

JUDICIAL COUNCIL MEETING

AGENDA

February 25, 2019

Council Room

Matheson Courthouse

450 S. 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. 9:10 a.m. Administrator’s Report Judge Mary T. Noonan
4. 9:30 a.m. Reports: Management Committee Chief Justice Matthew B. Durrant
Liaison Committee.....Justice Thomas Lee
Policy & Planning Committee Judge Derek Pullan
Bar Commission..... Rob Rice, esq.
(Tab 2 – Information)
5. 9:40 a.m. Fourth District Commissioner Request.....Judge James Brady
(Action) Shane Bahr
6. 9:50 a.m. Ethics Advisory Committee ReportJudge Michele Christiansen Forster
(Action) Brent Johnson
7. 10:00 a.m. Language Access Committee Report..... Michelle Draper
(Tab 3 – Information) Kara Mann
- 10:10 a.m. Break
8. 10:20 a.m. State Audit Update Karl Sweeney
(Information) Kim Allard
Heidi Anderson
9. 10:35 a.m. Legislative Update Cathy Dupont
(Information) Michael Drechsel

- | | | | |
|-----|------------|--------------------------|--|
| 10. | 10:55 a.m. | NCSC System Review | Judge Mary T. Noonan
Judge Kate Appleby
Judge Todd Shaughnessy
Neira Siaperas |
| 11. | 11:15 a.m. | Executive Session | |
| 12. | 12:00 p.m. | Adjourn | |

Consent Calendar

The consent calendar items in this section are approved without discussion if no objection has been raised with the Administrative Office of the Courts or with a Judicial Council member by the scheduled Judicial Council meeting or with the Chair of the Judicial Council during the scheduled Judicial Council meeting.

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|----|-----------------------------------|--|
| 1. | Committee Appointments
(Tab 4) | Uniform Fine and Bail Committee – Shane Bahr
Self-Represented Parties Committee – Nancy Sylvester |
| 2. | Forms Committee Forms
(Tab 5) | Brent Johnson |

Tab 1

JUDICIAL COUNCIL MEETING

Minutes

January 28, 2019

Matheson Courthouse

Council Room

450 S. State St.

Salt Lake City, Utah 84111

9:00 a.m. – 12:00 p.m.

Chief Justice Matthew B. Durrant, Presiding

Attendees:

Chief Justice Matthew B. Durrant, Chair
 Hon. Kate Appleby, Vice Chair
 Hon. Kevin Allen
 Hon. Ryan Evershed
 Hon. Paul Farr
 Justice Thomas Lee
 Hon. David Marx
 Hon. Mark May
 Hon. Kara Pettit
 Hon. Derek Pullan
 Hon. Todd Shaughnessy
 Hon. John Walton
 Rob Rice, esq.

Excused:

Hon. Augustus Chin

Staff:

Hon. Mary T. Noonan
 Ray Wahl
 Karolina Abuzyarova
 Heidi Anderson
 Shane Bahr
 Michael Drechsel
 Cathy Dupont
 Geoff Fattah
 Kim Free
 Tom Langhorne
 Chris Palmer
 Jim Peters
 Neira Siaperas
 Karl Sweeney
 Nancy Sylvester
 Jeni Wood

Guests:

Hon. James Blanch
 Hon. James Brady
 Sr. Judge Dennis Fuchs
 Hon. Elizabeth Hruby-Mills
 Michael Jarman, Private citizen
 Hon. Barry Lawrence
 Justice Paige Petersen
 Dr. Jennifer Yim, JPEC

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting. Chief Justice Durrant noted Judge Kate Toomey has taken her maiden name and will now be known as Judge Kate Appleby.

Motion: Judge Kate Appleby moved to approve the Judicial Council minutes from the December 17, 2018 meeting, as presented. Judge Mark May seconded the motion, and it passed unanimously.

Judge Kara Pettit briefly discussed two forms on the consent calendar. Judge Pettit noted she has contacted Brent Johnson about them.

Motion: Judge Kara Pettit moved to remove the Notice to Defendant of Disclosure Requirements form and approve the Request for Request for Occupancy form with minor changes from the consent calendar. Judge Appleby seconded the motion, and it passed unanimously.

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

Chief Justice Durrant, Judge Mary Noonan, Ray Wahl, Cathy Dupont, Shane Bahr, Neira Siaperas, Jim Peters, and Mike Drechsel visited the eight judicial districts to meet with judges, staff, and local legislators. Chief Justice Durrant was very pleased with the events held. Judge Mary Noonan noted many judges attended and participated in valuable discussions.

Chief Justice Durrant requested a review of the courts' sexual harassment policies including reporting, education. The review should be a part of the upcoming organizational assessment conducted by the National Center for State Courts. Any comments or suggestions on this review should be directed to Judge Noonan.

3. ADMINISTRATOR'S REPORT: (Judge Mary T. Noonan)

Judge Mary Noonan reported that the National Center for State Courts was selected through an RFP process to recruit applicants for the State Court Administrator position. The position closes February 11.

The State Auditor's Office will conduct an audit of the courts, including storage of physical evidence in trial courts, ensuring compliance with Utah Code of Judicial Administration Rule 4-206, jury management, CORIS, and the courts IT security systems. Karl Sweeney said he is working with Heidi Anderson on preparing information needed by the Auditor's Office. Mr. Sweeney said it has been approximately 10 years since the State Auditor conducted an audit.

Judge Noonan explained that the National Center for State Courts conducts organizational assessments for member court systems. There are three levels of review: high-level reviews which consist of a 2-3 days visit with the AOC and judicial leadership and is expected to cost approximately \$2,500; in-depth reviews would consist of a week-long visit, a more detailed review, and is expected to cost approximately \$25,000 - \$30,000; the third option would involve a State Justice Institute Grant, and is designed to assist a new State Court Administrator, and is expected to cost \$50,000 (if received, the grant would cover all but \$5,000.) Judge Noonan noted the courts can guide the areas included in an assessment. Judge Noonan recommended the high-level review. The Management Committee approved a high-level assessment followed by an in-depth review when the new court administrator has been named. Judge Noonan stated a Steering Committee has been created to work with the National Center during this process. Committee members include Judge Noonan, Judge Appleby, Judge Shaughnessy, Neira Siaperas, and Ray Wahl as staff. The Committee will report findings to the Council.

The new Provo Courthouse has received the Associated General Contractors Most Outstanding Government or Public Building award. The award ceremony will be held this month. The courthouse dedication ceremony will be held on February 4 at 10:00 a.m. Judge Pullan said everyone has moved in and the courthouse is operational.

4. JUDICIAL COUNCIL SELECTION OF STUDY ITEM: (Judge Kate Appleby)

Judge Appleby noted the Management Committee would like to delay a decision on this topic and readdress it in the fall.

Motion: Judge Pettit moved to defer the discussion of a Judicial Council study item until late fall. Judge Todd Shaughnessy seconded the motion, and it passed unanimously.

5. COMMITTEE REPORTS:

Management Committee Report:

The work of this committee is reflected in the minutes.

Liaison Committee Report:

Justice Thomas Lee welcomed Judge Mark May and Judge Kara Pettit to the committee. The committee meets weekly during the legislative session. The committee makes decisions on whether to take a position on a bill and provides guidance to Cathy Dupont and Mike Drechsel. Justice Lee thanked the committee members, Ms. Dupont and Mr. Drechsel.

Policy and Planning Committee Report:

Judge Derek Pullan said much of the committees' work will be discussed during the Council meeting.

Bar Commission Report:

Rob Rice said Heather Farnsworth was elected as the president-elect of the Utah Bar. The Bar awarded Jacey Skinner with the Dorothy Merrill Brothers Advancement of Women in the Legal Profession award. Bar Commissioners have awarded the Lawyer Wellness initiative \$10,000.

6. WINGS COMMITTEE REPORT: (Judge James Brady and Karolina Abuzyarova)

Chief Justice Durrant welcomed Judge James Brady and Karolina Abuzyarova. Judge Brady stated the WINGS Committee is a multi-disciplinary problem solving body that relies on court and community partnerships to:

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

Judge Brady reviewed the committee members, current activities, accomplishments, and goals. Karolina Abuzyarova said they are working with Utah tribes regarding adult guardianship. Ms. Abuzyarova reviewed grants that have been received.

Chief Justice Durrant thanked Judge Brady and Ms. Abuzyarova for their report.

7. LEGISLATIVE UPDATE: (Cathy Dupont and Michael Drechsel)

Cathy Dupont noted there have been 100 Senate bills and 185 House bills filed; of those, 86 are court-related. Thus far, the Liaison Committee has reviewed 20 bills, and several more will be addressed this week.

Ms. Dupont stated some legislation has historically included court procedures. The courts are typically guided by rules. A long-term goal of the committee is to amend legislation to exclude what should be procedure found in court rules. Representative Snow recommended the Rules of Evidence Committee review H.J.R. 3 and H.B. 53.

Justice Lee commended Ms. Dupont and Mike Drechsel for their dedication to the legislative work. Chief Justice Durrant concurred and noted they have gone well above and beyond call of duty.

8. RULES 4-409, 1-205, 2-208, 3-103, 3-104, 3-111, 3-106, 3-107, 3-413, 3-501, 4-202.09, 4-403, 4-405, 4-508, AND ADULT DRUG COURT CERTIFICATION CHECKLIST FOR FINAL APPROVAL: (Michael Drechsel)

Mr. Drechsel stated rules 4-409, Adult Drug Court Certification Checklist, 1-205, 2-208, 3-103, 3-104, 3-111, 3-106, 3-107, 3-413, 3-501, 4-202.09, 4-403, 4-405, and 4-508 completed a public comment period. There was one comment received regarding the checklist. Mr. Drechsel said Policy & Planning reviewed the comment and believe all of these rules are ready for final approval.

