report](#) with recommendations from the Public Service Commission and Dominion Energy.

Telecommunication Network Review

Reviewed the Telecommunication Network Review reporting requirements and its legislative history. Received a [letter](#) from the Public Service Commission and discussed the application of the reporting requirements.

Action: Opened a committee bill file to address concerns with the Telecommunications Network Review, Utah Code Section 69-4-1.

Chairs: Rep. Stephen G. Handy / Sen. Daniel Hemmert
Staff: Adam J. Sweet (Policy Analyst) / Robert H. Rees (Attorney) / Tracey Fredman (Legislative Assistant)

Retirement and Independent Entities Interim Committee

July 27, 2017

Independent Entity Overview

Received presentations from several of the state's independent entities, including the: [School & Institutional Trust Funds Office](#); Utah Energy Infrastructure Authority; [Utah State Fair Corporation](#); [School & Institutional Trust Lands Administration](#); [Utah Communications Authority](#); [Utah Capital Investment Corporation](#); [Heber Valley Historic Railroad Authority](#); [Utah Housing Corporation](#).

Chairs: Rep. LaVar Christensen / Sen. Daniel Hemmert / Rep. Timothy D. Hawkes
Staff: Alex R. Janak (Policy Analyst) / Peter Asplund (Attorney) / Shannon C. Halverson (Attorney) / Cassidy Hansen (Legislative Assistant)

Revenue and Taxation

Apportionment of Business Income

Considered draft legislation "[Income Tax Reform](#)," which would, beginning in tax year 2019, phase in a single sales factor method of apportionment over three years. The bill would make the single sales factor mandatory for some taxpayers and optional for others. The committee also received a presentation from the Office of the Legislative Fiscal Analyst regarding the [overall](#) and [industry specific](#) fiscal impacts of the bill and Utah businesses that would be impacted by the bill.

Distribution of Local Option Sales Tax Revenue

Discussed the possibility of distributing local sales and use tax revenue that is generated by sales sourced to destination by population only, instead of 50% based on population and 50% based on point of sale. The committee received a [presentation](#) from the State Tax Commission on how sales are sourced and the commission's ability to differentiate between origin and destination sourced sales.

Income Taxation and Build America Bonds

Action: *Approved as a committee bill, draft legislation "[Individual Income Tax Deduction Amendments](#)," which would codify and clarify [existing deduction](#) from adjusted gross income for individual income tax purposes for certain bonds and bond interest in the Revenue and Tax Code.*

Military Spouse Income Tax Amendments

Action: *Approved as a committee bill, draft legislation*

"[Military Spouse Income Tax Amendments](#)," which would authorize an individual income tax deduction from adjusted gross income for the amount of all income, including income apportioned to another state, of a nonmilitary spouse of an active duty military member in certain circumstances.

Sales Tax Exemption for Products Purchased for Resale

Action: *Approved as a committee bill, draft legislation "[Sales and Use Tax Exemption Amendments](#)," which would remove the requirement that a product purchased for resale be resold within the state to qualify for a sales and use tax exemption.*

Chairs: Rep. Steve Eliason / Sen. Howard A. Stephenson
Staff: Leif G. Elder (Policy Analyst) / Andrea Valenti Arthur (Attorney) / Shannon C. Halverson (Attorney) / Bryant T. Howe (Deputy Director) / Brent M. Gage (Legislative Assistant)

Senate Judicial Confirmation Committee

July 25, 2017

Confirmation of Ms. Diana Hagen

Recommended to the Senate the confirmation of Ms. Diana Hagen as a judge to the Utah Court of Appeals.

The Senate met in extraordinary session on July 26, 2017, and confirmed the appointment of Ms. Hagen.

Confirmation of Mr. Ryan Harris

Recommended to the Senate the confirmation of Ms. Ryan Harris as a judge to the Utah Court of Appeals.

The Senate met in extraordinary session on July 26, 2017, and confirmed the appointment of Mr. Harris.

Chair: Sen. Todd Weiler
Staff: Jerry D. Howe (Managing Policy Analyst) / Eric N. Weeks (Deputy General Counsel) / Andrea Crabb (Legislative Assistant)

Subcommittee on Oversight

July 26, 2017

Approved a 2% increase in salary for the Director of the Office of Legislative Research and General Counsel, the Legislative General Counsel, the Legislative Fiscal Analyst, and the Legislative Auditor General effective for the pay period beginning on July 1, 2017.

Chair: Speaker Gregory H. Hughes / President Wayne L. Niederhauser
Staff: Eric N. Weeks (Deputy General Counsel) / Bryant R. Howe (Deputy Director) / Denise Johnson (Administrative Assistant)

August 2017

Transportation Governance and Funding Task Force

July 13, 2017

Presentations from Outside Transportation Experts

Received presentations from transportation experts outside of Utah, representing a [metropolitan planning organization](#), transit authority, [engineering design firm](#), [think tank](#), and [transportation policy consortium](#).

