

**JUDICIAL COUNCIL MEETING**

**AGENDA**

**February 24, 2025**

**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. Chair’s Report.....Chief Justice Matthew B. Durrant  
(Information)
  
3. 9:10 a.m. State Court Administrator’s Report.....Ron Gordon  
(Information)
  
4. 9:20 a.m. Reports: Management Committee.....Chief Justice Matthew B. Durrant  
Budget and Fiscal Management Committee.....Judge Rita Cornish  
Liaison Committee.....Judge Thomas Low  
Policy, Planning, and Technology Committee.....Judge James Gardner  
Bar Commission.....Katie Woods, esq.  
(TAB 2 - Information)
  
5. 9:30 a.m. Budget and Grants.....Karl Sweeney  
(TAB 3 – Information) Alisha Johnson  
Kaden Taylor  
Todd Eaton  
Jordan Murray  
Katy Collins  
Amy Hernandez  
Jon Puente

6. 9:55 a.m. Treatment Court Recertification.....Cris Seabury  
(TAB 4 – Action)
7. 10:00 a.m. Rules for Final Approval.....Keisa Williams  
(TAB 5 – Action)
8. 10:10 a.m. Legislative Update.....Michael Drechsel  
(Information)
- 10:30 Break**
9. 10:40 a.m. Certification of New Justice Court Judges.....Jim Peters  
(Action)
10. 10:50 a.m. [System Review Report](#).....Cathy Zacharias  
(Discussion) Ron Gordon
11. 11:35 a.m. Legislation.....Judge Thomas Low  
(Action)
12. 11:45 a.m. Consent Calendar.....Chief Justice Matthew B. Durrant  
(Action)
13. 11:50 a.m. Old Business / New Business.....All  
(Discussion)
14. 12:00 p.m. Active Senior Judge Application.....Neira Siaperas  
(Action)
15. 12:05 p.m. Executive Session.....Chief Justice Mathew B. Durrant
16. 12:50 p.m. Adjourn.....Chief Justice Matthew B. Durrant

## **Consent Calendar**

1. Rules for Public Comment  
(TAB 6)
2. MUJI Civil Committee Membership  
(TAB 7)
3. Standing Education Committee Membership  
(TAB 8)
4. GAL Oversight Committee Membership  
(TAB 9)
5. Standing Committee on Children and Family Law Membership  
(TAB 10)
6. Forms Committee Membership  
(TAB 11)
7. MUJI Crim Committee Membership  
(TAB 12)

Tab 1

**JUDICIAL COUNCIL MEETING  
Minutes**

**January 21, 2025**

**Meeting held through Webex  
and in person**

**Matheson Courthouse**

**9:00 a.m. – 12:05 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. Rita Cornish  
Hon. Michael DiReda  
Hon. Susan Eisenman  
Hon. Angela Foncesbeck  
Hon. James Gardner  
Hon. Thomas Low  
Hon. Brendan McCullagh  
Hon. Amber Mettler  
Justice Paige Petersen  
Kristin K. Woods

**Presenters:**

Lisa Watts Baskin  
Katy Collins  
Todd Eaton  
Jordan Murray  
Amy Hernandez  
Alisha Johnson

**AOC Staff:**

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

**Excused:**

Hon. Michael Leavitt

**Presenters (cont.)**

Jace Kinder  
Janine Liebert  
Mark Paradise  
Clayson Quigley  
Mary-Margaret Pingree  
Cris Seabury

**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 Brendan McCullagh made a motion to approve the December 16, 2024 Judicial Council meeting minutes. Judge Rita Cornish seconded the motion, and the motion passed unanimously.

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

Mr. Gordon shared that he, Chief Justice Durrant, Neira Siaperas, and Michael Drechsel met with the Speaker of the House and the President of the Senate, who shared some of the bills or ideas for bills that they were aware of. Mr. Gordon explained that the Speaker of the House was very candid with them and although the conversations were difficult, they were respectful and Chief Justice Durrant did an extraordinary job answering his questions.

Mr. Gordon, Neira Siaperas, and Karl Sweeney met with the chairs of the Judiciary's appropriation subcommittee, Senator Brady Brammer and Representatives Melissa Ballard and Matthew Gwynn, to have a preliminary discussion on the Judicial Council's budget requests. Mr. Gordon explained that this meeting happens every year and is a good opportunity to determine if there are any concerns the chairs have about the Judiciary's budget requests. He commented that it was an extremely difficult conversation, but that they are fortunate to now know about some of the detailed questions the subcommittee has before the full presentation is given in a couple of weeks. Mr. Gordon briefly discussed some of the main concerns, and explained that he, Mr. Sweeney and Ms. Siaperas are meeting with several of the directors tomorrow to make sure they have as much data as possible to be able to respond to the concerns. Mr. Gordon also shared that Judges Mandy Larsen and Suchada Bazzelle will attend the presentation to talk about the work of the Judicial Assistants and Probation Officers, and how they contribute to the Judiciary.

Mr. Gordon reported that the AOC has received a preliminary report on the System Review from the National Center for State Courts. The Steering Committee is currently reviewing the draft report. The final report will be presented to the Judicial Council in the next couple of months.

