

**JUDICIAL COUNCIL MEETING  
Minutes**

**May 22, 2023**

**Meeting held through Webex  
and in person  
Matheson Courthouse  
Council Room  
450 S. State St.  
Salt Lake City, Utah 84111**

**9:00 a.m. – 11:23 a.m.**

*Chief Justice Matthew B. Durrant, Presiding*

**Members:**

Chief Justice Matthew B. Durrant, Chair  
Hon. David Mortensen, Vice Chair  
Hon. Keith Barnes  
Hon. Suchada Bazzelle  
Hon. Brian Brower  
Hon. Samuel Chiara  
Hon. Augustus Chin  
Hon. Michael DiReda  
Hon. Ryan Evershed  
Hon. Paul Farr  
Hon. James Gardner  
Hon. Elizabeth Lindsley  
Hon. Thomas Low  
Hon. Kara Pettit

**Excused:**

Justice Paige Petersen  
Margaret Plane, esq.

**Guests:**

Emily Ashcraft, Deseret News  
Lyndsey Breksa, Utah Family Law TV  
Hon. Craig Bunnell, Seventh District Juvenile Court  
Judge Michele Christiansen Forster, Court of Appeals  
Brett Folkman, TCE First District Court  
Justice Diana Hagen, Supreme Court  
Erik Johnson, Utah Family Law TV

**AOC Staff:**

Ron Gordon  
Neira Siaperas  
Michael Drechsel  
Brody Arishita  
Shane Bahr  
Alisha Johnson  
Jace Kinder  
Jeremy Marsh  
Jordan Murray  
Bart Olsen  
Jim Peters  
Nathanael Player  
Nini Rich  
Nick Stiles  
Karl Sweeney  
Sonia Sweeney  
Melissa Taitano  
Chris Talbot  
Keisa Williams  
Jeni Wood

**Guests Cont.:**

Hon. Richard Mrazik, Third District Court  
Derick Veater, Chief Probation Officer  
Fifth District Court  
Elizabeth Wright, Utah State Bar

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting. Justice Diana Hagen attended on behalf of Justice Paige Petersen and Elizabeth Wright attended on behalf of Margaret Plane.

**Motion:** Judge Augustus Chin moved to approve the April 24, 2023, Judicial Council meeting minutes, as presented. Judge Brian Brower seconded the motion, and it passed unanimously.

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

Chief Justice Durrant enjoyed Justice John Pearce’s inspirational speech at the Bar Admission Ceremony.

**3. STATE COURT ADMINISTRATOR’S REPORT: (Ron Gordon)**

Ron Gordon thanked the Education team for their work on the spring conferences. Mr. Gordon and Neira Siaperas attended the Judicial Branch Leadership Academy presented by the National Center for State Courts. The agenda was filled with a considerable amount of valuable information. He will share more information with the Council later. A group of court employees will attend the Navajo Nation Summit, which will focus on juvenile justice. They anticipate discussing proposed legislative bills that addressed ICWA.

**4. COMMITTEE REPORTS:**

**Management Committee Report:**

The work of this committee is reflected in the minutes.

**Budget & Fiscal Management Committee Report:**

The work of the committee will be discussed later in the meeting. Judge Kara Pettit said the committee discussed concerns about the national debt limit in relation to available ARPA funds.

**Liaison Committee Report:**

The committee has not met recently.

**Policy, Planning, and Technology Committee Report:**

The work of the committee will be addressed later in the meeting.

**Bar Commission Report:**

Margaret Plane was unable to attend the meeting. Elizabeth Wright reported that the Bar will hold an online Summer Convention. Their annual meeting will be held at the Law and Justice Center on June 29. Ms. Wright invited the Council members to attend the annual meeting and social event afterwards. The Bar just swore in 131 lawyers and 2 new LPPs. They have 298 Bar applicants for the July exam. The Bar is looking to replace Sam Alba’s term on the Executive and Judicial Compensation Commission.

Chief Justice Durrant thanked Ms. Wright for her work at the Bar. He appreciated the Bar’s work in addressing mental health.