August 16, 2017

Restrictions on Transportation Funding

Received a [presentation](#) from the Utah Department of Transportation (UDOT) on the current structure of transportation funding and the process that would be required to make any changes to the current structure.

Prioritization Process for State Transportation Projects in Utah

Received a [presentation](#) from UDOT on the current process used by the Transportation Commission to prioritize UDOT projects for programming.

Point of the Mountain Development Commission Update

Received a [presentation](#) from members of the Point of the Mountain Development Commission regarding that commission's current work and how the task force could coordinate with the commission.

Future of Transportation Funding

Received a [presentation](#) from a transportation policy expert regarding the future of transportation funding and financing.

Value Capture

Received a [presentation](#) from a Texas state legislator and a representative of the Texas Department of Transportation on the process of drafting enabling legislation and implementing value capture policies for transportation projects in Texas.

Chairs: Rep. Mike Schultz / Sen. Wayne A. Harper
Staff: Alex R. Janak (Policy Analyst) / Kurt P. Gasser (Attorney) / Lori Rammell (Legislative Assistant)

Transportation

Autonomous, Connected, and Electrified Vehicles

Discussed the July site visit to Utah State University at

which the committee received information on autonomous and electrified vehicle technology. Received a [presentation](#) from a representative of the Utah Department of Transportation regarding efforts to implement technologies on Utah's roads that will lead to greater and safer use of connected and autonomous vehicles.

Transportation Governance and Funding Task Force

Received an update from the cochairs of the Transportation Governance and Funding Task Force on the progress of the task force and some of the issues that are being considered for legislative action.

***Action:** The committee voted to open two committee bill files to address any recommendations made by the Transportation Governance and Funding Task Force.*

Chairs: Rep. Mike Schultz / Sen. David G. Buxton
Staff: Alex R. Janak (Policy Analyst) / Kurt P. Gasser (Attorney) / Lori Rammell (Legislative Assistant)

Utah International Relations and Trade Commission

July 28, 2017

Impact of Globalization on Utah

Received a [report](#) from the Kem C. Gardner Policy Institute regarding the impact of globalization on Utah. The report found that the state economy has benefited from international trade and immigration through exports, low-priced imports for local consumers, an increased workforce for local employers, and a strong international tourism sector. Meanwhile, the state has been insulated from the economic shocks of free trade because Utah has a low concentration of import-vulnerable manufacturing jobs.

International Relations Services Contract

Received an update from World Trade Center Utah on their role in providing international relations services to the Legislature. Commission members reiterated their expectations of an improved process for legislative engagement in hosting foreign delegations and other international relations and trade activities.

International Students in Utah

Received a [presentation](#) from the University of Utah regarding international students at the university. The

presentation highlighted efforts to recruit and support international students and the impact these students have on the local economy following graduation.

Utah Export Acceleration Grant

Received a presentation and a [handout](#) from World Trade Center Utah on the Utah Export Acceleration Grant and its impact on local companies. The grant program has awarded over \$170,000 to 13 Utah companies that are expected to create over 100 new jobs in the next two years.

Chairs: Rep. Eric K. Hutchings / Sen. Curtis S. Bramble
Staff: Ryan M. Hunter (Policy Analyst) / Robert H. Rees (Attorney) / Thomas E. Young (Senior Economist/Forecaster) / Andrea Wilko (Chief Economist) / Debra Hale (Legislative Assistant)

Utah Tax Review Commission

June 27, 2017

Reviewed a [letter](#) from Governor Gary R. Herbert directing the commission to study and recommend ways to modernize the state's state and local tax structure to ensure that it remains viable in the long term and fair to taxpayers. The letter included suggested principles for good tax policy that the commission should apply in its study. The

commission also received a staff [presentation](#) on Utah's state and local tax system.

Chair: Mr. Curtis Trader

Staff: Leif G. Elder (Policy Analyst) / Andrea Valenti Arthur (Attorney) / Shannon C. Halverson (Attorney) / Patricia Owen (Attorney) / Bryant R. Howe (Deputy Director) / Brent M. Gage (Legislative Assistant)

Veterans' and Military Affairs Commission

June 27, 2017

Licensure and Certification Issues Related to Military Service

Received presentations from the Division of Occupational and Professional Licensing, the Department of Health, and the Peace Officer Standards and Training regarding these agencies' efforts to help veterans seeking employment to obtain recognition for certifications earned during military service.

Action: Agreed to study further licensure and certification issues related to military service that would assist veterans with military police experience in preparing to serve as peace officers.

Moving Air National Guard to Hill Air Force Base



Received an [update](#) from the Utah National Guard regarding potentially moving the Utah Air National Guard to Hill Air Force Base.

Registration Requirements for Charities

Received a presentation from the Division of Consumer Protection regarding current law governing the registration of charities and discussed resources to avoid charity scams.

Veterans Court

Received an update on the Veterans Court, which was established in Utah's Third District Court in 2015. The court provides an alternative to incarceration but requires defendants to keep court-monitored commitments, to report regularly to the court, be free of alcohol and drug use, and to meet other requirements.