## **3. COMMITTEE REPORTS:**

### **Management Committee Report:**

Nothing to report.

### **Budget & Fiscal Management Committee Report:**

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

### **Liaison Committee Report:**

The Liaison Committee met twice during the past two weeks, and Mr. Drechsel has had some helpful conversations with legislators so far. There are two joint resolutions being considered to close various Justice Courts - Hyde Park and North Logan Justice Courts in Cache County, and the Salt Lake County Justice Court. The Liaison Committee is working through the fiscal implications of those closures to submit to the legislature. There is a judicial officer bill open that includes a Court of Appeals judge, five District Court judges, and two Juvenile Court judges. Mr.

Drechsel briefly discussed HB 49, which is about individuals with a felony conviction being eligible to be considered for jury service.

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

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

**Bar Commission Report:**

The Bar’s Legislative and Government Relations Committee has been meeting and reviewing any bills that might affect attorneys. Bar leadership met with the Governor a few weeks ago, and he expressed that he is opposed to any ideas regarding judicial elections.

**4. 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	1,734,711
2	Est. One Time Savings for remaining pay hours (1,088 @ \$1,200 / pay hour)	Internal Savings (Est.)	1,305,600
<b>Total Potential One Time Savings</b>			<b>3,040,311</b>
			<i>Prior Report Totals (as of 11/08/2024)</i> 3,053,690

**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	400,673	400,673
1	Ongoing Turnover Savings FY 2025 (forecast \$50,000 / month x 6 months, Salary Differential only)	Internal Savings	-	300,000
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	Internal Savings	-	-
<b>TOTAL SAVINGS</b>			<b>541,267</b>	<b>841,267</b>
2	2025 Annual Authorized Hot Spot Raises		(115,189)	(200,000)
<b>TOTAL USES</b>			<b>(115,189)</b>	<b>(200,000)</b>
<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025</b>			<b>426,078</b>	<b>641,267</b>
			<i>Prior Report Totals as of 11/26/2024</i> 313,068.35	559,373.25

## 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 12/20/2024	Turnover Savings	1,734,711
	Turnover savings Estimate for the rest of the year (\$1,200 x 1,000 pay hours)	Turnover Savings	1,305,600
	<b>Total Potential One Time Turnover Savings</b>		<b>3,040,311</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>2,790,311</b>
	<i>Operational Savings From TCE / AOC Budgets - Estimate</i>	<i>Internal Operating Savings</i>	<b>800,000</b>
	<i>Reserve Balance (balance from FY 2024 Carryforward)</i>	<i>Judicial Council Reserve</i>	<b>847</b>
	<i>Received unclaimed property</i>	<i>Additional Revenue Received</i>	<b>718,154</b>
	<i>Anticipated Reserve Uses - including previously approved and pending requests</i>	<i>Jud. Council Reserve Uses</i>	-
(b)	<b>Total Operational Savings and Reserve</b>		<b>1,519,001</b>
(c)	<b>Total of Turnover Savings &amp; Operational Savings = (a) + (b)</b>		<b>4,309,312</b>
<b>Uses of YE 2025 Funds</b>			
(e)	Carryforward into FY 2026 (Anticipate request to Legislature for \$3,700,000)	<i>FY 2026 Carryforward</i>	<b>(3,200,000)</b>
<b>Total Potential One Time Savings = (c) + (d) less Carryforward (e)</b>			<b>1,109,312</b>
<b>Less: Judicial Council Requests Previously Approved</b>			<b>(617,427)</b>
<b>Less: Judicial Council Current Month Spending Requests</b>			-
<b>Remaining Forecasted Funds Available for FY 2025 YE Spending Requests</b>			<b>491,885</b>

