

JUDICIAL COUNCIL MEETING

AGENDA

October 28, 2024

**Meeting held through Webex
and in person**

**Matheson Courthouse
Council Room
450 S. State St.
Salt Lake City, UT 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. Oath of Office for New Council.....Chief Justice Matthew B. Durrant
Members
Judge Rita Cornish
Judge Susan Eisenman
Judge Angela Fannesbeck
Judge Brendan McCullagh
Katie Woods

3. 9:10 a.m. Chair’s Report.....Chief Justice Matthew B. Durrant
(Information)

4. 9:15 a.m. State Court Administrator’s Report.....Ron Gordon
(Information)

5. 9:25 a.m. Reports: Management Committee.....Chief Justice Matthew B. Durrant
Budget and Fiscal Management Committee.....Vacant
Liaison Committee.....Justice Paige Petersen
Policy, Planning, and Technology Committee.....Judge Samuel Chiara
Bar Commission.....Katie Woods, esq.
(TAB 2 - Information)

6. 9:35 a.m. Board of Appellate Court Judges.....Judge Michele Christiansen Forster
Report (Information) Nick Stiles

- | | | | |
|-----|-------------------|---|---|
| 7. | 9:45 a.m. | HR Policy Amendments..... | Bart Olsen
Jeremy Marsh |
| | | (TAB 3 – Action) | |
| 8. | 10:00 a.m. | Judicial Branch Education Committee Report..... | Judge Ryan Tenney
Lauren Andersen |
| | | (TAB 4 – Information) | |
| 9. | 10:15 a.m. | Board of Juvenile Court Judges Report..... | Judge Steven Beck
Sonia Sweeney |
| | | (TAB 5 – Information) | |
| | 10:25 a.m. | Break | |
| 10. | 10:35 a.m. | Rules for Final Approval..... | Keisa Williams |
| | | (TAB 6 – Action) | |
| 11. | 10:45 a.m. | JPEC Report..... | Mary-Margaret Pingree
Bridget Romano |
| | | (TAB 7 - Information) | |
| 12. | 11:00 a.m. | Treatment Court Recertifications..... | Katy Collins
Cris Karren |
| | | (TAB 8 – Action) | |
| 13. | 11:10 a.m. | Old Business / New Business..... | All |
| | | (Discussion) | |
| 14. | 11:20 a.m. | Active Senior Judge Applications..... | Neira Siaperas |
| | | (Action) | |
| 15. | 11:25 a.m. | Executive Session..... | Chief Justice Matthew B. Durrant |
| 16. | 11:45 a.m. | Adjourn..... | Chief Justice Matthew B. Durrant |

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.

1. Rules for Public Comment
(TAB 9)
2. Forms Update
(TAB 10)
3. Request to Close Justice Court on County Holidays
(TAB 11)
4. Self-Represented Parties Committee Member Updates
(TAB 12)

Tab 1

**JUDICIAL COUNCIL MEETING
Minutes**

September 10, 2024

**Meeting held through Webex
and in person**

**Zermatt Resort
Basel Room
784 W. Resort Drive
Midway, UT 84049**

12:00 p.m. – 1:10 p.m.

Chief Justice Matthew B. Durrant, Chair, Presiding

Members:

Chief Justice Matthew B. Durrant, Chair
Hon. Keith Barnes
Hon. Suchada Bazzelle
Hon. Brian Brower
Hon. Jon Carpenter
Hon. Samuel Chiara
Hon. Michael DiReda
Hon. Susan Eisenmann
Hon. Paul Farr
Hon. James Gardner
Hon. Thomas Low
Hon. Amber Mettler
Justice Paige Petersen
Margaret Plane, esq.

Presenters:

Amy Hernandez
Alisha Johnson
Jordan Murray
Bart Olsen
Daniel Meza Rincon
Keri Sargent
Karl Sweeney

AOC Staff:

Ron Gordon
Neira Siaperas
Brody Arishita
Shane Bahr
Jim Peters
Nick Stiles
Sonia Sweeney
Hilary Wood
Keisa Williams

Excused:

Hon. Ryan Evershed
Hon. David Mortensen, Vice Chair
Michael Drechsel

Guests:

Todd Eaton
Suzy Lee
Chris Palmer
Cindy Schut

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting and asked if there were any questions or comments on the previous month's minutes. There were none.

Motion: Judge Thomas Low made a motion to approve the August 23, 2024 meeting minutes. Judge Brian Brower seconded the motion, and the motion passed unanimously.

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

Chief Justice Durrant reported on the meeting with the Elected Officials and Judicial Compensation Commission (EJCC) regarding judicial salaries. He thanked Margaret Plane and Judge Paul Farr for their exceptional service on the Judicial Council, as their terms on the Council are ending.

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

Mr. Gordon discussed the National Center for State Courts (NCSC) Cyber Security Workshop he attended last week in Sun Valley, Idaho with Neira Siaperas, Brody Arishita, Stacy Haacke and Judge James Gardner, expressing appreciation for having Mr. Arishita at the head of the judiciary's IT department. He added that the IT Team does a wonderful job with the resources they are given, and highlighted some key points learned from the conference. Mr. Gordon emphasized that there is always more that can be done to protect the judiciary from the cybersecurity threats that are out there.

4. COMMITTEE REPORTS:

Management Committee Report:

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

Budget & Fiscal Management Committee Report:

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

Liaison Committee Report:

The committee will be meeting later in the week to start preparing for the upcoming legislative session.

Policy, Planning, and Technology Committee Report:

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

Bar Commission Report:

Ms. Plane shared the following updates: The Bar Fall Forum registration is filling up quickly, and there will be a reception at the Bar to celebrate 50 years in law related education coming up on September 19th from 4:30-6:30pm.

5. BUDGETS AND GRANTS: (Karl Sweeney, Alisha Johnson, Jordan Murray)

Alisha Johnson shared the financial reports.

FY 25 Ongoing Turnover Savings

#	Description	Funding Type	Actual	Forecasted
			Amount YTD	Amount @ YE
	Net Carried over Ongoing Savings (from FY 2024)	Internal Savings	53,594	53,594
	Ongoing Turnover Savings FY 2025 (actual year-to-date)	Internal Savings	(30,610)	(30,610)
1	Ongoing Turnover Savings FY 2025 (forecast \$50,000 / month x 10 months remaining)	Internal Savings	-	500,000
	TOTAL SAVINGS		22,984	522,984
2	2025 Hot Spot Raises Authorized - renews annually until revoked		(81,008)	(200,000)
	TOTAL USES		(81,008)	(200,000)
3	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025		(58,024)	322,984

Prior Report Totals N/A; this is the first report of FY 2025)

FY 25 One-Time Turnover Savings

#	Description	Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 08/02/2024)	Internal Savings	395,825
2	Est. One Time Savings for 1,888 remaining pay hours (1,888 @ \$1,200 / pay hour)	Internal Savings (Est.)	2,265,600
Total Potential One Time Savings			2,661,425

Prior Report Totals (as of ESTIMATE)

2,505,600

FY 25 Year End Requests and Forecasted Available One-Time Funds

Forecasted Available One-time Funds			
	Description	Funding Type	Amount
Sources of YE 2025 Funds			
*	Turnover Savings as of PPE 08/02/2024	Turnover Savings	395,825
	Turnover savings Estimate for the rest of the year (\$1,200 x 1,888 pay hours)	Turnover Savings	2,265,600
	Total Potential One Time Turnover Savings		2,661,425
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	Total Potential One Time Turnover Savings Less Discretionary Use		2,411,425
Operational Savings From TCE / AOC Budgets - Estimate			
	Operational Savings From TCE / AOC Budgets - Estimate	Internal Operating Savings	800,000
	Reserve Balance (balance from FY 2024 Carryforward)	Judicial Council Reserve	847
	Anticipated Reserve Uses - including previously approved and pending requests	Jud. Council Reserve Uses	-
(b)	Total Operational Savings and Reserve		800,847
(c)	Total of Turnover Savings & Operational Savings = (a) + (b)		3,212,272
Uses of YE 2025 Funds			
(e)	Carryforward into FY 2026 (Anticipate request to Legislature for \$3,200,000)	FY 2026 Carryforward	(2,500,000)
Total Potential One Time Savings = (c) + (d) less Carryforward (e)			712,272
Less: Judicial Council Requests Previously Approved			(461,427)
Remaining Forecasted Funds Available for FY 2025 YE Spending Requests			250,845

Updated 8/26/2024

6. MINIMAL FEE DEFINITION: (Keri Sargent, Daniel Meza Rincon)

Keri Sargent and Daniel Meza Rincon presented recommendations from the Budget and Fiscal Management Committee (BFMC) and Policy, Planning & Technology (PP&T) on defining “minimal” for the purposes of UCJA 4-202.08(10)(A)(i) as anything \$10 or less, and to further amend UCJA Rule 4-202.08 so that the fee for copies of audio records shared via the FTR cloud

can be reduced. Mr. Meza Rincon clarified that governmental agencies are the only entities who receive the waiver. Judge Samuel Chiara added that it is not clear why the judiciary began waiving those fees or how much in fees is waived every year and commented that the practice may need to be revisited.

Motion: Judge Low made a motion to approve the proposed definition of “minimal” including the reduction of audio record fees as requested. Judge Brower seconded the motion, and the motion passed unanimously.

7. EXTENSION OF QUALIFICATION OF OFFICE: (Ron Gordon)

Mr. Gordon discussed a timing issue that prevents newly appointed Judge Shawn Howell from taking the bench within 60 days of her confirmation. He asked the Council to approve an extension of that window to January 6, 2025.

Motion: Judge Gardner made a motion to extend the window for Judge Howell to take the bench to January 6, 2025. Judge Farr seconded the motion, and the motion was approved unanimously.

8. JUSTICE COURT JUDGE CERTIFICATION: (Jim Peters)

Jim Peters requested the certification of Justice Court Judge Aaron Randall. Judge Randall was selected by the Mayor of Washington City to take the bench, and has met all of the qualifications.

Motion: Judge Farr made a motion to approve the certification of Aaron Randall as a Justice Court Judge. Judge Jon Carpenter seconded the motion, and the motion passed unanimously.

9. REQUEST TO APPLY FOR THE COOK COUNTY MODEL: (Amy Hernandez)

Amy Hernandez requested approval from the Council to apply for a Child Related Relief in Civil Protection Orders program, a pilot program from the National Council for Juvenile and Family Court Judges. She shared that there is a small amount of money that the National Council is giving to pilot sites to be able to mirror a model that has been set up by the Cook County Domestic Violence Courts in Illinois. She added that in this model, Cook County safety facilitators were able to collect related information for the judges who can then determine if a protective order will be granted, resulting in significant increases in child safety, and safety for both the petitioner and the respondent.

The Education Team has submitted a letter of interest to apply for the funding, and if Utah is deemed a potential candidate, Ms. Hernandez will return in October 2024 with information to apply, adding that the total grant amount for the program would be \$180k for three years, which would include travel costs for participating judges and staff to Cook County.

Motion: Judge Suchada Bazzelle made a motion to approve the request to apply for the Cook County Model as proposed. Ms. Plane seconded the motion, and the motion passed unanimously.

10. BUSINESS AND CHANCERY COURT SEAL: (Shane Bahr)

Shane Bahr shared a draft of the Business and Chancery Court seal, and asked for feedback from the Council. Mr. Bahr added that the seal design is the same as on seals for the Juvenile and District Courts, the only change is the court name and date.

Motion: Judge Susan Eisenman made a motion to approve the Business and Chancery seal as presented. Ms. Plane seconded the motion, and the motion passed unanimously.

11. COMMISSIONER RECERTIFICATION: (Shane Bahr)

Mr. Bahr presented the three court commissioners whose terms expire December 31, 2024 that are up for reappointment. This was discussed in a prior Council executive session but is being brought back to the group for a vote.

Motion: Judge Bazzelle made a motion to approve the reappointment of the three court commissioners as presented. Judge Low seconded the motion, and the motion passed unanimously.

12. VIRTUAL MEETING TECHNOLOGY: (Judge Samuel Chiara)

Judge Chiara presented proposed rule CJA 4-401, drafted by Keisa Williams, for discussion and direction to take back to PP&T. Judge Chiara's recommendation was that the rule should outline the goals of the meeting technology rather than identifying a specific vendor or platform to provide that technology. Mr. Gordon posed the question of whether the details should be outlined in the Code of Judicial Administration or in the contract with whatever vendor the AOC selects. Judge Gardner recommended that it be addressed in rule by simply stating that a uniform platform to be used across the judiciary for remote hearings, which will be approved by the Judicial Council or the Management Committee. Judge Farr expressed concern about Justice Courts all committing to a uniform platform since there isn't as much administrative oversight. Judge Michael DiReda suggested that IT be the body to vet the various platforms and to make the recommendations. Judge Gardner commented that IT doesn't necessarily understand the different nuances of each court and that there should be collaboration between IT and the governing committees. Mr. Arishita explained that there is already a process in place which begins with a recommendation from the Tech Advisory Committee that includes members of the different courts across the state, that is then forwarded to PP&T, ending with the Judicial Council for final approval. Several Council members agreed with the idea to have basic language stated in rule stating that a uniform platform must be used in all of the courtrooms.

13. OLD BUSINESS/NEW BUSINESS: (All)

There was no old or new business.

14. SENIOR JUDGE APPLICATION: (Neira Siaperas)

Motion: Judge Eisenman made a motion to move into executive session for the purpose of discussing the character, professional competence, or physical or mental health of an individual. Judge Chiara seconded the motion, and the motion passed unanimously.

15. EXECUTIVE SESSION: (Chief Justice Matthew B. Durrant)

There was an executive session.

Motion: Judge Chiara made a motion that the Judicial Council finds that Judge James Brady meets qualifications for an active senior judge status. Ms. Plane seconded the motion, and the motion passed unanimously.

16. ADJOURN: (Chief Justice Matthew B. Durrant)

The meeting was adjourned.

CONSENT CALENDAR ITEMS

N/A

DRAFT

Tab 2

**UTAH JUDICIAL COUNCIL
POLICY, PLANNING and TECHNOLOGY COMMITTEE
MEETING MINUTES**

Webex video conferencing
August 2, 2024 – 12 p.m.

MEMBERS:	PRESENT	EXCUSED	GUESTS:
Judge Samuel Chiara, <i>Chair</i>	✓		Judge Kate Appleby
Judge Suchada Bazzelle	✓		Judge Jennifer Valencia
Judge Jon Carpenter	✓		Paul Barron
Judge Michael DiReda	✓		Keri Sargent
Judge James Gardner		✓	Meredith Mannebach
			Jace Willard
			STAFF:
			Keisa Williams
			Cindy Schut

(1) Welcome and approval of minutes:

Judge Chiara welcomed committee members to the meeting. The committee considered the minutes from the June 14, 2024, meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge DiReda seconded the motion. The motion passed unanimously.

(2) Rules back from public comment:

- CJA 4-601. Selection of indigent aggravated murder and defense fund counsel (REPEAL)**
- CJA 2-212. Communication with the Office of Legislative Research and General Counsel**
- CJA 4-907. Divorce education and divorce orientation course**
- CJA 1-204. Executive Committees**
- CJA 4-202.01. Definitions**

The public comment period on the above rules has closed. No public comments were received. Rules 2-212, 4-601, and 4-907 were approved on an expedited basis and are currently in effect. Following a discussion, the Committee made no additional amendments.

Judge Bazzelle moved to recommend to the Judicial Council that rules 1-204 and 4-202.01 be approved as final with a November 1, 2024 effective date. Judge DiReda seconded the motion. The motion passed unanimously.

(3) CJA 4-206. Exhibits

Rule 4-206 is back from public comment. Court staff submitted two comments. Jace Willard reviewed recent statutory amendments related to the receipt, retention, and disposal of court exhibits and provided an overview of court staff’s proposed rule amendments. A detailed memo is included in the meeting materials. In summary, the need to amend the rule goes back to legislation passed in 2023 (SB120), which prohibits courts from

disposing of any evidence admitted in criminal cases and significantly restricts state agencies' disposal of evidence in criminal cases. The 2024 amendments (SB76 and HB328) add to those restrictions. Following a discussion, the committee agreed with the proposed amendments and determined that expedited approval was necessary to ensure the rule reflects the statute. Because the amendments are substantive, the rule must be sent out for a second round of public comments. Adjustments can be made as needed after the comment period.

Judge DiReda moved to recommend to the Judicial Council that 4-206 be approved on an expedited basis with an immediate effective date, followed by a second round of public comments. Judge Bazzelle seconded the motion. The motion passed unanimously.

(4) CJA 6-104. District court water judges

Judge Jennifer Valencia and Senior Judge Kate Appleby reviewed proposed amendments to CJA Rule 6-104 as described in detail in the memo provided to the committee members. In summary, the proposed amendments add a new subsection pertaining to the reassignment of water cases upon the retirement or resignation of a water judge. The intent is to "grandfather in" all currently assigned water cases. Future assignments and reassignments would be made by the Senior Water Judge on a random basis. The Board of District Court Judges supports the amendment.

Following a discussion, the Committee changed new (5)(A) to read, "the assignment and reassignment of water law cases to water judges," to further clarify that the supervising water judge is responsible for all reassignments.

Judge DiReda moved to recommend to the Judicial Council that the amendments to CJA rule 6-104 be published for a 45-day comment period. Judge Carpenter seconded the motion. The motion passed unanimously.

(5) CJA 4-202.02. Records classification.

CJA 4-202.03. Records access.

Keri Sargent reviewed the Utah Office Victims of Crime's (UOVC) new statutory requirement to file "nonpublic restitution records" with the court. These records only need to be filed when: 1) there is restitution in a case; 2) UOVC has a restitution claim; and 3) the defendant has requested a hearing regarding restitution. Nonpublic restitution records can only be accessed by the prosecuting agency and defense counsel and should be provided to those parties by UOVC. As such, the proposed amendments to rule 4-202.02 classify those records as sealed and UOVC is granted access in rule 4-202.03.

The Board of District Court Judges has been working with adult probation and parole (AP&P) on reclassifying progress/violation (P/V) reports as protected records. P/V reports could include information about a defendant's substance abuse or mental health classes. Currently, P/V reports and proposed orders are submitted to the court as one document. Once the order is signed, the P/V report becomes a public record. AP&P submitted a version of the report that removes the judge's signature block and creates a separate probation order template. The board did not find any concerns with separating the report and order. The proposed amendments to rule 4-202.02 reclassify P/V reports as protected records. AP&P will begin related programming and training on their end.

Judge Carpenter moved to recommend to the Judicial Council that CJA rule 4-202.02 and rule 4-202.03 be published for a 45-day public comment period. Judge Bazzelle seconded the motion. The motion passed unanimously.

(6) CJA 4-905. Restraint of minors in juvenile court.

The proposed amendment to rule 4-905 fixes an incorrect reference in paragraph (4). Headings were added per an ongoing project to reformat CJA rules. Ms. Williams noted that clerical changes are also needed in several other CJA rules to update statutory references related to the recodification of the Domestic Relations Code in SB 95.

Following a discussion, the committee determined that non-substantive, clerical changes can be made by staff without sending the rules out for public comment in accordance with CJA rule 2-203(3). Staff must place the rules on the Judicial Council's consent agenda, with a memo identifying them as clerical, non-substantive changes.

Judge Bazzelle moved to put clerical, non-substantive changes to CJA rules 4-905, 4-508, 4-510.06, 4-903, 4-907, 10-1-303, and 4-510.06 on the Council's consent calendar. After the Council meeting, staff may update the rules on the webpage. Judge Carpenter seconded the motion. The motion passed unanimously.

Technology report/proposals:

Ms. Williams sought approval of the IT Strategic Plan.

Judge DiReda moved to send the proposed plan to the Management Committee for final approval. Judge Bazzelle seconded the motion. The motion passed unanimously.

(7) CJA Rule 4-101. Manner of Appearance

The public comment period for CJA rule 4-101 ends August 10th. To date, two comments were received, and both were from juvenile court staff. The Supreme Court recently adopted related rules of civil, criminal, and juvenile procedure, with a September 1, 2024 effective date. To align with that date, Ms. Williams recommended that the committee review rule 4-101 before the end of the comment period.

The committee discussed the two comments received from court staff about including language on the court's website related to remote proceedings in juvenile court and including party names in notices. The committee determined that the rule does not need adjustment, but the website should be updated to include juvenile court information. Party names will be included in the caption of each notice. In juvenile court, the name of the minor is spelled out. If any additional public comments are received, they will be addressed by an email vote prior to the Judicial Council meeting.

Judge Carpenter moved to send CJA Rule 4-101 to the Judicial Council with a recommendation that it be approved as final with a September 1, 2024 effective date. Judge Bazzelle seconded the motion. The motion passed unanimously.

Old Business/New Business: None

Adjourn: With no further items for discussion, the meeting adjourned at 12:54 p.m. The next meeting will be held on September 5, 2024, at noon via Webex video conferencing.

**UTAH JUDICIAL COUNCIL
POLICY, PLANNING and TECHNOLOGY COMMITTEE
MEETING MINUTES**

Webex video conferencing
September 5, 2024 – 12 p.m.

MEMBERS:

PRESENT

EXCUSED

	PRESENT	EXCUSED
Judge Samuel Chiara, <i>Chair</i>	✓	
Vacant		
Judge Jon Carpenter	✓	
Judge Michael DiReda	✓	
Judge James Gardner	✓	

GUESTS:

Daniel Meza Rincon
Keri Sargent
Jim Peters
Bart Olsen
Jeremy Marsh
Paul Barron
Tucker Samuelson
Kim Zimmerman
Shannon Treseder

STAFF:

Keisa Williams
Brody Arishita
Cindy Schut

(1) Welcome and approval of minutes:

Judge Chiara welcomed committee members to the meeting. The committee considered the minutes from the August 2, 2024 meeting. With no changes, Judge DiReda moved to approve the minutes as presented. Judge Gardner seconded the motion. The motion passed unanimously.

(2) Rules back from public comment:

- CJA 1-205. Standing and ad hoc committees**
- CJA 2-102. Council agenda**
- CJA 3-422. Tribal Liaison Committee (NEW)**
- CJA 3-501. Insurance benefits upon retirement**
- CJA 4-202.08. Fees for records, information, and services**

The public comment period on the above rules has closed. No public comments were received. Rules 1-205, 2-102, 3-422, 3-501 are ready to send to the Judicial Council with a recommendation that they be approved as final.

Daniel Meza Rincon and Keri Sargent reviewed additional proposed amendments to rule 4-202.08 as provided in the detailed memo included in the meeting materials. In summary, the word “minimal” has been applied differently across the state and there is a need for consistency. The Budget and Fiscal Management Committee recommended that “minimal” in CJA 4-202.08(10)(A)(i) be defined as anything \$10 or less, and to further amend rule 4-202.08 to ensure the fee for copies of audio records shared via the FTR cloud can be reduced.

The committee discussed what would qualify as “minimal” for purposes of audio records and whether there should be a cap on the number of transactions that qualify for a fee waiver. The committee asked where the money from the fees currently go and whether the revenue received could be used to pay for licensing, software, or increased usability.

Tucker Samuelson noted that the proposed amendments could affect Data and Research because the rule as drafted would include requests for data. Currently, the Data and Research Department provides data services for several government agencies and does not charge for personnel time. Given the rates for employees in the data department, even 15 minutes of personnel time would be more than the \$10 “minimal” limit.

Following further discussion, the committee agreed that it makes sense to define “minimal” so that it is uniform across the state. The overarching policy question regarding the \$10 limit is on the Judicial Council’s September 11, 2024 agenda. Depending on what the Council decides, a rule draft could be presented to PP&T in October.

Judge DiReda moved to recommend to the Judicial Council that the amendments to CJA rules 1-205, 2-102, 3-422, and 3-501 be adopted as final with a November 1, 2024 effective date. Judge Gardner seconded the motion. The motion passed unanimously. Following further discussion, PP&T took no action on CJA rule 4-202.08 at this time.

(3) CJA 3-302. Clerk of the court

Keri Sargent and Shannon Treseder reviewed proposed amendments to CJA Rule 3-302. In summary, the Clerks of Court would like to update the rule to be more in line with current practice, to help court employees understand a Clerk of Court’s role, and to update language and other terms.

Following discussion, Judge Gardner moved to send 3-302 to the Judicial Council with a recommendation that it be published for a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.

(4) CJA 9-105. Justice court hours

James Peters reviewed amendments proposed by the Board of Justice Court Judges. The proposed amendments would require justice courts to add operating hours to their websites, allow them to close for local holidays, and no longer require them to notify the AOC on a quarterly basis of changes to their operating hours.

The committee discussed concerns with the amendments. Under 78A-7-213(3), justice courts “shall be open and judicial business shall be transacted” 5 days per week or no less than four days per week for at least 11 hours per day. Local governing bodies can establish operating hours, provided they comply with the statute and the Code of Judicial Administration. Local holidays that do not align with state holidays could be recognized if the statutory requirements are met. Following further discussion, the committee recommended that the proposed amendments be sent back to the Board of Justice Court Judges with the committee’s concerns.

PP&T took no action on CJA 9-101 at this time.

(5) CJA 3-303. Justice court clerks

James Peters reviewed amendments proposed by the Board of Justice Court Judges. The proposed amendments would address the evolution of clerk certification, codify the Judicial Council's decision to remove CORIS access from those who aren't current with certification, and address training needs based on a clerk's role.

Judge Carpenter moved to send to CJA 3-303 to the Judicial Council with a recommendation that it be published for a 45-day public comment period. Judge DiReda seconded the motion. The motion passed unanimously.

(6) CJA 4-401. Proceedings conducted by remote transmission. (NEW)

This new rule memorializes the Management Committee's August 5th Administrative Order on the use of Webinars. Ms. Williams incorporated changes recommended by Judge Gardner prior to the meeting. Mr. Arishita noted that his team has been working with Cisco for feature requests, add-ons, and other fixes so that there will be fewer disruptions. He also noted that they are looking at software specifically for court operations, but cost may be a factor. The committee discussed whether a rule was needed.

After further discussion, the committee decided to address the issue with the Judicial Council and asked Ms. Williams to send the rule draft to the Council solely to guide the Council's discussion, not for approval.

(7) Human Resources

- HR04-13. Career Mobility and Career Service**
- HR06-7. Stipends**
- HR06-8. Retirement Benefits Clarification**
- HR07-8. Witness and Jury Leave**
- HR07-15. Family and Medical Leave "Moonlighting"**
- HR07-20. Sick Leave Bank**
- HR07-21. Parental and Postpartum Leave**
- HR07-23. Safe Leave**
- HR08-2. Telework Mileage**
- HR08-22. Out of State and Out of Country Working**
- HR09-8. Weapon Policy**
- HR09-15. Preferred and Legal Name**
- HR10-1. and HR06-6. Pay for Performance**
- HR11-3. Discretionary Factors (Discipline)**
- HR13. Volunteering**
- Terminology cleanup**
- Definitions and Policy. Transfer language.**

The Human Resources Policy Review Committee recommends approval of the proposed amendments to HR policies as provided in the detailed memo in the materials.

HR04-13 Career Mobility and Career Service

The proposed amendments remove outdated language to clarify that career mobility assignments are temporary in nature and will not lead to any previously unestablished career service status.

HR06-7. Stipends

The proposed amendments clarify that the Trial Court Executive has the authority to approve stipends, that employees must demonstrate an acceptable knowledge level, and complete a formal agreement. There is also a provision for when a stipend may be paused.

HR06-8 Retirement Benefits Clarification

The proposed amendments update language to point to the statutorily authorized entity for establishing eligibility requirements under the Utah State Retirement and Insurance Benefits Act (Title 49).

HR07-8 Witness and Jury Leave

The proposed amendments update policy language to clarify when an employee is eligible to receive a full day's pay for witness or jury leave.

HR07-15 Family and Medical Leave "Moonlighting"

The proposed amendments clarify that an employee on FMLA must adhere to the secondary employment requirements under HR09-10.

HR07-20 Sick Leave Bank

The proposed amendments establish the date an employee first uses sick leave bank hours as the beginning of the year in which up to 240 hours of sick leave bank may be used and equalizes the impact of the benefit between part-time and full-time employees.

HR07-21. Parental and Postpartum Leave

The proposed amendments create consistency between the current policy and HB75, a bill that recently passed in the General Legislative Session. The bill clarifies that an employee must be employed at the time of the qualifying event, specifies that the purpose of parental leave is for bonding, adds foster care as a qualifying event, and specifies that postpartum recovery leave is only available when the birth occurs at 20 weeks gestation or later.

HR07-23. Safe Leave

The proposed amendments come from SB174 which establishes a type of leave for state employees that must be granted to a victim of domestic violation and some other similarly situated employees who have exhausted all of their own accrued leave.

HR08-2. Telework Mileage

The State Division of Finance recently adjusted its policies and no longer prohibits mileage reimbursement for travel of less than 50 miles. The proposed amendment reflects this update and more precisely defines routine teleworking.

HR08-22. Out of State and Out of Country Working

The proposed amendments include TCEs in the line of approval for out-of-state work and support a more logical line of approval.

HR09-8. Weapon Policy

Amends Weapon and Court Security HR Policy to maintain consistency with Rule 3-414. Court Security

HR09-15. Preferred and Legal Name

Amends language allowing employees to use a preferred name and identifies circumstances when a legal name must be used.

HR10-1. and HR06-6. Pay for Performance

The proposed amendments formalize policies related to the legislature's allocation of funds specifically to the judiciary for implementing pay-for-performance increases. The extensive amendments to HR10 aims to ensure practices surrounding setting performance expectations and evaluating job performance enable the judiciary to provide accountability. The amendments to HR06 governing salary aim to clarify and provide reasonable consistency in the judiciary's pay for performance program.

HR11-3. Discretionary Factors (Discipline)

The proposed amendments clarify that when a manager considers an appropriate disciplinary action for cases of misconduct or poor performance, the manager should only consider similar cases under the current State Court Administrator's tenure.

HR13. Volunteering

The proposed amendments clarify that up to an hour of Administrative Leave per month, rather than an hour of work time, should be recorded on the employee's timesheet when voluntarily participating in Employee Resource Groups

Terminology cleanup

The proposed amendments replace "Rule" with "Policy" when used in reference to HR Policy for consistency and to avoid confusion.

Definitions and Policy. Transfer language.

The proposed amendments define other state entities for purposes of procedures for employment transfers between the judiciary and other state entities. Also, a thorough review of the HR Policy was made to clarify whether each instance of the term “transfer” referred to an “external” or “internal” transfer.

The committee did not recommend additional amendments. As the HR policies are internal policies, they do not go out for public comment.

With no further discussion, Judge DiReda moved to recommend to the Judicial Council that HR policies HR04-13, HR06-6, HR06-7, HR06-8, HR07-8, HR07-15, HR07-20, HR07-21, HR07-23, HR08-2, HR08-22, HR09-8, HR09-15, HR10-1, HR11-3, HR13, and certain terminology and definitions be approved as proposed. Judge Gardner seconded the motion. The motion passed unanimously.

Technology report/proposals:

The IT Strategic plan was approved at the last committee meeting. Mr. Arishita will present it to the Management Committee in October for final approval.

The Technology Advisory Group is researching cybersecurity awareness training. Staff recently attended a workshop on disaster recovery and cybersecurity. Mr. Arishita provided information on a statewide phishing campaign to increase cybersecurity knowledge across the State.

Old Business/New Business: None

Adjourn: With no further items for discussion, the meeting adjourned at 1:55 p.m. The next meeting will be held on October 4, 2024, at noon via Webex video conferencing.

Tab 3



The Utah Judicial Branch
Department of Human Resources



Memorandum

From: Bart Olsen, Director of HR, Administrative Office of the Courts
Keisa Williams, General Counsel, Administrative Office of the Courts
Human Resources Policy Review Committee

To: Judicial Council

Re: Summary of Draft HR Policy Amendments

This memorandum summarizes the context, rationale, and intended impacts of proposed amendments to HR Policy.

BACKGROUND

Consistent with [Rule 3-402\(5\)](#), the Human Resources Policy Review Committee (HRPRC) meets regularly to review suggested policy amendments. The HRPRC assists the Policy, Planning & Technology Committee and the Judicial Council to keep HR policies relevant and effective.

Legislative bills passed and funding appropriated during the 2024 General Legislative Session created the need for a large portion of the content in these recommended policy amendments. Other needs arose organically from district court and administrative office leadership. After thorough vetting of HRPRC members, the enclosed amendments were advanced to the Policy, Planning & Technology Committee and approved on September 6, 2024, for a favorable recommendation to the Judicial Council. The HRPRC seeks final approval from the Judicial Council, and recommends an effective date of October 1, 2024, for all the following amendments, unless otherwise noted as required by legislation.

1. HR04-13 Career Mobility and Career Service

For context on this proposed amendment, the judiciary moved away from creating and filling positions that lead to “career service” status with policy amendments that went into effect on July 1, 2022. Career service employment systems unnecessarily establish property rights requiring extensive procedural work that has become entirely ineffective in attracting or retaining the best talent in the judiciary.

Although somewhat similar terminology is used, a “career mobility assignment” is distinct from career service status. Career mobility assignments temporarily move an employee from one position to another, when mutually agreeable between the employee and judiciary management, for purposes of professional development or in response to specific business needs.

The July 2022 policy amendments to career service provisions of policy HR05 inadvertently preserved language describing requirements for a career mobility assignment to become



“permanent” in policy HR04. This amendment removes the outdated language in HR04 to clarify that career mobility assignments are temporary in nature and will not lead to any previously unestablished career service status.

HR Policy: [HR04-13](#)

2. HR06-7(5) – Stipends

In May 2023, the Judicial Council approved funding to designate up to 30 court employees as IT Tech Subject Matter Experts (TSMEs) in addition to their regular duties. These TSMEs are vital in supporting District and Juvenile courts across the state with various IT-related tasks, such as account troubleshooting and networking. To fairly compensate for these additional responsibilities, selected employees receive a stipend for being a TSME. To ensure that only qualified individuals receive this stipend with approval from district TCEs, IT implemented a rigorous vetting process that includes both an application and an examination.

Second Language stipends and their similarly thorough approval processes have already been in place for many years. Therefore, this amendment would replace the current subheading for policy HR06-5(7) from “Second Language Stipends” to “Stipends,” and includes the proposed IT stipend section. These amendments clarify that the Trial Court Executive has the authority to approve stipends, and employees must apply, demonstrate an acceptable knowledge level, and complete a formal agreement. There is also a provision that a stipend may be paused when an employee is on leave for more than 30 continuous calendar days.

Policy: [HR06-7](#)

3. HR06-8 - Retirement Benefits Clarification

This amendment removes language in HR Policy that appeared to independently establish employee eligibility requirements for retirement benefits under the Utah Retirement Systems. The updated language instead points to the statutorily authorized entity for establishing eligibility requirements under the Utah State Retirement and Insurance Benefits Act ([Title 49](#)) which is the Utah Retirement Systems (URS). Should the Legislature make changes to that section of code at any point in the future, this amendment ensures HR Policy aligns with Title 49.

Policy: [HR06-8](#)

4. HR07-8 – Witness and Jury Leave

Previously, the policy language governing procedures for both witness leave and jury leave were the same, leading to some confusion in some cases as to whether an employee had to use their own individually accrued leave if serving as a witness, and whether jury leave could be used if an employee was not actually selected to serve as a juror. This amendment creates two distinct subheadings under HR07-8: “Witness Leave” and “Jury Leave,” and includes language to clarify those pieces of confusion.

Witness Leave: [HR07-8](#)



Employees appearing as witnesses in connection with their job duties are eligible for a full day's pay when serving as a witness. However, any compensation for this service must be returned to the courts.

Jury Leave:

The existing jury leave policy was unclear if "serving" referred to being summoned or selected as a juror. This amendment clarifies that employee using Jury Leave—coded as "OJ" on their timesheet—are covered for jury summons and service if doing so requires an absence from work. Additionally, any compensation received for jury duty must be returned to the organization. If the employee uses their personal leave balances, they are not required to return the compensation.

Policy: [HR07-08](#)

5. HR07-15 – Family and Medical Leave “Moonlighting”

The Family and Medical Leave Act (FMLA) allows eligible employees to take up to 12 weeks of unpaid, job-protected leave per year for specific family and medical reasons, ensuring continued health insurance coverage during the period of leave.

Over the past few months, HR learned of more than one instance where an employee worked a second job while on FMLA leave without receiving supervisory approval, a practice known as “moonlighting.” The FMLA does not categorically prohibit moonlighting, nor does it exempt an employee from abiding by the Employee Code of Ethics and Conduct established in policy HR09. After consulting with the General Counsel's office, the HRPrc developed this policy amendment to make it abundantly clear that an employee on FMLA must adhere to secondary employment requirements under HR09-10.

Policy: [HR07-15](#)

6. HR07-20 - Sick Leave Bank

The current sick leave bank policy allows management to grant an employee up to 240 hours in a calendar year for events like a catastrophic illness or injury. This creates unjust advantages and disadvantages to employees based solely on the timing of the event. (One employee might be eligible to use 240 hours from the sick leave bank from November until December 31, then immediately become eligible for another 240 hours on January 1.) The disparate impacts on eligibility based solely on the calendar year end date are unintentional. This amendment establishes the date an employee first uses sick leave bank hours as the beginning of the year in which up to 240 hours of sick leave bank may be used.

The amendment also equalizes the impact of the benefit between part-time and full-time employees by prorating the amount of hours an employee may use based on the number of hours normally worked per week.

HR Policy: [HR7-20](#)



7. HR07-21 - Parental and Postpartum Leave

This amendment would create consistency between the current policy and a bill that recently passed in the General Legislative Session. [HB75](#) addresses parental and postpartum recovery leave for state employees. It clarifies that an employee must be employed at the time of the qualifying event to be eligible for parental leave. It also specifies that the purpose of parental leave is for bonding. Additionally, the bill adds foster care as a qualifying reason for parental leave and specifies that postpartum recovery leave is only available when the birth occurs at 20 weeks gestation or later.

HR Policy: [HR07-21](#)

8. HR07-23 - Safe Leave

This amendment comes from [SB174](#) which establishes a type of leave for state employees that is separate from individually accrued leave and referred to as "safe leave." It requires safe leave to be granted to a victim of domestic violence and some other similarly situated employees who have exhausted all of their own accrued leave. The bill becomes effective on January 1, 2025. The HR Department plans to provide additional details about the administration of this leave benefit to judicial branch employees in the coming months.

The bill requires managers to allow an employee described above to use up to one week of paid safe leave per calendar year under certain conditions for a reason related to:

- The employee having been the victim of domestic violence, sexual assault, stalking, or human trafficking.
- The employee's immediate family member having been the victim of an incident described above.

HR Policy: [HR07-23](#)

9. HR08-2 - Telework Mileage

The State Division of Finance recently adjusted its policies and no longer prohibits mileage reimbursement for travel of less than 50 miles. The judiciary's Accounting Manual reflects the same update. This amendment also more precisely defines routine teleworking.

HR Policy: [Definitions, HR08-2\(5\)](#)

10. HR08-22 - Out of State and Out of Country Working

During the pandemic, the State Division of Finance created specific procedural and approval requirements for state employees working outside of Utah due to concerns about security, payroll taxes, and other related matters. The judiciary's HR policies supported these requirements but unintentionally omitted TCEs in the line of approval for out-of-state work. These amendments support a more logical line of approval, including the TCE/AOC Director and State Court Administrator or Deputy Court Administrator, in consultation with HR and IT, as those who can approve out-of-state and outside-of-the-country work.