**5. COMMITTEE ON RESOURCES FOR SELF-REPRESENTED PARTIES  
REPORT: (Judge Richard Mrazik and Nathanael Player)**

Chief Justice Durrant welcomed Judge Richard Mrazik and Nathanael Player. Last year the committee's work was reactive to the challenges and opportunities the pandemic presented. Now that things have been somewhat less volatile, the committee has been able to operate more strategically. The committee's work is listed below.

- Review of the landscape of legal issues for self-represented litigants.
- Conduct a strategic review of major issues.
- Two priorities: develop a court navigator program to help self-represented litigants and improve educational materials regarding information and advice.
- Visit with social service providers to better understand their needs and challenges.
- Discuss a possible navigator program and funding needs with other partners.
- Work with the Self-Help Center to develop training for social service providers and court staff regarding legal information and advice.

Judge Pettit asked if the navigator program is designed to get people help and information before it becomes a legal issue. Judge Mrazik confirmed that is part of the design because many people don't initially realize that they have a legal problem. The other goal is to help self-represented litigants have a smoother journey through the legal system. Judge Mrazik said the committee has discussed how to simplify the debt collection process for litigants.

Chief Justice Durrant thanked Judge Mrazik and Mr. Player.

**6. COURT FACILITY PLANNING COMMITTEE REPORT: (Judge Michele Christiansen Forster and Chris Talbot)**

Chief Justice Durrant welcomed Judge Michele Christiansen Forster and Chris Talbot.

**Five-Year Capital Development Plan as of April 2022**

- Project #1: Wasatch County, Heber City Courthouse. Proposed expansion of county-owned facility to add a new juvenile courtroom. Estimated cost \$3.8 million spread out over a new 15-year lease. Considerations were made for the number of courtrooms, number of court personnel, the elimination of duplicate spaces to reduce square footage, inclusion of the county justice courtroom, and shelled courtroom spaces for future expansion. He anticipated an opening date of 2025 of the Wasatch Justice Center expansion.
- Project #2: Davis County Courthouse. Proposed new courthouse with up to 14 courtrooms to consolidate the existing Farmington, Layton, and Bountiful Courthouses. Feasibility study to be completed in FY 2023. Estimated cost TBD.
- Project #3: Iron County, Cedar City Courthouse. Proposed expansion of the existing courthouse to add three courtrooms. Estimated cost TBD.
- Project #4: Grand County, Moab Courthouse. Proposed substantial remodel of existing leased courthouse with two courtrooms. Estimated cost TBD.
- Project #5: Utah County, American Fork/Lehi Courthouse. Proposed new courthouse with four courtrooms to replace the city-owned leased facility.

### **Five-Year Capital Development Plan proposed as of April 2023**

- Project #1: Davis County Courthouse. Proposed new courthouse with up to 16 courtrooms to consolidate the existing Farmington, Layton, and Bountiful Courthouses. Feasibility study to be completed in FY 2023. The new facility will be on the current Farmington Courthouse property. It will take two-three years to build a five-story building. Estimated cost approximately \$90-100 million. Mr. Talbot confirmed that the feasibility study will include plans for one courtroom for each judge. An occupancy study on courtroom utilization is currently being conducted. Mr. Talbot explained that if this project is approved, he will create a steering committee to ensure all district needs are being met. Due to the water table in Farmington, there will not be a basement. Judge Elizabeth Lindsley wondered if the juvenile courts should be at a lower level. Mr. Talbot stated that the feasibility study is preliminary since the basic information is needed to seek funding.
- Project #2: Iron County, Cedar City Courthouse. Proposed expansion of the existing courthouse with additional courtrooms. Estimated cost TBD.
- Project #3: Grand County, Moab Courthouse. Proposed substantial remodel of existing leased 2 courtroom courthouse. Estimated cost TBD.
- Project #4: Utah County, American Fork/Lehi Courthouse. Proposed new courthouse with 4 courtrooms to replace the city-owned leased facility.
- Project #5: Richfield Courthouse. Proposed new courthouse with additional courtrooms. Estimated cost TBD.

**Motion:** Judge Lindsley moved to approve the proposed 5-year capital development plan. Judge Michael DiReda seconded the motion, and it passed unanimously.