***Action:** Agreed to study ways to provide reserve component members access to veterans court services and mental health community services.*

August 22, 2017

Enhanced Use Lease at Hill Air Force Base

Received a [presentation](#) from the director of the Enhanced Use Lease Program at Hill Air Force Base regarding the operation of the Falcon Hill Development in partnership with Hill Air Force Base.

Hill Air Force Base Overview

Received a [presentation](#) from Hill Air Force Base that included an overview of Hill Air Force Base's mission and its impact on Utah's economy.

Veterans Issues in Congress

Received an update from a member of United States Senator Mike Lee's staff regarding current veterans-related issues and legislation in the United States Congress.

Chairs: Rep. Paul Ray / Sen. Peter C. Knudson

Staff: Art L. Hunsaker (Policy Analyst) / Esther Chelsea-McCarty (Attorney) / Tracey Fredman (Legislative Assistant)

Tab 4

**This section contains
information
that will be sent
separately.**

Tab 5

Standing Committee on Judicial Outreach



Administrative Office of the Courts

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

August 11, 2017

Richard H. Schwermer
State Court Administrator
Raymond Wahl
Deputy Court Administrator

MEMORANDUM

**TO: Management Committee
Utah Judicial Council**

**FROM: Geoffrey, staff
Standing Committee on Judicial Outreach**

RE: Appointment of Justice Court Judge Anna Anderson

After soliciting interest from the Justice Court bench to fill the Justice Court vacancy on the Standing Committee on Judicial Outreach, the Board of Justice Court Judges has recommended the appointment of South Salt Lake Justice Court Judge Anna Anderson for a three-year term. Judges Cummings and Ridge were also considered.

The vacancy was created in September, 2016 when the three-year term of Judge Catherine Roberts expired. Judge Anderson does qualify to fill the Justice Court Judge position on the standing committee. As she was sworn in January, 2017, Judge Anderson currently doesn't have any past of current committee assignments.

Judge Anderson's statement of Interest:

"Community outreach has been an important part of my life for years. My family was very active in our community when I was growing up, and it's something that I carried forward into my adult life. I have been an active volunteer in every area that I've lived, participating in work with parks and rec, local schools and youth clubs, and most recently was on the Board of Advisers for two non-profit organizations (one supporting local law enforcement and one building youth programs in Peru) until my recent appointment to the Justice Court in South Salt Lake, when I removed myself from both. While at the DA's office, I took every opportunity I was offered to teach classes to local law enforcement, speak to local youth, and engage/educate others regarding the court system. I'd like to be a member of the Committee on Judicial Outreach so that I may continue to engage the community in conversations relating to the justice system. I understand that my role must be limited now that I am a member of the judiciary, but would like the opportunity to continue community work in a manner that is appropriate ethically, and that is helpful to the members of the communities we serve."

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

Since submitting her interest, Judge Anderson has initiated an outreach program through the Justice Court in South Salt Lake that involves a mock trial program with junior high school students at Granite Park Jr. High.

Rule 3-114. Judicial Outreach

Standing Committee on Judicial Outreach

Intent of the committee:

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

Current member list of the Standing Committee on Judicial Outreach:

Justice John Pearce, Appellate Court judge representative
Judge Elizabeth Hruby-Mills, District Court judge representative (Chair)
Judge Julie Lund, Juvenile Court judge representative
Brent Johnson, state level administrator representative
Tom Langhorne, state level judicial education representative
James Peters, court executive representative
Richard Dibblee, Utah State Bar representative
David Reymann, communication representative
Jessica Van Buren, Utah State Library representative
Jesse Soriano, civic community representative
Robert Austin, state education representative
Judge Jill Pohlman, Utah Court of Appeals, ex officio
Geoffrey Fattah, Director of Communications, staff liaison

###

ANNA L. ROSSI ANDERSON

5444 E. Emigration Canyon Rd. • Salt Lake City, UT 84108
(309) 241-3854 • annalisarossi4270@gmail.com

SUMMARY OF QUALIFICATIONS

- Juris Doctorate with a focus on evidence-based criminal procedure.
- Justice Court Judge assigned to misdemeanor/traffic courtroom in the City of South Salt Lake.
- Admitted to practice in Utah State Courts, Illinois State Courts, and Federal Courts.
- Former Volunteer coordinator for The Utah 1033 Foundation, dedicated to providing immediate financial assistance to families of fallen police officers; former board member/legal advisor for NAFE, U.S., a non-profit organization dedicated to after-school programs for disadvantaged children in Peru.

RELATED WORK EXPERIENCE

Judge, Justice Court, South Salt Lake City, UT

January, 2017 – Present

- Responsible for hearing misdemeanor cases occurring within South Salt Lake City.
- Acting magistrate for performance of weddings, signing of search warrants, determinations of probable cause.
- With cooperation of assigned Court Administrator, ensure the Court is functioning in accordance with the rules and regulations developed by the legislature of the State of Utah and by the Administrative Office of the Courts.