Updated 01/06/2025

## Facilities Spending Plan for Large Projects FY25

### Facilities Spending Plan for Large Projects FY25 - 1/8/25 update

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)	(c)	b) - (a) or (c) - (a)	
<b>Projects</b>	<b>Budget</b>	<b>Actual To Date</b>	<b>Bid + 20% Contingency</b>	<b>(Under)/Over Budget</b>	<b>Contingency Available for Use</b>	
Provo FF&E	\$ 60,000	\$ 72,404		\$ 12,404		Completed
Heber FF&E **	\$ -	\$ -		\$ -		N/A
Manti Security Systems ***	\$ -	\$ -		\$ -		N/A
Manti FF&E Overage	\$ 72,000		\$ 86,400	\$ 14,400		Will be adjusted as construction is completed
Roosevelt Design and TI	\$ 269,274	\$ -		\$ (269,274)		Deferred until FY 2026
Provo AV Equipment	\$ 285,000	\$ 104,346		\$ (180,654)		Completed; \$224K actual - \$119K paid in FY24 = \$104K actual
Provo Security Equipment	\$ 42,000	\$ 81,963		\$ 39,963		Completed
Provo / AF Furniture Move		\$ 16,499		\$ 16,499		Completed
AOC 3rd Floor Furniture	\$ 167,000	\$ 174,993		\$ 7,993		Completed
AF Hearing Room Const	\$ 500,000		\$ 704,678	\$ 204,678		Will be adjusted as construction is completed
AF Chambers, Office & Support Space Const	\$ 275,000		\$ 330,000	\$ 55,000		Will be adjusted as construction is completed
AF FF&E	\$ 65,000	\$ 60,321		\$ (4,679)		Completed
AF AV, access, cameras and Cabling			\$ 161,598	\$ 161,598		Harris (\$9,684) and AV (\$124,981) only; will be adjusted as construction is completed
WJ Juv Shell Buildout	\$ 1,655,000		\$ 1,067,200	\$ (587,800)		Currently an estimate. Savings is expected; will be adjusted as construction is completed
WJ FF&E			\$ 3,578	\$ 3,578		recon \$2,982 + new; will be adjusted as construction is completed
WJ AV, Sec and Cabling			\$ 18,814	\$ 18,814		Harris (\$15,678); will be adjusted as construction is completed
Math 1st Floor Courtroom Const	\$ 720,000		\$ 739,680	\$ 19,680		inc 9K change order. Savings is expected; will be adjusted as construction is completed
Math 1st Floor Chambers & Support Spaces Const	\$ 309,000		\$ 370,800	\$ 61,800		Will be adjusted as construction is completed
Math AV, Sec and Cabling			\$ 159,446	\$ 159,446		AV \$116,177 + Harris \$16,695 + cabling; will be adjusted as construction is completed
Math 1st floor courtroom FF&E	\$ 95,000	\$ 65,553		\$ (29,447)		Completed
<b>Sub Total</b>	<b>\$ 4,514,274</b>	<b>\$ 576,079</b>	<b>\$ 3,642,194</b>	<b>\$ (296,001)</b>	<b>\$ -</b>	
Total Columns (b) + (c)			\$ 4,218,273			
<b>Total Over/Under Spend</b>	<b>\$ (2,933,274)</b>			<b>\$ (296,001)</b>		Contingency Eligible for Release
10% Contingency	\$ (451,427)			\$ (451,427)		Contingency Budget
<b>Total with 10% Contingency</b>	<b>\$ (3,384,701)</b>			<b>\$ (747,428)</b>		Contingency Available for Uncompleted Projects

## Grants

Amy Hernandez presented a request to apply for the Justice for Families Program Grant funding in response to HB 272's requirement for a judicial education plan. She explained that this would



be a three-year grant with a potential award of \$600,000 for the Judiciary to continue to train judges on domestic violence, child abuse and other topics in cases involving child custody divorces. This funding would also allow the Judiciary to partner with the Utah Domestic Violence Coalition and to fund a position that will conduct focus groups to gather feedback from marginalized populations.

**Motion:** Judge Thomas Low made a motion to approve the request to apply for the Justice for Families Program grant funding as presented. Judge McCullagh seconded the motion, and the motion passed unanimously.

Jordan Murray presented a request to table the acceptance of the \$180,000 Cook County Grant until next month after he and Ms. Hernandez have been able to evaluate some new information on the grant. He explained that there is an additional \$70,000 available to the courts through this award, which changes the original terms of the grant that was requested in November 2024.

**Motion:** Judge David Mortensen made a motion to defer the request to accept the Cook County Grant to the next month's meeting. Judge Cornish seconded the motion, and the motion passed unanimously.

#### **Grants Rule 3-411**

Mr. Murray asked for the Council's feedback on CJA 3-411 and the process of authorizing the acceptance of grant funds when the application was already approved by the Council. Judge Mortensen and Judge James Gardner briefly summarized the discussion that put the rule guardrails in place to allow for ample time for review and discussion. Judge Mortenson commented that if none of the terms of the grant have changed since it was originally approved by the Judicial Council, then it should be able to go on the Council's consent agenda rather than the full agenda. If the terms have changed since the Council initially approved the grant application, then the item would need to be brought back to the Council for consideration. Judge McCullagh recommended that the language in the rule be reviewed by Policy, Planning and Technology (PP&T) committee for improved efficiency.

**Motion:** Judge Mortensen made a motion to refer CJA Rule 3-411 back to PP&T committee to discuss potential streamlining, as discussed. Judge Gardner seconded the motion, and the motion passed unanimously.

Judge Low recommended that the Management Committee be able to place grant acceptance authorizations on the Judicial Council's consent calendar until PP&T has a chance to review the rule. The Committee members were comfortable with that recommendation.

#### **5. AUTHORIZATION TO FILL COMMISSIONER VACANCY: (Mark Paradise)**

Mark Paradise requested authorization to fill Commissioner Michelle Tack's vacancy, who will be retiring May 31, 2025.

**Motion:** Judge Mortensen made a motion to approve the request to fill a Commissioner vacancy in the 3<sup>rd</sup> District. Judge Gardner seconded the motion, and the motion passed unanimously.