Mr. Talbot reviewed the floor plan for the new Manti Courthouse, noting that the groundbreaking ceremony is scheduled for August 21, 2023, with the courthouse estimated to be operational in the winter 2024. Mr. Gordon appreciated Mr. Talbot and his team's expertise on this project.

In FY 2023, the Courts prioritized 32 projects approved by the Legislature with \$6.9 million in funding. To date, 79% of those projects have been completed. In FY 2024, the Courts will work on 78 legislative-approved projects with \$7.7 million in funding.

Mr. Talbot explained that the courtroom funded for the new Business Chancery Court will be housed in the West Jordan Courthouse. This should be complete within the next 12 months.

Chief Justice Durrant thanked Judge Christiansen Forster and Mr. Talbot.

### **7. BOARD OF APPELLATE COURT JUDGES REPORT: (Judge Michele Christiansen Forster and Nick Stiles)**

Chief Justice Durrant welcomed Judge Michele Christiansen Forster and Nick Stiles. The Board will present a budget request for an additional mediator and support staff to expand the appellate mediation office. There are about 50-80 appellate mediations annually. Participants are very happy with the work of the current mediator, Michele Mattsson. They established an

appellate pro bono program for attorneys to assist with appellate cases. This will be especially helpful for self-represented parties.

The appellate courts continue to work towards appellate e-filing capability. They are working with JPEC on how appellate judges are evaluated. The Board is leaning toward the presumption that oral arguments will be held in person, but the Board remains open to a hybrid hearing, if requested by a party. The appellate courts have not had any staff turnover for a year other than two retirements. They believe the continued hybrid working conditions may have played a role in this.

Chief Justice Durrant thanked Judge Christiansen Forster and Mr. Stiles.

## **8. BOARD OF JUVENILE COURT JUDGES REPORT: (Judge Craig Bunnell and Sonia Sweeney)**

Chief Justice Durrant welcomed Judge Craig Bunnell and Sonia Sweeney.

### **Board projects**

#### **1. Initiative to Increase Parent/Family Time in Child Welfare Cases**

The Division of Child and Family Services (DCFS) is limited to one-hour per week supervised parent-time in most child welfare cases, even when child safety was not a primary issue. DCFS has also had a difficult time providing parents with a way to attend their children's activities. The Board invited DCFS, the AG's Office, the GAL Office, the Utah Family Defenders Association, the Indigent Defense Commission, treatment professionals, a parent who has experienced the child welfare process, and juvenile court judges to participate in a collaborative workgroup to formulate recommendations on these challenges. The workgroup identified barriers (e.g., lack of funding, personnel, and resources) then provided recommendations to the Court Improvement Program Committee to continue the work. The Board presented a parent/family-time risk assessment tool and a list of specific questions that all role-players in the system can ask to help problem solve parent/family-time issues in each child welfare case.

#### **2. Racial, Equity and Fairness (REF) Workgroup**

The results of the Board's Phase I Juvenile Justice Data-analysis Project from April 2021 indicated that minority youth were generally being referred to juvenile court at a disproportionately higher rate than non-minority youth; diverted to non-judicial agreements with probation at a lower rate; and typically sanctioned with a higher level of probation/JJYS supervision. A sample of the Phase I data is currently being analyzed by Georgetown Mass Data Institute (GMDI). Once that is completed, GMDI will be able to do a full analysis and report of their findings. The Office of Fairness and Accountability and GMDI agreed to assist the juvenile courts with Phase II of the project.

The AOC Education Department assisted the REF in providing more cultural competency courses to be offered several times during the year covering a range of topics with the goal of decreasing possible bias and disparate treatment by the bench. REF is also working with court interpreters to overcome challenges experienced by court patrons through the following:

1. Court-generated instruction documents being translated into more languages.
2. Developing more efficient ways to help patrons access programs and services.

3. Developing training for court employees on working with interpreters.
4. Developing certification levels for interpreters.
5. Developing an interpreter code of ethics.