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

September, 2012 - January, 2017

- Assigned to Organized Gang Prosecution unit, a specialized unit focused on prosecution of crimes committed by members of criminal street gangs.
- Acted as first- or second-chair prosecutor in multiple felony jury trials, including criminal homicides.
- Liaison for the Salt Lake Area Gang Reduction Program, assigned to Magna/Kearns local chapter focused on gang prevention and reduction through community involvement.
- Member of three-person vertical prosecution team assigned to all automobile homicide cases occurring in Salt Lake County.
- Former member of Violent Felonies unit, primarily focused on the prosecution of domestic violence offenses.
- Coordinator of training centered on the investigation and prosecution of strangulation cases, presented both within the District Attorney's Office and to local law enforcement.

Assistant State's Attorney, Will County State's Attorney's Office, Joliet, IL

February, 2007- July, 2012

- Prosecuted general felony caseload including cases ranging in severity from Driving Under the Influence to First Degree Murder.
- Achieved capital litigation certification in 2011.
- Responsible for prosecution of all arson cases occurring within Will County.
- Member of the Drug Unit assigned to the vertical prosecution of drug offenses ranging from simple possession to trafficking of large amounts of controlled substances.

- Assigned as the sole prosecutor of animal cruelty cases occurring within Will County.

Special Assistant United States Attorney, United States Attorney's Office for the Central District of Illinois, Peoria, IL

February, 2006 – February, 2007

- Licensed to practice in United States District Court for the Central District of Illinois.
- Assisted in the prosecution of federal cases involving illegal transportation and sale of endangered species.

Assistant State's Attorney, Tazewell County State's Attorney's Office, Pekin, IL

August, 2003 - February, 2007

- Assigned general felony caseload consisting of narcotics, domestic violence, and sexual offenses.
- Responsible for training of newly-hired misdemeanor attorneys in trial practice and procedure.

EDUCATION

Seminars and Institutes, 2003-2014

- **9th Annual Employment Law Update & Motion Workshop**, Illinois Institute for Continuing Legal Education, Bloomington, IL
- **Laying Foundations for Introducing Evidence**, Illinois Institute for Continuing Legal Education, Springfield, IL
- **Investigating and Prosecuting Cold Cases**, West Legal Education Center, Online Seminar
- **Advanced Trial Advocacy**, State's Attorney Appellate Prosecutor, Springfield, IL
- **Ethics in Criminal Discovery: What Does/Should *Brady* Mean?**, West Legal Education Center, Online Seminar
- **Practicing Professionalism with Opposing Counsel and the Bench**, West Legal Education Center, Online Seminar
- **Capital Litigation Training: Prosecution and Professionalism**, Illinois State's Attorney Appellate Prosecutor, Springfield, IL
- **Ethics and the Practice of Criminal Law**, West Legal Education Center, Online Seminar
- **Going Through the (Criminal) Motions**, West Legal Education Center, Online Seminar
- **The 10th Annual Practical Aspects of Practicing Law: Criminal Law**, West Legal Education Center, Online Seminar
- **Handling Drug Cases**, West Legal Education Center, Online Seminar
- **Guns, Drugs and Money**, West Legal Education Center, Online Seminar
- **Ethically Dealing with Modern Evidence**, West Legal Education Center, Online Seminar
- **Ethical Issues in Undercover Investigations**, West Legal Education Center, Online Seminar
- **International Criminal Law, Part 1**, West Legal Education Center, Online Seminar
- **Forensic Summit 2012, Part 1**, West Legal Education Center, Online Seminar
- **Adult Sexual Assault Crimes Conference 2013**, Utah Prosecution Council, Sandy, UT
- **The Children's Justice Symposium/Domestic Violence Conference 2013**, The Utah Children's Justice Center Program and Utah Prosecution Council, Midway, UT
- **Utah Prosecution Council Fall Conference**, Utah Prosecution Council, West Jordan, UT
- **Advanced Strangulation Course**, Training Institute on Strangulation Prevention, San Diego, CA
- **Gangs: Law Enforcement Training**, The Salt Lake Area Gang Project, Salt Lake City, UT

- **2015 Crime Victim Law Conference**, National Crime Victim Law Institute, Portland, OR
- **2015 Career Prosecutor Course**, National District Attorneys Association, San Diego, CA
- **2015 Fall Conference**, Utah Prosecution Council, Park City, UT
- **2017 New Judges' Orientation**, Utah Administrative Office of the Courts, Salt Lake City, UT
- **2017 Justice Court Judges Spring Conference**, Utah Administrative Office of the Courts, St. George, UT

University of Notre Dame, Notre Dame, IN

Juris Doctorate, May 2003

Intern, Wayne County Prosecutor's Office, Detroit, MI

May, 2001 – August, 2001

University of Illinois, Urbana, IL

Bachelor of Science in Sociology, May 2000

Intern, United States Attorney's Office for the District of Columbia (Homicide Division), Washington, D.C.