#### **6. RULES FOR FINAL APPROVAL: (Keisa Williams)**

Keisa Williams presented CJA rules 3-302, 3-303, and 4-401 for final approval, for which only one public comment was received. The PP&T committee reviewed the comment and did not make any changes based on that comment. Ms. Williams recommended these rules be adopted as final with an effective date of May 1, 2025.

**Motion:** Judge Cornish made a motion to approve the three rules with the effective date of May 1, 2025. Judge McCullagh seconded the motion, and the motion passed unanimously.

#### **7. IT UPDATE 2024: PROJECTS AND ARPA: (Brody Arishita, Todd Eaton, Clayson Quigley, Jace Kinder)**

Brody Arishita, Todd Eaton, Clayson Quigley and Jace Kinder presented a 2024 update and discussed the IT projects going forward.

#### **8. INTERIM GENERATIVE AI RULES: (Keisa Williams, Judge James Gardner)**

Judge Gardner explained that the PP&T committee has been attempting to draft some preliminary rules on the use of AI in the Judiciary, and the possibility and cost of purchasing a closed AI software version. Judge Michael DiReda recommended that the AOC schedule a demonstration of all the available AI tools to educate judges and staff on how to use them appropriately. Judge Susan Eisenman suggested that the training could be held at the next annual Judicial Conference. Judge Gardner recommended an ad hoc workgroup be created to work through some of the issues.

**Motion:** Judge Low made a motion to approve the creation of a subcommittee consisting of suitable representation to investigate the appropriate uses and controls of the use of AI in the Judiciary, and to draft a rule proposal. Judge Brower seconded the motion, and the motion passed unanimously.

#### **9. LEGISLATIVE UPDATES: (Michael Drechsel)**

Michael Drechsel shared that he's excited about this legislative session and to represent the Council and the Liaison Committee before the legislature. Mr. Drechsel shared that there are a lot of criminal justice bills and enhancements for criminal offenses, but he hasn't seen anything so far that deals with the Judiciary's procedures directly. He added that he's received great feedback from judges on the bill summaries he has emailed out and appreciates their efforts.

Judge Low asked Mr. Drechsel to discuss two items that are before the legislature, live streaming in court proceedings and class A misdemeanors returning to a 365-day sentence. Mr. Drechsel gave the following updates on those topics:

- One of the legislators' constituents reached out and asked for more transparency in the courts, suggesting the live streaming of court proceedings. The legislator is not interested in running a bill, but will be seeking funding from the legislature for the project. If granted, the Judiciary would then be responsible to use the funding for implementation. There are several issues with live-streaming courtroom proceedings, but the main challenge is getting funding for the IT investment.

- The issue of class A misdemeanors returning to a 365-day sentence deals with immigration and would make it possible for immigrants found guilty of a class A misdemeanor to be deported.

#### **10. JPEC REPORT: (Mary-Margaret Pingree, Lisa Watts Baskin)**

Mary-Margaret Pingree introduced Lisa Watts Baskin, who is a new JPEC commissioner. Ms. Pingree presented the results from the 2024 retention election, sharing that all 50 judges on the ballot were retained. She shared the following concerns she'd heard during the election:

- **Voters don't use the evaluation date.** The data evaluated showed a correlation between a judge's total score and a "yes" vote. This affirms that voters do actually look at the data.
- **People don't even bother to vote on judges.** The data showed that 83% of voters voted on judges.
- **All judge reports are positive, there's no differentiation.** If a judge receives an unfavorable evaluation, the judge typically resigns rather than stand for retention. JPEC is trying to communicate this information more openly.

#### **11. TREATMENT COURT RECERTIFICATION: (Cris Seabury, Katy Collins)**

Cris Seabury presented the recertification report for the Seventh District, Carbon County Treatment Court under Judge Cas White and requested recertification for this court.

**Motion:** Judge Eisenman made a motion to recertify the Seventh District Treatment Court. Judge Cornish seconded the motion, and the motion passed unanimously.

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

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

#### **13. OLD BUSINESS/NEW BUSINESS: (All)**

Judge DiReda discussed the need to provide a translation of the protective order form for Spanish speaking court patrons, adding that it is a safety concern on both sides of the protective order if the recipient doesn't understand what it means. Judge McCullagh added that there are other forms that have been translated into Spanish, and recommended that the protective order form be added to that list.

**Motion:** Judge DiReda made a motion to have the Protective Order and the Civil Stalking Injunction forms translated into Spanish. Judge Cornish seconded the motion, and the motion passed unanimously.

Mr. Gordon introduced Janine Liebert, the Judiciary's new Self-Help Center/Law Library Director. She came to the Utah Judiciary from the Los Angeles Law Library, the second largest law library in the country.

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

The meeting was adjourned.