The 2022 judicial weighted caseload study was successful with the legislative-approved new Fourth District Juvenile Court Judge. They continue to work on the juvenile courts weighted caseload studies.

Chief Justice Durrant thanked Judge Bunnell and Ms. Sweeney.

**9. BOARD OF DISTRICT COURT JUDGES REPORT: (Judge James Brady and Shane Bahr)**

Chief Justice Durrant welcomed Shane Bahr who presented in lieu of Judge Brady. Mr. Bahr said the Board appreciated the Council's support regarding judicial salary increases and with law clerk increases. There are 77 district court judges and 10 commissioners, of which 6 judges have been with the courts less than 1 year. Most of the commissioners have been with the courts between 2 and 20 years. The Board researched how many district court judges were on committees. They found that 45 district court judges serve on at least 1 committee, 20 district court judges serve on 2 or more committees, 6 district court judges serve on 3 or more committees, and 2 district court judges serve on 4 or more committees.

The Board is now receiving regular updates from the IT Department, which has given the Board opportunities to ask questions and receive up-to-date information. The Board appreciated Mr. Gordon and Ms. Siaperas' support and regular updates. They are working on budget priorities. They created a weighted caseload workgroup. The last weighted caseload survey took a considerable amount of time to complete but the information was necessary.

The Board's goals include judicial compensation; determining which documents are required to be signed by a judge, a commissioner or both; updating the bench book; creating/updating bench cards; and training on the rules of evidence because of Professor Richard Mangrum's presentation.

They continue to hold brown bag meetings where approximately 30-35 judges attend monthly. These are recorded and can be shared with judges.

Judge Jennifer Mabey is now the American Bar Association representative.

Chief Justice Durrant thanked Mr. Bahr.

**10. BUDGET AND GRANTS: (Karl Sweeney, Alisha Johnson, Melissa Taitano, Bart Olsen, Mark Urry, Brett Folkman, Todd Eaton, Jace Kinder, and Jordan Murray)**

Chief Justice Durrant welcomed Karl Sweeney, Alisha Johnson, Melissa Taitano, Bart Olsen, Brett Folkman, Jace Kinder, and Jordan Murray.

## FY 2023 One-Time Turnover Savings

			Actual
#		Funding Type	Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 03/17/2023)	Internal Savings	2,839,691.96
2	YTD Amount Anticipated to be Reimbursed through ARPA Funding (as of PPE 03/17/2023)	Reimbursements	794,221.36
3	Est. One Time Savings for 440 remaining pay hours (\$2,000 / pay hour)	Internal Savings (Est.)	880,000.00
<b>Total Potential One Time Savings</b>			<b>4,513,913.32</b>

## FY 2023 Ongoing Turnover Savings

#	Funding Type	Actual		Forecasted
		Amount YTD		Amount @ YE
1	Carried over Ongoing Savings (from FY 2022, includes unallocated ongoing appropriation)	Internal Savings	250,392	250,392
2	Ongoing Turnover Savings FY 2023	Internal Savings	828,677	928,677
3	<b>TOTAL SAVINGS</b>		<b>1,079,069</b>	<b>1,179,069</b>
	2023 Hot Spot Raises		(187,077)	(200,000)
	2023 Authorized Ongoing for Performance Based Raises (will be used at the end of the FY)		-	(450,000)
4	<b>TOTAL USES before YE Requests</b>		<b>(187,077)</b>	<b>(650,000)</b>
<b>Actual Turnover Savings for FY 2023 as of 04/28/2023</b>			<b>\$ 891,992</b>	<b>\$ 529,069</b>

ARPA funds remaining are \$6,667,358.