August, 1999 – December, 1999

PUBLICATIONS

The Exception to the Rule: Government Employers' Right to Restrict Free Speech of Employees, University of Notre Dame Journal of College and University Law, Spring, 2003.

PRESENTATIONS

- **Prosecuting the Staged Murder Case**, National District Attorneys Association, Prosecuting Homicide Cases 2015, Minneapolis, Minnesota
- **Understanding, Investigating, and Prosecuting Strangulation Cases**, National District Attorneys Association, Prosecuting Homicide Cases 2015, Minneapolis, Minnesota
- **Elder Abuse Training for Law Enforcement**, 2014
 - Salt Lake City Police Department, Salt Lake City, UT
 - Murray Police Department, Murray, UT
- **Investigation and Prosecution of Strangulation Cases**, 2014
 - Salt Lake County District Attorney's Office, Salt Lake City, UT
 - West Valley City Police Department, West Valley City, UT
 - South Salt Lake Police Department, South Salt Lake City, UT
 - Sandy Police Department, Sandy, UT
- **Prosecuting Gang Cases**, 2014 Utah Gang Conference, Sandy, UT
- **Building Rapport with Victims**, The Children's Justice Symposium/Domestic Violence Conference 2014, Midway, UT
- **Building Rapport with Victims**, Utah Prosecution Council Advanced Trial Advocacy Course, 2014, Sandy, UT

MEMBERSHIPS

- Illinois State Bar Association
- Utah Bar Association
- American Bar Association

Forms Committee



Administrative Office of the Courts

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

September 1, 2017

Richard H. Schwermer
State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Utah Judicial Council
FROM: Brent Johnson, General Counsel
RE: Forms Committee

All memos need to contain the following:

Name of Committee: Forms Committee

Reason for Vacancy: This position has not been filled since the committee was created.

Eligibility requirements: A person who is skilled in linguistics or communication.

Current committee member list:

- Randy Dryer, Chair
- Kim Allard
- Cyndie Bayles
- Commissioner T. Patrick Casey
- Guy Galli
- Judge James Taylor
- Judge Beth Lindsey
- Jessica Van Buren
- Stewart Ralphs
- Mary Westby
- Nathanael Player

New appointee's memo needs the following:

Description of recruitment process: Committee members were asked to submit the names of candidates to staff. The only name that was submitted is Kara Mann. Ms. Mann is the Language Access Program Coordinator with the AOC.

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

List of names for consideration (at least two, preferably three):

Ms. Mann has a B.A. in English and has served on the Forms Committee for the West Virginia Supreme Court. Her role was to review the forms for grammar and plain language. She served for many years in that capacity. Having Ms. Mann on the committee will also be beneficial as the Forms Committee decides which forms should be translated into other languages. Ms. Mann will be a valuable link between the Forms Committee and the Language Access Program.

Each appointee should have:

- 1) Cover letter if applicable and statement of interest
- 2) List of other current and past committee assignments
- 3) Resume, if applicable

**Brent Johnson <brentj@utcourts.gov>**

Committee on Court Forms

1 message

Kara Mann <karajm@utcourts.gov>
To: Brent Johnson <brentj@utcourts.gov>

Mon, Aug 28, 2017 at 11:06 AM

Brent,

As I expressed earlier I am interested in participating on the Committee on Court Forms.

At my previous job, I was on the Court Forms Committee for the West Virginia Supreme Court. I was a member of the committee due to my work in Access to Justice (which in WV includes Language Access) and because I have my B.A. in English. Specifically, I reviewed new and revised forms for grammar, ease of use, and word replacements as a push towards plain language, with self-represented litigants in mind.

If I can be of service to the Committee on Court Forms please let me know.

Thank you.

--

Kara Mann
Language Access Program Coordinator
Administrative Office of the Courts
450 S. State Street
Salt Lake City, UT 84114
Phone: 801.578.3828

Standing Committee – Courts Facility Planning



Administrative Office of the Courts

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

August 10, 2017

Richard H. Schwermer
State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Utah Supreme Court

FROM: Standing Committee
Courts Facility Planning

RE: Committee Member Appointment

Committee: The Courts Facility Planning Committee

The Facilities Planning Committee is requesting the appointment of Judge Jeff Noland to serve as the Juvenile Court Representative on the Courts Facility Planning Committee. This position on the Committee was vacated by Judge Charles Behrens who retired. Judge Noland's court is located in the new Ogden Juvenile Courthouse; I believe his experience with a new courthouse will provide a new prospective to the Committee. The term for this Committee is three years and can be reappointed one time.

The rules governing the Committee require one Judge from each of the levels of court, two members of the community with a history in design and or construction along with the State Court Administrator. Judge Charles Behrens retired in July leaving this position open. Judge Noland has expressed a very strong interest in being a member of the Committee and serving as Chair of the Committee.