HR Policy: [HR08-22](#)

11. HR09-8 - Weapon Policy

Amends Weapon and Court Security HR Policy to maintain consistency with [Rule 3-414. Court Security](#).

HR Policy: [HR09-8](#)

12. HR 09-15 - Preferred and Legal Name

Amends language allowing employees to use a preferred name and identifies circumstances when a legal name must be used (such as when required by externally controlled information systems).

HR Policy: [HR09-15](#)

13. HR10-1 and HR06-6 - Pay for Performance

In the 2024 General Legislative session, the legislature allocated funds specifically to the judiciary for implementing pay-for-performance increases. The HR Department quickly published helpful information for employees and guidance for managers via email, information sessions, and on a [Pay for Performance](#) page of the HR website, but in order to facilitate even greater consistency and transparency moving forward, formalized policies need to accompany the more informal guidance currently published.

Additionally, we expect continued funding will require some accountability from the judiciary to legislative bodies to verify the judiciary used the funds as intended. The extensive amendments to HR10 governing employee development aims to ensure practices surrounding setting performance expectations and evaluating job performance enable the judiciary to provide that accountability to the legislature if/when it is requested. The amendments to HR06 governing salary aim to clarify and provide reasonable consistency in the application of the judiciary's pay for performance program.

HR Policy: [HR10-1](#); [HR06-6](#)

14. HR11-3 - Discretionary Factors (Discipline)

The amendments clarify that when a manager considers an appropriate disciplinary action for cases of misconduct or poor performance, the manager should only consider similar cases under the current State Court Administrator's tenure. Disciplinary decisions made under prior administrations can needlessly perpetuate practices that are outdated and misaligned with the vision of the current State Court Administrator.

HR Policy: [HR11-3](#)



15. HR13 - Volunteering

The judiciary's Employee Resource Groups (ERGs) are still relatively new, and the current policy governing time records for volunteer ERG participation allows one hour per month of that volunteer time to be counted as "work time." The intent of that language was simply to allow one hour of that volunteer time to be compensated without requiring an employee to use their own accrued leave, rather than to inflate or inaccurately capture hours actually worked. Authorizing non-work hours to be counted as work hours conflicts with policy HR08-8(1) which requires employees to submit a "...time record that accurately reflects the hours actually worked, including ... approved leave time."

This amendment clarifies that up to an hour of Administrative Leave per month, rather than an hour of work time, should be recorded on the employee's timesheet when voluntarily participating in ERGs.

HR Policy: [HR13](#)

16. Terminology Cleanup: Replacing "Rule" with "Policy"

Carryover language in the HR Policy Manual from many years past uses the word "rule" and "policy" interchangeably, which causes unnecessary confusion. Cleanup amendments throughout HR Policy to replace the word "rule" with "policy" when used in reference to HR Policy to avoid confusion.

HR Policy: [HR09-2](#); [HR09-11](#); [HR09-14](#); [HR11-3](#); [HR14-2](#); [HR14-4](#); [HR15-1](#); [HR17-1](#)

17. HR Definitions and Policy - Transfer Language Update

Previous versions of HR Policy addressed procedures for employment transfers between the judiciary and other state entities without defining or listing those entities, making it unclear whether the transfer procedures applied only state employees in the executive and legislative branches (which it does) or if it also applied other independent state entities or quasi state agencies (which it does not). The amended policy language makes this abundantly clear, and adds definitions of "External Applicant" and "External Transfer" to clarify these transfers are executive or legislative branch employees transferring to the judiciary, or judiciary employees transferring to the executive or legislative branch. Consequently, we conducted a thorough review of the HR Policy to clarify whether each instance of the term "transfer" referred to an "external" or "internal" transfer.

HR Policy: [HR Definitions 51, 52, 53, 125](#); [HR04-4](#),[HR-04-5](#);[HR05-1](#);[HR06-6](#),[HR06-8](#)



The Utah Judicial Branch
Department of Human Resources



1. HR04-13 Career Mobility and Career Service

1 Policy HR05-1. Career Service Status.

2

3

4 1) Only an employee hired through a competitive, pre-approved HR
5 process and having completed a probationary period defined in
6 the job descriptions is eligible for career service status.

7

8

9 2) Effective July 1, 2022, the judicial branch ~~will~~ no longer
10 create s career service positions.

11 a) When a career service position is vacated for any reason,
12 the position shall convert to at-will before announcing a
13 vacancy, making an appointment, or selecting a candidate
14 through a competitive process as described in [HR04](#)
15 governing provisions of filling positions.

16 b) A vacated career service position may continue to be a
17 career service position only if management initiates a
18 reassignment, as defined in [HR01\(109\)](#), of a career service
19 employee to the vacant position consistent with
20 [HR04\(5\)\(2\)](#).

21 3) An employee has the right to maintain previously attained
22 career service status so long as the employee remains in the
23 current career service position, or is moved by a management-
24 initiated reassignment as described in HR05-1(3)(b).

25 ~~1.4~~) When an employee initiates a move to a different position
26 such as applying for and receiving a promotion as defined in
27 HR01(104), applying and being selected for any other position
28 vacancy, or requesting a transfer as defined in HR01(125), the
29 employee shall convert to an at-will ~~employee employment~~
30 status.

31 HR04-13. Career Mobility Programs.

32

33

34 1) A career mobility is a temporary assignment of an employee to
35 a different position for purposes of professional growth or
36 fulfillment of specific organizational needs. Career mobility
37 assignments may be to any salary range.

38

39



- 40 2) Management may provide career mobility assignments inside or
41 outside state government in any position for which the
42 employee qualifies.
43
44
- 45 3) An eligible employee or the employee's management may initiate
46 a career mobility action in consultation with HR.
47 a) Career mobility assignments ~~_may be made without going~~
48 ~~through the competitive process but shall remain~~ are
49 temporary.
50 ~~o Career mobility assignments shall only become permanent~~
51 ~~if:~~
52 ~~▪ the position was originally filled through a~~
53 ~~competitive recruitment process; or~~
54 ~~i) a competitive recruitment process is used at the time~~
55 ~~the organization determines a need for the assignment~~
56 ~~to become permanent.~~
57
58
- 59 4) Managers shall use written career mobility contract agreements
60 between the employee and the supervisor to outline all program
61 provisions and requirements. The career mobility shall be
62 both voluntary and mutually acceptable.
63
64
- 65 5) A participating employee may choose to retain all rights,
66 privileges, entitlements, career service status subject to
67 [HR05-2](#), and benefits from the previous position while on
68 career mobility.
69 a) If a reduction in force affects a position vacated by a
70 participating employee, the participating employee shall be
71 treated the same as other RIF employees.
72 b) If a career mobility assignment ~~does not become permanent~~
73 ~~at its conclusion~~ ends, the employee shall return to the
74 previous position or a similar position at a salary rate
75 described in [HR06-6\(10\)](#).
76
77
78 ~~An employee who has not attained career service status~~
79 ~~prior to the career mobility program cannot permanently~~
80 ~~fill a career service position until the employee obtains~~
81 ~~career service status through a competitive process.~~
82



2. HR06-7 - Second Language Stipends

84

85 ~~HR06-7. Incentive Awards, Bonuses, Language/IT Stipends and~~
86 ~~Bonuses.~~

87

88

89 ~~5) Second Language Stipends~~

90 ~~6)~~

91 Management may award regularly occurring ~~bonus~~ payments, also
92 known as stipends, to qualifying employees based on need and
93 available budget.

94 (1) After approval from the Trial Court Executive (TCE) or
95 department director an employee may apply for the following
96 stipends:. ~~who s~~

97

98 a) Second Language Stipend

99 ~~(1)i) An employee may qualify to receive a Second~~
100 Language Stipend to give informal interpretation
101 to court patrons seeking court services and
102 needing interpretation if they:

- 103 (1) Speak a second language
- 104 (2) Apply in writing to the Trial Court
- 105 Executive (TCE) or department director and
- 106 receive approval to continue the application
- 107 process.
- 108 (3) Apply in writing through the Language
- 109 Access Program Coordinator or designee;
- 110 (4) Demonstrate an acceptable level of
- 111 second language proficiency through a
- 112 language assessment test as determined by
- 113 the Language Access Program.
- 114 (5) Complete any formal agreement as
- 115 required by the TCE or department head;

116

117 ~~— speak a second language and give informal~~
118 ~~interpretation to court patrons seeking~~
119 ~~court services and needing~~
120 ~~interpretation.~~

121 ~~b) Employees must meet the following eligibility criteria:~~



122 ~~(1)(6) -and receive approval~~Apply in writing
123 through the Language Access Program
124 Coordinator or designee;

125 (7) Complete any formal agreement as
126 required by the Language Access Program;

127 ~~(2) —~~
128 ~~▪ Demonstrate an acceptable level of second~~
129 ~~language proficiency through a language~~
130 ~~assessment test as determined by the~~
131 ~~Language Access Program.~~

132 ii) Records, tracking, and distribution of stipend
133 payments and payment recipients are coordinated
134 and monitored by district management, the
135 Language Access Program and the Department of
136 Finance.

137
138 b) IT Stipend

139 i) An employee may qualify to receive an IT Stipend
140 to provide IT-related support in their own
141 district or department if they:

142 (1) Apply in writing to the Trial Court
143 Executive (TCE) or department headdirector
144 to move forward in the application process.

145 (2) Demonstrate an acceptable level of IT
146 knowledge through an IT assessment test as
147 determined by IT.

148 (3) Complete anythe formal agreement as
149 required by the TCE or department head.

150 ~~—Demonstrate an acceptable level of IT~~
151 ~~knowledge through an IT assessment test as~~
152 ~~determined by IT.~~

153 ii) Records, tracking, and distribution of IT stipend
154 payments and payment recipients are coordinated
155 and monitored at the district or department level
156 and the Department of Finance.

157
158 2) Stipends shall be paused when an employee is on continuous
159 leave of more than 30 calendar days.

160
161
162



The Utah Judicial Branch
Department of Human Resources



3. HR06-8 – Retirement Benefits Clarification

163 Policy HR06-8. Employee Benefits.

164
165

- 166 1) An employee shall be eligible ~~for benefits whenfor~~:
- 167 a) Retirement benefits according to Title 49, Utah State
- 168 Retirement and Insurance Benefit Act.
- 169 i) Courts HR shall provide eligible employees with information
- 170 regarding available options for Utah Retirement Systems
- 171 (URS) retirement programs.
- 172 ii) An employee shall communicate directly with URS
- 173 regarding retirement system options, changes in employee
- 174 contributions, beneficiaries, and investment strategies.
- 175 b) Non-retirement benefits when:
- 176 ~~1-i)~~ In a position designated as eligible for benefits; and
- 177 ~~2-ii)~~ In a position which normally requires working a
- 178 minimum of 40 hours per pay period (or 20 hours per week).
- 179
- 180
- 181 2) An eligible employee has 30 days from the hire date to enroll
- 182 in or decline one of the traditional medical insurance plans
- 183 and 60 days from the hire date to enroll in or decline one of
- 184 the HSA-qualified medical insurance plans or other tax-
- 185 advantaged arrangement offered by PEHP and authorized under the
- 186 Internal Revenue Code for the benefit of the employee.
- 187 a) An employee shall only be permitted to change medical plans
- 188 during the annual open enrollment period for all state
- 189 employees.
- 190
- 191
- 192 3) An eligible employee has 60 days from the hire date to enroll
- 193 in insurance plans for dental and vision benefits, and in a
- 194 flexible spending account.
- 195
- 196
- 197 4) An employee shall enroll in guaranteed issue life insurance
- 198 within 60 days of the hire date to avoid having to provide proof
- 199 of insurability.
- 200 a) An employee may enroll in additional life insurance and
- 201 accidental death and dismemberment (AD&D) insurance at any
- 202 time.
- 203 b) If an employee chooses to enroll in additional life and/or
- 204 AD&D insurance, the employee may be required to provide proof
- 205 of insurability.



- 206
207
208 5) An employee eligible for retirement benefits shall be
209 electronically enrolled using the URS online certification
210 process as follows:
211 a) An employee with any service time with Utah Retirement Systems
212 (URS) prior to July 1, 2011, from any URS eligible employer,
213 shall be automatically enrolled in the Tier I defined benefit
214 plan and the Tier I defined contribution plan.
215 i) Eligibility for Tier I shall be determined by Utah
216 Retirement Systems
217 ii) An employee eligible for Tier I shall remain in the Tier
218 I plan, even after a break in service.
219 b) An employee with no previous service time with Utah Retirement
220 Systems in Tier I shall be enrolled in the Tier II retirement
221 plan.
222 i) An employee has one year from the date of eligibility to
223 elect participation in the Tier II hybrid retirement plan
224 or the Tier II defined contribution plan.
225 ii) If the employee makes no selection, the employee shall
226 be automatically enrolled in the Tier II hybrid retirement
227 plan.
228 iii) An employee eligible for the Tier II retirement plan has
229 one year from the date of eligibility to change the
230 election. If no change to election is made, the choice is
231 irrevocable after that year.
232 c) Changes in employee contributions, beneficiaries, and
233 investment strategies shall be submitted electronically to
234 URS through the URS website.
235
236
237 6) A reemployed veteran under USERRA shall be entitled to the same
238 employee benefits given to other continuously employed eligible
239 employees to include seniority based increased pension benefits
240 and leave accrual benefits.
241
242
243 7) All insurance coverage, excluding COBRA, shall end:
244 a) At midnight on the last day of the pay period in which the
245 employee receives a paycheck for employees hired prior to
246 February 15, 2003; or
247 b) At midnight on the last day of the pay period in which the
248 employment termination date became effective for employees
249 hired on February 15, 2003, or later.



The Utah Judicial Branch
Department of Human Resources



250

251

252 8) An employee who is not eligible for benefits under [HR06-8\(1\)](#)
253 but does meet the minimum qualifications under the Affordable
254 Care Act shall be eligible for medical insurance only.



The Utah Judicial Branch
 Department of Human Resources



4. HR07-08 Witness and Jury Leave

255 HR07-8. Witness and Jury Leave.

256

257 Witness Leave

258

259 1) An employee is entitled to a leave of absence from a regularly
 260 scheduled work day with full pay when, in obedience to a
 261 subpoena or direction by proper authority, the employee is
 262 required to:

263 (a) Return any witness checks received, consistent with
 264 Finance Department Accounting Manual Section 10-02(13); and

265 ~~(a)(b)~~ Appear as a witness as part of the employee's
 266 position for the federal government, the State of Utah, or
 267 a political subdivision of the state; or

268 (c) Serve as a witness in a grievance hearing as described
 269 in HR17_.

270 ~~(b)~~

271 ~~Serve on a jury.~~ Jury Leave

272 1) An employee may use Jury Leave (usually coded as "OJ" in
 273 payroll) to cover absences from work for official jury summons
 274 or to serve on a jury.

275

276 2) An employee on ~~j~~Jury ~~l~~Leave may accrue excess hours in the
 277 same pay period during which the ~~j~~Jury ~~l~~Leave is used.

278

279 3) An employee who does not use a leave of absence or chooses
 280 to use their own accrued leave ~~or while on~~ in lieu of jJury
 281 ~~Duty Leave~~ shall be entitled to keep juror's fees; otherwise,
 282 juror's fees received shall be returned to the judicial branch
 283 consistent with the Finance Department Accounting Manual
 284 governing Jury Payments, Section 10-01.

285

286

287 An employee who is absent from work in order to litigate in matters
 288 unrelated to state employment shall use eligible accrued leave or
 289 leave without pay.



The Utah Judicial Branch
Department of Human Resources



5. HR07-15 Family and Medical Leave

290 **HR07-15. Family and Medical Leave.**

291
292

293 1) An eligible employee is allowed up to 12 workweeks of family
294 and medical leave (FMLA) each calendar year for any of the
295 following reasons:

- 296 a) Birth of a child;
- 297 b) Adoption of a child;
- 298 c) Placement of a foster child;
- 299 d) A serious health condition of the employee; or
- 300 e) Care of a spouse, child, or parent with a serious medical
301 condition.
- 302 f) A qualifying exigency arising as a result of a spouse,
303 son, daughter or parent being on active duty or having
304 been notified of an impending call or order to active duty
305 in the Armed Forces.

306
307

308 2) An employee is allowed up to 26 workweeks of FMLA during a 12-
309 month period to care for a spouse, son, daughter, parent or next
310 of kin that is a covered servicemember as defined by the National
311 Defense Authorization Act.

312
313

314 3) An employee on FMLA leave shall continue to receive the same
315 health insurance benefits the employee was receiving prior to
316 the commencement of FMLA leave provided the employee pays the
317 employee share of the health insurance premium.

318
319

320 4) An employee on FMLA leave shall receive any administrative leave
321 given for non-performance based reasons if the leave would have
322 been given had the employee been in a working status.

323

324 4)5) An employee on FMLA leave is still subject to the secondary
325 employment policy under HR09-10.

326

327

328 5)6) To be eligible for FMLA, the employee shall:

- 329 a) Be employed by the state for at least 12 months;



330 b) Be employed by the state for a minimum of 1,250 hours
331 worked, as determined under FMLA, during the 12-month
332 period immediately preceding the commencement of leave.
333

335 ~~6~~7) To request FMLA leave, the employee or an appropriate
336 spokesperson, shall notify management of the need for leave:

- 337 a) 30 days in advance for foreseeable needs; or
- 338 b) As soon as practicable in an emergency.

339
340
341 ~~7~~8) An employee may use accrued annual leave, sick leave,
342 converted sick leave, excess hours and compensatory time prior
343 to going into leave without pay status for the FMLA leave period.

344 a) An employee who chooses to use accrued annual leave, sick
345 leave, converted sick leave, excess hours and
346 compensatory time prior to going into leave without pay
347 status for the FMLA leave period shall notify the
348 employee's direct supervisor and/or member of management
349 in the employee's line of management.

350 b) If an employee fails to notify management as described
351 under this section, accrued leave will be used to pay the
352 employee's payroll deductions in the following order:

- 353 i) Program III sick leave
- 354 ii) Other accrued leave in this order:
 - 355 (1) Compensatory time;
 - 356 (2) Excess leave; or
 - 357 (3) Annual leave;
- 358 iii) Existing leave balances with potential
359 retirement benefits in this order:
 - 360 (1) Converted sick leave;
 - 361 (2) Program II sick leave; or
 - 362 (3) Program I sick leave.

363
364
365 ~~8~~9) When an employee chooses to use FMLA leave, management shall
366 designate, in consultation with the HR Department, all absences
367 related to the qualifying event as FMLA leave.
368

369
370 ~~9~~10) Any period of leave for an employee with a serious health
371 condition that is determined by a health care provider to be
372 incapable of applying for FMLA and has no agent or designee
373 shall be designated as FMLA leave.



The Utah Judicial Branch
Department of Human Resources



374
375
376 ~~10~~11) An employee with a serious health condition covered
377 under workers' compensation may use FMLA leave concurrently with
378 the workers' compensation benefit.

379
380
381 ~~11~~12) If an employee in a leave without pay status fails to
382 return to work after FMLA leave has ended, the judicial branch
383 may recover, with certain exceptions, the health insurance
384 premiums paid by the judicial branch on the employee's behalf.
385 An employee is considered to have returned to work if the
386 employee returns for at least 30 calendar days.

387 a) Exceptions to this provision include:

388 i) An FLSA exempt, at-will employee in a high level
389 management position such as court executive,
390 director, court level administrator, or position of
391 similar stature or authority that has been denied
392 restoration to employment upon expiration of leave
393 time;

394 ii) An employee with circumstances that changed
395 unexpectedly and beyond the employee's control
396 during the leave period preventing the return to work
397 at the end of 12 weeks.

398
399
400 ~~12~~13) Leave taken after childbirth or placement of a healthy
401 child for adoption or foster care may not be taken
402 intermittently or on a reduced leave schedule unless:

403 a) The employee makes a written request for an exception in
404 writing; and

405 b) Approval is granted in agreement with the employee's line
406 of management and the court level administrator.

407
408
409 ~~13~~14) Medical records created for the purposes of FMLA and the
410 Americans with Disabilities Act (ADA) shall be maintained in
411 accordance with confidentiality requirements of [HR02-5](#).

412
413
414 ~~14~~—Leave without pay taken under the FMLA may result in service
415 credit limitations or reductions with Utah Retirement Systems.

416



The Utah Judicial Branch
Department of Human Resources



6. HR07-20 Sick Leave Bank

417 **Policy HR07-20. Leave Bank.**

- 418
419 1) General utilization of a leave bank program is subject to the
420 approval of the Judicial Council.
- 421 a) Access to the leave bank is not an employee right and shall
422 be authorized at management discretion.
 - 423 b) Requests for leave bank hours shall be supported by
424 administratively acceptable documentation from a healthcare
425 provider.
 - 426 c) Leave donors, supervisors, managers, and management teams
427 are prohibited from reviewing an employee's medical
428 certifications or physician statements.
 - 429 d) An employee may not receive donated leave until all
430 individually accrued leave is exhausted.
 - 431 e) Leave shall be accrued if an employee is on sick leave
432 donated from the leave bank.
 - 433 f) An employee using donated leave shall not work a second job
434 without written consent of the court level administrator.
 - 435 g) Only compensatory time earned by an FLSA nonexempt employee,
436 annual leave, excess hours, and converted sick leave hours
437 may be donated to the leave bank.
 - 438 h) Only employees of state agencies with approved leave bank
439 programs may donate leave hours to an employee of the
440 judicial branch or employees of the judicial branch to other
441 state agencies with approved leave bank programs, if
442 mutually agreed on by both organizations.
- 443
444
- 445 2) All medical records created for the purpose of a leave bank
446 shall be maintained in accordance with confidentiality
447 requirements of [HR02-5](#).
- 448
449
- 450 3) Eligibility for an employee to receive leave bank donations is
451 reviewed and determined by the HR Department and is subject to
452 the following eligibility criteria:
- 453 a) Healthcare provider documentation provides evidence of a
454 catastrophic illness or injury; meaning an illness, acute
455 physical condition, or injury that is life-threatening or
456 incapacitating and that reasonably requires the employee to
457 be absent from work.



- 458 b) The employee has used or will soon have used all
459 individually accrued leave.
460
461
462 4) Leave bank donation approval may be granted by the court
463 executive, court level administrator, director, deputy state
464 court administrator, or designee and shall be subject to the
465 following limitations:
466 a) The number of hours granted shall not exceed 80 hours per
467 pay period (40 hours per week), nor shall it exceed a
468 cumulative total of more than 240 hours in the 12 months
469 following the first use of leave bank hours. ~~in a calendar~~
470 year. Hours will be pro-rated based on regular hours
471 worked.
472 b) An employee participating in the Short Term Disability
473 Insurance (STDI) program shall only be eligible for enough
474 leave bank hours to cover payroll deductions.
475 c) The employee does not misuse or abuse leave privileges or
476 benefits.
477
478
479 5) Annual leave hours unused by classified employees by the end of
480 the calendar year shall be automatically donated to the general
481 leave bank.
482
483
484 6) Employees may also donate annual leave, excess leave, converted
485 sick leave, or compensatory leave hours to the general leave
486 bank or to a specific employee who has been approved by HR and
487 by the employee's management to receive donated leave bank
488 hours.
489
490
491 7) The HR Department shall notify employees of the judicial branch
492 when management approves an employee to receive donated leave
493 and shall include instructions on how to donate leave to the
494 employee.
495
496
497 8) Any leave hours donated to an employee who end up not being used
498 by the employee shall be donated to the general leave bank
499 unless the donating employee specifically requests otherwise.
500
501



7. HR07-21 – Parental and Postpartum Leave

502 Policy HR07-21. Parental and Postpartum Recovery Leave.

503 1) An employee is eligible for parental or postpartum recovery
504 leave when:

505 a) The employee accrues paid leave benefits that can be used in
506 the current and future calendar years as described in HR07-
507 1, and

508 b) Is in a position that receives retirement benefits under Title
509 49, Utah State Retirement and Insurance Benefit Act, and

510 c) The employee is not reemployed post-retirement as defined in
511 UCA §49-11-1202.

512
513
514 2) Parental Leave

515 a) An employee is qualified for parental leave when the employee
516 is assuming a parental role for a child or incapacitated adult
517 and:

518 i) ~~is a birth parent as defined in the child's biological~~
519 birth parent UCA § 78B-6-103;

520 ~~ii) is the spouse of the person who gave birth to the~~
521 child;

522 ~~iii) is the adoptive parent of the child Legally adopts~~
523 a minor child, unless the employee is the spouse of the
524 pre-existing parent;

525 ~~iv) Is the intended parent of a child born under a~~
526 validated gestational agreement; ~~or~~

527 v) Is appointed the legal guardian of a minor child or
528 incapacitated adult; or

529 ~~iv)vi) Is the foster parent of the child.-~~

530 b) Management shall grant up to three weeks of paid parental
531 leave to an employee who gives notice that they intend to use
532 paid parental leave.

533 c) Management calculates the amount of leave for each employee
534 based on the number of hours the employee would have worked
535 per week if they had not taken parental leave.

536 d) An employee may use parental leave within the six months
537 immediately following the qualifying event from Subsection
538 (2) (a).

539 ~~i) The birth of the employee's child;~~

540 ~~ii) The adoption of a minor child; or~~

541 ~~iii) The appointment of legal guardianship of a minor child~~
542 or incapacitated adult

543 e) An employee may use parental leave intermittently when:



- 544 i) The employee and management have written mutual consent
545 for intermittent use; or
546 ii) A health care provider certifies the need for
547 intermittent leave due to the child's serious health
548 condition.
- 549 f) Parental leave:
- 550 i) Runs concurrently with leave under the Family and Medical
551 Leave Act (FMLA);
- 552 ii) Runs consecutively with postpartum recovery leave
553 consistent with HR07-21(3)(ii);
- 554 iii) Is limited to three weeks within any 12-month period;
- 555 iv) Does not increase when:
- 556 (1) More than one child is born from the same pregnancy;
- 557 (2) More than one child is adopted;
- 558 (3) The employee is appointed legal guardian of more
559 than one minor child or incapacitated adult; or-
560 ~~(3)-(4) More than one foster child is placed in the~~
561 employee's care.
- 562 3) Postpartum Recovery Leave
- 563 a) An employee is qualified for postpartum recovery leave when
564 the employee gives birth at 20 weeks or greater gestation.
- 565 b) Management shall grant up to three weeks of paid postpartum
566 recovery leave to an employee who gives notice that they
567 intend to use paid postpartum recovery leave.
- 568 c) Management calculates the amount of leave for each employee
569 based on the number of hours the employee would have worked
570 per week if they had not taken postpartum recovery leave.
- 571 d) Postpartum recovery leave begins on the date the employee
572 gives birth unless a health care provider certifies the
573 medical necessity of an earlier start date.
- 574 e) An employee shall use postpartum recovery leave in a single
575 continuous period, unless authorized in writing by the
576 Director of Human Resources.
- 577 f) Postpartum recovery leave:
- 578 i) Runs concurrently with leave under the Family and Medical
579 Leave Act (FMLA);
- 580 ii) Runs consecutively with parental leave under HR07-21(2)
581 with postpartum recovery leave used first pursuant to
582 restrictions in HR07-21(3)(d); and
- 583 iii) Does not increase when more than one child is born from
584 the same pregnancy.
- 585 4) An employee or a spokesperson shall notify management of their
586 plan to use parental or postpartum recovery leave:
- 587 a) Thirty days in advance; or
- 588 b) As soon as practicable in emergencies.



The Utah Judicial Branch
Department of Human Resources



- 589 5) Management may not charge parental or postpartum recovery leave
590 against any accrued leave balance on the employee's record
591 6) No person may interfere with an employee's intent to use
592 postpartum recovery leave or retaliate against an employee who
593 receives postpartum recovery leave.



The Utah Judicial Branch
Department of Human Resources



8. HR07-23 – Safe Leave

594

595 HR07-22. Safe Leave.

596 1) Effective January 1, 2025, an employee is eligible for safe
597 leave when:

598 a) The employee accrues paid leave benefits that can be used
599 in the current and future calendar years as described in
600 HR07-1, and

601 b) Is in a position that receives retirement benefits under
602 Title 49, Utah State Retirement and Insurance Benefit Act,
603 and

604 c) The employee is not reemployed post-retirement as defined
605 in UCA §49-11-1202.

606 d) the employee has exhausted all annual, compensatory, and
607 excess leave.

608 2) An employee shall notify management of the intended start and
609 stop dates of safe leave:

610 a) seven days in advance; or

611 b) as soon as practicable when circumstances beyond the
612 employee's control prevent seven days of notice.

613 3) Management may not charge safe leave against any accrued leave
614 balance on the employee's record.

615 4) No person may interfere with an employee's intent to use safe
616 leave or retaliate against an employee who receives safe
617 leave.

618 5) Safe leave is administered as follows:

619 a) An employee is qualified for safe leave when the employee
620 or their immediate family member is the victim of
621 domestic violence, sexual assault, stalking, or human
622 trafficking. Immediate family members are parents,
623 spouse, child, sibling, or any other individual whom the
624 employee may claim as a dependent for purposes of state
625 or federal income tax.

626 b) Management shall grant up to one week of paid safe leave
627 to an employee who gives notice that they intend to use
628 safe leave.

629 c) Management calculates the amount of leave for each
630 employee based on the number of hours the employee would
631 have worked per week if they had not taken safe leave.

632 d) An employee may not use safe leave more than two years
633 after the qualifying event from Subsection (5) (a) except



634 to participate in a criminal proceeding related to the
635 event.

636 e) An employee may use safe leave intermittently.

637 f) Safe leave:

638 i) runs concurrently with leave under the FMLA, if
639 applicable;

640 ii) is limited to one week within a calendar year; and

641 iii) does not increase when more than one qualifying
642 event occurs in a single calendar year

643



The Utah Judicial Branch
Department of Human Resources



9. HR08-2 Telework Mileage

644 **HR Policy HR08-2 Telework Mileage**

645
646 **(90) Occasional Teleworking:** Permission granted from
647 management to an employee when warranted, to perform work from
648 a location other than the normal work location - usually in
649 the employee's home. Permission is usually granted on an ad
650 hoc basis due to an irregular need arising, and is not granted
651 in connection with any required reimbursement or equipment
652 setup to be provided by the judicial branch.

653 ~~(116) — **Routine Teleworking:** An arrangement made between~~
654 ~~management and an employee allowing an employee to~~
655 ~~routinely perform work in a location other than the~~
656 ~~assigned work location of the employee's position. where the~~
657 ~~primary work location is somewhere other than a traditional~~
658 ~~office setting, or a combination of a traditional office~~
659 ~~setting and another location.~~

660 (125) **Telework:** The performance of work duties from a location
661 apart from the traditional or standard work location. (See
662 also "Routine Teleworking" and "Occasional Teleworking.")

663 **Policy HR08-2. Teleworking.**

664
665 1) Teleworking is an option that may be considered by management
666 for a variety of reasons, including but not limited to
667 maximizing efficiency of judicial branch business, meeting
668 needs of court patrons, leveraging cost-savings measures, etc.
669 It is not a universal employee benefit and may be terminated
670 by management at any time.

671
672
673 2) Before beginning a routine teleworking arrangement, management
674 and an employee shall establish a written agreement specifying
675 the conditions of the routine teleworking work status,
676 including the expectation to comply with this policy and any
677 other applicable expectations the district, office, or team
678 may require.

679 a) The written agreement shall be endorsed by management
680 and by the employee.



- 681 b) Management shall send the endorsed agreement to HR for
682 maintenance in the official personnel file, or
683 alternatively, upload the agreement directly in the
684 employee's Utah Performance Management (UPM) account.
685 c) Any amendments to this agreement shall require a new
686 written agreement endorsed by management and by the
687 employee to supersede the old agreement and shall be
688 maintained by HR in the official personnel file.
689
690
691 3) All teleworkers are required to protect confidential and/or
692 sensitive information in accordance with federal and state
693 regulations and in accordance with judicial branch rules and
694 policies.
695 a) Unauthorized disclosure of such information is subject
696 to penalties provided by law.
697 b) Unauthorized disclosure of information may also result
698 in disciplinary action up to and including termination
699 of employment.
700 c) Teleworkers must adhere to the Acceptable Use of
701 Information Technology Resources policy found in [HR09-](#)
702 [15](#).
703
704
705 4) Management shall establish and monitor performance standards
706 in order to monitor how the needs of court patrons and other
707 judicial branch stakeholders are either met or exceeded by a
708 routine teleworking arrangement.
709
710
711 5) Management may require a routine teleworker to attend in-
712 person meetings, conferences, or other activities away from
713 the ~~teleworking work location~~ assigned work location of the
714 employee's position.
715 a) Mileage to and from the required activity will be
716 reimbursed according to the Utah State Court Accounting
717 Manual 12-00-00.~~when the location of the activity is~~
718 ~~more than 50 miles from the primary work site, but only~~
719 ~~for such mileage in excess of 50 miles in each direction~~
720 ~~of travel.~~
721 b) Time spent traveling during the normal work schedule
722 shall be counted as work hours.
723 c) Travel time outside of the normal work schedule shall
724 ~~only~~ be counted as hours worked.~~work hours if the~~



725 ~~activity is more than 50 miles from the primary work~~
726 ~~site.~~

- 727
728
729 6) Routine teleworkers are responsible to establish and provide
730 home internet and telephone services for the purposes of
731 teleworking.
732 a) The quality of internet service must be able to support
733 all work-related applications, systems, and devices.
734 b) All initial set-up costs or costs associated with a
735 teleworker changing teleworking work locations are the
736 responsibility of the teleworker.

- 737
738
739 7) Routine teleworkers are required to use state-owned computer
740 equipment and software.
741 a) They may not install unauthorized hardware or software
742 on state-owned equipment nor copy or distribute state
743 provided software.
744 b) All state owned equipment shall be returned to the
745 judicial branch at the time the teleworking
746 arrangement is terminated, including by termination of
747 employment.

- 748
749
750 8) Occasional teleworkers using their own computer equipment or
751 software acknowledge that they do so at their own risk and
752 agree to release the judicial branch from any and all
753 liability associated with business use of personal items. The
754 judicial branch will not reimburse occasional teleworkers for
755 damage to their own computer equipment incurred when the
756 employee is teleworking.

- 757
758
759 9) No travel, equipment, or service-related reimbursements will
760 be provided for occasional teleworking.

- 761
762
763 10) Teleworking employees must abide by all time-keeping
764 policies and restrictions against working unauthorized
765 overtime.

766

767



10. HR08-22 Out of State and Out of Country Working

768 Policy HR08-22. In-State and Out-of-State Work.

769

770

771 ~~2~~1) This policy establishes the conditions under which judicial
772 branch employees may work outside of the state, provides that
773 employees' tax withholdings be paid to the state, and provides
774 for the security of judicial branch information technology
775 systems.

776 ~~3~~2) The intent of this policy is to provide mutually beneficial
777 outcomes to the judicial branch and its employees, including
778 but not limited to the following ways:

779 a) Providing employment opportunities to citizens of the
780 state;

781 b) Allowing out-of-state employment when doing so is in the
782 best interest of the judicial branch;

783 c) Retaining within the state that state income tax paid by
784 judicial branch employees with minimal exceptions;

785 d) Minimizing costs borne by the state to provide workers'
786 compensation and liability coverage for out-of-state
787 workers.

788 ~~4~~3) General Requirements.

789 a) An employee may perform work only while physically within
790 the state's borders.

791 b) An employee's state employment-related tax withholdings
792 are paid to the state, and the employee acknowledges that
793 any compensation paid by the judicial branch is deemed
794 earned within the state.

795 c) An employee may not take property or equipment owned by
796 the judicial branch outside of the United States without
797 prior approval from ~~a~~the court executive or AOC
798 director~~Court Level Administrator~~.

799 d) When an employee is sent outside of the state for
800 business reasons and the duration of time is fewer than
801 30 days within a calendar year, the employee shall follow
802 business travel policies established by the Department of
803 Finance, found in the Accounting Manual.

804 e) An employee traveling outside of the state for judicial
805 branch business reasons may perform work outside the
806 state if the duration of time is fewer than 30 days.

807 ~~5~~4) Exceptions.

808 a) An employee is ultimately responsible for paying the
809 proper amount of tax to the appropriate taxing



- 810 authorities when an exception is granted under this
811 section.
- 812 b) An employee who travels to another state for personal
813 reasons and the duration of time is fewer than 30 days
814 within a calendar year may not perform work in that state
815 without prior approval from the employee's
816 supervisor court executive or AOC director.
- 817 c) An employee who desires to work in another state for more
818 than 30 days within a calendar year shall seek prior
819 written approval from management the court executive or
820 AOC director to work in that state.
- 821 d) A manager seeking to allow or to require an employee to
822 work for more than 30 days outside of the state within a
823 calendar year, including the possibility of living
824 outside of the state, shall do the following:
- 825 1.i) Obtain written approval from a Court Level
826 Administrator the court executive or AOC director
827 or designee;
- 828 2.ii) Inform the HR Department that the employee
829 will be working outside of the state and provide
830 the employee's new out-of-state address;
- 831 3.(1) HR shall Notify and request the Division of
832 Finance in the Utah Department of Government
833 Operations to set up tax withholdings to be paid to
834 the state in which the employee is working;
- 835 4.(2) HR shall notify and request the Division of Risk
836 Management in the Utah Department of Government
837 Operations to ensure the employee will be protected by
838 workers' compensation insurance and other appropriate
839 and available travel and liability coverage or
840 insurance; and
- 841 i)iii) The court executive or AOC director shall
842 Reimburse at the established rate the Division of
843 Finance, Division of Risk Management, or other state
844 entity for costs incurred to research and establish tax
845 withholdings, workers' compensation, travel, and
846 liability policies, or any other requirements to cover
847 the employee while working outside the state.
- 848 e) An employee who plans to travel outside of the United
849 States and who will be required or desires to work while
850 outside of the United States shall obtain prior written
851 approval to work from the State Court Administrator or
852 Deputy State Court Administrator from the court executive
853 or AOC director.



- 854 f) An employee who plans to travel outside of the United
855 States and desires to take equipment or property owned by
856 the judicial branch shall obtain prior written approval
857 from court executive or AOC director, the Chief
858 Information Officer (CIO) or designee, and the Deputy
859 Court Administrator or designee, who shall assess the
860 security and legal issues of accessing systems on
861 judicial branch owned equipment while the employee is
862 outside of the United States.
- 863 i) After obtaining court executive or AOC director, CIO or
864 designee, and the Deputy Court Administrator or designee
865 approval, -approval, the employee's Court Level
866 Administrator or designee shallHR shall:
- 867 (1) Notify and request the Division of Risk Management in
868 the Utah Department of Government Operations to assess
869 the availability of workers' compensation insurance
870 coverage and the need for travel insurance and general
871 liability coverage;
- 872 (2) Notify and request the Division of Finance in the Utah
873 Department of Government Operations to review potential
874 tax implications if the employee would be working outside
875 of the United States for more than 30 days within a
876 calendar year.
877 ~~1. ; and~~
- 878 ~~(2)~~ (3) The court executive or AOC director shall
879 R reimburse at the established rate the Division of Risk
880 Management or other state entity for costs incurred to
881 research workers' compensation, travel, and liability
882 policies, or any other requirements to cover the employee
883 while working outside the United States.
- 884 ~~6)5)~~ Any other exemption to HR08-22 must be granted in writing
885 by the State Court Administrator or designee.

886



The Utah Judicial Branch
Department of Human Resources



11. HR09-8 Weapon Policy

887 Policy HR09-8. Weapons and Court Security

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1) Employees shall be familiar and comply with UCJA 3-414 and local court security plans.