## FY 2023 Year End Requests and Forecasted Available One-time Funds

Forecasted Available One-time Funds			
Description	Funding Type	Amount	
<b>Sources of YE 2023 Funds</b>			
* Turnover Savings as of PPE 4/14/2023 (including anticipated ARPA reimbursement)	Turnover Savings	<b>3,633,913</b>	
** Turnover savings Estimate for the rest of the year (\$2,000 x 440 pay hours)	Turnover Savings	<b>880,000</b>	
<b>(a) Total Potential One Time Turnover Savings</b>		<b>4,513,913</b>	
Operational Savings From TCE / AOC Budgets (through period 10)	Internal Operating Savings	<b>757,970</b>	
Forecasted Additional Operational Savings by end of Fiscal Year (periods 11-12)	Internal Operating Savings	<b>100,000</b>	
Reserve Balance (balance from FY 2022 Carryforward)	Judicial Council Reserve	<b>500,076</b>	
Anticipated Reserve Uses - including previously approved and pending requests	Jud. Council Reserve Uses	<b>(152,000)</b>	
<b>(b) Total Operational Savings and Reserve</b>		<b>1,206,046</b>	
<b>(c) Total of Turnover Savings &amp; Operational Savings = (a) + (b)</b>		<b>5,719,959</b>	
<b>Uses of YE 2023 Funds</b>			
<b>(d) Carryforward into FY 2024 (Legislature has approved \$3,200,000)</b>	Historical Carryforward	<b>(3,200,000)</b>	
<b>Total Potential One Time Savings = (c) + (d)</b>		<b>2,519,959</b>	
<b>Less: Judicial Council Requests Previously Approved</b>		<b>(2,434,678)</b>	
<b>Less: Judicial Council Current Month Spending Requests</b>		<b>(33,490)</b>	
<b>Remaining Forecasted Funds Available for FY 2023 YE Spending Requests</b>		<b>51,791</b>	

#	One-time Spending Plan Requests	Current Requests	Judicial Council
		Amount	Approved Amount
1	Q1 / Q2 Performance Bonus Payments		\$ 450,000
2	St. George Courtroom Audio		\$ 141,000
3	Adobe E-Signatures		\$ 260,000
4	IT Equipment for new JA Clerks		\$ 5,872
5	Build-out of Replacement for Courts' Access Revenue System		\$ 40,000
6	Online Water Law Curriculum for Judges		\$ 40,000
7	Transcription Training Production		\$ 900
8	Q3 / Q4 Performance Bonus Payments		\$ 450,000
9	Out of State Employee Set Up Fees		\$ 3,400
10	Supplemental - Secondary Language Skills		\$ 27,200
11	Summit Jury Deliberation Room Improvements		\$ 150,000
12	American Fork Courthouse Lease Increases (revision)		\$ 172,905
13	Matheson Carpet Replacement - Phase 3		\$ 100,000
14	Mobile AED Kit		\$ 2,300
15	Education Room A/V Upgrade to Hybrid Use		\$ 10,000
16	IT Windows 10 Enterprise Upgrades and Software Assurance		\$ 135,000
17	IT Google Licensing for Enterprise Plus		\$ 148,000
18	IT Adobe Pro Licenses for all Staff		\$ 120,000
19	IT Microsoft M365 Additional 630 Licenses		\$ 90,000
20	IT Survey Monkey Subscription		\$ 45,000
21	Matheson Public Electronic Directory		\$ 43,101
22	IT Stipend for Tech Subject Matter Experts	9,000	
23	IT Equipment for new AOC and District Employees	24,490	
Current Month One-time Spending Requests		33,490	
Previously Approved 1x FY 2023 YE Spending Request			2,434,678

## FY 2024 Carry forward and Ongoing Requests

### Funding Sources

	One Time	Ongoing
OTS carried over from FY 2022		\$ 250,392
Current YTD OTS from FY 2023		\$ 828,677
Forecasted Remaining Ongoing Turnover Savings (2 periods x \$50,000 per period)		\$ 100,000
Unobligated Fiscal Note Funds - District Court	\$ 6,500	\$ 20,000
Unobligated Fiscal Note Funds - Juvenile Court	\$ 14,800	\$ 243,200
Expected Carryforward Amount from Fiscal Year 2023	\$ 3,200,000	\$ -
Total Available Funding	\$ 3,221,300	\$ 1,442,269
Less: Judicial Council Delegated to State Court Admin for discretionary use		\$ 200,000
<b>1 Performance Raises Approved in September 2022</b>		<b>\$ 450,000</b>
Net Ongoing TOS Available for Use		\$ 792,269

### Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
<b>2 Increase Performance Raise Pool - Bart Olsen &amp; Karl Sweeney</b>		\$ 185,000		
Subtotal	\$ -	\$ 185,000	\$ -	\$ -
Balance Remaining Inclusive of Presented		\$ 607,269		

## Increase Performance Raise Pool – Phase 2

### \$635,000 ongoing funds

This proposal is for \$185,000 of available ongoing turnover savings in addition to the \$450,000 in ongoing turnover savings that was approved by Council in September 2022 to make a single combined performance raise pool of \$635,000, which would give managers the funding needed to provide mid-to-high performers a \$1.00 per hour performance raise once every 4 years. Due to the incremental impact of a single performance raise pool and the need to communicate these raises in connection with annual performance reviews in late May/early June, BFMC has approved the request to seek approval in the May Judicial Council meeting ahead of other ongoing requests which will be deferred to June. Mr. Olsen explained that employees are grateful for the Council's continued recognition of employees through performance compensation. Mr. Folkman described the impact in the First District Court if additional funding is approved as he would be able to give more substantial salary increases to additional employees.

**Motion:** Judge James Gardner moved to approve the Increase Performance Raise Pool – Phase 2 request for \$185,000 in ongoing turnover to go along with the \$450,000 in ongoing turnover savings that was approved by the Council in 2022, as presented. Judge Chin seconded the motion, and it passed unanimously.

**IT Stipend for Technology Subject Matter Expertise (TSME)  
\$9,000 one-time funds**

IT requested permission to designate up to 30 court employees as TSMEs to assist throughout the state in District and Juvenile courts with a specific set of IT skills/functions. This is a cost-effective use of current court employees who can use their technical skills to assist with providing basic IT services where IT does not have a remote technician or IT staff onsite. This would equate to a \$100 per pay period stipend for 30 court employees.

**Motion:** Judge Lindsley moved to approve the IT Stipend for Technology Subject Matter Expertise request for \$9,000 one-time funds, as presented. Judge Chin seconded the motion, and it passed unanimously.

**IT Equipment Funding for Newly Hired AOC and District Employees  
\$24,490**

As a result of legislative funding approved to hire 13 additional employees, these new hires will also need IT equipment to perform their jobs. Since the legislature did not provide funding for these new hires, the Courts will need to fund IT purchases out of year end funds.

**Motion:** Judge Chin moved to approve the IT Equipment Funding for Newly Hired AOC and District Employees request for \$24,490 one-time funds, as presented. Judge DiReda seconded the motion, and it passed unanimously.

Mr. Murray requested approval for the Utah Bar Foundation Grant. The funds sought are non-federal, do not exceed \$150,000 inclusive of matching requirements, and shall not be used in the hiring of new employees. This grant will provide initial funding for an Appellate Court's Pilot Pro Bono Program. The aim of the program during the initial one-year pilot is to develop a roster of pro bono counsel, conduct training sessions through free CLE's, and serve 20 pro se parties on appeal. There are currently over 200 pro se parties with cases on appeal. This accounts for roughly 20% of the appellate courts' caseload. The purpose of this initial trial period is to test whether providing pro bono attorneys to pro se parties' increases access to justice while decreasing the administrative burden that staff and judges face in dealing with unrepresented parties. The bulk of the funding will pay for transcripts on appeal. Mr. Stiles explained that if a trial court orders fees to be waived, such as transcript fees, those funds have been the burden of the TCE's budget. This funding will create a secondary source for those fees.

**Motion:** Judge Lindsley moved to approve acceptance of the Utah Bar Foundation Grant, as presented. Judge Chin seconded the motion, and it passed unanimously.

Mr. Murray provided the Council with an update on current grants. The Courts hold eight active grants comprised of three federally awarded and five non-federally awarded grants.

Chief Justice Durrant thanked Mr. Sweeney, Ms. Johnson, Ms. Taitano, Mr. Olsen, Mr. Folkman, Mr. Kinder, and Mr. Murray.