List of other current and past Committee assignments:

Current committee members

Appellate Court Level	Judge David Mortensen
District Court	Judge James Brady
Juvenile Court	Vacant
Justice Court	Judge Jon Carpenter
TCE	Sixth District, Wendell Roberts
Industry	Archie Philips, Architect
Industry	Lyle Kundsén, Architect
AOC Court Administrator	Richard Schwermer
Staff	Alyn Lunceford

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efficient, and independent system for the advancement of justice under the law.

Assessment of level of contributions to the work:

As staff to the Committee I believe Judge Noland will be a very good choice to serve as member of the Committee. Judge Noland is very interested in the facility issues of the court, has a strong sense design and understands the role that a court building has in the community.



Alyn Lunceford <alynl@utcourts.gov>

Re: Facility Standing Committee member

1 message

Dawn Marie Rubio <dawnr@utcourts.gov>
To: Alyn Lunceford <alynl@utcourts.gov>

Mon, Jun 12, 2017 at 9:55 AM

Alyn: On Friday, the Board nominated Judge Jeff Noland for the seat to be vacated by Judge Behrens.

Thonks. DMR

Dawn Marie Rubio, J.D.
Utah Juvenile Court Administrator
Commissioner-Interstate Compact for Juveniles
Utah Administrative Office of the Courts
450 South State Street
P. O. Box 140241
Salt Lake City, UT 84111
[801] 578-3812
dawnr@utcourts.gov

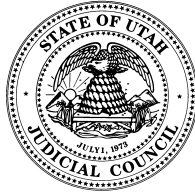
On Tue, May 2, 2017 at 3:41 PM, Dawn Marie Rubio <dawnr@utcourts.gov> wrote:
I will take care of it. Next meeting of Board is June 9, 2017. Thanks. DMR

Dawn Marie Rubio, J.D.
Utah Juvenile Court Administrator
Commissioner-Interstate Compact for Juveniles
Utah Administrative Office of the Courts
450 South State Street
P. O. Box 140241
Salt Lake City, UT 84111
[801] 578-3812
dawnr@utcourts.gov

On Mon, May 1, 2017 at 11:55 AM, Alyn Lunceford <alynl@utcourts.gov> wrote:

Judge Behrens has served on this committee since February 2013, with his retirement in July we need refill Juvenile Court Judge position on the Facility Standing Committee as soon as possible. Will you please put this request for a judge that is interested and willing serve on the Facility Standing Committee?

MUJI - Civil Committee



Administrative Office of the Courts

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

August 21, 2017

Richard H. Schwermer
State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council

FROM: Nancy Sylvester

RE: Model Utah Civil Jury Instructions Chair Appointment

Name of Committee: The Standing Committee on the Model Utah Civil Jury Instructions (MUJI-Civil)

Reason for Vacancy: Juli Blanch's term as chair of the MUJI-Civil Committee will expire in November 2017. She has been with the committee since 2003.

Eligibility requirements: This position has no specific eligibility requirements, but it would be helpful to have someone occupying the chair position who has been with the committee for a while.

Current committee member list:

Last	First	Title	Role
Blanch	Juli	Chair 11/24/14	Defendant
Di Paolo	Marianna		Linguist
Ferre	Joel		Defendant
Fowler	Tracy		Defendant

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Harris	Ryan	Judge	District Judge
Shapiro	Ruth		Defendant
Keundig	Patricia		Plaintiff
Simmons	Paul		Plaintiff
Stone	Andrew	Judge	District Judge
Summerill	Peter		Plaintiff
Von Maack	Christopher		Plaintiff

Description of recruitment process:

Juli and I conferred about who would be an appropriate chair for the committee. I believe that she individually approached one or two non-judge committee members first, but they had each been on the committee for quite a while and would be cycling off soon. She then approached Judge Ryan Harris, who agreed to take on the leadership position. But then the governor appointed Judge Harris to the Utah Court of Appeals. Once the senate confirmed him, he could no longer be involved with the committee since appellate judges are not permitted to occupy its membership. Ultimately, Juli approached Judge Stone, who readily agreed to take the helm.

List of names for consideration:

Judge Andrew Stone, Third District Court

Length of service on the committee:

Judge Stone has been with the committee since 2012.

Attendance record:

Judge Stone has attended about 90% of the meetings.

Assessment of level of contributions to the work:

Judge Stone is an excellent contributor to the committee. He always has constructive feedback and is not afraid to voice his opinion on the law or the form of an instruction. He is one of our best committee members.

Statement of interest:

Although I did not approach Judge Stone for a statement of interest, Judge Stone did meet with Juli Blanch and me over lunch to discuss passing the reigns to him. He readily agreed to accept the responsibility.

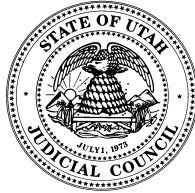
List of other current and past committee assignments:

Judge Stone was appointed a member of the Supreme Court's Advisory Committee on Civil Jury Instructions about a year ago and is transitioning to the chairman position of the Board of District Court Judges.