Judge Pullan noted rule 4-409 allows for certification of problem-solving courts who meet the requirements, decertification of those who do not meet the requirements, and conditional certification when needed. Judge Noonan expressed a need to educate the courts on the importance of this rule change.

Motion: Judge Shaughnessy moved to approve rules 1-205, 2-208, 3-103, 3-104, 3-111, 3-106, 3-107, 3-413, 3-501, 4-202.09, 4-403, 4-405, and 4-508 with an effective date of May 1, 2019. Judge Appleby seconded the motion, and it passed unanimously.

Motion: Judge Shaughnessy moved to approve rule 4-409 and the Adult Drug Court Certification effective immediately. Judge Allen seconded the motion, and it passed unanimously.

9. HUMAN RESOURCE POLICY 500 INTERN WORK CONFLICT FOR FINAL APPROVAL: (Michael Drechsel)

Mr. Drechsel addressed the Code of Personal Conduct section 500, which applies to employees, interns and externs. The Policy & Planning Committee was presented with a proposed HR policy 500 revision that would create a limited exception to the general principles for an intern or extern working under the supervision of a justice or a judge. The limited exception would not permit secondary employment that creates a conflict of interest. Judge Shaughnessy believes it is a lawyer's responsibility to ensure ethical behavior when a person under their supervision also is an intern working for the courts. Justice Lee said current rules do not speak directly to a conflict, however, before rules are amended, research needs to be conducted to understand better how often this is happening. Judge Kevin Allen said when this situation arose in his district last summer, the district did not allow the intern to also work at a

law firm. Mike Drechsel noted employees are required to sign a secondary employment form ensuring there are no appearance of conflicts. Shane Bahr said in the past, the Fourth District dealt with this situation many times.

Justice Lee recommended Policy & Planning research procedures for this situation in other jurisdictions. The Council agreed to return the proposed amendment to Policy & Planning.

10. JUDICIAL PERFORMANCE EVALUATION COMMISSION (JPEC) REPORT: (Dr. Jennifer Yim)

Chief Justice Durrant welcomed Dr. Jennifer Yim. Dr. Yim stated JPEC sent an anonymous survey to judges with retention cycles in 2018. Thus far, 36% of judges have responded. Judge Shaughnessy asked Dr. Yim if it would be appropriate for the Council to encourage participation. Dr. Yim welcomed the idea of assistance.

JPEC has a \$60,000 request for a building block of on-going funds that will be used to create computerized tracking of judicial evaluations. Currently, JPEC has no automated tracking system. Dr. Yim noted JPEC was created in 2008.

JPEC goals for this year include:

- 1) performance evaluation as a process, improving relationship with courts;
- 2) increase public awareness of JPECs work; and
- 3) improve JPEC structure, database, tracking service, reporting correct and timely data on judges.

Dr. Yim next reviewed the three types of evaluations: 1) a basic evaluation includes a Judicial Council certification and review of public discipline-related issues; 2) a mid-level evaluation includes the basic evaluation and courtroom observations; and 3) a full evaluation includes the mid-level evaluations and a survey. JPEC has been working with the Board of Justice Court Judges to develop ideas to provide more substantial basic evaluations to justice court judges. The University of Utah conducted a study to explore various options for evaluations of justice court judges in rural areas with fairly small court calendars.

Chief Justice Durrant thanked Dr. Yim for her report.

11. SELF-REPRESENTED PARTIES COMMITTEE REPORT: (Judge Barry Lawrence and Nancy Sylvester)

Chief Justice Durrant welcomed Judge Barry Lawrence and Nancy Sylvester. Judge Lawrence noted the committee was created in 2005. The committee has four subcommittees: 1) Education; 2) Outreach; 3) Rural service; and 4) Self-Help Center/Non-lawyer assistance/Court updates.

Judge Lawrence provided the Council with a draft Memorandum of Understanding between the committee and the Access to Justice Coordinating Committee and Pro Bono Commission. The Access to Justice Committee will focus on the coordination of all initiatives, including those from the Pro Bono Commission and the Self-Represented Parties Committee. The Pro Bono Commission will seek to increase pro bono legal services throughout the state by creating pro bono committees in each of the judicial districts.

Judge Lawrence said rural area litigants do not have the resources found in urban areas such as participation in legal clinics or adequate resources to pro bono attorneys. Chief Justice Durrant noted he recently toured some of the rural districts and learned the court clerks are referring litigants to the Self-Help Center. Chief Justice Durrant said focusing on public education is important. The Utah State Bar recently created a section of retired attorneys who are willing to perform limited work.

Chief Justice Durrant thanked Judge Lawrence and Ms. Sylvester for their report.

12. LAWYER AND JUDGE WELL-BEING COMMITTEE REPORT: (Justice Paige Petersen and Kim Free)

Chief Justice Durrant welcomed Justice Paige Petersen and Kim Free. Justice Petersen provided the Council with a timeline of activities from 2018 and 2019 and reviewed the committee members and workgroups. The committee believes well-being is defined as the continuous process of thriving in all aspects of a person's life.

Chief Justice Durrant thanked Justice Petersen and Ms. Free for their report.

13. JUSTICE COURT RECERTIFICATIONS: (Jim Peters)

Jim Peters reviewed the five remaining justice courts that are seeking recertification. Mr. Peters noted the Board of Justice Court Judges reviewed the results from each of these courts and believes they are now in compliance.

- Juab County Justice Court – Judge Sharla Williams. The Court increased the hours of operation on Fridays, as requested. The Court requested a waiver to remain with 1.5 clerks rather than the 2 required clerks.
- Kane County Justice Court – Judge Gary Johnson. Kane County Justice Court provided documentation showing the judges salary is in compliance.
- Morgan County Justice Court – Judge Brian Brower. The Court only has one part-time clerk. Morgan County has agreed to provide additional clerical resources when needed. Their issue is resolved.
- Uintah County Justice Court – Judge Jody Petry. The Board withdrew the compliance request for Uintah County Justice Court. There is no issue.
- Wayne County Justice Court – Judge Roy Brown. The Court corrected their hours of operations and corrected their website.

Motion: Judge Appleby moved to approve the recertifications of Juab County Justice Court with a waiver, Kane County Justice Court, Morgan County Justice Court, Uintah County Justice Court, and Wayne County Justice Court, as presented. Judge Pullan seconded the motion, and it passed unanimously.

14. PROBLEM-SOLVING COURTS RECERTIFICATIONS: (Sr. Judge Dennis Fuchs)

Chief Justice Durrant welcomed Sr. Judge Dennis Fuchs. Judge Fuchs reviewed the status of the below listed courts. Judge Fuchs is seeking full recertification on all courts listed below in section (1) and conditional recertification of the courts listed below in section (2). The juvenile courts seeking conditional certification are seeking conditional certification due to non-

compliance with weekend drug testing. The West Valley Justice Mental Health Court has staffing issues. Judge Pullan recommended sending a copy of rule 4-409 with a letter of conditional recertification to the judge who leads the team. Judge Pullan noted that the team may seek review by the Council for conditional recertification. The Council agreed the letters sent to conditionally recertified courts should only go to the teams.

(Section 1) Problem Solving Courts' Recertification Recommendations

Adult drug court:

Third District	Park City	Judge Patrick Corum
Sixth District	Kanab	Judge Wallace Lee
Sixth District	Manti	Judge Brody Keisel
Seventh District	Castle Dale	Judge Douglas Thomas
Seventh District	Moab	Judge Mary Manley
Seventh District	Monticello	Judge Don Torgerson
Seventh District	Price	Judge George Harmond

Juvenile drug court:

Third Juvenile Court	Salt Lake City	Judge Steven Beck
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Adult mental health:

First District	Logan	Judge Kevin Allen
Third District	Salt Lake City	Judge Vernice Trease
Fourth District	Provo	Judge James Brady
Sixth District	Richfield	Judge Marvin Bagley

Juvenile mental health:

First Juvenile Court	Brigham City	Judge Kirk Morgan
First Juvenile Court	Logan	Judge Angela Fannesbeck

(Section 2) Courts Seeking Conditional Recertification

Juvenile dependency drug court:

Second District Juvenile Court	Farmington	Judge Robert Neill
Third District Juvenile Court	Salt Lake City	Judge Kimberly Hornak
Third District Juvenile Court	Salt Lake City	Judge Mark May
Third District Juvenile Court	Salt Lake City	Judge Julie Lund
Fourth District Juvenile Court	Provo	Judge Brent Bartholomew
Seventh District Juvenile Court	Moab	Judge Mary Manley

Juvenile mental health:

Third District Juvenile Court	Salt Lake City	Judge Elizabeth Knight
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Justice court mental health:

West Valley Justice Court		Judge Clint Gilmore
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Motion: Judge Allen moved to approve recertification of the following problem-solving courts: *Adult Drug Courts* - Park City (Judge Corum), Kanab (Judge Lee) Manti (Judge Keisel), Castle Dale (Judge Thomas), Moab (Judge Manley), Monticello (Judge Torgerson), and Price (Judge Harmond); *Juvenile Drug Courts* – Salt Lake City (Judge Beck); *Adult Mental Health Courts* –

Logan (Judge Allen), Salt Lake City (Judge Trease), Provo (Judge Brady), and Richfield (Judge Bagley); *Juvenile Mental Health Courts* – Brigham City (Judge Morgan) and Logan (Judge Fannesbeck), as presented. Judge Appleby seconded the motion, and it passed unanimously.