**11. HR POLICIES: (Bart Olsen, Jeremy Marsh, Derick Veater, and Krista Airam)**

Chief Justice Durrant welcomed Bart Olsen, Jeremy Marsh, and Derick Veater. The HR Policy Review Committee meets monthly and consists of employees from all court levels. Mr. Olsen was pleased that the committee members are very engaged in the work of the committee. The policy changes were not vetted to all TCEs but rather only to the ones on the committee.

**Changes to policies**

- Change “performance plan” to “performance expectation”.
- Language cleaned up to align with ending career service employment.
- Amend the policy to state that the Courts will award no more than three incremental salary increases in an 18-month period.
- Amend the policy to state that the only authorized background check system is through the Utah Bureau of Criminal Investigation.
- Amend the policy to clarify that employees may use sick leave hours for all health care issues, including mental health and wellness.
- Minor adjustments to the policy to better organize the policy section and provide more precise instructions to employees and management.
- Amend the policy to enable management the flexibility to approve compensatory time payouts upon request as needed.
- Amend the Code of Conduct for those who telecommute.
- Amend the policy to align HR Policy with the Courts’ Accounting Manual by expanding guidance regarding exceptions for accepting certain types of gifts as a Courts employee. Mr. Marsh said the wording aligns with the Accounting Manual.
- Amend the policy to be more consistent with the statute governing nepotism and provide a process for managers in the Courts to report potential violations.
- Clarify what grievance can be directed to the Grievance Review Panel.
- Add the statute to fall in line with volunteering policies.

**Motion:** Judge Pettit moved to approve changes to the HR policies as identified above with an effective date of July 1, as presented. Judge Lindsley seconded the motion, and it passed unanimously.

Chief Justice Durrant thanked Mr. Olsen, Mr. Marsh, and Mr. Veater.

**12. RULES FOR FINAL APPROVAL: (Keisa Williams)**

Chief Justice Durrant welcomed Keisa Williams.

- UCJA Rule 1-205 received no comments during the 45-day public comment period. The Policy, Planning, and Technology Committee recommended that the rule be approved on an expedited basis with a June 1, 2023, effective date.

**Motion:** Judge Gardner moved to approve UCJA Rule 1-205 with an effective date of June 1, 2023. Judge Chin seconded the motion, and it passed unanimously.

- UCJA Rule 3-117 received no comments during the 45-day public comment period. The Policy, Planning, and Technology Committee recommended that the rule be approved with a November 1, 2023, effective date.
- UCJA Rule 3-406 received no comments during the 45-day public comment period. The Policy, Planning, and Technology Committee recommended that the rule be approved with a November 1, 2023, effective date.

**Motion:** Judge Chin moved to approve UCJA Rule 3-117 and 3-406 with an effective date of November 1, 2023. Judge Gardner seconded the motion, and it passed unanimously.

Chief Justice Durrant thanked Ms. Williams.

**13. SENIOR JUDGE APPOINTMENT: (Neira Siaperas)**

Chief Justice Durrant welcomed Neira Siaperas. Ms. Siaperas recommended that the Council return to this agenda item following a closed session.

**Motion:** Judge Mortensen moved to go into an executive session for the purpose of discussing the character, competence, or physical or mental health of an individual and litigation. Judge Gardner seconded the motion, and it passed unanimously.

After the executive session,

**Motion:** Judge David Mortensen moved to recommend Judge Thomas Higbee's active senior judge application be considered by the Supreme Court. Judge Chin seconded the motion, and it passed unanimously.

Chief Justice Durrant thanked Ms. Siaperas.

**14. OLD BUSINESS/NEW BUSINESS: (All)**

No additional business was discussed.

**15. EXECUTIVE SESSION**

An executive session was held.

**16. CONSENT CALENDAR ITEMS**

a) Committee Appointments: Appointment of Danielle Stevens, Dawn Hautamaki, and Judge Jeri Allphin to the Self-Represented Parties Committee; the appointment of Judge Michele Christiansen Forster as Chair to the Court Facility Planning Committee; and the appointment of Judge Chelsea Koch as Chair, Professor Jackie Morrison, Dr. LaReina Hingson, and Kirsten Shumway to the Forms Committee. Approved without comment.

**17. ADJOURN**

The meeting adjourned.