Management Committee Recommendation

The Management Committee has recommended that Judge Stone be appointed to the chairman position.

Self-Represented Parties Committee



Administrative Office of the Courts

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

August 21, 2017

Richard H. Schwermer
State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council

FROM: Nancy Sylvester

RE: Self-represented Parties Committee Appointment

Name of Committee: The Standing Committee on Resources for Self-represented Parties

Reason for Vacancy: Tyler Cameron, who is our urban clerk of court designee, is unable to make the meeting schedule work with his court schedule. Tyler was acting as a designee for Alyson Brown, Second District Clerk of Court. Mary Jane Ciccarello, who retired, also needs to be replaced.

Eligibility requirements: This position requires an urban clerk of court or designee and a representative of the Self-Help Center. See UCJA Rule 1-205(1)(B)(viii).

Current committee member list:

Last Name	First Name	Representing
Cameron	Tyler	Urban clerk of court
Collins	Lisa	Appellate clerk of court
Crismon	Sue	Salt Lake Legal Defenders
Frank	Carol	Rural clerk of court
Griffith	Susan	Public
Hernandez	Carl	J Reuben Clark Law School
Howell-Powers	Jaclyn	S J Quinney College of Law
Johnson	Kristin	Public
Kent	Jacob	OCAP (ULS)
Knight	Elizabeth	Juvenile court judge

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Lawrence	Barry	District court judge
Martinez	Chris	Legal Aid Society of Salt Lake
McNeil	Shaunda	Bar
Roberts	Catherine E.	Justice court judge
Sudbury	Virginia	Low Income Attorney
Thomas	Doug	District court judge
Vacant		SHC
Van Buren	Jessica	State Law Library

Description of recruitment process:

Urban Clerk of Court

Judge Lawrence and I reached out to Chris Davies (Third District Clerk of Court) to see if she had another designee in mind. She suggested several people, but none of them could make the meetings. Ultimately, I reached out to Alyson Brown and explained the situation and she said she'd be happy to basically take the position back from Tyler since he was acting as her designee. She then determined that it would actually be better if she gave one of her case managers an opportunity to get involved. She suggested Monica Fjeldsted, who immediately after Alyson spoke with her, sent me an email expressing her interest. Ms. Fjeldsted's email is attached.

Self-Help Center

Nathanael Player is the new director of the Self-Help Center. Because he is filling the same role that Mary Jane Ciccarello did before her retirement and Mary Jane Ciccarello played such an integral role in this committee, the committee requests that he be appointed in her place.

List of names for consideration:

Monica Fjelsted, Second District Clerk of Court
Nathanael Player, Self-Help Center

Statement of interest:

See attached for Ms. Fjeldsted and please also see Mr. Player's attached resume.

List of other current and past committee assignments:

None for Ms. Fjeldsted; Forms committee for Mr. Player.

Management Committee Recommendation

The Management Committee has recommended that Ms. Fjeldsted and Mr. Player be appointed to the committee.



Nancy Sylvester <nancyjs@utcourts.gov>

Other committee assignments and statement of interest

Monica Fjeldsted <monicaf@utcourts.gov>
To: Nancy Sylvester <nancyjs@utcourts.gov>

Tue, Aug 1, 2017 at 1:54 PM

Nancy,

I am interested in taking part in the Committee on Resources for Self-represented Parties. I am not currently participating in other committee assignments nor have I in the past I am a Case Manager in Farmington, 2nd District Court, where I interact with the public on a daily basis. I take phone calls and help the public at the counter with questions about information pertaining to their case along with helping self represented litigants navigate the Court's website. If you require additional information please let me know. Thank you for taking the time to consider me for the committee.

Monica Fjeldsted
Judicial Case Manager
2nd District Court -Farmington
Phone: [801-447-3821](tel:801-447-3821)
Email: monicaf@utcourts.gov

NATHANAEL PLAYER

921 EAST 10715 SOUTH
SANDY, UT 84094

415-335-2314
NPLAYER@GMAIL.COM

QUALIFICATIONS

State Bar of California Number 264920: Admitted December, 2009 – *currently on inactive status*

District of Columbia Bar Number 1032035: Admitted April, 2016

PROFESSIONAL EXPERIENCE

Bread for the City Legal Clinic, Washington, DC

Senior Staff Attorney – November 2015 – December 2016

- Represented tenants facing legal issues with their landlords, independently managing a full caseload.
- Drafted responses to complaints, negotiated on behalf of tenants, drafted and argued motions, conducted discovery, represented tenants at trial, and coordinated with partner agencies and within Bread for the City's own social services team to ensure wraparound care of clients. Conducted intakes with tenants, reviewing their legal problems and advising them of their rights and recommended next steps.
- Participated in the attorney of the day program – assisted tenants facing eviction on the fly, negotiating on their behalf and helping them to navigate the court process.