Motion: Judge Allen moved to conditionally approve recertification until May 1, 2019 of the following problem-solving courts: *Juvenile dependency Drug Courts* – Farmington (Judge Neill), Salt Lake City (Judge Hornak), Salt Lake City (Judge Mark May), Salt Lake City (Judge Julie Lund), Provo (Judge Bartholomew), and Moab (Judge Manley); and *Juvenile Mental Health Court* – Salt Lake City (Judge Knight), as presented Judge Appleby seconded the motion, and it passed unanimously.

Motion: Judge Appleby moved to conditionally approve recertification for 30 days to the West Valley Justice Mental Health Court, pending resolution of staffing issues. Judge Shaughnessy seconded the motion, and it passed unanimously.

Chief Justice Durrant thanked Sr. Judge Fuchs.

15. JURY SERVICE VIDEO AND CRIMINAL RIGHTS VIDEO: (Geoff Fattah)

Geoff Fattah presented the Jury Service Video and the Defendants Rights Video for the Council. Mr. Fattah thanked Judge Tupakk Renteria for his assistance with creating videos in both English and Spanish and thanked the court video working group. Judge Allen was concerned because the jury video identified people by a number, however, current practice in many courts is to identify jurors by name. Mr. Fattah will prepare a memo to the courts explaining this. Judge Pettit noted Summit County does not show a juror video.

Chief Justice Durrant thanked Mr. Fattah and the court video working group for a job well-done.

16. OUTREACH COMMITTEE REPORT: (Judge Elizabeth Hruby-Mills and Geoff Fattah)

Chief Justice Durrant welcomed Judge Elizabeth Hruby-Mills. Judge Hruby-Mills stated there have been courthouse tours for nearly 1,500 students. The committee has participated in community organizations including the Hinckley Institute Huntsman Seminar, University of Utah Pre-Law, Utah Council for Citizen Diplomacy, and the Governor's Native American Summit. The committee was provided a free booth at FanX, and interacted with more than 2,000 people.

The committee goals for 2019 include assessing the Trust and Confidence Survey, pursuing a Listening Tour with Utah's Hispanic Communities, Law Day Events, Divorce Education for Children expansion, outreach kits for districts, and updating the artwork in the Matheson Courthouse.

Chief Justice Durrant thanked Judge Hruby-Mills and Mr. Fattah for their report.

17. CRIMINAL JURY INSTRUCTIONS COMMITTEE REPORT: (Judge James Blanch and Michael Drechsel)

Chief Justice Durrant welcomed Judge James Blanch. Judge Blanch reviewed the committee members and presented the Council with a list of completed jury instructions. During

the fall of 2018, the committee spent time working through an issue that arose related to the U.S. Department of Justice Board of Immigration Appeals citing to a recently published Model Utah Criminal Jury Instruction (CR1204 – Possession with Intent to Distribute). The committee considered whether the drafting of the model instruction had caused any unintended consequence in a federal immigration proceeding, and whether the model instruction should be further revised to avoid future issues. The committee concluded that the model instruction was an accurate statement of Utah law and should not be amended.

Judge Blanch noted the committee is currently working on assault-related instructions. Once complete, they will begin working on Burglary & Robbery Offenses, DUI & Traffic Offenses, Homicide Offenses, Use of Force & Prisoner Offenses, and Wildlife Offenses.

Judge Shaughnessy asked about judicial education/best practices between the criminal and civil jury instructions committees. Judge Blanch said the committee would be happy to present more information regarding best practices at court conferences.

Chief Justice Durrant thanked Judge Blanch and Mr. Drechsel for their report.

18. EXECUTIVE SESSION

There was no executive session held.

19. CONSENT CALENDAR ITEMS

a) Forms Committee Forms. Forms: Ex Parte Motion for Order of Restitution, Notice of Occupancy Hearing, Motion for Summary Judgment to Declare Non-Parentage After Genetic Testing and Order Granting Motion for Summary Judgment on Non-Parentage, Parenting Plan, Military Parenting Plan, Motion for Temporary Order Due to Deployment and Order on Motion for Temporary Order Due to Deployment. Approved without comment.

b) Committee Appointments.

- MUJI – Criminal Committee appointment of Jessica Jacobs, Elise Lockwood, and Melinda Bowen. Approved without comment.
- Self-Represented Parties Committee appointment of Nicole Gray. Approved without comment.

c) Probation Policy. Revisions to policy 2.10. Approved without comment.

d) Rules for Public Comment. Rule 7-302. Approved without comment.

20. ADJOURN

The meeting adjourned.

Tab 2

JUDICIAL COUNCIL MANAGEMENT COMMITTEE

Minutes
February 19, 2019
Council Room
Matheson Courthouse
450 South State Street
Salt Lake City, Utah 84111
12:00 p.m. – 2:00 p.m.

Chief Justice Matthew B. Durrant, Presiding

Members Present:

Chief Justice Matthew B. Durrant, Chair
Hon. Kate Appleby, Vice Chair
Hon. David Marx
Hon. Todd Shaughnessy

Excused:

Cathy Dupont

Staff Present:

Hon. Mary T. Noonan
Ray Wahl
Shane Bahr
Brent Johnson
Jim Peters
Neira Siaperas
Nancy Sylvester
Jeni Wood

Guests:

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

Judge Kate Appleby welcomed everyone to the meeting. Judge Appleby noted Chief Justice Durrant would be late to the meeting.

After reviewing the minutes, the following motion was made:

Motion: Judge Todd Shaughnessy moved to approve the January 8, 2019 Management Committee meeting minutes as presented. Judge David Marx seconded the motion, and it passed unanimously.

2. ADMINISTRATOR’S REPORT: (Judge Mary T. Noonan)

Judge Mary Noonan said the National Center for State Courts (NCSC) on-site review began today and will continue through this Thursday. The Steering Committee assisted in creating a standard list of questions. A large cross section of judges and staff will be interviewed. The committee will meet with the NCSC on Thursday for a debriefing. A formal review will be sent later.

The courts presented their budget request last week. The Third District request for four judges has been reduced to two judges. Judge Noonan noted it is unknown as to whether this request could change back to four judges. As legislative meetings continue, the courts budget requests will be discussed.

3. ROLE OF JUDICIAL COUNCIL/ROLE OF SUPREME COURT: (Judge Todd Shaughnessy)

Judge Shaughnessy said the NCSC Steering Committee decided this discussion needed to be held to identify the role of the Supreme Court as it relates to the Judicial Council and the role of the Chief Justices' general management responsibilities.

Judge Noonan would like a memo to be distributed so everyone participating understands the goals and then have Mr. Johnson become involved. Judge Shaughnessy recommended the steering committee address this first, then bring it to the Management Committee for a discussion, and then present this to the Council. Judge Marx volunteered to join the discussions.

Judge Shaughnessy explained he would like Mr. Johnson to review statutes, rules, and policies, for authority of the committees. Judge Shaughnessy will circulate talking points. The committee agreed to meet in March after the legislative session. Jeni Wood will send a Doodle poll to schedule the next meeting.

4. ETHICS ADVISORY COMMITTEE – SUNSET: (Brent Johnson)

Brent Johnson said the committee is currently working on an opinion. The committee only meets when an opinion is requested or when they review the Code.

Motion: Judge Marx moved to approve the continuance of the Ethics Advisory Committee for an additional six years, and put this item on the Judicial Council agenda. Judge Appleby seconded the motion, and it passed unanimously.

5. RULE 3-101 CASES UNDER ADVISEMENT: (Shane Bahr and Nancy Sylvester)

Shane Bahr reviewed current cases that have been under advisement for more than 90 days. Mr. Bahr noted that often cases that extend beyond 90-days are clerical training-related issues. Mr. Bahr presented proposed amendments to rule 3-101. The Board of Justice Court Judges expressed some concerns about paragraph (2)(c)s incongruity with Utah Code § 78A-2-223. The Board of District Court Judges stated the Judicial Council should administer the rule intelligently, and not automatically determine a judge is out of compliance if, in circumstances beyond the judge's personal control, the under-advisement time is exceeded. Nancy Sylvester incorporated the proposed changes by the Boards. Judge Shaughnessy clarified that the statute allows for cases to be under advisement after two months. Jim Peters said JPEC's website states cases cannot go beyond 60 days without being considered under advisement. Judge Shaughnessy recommended someone speak with JPEC. Judge Noonan said at the appropriate time, she will have a conversation with Dr. Jennifer Yim.

Ms. Sylvester requested rule 3-101 be sent to Policy & Planning for review.

Motion: Judge Appleby moved to approve sending rule 3-101 to the Policy & Planning Committee for finalization, as presented. Judge Marx seconded the motion, and it passed unanimously.

**6. COMMITTEE APPOINTMENTS: (Shane Bahr and Nancy Sylvester)
Uniform Fine and Bail Committee**

Shane Bahr addressed the Chair vacancy on the Committee. The committee recommended the appointment of Judge David Hamilton to fill the Chair position.

Motion: Judge Appleby moved to approve the appointment of Judge David Hamilton to fill the Chair position on the Uniform Fine and Bail Committee, and to place this item on the Judicial Council consent calendar. Judge Marx seconded the motion, and it passed unanimously.

Self-Represented Parties Committee

Nancy Sylvester addressed the rural clerk of court vacancy from the Justice Courts on the Committee. The committee recommended the appointment of Janet Thorpe to fill the position.