2) Employees shall comply with all directives from court security officers, including the Court Security Director.

~~3) Other than employees identified in UCJA 3-414, employees may not possess weapons in courthouses, probation offices, other buildings used for employee work spaces, off premises court-sponsored meetings or conference sessions, and state vehicles.—~~

~~a) This provision does not apply to personal vehicles in employee parking areas.—~~

~~b) Possession of a weapon includes on the person and in areas within the immediate control of the employee.—~~

4)3) Other than employees identified in UCJA 3-414, an employee who has a concealed weapons permit is not excused from complying with these policies.



The Utah Judicial Branch
Department of Human Resources



12. HR 09-15 Preferred and Legal Name

913 Policy HR09-15. Acceptable Use of Information Technology
914 Resources.

915

916 Information technology (IT) resources are provided to employees
917 to assist in the performance of assigned tasks and in the
918 efficient day to day operations to further the mission of the
919 judicial branch.

920

921

922 1) Providing IT resources to an employee does not imply an
923 expectation of privacy. Management may:

924 a) View, authorize access to, and disclose the contents of
925 electronic files or communications as required for legal,
926 audit, or legitimate state operational or management
927 purposes;

928 b) Monitor the network or email system including the content
929 of electronic messages, including stored files, documents,
930 or communications as are displayed in real-time by
931 employees, when required for state business, and within
932 the officially authorized scope of the person's employment.

933

934 2) By default, a Courts IT system profile is built using an
935 employee's legal name.

936 a) An employee may designate a preferred first name in
937 coordination with the departments of HR and IT.

938 b) A designated preferred name may be used for internal and
939 external communications, email, directory listings,
940 employee badges, and some internal systems, where feasible.

941 c) A preferred name shall not be used in lieu of legal names
942 when prohibited by state or federal regulations, or when a
943 legal name is required by externally controlled systems such
944 as payroll or human resource information systems.

945

946 ~~2)3)~~ An employee may engage in incidental and occasional personal
947 use of IT resources provided that such use does not:

948 a) Disrupt or distract from the conduct of judicial branch
949 business due to volume, timing, or frequency;

950 b) Involve solicitation;

951 c) Involve for-profit personal business activity;

952 d) Involve actions, which are intended to harm or otherwise
953 disadvantage the judicial branch; or



954 e) Involve illegal and/or activities prohibited by this
955 policy.

956
957

958 ~~3)4)~~ An employee shall:

959 a) Comply with UCJA rules governing privacy of information
960 when transmitting information with state provided IT
961 resources.

962 b) Report to management any computer security breaches, or
963 the receipt of unauthorized or unintended information.

964 c) Login to the court supplied Virtual Private Network (VPN)
965 at least weekly to obtain security updates, when not
966 regularly connected to the courts network.

967 d) Utilized "courtguest" Wifi for all personal devices.
968

969 ~~4)5)~~ While using state provided IT resources, an employee may
970 not:

971 a) Access private, protected, or controlled records
972 regardless of the electronic form without data owner
973 authorization;

974 b) Divulge or make known his/her own password(s) to another
975 person;

976 c) Distribute offensive, disparaging or harassing statements
977 including those that might incite violence or that are
978 based on race, national origin, sex, sexual orientation,
979 gender identity, age, disability or political or religious
980 beliefs, or any harassing statements based on any other
981 class protected by state or federal law;

982 d) Distribute information that describes or promotes the
983 illegal use of weapons or devices including those
984 associated with terrorist activities;

985 e) View, transmit, retrieve, save, print or solicit sexually-
986 oriented messages or images;

987 f) Use state-provided resources to violate any local, state,
988 or federal law;

989 g) Use state-provided IT resources for commercial purposes,
990 product advertisements, or "for-profit" personal activity;

991 h) Use state-provided IT resources for religious or political
992 functions, including lobbying as defined according to [UCA](#)
993 [§36-11-102](#) and [Administrative Rule R623-1](#);

994 i) Represent oneself as someone else including either a
995 fictional or a real person;

996 j) Knowingly or recklessly spread computer viruses, or act in
997 any way that compromises court IT security;



- 998 k) Create and distribute or redistribute "junk" electronic
999 communications such as chain letters, advertisements, or
1000 unauthorized solicitations;
1001 l) Knowingly compromise the confidentiality, integrity, or
1002 availability of the state's information resources.
1003 m) Utilize court technology accounts for personal or non-court
1004 related activities.
1005 n) Install any software or hardware licensed or unlicensed
1006 without approval from management and IT.
1007
- 1008 ~~5~~6) Employees shall complete annually assigned Cybersecurity
1009 training and adhere to all principles and practices outlined
1010 therein.
1011
- 1012 ~~6~~7) An employee who violates this policy may be disciplined
1013 according to [HR11](#).
1014
1015



The Utah Judicial Branch
 Department of Human Resources



13. Pay for Performance

1016

1017 **HR10-1 Performance Expectations and Evaluation.**

1018

1019

1020 1) Setting Performance Expectations.

1021 a) Management shall ~~identify~~ establish and communicate
 1022 performance expectations ~~and provide performance feedback~~
 1023 ~~and evaluation regularly and~~ in accordance with the following
 1024 criteria:

1025 a)
 1026 i) The judicial branch performance year begins on April 1 and
 1027 concludes the following calendar year on March 31.

1028 i)
 1029 ii) Performance expectations and feedback shall be
 1030 established and to measure job performance measured against
 1031 the effectiveness in of advancing the overall mission of
 1032 the judicial branch.

1033 ii)
 1034 iii) Specific performance standards and
 1035 expectations for each employee shall be provided in writing
 1036 no later than July June 30-30 of the performance year for
 1037 employees hired on or before the first day of the
 1038 performance year.

1039 iv) Performance expectations shall be provided in writing no
 1040 later than three months after the date of hire for
 1041 employees hired after the first day of the performance
 1042 year. those employed with the judicial branch by April 1,
 1043 or no later than three months after a new employee's hire
 1044 date.

1045 v) Management shall ensure general performance expectations
 1046 for the performance year are added to the employee's
 1047 official personnel file when provided in writing to the
 1048 employee.

1049 iii) Additional performance expectations that apply only to
 1050 items such as time limited projects or unique and temporary
 1051 situations should be provided in writing but are not
 1052 required to be included in the official personnel file.

1053 vi)
 1054 1. Managers or supervisors Management shall notify employees
 1055 in writing when performance standards or expectations are
 1056 added, implemented or modified.

1057 vii)



1058 ~~2. Managers or supervisors shall provide employees~~
 1059 ~~with regular verbal and written feedback based on~~
 1060 ~~established performance expectations and effectiveness in~~
 1061 ~~advancing the mission of the judicial branch.~~

1062 ~~3. regularly~~

1063
 1064 2) Evaluating Performance.

1065 a) Management shall evaluate job performance and provide
 1066 feedback to employees as described below:

1067 i) The direct supervisor of an employee shall be responsible
 1068 to complete and provide a written evaluation of the
 1069 employee's overall job performance for that performance
 1070 year.

1071 ii) Management may determine another appropriate designee
 1072 in the employee's line of management if the direct
 1073 supervisor is unavailable to complete an employee
 1074 performance evaluation.

1075 iii) The direct supervisor (or designee) shall gather and
 1076 consider job performance information from previous
 1077 supervisors or managers during the performance year if
 1078 supervisory changes occurred during the performance year.

1079 iv) An employee performance evaluation shall be completed no
 1080 later than thirty (30) calendar days following the
 1081 conclusion of the performance year.

1082 v) During the first year of employment, management may provide
 1083 an additional written performance evaluation at the end of
 1084 the introductory period described in HR05-3.

1085 b) An employee may provide written comments pertaining to the
 1086 performance evaluation if desired, and may request those
 1087 comments to be included in the employee's official personnel
 1088 file.

1089
 1090 ~~2) Informal Performance Reviews ("Check-In" Meetings)***05-3. An~~
 1091 ~~employee may request a formal, written performance evaluation~~
 1092 ~~on a regular or ad hoc basis, not to exceed a cadence of once~~
 1093 ~~per fiscal year. Management may provide performance feedback~~
 1094 ~~both formal or informal and both verbal or written as frequently~~
 1095 ~~as needed.~~

1096 ~~An employee has the right to include written comments pertaining~~
 1097 ~~to a formal, written performance evaluation if desired.~~

1098 ~~An employee shall receive a performance evaluation at the end of~~
 1099 ~~the introductory period.~~

1100 3)



- 1101 ~~a) An employee may request and schedule an informal performance~~
- 1102 ~~review or (also known as a "check-in") with management on a~~
- 1103 ~~regular or ad hoc basis.~~
- 1104 ~~b) It is recommended that a supervisor conduct a check-in meeting~~
- 1105 ~~with each employee under their stewardship on at least a~~
- 1106 ~~quarterly basis.~~
- 1107 ~~c) Notwithstanding the quarterly recommendation, the actual~~
- 1108 ~~frequency or cadence of check-in meetings is determined by~~
- 1109 ~~the direct supervisor and may depend on circumstances such as~~
- 1110 ~~the nature of the job, the amount of time an employee has~~
- 1111 ~~occupied their position, and number of employees under a~~
- 1112 ~~supervisor's stewardship.~~
- 1113 ~~d) A written evaluation is not required for an informal~~
- 1114 ~~performance review.~~
- 1115 ~~An employee may submit specific job performance items the~~
- 1116 ~~employee wishes to review with management during the informal~~
- 1117 ~~performance review.~~
- 1118 ~~Management shall solicit feedback from judicial officers as~~
- 1119 ~~appropriate about an employee's work product when:~~
- 1120 ~~Judicial officers regularly receive a work product from the~~
- 1121 ~~employee due to the nature of the employee's job; or~~
- 1122 ~~The employee's written expectations require the employee to~~
- 1123 ~~interact frequently or regularly provide a work product to a~~
- 1124 ~~judicial officer.~~
- 1125 ~~3) A judicial officer's feedback regarding an employee's work~~
- 1126 ~~product shall be considered by management when evaluating an~~
- 1127 ~~employee's overall work performance but shall not be considered~~
- 1128 ~~an employee's performance evaluation on its own.~~
- 1129

1130 **HR06-1. Pay Plans.**

- 1131
- 1132
- 1133 1) The HR Department develops salary ranges for each job, subject
- 1134 to the approval of the State Court Administrator or designee.
- 1135 a) Each job description shall include a salary range.
- 1136 b) Management approved wage increases shall be within or
- 1137 only up to the maximum wage within the salary range.
- 1138 c) Management approved wage decreases shall be within or
- 1139 only down to the minimum wage within the salary range.
- 1140 d) Salary increases and decreases shall not place an
- 1141 employee below the salary range minimum or above the
- 1142 salary range maximum unless criteria for longevity
- 1143 increases have been met.
- 1144



The Utah Judicial Branch
Department of Human Resources



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1147 **HR06-6. Salary.**

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1150 **1) Promotions.**

- 1151 a) An employee not designated as indefinite part-time or in a
1152 time-limited position as described in [HR04-2](#) and is
1153 promoted to a job with a salary range maximum exceeding
1154 the employee's current salary range maximum shall receive
1155 a wage increase of at least 5%.
- 1156 b) An employee who is promoted may not be placed higher than
1157 the maximum or lower than the minimum of the new salary
1158 range except as provided in [HR06-6\(3\)](#) governing longevity
1159 salary increases.
- 1160 c) To be eligible for a promotion, an employee shall meet the
1161 minimum requirements for the position as established by
1162 management and in consultation with HR.

1163

1164 **2) Reclassifications.**

- 1165 a) At management's discretion an employee reclassified to a
1166 job with a salary range maximum exceeding the employee's
1167 current salary range maximum may receive a wage increase up
1168 to the salary range maximum. An employee shall be placed
1169 within the new salary range. An employee's eligibility for
1170 a longevity salary increase shall be consistent with [HR06-](#)
1171 [6\(3\)](#).
- 1172 b) An employee whose job is reclassified to a job with a lower
1173 salary range shall retain the current wage.

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1175

1176 **3) Longevity Salary Increase.**

- 1177 a) An employee shall receive an initial longevity salary
1178 increase of 3% when:
- 1179 i) The employee has been in state service for eight years
1180 or more (the employee may accrue years of service in
1181 more than one district, unit, or branch of state
1182 government, and such service is not required to be
1183 continuous); and
- 1184 ii) The employee has been at or above the maximum of
1185 the current salary range for at least one year; and



- 1186 iii) The employee has not been formally disciplined or
1187 placed on a performance improvement plan within the
1188 12-month period preceding the longevity increase.
1189 b) An employee who has received the initial longevity
1190 increase is then eligible for an additional 3% increase
1191 every three years. Eligibility for additional longevity
1192 increases are the same as [HR06-6\(3\)\(a\)\(iii\)](#).
1193 c) An employee with a wage that is above the maximum salary
1194 range because of a longevity salary increase:
1195 i) Shall retain the current actual wage if receiving an
1196 administrative adjustment or is reassigned or
1197 reclassified to a job with a lower salary range
1198 maximum.
1199 ii) Shall, if reclassified to a job with a higher salary
1200 range maximum, only receive a wage increase if the
1201 current actual wage is less than the salary range
1202 maximum of the new job. The amount of the wage
1203 increase is subject to management discretion,
1204 dependent upon available funds, and shall not exceed
1205 the salary range maximum of the new job.
1206 iii) Shall, if promoted, only receive a wage
1207 increase if the current actual wage is less than the
1208 salary range maximum of the new job. The wage
1209 increase is subject to management discretion,
1210 dependent upon available funds, and shall not exceed
1211 the salary range maximum of the new job.
1212 iv) Shall, if promoted, reclassified, transferred,
1213 reassigned, or is receiving an administrative
1214 adjustment and remains at or above the salary range
1215 maximum, receive the next longevity salary increase
1216 three years from the date the most recent longevity
1217 increase was received.
1218 d) An employee with a wage that is not at or above the salary
1219 range maximum and is reclassified, transferred,
1220 reassigned, or receives an administrative adjustment and
1221 has a current actual wage that is above the salary range
1222 maximum of the new job is considered to be above maximum
1223 and may be eligible for a longevity salary increase after
1224 meeting the requirements of [HR06-6\(3\)\(a\)](#).
1225
1226

1227 **4) Administrative Adjustment.**

- 1228 a) An employee whose position has been allocated by HR from
1229 one job to another job or salary range for administrative
1230 purposes may not receive an adjustment in the current



1231 actual wage unless the employee is below the minimum of
1232 the new salary range.

1233 b) An employee whose position is changed by administrative
1234 adjustment to a job with a lower salary range shall retain
1235 the current wage even if the current wage exceeds the new
1236 salary range maximum.

1237

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1239 **5) Reassignment.**

1240 An employee's current actual wage may not be decreased in
1241 a reassignment action except as provided in federal or
1242 state law.

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1244

1245 **6) Transfer.**

1246 a) Management may decrease the current actual wage of an
1247 employee who transfers to another job with the same or
1248 lower salary range maximum. The amount of the decrease
1249 shall be communicated to the employee at the time of the
1250 job offer and the employee shall have an opportunity to
1251 accept or decline the offer to transfer.

1252 b) An employee who applies for a job with a lower salary
1253 range maximum shall be placed within the salary range of
1254 the new job.

1255

1256

1257 **7) Demotion.**

1258 An employee demoted consistent with [HR11-2](#) shall receive a
1259 reduction in the current actual wage at the discretion of
1260 management but no lower than the salary range minimum. The
1261 employee may be moved to a job with a lower salary range
1262 concurrent with the reduction in the current actual wage.

1263

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1265 **8) Administrative Salary Increase.**

1266 a) Management may authorize an increase in salary up to the
1267 salary range maximum.

1268 b) Administrative salary increases shall only be granted when
1269 there exists sufficient funding within the annualized base
1270 budget for the fiscal year in which the increase is given.

1271 i) Performance-based salary increases are normally
1272 submitted, vetted and approved by an employee's line
1273 of management during the last quarter of the fiscal
1274 year.



- 1275 ii) Non-performance based increases may be authorized
1276 by management up to three occurrences in an 18-month
1277 period for retention purposes when the following
1278 criteria are met:
1279 (1) The employee was hired into a temporary or
1280 time-limited job;
1281 (2) The employee's rate of pay will not exceed the
1282 first quartile of the employee's job salary
1283 range; and
1284 (3) The increase is already budgeted in district
1285 or unit personnel funds for temporary personnel.
1286 c) Justification for administrative salary increases shall
1287 be:
1288 i) In writing;
1289 ii) Approved by the court executive, court level
1290 administrator, director, deputy state court
1291 administrator, or the state court administrator; and
1292 iii) Supported by unique situations and/or demonstrating
1293 a clear connection to the advancement of the mission
1294 of the judicial branch.
1295 d) The court executive or court level administrator shall
1296 answer any challenge or grievance resulting from an
1297 administrative salary increase.
1298 e) An employee at or above the salary range maximum may not
1299 be granted administrative salary increases.
1300 f) Increasing an employee's wage concurrently with a transfer
1301 or reassignment action must be justified as an
1302 administrative salary increase in a separate action as
1303 described in [HR06\(8\)\(c\)\(iii\)](#).

1304
1305
1306 **9) Administrative Salary Decrease.**

1307 Management may authorize administrative salary decreases for non-
1308 disciplinary reasons according to the following:

- 1309 a) Wage decreases shall not place an employee below the current
1310 minimum of the salary range.
1311 b) Justification for non-disciplinary administrative salary
1312 decreases shall be:
1313 i) In writing;
1314 ii) Approved by the court executive, court level
1315 administrator, director, deputy state court
1316 administrator, or the state court administrator; and
1317 iii) Supported by circumstances such as previous written
1318 agreements between management and the employee including



1319 career mobility, reasonable accommodation, or other
1320 unique situations or considerations.

1321 c) The court executive or AOC Director shall answer any challenge
1322 or grievance resulting from a non-disciplinary administrative
1323 salary decrease.

1324
1325

1326 **10) Career Mobility.**

1327 a) A wage change at the commencement of a career mobility action
1328 is governed by the policies governing the underlying action
1329 including, but not limited to:

- 1330 i) Promotion;
- 1331 ii) Reassignment; or
- 1332 iii) Transfer.

1333 b) If a career mobility assignment does not become permanent at
1334 its conclusion, the employee shall return to the previous
1335 position or a similar position and shall receive, at a
1336 minimum, the same wage and the same or higher salary range
1337 that the employee would have received without the career
1338 mobility assignment.

1339
1340

1341 **11) Hot-Spot Increase.**

1342 A hot-spot salary adjustment may be granted when:

- 1343 a) recommended by an employee's line of management and in
1344 consultation with HR;
- 1345 b) unable to be applied with existing funds available to the
1346 employee's line of management; and
- 1347 c) approved by the State Court Administrator, Deputy State Court
1348 Administrator or designee.

1349

1350 i) This increase is subject to the availability of approved
1351 funds if authorized by the Judicial Council for the current
1352 fiscal year.

1353
1354

1354 12) Pay for Performance Increase

1355 a) ~~The legislature approves funding for pay for performance~~
1356 ~~increases and the State Court Administrator approves pay~~
1357 ~~for performance increases under~~Subject to the availability
1358 of legislative appropriations and/or funds approved by the
1359 Judicial Council, the State Court Administrator, Court
1360 Level Administrators, Department Directors, and Trial Court
1361 Executives may recommend salarypay for performance
1362 increases for employees based on job performance in
1363 accordance with the following:



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- i) Eligibility.
- (1) The following are ineligible to receive a pay for performance increase:
 - (a) Employees with less than 6 months of employment in the judiciary on the last day of the performance year;
 - (b) Employees whose employment with the judiciary is terminated prior to the established pay for performance increase effective date;
 - (c) Employees who have already met or exceeded the maximum of the salary range for their current job; and
 - (a)-(d) Employees in positions classified as time-limited in the job title.
 - (e) Employees who received formal discipline within the performance year.
- (2) All other nonjudicial officer employees of the judiciary are eligible for consideration.
- ii) Performance increase award criteria
 - (1) An employee shall only receive a pay for performance increase after receiving a performance evaluation as described in HR10-1 indicating a level of performance that qualifies for a salary increase.
 - (2) General qualifying criteria are established by the HR Department and authorized by the State Court Administrator.
 - (3) Specific qualifying criteria that align with general qualifying criteria may be established by district or department management.
- iii) An increase shall be at least 1/2%. Actual salary increase amounts given must be within an approved range authorized by the State Court Administrator for the performance year.
- ~~Management confirms that the employee has been employed for 6 months and received a performance evaluation in the past 6 months.~~

1-13) Exceptions.

The HR Director, in consultation with the State Court Administrator or designee, may authorize exceptions for wage increases or decreases and shall report such exceptions with justification to the Judicial Council within thirty (30) days of authorization.



1409 HR06-7. Incentive Awards and Bonuses.

1410

1411 1) General Discretionary Authority.

1412 ~~a.~~ _____ Incentive awards and bonuses are discretionary, are
1413 not an entitlement, and are subject to the availability
1414 of funds.

1415 ~~a.b.~~ _____ Administration of incentive awards and bonuses
1416 shall be consistent with standards established by the
1417 Department of Administrative Services, Division of
1418 Finance rules and procedures.

1419 ~~b.c.~~ _____ Individual awards may not exceed \$4,000 per pay
1420 period nor \$8,000 per fiscal year except when approved
1421 in advance by the State Court Administrator and the
1422 Judicial Council.

1423 i. A request for a retirement incentive award shall be
1424 accompanied by documentation of affected work units
1425 and any potential cost savings.

1426 ii. A single payment of up to \$8,000 may be granted as
1427 a retirement incentive.

1428 ~~e.d.~~ _____ All cash and cash equivalent incentive awards and
1429 bonuses are subject to payroll taxes.

1430

1431 2) Performance-Based Incentive Awards.

1432 a. ~~Cash Incentive Awards~~ Performance-Based Pay Bonuses.

1433 i. Management may grant a ~~cash— incentive~~
1434 ~~award~~ performance-based pay bonus to an employee or
1435 group of employees who demonstrate exceptional
1436 effort or accomplishment to support or advance the
1437 mission of the judicial branch, beyond what is
1438 normally expected on the job for a unique event or
1439 over a sustained period of time.

1440 ~~ii. Requests for cash incentive awards~~ Management shall
1441 ~~include—submit~~ documentation articulating the
1442 ~~extraordinary—contribution~~ exceptional effort or
1443 accomplishment to support or advance the mission of
1444 the judicial branch ~~and shall be approved by~~ to the
1445 court executive, court level administrator,
1446 director, deputy state court administrator, or the



1447 state court administrator as applicable for final
 1448 approval.
 1449 ~~ii~~.iii. Approval documentation shall be sent to HR and
 1450 Finance for processing and shall be maintained in
 1451 the HR personnel file.

1452

1453 **b. Non-cash Incentive Awards.**

- 1454 i. Management may recognize an employee or group of
- 1455 employees with non-cash incentive awards.
- 1456 ii. Consistent with the Department of Administrative
- 1457 Services, Division of Finance rules and procedures,
- 1458 individual non-cash incentive awards may not exceed
- 1459 a value of \$50 per occurrence nor of \$200 per fiscal
- 1460 year.
- 1461 iii. Non-cash incentive awards may include cash
- 1462 equivalents such as gift certificates or tickets
- 1463 for admission. Cash equivalent incentive awards
- 1464 shall be subject to payroll taxes and shall follow
- 1465 standards and procedures established by the
- 1466 Department of Administrative Services, Division of
- 1467 Finance.

1468 **3) Cost Savings Bonus**

1469 a. Management may establish a bonus policy to increase
 1470 productivity, generate savings within a district, court
 1471 level, office, or team, or reward an employee who submits
 1472 a valuable cost savings proposal.

1473 ~~b. Requests for cost savings bonuses~~Management shall
 1474 ~~include submit~~ documentation articulating the cost
 1475 savings involved and the manner in which the effort
 1476 supports or advances the mission of the judicial branch
 1477 ~~and shall be approved by~~to the court executive, court
 1478 level administrator, director, deputy state court
 1479 administrator, or the state court administrator as
 1480 applicable for final approval.

1481 ~~b~~.c. Approval documentation shall be sent to HR and
 1482 Finance for processing and shall be maintained in the HR
 1483 personnel file.

1484 **4) Market Based Bonus**

1485 a. Management may award a cash bonus as an incentive to
 1486 acquire or retain an employee with job skills that are



- 1487 critical to the judicial branch and difficult to recruit
1488 in the job market. Categories of market based bonuses
1489 may include but are not limited to:
- 1490 i. Retention bonuses for an employee with unusually
1491 high or unique qualifications that are essential to
1492 retain in the judicial branch;
 - 1493 ii. Recruitment or signing bonuses to incentivize a
1494 qualified candidate to work for the judicial
1495 branch;
 - 1496 iii. Scarce skills bonuses to incentivize a qualified
1497 candidate with scarce but needed skills to work for
1498 the judicial branch;
 - 1499 iv. Relocation bonuses to current employees who must
1500 relocate in order to accept a job in a different
1501 commuting area;
 - 1502 v. Referral bonuses to current employees who refer
1503 qualified candidates who are subsequently selected
1504 for hire in the judicial branch;
 - 1505 vi. Geographic job market bonuses to incentivize a job
1506 candidate to accept a job or a current employee to
1507 continue in a job in a specific geographic area
1508 where filling positions and/or retaining employees
1509 is problematic.
- 1510 b. Requests for a market based bonus shall include
1511 documentation of how the judicial branch will benefit by
1512 granting the bonus based on:
- 1513 i. Budget;
 - 1514 ii. Recruitment difficulties;
 - 1515 iii. A mission-critical need to attract or retain unique
1516 or hard-to-find skills in the job market; or
 - 1517 iv. Other job market based reasons.
- 1518 c. Requests shall be approved by the court executive, court
1519 level administrator, director, deputy state court
1520 administrator, or the state court **administrator**.
- 1521 **5) Second Language Stipend**
- 1522 a. Management may award regularly occurring bonus
1523 payments also known as stipends to qualifying
1524 employees who speak a second language and give
1525 informal interpretation to court patrons seeking court
1526 services and needing interpretation.
 - 1527 b. Employees must meet the following eligibility
1528 criteria:



- 1529 i. Apply in writing through the Language Access
1530 Program Coordinator or designee;
1531 ii. Complete any formal agreement as required by the
1532 Language Access Program;
1533 iii. Demonstrate an acceptable level of second
1534 language proficiency through a language
1535 assessment test as determined by the Language
1536 Access Program.
- 1537 c. Records, tracking, and distribution of stipend
1538 payments and payment recipients are coordinated and
1539 monitored by the Language Access Program and the
1540 Department of Finance.



The Utah Judicial Branch
Department of Human Resources



14. HR11-3 Discretionary Factors (Discipline)

1541 **Policy HR11-1 Disciplinary Action.**

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1544 1) Management may discipline any employee for any of the
1545 following causes or reasons:

1546 a) Non-compliance with these policies or other
1547 local/applicable policies, including but not limited to
1548 the laws of the State of Utah or the United States (other
1549 than minor traffic offenses), safety policies and
1550 procedures, professional standards, ethical violations,
1551 etc.;

1552 b) Work performance that is inefficient or incompetent;

1553 c) Failure to maintain skills and adequate performance
1554 levels;

1555 d) Insubordination or disloyalty to the orders of a
1556 supervisor or member of management;

1557 e) Misfeasance, malfeasance, or nonfeasance;

1558 f) Any incident involving intimidation, physical harm, or
1559 threats of physical harm against co-workers, management,
1560 or the public;

1561 g) No longer meeting the requirements of the position;

1562 h) Conduct, on or off duty, which creates a conflict of
1563 interest with the employee's public responsibilities or
1564 impacts the employee's ability to perform job
1565 assignments;

1566 i) Failure to advance the mission of the judicial branch or
1567 the good of public service, including conduct on or off
1568 duty which demeans or harms the effectiveness or ability
1569 of the judicial branch to fulfill its mission;

1570 j) Dishonesty; or

1571 k) Misconduct, which may include but is not limited to:

1572 i) Violation of the Employee Code of Ethics and Conduct as
1573 described in [HR09](#)

1574 ii) Violation of the rules of procedure or the Code of
1575 Judicial Administration

1576 iii) Conduct which endangers the peace and safety of others
1577 or poses a threat to the public interest

1578 iv) Unjustified interference with the work of other court
1579 employees

1580 v) Unauthorized absence

1581 vi) Falsification or unauthorized alteration of records;

1582 vii) Violation of court policies

1583 viii) Falsification of employment application



- 1584 ix) Unlawful discrimination in hiring, assignment, or
1585 promotion
1586 x) Workplace Harassment in accordance with [HR15](#)
1587 xi) Derisive or demeaning behavior
1588 xii) Use of alcohol or drugs (other than medication as
1589 prescribed by a health care provider) that negatively
1590 affect job performance.
1591
1592
1593 2) Management shall consult with HR before disciplining an
1594 employee.
1595
1596
1597 3) All disciplinary actions of career service employees shall
1598 be governed by principles of due process. The disciplinary
1599 process shall include all of the following, except as
1600 provided in [HR11-1\(5\)](#) :
1601 a) The employee is notified in writing of the proposed
1602 discipline, the reasons supporting the intended action,
1603 and the right to reply to management or to the HR
1604 department within five working days.
1605 b) The employee's reply shall be received by management or by
1606 HR within five working days in order for management to
1607 consider the reply before discipline is imposed.
1608 c) If an employee waives the right to reply or does not reply
1609 within the time frame established by management or within
1610 five working days, whichever is longer, discipline may be
1611 imposed in accordance with these policies.
1612
1613
1614 4) After a career service employee has been informed of the
1615 reasons for the proposed discipline and has been given an
1616 opportunity to respond and be responded to, management may
1617 discipline that employee, or any at-will employee not subject
1618 to the same procedural rights, by imposing one or more of the
1619 following forms of disciplinary action:
1620 a) Letter of Reprimand;
1621 b) Suspension without pay up to 30 calendar days per
1622 incident requiring discipline;
1623 c) Demotion as defined by [HR01\(31\)](#), reducing the employee's
1624 current actual wage, as determined by the court level
1625 administrator in consultation with the HR Director;
1626 d) Dismissal in accordance with [HR11-2](#).
1627
1628



- 1629 5) If management determines that a career service employee
1630 endangers or threatens the peace and safety of others or poses
1631 a grave threat to the public service or is charged with
1632 aggravated or repeated misconduct, management may impose the
1633 following actions pending an investigation and determination
1634 of facts:
1635 a) Paid administrative leave; or
1636 b) Temporary reassignment to another position or work
1637 location at the same current actual wage.
1638
1639
1640 6) When disciplinary action is imposed, the employee shall be
1641 notified in writing of the discipline, the reasons for the
1642 discipline, the effective date, and the length (if applicable)
1643 of the discipline.
1644
1645
1646 7) Imposed disciplinary actions are subject to grievance and
1647 appeals procedure for career service employees, as outlined in
1648 [HR17](#). The employee and management may agree in writing to
1649 waive or extend any grievance step, or the time limits
1650 specified for any grievance step.
1651

1652 **Policy HR11-2. Dismissal or Demotion.**

1653
1654 An employee may be dismissed or demoted for cause under [HR10-](#)
1655 [2\(2\)\(e\)](#) and [HR11-1](#), and through the process outlined in this
1656 policy.
1657

- 1658
1659 1) An at-will employee may be dismissed or demoted for any or for
1660 no reason without right of grievance or appeal.
1661
1662
1663 2) No career service employee shall be dismissed or demoted
1664 from a career service position unless management has
1665 observed the following procedures:
1666 a) Management shall notify the employee in writing of the
1667 specific reasons for the proposed dismissal or demotion.
1668 b) The employee shall have up to five working days to reply.
1669 The employee shall reply within five working days for the
1670 court executive, court level administrator, administrative
1671 office director, or designee to consider the reply before
1672 discipline is imposed.



- 1673 c) The employee shall have an opportunity to be heard by the
- 1674 court executive, court level administrator or
- 1675 administrative office director as applicable. This meeting
- 1676 shall be strictly limited to the specific reasons raised
- 1677 in the notice of intent to demote or dismiss.
- 1678 i) At the meeting the employee may present, either in person,
- 1679 in writing, or with a representative, comments or reasons
- 1680 as to why the proposed disciplinary action should not be
- 1681 taken. The court executive, court level administrator or
- 1682 administrative office director is not required to receive
- 1683 or allow other witnesses on behalf of the employee.
- 1684 ii) The employee may present documents, affidavits or other
- 1685 written materials at the meeting. However, the employee is
- 1686 not entitled to present or discover documents within
- 1687 possession or control of judicial branch management that
- 1688 are private, protected, or controlled under UCJA rules.
- 1689 d) Following the meeting, the employee may be dismissed or
- 1690 demoted if the court executive, court level administrator, or
- 1691 administrative office director finds adequate cause or
- 1692 reason.
- 1693 e) The employee shall be notified in writing of the court
- 1694 executive, court level administrator, or administrative
- 1695 office director's decision. The reasons shall be provided if
- 1696 the decision is a demotion or dismissal.
- 1697

1698 **Policy HR11-3. Discretionary Factors.**

- 1699
- 1700
- 1701 1) When deciding the specific type and severity of management
- 1702 action, management may consider the following factors:
- 1703 a) Consistent application of rules and standards;
- 1704 i) Management need only consider those cases decided under
- 1705 administration of the current ~~Court Level Administrator~~
- 1706 ~~or~~ State Court Administrator as applicable. Decisions
- 1707 in cases prior to the current administration are not
- 1708 binding upon current management and are not relevant in
- 1709 determining consistent application of rules and
- 1710 standards.
- 1711 ii) In determining consistent application of rules and
- 1712 standards, the disciplinary actions imposed by one
- 1713 ~~court level administrator~~ state court administrator may
- 1714 not be binding upon another ~~court level~~ state court
- 1715 administrator and may not be used for comparison
- 1716 purposes in hearings grievance review panel



1717 recommendations wherein the consistent application of
1718 rules and standards is at issue.

- 1719 b) Prior knowledge of rules and standards;
- 1720 c) The severity of the infraction;
- 1721 d) The repeated nature of violations;
- 1722 e) Prior disciplinary/corrective actions;
- 1723 f) Previous oral warnings, written warnings, MOUs and
- 1724 discussions;
- 1725 g) The employee's past work record;
- 1726 h) The potential of the violations for causing damage to
- 1727 persons or property;
- 1728 i) The strength of the evidence of conduct;
- 1729 j) Dishonesty or failure to disclose relevant information;
- 1730 k) The effect on judicial branch operations, including:
- 1731 i) How the wrongdoing relates to the employee's job duties;
- 1732 ii) The potential of the conduct to adversely affect
- 1733 public confidence in the judicial branch;
- 1734 iii) The potential of the conduct to adversely affect
- 1735 morale and effectiveness of the courts and/or its
- 1736 employees;
- 1737 l) Willful or intentional misconduct; or
- 1738 m) Likelihood of recurrence.

1739
1740
1741 2) Other factors not listed in [HR11-3\(1\)](#) may be given
1742 consideration if approved by the HR Director in consultation
1743 with General Counsel.

1744
1745 **HR11-4 Policy Exceptions.**

1746
1747 The HR Director may authorize exceptions to this policy
1748 consistent with [HR02-2\(1\)](#).

1750 **Authorizing, and Implemented or Interpreted Law or Code: [UCJA](#)**
1751 **[3-402](#)**



The Utah Judicial Branch
Department of Human Resources



15. HR 13 – Volunteering

1752 Section 13 - Volunteering

1753

1754 **HR13-1. Volunteer Programs.**

1755

1756 1) Local management may establish a volunteer program, including
1757 but not limited to law student externships.

1758 a) A volunteer program shall include:

1759 i) Documented agreement of the type of work and duration for
1760 which the volunteer services will be provided;

1761 ii) Orientation to the conditions of service to the
1762 judicial branch and the volunteer's specific assignments;

1763 iii) Adequate supervision of the volunteer; and

1764 iv) Documented hours worked by a volunteer if requested by
1765 management.

1766 v) Compliance with Title 67, Chapter 20, Volunteer
1767 Government Workers Act.

1768

1769

1770 2) A volunteer may not donate any service to the judicial branch
1771 unless the volunteer's services are approved by an
1772 administrative office director, or by a court executive or
1773 designee in consultation with HR.

1774 a) Local management shall approve all work programs for
1775 volunteers before volunteers provide service to the
1776 judicial branch.

1777 b) Volunteers are subject to a criminal background check
1778 consistent with HR04-15.

1779

1780

1781 3) A volunteer is considered a government employee for purposes
1782 of workers' compensation, operation of motor vehicles or
1783 equipment, if properly licensed and authorized to do so, and
1784 liability protection and indemnification.

1785

1786 **HR13-2. Employee Volunteer Service**

1787

1788

1789 4) An employee of the judicial branch who wishes to volunteer for
1790 the judicial branch or for another state agency may only
1791 perform services that are distinctly different from their
1792 primary work activities with the judicial branch, consistent
1793 with 29 CFR Part 553 Subpart B regulating the application of



1794 the Fair Labor Standards Act to Employees of State and Local
1795 Governments.

1796 5) When volunteer services are scheduled during business hours,
1797 the employee must receive advance supervisory approval
1798 pursuant to [HR08-1](#) governing the employee workweek.

1799 6) Usage of leave for volunteering during business hours is
1800 subject to the provisions of [HR07](#) governing leave.

1801

1802 **HR13-3. Employee Resource Group (ERG) Participation**

1803

1804

1805 7) An employee may choose to voluntarily participate in the
1806 activities of a judicial branch Employee Resource Group (ERG)
1807 under the stewardship of the Office of Fairness and
1808 Accountability.

1809 a) When ERG activities are scheduled during business hours,
1810 the employee must receive advance supervisory approval
1811 pursuant to [HR08-1](#) governing the employee workweek.

1812 b) ~~The employee Management~~ may ~~grant record~~ up to one hour per
1813 month of voluntary ERG participation during business hours
1814 as ~~work-time~~ Administrative Leave ("OA").

1815 c) An employee may participate in excess of one hour per month
1816 in an ERG. However, only one hour per month is eligible to
1817 be recorded as ~~work-time~~ Administrative Leave.

1818 d) Usage of leave for volunteering in ERG activities during
1819 business hours is subject to the provision of [HR07](#)
1820 governing leave.

1821 8) A supervisor or manager shall not require an employee to
1822 participate in ERG activities.

1823 9) A supervisor or manager shall not prohibit an employee from
1824 participating in ERG activities so long as business needs are
1825 met.

1826

1827 **HR13-4. Policy Exceptions**

1828

1829 The HR Director may authorize exceptions to this policy
1830 consistent with [HR02-2\(1\)](#).

1831

1832

1833 **Authorizing, and Implemented or Interpreted Law: [UCJA 3-402](#); [UCA](#)**
1834 **[§67-20-3](#); [UCA §67-20-4](#)**

1835

1836



The Utah Judicial Branch
Department of Human Resources



1837

16. Terminology Cleanup: Replacing “Rule” with “Policy”

1838

1839 **HR09-2. General Standards**

1840

1841

1842 1) Employees shall apply themselves to and shall fulfill their
1843 assigned duties during the full time for which they are
1844 compensated.

