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To: Utah Judicial Council
From: Utah Supreme Court
Date: August 12, 2022
Re: Estimation of U.T. Const. art. VIII § 4. Expenses for F.Y. 2023

Judge Pullan asked that the Supreme Court submit an estimated budget for expenses related to our constitutional duties concerning the rulemaking process, the governance of the practice of law, and the administration of senior and pro tempore judges. Currently, we do not differentiate in our budget between Article VIII § 4 expenses and other operational expenses. We have reviewed our expenses over the last several years and done our best to highlight expenditures related to the relevant constitutional provisions.¹ Because of our delegation of authority to the Utah State Bar, including the authority to collect licensing fees, the judiciary has borne only a small portion of the overall cost of these constitutional responsibilities.

This memo presents our current F.Y. 2023 Article VIII § 4 budget request and highlights likely expenses that would be included next year in a more inclusive request. It should be noted that the Judicial Council has at least once in the last year funded items relating to these responsibilities.²

F.Y. 2023 Budget Request

All relevant expenses, with the exception of our funding request for the Innovation Office, are covered within our existing budget or within the licensing fee structure of the Utah State Bar. The Innovation Office funding request, which was previously reviewed by this body, included three asks: (1) that we be allowed to file a grant application with the Stand Together Foundation (approved), (2) that we be permitted to access ARPA funding not being used by higher ranked ARPA priorities (approved), and (3) that we be granted a one-time carryforward request for \$200,000 (deferred). Currently, there are no other competing requests for this one-time funding from any other judicial district or AOC department.³

¹ This memo will not address the cost of staff time as there are a number of Supreme Court and AOC staff who support these functions.

² The council matched a State Justice Institute grant to complete a retrospective study of the changes to Rule 26 of Utah Civil Rules of Procedure. The Judicial Council approved cash or in-kind funding up to \$23,050 for this research, which also involved the National Center for State Courts. Reference Judicial Council Meeting Minutes, March 11, 2021.

³ There is one pending IT request for one-time funding. Both requests can be funded without exhausting this funding source.

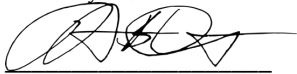
F.Y 2024 Anticipated Items for Internal Line Item Request

This breakdown does not include any expenses covered through Utah State Bar licensing fees. We spend roughly \$3500 on the attorney admission process.⁴ This cost is off set by the Utah State Bar charging a \$50 fee to admittees and providing reimbursement to the courts. Due to this fee the courts do not realize any cost relating to admissions. We spend roughly \$3600 annually on our committees, and roughly \$800 on related travel expenses.⁵ Over the last two years we have spent roughly \$15,000 of our internal budget on the Innovation Office.

Our historical practice has been to minimize the expense to the judiciary through the delegation of authority to the Utah State Bar. As one can see from the figures above, this has kept the expenses to the judiciary minimal. There have been times where the Judicial Council has provided some funding, an example being the SJI grant match that is referenced above. We anticipate that a separate line item within the Judicial Council’s budget would include the above expenses, and some funding for items similar to the Rule 26 grant match.

If the Supreme Court and the Judicial Council elect to pursue this funding format, we will be glad to work with AOC Finance and the relevant departments over the next year to determine an appropriate level of funding concerning these constitutional responsibilities. Of course, the most significant item to be addressed will not be the relatively small matters we have identified in this memo, but may be the future funding of the Innovation Office.

Thank you,



Matthew B. Durrant
Chief Justice

⁴ Admission certificates from the Utah Supreme Court, envelopes, postage.

⁵ Example: recent travel related to studying the universal bar exam.