**CONSENT CALENDAR ITEMS**

1. Rules for Public Comment
2. Form Updates
3. New Juvenile Probation Policy
4. Forms Committee New Membership

DRAFT

Tab 2

**JUDICIAL COUNCIL'S  
BUDGET & FISCAL MANAGEMENT COMMITTEE**

**Minutes**

**January 13, 2025**

**Meeting held virtually through WebEx**

**12:00 p.m. – 1:00 p.m.**

**Members Present:**

Judge Rita Cornish (Chair)

Judge Michael DiReda

Judge Susan Eisenman

Kristin Woods

**Guests:**

Mark Urry, TCE, Fourth District Court

Brett Folkman, TCE, First District Courts

**Excused:**

**AOC Staff Present:**

Ron Gordon

Neira Siaperas

Nick Stiles

Erin Rhead

Tina Sweet

Amy Hernandez

Karl Sweeney

Alisha Johnson

Kelly Moreira

Jordan Murray

Suzette Deans, Recording Secretary

**1. WELCOME AND APPROVAL OF MINUTES (Karl Sweeney – “Presenter”)**

Judge Rita Cornish welcomed everyone to the meeting and asked for a motion to approve the minutes from the last meeting.

**Motion:** Judge Michael DiReda moved to approve December 2, 2024, minutes, as presented. Kristin Woods seconded the motion, and it passed unanimously.

**2. FY 2023 Financials / Turnover Savings / ARPA Update (Kelly Moreira – “Presenter”)**

Ongoing Turnover Savings (“OTS”)/FY 2025 Carryforward and Ongoing Requests – Kelly Moreira indicated we carried over \$140,594 in ongoing savings from FY 2024. So far, we have generated \$400,673 in OTS giving a total savings of \$541,267 in YTD OTS. We forecast future OTS amount of \$300,000 (6 months @ \$50K per month) for a total OTS of \$841,267 that is

reduced by \$200,000 for Judicial Council authorized hot spot raise funds leaving a total of \$641,267 for future discretionary use.



### FY 2025 Ongoing Turnover Savings as of 01/04/2025

#	Funding Type	Actual Amount YTD	Forecasted Amount @ YE
	Internal Savings	140,594	140,594
	Internal Savings	400,673	400,673
1	Internal Savings	-	300,000
	Internal Savings	-	-
<b>TOTAL SAVINGS</b>		<b>541,267</b>	<b>841,267</b>
2		(115,189)	(200,000)
<b>TOTAL USES</b>		<b>(115,189)</b>	<b>(200,000)</b>
<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025</b>		<b>426,078</b>	<b>641,267</b>

Prior Report Totals as of 11/26/2024 313,068.35 559,373.25

- Ongoing turnover savings only happens when a vacant position is filled at a lower rate (Salary Differential) and / or with lower benefits (Benefit Differential).
- We defer recognizing the Benefit Differential until Q4 of the fiscal year due to potential volatility in benefit selection in the short term. This allows time for the benefit selections for the year to normalize. YTD benefit differential is -\$70,655 down from -\$98,750 last month. FY 2024 full year benefit differential was \$331,176
- Currently, 35 FTE are vacant.
- We are currently estimating \$50,000 of ongoing Salary Differential savings a month for the remainder of the fiscal year.
- Authority was delegated from the Judicial Council to the State Court Administrator/Deputy in October 2022 to expend up to \$200,000 annually.

**Definitions:**

**Salary Differential** - the annualized difference in salary and salary related benefits between a prior employee and a replacement employee. Recognized when a new employee is hired.

**Benefit Differential** - the annualized difference in medical and dental benefit cost between a prior employee and a replacement employee. Recognized in Q4 of the fiscal year and only after benefits are selected.

One-Time Turnover Savings/ FY 2025 YE Requests - One-time TOS are generated from position vacancies which are higher in FY 2025 (we averaged +/- 30 in FY 2024 and we are averaging +/- 40 in FY 2025). Kelly Moreira reported that our actual 1x TOS is running almost \$2,000 per work hour based on a 2088 annual hour year, versus \$1,200 per work hour actual for full FY 2024. Our FY 2025 total forecast uses an actual 1x TOS of \$1,735 per hour for YTD hours (1,000) with a future forecast for the balance of the year of \$1,200 per hour for 1,088 hours which yields a conservative \$3,040,311 total.



### FY 2025 One Time Turnover Savings

Updated as of Pay Period Ending 12/20/2024 (1,000 out of 2,088 hours)

#	Funding Type	Actual Amount
1	Internal Savings	1,734,711
2	Internal Savings (Est.)	1,305,600
<b>Total Potential One Time Savings</b>		<b>3,040,311</b>

Prior Report Totals (as of 11/08/2024) 3,053,690

- \$1,200 / pay hour represents the actual FY 2024 average; going with this conservative amount for the balance of the year.
- Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$1,757.86, \$1,856.74, \$2,049.53, and \$1,082.87. The average per hour turnover savings FY 2025 YTD is \$1,734.71

Kelly Moreira reviewed the FY 2025 Year End Spending Requests and Forecasted Available One-Time Funds. As of period 5, as recapped on the schedule, the 1x TOS savings is forecasted to be \$3,040,311. After deducting \$250,000 of hot spot incentive pay, our total 1x TOS is \$2.8M. Operational savings are estimated to be \$800,000 but the forecast from budget managers is due by 1/31/2025 and the next forecast will include this amount. We have also included \$718K of unclaimed property funds to reach a total forecasted 1x funds of \$4.3M. We are showing \$3.2M of carryforward usage with upside to increase the carryforward to our hoped for legislatively-authorized amount of \$3.7M available. This gives the Courts the forecasted potential of one-time savings available for use in FY 2025 of \$1.1M of which \$600K+ has already been approved for use. It is important to note that \$451,427 of the forecasted expenditures are construction contingencies which may or may not be necessary.