1845 a) An employee shall:

1846 i) Comply with the standards and expectations established in
1847 writing by management;

1848 ii) Maintain an acceptable level of performance and
1849 conduct on all other verbal and written job expectations;

1850 iii) Report conditions and circumstances, including
1851 impairment caused by an employee’s use of illicit drugs,
1852 controlled substances, alcohol or other intoxicant, that
1853 may prevent the employee from performing their job
1854 effectively and safely; and

1855 iv) Inform the supervisor of any unclear instructions or
1856 procedures.

1857

1858 2) An employee shall make prudent and frugal use of state funds,
1859 equipment, buildings, time, and supplies.

1860

1861 3) An employee who reports for duty or attempts to perform the
1862 duties of the position while under the influence of alcohol or
1863 other intoxicant, including use of illicit drugs, non-
1864 prescribed controlled substances, and misuse of volatile
1865 substances, shall be subject to administrative action in
1866 accordance with [HR10-2](#), [HR11](#), and [HR14](#).

1867 a) Management may decline to defend and indemnify an employee
1868 found violating this policy, in accordance with [UCA §63G-7-](#)
1869 [202](#) of the Utah Governmental Immunity Act.

1870

1871 4) An employee may not drive a state vehicle or any other
1872 vehicle, on state time, while under the influence of alcohol,
1873 non-prescribed controlled substances, or any controlled
1874 substances known to impair driving ability.

1875 a) An employee who violates this ~~rule~~ policy shall be subject
1876 to administrative action under [HR10-2](#), [HR11](#), and [HR14](#).



1877 b) Management may decline to defend or indemnify an employee
1878 who violates this policy, according to UCA §63G-7-
1879 202(3)(c)(ii) of the Utah Governmental Immunity Act.
1880

1881 5) An employee shall provide the HR Department a current personal
1882 mailing address.

1883 a) The employee shall notify the HR Department in writing of
1884 any change in address.

1885 b) Mail sent to the current address on record shall be deemed
1886 to be delivered to the employee for purposes of these
1887 policies.
1888

1889 6) Employees whose conduct is governed by more than one set of
1890 ethical regulations shall conform their conduct to the more
1891 stringent standard.
1892

1893 7) Employees shall maintain conduct standards both on and off
1894 duty and are obligated to report to management within five
1895 days any arrest and/or charge, other than a minor traffic
1896 citation, under a state or federal statute.
1897

1898 8) Employees may be subject to a fact-finding administrative
1899 review by management, in consultation with HR, if any
1900 suspicion or allegation of misconduct arises.
1901

1902
1903 **HR09-11. Conflict of Interest.**
1904

1905
1906 1) An employee may receive honoraria or paid expenses for
1907 activities outside of state employment under the following
1908 conditions:

1909 a) Outside activities may not interfere with an employee's
1910 performance, the interests of the judicial branch, nor of
1911 the State of Utah.

1912 b) Outside activities may not give reasons for criticism nor
1913 suspicion of conflicting interests or duties.
1914

1915
1916 2) An employee may not use a state position; any influence,
1917 power, authority or confidential information received in that
1918 position; nor state time, equipment, property, or supplies for
1919 private gain.
1920



- 1921 3) An employee may not accept economic benefit tantamount to a
1922 gift as identified in UCA §67-16-5 nor accept other
1923 compensation that might be intended to influence or reward the
1924 employee in the performance of official business of the
1925 judicial branch.
1926
- 1927 4) An employee shall declare to management a potential conflict
1928 of interest when required to do or decide anything that could
1929 be interpreted as a conflict of interest. Management shall
1930 then determine whether to excuse the employee from making
1931 decisions or taking actions that may cause a conflict of
1932 interest.
1933
- 1934 5) An employee shall not dispense special favors under authority
1935 of the employee's position to anyone, whether or not for
1936 remuneration.
1937
- 1938 6) An employee shall not assist any person in securing a contract
1939 with the court system in a manner not available to any other
1940 interested person.
1941
- 1942 7) An employee shall not be influenced in the performance of the
1943 employee's duties by kinship, rank, or position.
1944
- 1945 8) An employee shall not request or accept a fee or compensation
1946 beyond that received by the employee in an official capacity
1947 for advice, information, or assistance that is otherwise
1948 available from the courts.
1949
- 1950 9) An employee shall not solicit, accept, or agree to accept any
1951 gift, loan, gratuity, discount, favor, hospitality, or service
1952 under circumstances from which a reasonable inference could be
1953 made that a major purpose of the donor is to influence the
1954 court employee in the performance of official duties. This
1955 provision does not apply to the following:
1956 a) An award presented in recognition of public service;
1957 b) Any bonafide loan made in the ordinary course of business
1958 by any institution authorized by state law or federal law
1959 to make such loans;
1960 c) Political campaign contributions if used in a political
1961 campaign of the recipient public officer or public
1962 employee;
1963 d) An occasional non-pecuniary gift of nominal value given to
1964 all of the employees in an office or team;
1965 e) Food, refreshments, or meals of limited value;



- 1966 f) Opportunities, discounts, rewards and prizes open to the
- 1967 general public or all employees of the State of Utah;
- 1968 g) Attendance or participation at events sponsored by other
- 1969 governmental entities;
- 1970 h) Travel to and from widely attended events related to
- 1971 governmental duties where acceptance of such travel would
- 1972 result in financial savings to the State of Utah.
- 1973
- 1974 10) An employee shall not receive outside compensation for the
- 1975 performance of court duties except in cases of:
- 1976 a) An award of meritorious public contribution publicly
- 1977 awarded;
- 1978 b) The receipt of honoraria or expenses paid for papers,
- 1979 transcripts, talks, demonstrations, or appearances made by
- 1980 an employee during work hours with the approval of
- 1981 management; or on the employee's own time for which the
- 1982 employee is not compensated by the courts and which is not
- 1983 prohibited by these rulespolicies;
- 1984 c) The receipt of usual social amenities, ceremonial gifts, or
- 1985 insubstantial advertising gifts.
- 1986
- 1987 11) Consistent with UCA §63G-6a Utah Procurement Code, those
- 1988 involved in the purchasing process may not receive any gifts
- 1989 or similar favors from vendors.
- 1990 a) Vendors should be discouraged from sending any gift of any
- 1991 kind.
- 1992 b) If a vendor offers or sends a gift, the gift should be
- 1993 kindly returned.
- 1994 c) Consumable gifts of nominal value such as a box of
- 1995 chocolates may be shared widely with others in the office
- 1996 or discarded.
- 1997
- 1998

HR09-14. Employee Indebtedness to the State.

- 2000
- 2001
- 2002 1) An employee indebted to the state because of an action or
- 2003 performance in official duties may have a portion of salary
- 2004 that exceeds the minimum federal wage withheld. Overtime
- 2005 salary shall not be withheld.
- 2006 a) The following three conditions shall be met before
- 2007 withholding of salary may occur:
- 2008 i) The debt shall be a legitimately owed amount which can be
- 2009 validated through physical documentation or other
- 2010 evidence.



- 2011 ii) The employee shall know about and, in most cases,
- 2012 acknowledge the debt. As much as possible, the employee
- 2013 should provide written authorization to withhold the
- 2014 salary.
- 2015 iii) An employee shall be notified of this policy which
- 2016 allows the state to withhold salary.
- 2017 b) An employee separating from state service will have salary
- 2018 withheld from the last paycheck.
- 2019 c) An employee on leave without pay for more than two pay
- 2020 periods may have salary withheld from their last paycheck.
- 2021 d) The state may withhold an employee’s salary to satisfy the
- 2022 following specific obligations:
- 2023 i) Travel advances where travel and reimbursement for the
- 2024 travel has already occurred;
- 2025 ii) State credit card obligations where the state’s share
- 2026 of the obligation has been reimbursed to the employee but
- 2027 not paid to the credit card company by the employee;
- 2028 iii) Evidence that the employee negligently caused loss or
- 2029 damage of state property;
- 2030 iv) Payroll advance obligations that are signed by the
- 2031 employee and that the Department of Finance and/or
- 2032 Division of State Finance authorizes;
- 2033 v) Misappropriation of state assets for unauthorized
- 2034 personal use or for personal financial gain. This
- 2035 includes reparation for employee theft of state property
- 2036 or use of state property for personal financial gain or
- 2037 benefit;
- 2038 vi) Overpayment of salary determined by evidence that an
- 2039 employee did not work the hours for which the employee
- 2040 received salary or was not eligible for the benefits
- 2041 received and paid for by the state;
- 2042 vii) Excessive reimbursement of funds from flexible
- 2043 reimbursement accounts;
- 2044 viii) Other obligations that satisfy the requirements
- 2045 of [HR09-5\(1\)](#).

2047 2) This ~~rule-policy~~ does not apply to state employee obligations
 2048 to other state agencies where the obligation was not caused by
 2049 their actions or performance as an employee.

2051
 2052 **HR11-3. Discretionary Factors.**

2053
 2054



- 2055 1) When deciding the specific type and severity of management
- 2056 action, management may consider the following factors:
- 2057 a) Consistent application of policies, rules, and standards;
- 2058 i) Management need only consider those cases decided under
- 2059 administration of the current Court Level Administrator
- 2060 or State Court Administrator as applicable. Decisions in
- 2061 cases prior to the current administration are not binding
- 2062 upon current management and are not relevant in
- 2063 determining consistent application of rules and
- 2064 standards.
- 2065 ii) In determining consistent application of policies,
- 2066 rules, and standards, the disciplinary actions imposed by
- 2067 one court level administrator may not be binding upon
- 2068 another court level administrator and may not be used for
- 2069 comparison purposes in hearings wherein the consistent
- 2070 application of policies, rules, and standards is at
- 2071 issue.
- 2072 b) Prior knowledge of policies, rules, and standards;
- 2073 c) The severity of the infraction;
- 2074 d) The repeated nature of violations;
- 2075 e) Prior disciplinary/corrective actions;
- 2076 f) Previous oral warnings, written warnings, MOUs and
- 2077 discussions;
- 2078 g) The employee's past work record;
- 2079 h) The potential of the violations for causing damage to
- 2080 persons or property;
- 2081 i) The strength of the evidence of conduct;
- 2082 j) Dishonesty or failure to disclose relevant information;
- 2083 k) The effect on judicial branch operations, including:
- 2084 i) How the wrongdoing relates to the employee's job duties;
- 2085 ii) The potential of the conduct to adversely affect
- 2086 public confidence in the judicial branch;
- 2087 iii) The potential of the conduct to adversely affect
- 2088 morale and effectiveness of the courts and/or its
- 2089 employees;
- 2090 l) Willful or intentional misconduct; or
- 2091 m) Likelihood of recurrence.
- 2092
- 2093 2) Other factors not listed in HR11-3(1) may be given
- 2094 consideration if approved by the HR Director in consultation
- 2095 with General Counsel.
- 2096
- 2097

2098 **HR14-2. Management Action.**



The Utah Judicial Branch
Department of Human Resources



- 2099
2100
2101 1) Under [HR10](#), [HR11](#) and [HR14-2](#), supervisors and managers who
2102 receive notice of a workplace violation of these policies
2103 shall take immediate action.
2104
- 2105 2) Except as provided in [UCA §26B-4-207](#) and [34A-5-114](#), management
2106 may take disciplinary action up to and including dismissal if:
2107 a) There is a verified positive test for controlled substances
2108 [except as allowed under [HR14-1\(2\)](#)];
2109 b) Result of a confirmation test for alcohol is verified
2110 positive;
2111 c) Management determines an employee is unable to perform
2112 assigned job responsibilities or tasks, even when the
2113 result of a chemical test is reported negative;
2114 d) An employee refuses a request to submit to testing under
2115 this policy;
2116 e) An employee substitutes, adulterates, or otherwise tampers
2117 with a drug or alcohol testing sample, or attempts to do
2118 so; or
2119 f) An employee violates any other portion of this policy.
2120
- 2121 3) An employee who has a verified positive test for use of a
2122 controlled substance or alcohol in violation of these ~~rules~~
2123 policies may be required to agree to participate, at the
2124 employee's expense, in a rehabilitation program similar to
2125 that which is described in [UCA §63A-17-1006\(3\)](#). If this is
2126 required, the following shall apply:
2127 a) An employee participating in a rehabilitation program shall
2128 be granted accrued leave or leave without pay for inpatient
2129 treatment.
2130 b) The employee shall sign a release to allow the transmittal
2131 of verbal or written compliance reports between the
2132 judicial branch's management as applicable and the
2133 inpatient or outpatient rehabilitation program provider.
2134 c) All communication shall be classified as private in
2135 accordance with [UCJA 4-202.02](#).
2136 d) An employee may be required to continue participation in an
2137 outpatient rehabilitation program prescribed by a licensed
2138 practitioner on the employee's own time and expense.
2139 e) An employee, upon successful completion of a rehabilitation
2140 program, shall be reinstated to work in the previously held
2141 position, or a position with a comparable or lower salary
2142 range.



- 2143 f) An employee who fails to complete the prescribed treatment
2144 without a valid reason shall be subject to disciplinary
2145 action.
2146
- 2147 4) An employee who has a verified positive test for use of a
2148 controlled substance or alcohol is subject to follow-up
2149 testing.
2150
- 2151 5) An employee who is convicted of manufacturing, distributing,
2152 dispensing, possessing, selling or using a controlled
2153 substance under federal or state criminal law, shall notify
2154 management of the conviction no later than five (5) calendar
2155 days after the conviction.
- 2156 a) Management shall notify the federal grantor or agency for
2157 which a contract is being performed within ten (10)
2158 calendar days of receiving notice from:
2159 i) The judicial system;
2160 ii) Other sources;
2161 iii) An employee performing work under the grant or
2162 contract who has been convicted of a controlled substance
2163 violation.
2164

2165 **HR14-4. Smoke-Free Workplace.**
2166

- 2167 1) Court executives shall establish procedures to ensure
2168 compliance with the requirements of the [Utah Indoor Clean Air](#)
2169 [Act](#) and all administrative policies or rules adopted in
2170 accordance with the Act.
- 2171 2) The state court administrator shall establish procedures to
2172 ensure that the AOC complies with the requirements of the [Utah](#)
2173 [Indoor Clean Air Act](#) and all administrative policies or rules
2174 adopted in accordance with the Act.
- 2175 3) Smoking in state owned vehicles shall not be permitted.
- 2176 4) Employees may be disciplined for violations of this policy in
2177 accordance with [HR11](#).
2178

2179 **HR15-1. Policy.**
2180

2181 The judicial branch is committed to providing a work
2182 environment free from all forms of discrimination and harassment
2183 based on the following: age, ancestry, color, gender, gender
2184 identity or expression, genetic information, marital status,
2185 medical condition, mental disability, military status, national
2186 origin, physical disability, pregnancy, race, religious creed,



2187 sex, veteran status, or any other category protected by federal,
2188 state or applicable local law.

2189
2190 This policy applies to every employee of the judicial branch,
2191 regardless of their position, including Administrative Office of
2192 the Courts management, as well as commissioners, judges and
2193 justices. This policy also applies to contractors, vendors, and
2194 other third parties who affect the workplace environment. In
2195 addition to the protections provided by this policy,
2196 commissioners, judges and justices are prohibited under the Utah
2197 Code of Judicial Conduct from manifesting bias or prejudice or
2198 engaging in harassment. Violation of this policy will be
2199 considered a serious form of misconduct which can result in
2200 disciplinary action up to and including immediate termination of
2201 employment.

2202

2203 **1) Workplace harassment.**

2204 Workplace harassment in general includes the following
2205 subtypes:

- 2206 a) Conduct in violation of HR15-1 that is unwelcome,
2207 pervasive, demeaning, ridiculing, derisive, or coercive,
2208 and results in a hostile, offensive, or intimidating work
2209 environment;
- 2210 b) Conduct in violation of HR15-1 that results in a tangible
2211 employment action against the harassed employee.

2212

2213

2214 **2) Sexual harassment.**

2215 a) The judicial branch strictly prohibits and will not
2216 tolerate sexual harassment of any kind by any individual,
2217 employee, commissioner, judge or justice. Sexual
2218 harassment may include: any conduct of a sexual nature that
2219 is unwelcome, intimidating, offensive or hostile; any
2220 conduct of a sexual nature between people of the opposite
2221 sex or the same sex; and non-sexual comments, threats or
2222 actions that display hostility toward a person in the
2223 workplace because of gender.

2224 b) All types of unlawful, offensive, hostile and intimidating
2225 behavior are prohibited by this policy. The following list
2226 is not intended to be all-inclusive, but illustrates kinds
2227 of behavior that may be considered forms of sexual
2228 harassment, and are strictly prohibited:

- 2229 i) Offering a job benefit in return for sexual favors.
- 2230 ii) Taking or threatening to take an adverse action
2231 against an individual who refuses sexual advances.



- 2232 iii) Other advances or requests of a sexual nature.
- 2233 iv) Sexual flirtations.
- 2234 v) Unwelcome or inappropriate statements about an
- 2235 individual's body or sexuality.
- 2236 vi) Sexually degrading words to describe a person.
- 2237 vii) Gestures of an obscene or sexually suggestive nature.
- 2238 viii) Humor or jokes of a sexual nature.
- 2239 ix) Posters, pictures, cartoons, toys or objects of a
- 2240 sexual nature.
- 2241 x) Leering or staring that is offensive.
- 2242 xi) Any unwelcome touching or other physical contact with
- 2243 an individual.
- 2244 xii) Hostile comments toward employees in the workplace
- 2245 because of gender.
- 2246 xiii) Sexting, texting, messaging, emailing, or any
- 2247 other form of communication of a sexually suggestive
- 2248 nature.
- 2249 **3) Other types of harassment.**
- 2250 a) Harassment based on an individual's age, ancestry, color,
- 2251 gender, gender identity or expression, genetic information,
- 2252 marital status, medical condition, mental disability,
- 2253 military status, national origin, physical disability,
- 2254 pregnancy, race, religious creed, sex, veteran status or
- 2255 any other category protected by federal, state or local law
- 2256 is prohibited under this policy and will not be
- 2257 tolerated.
- 2258 b) All types of unlawful offensive, hostile and intimidating
- 2259 behavior are prohibited by this policy. The following list
- 2260 is not intended to be all-inclusive, but illustrates kinds
- 2261 of behavior that may be considered forms of harassment, and
- 2262 are strictly prohibited.
- 2263 i) Telling racial, ethnic, disability, age-related or other
- 2264 types of degrading jokes.
- 2265 ii) Making racial, ethnic, or religious slurs, and other
- 2266 forms of degrading name calling.
- 2267 iii) Making threats or intimidation based on a category
- 2268 protected by the judicial branch's policies.
- 2269 iv) Possessing written or graphic material or
- 2270 communications in the workplace that is offensive based
- 2271 on a category identified in 3.1 or that violates
- 2272 universal standards of conduct.
- 2273 v) Texting, messaging, emailing, or any other form of
- 2274 communication that is offensive, hostile or intimidating.
- 2275
- 2276 **4) Work-Related Discussions or Materials**



- 2277 a) The sensitive nature of the court's work may necessitate
2278 engaging in verbal or electronic communications, or
2279 possessing written or graphic material in the workplace
2280 that might be considered offensive.
2281 b) Communications or written materials made or possessed in
2282 the ordinary course of business do not violate this
2283 rulepolicy, provided they are necessary to perform work-
2284 related functions and are not used or intended to harass,
2285 intimidate, or discriminate.

- 2286
2287
2288 5) An employee may be subject to discipline for violating
2289 workplace policies, even if:
2290 a) The conduct occurs outside of scheduled work time or work
2291 location; or
2292 b) The conduct is not sufficiently severe to constitute a
2293 violation of the law.

- 2294
2295
2296 6) Once a complaint has been filed, the accused may not
2297 communicate with the complainant regarding allegations of
2298 harassment.

2299
2300

2301 **HR17-1. Eligibility and Procedural Requirements.**

2302
2303

- 2304 1) Only judicial branch career service employees or any employee
2305 reporting or alleging retaliatory action as defined by HR15-2
2306 may use these grievance procedures.
2307 a) Pursuant to HR11-2(1), the Grievance Review Panel has no
2308 authority to review grievances filed by at-will employees.
2309 b) Employees may only grieve matters identified under UCJA
2310 Rule 3-402(6) to the Grievance Review Panel, which includes
2311 employee promotions, dismissals, demotions, wages, salary,
2312 violations of human resources rulespolicies, benefits,
2313 reductions in force and disciplinary actions.
2314 c) All other matters may be grieved up to Level 3, as
2315 identified in HR17-5.

2316

- 2317 2) Where a question or dispute exists regarding whether an
2318 employee qualifies to use these grievance procedures, such
2319 controversies must be resolved through an application to the
2320 HR Director. In consultation with General Counsel, the HR
2321 Director shall make the final decision on employee eligibility



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Department of Human Resources



- 2322 to use these procedures.
2323
2324 3) Class action grievances are not admissible for consideration
2325 by the Grievance Review Panel under these grievance
2326 procedures.
2327
2328 4) A group grievance is admissible, provided that each aggrieved
2329 employee signs the grievance.
2330
2331 5) An aggrieved employee shall submit a grievance in writing to
2332 the party identified in [HR17-5](#) and shall include the problem
2333 or complaint, a description of the direct harm, and the
2334 requested remedy or relief.
2335
2336 6) The employee shall include all relevant evidence and
2337 affidavits, to the best of the employee's knowledge, to allow
2338 management at the applicable grievance levels to make an
2339 informed decision. This information should include but is not
2340 limited to:
2341 a) Admitted and disputed allegations;
2342 b) Any witnesses;
2343 c) Documented evidence, exhibits, etc.
2344
2345 7) Intentional withholding of relevant information may be grounds
2346 for dismissal of the grievance.
2347



17. HR Definitions and Policy - Transfer Language Update

2348 HR Policy Definitions

2349 (50) Excusable neglect: The failure to meet time requirements
2350 which results from an unexpected or unavoidable hindrance
2351 or accident, and not from the employee's carelessness,
2352 inattention, or willful disregard of the grievance process.

2353 (51) External Applicant: An applicant that is not a current
2354 judicial branch employee.

2355 (52) External Transfer: An action transferring an employee from
2356 an external state entity to the Judicial Branch. Coded as
2357 "Transfer" in HRIS.

2358 ~~(50)~~ External State Entity: Utah's Executive or Legislative
2359 Branches, Attorney General's Office, or other similar
2360 department, office, branch, bureau, agency, division, or
2361 organization outside of the Judicial Branch.

2362 (53)

2363
2364 ~~(51)~~ (54) Fitness for Duty Evaluation: Evaluation,
2365 assessment or study by a licensed professional to determine
2366 if an individual is able to meet the performance or conduct
2367 standards required by the position held, or is a direct
2368 threat to the safety of self or others.

2370
2371 (70) Intern: An individual working for the courts to fulfill
2372 an educational program's on-the-job requirement.

2373
2374 (71) Job: A group of positions similar in duties performed, in
2375 degree of supervision exercised or required, in
2376 requirements of training, experience, or skill and other
2377 characteristics. The same salary range is applied to each
2378 position in the group.

2379
2380 (50) Preemployment Drug Test: A drug test conducted on:
2381 (a) final applicants who are not current judicial
2382 branch employees;
2383 (b) final candidates for a highly sensitive
2384 position;
2385 (c) employees who are final candidates for
2386 transfer or promotion from a non-highly
2387 sensitive position to a highly sensitive
2388 position; or



The Utah Judicial Branch
Department of Human Resources



2389 (d) employees who transfer or are promoted from
2390 one highly sensitive position to another highly
2391 sensitive position.
2392

2393 1-)

2394 ~~(125)~~ Internal Transfer: An action not mandated by management
2395 moving an employee from one job or position to another job
2396 or position with an equal or lesser salary range maximum
2397 for which the employee qualifies within the Judicial
2398 Branch. A transfer may include a decrease in actual wage.
2399

2400



2401 **HR04-4. Recruitment.**

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- 1) Prior to initiating recruitment, management may administer any of the following personnel actions:
 - a) reemployment of a veteran eligible under USERRA;
 - b) reassignment within the judicial branch initiated by an employee's reasonable accommodation request under the ADA;
 - c) fill a position as a result of return to work from long term disability or workers compensation at the same or lesser salary range;
 - d) reassignment or internal transfer made in order to avoid a reduction in force, or for reorganization or bumping purposes;
 - e) reassignment, internal transfer, or career mobility of qualified employees to better utilize skills or assist management in meeting the organization's mission; or
 - f) reclassification.

2420 **HR04-5. Transfer, Reassignment, Promotion, and Reciprocity**
2421 **Agreement.**

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- 1) Positions may be filled through an internal transfer, external transfer, promotion, or reassignment.
 - a) The receiving manager shall verify the employee's career service status and that the employee meets the job requirements for the position.
 - b) Managers receiving a transfer, promotion, or reassignment of an employee shall accept all of that employee's previously accrued sick, annual, and converted sick leave on the official leave records.
 - c) An internal transfer may not include an increase but may include a decrease in actual wage.
 - d) A reassignment may not include a decrease in actual wage except as provided in federal or state law.
 - e) An employee who is internally transferred or reassigned to a position where the employee's current actual wage is above the salary range maximum of the new position, is considered to be above maximum and may not be eligible for a longevity increase. Employees may be eligible for a longevity increase only after they have been above the



- 2443 salary range maximum for 12 months and all other longevity
2444 criteria are met as established in [HR06-6](#).
- 2445 f) An employee with a wage that is above the salary range
2446 maximum because of a longevity increase, who is internally
2447 transferred or reassigned and remains at or above the
2448 salary range maximum, may receive their next longevity
2449 increase not earlier than three years from the date they
2450 received the most recent increase, unless job performance
2451 is unsatisfactory as determined by the employee's direct
2452 supervisor.
- 2453
- 2454 2) A reassignment or internal transfer may include assignment to:
2455 a) a different job or position with an equal or lesser salary
2456 range maximum;
2457 b) different work location; or
2458 c) a different organizational unit.
- 2459
- 2460 3) The judicial branch maintains a reciprocity agreement with the
2461 Utah Department of Human Resource Management (DHRM) which
2462 facilitates an employee's external transfer from one branch of
2463 state government to another by providing continuity of
2464 paychecks, health insurance and retirement benefits, eligible
2465 leave balances, and leave accrual rates.
- 2466 a) External Applicants and External Transfers.
- 2467 i) Current employees of ~~Utah's Executive or Legislative~~
2468 ~~Branches~~ external state entities may apply and compete
2469 for any position advertised with the judicial branch,
2470 and are considered external applicants. If hired, such
2471 employees are considered external transfers.
- 2472 ii) Employees applying from other ~~external branches of~~
2473 ~~state government entities~~ shall be subject to all
2474 provisions of [HR04](#) governing the filling of positions.
- 2475
- 2476 b) Benefits for External Transfers.
- 2477 i) An external transfer to a benefits eligible position
2478 with the judicial branch automatically transfers
2479 health insurance benefits through PEHP, leave accrual
2480 rate, annual leave balance, and all sick leave
2481 balances.
- 2482 ii) Compensatory time balances for FLSA non-exempt
2483 employee transfers and excess time balances must be
2484 paid out prior to the employee's external transfer to
2485 the judicial branch.
- 2486 iii) An external transfer to a benefits eligible position
2487 with the judicial branch automatically transfers URS



2488 retirement benefits unless the employee is a current
2489 member of the Public Safety, Firefighters, Utah
2490 Governors & Legislators, or Judges' retirement plan.
2491 If this is the case, the external transfer's
2492 retirement plan is subject to change.
2493 iv) If an external transfer has been employed in more than
2494 one URS retirement plan and the employee's service is
2495 not concurrent, the employee may combine his/her
2496 service credits to determine his/her eligibility to
2497 retire from the system the employee is in at the time
2498 of his/her retirement. The service the employee
2499 rendered in any one year cannot count for more than
2500 one year of service credit.
2501



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Department of Human Resources



2502 HR05-1. Career Service Status.

2503

2504 1) Only an employee hired through a competitive, pre-approved HR
2505 process and having completed a probationary period defined in
2506 the job descriptions is eligible for career service status.
2507

2508 2) Effective July 1, 2022, the judicial branch will no longer
2509 create career service positions.

2510 a) When a career service position is vacated for any reason,
2511 the position shall convert to at-will before announcing a
2512 vacancy, making an appointment, or selecting a candidate
2513 through a competitive process as described in [HR04](#)
2514 governing provisions of filling positions.

2515 b) A vacated career service position may continue to be a
2516 career service position only if management initiates a
2517 reassignment, as defined in [HR01\(109\)](#), of a career service
2518 employee to the vacant position consistent with [HR04\(5\)\(2\)](#).
2519

2520

2521 3) An employee has the right to maintain previously attained
2522 career service status so long as the employee remains in the
2523 current career service position, or is moved by a management-
2524 initiated reassignment as described in [HR05-1\(3\)\(b\)](#).
2525

2526

2527 4) When an employee initiates a move to a different position such
2528 as applying for and receiving a promotion as defined in
2529 [HR01\(104\)](#), applying and being selected for any other position
2530 vacancy, or requesting an internal transfer as defined in
2531 [HR01\(125\)](#), the employee shall convert to an at-will employee
2532 status.
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The Utah Judicial Branch
Department of Human Resources



2544

2545 **HR06-6. Salary.**

2546 **1) Promotions.**

2547 a) An employee not designated as indefinite part-time or in a
2548 time-limited position as described in [HR04-2](#) and is promoted
2549 to a job with a salary range maximum exceeding the employee's
2550 current salary range maximum shall receive a wage increase of
2551 at least 5%.

2552 b) An employee who is promoted may not be placed higher than the
2553 maximum or lower than the minimum of the new salary range
2554 except as provided in [HR06-6\(3\)](#) governing longevity salary
2555 increases.

2556 c) To be eligible for a promotion, an employee shall meet the
2557 minimum requirements for the position as established by
2558 management and in consultation with HR.

2559

2560 **2) Reclassifications.**

2561 a) At management's discretion an employee reclassified to a job
2562 with a salary range maximum exceeding the employee's current
2563 salary range maximum may receive a wage increase up to the
2564 salary range maximum. An employee shall be placed within the
2565 new salary range. An employee's eligibility for a longevity
2566 salary increase shall be consistent with [HR06-6\(3\)](#).

2567 b) An employee whose job is reclassified to a job with a lower
2568 salary range shall retain the current wage.

2569

2570 **3) Longevity Salary Increase.**

2571 a) An employee shall receive an initial longevity salary
2572 increase of 3% when:

2573 i) The employee has been in state service for eight years or
2574 more (the employee may accrue years of service in more than
2575 one district, unit, or branch of state government, and such
2576 service is not required to be continuous); and

2577 ii) The employee has been at or above the maximum of the
2578 current salary range for at least one year; and

2579 iii) The employee has not been formally disciplined or placed
2580 on a performance improvement plan within the 12-month
2581 period preceding the longevity increase.

2582 b) An employee who has received the initial longevity increase
2583 is then eligible for an additional 3% increase every three
2584 years. Eligibility for additional longevity increases are the
2585 same as [HR06-6\(3\)\(a\)\(iii\)](#).



- 2586 c) An employee with a wage that is above the maximum salary range
2587 because of a longevity salary increase:
2588 i) Shall retain the current actual wage if receiving an
2589 administrative adjustment or is reassigned or reclassified
2590 to a job with a lower salary range maximum.
2591 ii) Shall, if reclassified to a job with a higher salary
2592 range maximum, only receive a wage increase if the current
2593 actual wage is less than the salary range maximum of the
2594 new job. The amount of the wage increase is subject to
2595 management discretion, dependent upon available funds, and
2596 shall not exceed the salary range maximum of the new job.
2597 iii) Shall, if promoted, only receive a wage increase if the
2598 current actual wage is less than the salary range maximum
2599 of the new job. The wage increase is subject to management
2600 discretion, dependent upon available funds, and shall not
2601 exceed the salary range maximum of the new job.
2602 iv) Shall, if promoted, reclassified, internally
2603 transferred, reassigned, or is receiving an administrative
2604 adjustment and remains at or above the salary range
2605 maximum, receive the next longevity salary increase three
2606 years from the date the most recent longevity increase was
2607 received.
2608 d) An employee with a wage that is not at or above the salary
2609 range maximum and is reclassified, internally transferred,
2610 reassigned, or receives an administrative adjustment and has
2611 a current actual wage that is above the salary range maximum
2612 of the new job is considered to be above maximum and may be
2613 eligible for a longevity salary increase after meeting the
2614 requirements of HR06-6(3)(a).
2615



2616 **6) Internal Transfer.**

- 2617 a) Management may decrease the current actual wage of an employee
2618 who internally transfers to another job with the same or lower
2619 salary range maximum. The amount of the decrease shall be
2620 communicated to the employee at the time of the job offer and
2621 the employee shall have an opportunity to accept or decline
2622 the offer to internally transfer.
2623 b) An employee who applies for a job with a lower salary range
2624 maximum shall be placed within the salary range of the new
2625 job.
2626

2627 **8) Administrative Salary Increase.**

- 2628 a) Management may authorize an increase in salary up to the
2629 salary range maximum.
2630 b) Administrative salary increases shall only be granted when
2631 there exists sufficient funding within the annualized base
2632 budget for the fiscal year in which the increase is given.
2633 i) Performance-based salary increases are normally submitted,
2634 vetted and approved by an employee's line of management
2635 during the last quarter of the fiscal year.
2636 ii) Non-performance based increases may be authorized by
2637 management up to three occurrences in an 18-month period
2638 for retention purposes when the following criteria are met:
2639 (1) The employee was hired into a temporary or time-limited
2640 job;
2641 (2) The employee's rate of pay will not exceed the first
2642 quartile of the employee's job salary range; and
2643 (3) The increase is already budgeted in district or unit
2644 personnel funds for temporary personnel.
2645 c) Justification for administrative salary increases shall
2646 be:
2647 i) In writing;
2648 ii) Approved by the court executive, court level
2649 administrator, director, deputy state court administrator,
2650 or the state court administrator; and
2651 iii) Supported by unique situations and/or demonstrating a
2652 clear connection to the advancement of the mission of the
2653 judicial branch.
2654 d) The court executive or court level administrator shall
2655 answer any challenge or grievance resulting from an
2656 administrative salary increase.
2657 e) An employee at or above the salary range maximum may not
2658 be granted administrative salary increases.



The Utah Judicial Branch
Department of Human Resources



2659 f) Increasing an employee's wage concurrently with an internal
2660 transfer or reassignment action must be justified as an
2661 administrative salary increase in a separate action as
2662 described in HR06(8)(c)(iii).
2663
2664

2665 HR07-1. Conditions of Leave and of Leave Reporting.
2666

2667 1) An employee shall be eligible for a traditional leave benefit
2668 (non-traditional leave benefits such as those given to time-
2669 limited law clerk attorneys is addressed elsewhere in this
2670 section) when:

- 2671 a) In a position designated by HR and in consultation with
2672 judicial branch management as eligible for benefits; and
2673 b) In a position that normally requires working a minimum of 20
2674 hours per week or 40 hours per pay period.
2675
2676

2677 2) An eligible employee accrues annual, sick, and holiday leave
2678 in proportion to the time paid as determined by a leave
2679 accrual table programmed in the state payroll system by the
2680 Division of State Finance.
2681
2682

2683 3) An employee shall use leave in no less than quarter hour
2684 increments.
2685
2686

2687 4) An employee may not use annual, sick, or holiday leave before
2688 it is accrued. Leave accrued during a pay period may not be
2689 used until the following pay period.
2690
2691

2692 5) An employee may not use annual leave, converted leave used as
2693 annual leave, or use excess or compensatory leave hours
2694 without advance approval by management.
2695

2696 6) Management may not require employees to maintain a minimum
2697 balance of accrued leave.



The Utah Judicial Branch
 Department of Human Resources



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7) An employee may not use any type of leave except military and jury leave to accrue excess hours.

8) An employee transferring from an external state ~~agency~~ entity may transfer all accrued leave balances in accordance with the reciprocity agreement in [HR04-5\(3\)](#).

9) An employee separating from state service shall be paid in a lump sum for all annual leave and excess hours. An FLSA nonexempt employee shall also be paid in a lump sum for all compensatory hours.

a) An employee separating from state service for reasons other than retirement shall be paid in a lump sum for all converted sick leave.

b) Converted sick leave for a retiring employee shall be subject to [HR07-7-5](#).

c) Annual, sick, and holiday leave may not be used or accrued after the last day worked, except for:

- i) Leave without pay;
- ii) Administrative leave specifically approved by management to be used after the last day worked;
- iii) Leave granted under the FMLA; or
- iv) Leave granted for other medical reasons that were approved prior to the commencement of the leave period.

HR07-22. Compensatory Leave.

~~2)1)~~ Only employees in positions designated as FLSA non-exempt and have selected compensatory leave instead of overtime pay shall accrue compensatory leave.

a) FLSA non-exempt employees may change their overtime selection by submitting a request to HR in writing no later than the payroll time entry deadline for a pay period.

b) Changes submitted after the deadline in [HR07-22\(1\)\(a\)](#) will be effective the pay period following the date the request is received by HR.

~~3)2)~~ When an FLSA non-exempt employee's comp leave balance exceeds 80 hours, the amount above 80 shall be paid out at the employee's current overtime rate.



The Utah Judicial Branch
 Department of Human Resources



2740 ~~4)3)~~ Comp leave balances are not subject to use-or-lose provisions
 2741 and are paid out at the employee's current overtime rate upon
 2742 termination or transfer to another external state ~~agency~~ entity
 2743 consistent with [HR07-1\(9\)](#).

2744 **HR08-5. Compensatory Time for FLSA Nonexempt Employees.**

2745
 2746
 2747 1) An FLSA non-exempt employee shall sign a prior overtime
 2748 agreement authorizing management to compensate the employee
 2749 for overtime worked by actual payment or accrual of
 2750 compensatory time at time and one half. Management shall not
 2751 have influence over an employee's election for overtime
 2752 compensation at hire. An FLSA non-exempt employee desiring
 2753 to change her/his election for overtime compensation later
 2754 on must obtain management approval in consultation with the
 2755 HR Department.

2756 a) An FLSA non-exempt employee may receive compensatory
 2757 time for overtime up to a designated maximum.
 2758 i) Typically, the comp time maximum is 80 hours.
 2759 ii) As a rare exception, compensatory time may accrue
 2760 up to 240 hours only with prior approval from the
 2761 State Court Administrator or designee in
 2762 consultation with the HR Director.
 2763 iii) Once an employee reaches the maximum, additional
 2764 overtime shall be paid on the payday for the
 2765 period in which it was earned.

2766 b) Compensatory time balances for an FLSA non-exempt employee
 2767 shall be paid down to zero at the rate of pay in the old
 2768 position in the same pay period that the employee is:
 2769 i) Transferred from the judicial branch to an
 2770 external state ~~agency~~ entity; or
 2771 ii) Promoted, reclassified, reassigned, or internally
 2772 transferred to an FLSA exempt position.

2773 c) Management may pay down any portion of compensatory time
 2774 balances for FLSA non-exempt employees at any time.

