

**JUDICIAL COUNCIL MEETING  
Minutes**

**December 16, 2024**

**Meeting held through Webex  
and in person**

**Matheson Courthouse**

**9:00 a.m. – 11:05 p.m.**

***Chief Justice Matthew B. Durrant, Chair, Presiding***

**Members:**

Chief Justice Matthew B. Durrant, Chair  
Hon. David Mortensen, Vice Chair  
Hon. Suchada Bazzelle  
Hon. Brian Brower  
Hon. Jon Carpenter  
Hon. Samuel Chiara  
Hon. Michael DiReda  
Hon. Susan Eisenman  
Hon. Ryan Evershed  
Hon. Angela Foncesbeck  
Hon. James Gardner  
Hon. Thomas Low  
Hon. Brendan McCullagh  
Justice Paige Petersen  
Kristin K. Woods

**AOC Staff:**

Ron Gordon  
Neira Siaperas  
Shane Bahr  
Michael Drechsel  
Jim Peters  
Nick Stiles  
Karl Sweeney  
Sonia Sweeney  
Hilary Wood  
Keisa Williams

**Excused:**

Hon. Rita Cornish  
Hon. Amber Mettler

**Presenters:**

Katy Collins  
Megan Connelly  
Justice Christine Durham  
Alisha Johnson  
Cris Karren  
Bryson King

**Presenters (cont.)**

Judge Gordon Low  
Jordan Murray  
Tucker Samuelson  
Amy Sorenson  
Pleasy Wayas  
Elizabeth Wright

**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. Judge Susan Eisenman corrected the spelling of her last name. There were no other corrections or comments.

**Motion:** Judge Eisenman made a motion to approve the meeting minutes from the November 25, 2024 Judicial Council meeting. Judge Brian Brower seconded the motion, and the motion passed unanimously.

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

Chief Justice Durrant announced that he was interviewed by Governor Herbert at Utah Valley University on December 5, 2024, and will be swearing in Governor Cox in January 2025.

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

Ron Gordon shared that the Board of Juvenile Court Judges voted on Judge Michael Leavitt as the new designee to replace Judge Ryan Evershed on the Judicial Council. This meeting will be Judge Evershed's last.

Mr. Gordon explained that Governor Cox released his recommended budget recently, which largely consisted of an income tax cut on social security in the amount of \$144 million. None of the judiciary's priorities were included, other than about \$470,000 for interpretation services. Mr. Gordon reiterated that the Governor's budget is just a recommendation, and many things change between now and the first week of March when the budget is finalized. Mr. Gordon added, however, that they he plans to modify his presentation and communication of the priorities a bit based on the challenges forecasted for this budget year focusing primarily on the top three priorities: employee compensation, particularly for core workforce employees such as Judicial Assistants and Probation Officers, the Court of Appeals judge, and all of the other judicial officers that are needed.

Mr. Gordon shared that the Manti Courthouse is close to completion and looks beautiful inside and out. They are looking at a late February 2025 move date and a late March or early April 2025 dedication date for the ceremony.

Mr. Gordon shared that the Business and Chancery Court has at least one hearing on the schedule. Judge Rita Cornish is still wrapping up her calendar in the Second District, and meanwhile, the Business and Chancery Court staff has been very helpful in assisting in the pilot to centralize handling of audio requests in an effort to reduce the Judicial Assistant (JA) workload. So far they have been handling those requests for the Fifth District, and the AOC will look at adding another district to see if that is feasible.

Mr. Gordon announced that the Governor recently appointed Ryan Peterson as a judge in the Fourth District Juvenile Court and Commissioner Catherine Conklin as a judge in the Second District Court. He added that Cameron Beech's confirmation hearing is today.

## **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:

Michael Drechsel shared that the legislative session will begin January 21, 2025, the date of the next Judicial Council meeting. The Liaison Committee met a few weeks ago, and Judge Thomas Low has been elected as the new chair. The committee will meet a total of eight times through the session starting on January 10, 2025, and will meet every week until the session concludes on March 7, 2025. At their last meeting, the committee voted to temporarily pause the judiciary's efforts to advocate for the Justice Court Reform proposals that the Council had previously approved until the committee can reconsider a viable path forward.

## Policy, Planning, and Technology Committee Report:

Judge Jim Gardner shared that the committee adopted style rules for the subcommittee, and spent some time talking about their proposed rule on AI use in the courts. They plan to bring it back to the Management Committee for feedback in the next month or two.

## Bar Commission Report:

Kristin Woods confirmed that they were able to reserve a meeting space for the Council at the Dixie Convention Center for the March meeting in St. George. The Bar is preparing for the record number of applicants for the Bar exam in February 2025, with 132 signed up. She encouraged the Council members that will be in St. George in March to attend the Bar Convention as well.