Motion: Judge Appleby moved to approve the appointment of Janet Thorpe to the Self-Represented Parties Committee, and to place this item on the Judicial Council consent calendar. Judge Shaughnessy seconded the motion, and it passed unanimously.

**7. HR POLICY 500 REPORTING JUDGE AND ATTORNEY MISCONDUCT:
(Nancy Sylvester)**

This policy was presented at the Trial Court Executives meeting and it was determined case manager fall into the category of those who are required to report. Concerns were expressed about that process and the policy was rewritten for review by the Management Committee. Ms. Sylvester stated the rewritten policy clarifies who is allowed to report attorney misconduct to the General Counsel's Office and the State Bar. Only Clerks of Court, TCEs, Directors, or above may report attorney misconduct. Judge Appleby is concerned about the phrase "unprofessional conduct." Judge Appleby requested LPPs be added to this policy. Ray Wahl said although this does not happen often, he recommended reviewing these incidents with the General Counsel's Office prior to any contact with the Office of Professional Conduct. Judge Appleby said the policy could include a requirement that clerks report incidents or information to their judges. Judge Shaughnessy suggested having Rob Rice, who is an employment attorney, member of Policy & Planning Committee, and member of the Council, review the policy. Chief Justice Durrant said Rob Rice could chair a committee to review all H.R. policies. Chief Justice Durrant added this discussion to the February 25 Council meeting.

Motion: Judge Appleby moved to defer this item. Judge Shaughnessy seconded the motion, and it passed unanimously.

8. PROBATE WORKING GROUP: (Nancy Sylvester)

Ms. Sylvester said the probate working group has been working on civil rules. The Rules of Civil Procedure Committee is creating subcommittees to work through the probate rules.

9. APPROVAL OF JUDICIAL COUNCIL AGENDA: (Chief Justice Durrant)

Chief Justice Durrant addressed the proposed agenda for the February 25, 2019 Judicial Council meeting. Chief Justice Durrant added Human Resources Policy review to the Council's item.

Motion: Judge Appleby moved to approve the Judicial Council agenda, as amended. Judge Shaughnessy seconded the motion, and it passed unanimously.

10. EXECUTIVE SESSION

An executive session was held.

11. ADJOURN

The meeting adjourned.

Tab 3

Utah Language Access Committee Report to Utah Judicial Council

February 25, 2019

I. Spoken Interpreter Usage in Fiscal Year 2018

Spoken Language Interpreters	
District Court	5,512
Juvenile Court	3,939
Justice Court	6,743
Total	16,194

District Usage of Spoken Language Interpreters	
1 st	731
2 nd	2,161
3 rd	7,985
4 th	3,884
5 th	846
6 th	190
7 th	104
8 th	83
Youth Parole Authority	210

II. Sign Language Interpreter Usage in Fiscal Year 2018

Sign Language Interpreters	
District Court	56
Juvenile Court	118
Justice Court	93
Total	267

District Usage of Sign Language Interpreters	
1 st	13
2 nd	50
3 rd	103
4 th	80
5 th	20
6 th	0
7 th	0
8 th	1

III. Most Requested Languages

Top Requested Languages	
Spanish	13,968
Arabic	446
American Sign Language	267
Somali	154
Vietnamese	137
French	120
Mandarin	117
Farsi	116

IV. Committee Members

- Michelle Draper, Chair, ASL Interpreter
- Yadira Call, Certified Spanish Interpreter
- Judge Su Chon, Third District Court
- Mary Kaye Dixon, Interpreter Coordinator, Second District
- Amine El Fajri, Certified Arabic Interpreter
- Monica Diaz, Attorney, Utah Juvenile Defender Attorneys
- Megan Haney, Chief Probation Officer, Third District Juvenile Court
- Chris Kunej, Certified Serbian Interpreter
- Judge Michael Leavitt, Fifth District Juvenile Court
- Randall McUne, Assistant City Attorney, Cedar City
- Russell Pearson, Trial Court Executive, Eighth District
- Judge Kelly Schaeffer-Bullock, Highland Justice Court
- Lynn Wiseman, Clerk of Court, Second District Juvenile Court

- Staffed By: Kara Mann, Language Access Program Coordinator, AOC

The Committee meets every other month on the third Friday for two hours.

V. Completed Projects

- Drafted and approved an English Written Exam policy for interpreter candidates
- Created guidelines on court interpreting for conditionally-approved interpreters
- Completed an interpreter feedback survey
- Recommended video equipment to capture ASL on the record.
- Proposed extensive revisions to CJA Rules 3-306.01-.05
- Proposed revision to Human Resource Policy 570-Second Language Stipend

VI. On-Going Projects

- Creating a best practices guidelines for courts on working with conditionally-approved interpreters
- Reviewing Utah Code §78B-1-146(3)
- Creating a handbook for Interpreter Coordinators

VII. On-Going Training Projects

- Annual training for Interpreter Coordinators
- Creating and holding mock English Written Exams and mock Oral Proficiency Exams for interpreter candidates
- Creating and holding a mock trial training for approved interpreters in conjunction with the Idaho Supreme Court's Language Access Program

VIII. Future Projects

- Update the Language Access Plan, which has not been updated since it was approved in 2011
- Plan and hold a Utah Court Interpreter Conference

Tab 4



Administrative Office of the Courts

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

February 11, 2019

Hon. Mary T. Noonan
Interim State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Management Committee and 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: Carol Frank's second term expired.

Eligibility requirements: This position calls for a rural clerk of court. Rule 1-205(1)(B)(viii). The committee has interpreted this provision to mean rural clerk of court or designee. Carol Frank was a clerk of court designee.

Current committee member list:

Last Name	First Name	Representing	Original Appointment	Current Appointment	Term Ends	Term Number	Term Years
Bazzelle	Suchada	Juvenile court judge	17-Aug-18	17-Aug-18	17-Aug-21	1	3
Crismon	Sue	Salt Lake Legal Defenders	28-Apr-14	28-Apr-17	28-Apr-20	2	3
Fjeldsted	Monica	Urban clerk of court (designee)	11-Sep-17	11-Sep-17	11-Sep-20	1	3
Frank	Carol	Rural clerk of court	22-Feb-10	23-Nov-15	23-Nov-18	3 (2.5)	3
Gray	Nicole	Appellate clerk of court	28-Jan-19	28-Jan-19	28-Jan-22	1	3
Griffith	Susan	Public	24-Feb-14	27-Feb-17	27-Feb-20	2	3
Francis	Leslie	S J Quinney College of Law	20-Nov-17	20-Nov-17	20-Nov-20	1	3
Newell	Shawn	Public	18-Sep-18	18-Sep-19	18-Sep-21	1	3

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

Hernandez	Carl	J Reuben Clark Law School	28-Apr-14	28-Apr-17	28-Apr-20	2	3
Hoskins	Catherine	Juvenile court judge	01-May-18	01-May-18	01-May-21	1	3
Kent	Jacob	OCAP (ULS)	27-Feb-17	27-Feb-17	27-Feb-20	1	3
Lawrence	Barry	CHAIR-District court judge	23-Nov-15	10-Dec-16	10-Dec-19	1	3
Sessions	Brook	Justice court judge	20-Nov-17	20-Nov-17	20-Nov-20	1	1
Stormont	Charles	Bar	18-Sep-18	18-Sep-18	18-Sep-21	1	3
Strand	Peter	Legal Service Org Serving Low Income (veterans)	17-Dec-18	17-Dec-18	17-Dec-21	1	3
Sudbury	Virginia	Private Attorney serving low income	28-Feb-11	27-Feb-17	27-Feb-20	3	3
Thomas	Doug	District court judge	16-Mar-11	28-Apr-17	28-Apr-20	3	3
Player	Nathanael	SHC	11-Sep-17	-	-	-	3
Van Buren	Jessica	State Law Library	28-Feb-05	-	-	-	3
Hernandez	Amy	Ex Officio/Domestic Violence Program Coordinator	1-Dec-18				
Mann	Kara	Ex Officio/Language Access	22-Sep-17	-	-	-	3
Sylvester	Nancy	Staff	2014	2014	Present		

Description of recruitment process:

Judge Lawrence circulated a memo to the rural districts asking for names and I contacted the justice courts for names.

List of names for consideration:

Tamara Day: 5th Judicial District

Alyson Kocks: 7th Judicial District

Wesley Melton: 5th Judicial District

Janet Thorpe: Washington County Justice Court

Statement of interest:

Please see attached.

List of other current and past committee assignments:

Please see attached.

Recommendation:

I will come prepared to discuss the committee's recommendation.

To Whom It May Concern:

I am interested in joining the Standing Committee on Resources for Self-represented Parties. I believe that self-represented parties are at a complete loss in understanding how to represent themselves in criminal and civil matters. This is especially true when they are facing off against an experienced attorney in the courtroom.

I have worked for the Courts for 20 years. I worked for the busiest Court in Nevada, Clark County Justice Court, for 12.5 of those years, and have worked for 5th District Court (Juvenile and District Court) for the past 8 years. I have worked Judicial Assistant and courtroom clerk for over 10 years.

I have seen first-hand how self-represented parties are dealt a frustrating court experience. They are intimidated by court procedure, unequipped with the knowledge they need to face off against attorneys and often leave the courtroom believing that they were unfairly treated. It must be terrifying.

I currently work for 5th District Court in St. George.

Thank you for considering me.