2775 **HR08-6. Compensatory Time for FLSA Exempt Employees.**

2776
 2777 Employees exempt from overtimes standards of the FLSA do not
 2778 earn compensatory time in the judicial branch. If an FLSA exempt
 2779 employee from another ~~state agency~~ external state entity
 2780 transfers to the judicial branch, any comp time balance that may



2781 exist shall lapse upon transferring to the judicial branch.
2782 Other leave balances do transfer with the employee consistent
2783 with the reciprocity agreement described in [HR04-5\(3\)](#).
2784

2785 HR08-13. Excess Hours.

2786

- 2787 1) An employee may use excess hours the same way an employee may
2788 use annual leave, in accordance with [HR07-1](#).
2789 a) An employee may not work hours that result in the accrual
2790 of excess hours without prior management approval.
2791 b) An employee may not use any leave time other than holiday
2792 and jury leave to result in the accrual of excess hours.
2793 c) An employee may not accumulate more than 80 excess hours.
2794 d) Management shall pay out excess hours:
2795 i) For all hours accrued above the 80 hour limit;
2796 ii) When an employee transfers from the judicial branch
2797 into another external state agency entity; and
2798 iii) Upon separation from employment.
2799 e) Management may pay out excess hours:
2800 i) Automatically in the same pay period accrued;
2801 ii) At any time during the year as determined appropriate
2802 and approved by the court executive or AOC director; or
2803 iii) Upon request of the employee and approval by the court
2804 level administrator or designee.

2805

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Department of Human Resources



2807 HR14-1. Drug-Free Workplace.

2808

2809

2810 9) Final candidates for an internal transfer or promotion to a
2811 highly sensitive position may be subject to pre-employment
2812 drug testing at management discretion, except as prohibited by
2813 law.

2814 a) An employee internally transferred or promoted from one
2815 highly sensitive position to another highly sensitive
2816 position may be subject to pre-employment drug testing at
2817 management discretion except as prohibited by law.

2818 b) An employee who is reassigned to a highly sensitive
2819 position or assigned the duties of a highly sensitive
2820 position may NOT be subject to pre-employment drug
2821 testing.

2822

2823

Tab 4



STANDING EDUCATION
COMMITTEE'S

2023-24
ANNUAL REPORT

TO THE JUDICIAL COUNCIL

OUR PERFORMANCE

The Education Department was able to reach more court employees in-person and online in 2023-24. With changes to the Court's Education rules, we saw more engagement in courses. Here are some key performance metrics for our department:

- Received 50,952 enrollments in live trainings and online, on-demand courses. This is approximately 32 enrollments per court employee. 88% of these enrollments completed training to obtain credit, a 5% increase over last year.
- Hosted seven judicial conferences, four New Judge Orientations, three New Employee Orientations, one Court Employee Conference and one Justice Court Clerk Conference.
- Supported the 2024 Leadership Academy, a Law Clerk Attorneys Retreat, a Judicial Writing Seminar and the National Consortium on Racial and Ethnic Fairness.

CONFERENCES

In-person conferences were offered throughout 2023-24. The Annual Judicial Conference was offered in a hybrid capacity and all spring conferences were offered in-person, with content recorded for later viewing. In addition to the Annual Judicial Conference, the Education Department supported:

- Appellate Court Conference
- Commissioners' Retreat
- District Court Judges' Spring Conference
- Judicial Decision Making
- Justice Court Judges' Spring Conference
- Juvenile Court Judges' Spring Conference
- Legislative Update
- Legislative Workshop
- National Consortium on Racial and Ethnic Fairness
- Treatment Court Conference

BEYOND THE CONFERENCE

The Standing Education Committee works with the Courts' Education Department to administer multiple certificates for court employees. Here are some examples:

Justice Court Clerk Certification

- 392 Justice Court Clerks completed 24 courses to receive Justice Court Certification. This is a 46% increase from the previous year. To receive certification clerks must attend programming release webinars, review multiple topics like eFiling, job shadow a peer, and attend lunch and learns.

On-demand and online

- 826 trainings were offered online and on-demand in 2023-24. This method of attending training was the most popular. On average every court employee earned 17.5 credits through on-demand on online training.

BEYOND THE CONFERENCE (CON'T)

Live training

- 310 trainings were offered live (via in-person or through a video conferencing tool). On average every court employee earned 11 credits through live training.

CHANGES TO RULE 3-403, JUDICIAL BRANCH EDUCATION

In 2023, the Standing Education Committee recommended and the Judicial Council approved amendment to UCJA Rule 3-403 to include annual education requirements that all employees complete courses on ethics, abusive conduct and harassment, and inclusion and elimination of bias. On July 1, 2023 court employees began attending these courses. By June 30, 2024, 70.74% of court employees had satisfied the requirement.

DIVORCE EDUCATION FOR CHILDREN

Divorce Education for Children had been part of the Office of Fairness and Accountability since 2021. In November 2023, the program moved over to the Education Department.

The Divorce Education for Children program serves the public by offering free classes for children and teens ages 6 to 17 years old, whose parents are separated, divorcing, or divorced. The program provides children and teens with:

- Communication skills they can use to express their feelings to parents
- Coping skills and the ability to let go of problems that are beyond their control
- Peer contact to remind youth that they are not alone
- A strong message that divorce is not the fault of the child

This program combines best practices in education for youth with outreach to communities and schools. The program is administered by Cheri Fifield, who worked part-time in 2023-24, but because of program demand became a full-time employee in July 2024.

EMPLOYEE MENTORING PROGRAM

The Employee Mentoring Program began its second cohort in March. The program doubled in size pairing 24 mentors with 24 employees. Participants in the program are matched with the help of Employee Resource Group (ERG) leadership through a blind matching process.

Participants are encouraged monthly to work on goals set by the mentee. Mentors and mentees participate in an onboarding training and two different leadership courses throughout the program.

The program has experienced success in many ways. One notable example is that a 2023 mentee fulfilled her goal of attending law school thanks to her mentor.

JUDICIAL EDUCATION SCHOLARSHIPS

Not every judicial education offering can be provided by the Education department. In 2023-24 Education's judicial scholarships helped judges attend out-of-state training in the areas of juvenile justice, family law, judicial decision making and treatment courts. Judges receiving these scholarships have been encouraged to lead conference breakout sessions or district trainings for their peers.

GENERATIVE AI

The Education Department created trainings to teach risks and rewards of using Generative AI in work. This training is required per interim rules on the use of Generative AI. The Education Department has also invested in a Generative AI tool that will allow accelerated content creation to respond to the needs of our users.

LOOKING FORWARD

As Education looks forward, it plans to continue to travel to districts for in-person trainings while building robust and interactive online courses in the LMS. Collaboration will continue with other court divisions and districts to meet training needs, while offering more online and live training. Education will continue to support conferences and has nine conferences scheduled for FY25.

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Courses Taken	Completed (Total)	Online Enrollment	Live Enrollment	% Completed
3rd District: L&L - User Research: Pro Se	18		18	100%
Legal Ethics for Attorneys	2	3		67%
Meaningful Shelter & Pre-Trial Hearings	5	5		100%
1102 & ESM	2	2		100%
1st Dist: CP & Carey Guides Booster	8		8	100%
1st District - CPR & First Aid	15		15	100%
1st District Safety Recertification	13		13	100%
2020 Revised Sentencing Guidelines	1	1		100%
2022 ACC - Tips Appellate Practitioner	1	2		50%
2022 Annual ICWA Conference Previously Recorded	0	1		0%
2022 DCSC - Case Law Update	0	1		0%
2022 DCSC - Ethics, Abusive Conduct	5	5		100%
2022 DCSC - Evictions	1	1		100%
2022 DCSC - UBoTP Interacts w/Rulings	0	1		0%
2022 DCSC - WINGS Projects & Issues	1	1		100%
2022 JCCC - 1st Supreme Crt Justices	20	21		95%
2022 JCCC - Assessment	73	80		91%
2022 JCCC - IT Update	16	25		64%
2022 JCCC - Jury & Virtual Selection	29	33		88%
2022 JCCC - Legislative Audit Update	13	16		81%
2022 JCCC - Legislative Update	54	56		96%
2022 JCCC - Protective Orders	32	40		80%
2022 JCCC - Small Claims/Trial Minutes	34	38		89%
2022 JCCC - Soc Media Misinfo/Protect	17	18		94%
2022 JCJSC - Create a Positive Culture	0	1		0%
2022 JCJSC - How to Avoid Trouble	0	1		0%
2022 JCJSC - Judicial Ethics/Workplace	1	1		100%
2022 Legislative Update Assessment	62	63		98%
2022 PSCC: Addiction & Brain Chemistry	2	2		100%
2022 PSCC: Co-Occuring Disorders	1	2		50%
2022 PSCC: Incentives, etc Pt 1	1	1		100%
2022 PSCC: Naloxone - Lessons, Learned	1	1		100%
2022 PSCC: Opioid Task Force	1	1		100%
2022 PSCC: PTSD	1	1		100%
2022 PSCC: Treatment Panel of Experts	1	1		100%
2022 SEC - Being Strong, True, Focus	15	15		100%
2022 SEC - Office of Fairness/Account	11	11		100%
2022 SEC - SoFS & 25 yr Service Awards	7	8		88%
2022 Security Awareness	85	99		86%
2023 ACSC - Health/Wellbeing Benefits	2	2		100%
2023 ACSC - How Maximize Prod of Clerks	2	2		100%
2023 ACSC - Independence of the Judiciary	1	1		100%
2023 ACSC - Juv Crt Information	1	1		100%
2023 ACSC - Leg Assau/Indep Judiciary	1	1		100%
2023 ACSC - Privacy and Security	2	2		100%
2023 A/C: AI & Implications Chat GPT	225	12	219	97%
2023 A/C: Big Data & Inequalities	221	7	219	98%
2023 A/C: BO1 - Behavioral Health Master Plan	23	10	13	100%
2023 A/C: BO1 - Brackeen v. Haaland & ICWA	29	18	11	100%
2023 A/C: BO1 - Interview Children in Camera	46	13	33	100%
2023 A/C: BO1 - Surv Cameras/Social Media	98	17	81	100%
2023 A/C: BO1 - Working w/Law Clerks	30		31	97%
2023 A/C: BO2 - Contempt of Court	75		75	100%
2023 A/C: BO2 - Ensuring Excellence Youth Def	36	8	28	100%
2023 A/C: BO2 - Intro Commissioner Great SL	27		27	100%
2023 A/C: BO2 - What Comm Want Us to Know	36		36	100%
2023 A/C: BO3 - DSPD	14	5	9	100%
2023 A/C: BO3 - Ethics/Abusive Conduct/Harass	66	40	27	99%
2023 A/C: BO3 - PCRA	15		15	100%
2023 A/C: BO3 - Peremptory Challenge	30	11	19	100%
2023 A/C: BO3 - Sovereign Citizens	101	15	87	99%
2023 A/C: BO4 - DHHS & State Hospital	44	6	38	100%
2023 A/C: BO4 - Parent-Time	32		32	100%
2023 A/C: BO4 - Parent-Time	6	6		100%
2023 A/C: BO4 - Past/Present/Future Utah Bar	51	6	45	100%
2023 A/C: BO4 - Youth Offender: Judg & Commit	25	6	19	100%
2023 A/C: Commissioners	3		3	100%
2023 A/C: Equitable and Inclusive Courts	215		220	98%
2023 A/C: Opening Remarks	226	10	221	98%
2023 A/C: Presiding/Associate Meeting	41		41	100%
2023 A/C: Senior Judges Meeting	24		24	100%
2023 A/C: Supreme Court Update	242	9	239	98%
2023 A/C: Water Law	11		11	100%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

2023 A/C: Which hearing is better?	229	15	219	98%
2023 A/C: Working with the Media	224	8	220	98%
2023 JCCC - Audit Update	43	60		72%
2023 JCCC - Dealing Difficult People	31	38		82%
2023 JCCC - Information Blitz	24	32		75%
2023 JCCC - IT Update	24	33		73%
2023 JCCC - JC Update and Awards	21	22		95%
2023 JCCC - Legislative Update	20	20		100%
2023 JCCC - Secondary Trauma	33	46		72%
2023 JCCC Assessment	190	203		94%
2023 JCCC Legislative Update Assessment	219	226		97%
2023 J/CJ - BO: Effective Sentencing	1	1		100%
2023 J/CJ - BO: Effective Sentencing	1	1		100%
2023 J/CJ - BO: Leg Issues/Update	0	1		0%
2023 J/CJ - DCJ Panel Presentation	1	1		100%
2023 J/CJ - DCJ Panel Presentation	0	1		0%
2023 J/CJ - Ethics/Workplace Culture	2	2		100%
2023 J/CJ - Evidence	0	1		0%
2023 J/CJ - Evidence	1	1		100%
2023 J/CJ - I don't have time	0	1		0%
2023 J/CJ - Legislative Issues/Update	1	1		100%
2023 J/CJ - Mindfulness Stress/Trauma	1	1		100%
2023 J/CJ - Small Claims Negligence	1	1		100%
2023 J/CJ - Small Claims Negligence	1	1		100%
2023 J/CJ - BO: Small Claims Contract	1	1		100%
2023 J/CJ - BO: Small Claims Contract	1	1		100%
2023 J/CJSC: Expectation/Privacy Tech World	1	1		100%
2023 J/CJSC: Strictly Necessary	1	1		100%
2023 Legislative Update	3	3		100%
2023 Security Awareness	360	368		98%
2023 STCC: Compassion Fatigue	107	21	88	98%
2023 STCC: Court Team Exercise, Reports/Closing - Live Sessi	88		88	100%
2023 STCC: Drug Testing	109	22	88	99%
2023 STCC: Graduate Panel	98	11	88	99%
2023 STCC: How to Build/Sustain Alumni	98	11	88	99%
2023 STCC: Implicit Bias	87		87	100%
2023 STCC: Medical Cannabis, Part 1	107	23	88	96%
2023 STCC: Medical Cannabis, P12 Q&A	104	17	88	99%
2023 STCC: Welcome/Intro to AOC Data Department	100	13	88	99%
2023 STTC: BO - Family Treatment BP	42	20	23	98%
2023 STTC: BO1 - Contingency Mngmt, Part 1	10		10	100%
2023 STTC: BO1 - Pathways, Part 1	39		39	100%
2023 STTC: BO1 - Peer Support/USARA/Utah Model	14		14	100%
2023 STTC: BO1 - Peer Support/USARA/Utah Model	21	21		100%
2023 STTC: BO1 - Vet Treatment Courts 101	2		2	100%
2023 STTC: BO2 - Contingency Mngmt, Part 2	10		10	100%
2023 STTC: BO2 - Family Treatment Court BP	35	14	21	100%
2023 STTC: BO2 - Incentives/Sanctions/TheraAdjust	7		7	100%
2023 STTC: BO2 - LS101, Constitutional Law	38	22	18	95%
2023 STTC: BO2 - Pathways, Part 2	35		35	100%
2023 STTC: BO3 - Adolescent Cannabis Use	13		13	100%
2023 STTC: BO3 - Applying Principles, Vets	2		2	100%
2023 STTC: BO3 - Engaging Participants in MH Courts	15		15	100%
2023 STTC: BO3 - Role of Alumni Treatment Courts - Live Sess	17		17	100%
2023 STTC: BO3 - Team Member Ethics	45	25	22	96%
2023DCSC - BO:Competency Evals	4	4		100%
2023DCSC - BO:Federal Jurisdiction/State Custody	1	1		100%
2023DCSC - BO:Human Trafficking	2	2		100%
2023DCSC - BO:LGBTQ+ in Family Law	5	5		100%
2023DCSC - BO:Specialty Courts	1	1		100%
2023DCSC - Case Law Update	3	4		75%
2023DCSC - Electronic Evidence	6	6		100%
2023DCSC - Ethics & Team Intro	12	12		100%
2023DCSC - Issues in Evidence	7	7		100%
2023DCSC - JPEC Jury Subcommittee	1	1		100%
2023DCSC - JPEC Jury Subcommittee - 05/12	1	1		100%
2023DCSC - Roundtable	1	1		100%
2024 ACSC: District Court Info Session	20		20	100%
2024 ACSC: Ethics/Abusive Conduct/Harass	20		20	100%
2024 ACSC: Judicial Indep/Account/Ethics	18		18	100%
2024 ACSC: Staying Safe	19		19	100%
2024 ACSC: Welcome & JC Info Session	21		21	100%
2024 DCSC: AP&P Roundtable	19	4	15	100%
2024 DCSC: Bench Meeting	96		96	100%

COURSE ENROLLMENTS

(BY SUBJECT AND TYPE)

2024 DCSC: Case Law Update	115	11	105	99%
2024 DCSC: Denial of Violence in Family Cr	106	3	104	99%
2024 DCSC: Divorce Education for Children	111	3	108	100%
2024 DCSC: Evidentiary Issues	116	9	108	99%
2024 DCSC: Forensic & Scientific Evidence Fundamentals	49	7	43	98%
2024 DCSC: How Tech Can Facilitate Abuse	109	5	104	100%
2024 DCSC: JPEC	111	3	108	100%
2024 DCSC: Judicial Mentoring	7		7	100%
2024 DCSC: Management of Court Staff	110		110	100%
2024 DCSC: Open & Mindfulness	109	7	102	100%
2024 DCSC: Procedures for Closing Hearings	33	5	28	100%
2024 DCSC: Safe at Home	105	1	104	100%
2024 DCSC: Search Warrant Review	51	7	44	100%
2024 DCSC: Tips/Tools to Improve Efficiency	112	4	108	100%
2024 DCSC: Uncivil Attorneys	118	9	109	100%
2024 DCSC: Water Law Education	12		12	100%
2024 JCC Assessment	355	362		98%
2024 JCC: Audit Update	278	52	236	97%
2024 JCC: Breakout - 24/7 Program	186	89	126	87%
2024 JCC: Breakout - DTIP	163	49	122	95%
2024 JCC: Breakout - Issues Among Us	233		233	100%
2024 JCC: Breakout - QPR	50		50	100%
2024 JCC: Breakout - SCPJM	87		87	100%
2024 JCC: Breakout - SCPJM s	40	50		80%
2024 JCC: Breakout - Security Plans	268	30	242	99%
2024 JCC: Breakout - Sovereign Citizens	271		275	99%
2024 JCC: Breakout - Working w/Interpreters	128	50	87	93%
2024 JCC: HAC	271	39	237	98%
2024 JCC: IT Update	273	39	239	98%
2024 JCC: Legislative Update	309	116	237	88%
2024 JCC: Safe at Home	276	50	236	97%
2024 JCC: Welcome/Clerk Certification Revamp Overview	278	61	235	94%
2024 JCC: Who You Gonna Call?	282	44	245	98%
2024 JCC: Why, What, How of PO Validation	279	75	236	90%
2024 JC/SC: A Positive Approach to Tackling Bias and Being Inclusive	79	3	77	99%
2024 JC/SC: Case Law Update	77	1	77	99%
2024 JC/SC: Court Reports	79	2	78	99%
2024 JC/SC: DV - Residential Treatment	74	2	74	97%
2024 JC/SC: DV Issues/Updates	78	2	77	99%
2024 JC/SC: Forms & Standing Orders	78		78	100%
2024 JC/SC: Issues Among Us	75		75	100%
2024 JC/SC: IT Update	55	1	55	98%
2024 JC/SC: JPEC	76	1	76	99%
2024 JC/SC: Judicial Ethics & Workplace Culture	2	3		67%
2024 JC/SC: Judicial Ethics & Workplace Culture - Live Sessl	74		74	100%
2024 JC/SC: Legislative Issues & Update	78	2	78	98%
2024 JC/SC: Legislative Issues & Update Continued	50	2	50	96%
2024 JC/SC: Movie & Discussion	11		11	100%
2024 JC/SC: National Judicial College	77	1	77	99%
2024 JC/SC: PC Statements & Search Warrants	77	2	76	99%
2024 JC/SC: Presiding Judges' Reports	74		74	100%
2024 JC/SC: Prime for Life	52	3	49	100%
2024 JC/SC: Recognition of Retiring Judges & Awards	77	1	77	99%
2024 JC/SC: Welcome/Education Report/Admin Update	74	3	73	97%
2024 JC/SC: Building Strong and Effective Work Relationships with Court Clerks	78	2	77	99%
2024 JISC: An Assessment of Access	61	6	56	98%
2024 JISC: Bench Meeting	57	4	54	98%
2024 JISC: Bipartisan Safer Communities Act	59	5	56	97%
2024 JISC: Case Law Update	61	8	56	95%
2024 JISC: Divorce Education Children Program	60	5	56	98%
2024 JISC: JPEC	57	3	55	98%
2024 JISC: Judicial Officer Resources - Case Law Research	57	2	56	98%
2024 JISC: Legislative Update	59	5	56	97%
2024 JISC: Mentoring	58	2	56	100%
2024 JISC: Motivational Interview & Closing Remarks - Live	52	3	50	98%
2024 JISC: Navajo Nation Peacemaking Program	58	4	54	100%
2024 JISC: Perspectives	57	4	54	98%
2024 JISC: Safe At Home	57	4	54	98%
2024 Judicial Decision Making - 03/07 & 08/2024	19		19	100%
2024 Legislative Update	2	2		100%
2024 Legislative Update	143	12	145	91%
2024 Legislative Update Assessment	354	358	1	99%
2024 Legislative Workshop	80	13	78	88%
2024 Mentoring Orientation	20		20	100%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

2024 Mentoring Orientation	8	9		89%
2024 SEC: A Look at the Utah Specialty Courts	23	23	1	96%
2024 SEC: AUS	213		213	100%
2024 SEC: Breakout - Bring Your Best Self to Work	127		127	100%
2024 SEC: Breakout - Child Exploitation in the Metaverse	142		142	100%
2024 SEC: Breakout - Its OK to Play	61		61	100%
2024 SEC: Breakout - Mentor Meet and Greet	17		17	100%
2024 SEC: Breakout - Wellness Resources for You	99		99	100%
2024 SEC: Built by the Broken	231	18	214	100%
2024 SEC: Conf Open & What's New in the Courts	232	18	214	100%
2024 SEC: Ethics	442	237	221	97%
2024 SEC: Flip Your Mindset	243	28	220	98%
2024 SEC: Office of Fairness and Accountability	237	20	220	99%
2024 SEC: Technology and Domestic Violence	247	30	220	99%
2024 Utah Mentoring - Leading Yourself and Others	9	25		36%
2nd District Safety Recertification	32		32	100%
2nd District: Chat & Chew	38		57	67%
3rd District E-Filing Guidance Course	12	13		92%
3rd District Safety Recertification	54		60	90%
3rd District: L&L - Accounting	12	12		100%
3rd District: L&L - Accounts Receivable & Waiver	19		19	100%
3rd District: L&L - Civil PO, etc	19	22	3	76%
3rd District: L&L - Debt Collect/Eviction	85	10	76	99%
3rd District: L&L - Foreign Orders	13	14		93%
3rd District: L&L - FTR Rec & Ct Web	19	26		73%
3rd District: L&L - Not Guilty/PIA	130	12	119	99%
3rd District: L&L - Probate	74	9	65	100%
3rd District: L&L - UIFSA Training	55	6	55	90%
3rd District: L&L - Workspace/Xchange/JAQ	43	11	32	100%
4 Perspectives on Bullying and Harassment	161	228		71%
4th District Clerical Training	69	9	60	100%
4th District Safety Recertification	36		37	96%
4th District: L&L - Victim Advocates	20		20	100%
5 ways to lead in an era of constant change Jim Hemerling	131	150		87%
5th Dist: CP & Carey Guides Booster	13		13	100%
5th District PO Safety Booster	17		17	100%
7th District PO Safety Booster	10		10	100%
8th Dist CP in CARE Booster	7		7	100%
8th District Safety Training Booster	7		7	100%
A More Nuanced Conversation	4	4		100%
Ability to Pay Tutorial - NCSC	3	3		100%
Abstracts of Judgment	30	41		73%
Abusive Conduct and Harassment	1	2		50%
Access to Justice in Lawyerless Courts -	1	1		100%
Accounting Manual	1	1		100%
Accounting Manual Update (June 2023)	47	47		100%
Accounting Manual Update (June 2024)	27	27		100%
Accounting Manual Updates (Jan2024)	153	65	135	77%
Accounting Manual Updates (June 2024)	93		127	73%
Accounting: Cash Count in CORIS	37	41		90%
Accounting: Cashiering in CORIS	40	45		89%
Accounting: Trust without a Case	19	28		68%
Action Queues	293	301		97%
Active Security Training w/Carbon County SO	13		13	100%
Active Shooter Response	79	85		93%
Active Shooter Training	25		26	96%
Addiction: Six Essential Lessons	5	7		71%
Adobe Acrobat DC Pro: Beginner	52	121		43%
Adobe Forms Training	63	30	36	95%
Adoptions and Foreign Adoptions	4	4		100%
Advanced Judicial Writing	24		24	100%
Advanced Westlaw	16	13	10	70%
Advanced Westlaw - Utah Law Library	0	3		0%
AIS Workspace - Batch Document Emailing	1	1		100%
An Approach to Improve ICWA Practice	55	57		96%
Anticipating Filer Mistakes	58	70		83%
AOC Directors' Training	20		20	100%
Appeals	5	5		100%
Applying Attribution: Impacts of Climate Attribution Science	1	1		100%
As work gets more complex, 6 rules to simplify Yves Morleu	124	143		87%
Ask the Judge	14	14		100%
Assessment Accuracy Booster	39		40	98%
Assessment Instruction Update Training	2	3		67%
Attaching an Attorney	24	27		89%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Attuned Listening	2	2		100%
Audit Issues and More	10	10		100%
Aug 24 Juvenile Recodification Update	0		4	0%
August 2021 CIP Webinar - Safety Decision-making	1	1		100%
Avoiding Mistrials & Mishaps	6	6		100%
Awareness of Mental Health, Dementia, and Learning Disability	197	233		85%
Balance and Well Being	36	46		78%
Basic CORIS: Case Search and Print	63	81		78%
Basic Gap Analysis	6	7		86%
Basic Group Dynamics: Parts 1&2	1		1	100%
Basics of Budgeting	55	114		48%
Basics of eFiling	100	117		85%
Batch Print	15	18		83%
Beating Burnout - Practical Information	117	150		78%
Better Business Behavior: How to Take Initiative	44	57		77%
Better Business Writing	37	62		60%
Bias & Inclusivity: Let's Investigate Challenge	45	46		98%
Black History Month	52	56		93%
Blind Spots: Diversity & Ethics	7	10		70%
Blue Zones	17	20		85%
Booking a Flight in Concur	1	1		100%
Boosting Emotional Intelligence	117	148		79%
Bridges out of Poverty	16	9	8	94%
Burnout and Mental Fatigue	42	52		81%
Business Writing: Being Effective	24	37		65%
Calendarling Events	19	20		95%
Calendarling Events in CORIS	67	72		93%
CARE Generated Documents and Orders	27	32		84%
CARE Release Webinar	6	6		100%
Career Service/At-Will, Due Process	9	12		75%
Carey Guide & BITS	57	59	36	60%
Carey Guide & BITS Recertification	6	14		43%
Carey Guide: TOD - Admin Training	3	7		43%
Carey Guide: TOD - User Training	11	20		55%
Caring for Ourselves and Others/Difficult Times	41	49		84%
Case and Document Classifications	81	100		81%
Case Item and Order Fulfillment	65	86		76%
Case Law Update	1	1		100%
Case Pending	360	362		99%
Case Planning 101: Module 1: Introduction	53	56	1	93%
Case Planning 101: Module 10: Responsibility	50	52		96%
Case Planning 101: Module 11: Assessment Scoring, Re-Assessment, & PRA	52	54		96%
Case Planning 101: Module 13: Zeroing In, Step 1 - Preparing for Collaboration	48	54		89%
Case Planning 101: Module 14: Zeroing In, Step 2 - Sharing the Information	56	56		100%
Case Planning 101: Module 15: Zeroing In, Step 3 - Finalizing/eFile Case Plan	48	56		86%
Case Planning 101: Module 2: What is a Utah's Risk and Needs Assessment	48	48		100%
Case Planning 101: Module 3: Category 1 - Delinquency	49	50		98%
Case Planning 101: Module 4: Category 2 - School/Work	49	50		98%
Case Planning 101: Module 5 Cat3: Leisure/Recreation & Cat4:ProDelinquent Assoc	47	51		92%
Case Planning 101: Module 6: Category 5 - Family	40	52		77%
Case Planning 101: Module 7: Category 6 - Substance Abuse	53	55		96%
Case Planning 101: Module 8: Category 7 - Pro-delinquent Attitudes	51	52		98%
Case Planning 101: Module 9: Category 8 - Anti Social Personality Pattern	51	53		96%
Case Planning 101: What Is an Assessment & How to Navigate?	1	1		100%
Case Planning 102	114	243	21	43%
Case Planning in CARE Booster	25		25	100%
Case Planning Micro Training - Service Delivery	4	21		19%
Case Planning Micro Training - Storytelling	2	21		10%
Case Planning T4T	16		19	84%
Case Planning Trainer - 3 Year Commitment	8	8		100%
Case Planning Trainer - Certification Test	9	10		90%
Case Planning Trainer - Recertification	5	6		83%
Case Planning Trainer - Required Reading	9	11		82%
Case Planning: Module 12: Behavioral Analysis Worksheet (BAW)	50	53		94%
Case Referrals	71	87		82%
Case Search & Print	10	10		100%
Cash Count in CARE	36	37	1	95%
Cash Count in CORIS	93	100		93%
Cashiering	8	8		100%
CCPIO Panel	20	28		71%
Certified and Exemplified Copies	73	81		90%
Challenging Bias at Work: Toward a Systems Approach	3	3		100%
Change	31	31		100%
Change Management	28	45		62%

COURSE ENROLLMENTS

(BY SUBJECT AND TYPE)

Child Welfare Timeline	3	36		8%
Child Welfare Timeline Errors	18	29		62%
Child Welfare Training	17		17	100%
Citation Process	76	105		72%
Civil Case Management Part 1	26	30		87%
Civil Case Management, Part 2	20	29		69%
Civil Protective Orders	0	1		0%
Civil Stalking Injunction	16	45		36%
Civil: Evictions	34	53		64%
CJC Module Scorm Test	0	1		0%
Climate Science & Law: Climate Justice	2	2		100%
Climate Science & Law: Fundamental Rights	1	1		100%
Climate Science & Law: Government Action & Climate Science	1	1		100%
Climate Science & Law: How Climate Science Works	2	2		100%
Climate Science & Law: Impacts of Climate Change	1	1		100%
Climate Science & Law: Judicial Remedies for Climate Disrupt	1	1		100%
Climate Science & Law: Overview of Climate Litigation	1	1		100%
Climate Science & Law: Procedural Techniques Available	1	1		100%
Climate Science & Law: Risks and Costs of Climate Change	1	1		100%
Climate Science & Law: What is Causing Climate Change	1	1		100%
Coaching	35		60	58%
Collaborative Feedback for Managers	6	10		60%
Collecting Specimens	57	60		95%
Collection Training w/OSDC Session	31	36		86%
Collections	6	24		25%
Collections Management w/AP&P	9	13		69%
Colorado River Management Plan - Utah's Commitment	0	1		0%
Commissioner Judge Workflow	11	12		92%
Commissioner Signed Docs - Discuss & Training	1	2		50%
Community of Practice - Building Rapport	1	2		50%
Completing Profile in Concur	2	2		100%
Computing Time - Justice Courts	64	73		88%
Concur Mobile (iphone)	2	2		100%
Confidentiality and Release of Information	30	35		86%
Conflict Management	48	75		64%
Conquer Your Anxiety	91	124		73%
Contested Divorces	42	53		79%
Continuances	39	47		83%
CORIS/MyCase/JAQ Release	17	20		85%
Court Calendars	25	27		93%
Court Security - Section 1	30	31		97%
Court Security - Section 2	27	27		100%
Court Security - Section 3	30	30		100%
Court Security Introduction Navigation	315	332		95%
Court Security Section 1	270	332		81%
Court Security Section 2	301	327		92%
Court Security Section 3	285	325		88%
Court Security Section 4	307	322		96%
Court Security Section 5	283	321	1	88%
Court Security: Safe Practices	29		34	85%
Courthouse Security Webinar	151	160		94%
Courtroom Demeanor	88	106		83%
Creating a Delinquency Incident (a)	70	90		78%
Creating a Successful Mentoring Relationship	12	19		63%
Creating a Workplace that Embraces Neurodiversity	44	56		79%
Creating and Processing New Cases	23	27		85%
Creating Connections and Influencing Others	60	76		79%
Creating Rulings	165	170		97%
Credit Adjustments	29	35		83%
Criminal Appeals	24	34		71%
Criminal Bail Bond Dispositions	48	57		84%
Criminal Competency	2	2		100%
Criminal Expungements	32	54		59%
Criminal Orientation	66	78		85%
Criminal Post Disposition	24	33		73%
Criminal Protective Orders	1	5		20%
Criminal Sentencing	25	44		57%
Criminal Terminology	52	66		79%
Criminal Time Pay	20	29		69%
Criminal Traffic	24	26		92%
Crisis Response Planning Workshop	18	5	15	90%
Critical Messages	71	89		80%
Cultural Awareness	44		62	71%
Customer Service	72		110	65%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Cyber Security Awareness: Essential Guide to Cyber Risks and	0	1		0%
Cyber Security Awareness: How Do I Protect Personal and Comp	0	2		0%
Cyber Security Awareness: How Do I Recognise and Report Secu	0	1		0%
Cyber Self Defense	29	32		91%
Daily Journal Cutoff	33	36		92%
Dating Violence Among Teens	8	13		62%
DC Brown Bag: Criminal Case Management	22		22	100%
DC Brown Bag: Effective Use Pretrial Conference	24		24	100%
DCJ Brown Bag Discussions: My Case	16	1	15	100%
DCJ Brown Bag Pretrial Release	1	1		100%
DCJ Brown Bag: Drug Treatment Providers	16		16	100%
DCJ Brown Bag: Expungements and 402 reductions	13		20	65%
DCJ Brown Bag: Interstate Compacts	27	1	26	100%
Dealing w/the Unexpected	16		34	47%
Defense of Democracy & Independent Judiciary	2	2		100%
Deferred Prosecution	2	2		100%
Deferred Traffic Prosecution Webinar	99	23	147	58%
Demystifying Classification & Compensation	17	19		89%
Develop Your Inclusion IQ	43	53		81%
Developing A Strong Leadership Team	16	20		80%
Developing Your Leadership Style	16	1	24	64%
Digital Exhibit Best Practices Webinar	15	21		71%
Digital Signature	31	46		67%
Digital Signature for Warrants, OTC, Small Claims	18	34		53%
Digitally and Manually Signed Orders	16	25		64%
Discovery Tiers and Timelines	31	39		79%
Dismissals	378	380		99%
Disrupting Judicial Threats	2	2		100%
Dist/Just Court Prog Release Webinar	74	76		97%
Dist/Just Crt Prog Rel Webinar	108	108	2	98%
Dist/Just Crt Program Release	704	542	249	89%
Dist/Just Crt Program Release	1122	780	542	85%
District Case Planning Booster	4	12		33%
District Court Judge Brown Bag: Pre-trial	18		18	100%
District Specific Training	36	40		90%
District/Justice Court Programming Release Webinar (Sept2021)	12	12		100%
District/Justice Court Programming Release Webinar (September2022)	74	74	1	99%
District/Justice Court Programming Release Webinar (September2023)	591	419	285	84%
Do Less, Accomplish More	79	105		75%
Document Entry & Classifications	11	18		61%
Document Entry and Classification	364	370		98%
Domestic Judgments	32	45		71%
Domestic Mediation	16	18		89%
Domestic Terminology	49	63		78%
Domestic Violence	1	1		100%
Domestic Violence 101	12		18	67%
Domestic Violence 101	2		2	100%
Domestic Violence Mentor Courts	9	10		90%
Domestic: In-Court Minutes	25	40		63%
Domestic: Protective Order Cases	39	59		66%
Don't Eat the Cookies: Embracing Resistance to Mak	1	1		100%
Driver License Reporting Screen	89	89		100%
Due Process and Constitutional Law	69	26	40	89%
Education and Parental Involvement	5	5		100%
Effective & Strategic Recruitment	16	20		80%
Effective Communication with Autistic Children	3	3		100%
Effective Communication: Parts 1&2	20		25	80%
Effective Communication: Parts 1&2	1		3	33%
Effective Listening Training	113	141		80%
Effective Performance Feedback	17	23		74%
eFiling Basics	1	1		100%
eFiling Court Review Webinar	0	1		0%
eFiling Court Review Webinar	38	45		84%
Electronic File Review Implementation	1	1		100%
Electronic Mail Retention	1	1		100%
Embracing Your Imperfections in Leadership	27	36		75%
Emerging Issues, Part 1	62		73	85%
Emerging Issues, Part 2	31		66	47%
Emotional Intelligence	117	32	120	77%
Empathy is not endorsement Dylan Marron TED Talk	66	77		86%
Employee Dev & Performance Mngmt	18	18		100%
Employee Health & Labor Law	10	11		91%
Employee Performance Conversation with Leaders - 2024	62	76		82%
End of Month Justice Court Reporting	379	383		99%

COURSE ENROLLMENTS

(BY SUBJECT AND TYPE)