### FY 2025 Year End Requests and Forecasted Available One-time Funds - Period 6

Forecasted Available One-time Funds			# One-time Spending Plan Requests	
Description	Funding Type	Amount	Adjusted Requests Amount	Judicial Council Approved Amount
<b>Sources of YE 2025 Funds</b>				
* Turnover Savings as of PPE 12/20/2024	Turnover Savings	1,734,711	\$ -	451,427
Turnover savings Estimate for the rest of the year (\$1,200 x 1,000 pay hours)	Turnover Savings	1,305,600	\$ -	10,000
<b>Total Potential One Time Turnover Savings</b>		<b>3,040,311</b>		156,000
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)		36,500
<b>(a) Total Potential One Time Turnover Savings Less Discretionary Use</b>		<b>2,790,311</b>		(36,500)
Operational Savings From TCE / AOC Budgets - Estimate	Internal Operating Savings	800,000		
Reserve Balance (balance from FY 2024 Carryforward)	Judicial Council Reserve	847		
Received unclaimed property	Additional Revenue Received	718,154		
Anticipated Reserve Uses - including previously approved and pending requests	Jud. Council Reserve Uses	-		
<b>(b) Total Operational Savings and Reserve</b>		<b>1,519,001</b>		
<b>(c) Total of Turnover Savings &amp; Operational Savings = (a) + (b)</b>		<b>4,309,312</b>		
<b>Uses of YE 2025 Funds</b>				
(e) Carryforward into FY 2026 (Anticipate request to Legislature for \$3,700,000)	FY 2026 Carryforward	(3,200,000)		
<b>Total Potential One Time Savings = (c) + (d) less Carryforward (e)</b>		<b>1,109,312</b>		
<b>Less: Judicial Council Requests Previously Approved</b>		<b>(617,427)</b>		
<b>Less: Judicial Council Current Month Spending Requests</b>		<b>-</b>		
<b>Remaining Forecasted Funds Available for FY 2025 YE Spending Requests</b>		<b>491,885</b>		

#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
1	Various Construction Projects (FY 2025) Contingency (10%)	\$ -	451,427
2	All Rise Utah Welcome Dinner	\$ -	10,000
3	Q1 / Q2 Performance Bonus	\$ -	156,000
	Replacement of EMV Credit Card Devices	\$ -	36,500
4	Reimbursement from Trust Account Interest Earnings	\$ -	(36,500)
	<b>Current Month One-time Spending Requests</b>	-	
	<b>Previously Approved 1x FY 2024 YE Spending Request</b>		617,427

\* Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$1,757.86, \$1,856.74, \$2,049.53, and \$1,082.87. The average per hour turnover savings FY 2025 YTD is \$1,734.71  
 (b) Estimate only; Operational Savings from TCE / AOC Budgets will be updated in January / February 2025. FY 2024 operational savings were \$1.3M.





FY 2026 Carryforward and Ongoing Requests - Period 6, FY 2025

1/4/2025

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2024		\$ 140,594.35
Forecasted YE Ongoing Turnover Savings from FY 2025		\$ 700,673
<b>Subtotal</b>		<b>\$ 841,267</b>
Unobligated Fiscal Note Funds - District Court (net)	\$ -	\$ -
Unobligated Fiscal Note Funds - Juvenile Court	\$ -	\$ -
Unobligated Fiscal Note Funds - Admin	\$ -	\$ -
<b>Expected Carryforward Amount from Fiscal Year 2025</b>	<b>\$ 3,200,000</b>	<b>\$ -</b>
<b>Total Available Funding</b>	<b>\$ 3,200,000</b>	<b>\$ 841,267</b>
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use	\$ (250,000)	\$ (200,000)
<b>Net Ongoing TOS Available for Use</b>	<b>\$ 2,950,000</b>	<b>\$ 641,267</b>

Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
Subtotal	\$ -	\$ -	\$ -	\$ -
<b>Balance Remaining After Judicial Council Approvals</b>			<b>\$ 2,950,000</b>	<b>\$ 641,267</b>
<b>Balance Remaining Inclusive of "Presented"</b>	<b>\$ 2,950,000</b>	<b>\$ 641,267</b>		

One Time Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
Subtotal	\$ -	\$ -	\$ -	\$ -
<b>Balance Remaining After Judicial Council Approvals</b>			<b>\$ 2,950,000</b>	<b>\$ 641,267</b>
<b>+ Balance Remaining Inclusive of "Presented"</b>	<b>\$ 2,950,000</b>	<b>\$ 641,267</b>		

Prior Report Balances (first report of the fiscal year) N/A N/A

LEGEND

- Highlighted items are currently being presented to the Budget and Fiscal Management Committee.
- Highlighted items have been approved by the BFMC and are on track for being presented to the Judicial Council.
- Highlighted items have been previously approved by the Judicial Council.
- Highlighted items that are Fiscal Note Funds
- \* - items have been presented and approved in prior years.
- + - One-time balance remaining is available to go into Judicial Council reserve. Ongoing balance remaining will be included in the beginning balance for ongoing turnover savings.
- ^ - Request to Legislature was Not Funded
- BFMC approval to submit request to Judicial Council does not imply Judicial Council must approve the recommendation.
- If more funds are available than the total of requests received, prioritization is optional.