Sincerely,

Tamara Day

Tamara Day
 3065 E 3230 S
 St. George, Utah 84790
 435-652-6059
LvTammyP@Msn.Com

Professional Summary

I am adept at working in professional fast-paced business environments. I am motivated and can thrive working independently or in a team-orientated setting. I can effectively communicate with members of the legal department, other professionals and the public. I am dedicated to maintaining professional standards and ethical work habits to produce the highest quality of work possible.

Skills

- Fluent in legal terminology
- 75 WPM typing Speed
- Exceptional telephone etiquette
- Computer-savvy
- Legal Research
- Writing and Editing
- Accounting
- Previous Notary of the Public

Work History

JA111

06-30-2011 to Present
 5th District Juvenile Court
 206 W Tabernacle
 St. George, Utah 84770

I clerk, and currently work as a Judicial Assistant 3 for Judge Bell; process and file pleadings; type minutes and orders; update and keep child welfare timelines; alter accounting records according to court orders; maintain a working relationship with courts, clients, judges, probation officers, county attorneys, assistant attorney generals and attorneys; work independently and as a part of a team; take and type staff meeting minutes; submit 5th District Court news for Utah Court Newsletter; I am the front counter cut-off person and prepare deposits for District and Juvenile Court; used and kept banks for Juvenile and District Court; took and processed payments; worked the front counter; conduct background investigations on defendants; prepare and process warrants, orders to show cause, notices of hearing and child protective orders. I also clerk District Court Protective Orders and am the Mental Health Court clerk.

Legal Office Specialist

02-1998 to 05-2010
Clark County Juvenile Court
206 Lewis Avenue
Las Vegas, Nevada 89102

Produced and processed legal documents; worked for 2 years in data entry entering court orders, traffic citations and issuing and quashing warrants; processing bond forfeitures and adding and removing bond companies; 5 years running the felony desk; accepted and entered all felony complaints for Clark County; scheduled and later clerked 48 hour hearings, 72 hour hearings and felony arraignments; prepared court calendars; took and processed payments in open court; daily bank reconciliation, participated in interviewing prospective employees; and dealt with jail inmates and employees, the District Attorney's office, detectives, and all manner of legal professionals and the public. I trained employees in data entry and on the misdemeanor and felony desks. I wrote the Felony Desk section for the updated procedural manual.

A.I.S.E. Representative/Divisional Supervisor
1-1995 to 1-1998
7242 La Jolla Boulevard
La Jolla, California

I interviewed prospective families for hosting of International Foreign Exchange Students. I placed students for 1 year stays with families and supervised and monitored the students and families for the period of time the students were in the United States. I inspected homes, counseled students and their host families regarding issues and potential resolutions. I scheduled activities and held meetings and hosted parties. I disciplined students when necessary according to the guidelines provided by A.I.S.E.

Education

Bachelor Degree in Psychology
From UNLV
Las Vegas, Nevada

Associates Degree in Business
From Crafton Hills College
Yucaipa, California

Certifications

Pre-Supervisory Certificate from Clark County Nevada
Utah Court Skills Academy Certificate dated 2-3-2017

Tamara Day

List of Committees Served On

I have not had the opportunity to serve on many committees, but:

I was the Family Recovery Court Coordinator for 2 years.

I am currently the Mental Health Court Clerk and Judicial Assistant to Judge Bell.

I have been the representative providing court news for 5th District Court for 5 years.

I have attended all rural conferences in Washington County.

January 18, 2019

Alyson Kocks
Judicial Assistant
Carbon County Seventh District and Juvenile Court
120 E Main Street
Price UT 84501
435-636-3400

RE: Letter of interest for Committee on Resources for Self-Represented Parties

To Ms. Nancy Sylvester:

I would like to express my interest in becoming a member of the Committee on Resources for Self-Represented Parties. I have read both the memo and Utah Code of Judicial Administration Rule 3-115 regarding this committee and find it very interesting. I can see how this committee fills a very specific and necessary need.

As a clerk from a rural area, I deal with self-represented parties on a daily basis. I have participated in the Utah Court Self Help program where I studied and was tested on the information provided on the Utah Court's website. I also spent a day shadowing at the Self Help Center. I very much enjoyed the time I spent learning about the resources available to our patrons on the Court's Self-Help website.

I am also on the Seventh District Pro-Bono Committee. This is a new assignment for me but I am very excited to be a part of bringing resources to the Seventh District for our pro se patrons.

As a member of this committee, I would bring the knowledge from my trainings, my experience as a judicial assistant, and the time spent on other committees to the table. I look forward to the opportunity to participate.

Regards,

Alyson Kocks

ALYSON KOCKS

000034

388 N 500 E, Price, Utah 84501
Cell: 435-650-7026
alysonkocks@gmail.com

SUMMARY

Dependable, friendly, and experienced Judicial Assistant-dedicated to achieve the highest quality of customer service. Understanding the importance of balancing excellent customer service with clerical duties. A self-starter that possesses knowledge of both the district and juvenile courts, enthusiasm, and leadership ability. Detail oriented and self motivated, with a strong work ethic.

SKILLS

- Excellent Customer Service Skills
- Motivated
- Ability to Work Independently
- Computer/Microsoft Office
- Training and Scheduling Employees
- Proficient in CORIS
- Knowledge of Court Procedure
- Accurate Record Keeping
- Problem Solving Skills
- Detail Oriented
- Management Experience
- Proficient in CARE

EXPERIENCE

SEVENTH DISTRICT AND JUVENILE COURT

Price, Utah

Judicial Assistant III

04/2013 to Current

- Customer Service-Counter and Phone
- Accurate Record Keeping
- Collections
- Minute Entry
- In-court Assistance
- Deposit Preparation
- Jury Clerk
- Patron Self Help Specialist
- Special Assignments

CARBON COUNTY OFFICE OF TOURISM

Price , Utah

Information Manager and Guest Services

05/2011 to 04/2013

- Payroll
- Manage office
- Customer interaction
- Accounting and budgeting
- Taking and typing meeting minutes
- Scheduling, organizing, and managing meetings
- Process invoices, claims, and accounts receivable

JBS RESTAURANT OF PRICE

Price, Utah

Server

04/2011 to 02/2001

- Night shift service manager
- Restaurant manager
- Resolved customer issues
- Responsible for cash receipt and reconciliation
- Excelled in multitasking in a fast paced environment
- Communicated with other servers and chefs to ensure accuracy and increase efficiency
- Processed several orders at a time while paying close attention to detail and accuracy

DESERT DREAMS

Customer Service

- Processed loans, sales
- Face to face and telephone interaction with customers
- Oversaw billing, bank accounts, collections, and small claims matters
- Developed and implemented on and off-site marketing campaigns
- Client-Business relationship building

SHAFFER'S BAKERY

Logan, Utah

Sales/Food Prep

06/1995 to 03/1997

- Food quality and display
- Coordinated orders for bakery items
- Prepared, packaged, and decorated cakes and other goods
- Counted end of day drawer, responsible for taking and accounting for money

EDUCATION AND TRAINING

ASSOCIATE OF SCIENCE: FAMILY AND EDUCATION

2010

College of Eastern Utah, Price, Utah

3.5 GPA

Graduated with Honors

Family and Education Department Achievement Award Recipient

BACHELOR OF SCIENCE: PSYCHOLOGY

2012

Utah State University , Price, Utah

Dean's List Honoree Fall 2012

Cum laude graduate

Major in Psychology

Minor in Sociology

Completed apprenticeship as a research assistant and internship at Carbon County Children's Justice Center

Current and Past Committee Assignments

District Court Judicial Support Training Recourses (DCJUST) Committee:

This committee is on semi-hiatus but I am still a member.

Seventh District Pro Bono Committee: I am a current member of this committee.



Nancy Sylvester <nancyjs@utcourts.gov>

Judicial Counsel's Committee on Resources for Self-Represented Parties

Wesley Melton <wesleym@utcourts.gov>
To: Nancy Sylvester <nancyjs@utcourts.gov>

Fri, Jan 25, 2019 at 12:34 PM

Hello Nancy,

I am interested in the vacancy on the Committee on Resources for Self-Represented Parties. When I started with the courts i worked on the front counter, that is where I first saw the amount of Pro Se people we assist here at the courts. I was surprised it was so many, but was very happy to see the amount of resources we have to assist them. OCAP, the Self Help Center, and Utah Legal Services are great resources, but there are still a lot people that require more help. I would like to contribute in any way I can to assist as many Pro Se parties as I can to get the help they need to complete their cases. I have always said we are here to help people who are going through a hard time in their lives in any way we can.

I have never been on any committees here with the courts, but now that I have been with the courts for a little while I am interested to see if I can help in any way.

I have attached my resume.

Thank you,

Wesley Melton



Wesley Melton Resume.pdf

66K

WESLEY MELTON

(562) 506-4457 · wnmelton04@gmail.com

St. George, Utah 84780

Objective: A challenging position that offers opportunities for advancement and further development of my skills.

Skills: Knowledge of Microsoft Programs
·Able to work within a team and solitary environment
·Excellent 10 key and keyboarding skills
·Knowledgeable of office equipment (Faxes, Copiers, Phones, Etc.)

Experience:

March 2016-Present

Fifth District Court
206 West Tabernacle St George UT 84770

Judicial Assistant

Taking Payments. Assisting the public in person and over the phone with Court questions. Filing Pro Se documents. Balancing accounting for clerks. Preparing daily calendars for Judges. Taking minutes in Court. Setting hearing dates.