## 5. BUDGET & GRANTS: (Karl Sweeney, Alisha Johnson)

Karl Sweeney and Alisha Johnson presented the financial reports.

### FY 2025 One Time Turnover Savings

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 11/08/2024)	Internal Savings	1,460,090
2	Est. One Time Savings for remaining pay hours (1,328 @ \$1,200 / pay hour)	Internal Savings (Est.)	1,593,600
<b>Total Potential One Time Savings</b>			<b>3,053,690</b>

Prior Report Totals (as of 10/25/2024)

3,015,740

### FY 2025 Ongoing Turnover Savings

#		Funding Type	Actual Amount YTD	Forecasted Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2024)	Internal Savings	140,594	140,594
	Ongoing Turnover Savings FY 2025 (actual year-to-date, Salary Differential only)	Internal Savings	268,779	268,779
1	Ongoing Turnover Savings FY 2025 (forecast \$50,000 / month x 7 months, Salary Differential only)	Internal Savings	-	350,000
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	Internal Savings	-	-
	<b>TOTAL SAVINGS</b>		<b>409,373</b>	<b>759,373</b>
2	2025 Annual Authorized Hot Spot Raises		(96,305)	(200,000)
	<b>TOTAL USES</b>		<b>(96,305)</b>	<b>(200,000)</b>
3	<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025</b>		<b>313,068</b>	<b>559,373</b>

Prior Report Totals as of 11/06/2024

333,911.44

622,718.44

## FY 2025 Year End Requests and Forecasted Available One-time Funds

Forecasted Available One-time Funds			
	Description	Funding Type	Amount
<b>Sources of YE 2025 Funds</b>			
*	Turnover Savings as of PPE 11/08/2024	Turnover Savings	1,460,090
	Turnover savings Estimate for the rest of the year (\$1,200 x 1,328 pay hours)	Turnover Savings	1,593,600
	<b>Total Potential One Time Turnover Savings</b>		<b>3,053,690</b>
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	<b>Total Potential One Time Turnover Savings Less Discretionary Use</b>		<b>2,803,690</b>
	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)	<b>Total Operational Savings and Reserve</b>		<b>800,847</b>
(c)	<b>Total of Turnover Savings &amp; Operational Savings = (a) + (b)</b>		<b>3,604,537</b>
<b>Uses of YE 2025 Funds</b>			
(e)	Carryforward into FY 2026 (Anticipate request to Legislature for \$3,200,000)	FY 2026 Carryforward	(2,500,000)
<b>Total Potential One Time Savings = (c) + (d) less Carryforward (e)</b>			<b>1,104,537</b>
<b>Less: Judicial Council Requests Previously Approved</b>			<b>(617,427)</b>
<b>Less: Judicial Council Current Month Spending Requests</b>			<b>(15,000)</b>
<b>Remaining Forecasted Funds Available for FY 2025 YE Spending Requests</b>			<b>472,110</b>

Updated 11/27/2024

## Facilities Spending Plan for Large Projects FY25

Credits in FY25 Only						Details
Richfield Bond	\$ 219,000					To be reallocated to Heber rent in FY26
Farmington Bond	\$ 399,000					To be reallocated to Heber rent in FY26
Heber Additional Rent	\$ 163,000					To be reallocated to Heber rent in FY26
50% Annual Carry Over	\$ -					
Court Complex Surplus*	\$ 800,000					Approved one-time for AF hearing room
<b>Sub Total</b>	<b>\$ 1,581,000</b>					
		(a)	(b)	(b) - (a)	Impact on Contingency (Used)	
<b>Projects</b>	Estimated	Actual	(Under)/Over Budget			
Provo FF&E	\$ 60,000	\$ 72,404	\$ 12,404	\$ (12,404)	Completed	
Heber FF&E **	\$ -	\$ -	\$ -		N/A	
Manti Security Systems ***	\$ -	\$ -	\$ -		N/A	
Manti FF&E Overage	\$ 72,000			\$ -		
Roosevelt Design and TI	\$ 269,274	\$ -	\$ (269,274)	\$ 26,927	Deferred until FY 2026	
Provo AV Equipment	\$ 285,000	\$ 104,346	\$ (180,654)	\$ 18,065	\$224K actual - \$119K paid in FY24 = \$104K actual remaining to calculate difference	
Provo Security Equipment	\$ 42,000	\$ 36,275	\$ (5,725)	\$ 5,725	Completed	
AOC 3rd Floor Furniture	\$ 167,000	\$ 174,993	\$ 7,993	\$ (7,993)	Completed	
AF Hearing Room Const	\$ 500,000			\$ -	Will have estimates around Jan. 1, 2025	
AF Chambers, Office & Support Space Const	\$ 275,000			\$ -	Will have estimates around Jan. 1, 2025	
AF FF&E	\$ 65,000			\$ -	Will have estimates around Jan. 1, 2025	
WJ Juv Shell Buildout	\$ 1,655,000			\$ -	Will have estimates around Jan. 1, 2025	
Math 1st Floor Courtroom Const	\$ 720,000			\$ -	Will have estimates around Jan. 1, 2025	
Math 1st Floor Chambers & Support Spaces Const	\$ 309,000			\$ -	Will have estimates around Jan. 1, 2025	
Math 1st floor courtroom FF&E	\$ 95,000			\$ -	Will have estimates around Jan. 1, 2025	
<b>Sub Total</b>	<b>\$ 4,514,274</b>	<b>\$ 388,018</b>				
<b>Total</b>	<b>\$ (2,933,274)</b>			<b>\$ 30,321</b>	Contingency Eligible for Release	
10% Contingency	\$ (451,427)			\$ (451,427)		
<b>Total with 10% Contingency</b>	<b>\$ (3,384,701)</b>			<b>\$ (421,106)</b>	Contingency Available for Remaining Projects	