Engage with Engage	361	378		96%
Ensuring Intervention Completion	43	51		84%
Ensuring Intervention Completion for Supervisors	4	5		80%
Enterprise Security Awareness	78	83		94%
Equality Utah - May 11th @ 2:30PM	17	17		100%
Establishing Trust in Collaborative Work	35	46		76%
Ethics	457	1	610	75%
Ethics Advisory Committee & Judicial Conduct Commission	10	11		91%
Ethics for Clerks	44		44	100%
Ethics Refresher and Trends	0	1		0%
Evaluating Linguistic Bias in Law	1	1		100%
Everything Google Part 1 - Email/Calendar/Hangouts	92	98		94%
Everything Google Part 2 - Drive and Docs	77	83		93%
Everything Google Part 3 - Sheets, Forms & Slides	68	76		89%
Evictions	7	11		64%
Evidence & Ethical Issues with Social Media	9	12		75%
Evidentiary Issues in Eyewitness Identification	1	1		100%
eWarrants	16	21		76%
Excel 365: Advanced	2	5		40%
Excel 365: Beginner	10	39		26%
Excel 365: Intermediate	0	4		0%
Excel in 30 Minutes - Analyzing Data with Tables and Formatt	1	1		100%
Excel In 30 Minutes: Calculations	0	1		0%
Excel in 30 Minutes: Working with Logical Functions	0	1		0%
Exhibits	7	7		100%
Exhibits and Evidence	50	86		58%
Exploring Concur Home Page	1	1		100%
Expungements	18	26		69%
Facilitation & Meeting Management	19		30	63%
Failure to Appear/Failure to Comply	382	384		99%
Fairness and Accountability	0	1		0%
Family Law L&L: Resist/Refuse Dynamics	0	1		0%
Family Law Lunch & Learn - Vocational Experts	2		7	29%
Family Law Lunch & Learn (Apr24)	11		15	73%
Family Law Lunch & Learn (Oct23) - Judicial Settlement	4		8	50%
Family Law Update	0	1		0%
Family Teaming	6	6		100%
Federalism	1	1		100%
FFPSA Prevention Services & Supports	5	5		100%
File Reassignment	9	11		82%
Filing a Small Claims	87	95		92%
Filing Civil Cases	41	58		71%
Filing Criminal Cases	16	17		94%
Filing Domestic Cases	48	61		79%
Finders (GOTCHA or Tax Intercept)	73	75		97%
Finding Case, Party, Victim	102	111		92%
Foreign Domestic Orders	22	42		52%
Foreign Judgments	29	46		63%
Foreign Subpoena	12	27		44%
Formal Informal Probate	6	6		100%
Future Training Placeholder	0	4		0%
General Accounting	36	37		97%
Generating Letters	12	17		71%
Gestational Agreement	3	3		100%
Gmail: A 1 Guide	0	1		0%
Google Calendar Training	0	1		0%
Google Docs: Advanced	2	11		18%
Google Docs: Beginner	12	21		57%
Google Drive (2021)	0	1		0%
Google Drive: A 1 Guide	18	26		69%
Google Forms 2021	4	12		33%
Google Sheets: Advanced	2	11		18%
Google Sheets: Beginner	14	33		42%
Google Sites Training for Dept Websites	1	1		100%
Grammar 101	22	47		47%
Grammar and Court Minutes	44		68	65%
GreenFiling Webinar	20	28		71%
Grievance and Appeal	32	11	22	97%
Guardianship Conservatorship	5	5		100%
Guardianship Judicial Response Protocol	2	3		67%
HB 260 & Accounting Changes	9	10		90%
Health Behavior Change	11		27	41%
Healthy Coping Session	1	1		100%
Healthy Coping for the Sake of Our Well-being	8	8		100%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Hispanic Heritage Month (U.S.)	25	26		96%
Homicide and the Death Penalty	7		7	100%
How Do I Build an Effective Leadership Team	8	12		67%
How great leaders inspire action Simon Sinek	50	61		82%
How reverse mentorship can help create better leaders	21	22		95%
How to build (and rebuild) trust Frances Frei TED Talk	75	81		93%
How to build your confidence -- and spark it in others	90	96		94%
How to Create an Order for Signature	22	25		88%
How to eFile Documents	91	97		94%
How to embrace emotions at work Liz Fosslien TED Talk	53	60		88%
How to get serious about diversity and inclusion in the work	78	81		96%
How to let go of being a "good" person -- and become a better	51	58		88%
How to Log into Concur	2	2		100%
How to overcome our biases? Walk boldly toward them	318	351		91%
How to Pass Your ICOSA	367	370		99%
How to Reconcile a P-Card in Concur	1	1		100%
How to Set Defaults	98	104		94%
How to Verify Judgments	31	38		82%
How your brain responds to stories -- and why they're crucial	37	41		90%
HR Policy Amendments 2022	5	6		83%
HR Training: Time Entry & Attendance	20		23	87%
Human Resources Policy Manual Acknowledgment Form FY24	1114	1124		99%
Human Trafficking	46		70	66%
Human Trafficking	1	2		50%
Humor Me	17	20		85%
ICJ Returns/Runaways	27		37	73%
ICJ Runaways	66	69		96%
ICJ Transfers of Supervisors	102	87	48	76%
ICJ Travel Permits	84	33	68	83%
Impactful Conversations - Change and Transition	13	17		76%
Impactful Conversations - Influence	16	18		89%
Implicit Bias	13	13		100%
Implicit Bias: Improving Relationships	146		185	79%
Incidents	22	30		73%
In-Court Minutes	15	18		83%
Inside the mind of a master procrastinator Tim Urban TED	88	98		90%
Interpreter Requests in CORISWeb	8	12		67%
Interpreters (NJG)	1	1		100%
Intro to Juvenile Brain Development	44		52	85%
Intro to Mindful Eating	24		44	55%
Intro to Mindfulness	19		25	76%
Intro to UCA & Appeals Process	105		138	76%
Intro To Westlaw - Utah Law Library	7	9		78%
Introduction to AI and the Utah Courts	63	102		62%
Introduction to eFiling	78	91		86%
Introduction to Neurodiversity in the Workplace	20	28		71%
Introduction to Online Dispute Resolution	20	22		91%
IT Programming Pre-Release Webinar	9	10		90%
Jabber	6	7		86%
Jail Release Agreements	203	203		100%
JC Restorative Conference 2023	40		42	95%
JCC and EAC	0	1		0%
JCCC - Jury Mänge/Virtual Jury Select 3/31 (2-2:50 & 3:10-4)	0	1		0%
Job Shadowing	194	204		95%
Joint & Several Restitution	52	18	64	63%
Journal Close	18	20		90%
Judgment Maintenance	7	19		37%
Judicial Ethics: An Overview of the JCC	5	5		100%
Judicial Workspace	19	19		100%
Junction Function	7		10	70%
Juneteenth Lunch & Learn	72	28	48	95%
Justice Court Clerks Legislative Update	6	6		100%
Justice Court Collection Information and Spreadsheet	10	18		56%
Justice Court New Clerk Orientation	26		33	79%
Justice Court Overview	59	77		77%
Justice Court Task Force Update	9	9		100%
Justice Court Task Force Update	6	6		100%
JUSTJUST - Filing Case Overview (Criminal/Traffic)	90	96		94%
JUSTJUST Anatomy of a Criminal/Traffic Case	65	68		96%
JUSTJUST Credits and Dismissals	89	95		94%
JUSTJUST Document Report	62	72		86%
JUSTJUST Report Timelines	93	96		97%
JUSTJUST Taking Payments in CORIS	90	94		96%
Juv Cr Criminal Protective Order	5	8		63%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Juvenile Court Legislative Update	6	6		100%
Juvenile Court Legislative Update	86		99	87%
Juvenile Court Programming Release	478	133	485	77%
Juvenile Court Programming Release	167	50	159	80%
Juvenile Mental Health	14	1	26	52%
Juvenile Substance Abuse Issues	12	1	14	80%
Kin-First Culture	4	5		80%
Law Library	16	16		100%
Leadership Academy	28		28	100%
Leadership in Performance Conversations - 2024	41	51		80%
Leadership vs Management	13		30	43%
Leading Effective Teams	2		14	14%
Leading Yourself and Others	25	28		89%
Legal Writing with Timothy P. Terrell	9		9	100%
Legislative Session Q&A 4.27.23	1	1		100%
Legislative Update	10	10		100%
Legislative Update - 2021	1	1		100%
Legislative Workshop	1	1		100%
LGBTQ Consider in Domestic Violence	16	19		84%
LGBTQ+ Pride Month	68	74		92%
Linking Law to Everyday Practices	5	8		63%
LMS "Manager" Training Session	17	17		100%
LMS "USER" Training Session	144	148		97%
LPP Program Updates	2	2		100%
Lunch & Learn: Booking Reports & Interlock	359	363		99%
Lunch & Learn: Collecting Old Debt	4		15	27%
Lunch & Learn: Courtroom Decorum & Info	11	14		79%
Lunch & Learn: PO Maintenance	367	291	106	92%
Lunch & Learn: Pretrial, Bail and Unsecured Bonds	13	13		100%
Manage Procrastination, and Boss Your Day	54	78		69%
Managing eFile Queues	21	25		84%
Managing Leave/Time/Attendance/Payroll	22	26		85%
Managing Pending Cases	21	32		66%
Managing Probate Cases	1	1		100%
Managing Queues - District/Justice Courts	46	62		74%
Managing Remote Teams	8	11		73%
Managing Stress	48	75		64%
March 2024 4th District Justice Court Judges Training	9		9	100%
Maximizing Onboarding Effectiveness	40	25	21	87%
MAYSI-2 Booster	10		10	100%
MAYSI-2 Online Training	32	34		94%
Mediation	9	9		100%
Medical Cannabis in Utah	2	2		100%
Mentoring Evidence Based Practices	10		11	91%
Mentoring: The Next Steps for Success	8	15		53%
Mentoring: Working w/Change & Influence	26		26	100%
MI for Supervisors	17		28	61%
Microsoft 365 PowerPoint - Intermediate	1	2		50%
Microsoft Office Word 2016: Part 1 - Beginner Level	0	1		0%
Mindful Eating	9	1	14	60%
Mindfulness for Work Stress, Part 1	26	32		81%
Mindfulness for Work Stress, Part 2	16	22		73%
Minor Settlement	4	4		100%
Minute Entries - CORIS	28	46		61%
Minutes Section A	17	28		61%
Minutes Section B	17	25		68%
Missing Murdered Indigenous People Crisis	58		79	73%
Modifying Scheduled Events	45	52		87%
Motivational Interviewing 101	68	32	45	88%
Motivational Interviewing 102	19		33	58%
Motivational Interviewing Booster	111		123	90%
My Cases My Calendar	91	98	1	92%
My Workspace	63	65		97%
My Workspace Jury - Post Jury	24	29		83%
My Workspace Jury - Processing	25	34		74%
My Workspace Jury - Trial Preparation	24	27		89%
My Workspace Jury: Creation	25	37		68%
My Workspace Jury: Non Compliance	24	32		75%
MyCase (Pro Se eFiling) & JAQ	105	129		81%
MyCase Overview & Case Linking	37	53		70%
Name Change	5	5		100%
Navigating Online Financial Abuse	21		38	55%
Navigating Through Resistance	20	1	20	95%
Neurodiversity	28	37		76%

COURSE ENROLLMENTS

(BY SUBJECT AND TYPE)

Neurodiversity Inclusion in the Workplace	25	32		78%
Neurodiversity: An Introduction	32	40		80%
Neurodiversity: Types of Neurodivergence	26	34		76%
New Accting Manual Site Webinar	17	20		85%
New Clerk Orientation	20	21		95%
New Clerk Orientation Basic Terminology	12	13		92%
New Employee Orientation	120		166	72%
New Employee Orientation - Orientation to Courts	129	145		89%
New Judge Orientation - JPEC	11	12		92%
New Judge Orientation: Code of Judicial Conduct	12	12		100%
New Year, New You Wellness	32		42	76%
NJO Court Interpreters	2	3		67%
NJO_Human Resources Benefit Enrollment and Judicial Officer	11	11		100%
Notice of Hearing (Victim)	89	90		99%
NRCT Certification Training	1	1		100%
NRCT Recertification Training	1	3		33%
Observation and Feedback Sessions	27	35		77%
OC Spray Training - 1/26th, 9:30-11:30	12		15	80%
ODNA Training for Probation	100	59	50	92%
ODR Case Disposition and Dismissal Management	11	12		92%
ODR Case Initiation and Exemptions	15	17		88%
ODR Facilitators and the Role They Play	16	17		94%
Offense Tracking Number	63	67		94%
Office of State Debt Collection	22	31		71%
Oklahoma v. Castro-Huerta	10	14		71%
OneDrive Training	10	18		56%
Ongoing Management Skills	6	11		55%
Ongoing Skills	12	19		63%
Online Bystander Intervention	22		47	47%
Organization Skills	51	73		70%
Orientation to CARE	92	97		95%
Our Identities Ourselves	6	6		100%
Outward Inclusion	11		13	85%
Outward Mindset	80		85	94%
Overages and Shortages	20	23		87%
Overpayments	37	48		77%
Parental Involvement, Family Empowerment	4	4		100%
P-Card Life Cycle	1	1		100%
PCI Training	138	147		94%
Performance Evaluations & Compensations 2024	156	185		84%
Performance Improvement & Discipline	13	16		81%
Personnel Maintenance	14		14	100%
Petitions to Modify	34	48		71%
Plugged in and Disconnected	5	7		71%
Post-Conviction Relief	7	16		44%
Poverty Simulation	17	18		94%
PowerPoint 365: Advanced	2	3		67%
PowerPoint 365: Beginner	2	8		25%
Pretrial Release Roundtable	2	2		100%
Pre-Trial Release Update	1	1		100%
Preventing Harassment & Abusive Conduct	567	454	240	82%
Printing Calendars	381	382		100%
Probable Cause: On-Call Maintenance	9	13		69%
Probation Education for Program	2	3		67%
Probation Mission, Vision, Values Rollout	2	3		67%
Probation Officer Safety 1	28	39		72%
Probation Officer Safety 2	33		38	87%
Probation Officer Safety 3: Defensive Tactics	27		33	82%
Procedure for Bail Bonds	19	20		95%
Processing a Mail Log	364	365		100%
Processing eCitations in CARE	65	85		76%
Productivity and Time Management	36	54		67%
Professional Etiquette	62	108		57%
Professionalism and Civility	1	1		100%
Promoting BP for Concurrent Planning & Beyond	5	5		100%
Protective Factors Clients & Staff	25		36	69%
Protective Orders	1	1		100%
Protective Orders 101	364	375		97%
PRS/PSRA Instruction Update	1	1		100%
PSRA/PRA 2022 Update Info	3	3		100%
Purpose Responsibilities of the Courts	35	42		83%
Q&A with Michael Drechsel	20		20	100%
Reaching Personal Goals	30	46		65%
Real Colors	23		25	92%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Reasonable Suspicion Drug/Alcohol Test	16	18		89%
Recordings	37	52		71%
Recruiting Tips for Managers	30		44	68%
Reduce Recidivism, Subst Abuse & Improve MH	1	1		100%
Registering Protective Orders	11	16		69%
Remote Working 101	0	1		0%
Report Scheduling in CORISWeb	3	6		50%
Resolving Conflict in Real Time - Dealing with Difficult Conversations	5		10	50%
Restorative Justice and Victim Issues	23	23		100%
Retaining Top Talent for Mission Advancement	21	24		88%
Rethinking Attention	16		26	62%
Retirement Planning for JCJ & Comm	1	1		100%
Retirement Planning for Judges	2	2		100%
Returned Checks	22	26		85%
Revenue Reporting	17	27		63%
Risk Management How to Properly Hook Up Trailer	1	1		100%
Risk Management Large Capacity Van Training	7	7		100%
Robyn's Experience	3	6		50%
Role of Probation	19		22	86%
Rule 404(b) Motions	1	1		100%
Rulings for Case & Certificate of Notification	12	18		67%
Safe at Home Program	500	209	417	80%
SAFE System	25	34		74%
Safeguarded Doc Rev Webinar	7	12		58%
Safety Decision Substance Use Disorder Cases	5	5		100%
Safety w/Families w/Substance Use Disorders	5	5		100%
Searching for Uploaded Documents	31	35		89%
Seasonal Affective Disorder	7		14	50%
Secondary Trauma	8		12	67%
Selecting Mission-driven Talent	28	9	23	88%
Self Care Isn't Selfish	20	29		69%
Self-Help Center	1	2		50%
Self-Help Center Virtual Tour	1	1		100%
September 28, 2023 - Change and Influence Styles	11		11	100%
Service Delivery Model & Doc Coaching	1	1		100%
Seventh District Clerical Grab Bag	78		164	48%
Seventh District Legislative Update	26		26	100%
SHC - Helping Self-Represented Parties in Utah - Advanced Topics - Study Unit 1	1	6		17%
SHC - Helping Self-Represented Parties in Utah - Advanced Topics - Study Unit 2	1	2		50%
SHC - Helping Self-Represented Parties in Utah - Advanced Topics - Study Unit 3	0	1		0%
SHC - Helping Self-Represented Parties in Utah - Eviction and Debt Collection - Study Unit 1	5	6		83%
SHC - Helping Self-Represented Parties in Utah - Eviction and Debt Collection - Study Unit 2	7	9		78%
SHC - Helping Self-Represented Parties in Utah - Family Law - Study Unit 1	4	7		57%
SHC - Helping Self-Represented Parties in Utah - Family Law - Study Unit 2	4	5		80%
SHC - Helping Self-Represented Parties in Utah - Family Law - Study Unit 3	1	2		50%
SHC - Helping Self-Represented Parties in Utah - Family Law - Study Unit 4	0	1		0%
SHC - Helping Self-Represented Parties in Utah - General Civil - Study Unit 1	10	55		18%
SHC - Helping Self-Represented Parties in Utah - General Civil - Study Unit 2	7	7		100%
SHC - Helping Self-Represented Parties in Utah - General Civil - Study Unit 3	8	9		89%
SHC - Helping Self-Represented Parties in Utah - Probate and Guardianship - Study Unit 1	4	6		67%
SHC - Helping Self-Represented Parties in Utah - Probate and Guardianship - Study Unit 2	3	6		50%
SHC - Helping Self-Represented Parties in Utah - Probate and Guardianship - Study Unit 3	3	4		75%
SHC - Helping Self-Represented Parties in Utah - Probate and Guardianship - Study Unit 4	2	4		50%
SHC - Helping Self-Represented Parties in Utah - Testing Session	81		81	100%
Signature Process	12	21		57%
Signing Application	38	57		67%
Signing at the Direction of the Judge - CORIS	41	63		65%
Signing Documents in CARE	0	1		0%
Signing eFiled Orders	1	1		100%
Skills for Communicating and Collaboration	61	104		59%
Sleep from A to Zzzz's	7	10		70%
Small Claims - Pro Tem Judge Training	2	3		67%
Social Justice, Trauma & Mental Illness	10	15		67%
Social Media and the Courts	9	14		64%
Social Media Misinformation/Protection	1	1		100%
State of Utah - Defensive Driver Training	96	157		61%
State of Utah - Security Awareness	41	89		46%
Statewide Probation Leadership Meeting	113		116	97%
Stays	390	402		97%
Stolen Focus	24		33	73%
Strangulation	8		12	67%
Strategies to Address Online Harassment	25		53	47%
Strengthening Family Engagement & Reunifying	10	10		100%
Stress Management and Wellness	19		51	37%

COURSE ENROLLMENTS (BY SUBJECT AND TYPE)

Stronger Together: Delegation and Task Management	22	30		73%
Substance Abuse and Family Court	1	1		100%
Successful Time Management	23	42		55%
Suicide Prevention, QPR - Nov 6th 2023, 9-11	6		7	86%
SurveyMonkey: Create a Survey	17	17		100%
SurveyMonkey: Introduction & Login Information	15	16		94%
SurveyMonkey: Navigation	17	17		100%
SurveyMonkey: Other Features	15	15		100%
SurveyMonkey: Q&A	16	16		100%
SurveyMonkey: Review Survey Responses	15	15		100%
SurveyMonkey: Sending the Survey	15	15		100%
SurveyMonkey: Testing and Modifications	16	16		100%
T4T - Introduction	17	19		89%
T4T - Module 1	13	14		93%
T4T - Module 10	12	12		100%
T4T - Module 2	13	13		100%
T4T - Module 3	13	13		100%
T4T - Module 4	13	14		93%
T4T - Module 5	13	13		100%
T4T - Module 6	17	17		100%
T4T - Module 7	12	12		100%
T4T - Module 8	11	13		85%
T4T - Module 9	11	12		92%
Targeted Response	2		17	12%
Targeted Response Review Booster	17	19		89%
The Care and Feeding Jurors	1	1		100%
The cure for burnout (hint: it isn't self-care) Emily Nago	47	56		84%
The Feminist War on Crime	2	2		100%
The Grind of Hustle Culture	15		20	75%
The power of vulnerability Brené Brown TED Talk	66	79		84%
The surprising habits of original thinkers Adam Grant TED Talk	37	47		79%
The urgent risks of runaway AI -- and what to do about them	9	9		100%
The value of kindness at work James Rhee TED Talk	47	54		87%
The world needs all kinds of minds Temple Grandin TED Talk	125	138		91%
Timeblocks	10	13		77%
Tracking	406	423		96%
Traditional Dine' Beliefs & Teaching	13	19		68%
Traffic School Deferred Prosecution Webinar	77	97		79%
Train the Trainer - My Case and My Paperwork	120	30	138	71%
TrainingBriefs® Happy Holidays	21	26		81%
Transforming Trauma	9	11		82%
Transition to Leadership	10	11		91%
Trauma Informed Care in the Courts	7		11	64%
Trauma Triggers	8		12	67%
Travel Policy	1	1		100%
Trials	17	28		61%
Trust Check Processing	46	47		98%
Trust Checks	13	30		43%
Trust Checks to Write Process	367	374		98%
Trust Reconciliation	19	26		73%
Tybera Webinar - Nov 7th 12-1	10	11		91%
U.S. Supreme Court Decisions	2	3		67%
Unclaimed Property	21	25		84%
Uncontested & Stipulated Divorces	11	11		100%
Uncontested and Stipulated Divorce	25	31		81%
Under 12 Sex Specific Cases NJ Interview Process	1	1		100%
Understanding Racial and Ethnic Disparities in Utah Juvenile Justice	8	9		89%
Understanding Trauma	21	18	20	55%
Understanding Trauma, Domestic Violence & Protective Order Training	116		116	100%
Understanding Unconscious Bias: An Introduction	306	370		83%
Unidentified Payments	11	11		100%
Uniform Fine Schedule, Fine Distribution and Court Costs	63	70		90%
Unlocking Resilience in Leadership	9	14		64%
Uploading Documents in CARE	24	33		73%
Use of State Seal	27	29		93%
Utah Mentorship Program Training - Leading Yourself and Others	28		28	100%
Utilizing Survey Monkey w/Google	16	17		94%
Verbal De-Escalation	189	34	221	74%
Verifying a Cash Count in CARE	40	50		80%
Vicarious Trauma, Protecting Staff & Yourself	1	1		100%
Victim Issues	0	1		0%
View, Edit, and Signing in eFile	364	366		99%
Want to help someone? Shut up and listen! Ernesto Sirotli TED Talk	43	46		93%
Webex App changes	4	6		67%

COURSE ENROLLMENTS

(BY SUBJECT AND TYPE)

WebEx Meetings Update for Clerks	9	12		75%
WebEx Meetings Update for Judges	2	3		67%
Webex Tips & Tricks for Facilitators	4	5		80%
Welcome 2021 Justice Court Clerk Conference	6	6		100%
Welcome and Introduction Webinar	139	149		93%
Welcome Neurodiversity in the Workplace	16	21		76%
Welcome_Motivational Interviewing	0	1		0%
What makes a job "good" -- and the case for investing in people	29	33		88%
When Should I Use ChatGPT?	7	8		88%
When Victim Blaming Goes Digital	25	1	45	54%
Why it's worth listening to people you disagree with you	42	47		89%
Why the secret to success is setting the right goals	30	34		88%
Why we all need to practice emotional first aid Guy Winch	71	82		87%
Why we make bad decisions Dan Gilbert TED Talk	6	10		60%
Word 365: Advanced	1	3		33%
Word 365: Beginner	2	10		20%
Word 365: Intermediate	0	3		0%
Work Crew Skills	5		6	83%
Working with Interpreters	34	47		72%
Working with the Media	9	9		100%
Working with Youth with Problematic Sexual Behavior	31		34	91%
Workplace Harassment	228		259	88%
Workspace - Getting Started	48	79		61%
Writing Tips from an Appellate Perspective	3	3		100%
Your New Life as a Supervisor	12		19	63%
Grand Total	50952	36327	21686	88%

THANK YOU STANDING EDUCATION COMMITTEE

The Standing Education Committee provided guidance and important feedback as the Education Department considered different policies, tools and methods of content delivery during the past year.

Justice Diana Hagen

Outgoing Chair, Utah Supreme Court

Judge Ryan Tenney

Incoming Chair, Utah Court of Appeals

Judge Matthew D. Bates

Third District Court

Neira Siaperas

Deputy State Court Administrator, Administrative Office of the Courts

Megan Haney

Chief Probation Officer, Third District Juvenile Court

Judge Angela Fannesbeck

First District Court

Professor James Hedges

Dean, Division of Online and Continuing Education, Weber State University

Melissa Kennedy

Clerk of Court, Third District Juvenile Court

Marianne Perry

Program Manager, Administrative Office of the Courts

Judge Kirk Morgan

First District Juvenile Court

Bart Olsen

Human Resources Director, Administrative Office of the Courts

Joyce Pace

Trial Court Executive, Fifth District Court

Mark Paradise

Trial Court Executive, Third District Court

Judge J.C. Ynchausti

Davis County Justice Court, Education liaison of the Board of Justice Court Judges

Lauren Andersen

Staff, Judicial Institute Director, Administrative Office of the Courts

Tab 5



Administrative Office of the Courts

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

October 16, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Judicial Council

**FROM: Judge Steven Beck, Chair, Board of Juvenile Court Judges
Sonia Sweeney, Juvenile Court Administrator**

RE: Report to the Judicial Council

The Board of Juvenile Court Judges (Board) has begun adopting goals for the 2024-2025 year. As a result, more goals may be adopted as the Board's deliberations continue, but for now, the Board reports on the following new project, as well as updates on prior projects:

1. Initiative to Contribute to the Job Satisfaction of Core Courthouse Staff

The Board determined that for 2024-2025, it will have a goal of encouraging the Juvenile Bench, following guidance from Human Resources, to strengthen relationships with Judicial Assistants and Probation Officers in different ways, including:

- community-building lunches,
- training for judges related to their implied-leadership role, and
- improved communication and collaboration with the clerical and probation departments.

2. Initiative to Increase Parent/Family Time in Child Welfare Cases

This year, the Board voted to officially transfer its ongoing efforts to improve the quantity and quality of parent time in child welfare cases to the Court Improvement Program (CIP), which will provide regular updates to the Board on this work. This goal was initially established during 2022-2023 and continued during 2023-2024. Notable work has been accomplished in the last two years on this initiative but it is an issue that will require ongoing work and is inherently reliant on system partners. It will be well-suited to be formally housed under the CIP.

3. Data Review of Child Attendance at Hearings

In November 2023, the Board set a goal related to giving children a voice in court. The Board voted to approve a goal of reevaluating child attendance at child welfare hearings, noting the need for children to be heard more meaningfully in court. The Board agreed that collecting data is a crucial first step to understanding why children aren't appearing in court.

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

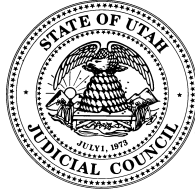
The Board directed that a report be run in CARE for the period of January 2024 through August 2024, to evaluate how often children are appearing at hearings, and when they are not, what the basis is. CARE is programmed to allow clerks to enter the following as explanations: Child too young; Detrimental to child; Impractical to attend; Not excused; and Not stated on the record. The intent of gathering this information is to potentially evaluate the meaning of the term “detrimental” as it is used in UCA 80-3-108(2), as well as identify other ways, such as letters to the court, to ensure children can be heard in court more frequently and meaningfully.

Between January 2024 through August 2024:

- 11,525 hearings at which children were required to be present unless excused;
- 3,237 children were present;
- 3,574 impractical to attend;
- 1,950 detrimental to child;
- 1,903 not stated on the record;
- 791 child too young; and
- 70 not excused.
- The data shows that older children are more likely to be unexcused, while younger children are more often excused for being too young or due to practical concerns.

Based on this initial information, the Board decided to have the Data and Research Department create a dashboard to provide real-time, detailed data by judge, age, hearing type, and location. This will allow for a more flexible analysis without waiting months for reports. The Board intends to explore whether terms (such as "detrimental to the child") can be standardized to ensure greater uniformity.

Tab 6



Administrative Office of the Courts

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

October 21, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Management Committee / Judicial Council
FROM: Keisa Williams
RE: Rule for Final Approval

Proposed amendments to CJA rules 2-102, 3-422, and 3-501 are back from a 45-day public comment period. No comments were received. The Policy, Planning and Technology Committee (PP&T) recommends that the rules be adopted as final with a *November 1, 2024 effective date*.

CJA 2-102. Council agenda (AMEND)

The proposed amendments formalize the existence of the Council's consent calendar, list the items which may be placed on the calendar, outline the process for removing items from the calendar, and require a Council vote on items placed on the consent calendar.

CJA 3-422. Tribal Liason Committee (NEW)

The proposed amendments create a new Judicial Council standing committee, the Tribal Liaison Committee, to serve as a core leadership team for the Tribal Liaison and to provide subject matter expertise to the Council regarding matters impacting both the judiciary and tribal courts.

CJA 3-501. Insurance benefits upon retirement (AMEND)

The proposed amendments clarify policies regarding retirement benefits for commissioners and judges of courts of record and incentive benefits for active senior judges.

CJA 1-205. Standing and ad hoc committees (AMEND)

CJA 3-114. Judicial outreach (REPEAL)

Proposed amendments in lines 50, 309, 384, and 434-466 of CJA rule 1-205 were posted for a 45-day public comment period in August and no comments were received. Those amendments:

- created a new standing committee, the Tribal Liaison Committee;
- removed the general counsel position from the Pretrial Release and Supervision Committee; and

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

- removed the general counsel position from the Working Interdisciplinary Network of Guardianship Stakeholders Committee (WINGS).

PP&T received requests to amend the following as follows:

- eliminate the Pretrial Release and Supervision Committee; and
- consolidate the Judicial Outreach Committee (Outreach Committee) and the Committee on Fairness and Accountability (CFA).

The Committee on Pretrial Release and Supervision is staffed by Michael Drechsel and has been on hiatus since the end of 2021 due to legislative interest in pretrial reform and a federal lawsuit regarding issues related to pretrial reform. The chair's term ended in 2021 and all of the committee members' terms have expired. The Council has shifted its focus to other equally important topics and Mr. Drechsel feels the committee is no longer needed.

Because much of the work of the Outreach Committee and the CFA overlap, the chairs agreed to consolidate. If approved, the CFA would absorb subcommittees from the Outreach Committee and the Outreach Committee would be eliminated, thereby requiring the repeal of CJA rule 3-114. The Office of Fairness and Accountability staffs both committees and would work with the chairs to ensure a smooth transition.

The proposed amendments creating the Tribal Liaison Committee and removing the general counsel position from WINGS remain unchanged.

The Policy, Planning and Technology Committee recommends approving the proposed amendments to CJA 1-205 and repealing CJA 3-114 on an expedited basis with a **November 1, 2024** effective date, followed by a 45-day public comment.

1 **Rule 2-102. Council agenda.**

2

3 **Intent:**

4 To identify the Management Committee's responsibility for establishing the annual schedule of
5 Council meetings and the agenda for each Council meeting.

6

7 To establish a procedure for placing items on the Council agenda for consideration.

8

9 **Applicability:**

10 This rule shall apply to all meetings of the Council.

11

12 **Statement of the Rule:**

13 (1) **Management Committee.** The Management Committee is responsible for establishing the
14 agenda for each Council meeting and for establishing an annual schedule of Council meetings.

15

16 (2) **Annual schedule.** The annual schedule shall include the date and time of Council meetings
17 and shall provide adequate time to review planning, legislation, ~~and~~ budget issues, Council
18 rules, and other matters identified by the Committee. The schedule shall be published by the
19 Committee on an annual basis.

20

21 (3) **Requests.** The ~~agenda for each Council meeting shall be established by the~~ Management
22 Committee, ~~which~~ is responsible for receiving requests for agenda items from the Boards, the
23 Council's standing committees, court staff, and other interested agencies, organizations and
24 individuals.

25

26 (3)(A) Boards – Executive Committees – Council members. Any items recommended
27 for placement on the Council agenda by the Boards, an executive committee of the
28 Council, the Council as a whole, or individual Council members shall be placed on the
29 agenda by the Management Committee.

30

31 (3)(B) All other requests. The Management Committee shall review all other requests,
32 ~~received, approve appropriate matters for Council consideration and, with the assistance~~
33 ~~of the Administrative Office, collect the necessary background information for~~
34 ~~presentation to the Council.~~ Matters ~~which are~~ approved for Council consideration will
35 be placed on the Council agenda as soon as ~~the requisite~~ the necessary background
36 information is available and subject to the scheduling limitations of the Council.

37

38 (4) Agenda. Council agendas shall be divided into two parts: the main agenda and the consent
39 calendar. Unless otherwise directed by the Council, the Management Committee shall place
40 approved items on the Council agenda consistent with the following:

41

42 (4)(A) Main agenda. The following matters shall be placed on the Council's main
43 agenda, unless otherwise directed by the Council:

44

45 _____ (4)(A)(i) standing committee reports;

46

47 _____ (4)(A)(ii) standing or ad hoc committee sunset or reauthorization requests;

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49 _____ (4)(A)(iii) requests to certify, recertify, or dissolve justice courts;

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(4)(A)(iv) senior judge resource requests and certifications;

(4)(A)(v) judicial retention election certifications;

(4)(A)(vi) court commissioner vacancies, appointments, and retention certifications;

(4)(A)(vii) rules recommended for final approval;

(4)(A)(viii) budget requests;

(4)(A)(ix) grant approvals; and

(4)(A)(x) any other matter deemed appropriate by the Council or the Management Committee.

(4)(B) **Consent calendar.** If approved by the Management Committee, the following matters shall be placed on the Council's consent calendar:

(4)(B)(i) rules recommended for public comment;

(4)(B)(ii) committee member appointments;

(4)(B)(iii) court forms; and

(4)(B)(iv) any other matter deemed appropriate by the Council or the Management Committee.

(5) **Consent calendar procedure.** Upon the request of a Council member, a matter may be moved from the consent calendar to the Council's main agenda for action or discussion. The Council may approve all items on the consent calendar without discussion by majority vote.

~~(4) Any items recommended for placement on Council agenda by the Boards, an executive committee, the Council as a whole or individual Council members shall be placed on the agenda by the Management Committee.~~

~~Effective: April November 1, 20241997~~

1 **Rule 3-422. Tribal Liaison Committee**

2
3 **Intent:**

4
5 To establish the Tribal Liaison Committee to serve as a core leadership team for the Tribal
6 Liaison and to provide subject matter expertise to the Council regarding matters impacting both
7 the judiciary and tribal courts.

8
9 **Applicability:**

10
11 This rule applies to the judiciary.

12
13 **Statement of the Rule:**

14
15 (1) The Tribal Liaison Committee shall study government-to-government matters which impact
16 both the judiciary and tribal courts and propose policy recommendations concerning such
17 matters to the Council.

18
19 **(2) Duties of the committee.** The committee shall:

20
21 (2)(A) provide support and guidance to the Tribal Liaison;

22
23 (2)(B) review collaborative tribal and court activities and government-to-government
24 matters which impact the judiciary and tribal courts;

25
26 (2)(C) research, develop, and recommend policies and procedures regarding such
27 government-to-government matters and collaborative activities;

28
29 (2)(D) identify matters which should be presented to the Council for consideration and
30 recommend individuals with special expertise who could act as a resource for the
31 Council; and

32
33 (2)(E) research, develop, and recommend policies and procedures for establishing and
34 maintaining compliance with consultation agreements with Utah's Indian Tribes.

35
36
37 Effective: November 1, 2024

1 **Rule 3-501. Insurance Benefits Upon Retirement.**

2
3 **Intent:**

4 To establish uniform policies regarding sick leave for all judicial officers of courts of record
5 (justices, judges, ~~active senior judges of courts of record,~~ and court commissioners), and
6 conversion of sick leave to paid-up medical, dental, prescription drug, and employer-funded
7 basic life insurance benefits at the time of retirement; and to establish uniform policies for
8 incentive benefits for active senior judges of courts of record.

9 **Applicability:**

10 ~~This rule shall apply to all justices, judges, active senior judges of courts of record, and court~~
11 ~~commissioners of courts of record. Provisions (1) through (4) of this rule apply to all judicial~~
12 ~~officers, not including active senior judges. Provision (5) and (6) of this rule apply only to active~~
13 ~~senior judges of courts of record.~~

14 **Statement of the Rule:**

15 **(1) Earned benefits.**

16 (1)(A) For each year of full-time employment that a ~~justice, judge, or court~~
17 ~~commissioner~~ judicial officer uses less than four days of sick leave in a calendar year, the
18 ~~judge, justice, or court commissioner~~ judicial officer ~~will be eligible for and~~
19 ~~accumulate~~ accrues eligibility for eight months of paid-up medical ~~insurance,~~ dental
20 ~~insurance,~~ prescription drug, ~~insurance~~ and employer-funded basic life insurance
21 benefits at the time of retirement. Dental and employer-funded basic life insurance
22 coverage is dependent upon the judicial officer's age at retirement. Upon retirement, the
23 judicial officer shall declare to the Human Resources Department if they are otherwise
24 covered by a comparable medical insurance policy. If not, the judicial officer shall
25 receive the accrued insurance benefits. ~~submission of an annual application and a~~
26 ~~showing that the judge, justice, or court commissioner is not otherwise covered by a~~
27 ~~comparable medical insurance policy, the judge, justice, or court commissioner shall be~~
28 ~~eligible for and receive the insurance benefits which have accrued.~~

29 (1)(B) Maternity leave and parental leave is considered sick leave for determining
30 benefits under this rule.

31 (1)(C) Medical, ~~and~~ dental, and prescription drug insurance coverage provided will be
32 the same as that carried by the ~~justice, judge, or court commissioner~~ judicial officer at
33 retirement, ~~i.e., family, two party, single if the judicial officer is under age 65 at~~
34 ~~retirement.~~ The judicial officer shall continue to pay their portion of the shared premiums
35 and the judiciary shall continue to pay its portion of the shared premiums.

36 (1)(D) Medical and prescription drug insurance coverage provided will convert to the
37 PEHP Medicare Supplement and Enhanced Pharmacy insurance benefits if the judicial
38 officer is age 65 or older on the effective date of retirement. Dental and employer-
39 funded basic life insurance benefits shall terminate when the judicial officer is eligible for
40 Medicare. The judiciary covers 100% of the cost of premiums for the PEHP Medicare
41 Supplement and Enhanced Pharmacy plans for the judicial officer and spouse.

42 (1)(D)(i) If the judicial officer is enrolled in a high deductible plan, it is their
43 responsibility to stop all contributions (employee and employer) six months prior
44 to applying for Medicare benefits to avoid a Social Security (Medicare) penalty

45 tax. The judicial officer is responsible for contacting the PEHP Flex Department
 46 to stop all contributions.

47 (1)(D)(ii) If the spouse of the judicial officer is not Medicare eligible when the
 48 judicial officer retires, the spouse's coverage will remain the same as that carried
 49 by the judicial officer at retirement until the spouse is eligible for Medicare or until
 50 earned benefits are exhausted, whichever is earlier.