July 2015-February 2016

Mountain and Alpine Loan Centers
1453 South Dixie Dr. St George UT 84770

Legal File Clerk

Move files through garnishment process. File responses for garnishments. File payments from clients. Prepare case files for Attorney.

July 2005-February 2015

Xerox
2277 220th St. Long Beach CA, 90810

Transaction Processor

Processed student loan consolidations. Gathered payoff information. Updated loan consolidation system. Scanned files to database. Worked within a daily deadline.

Education: California State University Long Beach 2000-2005
Bachelor of Arts Degree History



Washington County Justice Court

*87 North 200 East
St. George, Utah 84770
(435) 634-5728
(435) 656-3003 Fax*

January 15, 2019

Utah Judicial Council
Administrative Office of the Courts
450 South State Street
Salt Lake City, Utah 84114

Re: Statement of Interest for the vacancy of the Rural clerk of court on the
Judicial Council's Committee on Resources for Self-represented Parties

Dear Judicial Council:

It is with enthusiasm that I submit this statement of interest for appointment to the Rural clerk of court vacancy for the Committee on Resources for Self-represented Parties. I have been employed by the Washington County Justice Court for 23 years and believe I have the experience necessary to complement the current panel, and would enjoy working alongside them for the benefit of the citizens of Utah. I have learned the entire judicial process and, in addition to those responsibilities, manage small claims.

Shortly after I was hired in 1996, I re-designed all of the court forms that were used throughout the entire court process. Originally, I created forms through WordPerfect, then re-created them in the word processing program included with Caselle, our court's software management system. Through the years, I kept them updated and worked directly with the Judges in making necessary adjustments, ensuring the accuracy and clarification needed in order to assist the defendants with knowing what was required of them.

In addition, I have learned the very important distinction of the fine line between legal and procedural advice. The forms that have been made available to pro-se defendants through the Utah State Court's website have been very valuable and utilized by our court, especially the Small Claim's forms. I would enjoy working with the Committee on any adjustments to existing forms and the creation of new forms that would assist the general public in helping them understand the court process.

Page 2

With respect to my prior committee experience, as of September 20, 2018, I was appointed to the Education Committee for the Justice Court Clerk's Conferences. To date, this is the only committee I have officially served on. Before this, I was asked to participate in a training discussion during the time of the conversion onto CORIS for justice courts. I have also been asked to conduct training at a judge and several court clerk conferences, as well as the Fifth Judicial District training which occurs in October of each year here in Washington County.

I hope that my qualifications will meet your needs and look forward to hearing from you. Should you have any questions, I am available anytime at 435-634-5728, extension 2032, or on my cell at 435-668-8954.

Sincerely,

Janet Thorpe
Deputy Court Clerk/Small Claims Manager

JANET THORPE

1410 W 450 N
St George, Utah 84770
(435) 668-8954

RESUME

SKILLS:	CORIS	10 key by touch 250 kpm	Office Machines
	Microsoft Word/OpenOffice	Type 85 wpm	Electronic Filing
	UCJIS TAC	Communication skills	Legal Terminology
	My Workspace	Telephone Etiquette	Sire/OnBase
	Criminal case management	Small Claims Case management	

EXPERIENCE:

January 1, 1996 to Present: **Deputy Court Clerk/Small Claims Manager**
Washington County Justice Court, 87 N 200 E, St George, Utah 84770
Supervisor: Salote McKenzie

Currently performs the following responsibilities as Deputy Court Clerk:

Issues Pre-warrant notices, failure to appear warrants of arrest, accesses UCJIS to verify defendant information, track Domestic Violence offenders, issues Orders to Show Cause. Track and dispose of cash bail posted, as appropriate. Mastered accounts receivable functions. Performs accountant duties once a week, i.e., cashing out cashiers at end of day, balancing daily deposit, closing cases and recalling warrants on paid cases. Assists in opening daily mail and creating mail log. Covers for in-court clerks when needed by accurately recording the hearings/trial proceedings in court management software. Defendants leave courtroom with copy of their Judgment and Sentence. Conducts periodic training of clerks. Creates and processes jury instructions, voir dire and jury script for Judge Whitlock. Calculates monthly deposit totals for OSDC funds pursuant to inter-local agency agreement for five agencies. As TAC, writes and conducts UCJIS test for users, monitors UCJIS use for possible misuse.

Currently performs the following responsibilities as Small Claims Manager:

Previously developed a smoother file management system, audited files and closed a high volume of "stale" cases. Re-vitalized small claims forms. Conducts on-going training for small claims clerks, in-court clerk for small claims sessions, manages small claims calendar and coordinates with pro-tems in signing up for new calendar year, as well as preparing appointment and re-appointment letters for pro-tem judges every two years.

On-going and past responsibilities: As a court clerk, I can and have covered any desk for clerks who are away from work. I have previously processed legal pleadings, i.e., Informations, motions, notices, requests, plea agreements, and subpoenas, cashiered, audited files and trained clerks on court software management systems, as well as prepared files for conversion. Scanning of hard files onto electronic imaging software. I also have processed monthly reports for county clerk's office. I wrote all of the information for the Justice Court website's front page and selected information to be placed within.

EDUCATION: Associates of Arts, 1991 – Paralegal; Phillips Jr. College
Currently in Junior year at Dixie State University for Psychology Bachelor's Degree with minor in Criminal Justice (G.P.A. 3.8)

RECOGNITION: 2013 – Domestic Violence & Sexual Assault Coalition - Law Enforcement Award
2004 – Recognition for work on court forms.

Accomplishments over the last 23 years

Researched and implemented Bailbonds processing.

Brought Spillman, Email and BCI (warrant entry onto statewide) to the court.

Compiled an Amnesty program which included an article, ads and radio ads through public service announcements.

Brought electronic imaging to the court (Sire 2001)

Wrote telephone tree for new system (at old building).

Handled computer purchasing/easy repairs until 2003.

Assisted in preparing court budget prior to 2003.

Wrote website information.

Arranged meeting between law enforcement agencies in Washington, Iron, Kane and Beaver counties and INS (1996).

Asked to teach at local Judicial Conference.

Asked to teach at Court Clerk Conferences and Judge Conference.

Asked to be on panel at Court Clerk Conference.

Conducted conversion of Caselle DOS to Caselle Windows – taught clerks – prepared files for conversion (2001). Prepared article for The Spectrum to notify public of court closure during conversion.

Re-designed justice court forms.

Wrote two articles for “Today's Answer Line” for The Spectrum.

Assumed responsibilities as Small Claims Manager (2011).

Assumed responsibilities as Domestic Violence Tracker (2012).

Received Law Enforcement Award from Domestic Violence and Sexual Assault Coalition 2013.

Conversion of Caselle to CORIS – cleaned/prepared files for conversion (2008).

Wrote UCJIS tests for users.

Managed Small Claims and streamlined process.

Currently serving on the Education Committee for Justice Court Clerk Conferences as of September 20, 2018.



Administrative Office of the Courts

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

February 12, 2019

Hon. Mary T. Noonan
Interim State Court Administrator
Ray Wahl
Deputy Court Administrator

MEMORANDUM

TO: Judicial Council / Management Committee

FROM: Shane Bahr, District Court Administrator

RE: Committee Chair Appointment -Uniform Fine and Bail Committee

Reason for Vacancy: Judge James Brady's third term serving on the Uniform Fine and Bail Committee expired on December 31, 2018. Judge Brady had been serving as the committee chair. With his departure from the committee, the Judicial Council will need to appoint a new member as the committee chair.

Current committee members: Hon. David Hamilton (Second District Court), Hon. James T. Blanch (Third District Court), Hon. Paul Parker (Third District Court), Hon. Linda Jones (Third District Court), Hon. Keith Eddington (Fifth District Juvenile Court), Hon. Brook Sessions (Wasatch Co. Justice Court), Hon. Reuben Renstrom (Justice Court), Hon. Michael Junk (Justice Court).

Judge David Hamilton was appointed to serve a second term on this committee in December 2018. It is recommended that Judge Hamilton be appointed to serve as Committee Chair to the Uniform Fine and Bail Committee.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Shane Bahr".

Shane Bahr
District Court Administrator

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

Judge David Hamilton (2nd Term)

Judge David R. Hamilton was appointed to the Second District Court in July 2010 by Governor Gary R. Herbert. He serves Davis, Morgan, and Weber counties. Judge Hamilton received a law degree from the University of Utah, School of Law in 1978 after completing a bachelor's degree at the University of Utah in 1975. Prior to taking the bench, Judge Hamilton was in private practice for 32 years, most recently as a solo practitioner at David R. Hamilton, P.C. His practice concentrated in insurance defense, collections, family law, and mediation. For more than 10 years, Judge Hamilton has been the chair of the Fund for Client Protection (Client Security Fund) with the Utah State Bar. He is the past president of the Weber County Bar Association. 11/10

Other information:

Judge Hamilton has served on the Uniform Fine and Bail Committee since January 1, 2016. His first three-year term expired on December 31, 2018 and has been appointed to serve a second, three-year term.

Judge Hamilton does not currently serve on any other committees.