National Consumer Law Center (NCLC), Boston, MA

Research Attorney – June 2007 – June, 2016 (Part Time)

- Was recruited to continue working after a law school internship. Assisted with a project to summarize and track state legislation regarding manufactured housing. Previous short-term projects included: assisting with a report ranking each state's consumer protection statutes by reviewing legislation, drafting memoranda and recommending a ranking for each; assisting with forensic accounting on mortgages; researching and writing legal memoranda on consumer law issues including predatory lending and payday loans; and updating and cite-checking NCLC publications.

Eviction Defense Collaborative (EDC), San Francisco, CA

Supervising Attorney – November 2012 – May 2015

- Helped lead San Francisco eviction defense community to commit to trial work. Directed efforts to deliver full-scope trial representation for tenants facing unlawful detainer actions in an office that previously provided only limited scope representation. Developed and implemented new policies and procedures, drafted boilerplate trial documents and retainer and trained staff on negotiation and trial representation. Coordinated with community agencies and other legal services providers to integrate trial work within existing services. Encouraged partner agencies to implement trial work and supported attorneys at partner agencies, providing procedural guidance and strategic advice on cases.
- Managed and supported a staff of eleven attorneys, overseeing their development and trial work. Led efforts to recruit, hire and train new staff committed to zealous representation. Managed trial calendar to ensure representation for clients at various stages of litigation and provide coverage for a drop-in clinic.
- Oversaw volunteer program and managed volunteer coordinator. Revised new volunteer training to provide clearer goals, better evaluation of trainings and develop cultural humility.
- Personally litigated and oversaw the negotiation and litigation of hundreds of unlawful detainer matters. Conducted three trials to verdict, argued numerous motions *in limine*, selected several juries, drafted and argued many motions and successfully opposed several *ex parte* applications for judgment.
- Participated in high level management meetings for the EDC, developing communication and strategic plans and formulating HR policies.
- Helped to manage the drafting of two major reports documenting evictions in San Francisco by guiding research efforts, managing staff and revising drafts. The reports were cited by the City Budget and Legislative Analyst and were a key factor in closing loopholes in San Francisco's rent ordinance.
- Represented the EDC in various venues. Met with city supervisors, housing providers and the presiding judge of the San Francisco housing court to document concerns of the EDC and to advocate for low income tenants. Testified at hearings to advocate for additional funding for eviction defense services.

PROFESSIONAL EXPERIENCE (continued)

San Francisco Human Services Agency, San Francisco, CA**Shelter Grievance Arbitrator** – September 2013 – May 2014 (Part Time Volunteer)

- Conducted binding arbitration for San Francisco's shelter grievance program when shelter residents were denied services. Heard from shelter employees explaining decisions to deny residents services and from residents challenging the shelter's decision. Made findings of fact and determinations as to whether shelter employees acted in accordance with their own rules and citywide shelter policies and whether those rules and policies were applied fairly. Decided whether to uphold the shelter decision, overturn the decision or to give the shelter resident a second chance.

Homeless Advocacy Project (HAP), San Francisco, CA**Bilingual (Spanish) Staff Attorney** – September 2011 – November 2012

- Defended tenants at every step of the eviction process in a law office focused on partnering with social services. Most HAP clients were mentally disabled and representation was often provided in partnership with social workers. Focused on nuisance cases and motions to set aside judgment due to tenants' inability to properly respond to the case. Independently managed a full caseload: interviewed clients, evaluated cases for representation, prepared pleadings, drafted and argued motions, propounded discovery, negotiated settlements, prepared for trial and opposed *ex parte* applications for judgment.
- Supervised student interns, reviewed and corrected their work and provided guidance and feedback.

Eviction Defense Collaborative, San Francisco, CA**Bilingual (Spanish) Staff Attorney** – June 2010 – September 2011

- Assisted clients facing unlawful detainer proceedings in a busy legal clinic by performing client intakes; drafting answers, motions, and demurrers; providing advice and explaining legal documents to clients; and reviewing instructions with clients on how to file papers in court. Represented clients in court-mandated settlement conferences and appeared at trial call for select cases.

First Republic Bank, San Francisco, CA**Trainer/Special Projects** – June 2004 – August 2006

- Developed and implemented changes to bank procedures to improve operations. Scheduled and facilitated meetings with senior management to obtain approvals on changes, drafted new procedures and then trained employees on those changes. Managed a project to streamline transaction and balancing procedures for all branches. Researched and presented classes for diverse training needs throughout the bank. Provided systems administration for core financial software, including user support. Assisted in developing an intensive week-long new hire training program.

LANGUAGE SKILLS

Fluent in spoken and written Spanish

Basic conversational skills in American Sign Language

EDUCATION

Northeastern University School of Law, Boston, MA

Juris Doctor, May 2009

Teaching Assistant

- Assisted Professor Wendy Parmet's first-year tort law students, Fall 2007. Excellent student reviews led Professor Parmet to offer me the post for her Spring 2009 Constitutional Law class.

University of Utah, Salt Lake City, UT

Bachelor of Arts, History, December 2001