51
 52 ~~(2) **Automatic benefits.** Notwithstanding the provisions of paragraph (1), a justice, judge, or~~
 53 ~~court commissioner who retires and who is eligible for retirement benefits at the time of~~
 54 ~~retirement shall receive a maximum of five years medical insurance, dental insurance,~~
 55 ~~prescription drug insurance and life insurance.~~

56
 57 ~~(23) **Duration of benefits.**~~

58 ~~(23)(A) The duration of earned benefits shall be calculated based on the judicial officer's~~
 59 ~~last work day. Active employee insurance coverage ends on the last day of the month in~~
 60 ~~which the judicial officer worked. Retiree insurance coverage or the PEHP Medicare~~
 61 ~~Supplement and Enhanced Pharmacy coverage begins on the first of the month~~
 62 ~~following the judicial officer's last work day. ~~from the effective date of the justice's,~~~~
 63 ~~judge's or court commissioner's retirement.~~ Earned benefits shall not exceed seven
 64 years. ~~Automatic benefits shall not exceed five years. Earned benefits and automatic~~
 65 ~~benefits shall not exceed seven years.~~

<u>YEARS in which judicial officer used fewer than 4 days of sick leave in the calendar year</u>	<u>TOTAL NUMBER OF MONTHS PAID INSURANCE (1 year --> 8 months)</u>	<u>YEARS OF PAID INSURANCE</u>
<u>1 year</u>	<u>8 months</u>	
<u>2 years</u>	<u>16 months</u>	<u>1 year, 4 months</u>
<u>3 years</u>	<u>24 months</u>	<u>2 years</u>
<u>4 years</u>	<u>32 months</u>	<u>2 years, 8 months</u>
<u>5 years</u>	<u>40 months</u>	<u>3 years, 4 months</u>
<u>6 years</u>	<u>48 months</u>	<u>4 years</u>
<u>7 years</u>	<u>56 months</u>	<u>4 years, 8 months</u>
<u>8 years</u>	<u>64 months</u>	<u>5 years, 4 months</u>
<u>9 years</u>	<u>72 months</u>	<u>6 years</u>
<u>10 years</u>	<u>80 months</u>	<u>6 years, 8 months</u>
<u>11 years</u>	<u>88 months</u>	<u>7 years</u>

66
 67 ~~(23)(B) If the judicial officer is under age 65 at retirement, when the judicial officer~~
 68 ~~reaches age 65, retiree insurance coverage shall convert to the PEHP Medicare~~
 69 ~~Supplement and Enhanced Pharmacy insurance coverage, and coverage Earned~~
 70 ~~benefits and automatic benefits shall terminate when the justice, judge, or commissioner~~

~~is eligible for Medicare, except that prescription drug insurance and supplemental Medicare insurance shall continue for the remaining duration/balance of the term of earned or automatic benefits. Dental and employer-funded basic life insurance benefits shall terminate when the judicial officer reaches age 65.~~

~~(23)(C) If the judicial officer is under age 65 at retirement but the spouse is 65 or older, the spouse's coverage will remain the same as that carried by the judicial officer at retirement until the judicial officer becomes eligible for Medicare. The spouse's retiree insurance coverage shall convert to the PEHP Medicare Supplement and Enhanced Pharmacy insurance coverage, and shall continue for the remaining duration of the term of earned benefits. If the spouse of the justice, judge, or court commissioner qualifies for medical insurance, prescription drug insurance or dental insurance under subsection (1)(C), such insurance shall continue for the period of earned or automatic benefits or until the spouse becomes eligible for Medicare, whichever is earlier, except that prescription drug insurance and supplemental Medicare insurance for the spouse shall continue for the balance of the term of earned or automatic benefits.~~

~~(23)(D) Earned or automatic benefits for dependents, other than a spouse, of the justice, judge, or court commissioner/judicial officer terminate when the justice, judge, or court commissioner/judicial officer reaches age 65 or until the dependent reaches age 26, whichever is earlier.~~

~~(2)(E) Additional life insurance coverage shall terminate for the judicial officer's spouse and dependent(s) when employment ends.~~

~~(34) Recording s Sick leave. As authorized by Utah Code Section 78A-2-107, the state court administrator or designee will develop methods for recording sick leave used each year by judicial officers/justices, judges, and court commissioners and for recording sick leave conversion to paid-up medical, dental and life insurance benefits.~~

~~(45) Active senior judge incentive benefit.~~

~~(45)(A) The judiciary will pay 50% of the cost of medical and dental insurance premiums for a qualifying active senior judge and spouse until the qualifying active senior judge is reaches age 65. The judiciary will pay 50% of the cost of supplemental/the PEHP Medicare Supplemental and Enhanced Pharmacy insurance coverage and prescription drugs for a qualifying active senior judge and spouse if the active senior judge and spouse are/is age 65 or older.~~

~~(45)(B) To qualify for the incentive benefit the active senior judge must:~~

~~(45)(B)(i) qualify as an active senior judge pursuant to rule 11-201;~~

~~(45)(B)(ii) have exhausted the earned and automatic benefits provided for by this rule;~~

~~(45)(B)(iii) submit to the state court administrator or their designee a letter expressing an intent to participate in the incentive benefit program;~~

~~(45)(B)(iv) comply with qualifications for reappointment as outlined in rule 11-201 during the active senior judge's term of appointment; and~~

~~(45)(B)(v) show good cause to the Council why the active senior judge should not be disqualified for the incentive benefit if the active senior judge has not performed case work for two or more fiscal years.~~

116 (45)(C) The ~~State Retirement Office shall deduct from the~~ active senior judge is
117 responsible for their portion of insurance premium deductions and shall coordinate with
118 URS and/or PEHP as applicable's retirement benefit the portion of the cost payable by
119 the active senior judge.

120
121 (56) **Inactive status.** If an active senior judge who receives the incentive benefit changes to
122 inactive status, the senior judge shall notify the state court administrator or designee and the
123 Human Resources Department in writing that the active senior judge has converted to inactive
124 status and is receiving the incentive benefit. ~~The state court administrator or designee shall~~
125 ~~notify Human Resources and URS shall notify PEHP~~ of the change in status.

126 (67) **Availability of funds.** ~~This policy will be i~~Implementation of this rule ised subject to
127 availability of funds.

128 *Effective: August 1, 2024/~~5/30/2024~~*

1 **Rule 1-205. Standing and Ad Hoc Committees.**

2

3 **Intent:**

4 To establish standing and ad hoc committees to assist the Council and provide
5 recommendations on topical issues.

6

7 To establish uniform terms and a uniform method for appointing committee members.

8

9 To provide for a periodic review of existing committees to assure that their activities are
10 appropriately related to the administration of the judiciary.

11

12 **Applicability:**

13 This rule ~~shall~~ applies to the internal operation of the Council.

14

15 **Statement of the Rule:**

16 **(1) Standing Committees.**

17 (1)(A) **Establishment.** The following standing committees of the Council are hereby
18 established:

19 (1)(A)(i) Uniform Fine Committee;

20

21 (1)(A)(ii) Ethics Advisory Committee;

22

23 (1)(A)(iii) Judicial Branch Education Committee;

24

25 (1)(A)(iv) Court Facility Planning Committee;

26

27 (1)(A)(v) Committee on Children and Family Law;

28

29 ~~(1)(A)(vi) Committee on Judicial Outreach;~~

30

31 (1)(A)(vii) Committee on Resources for Self-represented Parties;

32

33 (1)(A)(viii) Language Access Committee;

34

35 (1)(A)(~~viii~~) Guardian ad Litem Oversight Committee;

36

37 (1)(A)(ix) Committee on Model Utah Civil Jury Instructions;

38

39 (1)(A)(xi) Committee on Model Utah Criminal Jury Instructions;

40

41 ~~(1)(A)(xii) Committee on Pretrial Release and Supervision; and~~

42

43 (1)(A)(xii) Committee on Court Forms;

44
45 (1)(A)(xiii) Committee on Judicial Fairness and Accountability; ~~and~~

46
47 (1)(A)(xiv) Working Interdisciplinary Network of Guardianship Stakeholders
48 (WINGS); ~~and~~

49
50 (1)(A)(xiv) Tribal Liaison Committee.

51
52 (1)(B) **Composition.**

53 (1)(B)(i) The **Uniform Fine Committee** performs the duties described in rule 4-
54 302 and ~~shall~~will consist of:

55 (1)(B)(i)(a) one district court judge who has experience with a felony
56 docket;

57
58 (1)(B)(i)(b) three district court judges who have experience with a
59 misdemeanor docket; and

60
61 (1)(B)(i)(c) four justice court judges.

62
63 (1)(B)(ii) The **Ethics Advisory Committee** performs the duties described in rule
64 3-109 and ~~shall~~will consist of:

65 (1)(B)(ii)(a) one judge from the Court of Appeals;

66 (1)(B)(ii)(b) one district court judge from Judicial Districts 2, 3, or 4;

67 (1)(B)(ii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;

68
69 (1)(B)(ii)(d) one juvenile court judge;

70
71 (1)(B)(ii)(e) one justice court judge; and

72
73 (1)(B)(ii)(f) an attorney from either the Bar or a college of law.

74
75
76
77 (1)(B)(iii) The **Judicial Branch Education Committee** performs the duties
78 described in rule 3-403 ~~shall~~will consist of:

79 (1)(B)(iii)(a) one judge from an appellate court;

80 (1)(B)(iii)(b) one district court judge from Judicial Districts 2, 3, or 4;

81 (1)(B)(iii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;

82
83 (1)(B)(iii)(d) one juvenile court judge;

86
87 (1)(B)(iii)(e) the education liaison of the Board of Justice Court Judges;
88
89 (1)(B)(iii)(f) one state level administrator;
90
91 (1)(B)(iii)(g) the Human Resource Management Director;
92
93 (1)(B)(iii)(h) one court executive;
94
95 (1)(B)(iii)(i) one juvenile court probation representative;
96
97 (1)(B)(iii)(j) two court clerks from different levels of court and different
98 judicial districts;
99
100 (1)(B)(iii)(k) one data processing manager; and
101
102 (1)(B)(iii)(l) one adult educator from higher education.
103
104 (1)(B)(iii)(m) The Human Resource Management Director and the adult
105 educator ~~shall~~will serve as non-voting members. The state level
106 administrator and the Human Resource Management Director ~~shall~~will
107 serve as permanent Committee members.

108
109 (1)(B)(iv) The **Court Facility Planning Committee** performs the duties
110 described in rule 3-409 and ~~shall~~will consist of:

111 (1)(B)(iv)(a) one judge from each level of trial court;

112
113 (1)(B)(iv)(b) one appellate court judge;

114
115 (1)(B)(iv)(c) the state court administrator;

116
117 (1)(B)(iv)(d) a trial court executive;

118
119 (1)(B)(iv)(e) two business people with experience in the construction or
120 financing of facilities; and

121
122 (1)(B)(iv)(f) the court security director.

123
124 (1)(B)(v) The **Committee on Children and Family Law** performs the duties
125 described in rule 4-908 and ~~shall~~will consist of:

126 (1)(B)(v)(a) one Senator appointed by the President of the Senate;
127

- 128 (1)(B)(v)(b) the Director of the Department of Human Services or
129 designee;
- 130
- 131 (1)(B)(v)(c) one attorney of the Executive Committee of the Family Law
132 Section of the Utah State Bar;
- 133
- 134 (1)(B)(v)(d) one attorney with experience in abuse, neglect and
135 dependency cases;
- 136
- 137 (1)(B)(v)(e) one attorney with experience representing parents in abuse,
138 neglect and dependency cases;
- 139
- 140 (1)(B)(v)(f) one representative of a child advocacy organization;
- 141
- 142 (1)(B)(v)(g) the ADR Program Director or designee;
- 143
- 144 (1)(B)(v)(h) one professional in the area of child development;
- 145
- 146 (1)(B)(v)(i) one mental health professional;
- 147
- 148 (1)(B)(v)(j) one representative of the community;
- 149
- 150 (1)(B)(v)(k) the Director of the Office of Guardian ad Litem or designee;
- 151
- 152 (1)(B)(v)(l) one court commissioner;
- 153
- 154 (1)(B)(v)(m) two district court judges; and
- 155
- 156 (1)(B)(v)(n) two juvenile court judges.
- 157
- 158 (1)(B)(v)(o) One of the district court judges and one of the juvenile court
159 judges ~~shall~~will serve as co-chairs to the committee. In its discretion the
160 committee may appoint non-members to serve on its subcommittees.

161
162 ~~(1)(B)(vi) The Committee on Judicial Outreach performs the duties described~~
163 ~~in rule 3-114 and shall consist of:~~

164 ~~(1)(B)(vi)(a) one appellate court judge;~~

165
166 ~~(1)(B)(vi)(b) one district court judge;~~

167
168 ~~(1)(B)(vi)(c) one juvenile court judge;~~

169
170 ~~(1)(B)(vi)(d) one justice court judge; one state level administrator;~~
171

172 ~~(1)(B)(vi)(e) a state level judicial education representative;~~
173
174 ~~(1)(B)(vi)(f) one court executive;~~
175
176 ~~(1)(B)(vi)(g) one Utah State Bar representative;~~
177
178 ~~(1)(B)(vi)(h) one communication representative;~~
179
180 ~~(1)(B)(vi)(i) one law library representative;~~
181
182 ~~(1)(B)(vi)(j) one civic community representative; and~~
183
184 ~~(1)(B)(vi)(k) one state education representative.~~
185 ~~l.~~
186
187 ~~(1)(B)(vi)(m) Chairs of the Judicial Outreach Committee's subcommittees~~
188 ~~shall also serve as members of the committee.~~

189
190 (1)(B)(vii) The **Committee on Resources for Self-represented**
191 **Parties** performs the duties described in rule 3-115 and ~~shall~~ will consist of:

192 (1)(B)(vii)(a) two district court judges;

193
194 (1)(B)(vii)(b) one juvenile court judge;

195
196 (1)(B)(vii)(c) two justice court judges;

197
198 (1)(B)(vii)(d) three clerks of court – one from an appellate court, one from
199 an urban district and one from a rural district;

200
201 (1)(B)(vii)(e) one representative from a social services organization
202 providing direct services to underserved communities;

203
204 (1)(B)(vii)(f) one representative from the Utah State Bar;

205
206 (1)(B)(vii)(g) two representatives from legal service organizations that
207 serve low-income clients;

208
209 (1)(B)(vii)(h) one private attorney experienced in providing services to
210 self-represented parties;

211
212 (1)(B)(vii)(i) two law school representatives;

213
214 (1)(B)(vii)(j) the state law librarian; and
215

216 (1)(B)(vii)(k) two community representatives.

217

218 (1)(B)(viii) The **Language Access Committee** performs the duties described in
219 rule 3-306.02 and ~~shall~~will consist of:

220 (1)(B)(viii)(a) one district court judge;

221

222 (1)(B)(viii)(b) one juvenile court judge;

223

224 (1)(B)(viii)(c) one justice court judge;

225

226 (1)(B)(viii)(d) one trial court executive;

227

228 (1)(B)(viii)(e) one court clerk;

229

230 (1)(B)(viii)(f) one interpreter coordinator;

231

232 (1)(B)(viii)(g) one probation officer;

233

234 (1)(B)(viii)(h) one prosecuting attorney;

235

236 (1)(B)(viii)(i) one defense attorney;

237

238 (1)(B)(viii)(j) two certified interpreters;

239

240 (1)(B)(viii)(k) one approved interpreter;

241

242 (1)(B)(viii)(l) one expert in the field of linguistics; and

243

244 (1)(B)(viii)(m) one American Sign Language representative.

245

246 (1)(B)(~~viii~~ix) The **Guardian ad Litem Oversight Committee** performs the duties
247 described in rule 4-906 and ~~shall~~will consist of:

248 (1)(B)(~~viii~~ix)(a) seven members with experience in the administration of
249 law and public services selected from public, private and non-profit
250 organizations.

251

252 (1)(B)(ix) The **Committee on Model Utah Civil Jury Instructions** performs the
253 duties described in rule 3-418 and ~~shall~~will consist of:

254

255 (1)(B)(ix)(a) two district court judges;

256

257 (1)(B)(ix)(b) four lawyers who primarily represent plaintiffs;

258

259 (1)(B)(ix)(c) four lawyers who primarily represent defendants; and

260

261 (1)(B)(ix)(d) one person skilled in linguistics or communication.

262

263 (1)(B)(xi) The **Committee on Model Utah Criminal Jury Instructions** performs

264 the duties described in rule 3-418 and ~~shall~~will consist of:

265 (1)(B)(xi)(a) two district court judges;

266

267 (1)(B)(xi)(b) one justice court judge;

268

269 (1)(B)(xi)(c) four prosecutors;

270

271 (1)(B)(xi)(d) four defense counsel; and

272

273 (1)(B)(xi)(e) one person skilled in linguistics or communication.

274

275 ~~(1)(B)(xii) The **Committee on Pretrial Release and Supervision** performs the~~

276 ~~duties described in rule 3-116 and shall consist of:~~

277 ~~(1)(B)(xii)(a) two district court judges;~~

278

279 ~~(1)(B)(xii)(b) two justice court judges;~~

280

281 ~~(1)(B)(xii)(c) one prosecutor;~~

282

283 ~~(1)(B)(xii)(d) one defense attorney;~~

284

285 ~~(1)(B)(xii)(e) one county sheriff;~~

286

287 ~~(1)(B)(xii)(f) one representative of counties;~~

288

289 ~~(1)(B)(xii)(g) one representative of a county pretrial services agency;~~

290

291 ~~(1)(B)(xii)(h) one representative of the Utah Commission on Criminal and~~

292 ~~Juvenile Justice;~~

293

294 ~~(1)(B)(xii)(i) one commercial surety agent;~~

295

296 ~~(1)(B)(xii)(j) one state senator;~~

297

298 ~~(1)(B)(xii)(k) one state representative;~~

299

300 ~~(1)(B)(xii)(l) the Director of the Indigent Defense Commission or designee;~~

301

302 ~~(1)(B)(xii)(m) one representative of the Utah Victims' Council;~~

303
304 ~~(1)(B)(xii)(n) one representative of a community organization actively~~
305 ~~engaged in pretrial justice issues;~~

306
307 ~~(1)(B)(xii)(o) one chief of police; and~~

308
309 ~~(1)(B)(xii)(p) the court's general counsel or designee.~~

310

311 (1)(B)(xii) The **Committee on Court Forms** performs the duties described in
312 rule 3-117 and ~~shall~~will consist of:

313 (1)(B)(xii)(a) two district court judges;

314

315 (1)(B)(xii)(b) one court commissioner;

316

317 (1)(B)(xii)(c) one juvenile court judge;

318

319 (1)(B)(xii)(d) one justice court judge;

320

321 (1)(B)(xii)(e) one court clerk;

322

323 (1)(B)(xii)(f) one appellate court staff attorney;

324

325 (1)(B)(xii)(g) one representative from the Self-Help Center;

326

327 (1)(B)(xii)(h) the State Law Librarian;

328

329 (1)(B)(xii)(i) the district court administrator or designee;

330

331 (1)(B)(xii)(j) one representative from a legal service organization that
332 serves low-income clients;

333

334 (1)(B)(xii)(k) one paralegal;

335

336 (1)(B)(xii)(l) one educator from a paralegal program or law school;

337

338 (1)(B)(xii)(m) one person skilled in linguistics or communication;

339

340 (1)(B)(xii)(n) one representative from the Utah State Bar; and

341

342 (1)(B)(xii)(o) the LPP administrator.

343

344 (1)(B)(xii) The **Committee on Fairness and Accountability** performs the
345 duties described in rule 3-420. The committee ~~shall~~will include members who

346 demonstrate an interest in or who have experience with issues of diversity,
347 equity, and inclusion and ~~shall~~will consist of:

- 348 (1)(B)(~~xii~~v)(a) one district court judge;
- 349
- 350 (1)(B)(~~xii~~v)(b) one juvenile court judge;
- 351
- 352 (1)(B)(~~xii~~v)(c) one justice court judge;
- 353
- 354 (1)(B)(~~xii~~v)(d) one appellate court judge;
- 355
- 356 (1)(B)(~~xii~~v)(e) two former judges from any court level;
- 357
- 358 (1)(B)(~~xii~~v)(f) the General Counsel or designee;
- 359
- 360 (1)(B)(~~xii~~v)(g) one representative of the community;
- 361
- 362 (1)(B)(~~xii~~v)(h) the Director of the Office of Fairness and Accountability;
- 363
- 364 (1)(B)(~~xii~~v)(i) the Director of Data and Research or designee; and
- 365
- 366 (1)(B)(~~xii~~v)(j) up to two additional qualified individuals.
- 367

368 (1)(B)(~~xiii~~v) The **Working Interdisciplinary Network of Guardianship**
369 **Stakeholders (WINGS)** performs the duties described in rule 3-421, and ~~shall~~
370 will consist of:

- 371 (1)(B)(~~xiii~~v)(a) **Judiciary** representatives:
- 372
- 373 (1)(B)(~~xiii~~v)(a)(i) two or more district court judges;
- 374
- 375 (1)(B)(~~xiii~~v)(a)(ii) two or more district court judicial support staff
- 376 with experience in guardianship matters;
- 377
- 378 (1)(B)(~~xiii~~v)(a)(iii) one representative from the Guardianship
- 379 Reporting and Monitoring Program (GRAMP); ~~and~~
- 380
- 381 (1)(B)(~~xiii~~v)(a)(iv) one representative from the Court Visitor
- 382 Program; ~~and~~
- 383
- 384 ~~(1)(B)(~~xv~~)(a)(v) the General Counsel or designee.~~
- 385
- 386 (1)(B)(~~xiii~~v)(b) **Community stakeholder** representatives:
- 387 (1)(B)(~~xiii~~v)(b)(i) one representative from Adult Protective
- 388 Services;

- 389
- 390 (1)(B)(~~xiii~~)(b)(ii) one representative from Disability Law Center;
- 391
- 392 (1)(B)(~~xiii~~)(b)(iii) one representative from Adult and Aging
- 393 Services;
- 394
- 395 (1)(B)(~~xiii~~)(b)(iv) one representative from Office of Public
- 396 Guardian;
- 397
- 398 (1)(B)(~~xiii~~)(b)(v) one representative from the Utah State Bar;
- 399
- 400 (1)(B)(~~xiii~~)(b)(vi) one representative from Office of the Attorney
- 401 General;
- 402
- 403 (1)(B)(~~xiii~~)(b)(vii) one representative from the Utah legislature;
- 404
- 405 (1)(B)(~~xiii~~)(b)(viii) one representative from the Utah Commission
- 406 on Aging;
- 407
- 408 (1)(B)(~~xiii~~)(b)(ix) one representative from Utah Legal Services;
- 409 and
- 410
- 411 (1)(B)(~~xiii~~)(b)(x) the Long-Term Care Ombudsman or designee.
- 412
- 413 (1)(B)(~~xiii~~)(c) **Individual community** representatives. Three or more
- 414 community stakeholders representing:
- 415 (1)(B)(~~xiii~~)(c)(i) mental health community;
- 416
- 417 (1)(B)(~~xiii~~)(c)(ii) medical community;
- 418
- 419 (1)(B)(~~xiii~~)(c)(iii) private legal community that specializes in
- 420 guardianship matters;
- 421
- 422 (1)(B)(~~xiii~~)(c)(iv) aging-adult services community;
- 423
- 424 (1)(B)(~~xiii~~)(c)(v) educator from a legal program or law school;
- 425
- 426 (1)(B)(~~xiii~~)(c)(vi) organization serving low-income, minorities, or
- 427 marginalized communities;
- 428
- 429 (1)(B)(~~xiii~~)(c)(vii) citizens under or involved in guardianship; and
- 430
- 431 (1)(B)(~~xiii~~)(c)(viii) other organizations with a focus including, but
- 432 not limited to guardianship, aging, legal services, or disability.

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(1)(B)(xiv) The Tribal Liaison Committee performs the duties described in rule 3-422 and will consist of:

(1)(B)(xiv)(a) one district court judge;

(1)(B)(xiv)(b) one juvenile court judge;

(1)(B)(xiv)(c) one justice court judge;

(1)(B)(xiv)(d) one appellate court judge;

(1)(B)(xiv)(e) one federal district court judge or magistrate;

(1)(B)(xiv)(f) one tribal court judge;

(1)(B)(xiv)(g) two representatives of Utah's Indian Tribes or affiliated community groups;

(1)(B)(xiv)(h) the Tribal Liaison;

(1)(B)(xiv)(i) one trial court executive;

(1)(B)(xiv)(j) one clerk of court or designee;

(1)(B)(xiv)(k) one representative from the Utah State Bar Indian Law Section;

(1)(B)(xiv)(l) one representative from the United States Attorney's Office;

(1)(B)(xiv)(m) one representative from the Indigent Defense Commission;
and

(1)(B)(xiv)(n) one representative from the Guardian ad Litem's Office.

(1)(C) **Standing committee chairs.** The Judicial Council ~~shall~~will designate the chair of each standing committee. Standing committees ~~shall~~will meet as necessary to accomplish their work. Standing committees ~~shall~~will report to the Council as necessary but a minimum of once every year. Except for the Committee on Judicial Fairness and Accountability, council members may not serve, participate or vote on standing committees. Standing committees may invite participation by others as they deem advisable, but only members designated by this rule may make motions and vote. All members designated by this rule may make motions and vote unless otherwise specified. Standing committees may form subcommittees as they deem advisable.

477
478 (1)(D) **Committee performance review.** At least once every six years, the Management
479 Committee ~~shall~~will review the performance of each committee. If the Management
480 Committee determines that committee continues to serve its purpose, the Management
481 Committee ~~shall~~will recommend to the Judicial Council that the committee continue. If
482 the Management Committee determines that modification of a committee is warranted, it
483 may so recommend to the Judicial Council.

484
485 (1)(D)(i) Notwithstanding subsection (1)(D), the Guardian ad Litem Oversight
486 Committee, recognized by Section 78A-6-901, ~~shall~~will not terminate.

487
488 (2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider
489 topical issues outside the scope of the standing committees and to recommend rules or
490 resolutions concerning such issues. The Council may set and extend a date for the termination
491 of any ad hoc committee. The Council may invite non-Council members to participate and vote
492 on ad hoc committees. Ad hoc committees ~~shall~~will keep the Council informed of their activities.
493 Ad hoc committees may form sub-committees as they deem advisable. Ad hoc committees ~~shall~~
494 will disband upon issuing a final report or recommendations to the Council, upon expiration of
495 the time set for termination, or upon the order of the Council.

496
497 (3) **General provisions.**

498 (3)(A) **Appointment process.**

499 (3)(A)(i) **Administrator's responsibilities.** The state court administrator ~~shall~~will
500 select a member of the administrative staff to serve as the administrator for
501 committee appointments. Except as otherwise provided in this rule, the
502 administrator ~~shall~~will:

503
504 (3)(A)(i)(a) announce expected vacancies on standing committees two
505 months in advance and announce vacancies on ad hoc committees in a
506 timely manner;

507
508 (3)(A)(i)(b) for new appointments, obtain an indication of willingness to
509 serve from each prospective appointee and information regarding the
510 prospective appointee's present and past committee service;

511
512 (3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve
513 from the prospective reappointee, the length of the prospective
514 reappointee's service on the committee, the attendance record of the
515 prospective reappointee, the prospective reappointee's contributions to
516 the committee, and the prospective reappointee's other present and past
517 committee assignments; and

518

519 (3)(A)(i)(d) present a list of prospective appointees and reappointees to
520 the Council and report on recommendations received regarding the
521 appointment of members and chairs.

522
523 (3)(A)(ii) **Council's responsibilities.** The Council ~~shall~~will appoint the chair of
524 each committee. Whenever practical, appointments ~~shall~~will reflect
525 geographical, gender, cultural and ethnic diversity.

526
527 (3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members
528 ~~shall~~will serve staggered three year terms. Standing committee members ~~shall~~may not
529 serve more than two consecutive terms on a committee unless the Council determines
530 that exceptional circumstances exist which justify service of more than two consecutive
531 terms.

532
533 (3)(C) **Expenses.** Members of standing and ad hoc committees may receive
534 reimbursement for actual and necessary expenses incurred in the execution of their
535 duties as committee members.

536
537 (3)(D) **Secretariat.** The Administrative Office ~~shall~~will serve as secretariat to the
538 Council's committees.

539
540 *Effective: ~~November~~June 1, 2024~~3~~*

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

2 **Intent:**

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

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

5 ~~To provide leadership and resources for outreach.~~

6 **Applicability:**

7 ~~This rule shall apply to all members of the judiciary.~~

8 **Statement of the Rule:**

9 ~~(1) The Committee on Judicial Outreach shall:~~

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

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

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

15 ~~(1)(D) work with educators to enhance civic education in school curricula;~~

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

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

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

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

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

25 ~~Effective: May 1, 2016~~

Tab 7



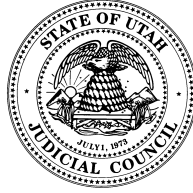
JPEC UPDATE

- Early election analytics show high website traffic at judges.utah.gov
- Online comment themes include
 - Voting “no” down the ballot
 - Commentary on recent court rulings
 - Interest in knowing party-affiliation and sentencing data
 - Confusion about what the vote means

JPEC EXPECTATIONS

- JPEC hopes to increase website traffic from last election
- Strong statistical correlation between scores and votes

Tab 8



Administrative Office of the Courts

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

September 30th, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Management Committee, Utah Judicial Council

**FROM: Katy Collins, Statewide Treatment Court Coordinator
Cris Karren, Statewide Treatment Court Certification Coordinator**

RE: Treatment Court Certification - Recommendations

According to UCJA [Rule 4-409](#) Council Approval of Problem-Solving Courts, each problem-solving court must be considered for certification by the Judicial Council every two years. Prior to submitting certification recommendations to the Judicial Council, the Statewide Treatment Court Coordinator and the Statewide Treatment Court Certification Coordinator conduct site visits with each court to observe the pre-court staffing and treatment court hearings as well as interview each team member. The coordinators also reviewed the Certification Checklist, staffing documents and the policy and procedure manuals for each treatment court. Each court will receive a jurisdiction report which includes the strengths, recommendations, and resources. The coordinators will also follow up with each court after they have reviewed the report and offer support as requested.

The following Courts are submitted to the Council for approval:

Seventh District Carbon Co, Price, Judge Bolinder, Adult Drug Court

Required Certification Criteria

Criteria #7 Current or prior offenses may not disqualify candidates from participation in the Drug Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Drug Court. We are working with the team to review the referral process, screening and eligibility criteria to ensure the process remains objective and inclusive.

Criteria #31 The program requires a period of at least 90 consecutive days drug-free to graduate. After meeting with the team, there have been instances where a participant was not required to obtain 90 consecutive days of sobriety. The policy and procedure manual states a participant must have a minimum of 6 months sobriety prior to commencement. We are working

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

with the team to update their phase structure, incentives/sanctions and policy and procedure manual.

Criteria #32 The minimum length of the program is 12 months. After meeting with the team, it was determined that the minimum program length is 12 months.

Criteria #46 Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court. After meeting with the team and reviewing the policy and procedure manual, the participants meet with 4 Corners and the community service officer. They must submit documentation to the team and the requirements are determined by the phase.

Presumed Certification Criteria

Criteria #11 Drug test results are available within 48 hours. The Court checked no incorrectly. They do receive test results within 48 hours the majority of the time. The toxicology agency has decreased the processing time for confirmation tests.

Criteria #27 All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services. The team requested support for all team members. The training information is being provided to the team in the jurisdiction report.

Criteria #40 The program conducts an exit interview for self-improvement. The team would like more information on exit interviews. More information and examples will be included in the jurisdiction report.

Non-Certification Related Criteria

Criteria #4 For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated. (No response selected) The provider reports this is done as time allows. Many participants continue in outpatient treatment after completing drug court.

Criteria #10 Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program. The drug court requested more support in onboarding new team members. The training information is being provided to the team in the jurisdiction report.

Criteria #14 Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes. 4 Corners tracks their own information and shares it with the Team during staffing but there is no current Treatment Court case management system.

Criteria #16 The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants. 4 Corners is exploring ways to track this information.

Seventh District Carbon Co, Price, Judge Bolinder, Adult Mental Health Court

Required Certification Criteria

Criteria #26 Drug testing is random, and is available on weekends and holidays. The team is working on improving the testing schedule as well as ensuring there are staff available to facilitate the tests.

Criteria #43 Participants complete a final phase of the Mental health Court focusing on relapse prevention and continuing care. The provider reported during the interviews that participants do receive relapse prevention and continuing care services. This should be checked yes.

Presumed Certification Criteria

Criteria #11 Drug test results are available within 48 hours. The Court checked no incorrectly. They do receive test results within 48 hours the majority of the time. The toxicology agency has decreased the processing time for confirmation tests.

Criteria #23 Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy. The provider reported during the interview that there are limited 12 step meeting options due to the size of the community. USARA is available to provide support and attends the treatment court hearings.

Criteria #28 Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Mental health Court. The provider reported during the interviews, participants are referred to vocational training/support.

Criteria #29 Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose. The provider reported during the interview that they do have a relapse prevention group. This checkmark should be changed to a yes.

Criteria #34 New staff hires receive a formal orientation training on the Mental health Court model and best practices in Mental health Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter. The team requested onboarding support for new team members. The training information is being provided to the team in the jurisdiction report.

Criteria #39 Staff members are required to record information concerning the provision of services and program outcomes within forty-eight hours of the respective events. The providers reported during the interview that they track services and treatment outcomes.

Criteria #40 The program conducts an exit interview for self-improvement. The team requested information on exit interviews and procedural fairness surveys.

Non-Certification Related Criteria

Criteria #7 Female participants receive trauma-related services in gender-specific groups. The provider reported they do offer gender specific groups and the Seeking Safety Curriculum. This response should be changed to a yes on the checklist.

Criteria #10 Before starting a Mental health Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in mental health courts and develop fair and effective policies and procedures for the program. The mental health court requested more support in onboarding new team members. The training information is being provided to the team in the jurisdiction report.

Criteria #16 The Mental health Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants. No data is available at this time. The court is developing a plan to address this standard.

Seventh District Emery County, Castle Dale, Judge Humes, Adult Drug Court

Presumed Certification Criteria

Criteria #11 - Drug test results are available within 48 hours. The Court checked no incorrectly. They do receive test results within 48 hours the majority of the time. The toxicology agency has decreased the processing time for confirmation tests.

Criteria #35 - The drug court has a minimum of 15 participants and not more than 125 participants. Judge Humes reports historically the court averages 8 participants.

Criteria # 37 New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court. The team is discussing options for tracking recidivism.

Criteria #38 A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years. The team does not have the data collection abilities to facilitate a program evaluation at this time.

Non-Certification Related Best Practice Standards

Criteria #1 The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services. The local provider does not have IOP or inpatient services and contracts with outside agencies for services.

Criteria #2 Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators. It was verified during the team interviews that an additional group is added and facilitator if the numbers exceed 12.

Criteria #3 Treatment providers have substantial experience working with criminal justice populations. There are new providers who are in the process of being trained as well as experienced providers. The training information is being provided to the team in the jurisdiction report.

Criteria #4 For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated. The provider reports this is done as time allows. Many participants continue in outpatient treatment after completing drug court.

Criteria #10 Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program. The drug court requested more support in onboarding new team members. The training information is being provided to the team in the jurisdiction report.

UTAH JUDICIAL COUNCIL
ADULT DRUG COURT CERTIFICATION CHECKLIST
 REVISED AND ADOPTED DECEMBER 16, 2019

COURT LOCATION: Seventh District Court, State of Utah, 120 E. Main Street, Price, UT 84501

JUDGE NAME: Bolinder

REVIEW DATE: July 3, 2024

Many of the criteria enumerated in this certification checklist are restatements of the Adult Drug Court Best Practice Standards, Volume I and Volume II, published by the National Association of Drug Court Professionals (NADCP). Those are indicated by a citation in the **BPS** column following the standard. An asterisk indicates a modification of the NADCP standard.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Eligibility and exclusion criteria are defined and applied objectively.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	Eligibility and exclusion criteria are specified in writing.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	Candidates for the Drug Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Candidates for the Drug Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7	Current or prior offenses may not disqualify candidates from participation in the Drug Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Drug Court.	I.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Drug Court.	I.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	If adequate treatment is available, candidates are not disqualified from participation in the Drug Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10	The program has a written policy addressing medically assisted treatment.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11	Participants ordinarily appear before the same judge throughout their enrollment in the Drug Court.	III.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Drug Court team.	III.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.	III.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	If a participant has difficulty expressing him or herself because of such factors as a language barrier, nervousness, or cognitive limitation, the judge permits the participant's attorney or legal representative to assist in providing such explanations.	IV.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.	III.H. VIII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	The judge makes these decisions after taking into consideration the input of other Drug Court team members and discussing the matter in court with the participant or the participant's legal representative.	III.H. VIII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19	The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are specified in writing and communicated in advance to Drug Court participants and team members.	IV.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	The Drug Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance.	IV.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Drug testing is performed at least twice per week.	VII.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26	Drug testing is random, and is available on weekends and holidays.	VII.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	27	Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E.* VII.F.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28	Drug testing utilized by the Drug Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	VII.G.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	30	Upon entering the Drug Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	31	The program requires a period of at least 90 consecutive days drug-free to graduate.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32	The minimum length of the program is twelve months.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33	Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	34	Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	Participants are not terminated from the Drug Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	If a participant is terminated from the Drug Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39	Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity.	V.H.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	40	Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	41	The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	42	There is a secular alternative to 12-step peer support groups.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	43	Participants complete a final phase of the Drug Court focusing on relapse prevention and continuing care.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	44	Participants are not excluded from participation in Drug Court because they lack a stable place of residence.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	45	Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Drug Court and continuing as needed throughout their enrollment in the program.	VI.E.*
<input type="checkbox"/>	<input checked="" type="checkbox"/>	46	Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court.	VI.I.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	47	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	48	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Drug Court session.	VIII.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	53	The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	54	The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES	NO	#	PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	The Drug Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	Each member of the Drug Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	The Drug Court judge attends current training events on legal and constitutional issues in Drug Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	The judge presides over the Drug Court for no less than two consecutive years.	III.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	The Judge spends an average of at least three minutes with each participant.	III.F.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	The Drug Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10	Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.	VII.B.*
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11	Drug test results are available within 48 hours.	VII.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug	VII.B.

YES	NO	#	PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
			or alcohol test has been scheduled.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Drug Court population.	VII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Drug Court's programmatic phase structure.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Drug Court.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Drug Court and continuing as necessary throughout their enrollment in the program.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.
<input type="checkbox"/>	<input type="checkbox"/>	30	Clients are placed in the program within 50 days of arrest.	

YES	NO	#	PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	Team members are assigned to Drug Court for no less than two years.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32	All team members use electronic communication to contemporaneously communicate about Drug Court issues.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Drug Courts.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	34	New staff hires receive a formal orientation training on the Drug Court model and best practices in Drug Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35	The Drug Court has more than 15 but less than 125 active participants.	IX.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	The Drug Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court.	X.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	40	The program conducts an exit interview for self-improvement.	

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
<input type="checkbox"/>	<input type="checkbox"/>	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	VI.F.

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	BPS
			necessary to manage panic, dissociation, or severe anxiety.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
X		17	Clients are placed in the program within 50 days after change of plea, sentencing, or a finding that a probation violation has occurred, or within a short period of time thereafter. The earlier treatment begins, the better the outcomes.	

UTAH JUDICIAL COUNCIL
MENTAL HEALTH COURT CERTIFICATION CHECKLIST
 REVISED AND ADOPTED 2020

COURT LOCATION: Seventh District Court, State of Utah, 120 E. Main Street, Price, UT 84501

NAME: Seventh District Adult Mental Health Court

REVIEW DATE: July 3, 2024

*Many of the criteria enumerated in this certification checklist are restatements of the Adult Drug Court Best Practice Standards, Volume I and Volume II, published by the National Association of Drug Court Professionals (NADCP). Those are indicated by a citation in the **BPS** column following the standard. An asterisk indicates a modification of the NADCP standard.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Eligibility and exclusion criteria are defined and applied objectively.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	Eligibility and exclusion criteria are specified in writing.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	Candidates for the Mental health Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Candidates for the Mental health Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	Current or prior offenses may not disqualify candidates from participation in the Mental health Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Mental health Court.	I.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Mental health Court.	I.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	If adequate treatment is available, candidates are not disqualified from participation in the Mental health Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10	The program has a written policy addressing medically assisted treatment.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11	Participants ordinarily appear before the same judge throughout their enrollment in the Mental health Court.	III.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Mental health Court team.	III.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for	III.E.