Tab 5

This is a private record

Name

Address

City, State, Zip

Phone

Email

I am ☐ Petitioner ☐ Respondent
☐ Petitioner's Attorney ☐ Respondent's Attorney (Utah Bar #:_____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

**Motion to Grant Divorce and Decide
Other Issues Later
(Bifurcate Divorce)**

(Utah Rule of Civil Procedure 42)

☐ **Hearing Requested**

Case Number

Judge

Commissioner

1. I am the ☐ petitioner ☐ respondent.
2. I ask the court to grant the divorce, deciding other issues later.
3. I ask the following issues be decided later:
☐ **all issues**

Or, these specific issues

Children

- ☐ child custody
- ☐ child support
- ☐ child care
- ☐ health insurance, medical and dental expenses for the children
- ☐ parent-time
- ☐ tax exemptions for the children

Financial

- ☐ alimony
- ☐ financial accounts
- ☐ payment of bills and debts
- ☐ pension or military retirement pay division
- ☐ life insurance

Property

- ☐ real estate division
- ☐ personal property division
- ☐ motor vehicles

Other

- ☐ name change
- ☐ attorney fees
- ☐ other _____
- ☐ other _____

4. (Choose at least one.)

- ☐ Granting the divorce and deciding other issues later would be more convenient for the parties because:

- ☐ Not granting the divorce now could result in the following harm:

5. Deciding the other issues later will not harm the other party because:

6. ☐ I request a hearing.
☐ I do not request a hearing.

7. ☐ I have attached the following documents in support of this motion:

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____

Printed Name _____

Notice to responding party

You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms:

www.utcourts.gov/howto/filing/motions

Finding help

The court's Finding Legal Help web page (www.utcourts.gov/howto/legalassist/) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.

Aviso para el demandado (o acusado)

Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios:

www.utcourts.gov/howto/filing/motions

Cómo encontrar ayuda legal

La página de la internet del tribunal Cómo encontrar ayuda legal

(www.utcourts.gov/howto/legalassist/) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.

Certificate of Service

I certify that I filed with the court and served a copy of this Motion to Grant Divorce and Decide Other Issues Later (Bifurcate Divorce) on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Signature ►

Date

Printed Name

 Name

 Address

 City, State, Zip

 Phone

 Email

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

 Plaintiff/Petitioner

v.

 Defendant/Respondent

**Order on Motion to Decide Divorce
and Decide Other Issues Later
(Bifurcate Divorce)**

 Case Number

 Judge

 Commissioner

The matter before the court is ☐ petitioner's ☐ respondent's Motion to Grant Divorce and Decide Other Issues Later.

This matter is being resolved by (Choose all that apply.):

☐ The default of ☐ petitioner ☐ respondent.

☐ The stipulation of the parties.

☐ The pleadings and other papers of the parties.

☐ A hearing held on _____ (date).

Petitioner

☐ was ☐ was not present.

☐ was represented by _____.

☐ was not represented.

Respondent

☐ was ☐ was not present.

☐ was represented by _____.

☐ was not represented.

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The court finds:

1. ☐ Bifurcating the divorce would be more convenient for the parties.
2. ☐ Bifurcating the divorce will not prejudice the parties.

The court orders:

3. The Motion to Grant Divorce and Reserve Other Issues is
☐ denied.
☐ granted.

The parties will file necessary documents including Affidavit of Jurisdiction and Grounds, Findings of Fact Conclusions of Law, and Divorce Decree.

4. ☐ The following unresolved issues are reserved:
☐ **all issues**

Children

- ☐ child custody
- ☐ child support
- ☐ child care
- ☐ health insurance, medical and dental expenses for the children
- ☐ tax exemptions for the children

Financial

- ☐ alimony
- ☐ financial accounts
- ☐ payment of bills and debts

☐ pension or military retirement pay division

☐ life insurance

Property

☐ real estate division

☐ personal property division

☐ motor vehicles

Other

☐ name change

☐ attorney fees

☐ other _____

☐ other _____

Date

Signature ► _____
Commissioner _____

Date

Signature ► _____
Judge _____

Approved as to form.

Date

Signature ► _____
Plaintiff/Petitioner, Attorney or Licensed
Paralegal Practitioner _____

Date

Signature ► _____
Defendant/Respondent, Attorney or Licensed
Paralegal Practitioner _____

Certificate of Service

I certify that I filed with the court and served a copy of this Order on Motion to Grant Divorce and Decide Other Issues Later (Bifurcate Divorce) on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Signature ►

Date

Printed Name

This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #: _____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Petitioner

v.

Respondent

**Notice of Disclosure Requirements
in Domestic Relations Cases**

(Utah Rule of Civil Procedure 26.1)

Case Number

Judge

Commissioner

To: _____
 (Respondent Name or Name of Joined Party)

1. Because you are involved in one of these cases:

- divorce
- temporary separation
- separate maintenance
- parentage
- child custody
- child support
- domestic order modification

You must give to the petitioner ("disclose") the following documents:

- **Initial Disclosures.** (The court-approved Initial Disclosures form is available at www.utcourts.gov.)
- **Financial Declaration and required attachments.** (The court-approved Financial Declaration form is available at www.utcourts.gov.)
 - Documents verifying the amounts for every item listed in the Financial Declaration (excluding monthly expenses).
 - Federal and state income **tax returns** for the **past two tax years** before the petition in this case was filed. If you don't have these, contact the IRS or the State Tax Commission.
 - **Pay stubs** and other evidence of income for the **past 12 months**.
 - All loan applications and financial statements from the 12 months before the petition was filed.
 - Documents verifying the value of all real estate in which you have an interest. This includes the most recent appraisal, tax valuation, and refinance documents.
 - All statements for the 3 months before the petition was filed for all financial accounts. This includes checking, savings, money market funds, certificates of deposit, brokerage, investment, and retirement.
 - If you do not have some of the above documents, you may estimate the amounts. You must explain on the Financial Declaration how you chose the estimated amount and why the documents are not available.

2. You must send the completed Initial Disclosures form, the Financial Declaration, and all required attachments to the petitioner within:

- 42 days after filing of the first answer, or
- 28 days after your appearance in this case, whichever is later.

The petitioner must send their completed Initial Disclosures form, the Financial Declaration, and all required attachments to you within 14 days after service of your first answer to the petition.

3. If you do not disclose all assets and income in the Financial Declaration and attachments, you may be subject to sanctions. (Utah Rule of Civil Procedure 37). Sanctions may include awarding assets to the other party, requiring you to pay the other party's attorney's fees, or other sanctions decided by the court.

Certificate of Service

I certify that I filed with the court and served a copy of this Notice of Disclosure Requirements in Domestic Relations Cases on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Signature ► _____
 Date _____ Printed Name _____

This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

	<p>Financial Declaration (Utah Rule of Civil Procedure 26.1)</p>
<p>_____ Petitioner</p>	<p>_____ Case Number</p>
<p>v.</p>	<p>_____ Judge</p>
<p>_____ Respondent</p>	<p>_____ Commissioner</p>

You must fully and accurately disclose all assets and income in this document and provide attachments. If you fail to disclose all assets and income, you could be subject to sanctions under Utah Rule of Civil Procedure 37. Sanctions can include an award of non-disclosed assets to the other party, attorney's fees or other sanctions.

1. I am providing this form to the other party and (Choose one.):

☐ I am not filing the Financial Declaration with the court because a hearing about child support, spousal support, property, debts, attorney fees and court costs is not scheduled, or because the court has not ordered me to file it.

I am filing the separate Certificate of Service of Financial Declaration.

- ☐ **I am filing the Financial Declaration with the court** because a hearing about child support, spousal support, property, debts, attorney fees and court costs is scheduled, or the court has ordered me to file it.

I am also filing the separate Certificate of Service of Financial Declaration.

2. I am attaching the following documents, if available:

Tax returns. For the two years before the petition was filed : <ul style="list-style-type: none"> federal and state income tax returns – personal and for any entities in which I have a majority or controlling interest all documents used to prepare the tax returns 	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached <input type="checkbox"/> Doesn't apply
Pay stubs or other proof of income. For the 12 months before the petition was filed: <ul style="list-style-type: none"> pay stubs other proof of all earned and un-earned income 	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached <input type="checkbox"/> Doesn't apply
Loan applications. For the 12 months before the petition was filed: <ul style="list-style-type: none"> all loan applications financial statements used to apply for the loans 	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached <input type="checkbox"/> Doesn't apply
Real estate documents. Documents verifying the value of all real estate in which I have an interest. This includes the most recent appraisal, tax valuation, and refinance documents.	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached <input type="checkbox"/> Doesn't apply
Financial statements. For the 3 months before the petition was filed all financial statements for all financial accounts. This includes checking, savings, money market funds, certificates of deposit, brokerage, investment, and retirement.	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached <input type="checkbox"/> Doesn't apply

- ☐ I marked some documents above as “not attached” because:

Document	Reason

Document	Reason

3. **Employment** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount.)

☐ I am employed as (Choose all that apply):

☐ an hourly employee (Form W-2)

☐ a salaried employee (Form W-2)

☐ self-employed (Form 1099, Form K-1, Schedule C, etc.)

☐ other (Explain): _____

Name of employer	Employer's address and phone number	Job title	Hourly rate or annual salary	Hours per week (If hourly)
			\$	
			\$	
			\$	

☐ I am unemployed because: _____

☐ I have estimated the amounts in paragraph 3.

Item estimated	Basis for estimation

4. **Gross Monthly Income** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount.)

☐ I have the following monthly income before tax deductions:

(Print your pre-tax income in the boxes below. For income that changes from month to month, calculate the annual total and divide by 12 months to list a monthly average.)