ARPA Expenditures – We have expended \$13.7M of ARPA funds as of period 5. This leaves an available balance of \$1.36M of the \$15 million that was awarded to the courts 100% of which has been obligated with a signed contract. We anticipate this remaining balance of \$1.36M will have checks cut against it before the extended cutoff date of December 31, 2026.



### ARPA Expenses as of 01/06/2025 (period 6 not closed)

	A	B	C	D	E	F	G		
	Judicial Council Approved	Actual FY 2022 Expended	Actual FY 2023 Expended	Actual 2024 Expended	FY Actual 2025 Expended	FY	Total Expended Amount	Balance Available	% Obligated
IT Access to Justice - Part I + II	12,373,400	3,042,468	4,613,255	3,075,857	280,844		11,012,424	1,360,976	100.00%
Courts Case Backlog - Part I + II	2,302,100	707,963	1,007,135	587,002	-		2,302,100	Completed in FY 2024	
Legal Sandbox Response to COVID	324,500	-	171,636	152,864	-		324,500	Completed in FY 2024	
<b>TOTAL</b>	<b>15,000,000</b>	<b>3,750,430.78</b>	<b>5,792,026.58</b>	<b>3,815,722.46</b>	<b>280,843.90</b>		<b>13,639,023.72</b>	<b>1,360,976.28</b>	

Expenditures added since last report: \$ 39,833.90

ARPA funds expended cut off date is 12/31/2026; ARPA funds obligated cut off date was 12/31/2024.  
 The definition of obligation is not only budgeting money but also taking steps to create a contract, sub-award, or similar transaction that requires payment. Consider the time it takes to negotiate and execute a contract when planning to meet the obligation deadline.

Karl Sweeney reviewed the Facilities Spending Plan and the amount of \$451K of construction contingency that was already approved by the Judicial Council. Construction is proceeding and we will have the potential to release excess contingency in a month or so.

Facilities Spending Plan for Large Projects FY25 - 1/8/25 update							Details
Credits in FY25 Only							
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)	(c)	(b) - (a) or (c) - (a)		
<b>Projects</b>	<b>Budget</b>	<b>Actual To Date</b>	<b>Bid + 20% Contingency</b>	<b>(Under)/Over Budget</b>	<b>Contingency Available for Use</b>		
Provo FF&E	\$ 60,000	\$ 72,404		\$ 12,404		Completed	
Heber FF&E **	\$ -	\$ -		\$ -		N/A	
Manti Security Systems ***	\$ -	\$ -		\$ -		N/A	
Manti FF&E Overage	\$ 72,000		\$ 86,400	\$ 14,400		Will be adjusted as construction is completed	
Roosevelt Design and TI	\$ 269,274	\$ -		\$ (269,274)		Deferred until FY 2026	
Provo AV Equipment	\$ 285,000	\$ 104,346		\$ (180,654)		Completed; \$224K actual - \$119K paid in FY24 = \$104K actual	
Provo Security Equipment	\$ 42,000	\$ 81,963		\$ 39,963		Completed	
Provo / AF Furniture Move		\$ 16,499		\$ 16,499		Completed	
AOC 3rd Floor Furniture	\$ 167,000	\$ 174,993		\$ 7,993		Completed	
AF Hearing Room Const	\$ 500,000		\$ 704,678	\$ 204,678		Will be adjusted as construction is completed	
AF Chambers, Office & Support Space Const	\$ 275,000		\$ 330,000	\$ 55,000		Will be adjusted as construction is completed	
AF FF&E	\$ 65,000	\$ 60,321		\$ (4,679)		Completed	
AF AV, access, cameras and Cabling			\$ 161,598	\$ 161,598		Harris (\$9,684) and AV (\$124,981) only; will be adjusted as construction is completed	
WJ Juv Shell Buildout	\$ 1,655,000		\$ 1,067,200	\$ (587,800)		Currently an estimate. Savings is expected; will be adjusted as construction is completed	
WJ FF&E			\$ 3,578	\$ 3,578		recon \$2,982 + new; will be adjusted as construction is completed	
WJ AV, Sec and Cabling			\$ 18,814	\$ 18,814		Harris (\$15,678); will be adjusted as construction is completed	
Math 1st Floor Courtroom Const	\$ 720,000		\$ 739,680	\$ 19,680		inc 9K change order. Savings is expected; will be adjusted as construction is completed	
Math 1st Floor Chambers & Support Spaces Const	\$ 309,000		\$ 370,800	\$ 61,800		Will be adjusted as construction is completed	
Math AV, Sec and Cabling			\$ 159,446	\$ 159,446		AV \$116,177 + Harris \$16,695 + cabling; will be adjusted as construction is completed	
Math 1st floor courtroom FF&E	\$ 95,000	\$ 65,553		\$ (29,447)		Completed	
<b>Sub Total</b>	<b>\$ 4,514,274</b>	<b>\$ 576,079</b>	<b>\$ 3,642,194</b>	<b>\$ (296,001)</b>			
Total Columns (b) + (c)			\$ 4,218,273				
<b>Total Over/Under Spend</b>	<b>\$ (2,933,274)</b>			<b>\$ (296,001)</b>		Contingency Eligible for Release (includes \$269K deferred to FY 2026)	
10% Contingency	\$ (451,427)			\$ (451,427)		Contingency Budget	
<b>Total with 10% Contingency</b>	<b>\$ (3,384,701)</b>			<b>\$ (747,428)</b>		Contingency Available for Uncompleted 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  
 Project ongoing and subject to cost change