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			other appearances or administrative reviews when the judge is unavailable.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.	III.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	If a participant has difficulty expressing him or herself because of such factors as a language barrier, nervousness, or cognitive limitation, the judge permits the participant's attorney or legal representative to assist in providing such explanations.	IV.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.	III.H. VIII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	The judge makes these decisions after taking into consideration the input of other Mental health Court team members and discussing the matter in court with the participant or the participant's legal representative.	III.H. VIII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19	The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are specified in writing and communicated in advance to Mental health Court participants and team members.	IV.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	The Mental health Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance.	IV.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Drug testing is performed at least twice per week.	VII.A.*
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26	Drug testing is random, and is available on weekends and holidays.	VII.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	27	Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E.* VII.F.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28	Drug testing utilized by the Mental health Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless	VII.G.*

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			such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	30	Upon entering the Mental health Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	The program requires a period of at least 90 consecutive days drug-free to graduate.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32	The minimum length of the program is twelve months.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33	Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	34	Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	Participants are not terminated from the Mental health Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	If a participant is terminated from the Mental health Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39	Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity.	V.H.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	40	Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	41	The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	42	There is a secular alternative to 12-step peer support groups.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	43	Participants complete a final phase of the Mental health Court focusing on relapse prevention and continuing care.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	44	Participants are not excluded from participation in Mental health Court because they lack a stable place of residence.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	45	Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Mental health Court and continuing as needed throughout their enrollment in the program.	VI.E.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	46	Participants are not required to participate in job seeking or vocational skills development in the early phases of mental health court.	VI.I.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	47	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	48	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Mental health Court session.	VIII.A.*

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Mental health Court must be reasonably related to the costs of testing or other services.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	53	The Mental health Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	54	The Mental health Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES	NO	#	PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	The Mental health Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	Each member of the Mental health Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	The Mental health Court judge attends current training events on legal and constitutional issues in Mental health Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	The judge presides over the Mental health Court for no less than two consecutive years.	III.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	The Judge spends an average of at least three minutes with each participant.	III.F.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7	The Mental health Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10	Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.	VII.B.*

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<input type="checkbox"/>	<input checked="" type="checkbox"/>	11	Drug test results are available within 48 hours.	VII.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled.	VII.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Mental health Court population.	VII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Mental health Court's programmatic phase structure.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Mental health Court.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Mental health Court and continuing as necessary throughout their enrollment in the program.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	27	All Mental health Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Mental health Court.	VI.I.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	30	Clients are placed in the program within 50 days of eligibility screening.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31	Team members are assigned to Mental health Court for no less than two years.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32	All team members use electronic communication to contemporaneously communicate about Mental health Court issues.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Mental health Courts.	VIII.F.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	34	New staff hires receive a formal orientation training on the Mental health Court model and best practices in Mental health Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35	The Mental health Court has more than 15 but less than 125 active participants.	IX.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	The Mental health Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Mental health Court.	X.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38	A skilled and independent evaluator examines the Mental health Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	40	The program conducts an exit interview for self-improvement.	

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	The Mental health Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4	For at least the first ninety days after discharge from the Mental health Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Mental health Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when necessary to manage panic, dissociation, or severe anxiety.	VI.F.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Mental health Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10	Before starting a Mental health Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Mental health Courts and develop fair and effective policies and procedures for the program.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	The Mental health Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Mental health Court's adherence to best practices and in-program outcomes.	X.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Outcomes are examined for all eligible participants who entered the Mental health Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	The Mental health Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.

UTAH JUDICIAL COUNCIL
ADULT DRUG COURT CERTIFICATION CHECKLIST
 REVISED AND ADOPTED DECEMBER 16, 2019

COURT LOCATION: Castle Dale
 JUDGE NAME: Judge Humes
 REVIEW DATE: 6/20/24

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	2 Eligibility and exclusion criteria are specified in writing.	I.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3 The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4 Candidates for the Drug Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5 Candidates for the Drug Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6 Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	10 The program has a written policy addressing medically assisted treatment.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11 Participants ordinarily appear before the same judge throughout their enrollment in the Drug Court.	III.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12 The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Drug Court team.	III.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13 Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	19 The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	21 The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22 The Drug Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23 For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24 Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance.	IV.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25 Drug testing is performed at least twice per week.	VII.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26 Drug testing is random, and is available on weekends and holidays.	VII.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	27 Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E.* VII.F.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28 Drug testing utilized by the Drug Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29 Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	VII.G.*

YES NO

		REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	30 Upon entering the Drug Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VIII.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31 The program requires a period of at least 90 consecutive days drug-free to graduate.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32 The minimum length of the program is twelve months.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	33 Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	34 Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	35 Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36 Participants are not terminated from the Drug Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37 If a participant is terminated from the Drug Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	38 Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	39 Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity.	V.H.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	40 Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	41 The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	42 There is a secular alternative to 12-step peer support groups.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	43 Participants complete a final phase of the Drug Court focusing on relapse prevention and continuing care.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	44 Participants are not excluded from participation in Drug Court because they lack a stable place of residence.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	45 Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Drug Court and continuing as needed throughout their enrollment in the program.	VI.E.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	46 Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court.	VI.I.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	47 At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	48 At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Drug Court session.	VIII.A.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	49 Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.

YES NO

REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>		BPS
<input checked="" type="checkbox"/> <input type="checkbox"/>	50 Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
<input checked="" type="checkbox"/> <input type="checkbox"/>	51 Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
<input checked="" type="checkbox"/> <input type="checkbox"/>	52 Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
<input checked="" type="checkbox"/> <input type="checkbox"/>	53 The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
<input checked="" type="checkbox"/> <input type="checkbox"/>	54 The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES NO

PRESUMED CERTIFICATION CRITERIA <i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>		BPS
<input checked="" type="checkbox"/> <input type="checkbox"/>	1 Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
<input checked="" type="checkbox"/> <input type="checkbox"/>	2 The Drug Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
<input checked="" type="checkbox"/> <input type="checkbox"/>	3 Each member of the Drug Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
<input checked="" type="checkbox"/> <input type="checkbox"/>	4 The Drug Court judge attends current training events on legal and constitutional issues in Drug Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
<input checked="" type="checkbox"/> <input type="checkbox"/>	5 The judge presides over the Drug Court for no less than two consecutive years.	III.B.
<input checked="" type="checkbox"/> <input type="checkbox"/>	6 The Judge spends an average of at least three minutes with each participant.	III.F.*
<input checked="" type="checkbox"/> <input type="checkbox"/>	7 The Drug Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
<input checked="" type="checkbox"/> <input type="checkbox"/>	8 Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
<input checked="" type="checkbox"/> <input type="checkbox"/>	9 Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
<input checked="" type="checkbox"/> <input type="checkbox"/>	10 Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.	VII.B.*
<input type="checkbox"/> <input checked="" type="checkbox"/>	11 Drug test results are available within 48 hours.	VII.H.
<input checked="" type="checkbox"/> <input type="checkbox"/>	12 Participants are required to deliver a test specimen within 8 hours of being notified that a drug	VII.B.

YES NO

		PRESUMED CERTIFICATION CRITERIA		BPS
		<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>		
			or alcohol test has been scheduled.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Drug Court population.	VII.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Drug Court's programmatic phase structure.	V.A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Drug Court.	V.J.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Drug Court and continuing as necessary throughout their enrollment in the program.	VI.D.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	27	All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.
<input type="checkbox"/>	<input type="checkbox"/>	30	Clients are placed in the program within 50 days of arrest.	

1

YES NO

PRESUMED CERTIFICATION CRITERIA		BPS
#	<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	
31	Team members are assigned to Drug Court for no less than two years.	
32	All team members use electronic communication to contemporaneously communicate about Drug Court issues.	
33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Drug Courts.	VIII.F.
34	New staff hires receive a formal orientation training on the Drug Court model and best practices in Drug Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
35	The Drug Court has more than 15 but less than 125 active participants.	IX.A.*
36	The Drug Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court.	X.C.
38	A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
40	The program conducts an exit interview for self-improvement.	

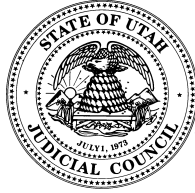
YES NO

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS		BPS
#	<i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	
1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	VI.F.

YES NO

		NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS <i>These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.</i>	BPS
		necessary to manage panic, dissociation, or severe anxiety.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7 Female participants receive trauma-related services in gender-specific groups.	VI.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8 Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9 Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	10 Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	VIII.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11 Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12 Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13 The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14 Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	15 Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	16 The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17 <u>Clients are placed in the program within 50 days after change of plea, sentencing, or a finding that a probation violation has occurred, or within a short period of time thereafter. The earlier treatment begins, the better the outcomes.</u>	

Tab 9



Administrative Office of the Courts

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

October 21, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Management Committee / Judicial Council
FROM: Keisa Williams
RE: Rules for Public Comment

The Policy, Planning, and Technology Committee (PP&T) recommends that the following rules be approved for a 45-day public comment period.

CJA 3-302. Clerk of the court (AMEND)

The proposed amendments bring the rule in line with current practice, help court employees understand the Clerk of Court's role, and update language and other terms for consistency purposes.

CJA 3-303. Justice court clerks (AMEND)

The proposed amendments clarify the role of non-court staff in justice court operations and codify the Judicial Council's decision to restrict access to the courts' case management system when certification requirements have not been met.

CJA 4-401. Proceedings conducted by remote transmission (NEW)

The proposed rule requires that remote court proceedings be conducted exclusively via a video conferencing platform approved by the Judicial Council. The Council may grant exceptions.

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

1 **Rule 3-302. Clerk of the Court**

2

3 **Intent:**

4 To describe the role of the Clerk of the Court.

5 To specify the procedure by which the Clerk of the Court is selected.

6 **Applicability:**

7 This rule ~~shall~~will ~~applies~~ to the trial courts of record.

8 **Statement of the Rule:**

9 (1) The Clerk of the Court for district and juvenile courts ~~shall~~will be appointed by the court
10 executive with the concurrence of a majority of the judges assigned to that court location. In
11 locations of the district court administered by contract with the administrative office of the courts,
12 the elected county clerk shall serve as Clerk of the Court.

13 (2) The Clerk of the Court (or designee) ~~shall~~will:

14 (A) ~~take charge of and safely supervise the safekeeping of~~ ~~keep~~ the court seal;

15 (B) take charge of and safely keep or dispose of, according to law, all books, papers and
16 records filed or deposited in the Clerk's Office;

17 (C) issue all notices, ~~process~~ and summonses where authorized by law;

18 (D) keep a record of all orders, judgments and decrees as required by law and this
19 Code;

20 (E) keep minutes of court proceedings;

21 (F) keep a fee record as provided in this Code;

22 (G) keep records of jurors' services as provided in this Code;

23 (H) keep records of witnesses' attendance as provided in this Code;

24 (I) keep a record of executions as provided in this Code;

25 (J) take and certify acknowledgments and administer oaths;

26 (K) keep a record of fines, penalties, costs, and forfeitures as required by law and this
27 Code;

28 (L) prepare revenue reports, reconcile accounting ledgers to bank statements, maintain
29 and serve as custodian of trust accounts and perform such other accounting duties as
30 assigned by the court executive;

31 (M) keep a record of court exhibits and ensure the safekeeping of exhibits;

32 (N) supervise such ~~deputy court~~ clerks or judicial assistants as required to perform the
33 duties specified in this rule;

34 (O) keep such other records and perform such other duties as assigned by the court
35 executive in accordance with applicable law and the provisions of this Code.

| 36 (3) The clerk's office ~~shall~~will be open and available to transact business during business hours
| 37 on all days except Saturdays, Sundays, and legal holidays. When the clerk's office is open, the
| 38 court clerk or ~~a deputy judicial assistant~~ shallwill be physically present or immediately available
| 39 remotely.

| 40 *Effective: ~~5/1/2016~~November 1, 2024*

1 **Rule 3-303. Justice court ~~clerks~~ staff and local government employees serving in the**
2 **justice courts.**

3 **Intent:**

4 To provide for ~~clerical services~~ court staff who, under the direction of the justice court judge, are
5 primarily responsible for operating the in-justice courts, and to establish uniform responsibilities
6 for justice court clerks a process for deputizing local government employees who may assist the
7 justice courts on a limited basis, and to provide access to financial data for counties and
8 municipalities that operate a justice court.

9 **Applicability:**

10 This rule shall apply to all justice courts.

11 **Statement of the Rule:**

12 (1) Counties and municipalities are responsible for bearing the expense of providing staff to the
13 justice courts located within their jurisdictions. Such services shall be provided by no fewer than
14 the number of FTEs required by the Judicial Council's certification standards. Additional support
15 may be provided as set forth in Section 3 below.

16 **(2) Court Staff.**

17 (2)(A) ~~Clerks~~ Staff shall be provided to each justice court to assist the judge in managing
18 the operation of the courts. ~~The clerk~~ Staff shall have primary responsibility for
19 performing ~~clerical~~ the following duties ~~including~~:

20 (42)(A)(i) recordkeeping;

21 (42)(B)(ii) filing reports;

22 (42)(C)(iii) scheduling hearings and trials;

23 (42)(D)(iv) mailing notices;

24 (42)(E)(v) maintaining case files;

25 (42)(F)(vi) collecting fines;

26 (42)(G)(vii) docketing cases;

27 (42)(H)(viii) taking and certifying acknowledgments and administering oaths; and

28 (42)(I)(ix) other court-related duties as assigned.

29 (2)(B) The judge shall concur in the appointment of ~~the clerk~~ all court staff assigned to
30 serve the court and ~~shall~~ may participate in the personnel evaluation process for ~~that~~
31 ~~clerk~~ court staff, at the judge's discretion.

32 **(3) Local Government Employees.**

33 **(3)(A) Deputized Employees.**

34 (3)(A)(i) In addition to the staff described in Section (2) above, a justice court
35 judge with fewer than three full-time staff may, with the concurrence of the local

36 government executive and the Board of Justice Court Judges, deputize up to four
37 local government employees to perform certain court-related duties on a limited
38 basis. The Board of Justice Court Judges may authorize exceptions to this
39 section upon request by the applicable justice court judge.

40 (3)(A)(ii) The responsibilities and authority of deputized local government
41 employees shall be detailed in a standing order signed by the judge and provided
42 to the local government executive and the Administrative Office of the Courts.

43 (3)(A)(iii) Deputized employees shall be supervised by court staff in the
44 performance of court-related duties, but not for the performance of duties
45 unrelated to the court.

46 (3)(A)(iv) Counties and municipalities shall cover the annual cost of the following
47 for each deputized employee:

48 (3)(A)(iv)(a) an email account on the utcourts.gov domain, and

49 (3)(A)(iv)(b) any training that may be required by the Board of Justice
50 Court Judges.

51 (3)(B) **Read-only Employees.** In addition to the court staff and the deputized employees
52 described above, cities and counties may involve other employees in the justice court to
53 the extent that financial reports need to be reviewed and reconciled. Such employees
54 will be granted read-only access to review certain reports in CORIS once they have
55 completed the training required by the Board of Justice Court Judges, signed a
56 Memorandum of Understanding and submitted the same to the Administrative Office of
57 the Courts.

58 ~~(34) If the clerk is~~ No court staff or deputized local government employee serving the court in a
59 part-time capacity, ~~the clerk~~ shall ~~not~~ be assigned to other duties which present a conflict of
60 interest or promote an appearance of impropriety regarding court responsibilities. Both court
61 staff and deputized employees shall adhere to separation of duties requirements set forth in
62 Section 01-06.00 of the Courts' Accounting Manual.

63 ~~(4) Counties and municipalities are responsible for bearing the expense of providing clerical~~
64 ~~services to the justice courts located within their jurisdictions.~~

65 (5) Court staff and deputized employees shall take an oath that requires them to solemnly swear
66 and promise to support, obey and defend the Constitution of the United States of America and
67 the Constitution of the State of Utah, and to discharge the duties of their office with fidelity to the
68 best of their ability. The oath shall be administered by the judge and be recorded on a form
69 provided by the AOC. A copy of the form must be provided to the Administrative Office of the
70 Courts within one week following an employee's first day with the court.

71 ~~(56) Each clerk~~ Court staff and local government employees who have been deputized pursuant
72 to Section 3(A) above shall be certified on an annual basis for the six months ending June 30
73 and December 31 each year (each, a "certification period") by demonstrating proficiency with
74 the training required by the Board of Justice Court Judges. The Board may consider a judge's
75 request to waive one or more courses or extend a certification deadline for good cause,
76 provided the request is received at least three weeks prior to the end of the applicable

77 certification period. At the end of each certification period, access to CORIS shall be suspended
78 for court staff and local government employees who are not current with training requirements
79 and who did not receive an extension from the Board. Access to CORIS shall be restored once
80 any such user is current with the Board's requirements.

81 *Effective: ~~4~~5/1/202~~5~~2*

1 **Rule 4-401. Proceedings conducted by remote transmission**

2
3 **Intent:**

4
5 To ensure the security of remote court proceedings.

6
7 **Applicability:**

8
9 This rule applies to courts of record and not of record.

10
11 **Statement of the Rule:**

12
13 **(1) Definitions.**

14
15 (1)(A) “**Court proceeding**” means any trial, hearing or other matter involving a
16 participant.

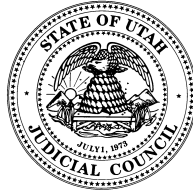
17
18 (1)(B) “**Participant**” means the same as that term is defined in Rule 87 of the Utah
19 Rules of Civil Procedure, Rule 17.5 of the Utah Rules of Criminal Procedure, or Rule 61
20 of the Utah Rules of Juvenile Procedure.

21
22 (1)(C) “**Remote**” or “**Remotely**” means a judge, participant, or court staff assisting with
23 the proceeding will appear by video conference or other electronic means approved by
24 the court.

25
26 **(2) Video conferencing platforms.** All remote court proceedings will be conducted exclusively
27 via a video conferencing platform approved by the Judicial Council. The Judicial Council may
28 grant exceptions.

29
30 Effective: November 1, 2024

Tab 10



Administrative Office of the Courts

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

August 3, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Forms Committee

FROM: Nathanael Player

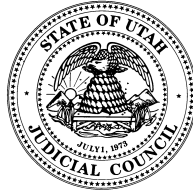
RE: Judicial signatures on e-filed forms and URCP 10(e)

With the courts' forms engine and MyCase, we are close to giving self-represented parties the ability to file proposed orders through MyCase that judicial officers can sign electronically. Because in the forms engine there can be only one version of a form, which may or may not be filed and signed electronically, our ability to manage forms appears to come into conflict with URCP 10(e), which says:

The name of the person signing must be typed or printed under that person's signature. If a proposed document ready for signature by a court official is electronically filed, the order must not include the official's signature line and must, at the end of the document, indicate that the signature appears at the top of the first page.

However, I have discussed this with Bryson King from general counsel's office. He advised me that the language "must not" was permissive and not prescriptive. Based on his advice, I have directed IT to continue to include signature blocks on all court forms and to have IT program the system to insert the judge's signature on the signature block and not at the top of court forms. Bryson also told me I should present this issue to the Civil Rules Committee. Feedback and ratification of these directives is sought from the Forms Committee.

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



Administrative Office of the Courts

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

August 5, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

MEMORANDUM

TO: Forms Committee

FROM: Verenice Ramirez, UX Designer

RE: Formatting of court forms and URCP 10

Background

Rule 10 outlines essential formatting requirements for court pleadings, including a caption with the court name, action title, file number, pleading name, and assigned judge/commissioner, along with detailed filer information. Despite these guidelines, usability remains an issue, as shown by the existence and low engagement with the court's 2012 YouTube video ["How to Read a Court Pleading in Utah"](#).

Initially, I found that self-represented court patrons struggle to comprehend court pleadings. I reviewed forms for different case types—divorce, debt collection, and eviction—due to the high number of self-represented patrons in these areas. Interviews with court staff confirmed that patrons often struggle to understand these documents. Learning that identification is key to comprehension, I tested the form's information architecture. After finalizing a redesigned layout, I conducted validation testing with an eviction complaint, given its urgent nature. Using a UX research platform, I conducted an A/B test where 20 users compared the current and redesigned layouts, with 10 users viewing each version. Fourteen users preferred the redesigned layout for better understanding the information, while six favored the current layout. Based on these findings, I recommend the following changes (listed below).

Recommendations

1. Place the title at the top of the page and label it so people know it is the title of the document.

Justification: When testing our current layout, only 5 interviewees were able to identify the title of the document. Proper labeling and placement help court patrons quickly identify what they are looking at.

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

2. Label court information with "Court Information:".

Justification: Labeling the "Court Information" and bolding the address helps patrons identify the court where their case is taking place and reduces confusion of where the case is taking place.

3. Add "Case Details:" above the box that contains plaintiff and defendant information as well as the case number and judge name.

Justification: Self-represented patrons often have difficulty identifying important case details at a glance. By clearly labeling the section "Case Details:" and placing it above the relevant information, patrons will easily locate and understand the critical details of their case.

4. Place the "Person Filing with the Court" information below the signature at the bottom of the document. Label it "Person Filing with the Court," and have the individual identify themselves as either the attorney or self-represented.

Justification: By placing the information of the person filing with the court at the bottom of the document maintains a consistent and logical flow of information, ensuring that patrons can first understand the document's purpose and details before identifying the filer. This structure also aligns with the signature placement, providing a clear and organized format. During testing, the change proved to help patrons better comprehend and navigate the document, reducing confusion on who the filer is versus the plaintiff/defendant and improving overall usability.

5. Add a footer that includes the current page number and the total number of pages in the document (e.g., "Page 1 of 3").

Justification: Including page numbers and the total number of pages in the footer helps patrons keep track of their progress through the document, especially in multi-page documents. This is particularly useful in legal documents where missing a page can lead to significant misunderstandings or errors.

Implications of the Changes

Positive Impacts

1. Improved Document Clarity:

- a. **Information Identification:** By placing and labeling the title at the top, patrons can quickly identify the document, reducing confusion and enhancing navigation. Labeling the court information with "Court Information:" and bolding the address helps patrons identify the correct court. Additionally, labeling "Case Details:" for sections containing plaintiff, defendant, case number, and judge name allows patrons to quickly locate critical information. In testing, 14 out of 20 interviewees preferred the redesigned layout over the current one, demonstrating strong support for these changes.

2. **Enhanced User Experience:**

- a. **Logical Information Flow:** Moving the information of the person filing with the court to the bottom of the document, along with the signature, provides a logical flow of information. Patrons can focus on understanding the document's content first and then identify the filer, which aligns with natural reading and comprehension patterns.
- b. **Document Navigation:** Page numbering and total pages in the footer improve the patron's ability to track their position within the document, making it easier to navigate and ensuring all sections are reviewed.

3. **Consistency Across Documents:**

- a. **Standardized Format:** Applying these changes uniformly across all documents will create a consistent format, making it easier for patrons to understand and interact with various documents. This consistency reduces the learning curve for self-represented patrons and enhances overall efficiency.

Potential Challenges

1. **Implementation and Training:**

- a. **Staff Training:** Court staff will need to be trained on the new document layout and labeling conventions. This may require time and resources to ensure all staff are adequately prepared to implement and work with the new format.
- b. **Transition Period:** There may be a transitional period where both old and new document formats are in circulation. This could potentially cause some temporary confusion or require additional explanation to patrons.

2. **Document Redesign Costs:**

- a. **Redesign Efforts:** Updating and redesigning all relevant documents to comply with the new recommendations will involve a certain level of effort and cost. This includes revising templates, reprinting forms, and updating digital versions of documents.

3. **User Adaptation:**

- a. **User Adjustment:** Patrons who are accustomed to the old document layout may initially find it challenging to adjust to the new format. However, the long-term benefits of improved clarity and consistency are expected to outweigh this initial adjustment period.

Conclusion

These changes are essential to improve the clarity, usability, and overall user experience of court documents, particularly for self-represented individuals who often struggle with identifying and comprehending necessary forms. By enhancing the layout and labeling, we can reduce confusion and errors, ensuring that patrons can navigate and understand the documents more effectively.

For more details on the process of testing and conducting user research, including specific data and insights, please refer to the [comprehensive report](#). This report provides an in-depth look at the methodology, user feedback, and the rationale behind these recommended changes.

[Powerpoint with visuals.](#)

Name

Address

City, State, Zip

Phone

Email

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

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff</p> <p>v.</p> <p>_____ Defendant</p>	<p>Summons (Mobile Home Park Evictions)</p> <p>_____ Case Number</p> <p>_____ Judge</p>
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The State of Utah to

_____ (party's name):

<p>A lawsuit has been filed against you. You must respond in writing by the deadline for the court to consider your side. The written response is called an Answer.</p> <p>Deadline! Your Answer must be filed with the court</p>	<p>Se ha presentado una demanda en su contra. Si desea que el juez considere su lado, deberá presentar una respuesta por escrito dentro del periodo de tiempo establecido. La respuesta por escrito es conocida como la Respuesta.</p> <p>¡Fecha límite para contestar! Su Respuesta debe ser presentada en el</p>
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and served on the other party **within _____ days** of the date you were served with this Summons.

(The summons must be between 5 and 21 days – Utah Code 57-16-6(3)(c). There are four blanks on this page: two in the English section and two in the Spanish section. Complete all four using the same number.)

If you do not file and serve your Answer by the deadline, the other party can ask the court for a default judgment. A default judgment means the other party can get what they asked for, and you do not get the chance to tell your side of the story.

Read the complaint/petition

The Complaint or Petition has been filed with the court and explains what the other party is asking for in their lawsuit. Read it carefully.

Answer the complaint/petition

You must file your Answer in writing with the court **within _____ days** of the date you were served with this Summons. You can find an Answer form on the court's website: utcourts.gov/ans



Scan QR code to visit page

Serve the Answer on the other party

You must email, mail or hand deliver a copy of your Answer to the other party (or their attorney or licensed paralegal practitioner, if they have one) at the address shown at the top left corner of the first page of this Summons.

tribunal y también con la debida entrega formal a la otra parte **dentro de _____ días** a partir de la fecha en que usted recibió la entrega formal del Citatorio.

Si usted no presenta una respuesta ni hace la entrega formal dentro del plazo establecido, la otra parte podrá pedirle al juez que asiente un fallo por incumplimiento. Un fallo por incumplimiento significa que la otra parte recibe lo que pidió, y usted no tendrá la oportunidad de decir su versión de los hechos.

Lea la demanda o petición

La demanda o petición fue presentada en el tribunal y ésta explica lo que la otra parte pide. Léala cuidadosamente.

Cómo responder a la demanda o petición

Usted debe presentar su Respuesta por escrito en el tribunal **dentro de _____ días** a partir de la fecha en que usted recibió la entrega formal del Citatorio. Puede encontrar el formulario para la presentación de la Respuesta en la página del tribunal: utcourts.gov/ans-span



Para acceder esta página escanee el código QR

Entrega formal de la respuesta a la otra parte

Usted deberá enviar por correo electrónico, correo o entregar personalmente una copia de su Respuesta a la otra parte (o a su abogado o asistente legal, si tiene) a la dirección localizada en la esquina izquierda superior de la primera hoja del citatorio.

Finding help

The court's Finding Legal Help web page (utcourts.gov/help) 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.



Scan QR code to visit page

Cómo encontrar ayuda legal

Para información sobre maneras de obtener ayuda legal, vea nuestra página de Internet Cómo Encontrar Ayuda Legal. (utcourts.gov/help-span) Algunas maneras de obtener ayuda legal son por medio de una visita a un taller jurídico gratuito, o mediante el Centro de Ayuda. También hay ayuda legal a precios de descuento y consejo legal breve.



Para acceder esta página escanee el código QR



قم بالمشح الضوئي للرمز لزيارة الصفحة

An Arabic version of this document is available on the court's website:

utcourts.gov/arabic-ev

A Simplified Chinese version of this document is available on the court's website:

本文件的 :

utcourts.gov/chinese-ev



QR

A Vietnamese version of this document is available on the court's website:

Một bản tiếng Việt của tài liệu này có sẵn trên trang web của tòa:

utcourts.gov/viet-ev



Xin vui lòng quét mã QR (Trả lời nhanh) để viếng trang

Plaintiff or Defendant

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 _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

Signature ► _____

Date

Printed Name _____

If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

Name of Document: **COMPLAINT FOR UNLAWFUL DETAINER (EVICTION)**

Court Information: In the District Court of Utah Fourth Judicial District Utah County
137 North Freedom Blvd. Provo, UT 84601
(^This is where you file...)

Case Details:

Plaintiff: <u>Michael Adams</u>	Case Number: <u>244110000</u>
vs.	Judge: <u>Judy Sheindlin</u>
Defendant: <u>Julie Harris</u>	

Person filing this document:

Attorney for Plaintiff
Maria Rodriguez (14233)
Rodriguez Law LLP
232 Vidas St. Suite 200
Salt Lake City, UT 84114
Tel. (801) 817-58XX
mrodriguez@rlaw.com

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>_____ Plaintiff/Petitioner</p> <p>v.</p> <p>_____ Defendant/Respondent</p>	<p>Request for Copy of Audio Recording (Utah Code of Judicial Administration 4-202.08)</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner (domestic cases)</p>
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Today's date: _____

Requestor Name: _____ Agency (if applicable): _____

Email Address: _____ Phone Number: _____

Dates of Hearings: _____ Times of Hearings: _____

Court Room: _____

I am an attorney and will efile this document.

You must pay the court or office that provides the record. Prior to processing your request, the court will notify you if an additional fee will be required. The request will be processed within 10 business days, after receipt of payment. No refund will be issued or credit applied toward another request.

For information on requesting audio of a court hearing, go to: **Short url, QR Code will be added upon form approval** (to direct here: <https://www.utcourts.gov/en/court-records-publications/records/transcripts.html>)

Requested Format:

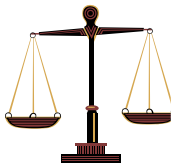
Email me a link where I can listen to the audio using *For the Record*. This is the quickest way to get the audio. Audio cannot be downloaded or shared. \$15.00 /each half day.

Email a link to the following email addresses: (add as many emails as necessary)

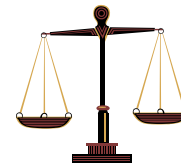
Email me an MP3 attachment. \$15.00 /each half day. In addition to paying the cost of the records, you might also have to pay for court staff time to prepare your records.

- Create an MP3 CD. \$15.00 /each half day. In addition to paying the cost of the records, you might also have to pay for court staff time to prepare your records.
- Mail (additional fee) to: _____ (mailing address), or
- Pickup (Any physical records that are not picked up within 30 days will be destroyed.)

Tab 11



GRAND COUNTY JUSTICE COURT
Honorable Judge Danalee Welch-O'Donnal



125 East Center Street
Moab, UT 84532
Phone: 435.259.1334
Fax: 435.259.3070

TO: Ju

FROM: Judge Danalee Welch-O'Donnal, Grand County Justice Court (Moab)

DATE: September 30, 2024

RE: Request for a waiver pursuant to UCJA Rule 9-105 to close the Court's office in observance of two County observed holidays, Friday after Thanksgiving and Christmas Eve

UCJA Rule 9-105 outlines the hours and days of operation for a Justice Court, in conjunction with legal holidays under UCA 63G-1-301, and the daily hours of operation are designated by average monthly case filing. UCJA Rule 9-105 contemplates a Justice Court's ability to deviate from those designated hours of operation when "specifically waived by the Judicial Council."

The Grand County Justice Court is a Class II Justice Court with an average monthly case filing between 201-300 cases per month, consistent with the 2023 Recertification and current calculations. According to UCJA 9-105, this court is only required to be open to transact business at a minimum of four (4) hours per day. However, the Grand County Justice Court chooses to operate with full-time hours, every business day, and open to the public from 8 am to 4:30 pm, but staff is present until 5 pm to conclude daily summary business. These hours are more than are required but reflect this Court's desire to provide a higher level of service and availability to its patrons; these hours of operation were also a part of the 2023 Recertification.

A specific request for waiver of hours of operation is herein requested by the Grand County Justice Court, Judge Danalee Welch-O'Donnal, as contemplated to be allowable by UCJA Rule 9-105. The Grand County Justice Court is requesting to be closed on the following dates:

- 2024: Friday, November 29, 2024, the day after Thanksgiving;
Tuesday December 24, 2024, Christmas Eve;
- 2025: Friday, November 28, 2025, the day after Thanksgiving;
Wednesday, December 24, 2025, Christmas Eve.

The requested dates of waiver are dates that Grand County officially has observed as "holidays" and County offices and departments are closed, wherein county employees who receive holiday pay are presumed to be allowed to have the day off. It should be known that Grand County is open on the State observed Columbus Day, and essentially trades that day for the day after Thanksgiving.

Justice courts are unique in that they are a part of state courts that are managed and operated by counties or municipalities. Sometimes, this uniqueness causes obscurities, as in this instance where we are to be open on days that our local governing entity has designated as a holiday. The problem is two-fold. First, aside from the conflicting designation, the employees would obviously prefer to have uninterrupted holiday off, which according to the county policies they are entitled to. They also would have to be compensated at a well-deserved, higher rate of 1.5 hours per hour worked plus 8 hours of holiday pay, equaling 2.5 times higher pay! Second, though the Rule contemplates remote work and being remotely available, this sometimes shifts an unfair burden to a single staff member, as has been the case in this Justice Court this year, due to unrelated personnel issues, but isn't an uncommon occurrence with an office of three, two of whom are mothers of school-age children.

Therefore, it is respectfully requested that the Grand County Justice Court be allowed to deviate from the scheduled hours of operation contemplated, and more specifically be allowed to close on the two requested days in 2024 and again in 2025. This request is made as the preferred alternative of being remotely open and immediately accessible on these dates, directly adjacent to major holidays.

Attachments: UCJA 9-105, UCA 63G-1-301

Utah Courts

UCJA Rule 9-105 (Code of Judicial Administration)

Rule 9-105. Justice Court hours.

Rule printed on September 17, 2024 at 10:40 am. Go to <https://www.utcourts.gov/rules> for current rules.

**Effective:
5/1/2016**

Intent:

To establish minimum court hours for Justice Courts.

Applicability:

This rule shall apply to all Justice Courts.

Statement of the Rule:

- (1) Every Justice Court shall establish a regular schedule of court hours to be posted in a conspicuous location at the court site.
- (2) Justice Courts shall be open and available to transact judicial business every business day, Monday through Friday, excluding holidays as defined in Utah Code section 63G-1-301, and unless specifically waived by the Judicial Council. During the scheduled hours of court operation the Justice Court judge or clerk shall be physically present or immediately available remotely.
- (3) Justice Courts shall provide, at a minimum, the following hours of operation:

Number of Average Monthly Filings	Hours Per Day
0-60	1
61-150	2
151-200	3
201-300	4
301-400	5
401-500	6
501 or more	8

(4) The Justice Court judge may schedule the court hours to meet the needs of the litigants and the availability of bailiff and clerk services.

(5) Court hours shall be set at least quarterly and the Justice Court judge shall annually send notice to the Administrative Office of the Courts of the hours which have been set for court operation.

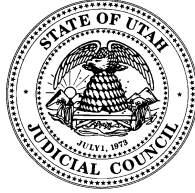
Effective 5/4/2022

63G-1-301 Legal holidays -- Personal preference day -- Governor authorized to declare additional days.

- (1)
- (a) The following named days are legal holidays in this state:
 - (i) every Sunday, except as provided in Subsection (1)(e);
 - (ii) January 1, called New Year's Day;
 - (iii) the third Monday of January, called Dr. Martin Luther King, Jr. Day;
 - (iv) the third Monday of February, called Washington and Lincoln Day;
 - (v) the last Monday of May, called Memorial Day;
 - (vi) on the day described in Subsection (1)(f), Juneteenth National Freedom Day;
 - (vii) July 4, called Independence Day;
 - (viii) July 24, called Pioneer Day;
 - (ix) the first Monday of September, called Labor Day;
 - (x) the second Monday of October, called Columbus Day;
 - (xi) November 11, called Veterans Day;
 - (xii) the fourth Thursday of November, called Thanksgiving Day;
 - (xiii) December 25, called Christmas; and
 - (xiv) all days which may be set apart by the President of the United States, or the governor of this state by proclamation as days of fast or thanksgiving.
 - (b) If any of the holidays under Subsections (1)(a)(ii) through (v) or Subsections (1)(a)(vii) through (xiv), falls on Sunday, then the following Monday shall be the holiday.
 - (c) If any of the holidays under Subsections (1)(a)(ii) through (v) or Subsections (1)(a)(vii) through (xiv) falls on Saturday, then the preceding Friday shall be the holiday.
 - (d) Each employee may select one additional day, called Personal Preference Day, to be scheduled pursuant to rules adopted by the Division of Human Resource Management.
 - (e) For purposes of Utah Constitution Article VI, Section 16, Subsection (1), regarding the exclusion of state holidays from the 45-day legislative general session, Sunday is not considered a state holiday.
 - (f)
 - (i) The Juneteenth National Freedom Day holiday is on June 19, if that day is on a Monday.
 - (ii) If June 19 is on a Tuesday, Wednesday, Thursday, or Friday, the Juneteenth National Freedom Day holiday is on the immediately preceding Monday.
 - (iii) If June 19 is on a Saturday or Sunday, the Juneteenth National Freedom Day holiday is on the immediately following Monday.
- (2)
- (a) Whenever in the governor's opinion extraordinary conditions exist justifying the action, the governor may:
 - (i) declare, by proclamation, legal holidays in addition to those holidays under Subsection (1); and
 - (ii) limit the holidays to certain classes of business and activities to be designated by the governor.
 - (b) A holiday may not extend for a longer period than 60 consecutive days.
 - (c) Any holiday may be renewed for one or more periods not exceeding 30 days each as the governor may consider necessary, and any holiday may, by like proclamation, be terminated before the expiration of the period for which it was declared.

Amended by Chapter 331, 2022 General Session

Tab 12



Administrative Office of the Courts

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

September 30, 2024

Ronald B. Gordon, Jr.
State Court Administrator
Catherine J. Dupont
Deputy Court Administrator

MEMORANDUM

TO: Management Committee of the Judicial Council

FROM: Judge Rich Mrazik and Nathanael Player, on behalf of the Committee on Resources for Self-Represented Parties

RE: Committee membership

The Management Committee is asked to approve new, and to approve reappointment of, members to serve on the Committee on Resources for Self-Represented Parties, consistent with the composition requirements detailed in CJA 1-205(1)(B)(viii).

Approval is sought, pursuant to CJA 1-205(3)(A)(i), for the following new individuals:

- Judge Jason Nelson to serve as one of the two district court judges on the committee. He would replace Judge Mciff Allen, who was appointed to the federal bench.
- Megan Connelly to serve as the representative of a legal services organization serving low-income clients. She would replace Danielle Stevens of People's Legal Aid. Unfortunately, Peoples Legal Aid has ceased operations.
- Sandra Carpaio to serve as the representative of a social services organization directly helping underserved communities. Ms. Carpaio has been attending meetings for some time, but not in a formal capacity. We would like to correct that oversight on our part.
- George Sutton to serve as a representative of the Utah State Bar. He would replace Charles Stormont, who is now a district court judge.

Reappointment is also sought for the following existing members:

- Judge Rich Mrazik, as one of the two district court judges. He is also the chair of the committee. His original appointment was December 2020. This would extend his appointment to October 2027.
- Dr. Leslie Francis, as one of two law school representatives. Her original appointment was November 2017. This would extend her appointment to October 2027. This would be her third term but exceptional circumstances that justify her service of more than two terms. Dr. Francis holds both a JD and PhD in philosophy, giving her a unique and

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

important perspective. She also regularly volunteers, providing important legal services in a number of areas, including guardianship and debt collection cases. Additionally, she regularly melds her powerful educational and institutional background with her practical in-the-trenches experience, providing thoughtful, consistent, and important perspective to committee discussions. She is truly exceptional.

The table on the following page details the current, and proposed, composition of the committee—individuals marked in yellow are submitted for this group’s approval as new or reappointed members.

Name	Position	Comment
Honorable Rich Mrazik	District court judge and chair	Pending reappointment
Honorable Jason Nelson	District court judge	Pending approval
Honorable Annette Jan	Juvenile court judge	
Honorable Danalee Welch-O'Donnal	Justice court judge	
Honorable Jeri Allphin	Justice court judge	
Nicole Gray	Appellate clerk of court	
Shannon Treseder	Urban clerk of court	
Dawn Hautamaki	Rural clerk of court	
Sandra Carpaio	Social services organization providing direct services to underserved communities	Pending approval
Nathanael Player	Self-Help Center representative	
George Sutton	Utah State Bar	Pending approval
Peter Strand	Legal services organization that serves low-income clients	
Megan Connelly	Legal services organization that serves low-income clients	Pending approval
Alison Satterlee	Private attorney	
Professor Leslie Francis	Law school representative	Pending reappointment
Professor Bethany Jennings	Law school representative	
Kaden Taylor	State law librarian	
Shawn Newell	Community representative	
Brooke Robinson	Community representative	
Amy Hernandez	Ex Officio Domestic Violence Coordinator	