Source of income	Monthly amount
Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$
Rental income	\$
Business income	\$
Interest	\$
Dividends	\$
Retirement income (Including pensions, 401(k), IRA, etc.)	\$
Worker's compensation	\$
Private disability insurance	\$
Social Security Disability Income (SSDI)	\$
Supplemental Security Income (SSI)	\$
Social Security (Other than SSDI or SSI)	\$
Unemployment benefits	\$
Education benefits (Including grants, loans, cash scholarships, etc.)	\$
Veteran's benefits	\$
Alimony	\$
Child support	\$
Payments from civil litigation	\$
Victim restitution	\$
Public assistance (Including AFDC, FEP, TANF, welfare, etc.)	\$
Financial support from household members	\$
Financial support from non-household members	\$
Trust income	\$
Annuity income	\$
Other (Describe)	\$
Other (Describe)	\$
Total gross monthly income	\$

[] I have estimated the amounts in paragraph 4.

Item estimated	Basis for estimation

Item estimated	Basis for estimation

☐ I have no income because:

5. **Monthly Tax Deductions** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount.)

☒ I have no monthly tax deductions because I have no income.

☐ I have the following monthly tax deductions.

Type of tax deduction	Amount
Federal income tax	\$
State income tax	\$
Municipal income tax	\$
FICA	\$
Medicare	\$
Total monthly tax deductions	\$

☐ I have estimated the amounts in paragraph 5.

Item estimated	Basis for estimation

6. **After Tax Income**

☐ My monthly income is:

\$ _____	Gross monthly income from section 4
- \$ _____	Minus monthly tax deductions from section 5

= \$ _____ Equals after-tax monthly income

☐ I have no income.

7. **Monthly Expenses** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount. Include amounts you pay for yourself and any spouse, children or other dependents in your household.)

- ☐ No party has requested alimony so I am only completing the "Current Amount" column, which represents the amount I pay now.
- ☐ One of the parties has requested alimony so I am completing both the "Current Amount" and the "Marital Expenses" column, which represents the amount paid during the marriage prior to separation.

Monthly expense	Current Amount	Marital Expenses
Rent or mortgage	\$	\$
Real estate taxes (if not included in mortgage)	\$	\$
Real estate insurance (if not included in mortgage)	\$	\$
Real estate maintenance	\$	\$
Food and household supplies	\$	\$
Clothing	\$	\$
Automobile payments	\$	\$
Automobile insurance	\$	\$
Automobile fuel	\$	\$
Automobile maintenance	\$	\$
Other transportation costs (public transportation, parking, etc.)	\$	\$
Utilities (such as electricity, gas, water, sewer, garbage)	\$	\$
Telephone	\$	\$
Paid television, cable, satellite	\$	\$
Internet	\$	\$
Credit card payments	\$	\$
Loans and other debt payments	\$	\$
Alimony	\$	\$
Child support	\$	\$
Child care	\$	\$
Extracurricular activities for children	\$	\$

Monthly expense	Current Amount	Marital Expenses
Education (children)	\$	\$
Education (self)	\$	\$
Health care insurance	\$	\$
Health care expenses (excluding insurance listed above)	\$	\$
Other insurance (describe)	\$	\$
Entertainment	\$	\$
Laundry and dry cleaning	\$	\$
Donations	\$	\$
Gifts	\$	\$
Union and other dues	\$	\$
Garnishment or income withholding order	\$	\$
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$	\$
Other (describe)	\$	\$
Other (describe)	\$	\$
Total monthly expenses	\$	\$

☐ I have estimated the amounts in paragraph 7.

Item estimated	Basis for estimation

8. **Business Interests** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount. Add additional sheets if needed.)

☐ I have no business interests.

☐ I have the following business interests.

Business name	
Address & phone	
Nature of business	

Current value of the business \$	Percent owned by _____% Petitioner ____% Respondent
-------------------------------------	---

Business name			
Address & phone			
Nature of business			
Current value of the business \$	Percent owned by _____% Petitioner	_____% Respondent	

☐ I have estimated the amounts in paragraph 8.

Item estimated	Basis for estimation

9. **Financial Assets** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount. Add additional sheets if needed.)

☐ I have no financial assets.

☐ I have the following financial assets.

Asset	Name & address of institution	Names on account	Current balance
Bank or credit union Account number: _____ Date opened: _____ Type: <input type="checkbox"/> checking <input type="checkbox"/> savings <input type="checkbox"/> other			\$
Bank or credit union Account number: _____ Date opened: _____ Type: <input type="checkbox"/> checking <input type="checkbox"/> savings <input type="checkbox"/> other			\$

Asset	Name & address of institution	Names on account	Current balance
Stocks, bonds, securities, money market account Account number: _____ Date opened: _____			\$
Retirement account Account number: _____ Date opened: _____			\$
Profit sharing plan Account number: _____ Date opened: _____			\$
Annuity Account number: _____ Date opened: _____			\$
Life insurance Account number: _____ Date opened: _____			\$
Money owed to me Date of loan: _____			\$
Cash			\$
Other (describe)			\$
Other (describe)			\$

[] I have estimated the amounts in paragraph 9.

Item estimated	Basis for estimation
----------------	----------------------

Item estimated	Basis for estimation

10. **Real Estate** (You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount. Add additional sheets if needed.)

☐ I have no real estate.

☐ I have the following real estate.

Home

Address _____			
_____	_____	\$ _____	\$ _____
Date acquired	Name(s) on title	Original cost	Current value
_____		\$ _____	\$ _____
First mortgage or lien holder (name & address)		Amount owed	Monthly payments
_____		\$ _____	\$ _____
Second mortgage or lien holder (name & address)		Amount owed	Monthly payments

Other real estate

Address _____			
_____	_____	\$ _____	\$ _____
Date acquired	Name(s) on title	Original cost	Current value
_____		\$ _____	\$ _____
First mortgage or lien holder (name & address)		Amount owed	Monthly payments
_____		\$ _____	\$ _____
Second mortgage or lien holder (name & address)		Amount owed	Monthly payments

☐ I have estimated the amounts in paragraph 10.

Item estimated	Basis for estimation

11. **Personal Property** (Such as vehicles, boats, trailers, major equipment, furniture, jewelry, and collectibles. You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount. Add additional sheets if needed.)

☐ I have no personal property.

☐ I have the following personal property.

Property description (if automobile, include year, make, and model)	Debt owed to (name and address)	Names on title (if applicable)	Amount owed	Minimum monthly payments
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$

☐ I have estimated the amounts in paragraph 11.

Item estimated	Basis for estimation

12. **Debts Owed** (Do not include amounts you owe on property reported in the Real Estate or Personal Property sections. You must attach proof of amounts listed. If the proof is not available, estimate the amount and explain how you reached that amount. Add additional sheets if needed.)

☐ I do not owe any debts.

☐ I owe the following debts.

Type of debt (such as credit card, cash loan, or installment payment)	Debt owed to (name and address and phone number)	Names on debt	Amount owed	Minimum monthly payments
			\$	\$
			\$	\$
			\$	\$

Type of debt (such as credit card, cash loan, or installment payment)	Debt owed to (name and address and phone number)	Names on debt	Amount owed	Minimum monthly payments
			\$	\$
			\$	\$
			\$	\$

[] I have estimated the amounts in paragraph 12.

Item estimated	Basis for estimation

Warning

If you do not fully disclose all assets and income in this document and provide attachments you could be subject to sanctions under Utah Rule of Civil Procedure 37.

Sanctions can include an award of non-disclosed assets to the other party, attorney's fees or other sanctions.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

Date

Signature ► _____
Printed Name _____

This is a private record.

Name

Address

City, State, Zip

Phone

Email

I am ☐ Plaintiff/Petitioner ☐ Defendant/Respondent
☐ Plaintiff/Petitioner's Attorney ☐ Defendant/Respondent's Attorney (Utah Bar #:_____)
☐ Plaintiff/Petitioner's Licensed Paralegal Practitioner
☐ Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #:_____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p>	<p>Certificate of Service of Financial Declaration (Utah Rule of Civil Procedure 26.1(d))</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p>
---	---

I certify that I served a copy of my Financial Declaration on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

_____ Signature ► _____
 Date _____ Printed Name _____

Or this signature block?

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____ Signature ► _____
 Date _____ Printed Name _____

 Name

 Address

 City, State, Zip

 Phone

 Email

I am ☐ Plaintiff ☐ Plaintiff's Attorney (Utah Bar #: _____)
☐ Plaintiff's Licensed Paralegal Practitioner (Utah Bar #: _____)

 In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<hr/> Plaintiff v. <hr/> Defendant	<p>Notice to Defendant of Disclosure Requirements in Unlawful Detainer Actions (Utah Rule of Civil Procedure 26.3)</p> <hr/> Case Number <hr/> Judge
--	---

To:

 Defendant Name or Name of Joined Party

- You may ask for a hearing to give evidence to decide if you should immediately leave or stay in the property until the case is resolved. This is called an occupancy hearing. If you ask for an occupancy hearing, you must give to the landlord a copy of the request for hearing and the following documents:
 - Any document not yet given to the other party that you will offer as evidence at the hearing.
 - The name and, if known, the contact information of any witnesses you will call at the hearing. You must include a summary of what you expect the witnesses to say.

2. If the plaintiff asks for a hearing to give evidence to decide if you should immediately leave or stay in the property, you must give the plaintiff the documents listed above at least 2 days before the hearing.
3. You might not be able use any undisclosed witnesses, documents or material at a hearing or trial.
4. You must serve the documents and information listed above by the method most likely to be promptly received.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____	Signature ►	_____
Date	Printed Name	_____

Certificate of Service

I certify that I filed with the court and served a copy of this Notice to Defendant of Disclosure Requirements in Unlawful Detainer Actions on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Signature ►

Date

Printed Name