Red = Placeholder budget number

\* Spend down the CCF surplus to \$500K

\*\* \$400K to be paid to Wasatch Co. towards furniture package before 6/30

\*\*\* Funding provided by security funds

**6. MANTI TREATMENT COURT RECERTIFICATION: (Cris Karren, Katy Collins)**

Cris Karren presented the Manti Treatment Court recertification report, showing that the court met all certification criteria.

**Motion:** Judge Michale DiReda made a motion to approve the recommendation for the Manti Treatment Court recertification. Judge Gardner seconded the motion, and the motion passed unanimously.

**7. FORMS COMMITTEE ANNUAL REPORT: (Pleasy Wayas)**

Pleasy Wayas gave an annual report on the work of the Forms Committee. She shared that they met monthly this past year, working on 98 forms that included revising and improving 86 existing forms, drafting 12 new forms, and approving the revision of code citations on numerous forms affected by recodifications from the 2024 legislative session. The committee also worked with a UX designer out of Georgetown that has inspired them in user design going forward.

**8. BOARD OF SENIOR JUDGES: (Judge Gordon Low, Neira Siaperas)**

Judge Gordon Low presented an annual report from the Board of Senior Judges. He shared that as of December 4, 2024, active senior judges had worked a total of 486.5 days across the District and Juvenile Courts, as well as the Court of Appeals, this calendar year. He explained that the base budget for senior judges is \$168,100, and that between FY 2022 and FY 2024, the Judiciary utilized \$2 million in APRA funding to address case backlogs by expanding senior judge use and hiring time-limited judicial assistants. This funding was fully expended by February 2024. Ms. Siaperas explained that the Judiciary received \$1.2 million for this fiscal year, and that if the current senior judge usage doesn't change drastically, there will be about \$600,000 remaining at the end of the fiscal year. She shared that the Board will plan to ask Council for some of that remaining funds back for senior judges and time-limited Judicial Assistants, and to extend those Judicial Assistants for another year. Starting July 1, 2025, the senior judge budget will return to the \$168,100 base funding, at which time the supplemental funding will most likely be needed.

**9. STANDING COMMITTEE ON MODEL UTAH JURY CRIMINAL JURY INSTRUCTIONS (MUJI) ANNUAL REPORT: (Bryson King)**

Bryson King presented the MUJI Criminal Committee annual report, including changes to the committee membership.

**10. ACCESS TO JUSTICE COMMISSION REPORT: (Justice Christine Durham, Amy Sorenson, Elizabeth Wright, Megan Connelly)**

Megan Connelly, Director of the Access to Justice Commission, introduced Elizabeth Wright, Executive Director, and Christine Durham and Amy Sorenson, Commission Co-Chairs. They presented an annual report on the work of the Access to Justice Commission over the past year, including a brief introduction of who they are as a commission, the need for access to justice, awareness and education, building community and partnerships, service through signature programs, and their goals looking forward.

**11. CONSENT CALENDAR: (Chief Justice Matthew B. Durrant)**

**Motion:** Judge Brower made a motion to approve the three items on the consent calendar. Judge Evershed seconded the motion, and the motion passed unanimously.

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

Judge Michael DiReda shared that Judge Craig Hall was a legislator prior to his appointment as a judge. He explained that Judge Hall would like to be a resource for the Liaison Committee to provide insight to potential legislation that may affect the judiciary.

**13. ADJOURN: (Chief Justice Matthew B. Durrant)**

The meeting was adjourned.

**CONSENT CALENDAR ITEMS**

1. Rules for Public Comment
2. Form Updates
3. Treatment Courts Grant Renewal