### 3. Grants (Jordan Murray and Amy Hernandez – “Presenters”)

- Request to Accept Award – Civil Protection Orders Pilot Program

The Domestic Violence Program requests approval from the BFMC to participate in the Child-Related Relief Facilitation in Civil Protection Orders Pilot Program and accept the program grant award. If approved by BFMC, this request will be presented to the Management Committee on January 14, 2025, for the Judicial Council's consent calendar. This pilot program is offered by the National Council of Juvenile and Family Court Judges (NCJFCJ) in partnership with the Office on Violence Against Women (OVW). This grant award provides funding and technical assistance oversight from NCJFCJ to replicate the protective order model used by the Domestic Violence Division of the Cook County (Chicago), IL Circuit Court over a three-year period. OVW and NCJFCJ have certified this protective order model as the gold standard in protective order practices as it has significantly increased reported safety outcomes for court patrons and their children.

**Motion:** Judge Michael DiReda made a motion to recommend the request be forwarded to the Management Committee for consideration. Judge Susan Eisenman seconded the motion, and it passed unanimously.

- Grant Application Proposal – Justice for Families Program

The Domestic Violence Program is requesting approval from the Budget and Fiscal Management Committee to apply for the Justice for Families Program Grant funding. This grant is a three-year grant with a potential award of \$600,000. The Domestic Violence Program seeks to apply for this funding to continue implementing the education plan required by HB 272.

**Motion:** Kristin Woods made a motion to recommend the request be forwarded to the Judicial Council for consideration. Judge Susan Eisenman seconded the motion, and it passed unanimously.

Other Business

None

Next meeting February 10, 2025

Meeting adjourned at 12:30 p.m.

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

Webex video conferencing  
January 10, 2025 – 12 p.m.

**MEMBERS:**

PRESENT

EXCUSED

	PRESENT	EXCUSED
Judge James Gardner, <i>Chair</i>	✓	
Justice Paige Petersen	✓	
Judge Angela Fonnesbeck		✓
Judge Jon Carpenter	✓	

**GUESTS:**

Nini Rich  
Shane Bahr  
Keri Sargent  
Kim Zimmerman  
James Peters  
Jon Puente  
Janine Liebert

**STAFF:**

Keisa Williams  
Todd Eaton  
Cindy Schut

**(1) Welcome and approval of minutes:**

Judge Gardner welcomed the committee members to the Policy, Planning, and Technology Committee (PP&T) meeting. PP&T considered the minutes from the December 6, 2024 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Justice Petersen seconded the motion. The motion passed unanimously.

**(2) Rules back from public comment:**

- CJA 1-205. Standing and ad hoc committees (AMEND)**
- CJA 3-114. Judicial outreach (REPEAL)**
- CJA 3-302. Clerk of the court (AMEND)**
- CJA 3-303. Justice court clerks (AMEND)**
- CJA 4-401. Proceedings conducted by remote transmission (NEW)**

The public comment period on the above rules has closed. Rules 1-205 and 3-114 were approved on an expedited basis and are currently in effect. No public comments were received. One public comment was received on rule 4-401 expressing confusion about whether the rule applies to telephone appearances. Language was added to clarify that the rule only applies to video conferencing platforms. One comment was received about clerk training, but it was unclear whether the comment was a reference to rule 3-302 or 3-303. Following a discussion, the Committee made no additional amendments to either rule.

***Judge Gardner moved to send rules 3-302, 3-303, and 4-401 to the Judicial Council with a recommendation that they be approved as final with a May 1, 2025 effective date. Judge Carpenter seconded the motion. The motion passed unanimously.***

### **(3) CJA 4-510.03 Qualification of ADR providers.**

Nini Rich reviewed proposed amendments to CJA Rule 4-510.03 as described in detail in the memo provided to the committee members. In summary, the proposed amendments would remove the language that allows, but does not require, the Judicial Council to establish alternative education, training, and experience requirements for inclusion on the Utah Court Approved ADR Roster (Roster) as an arbitrator. The Judicial Council has never established such alternative requirements. An individual who practices arbitration, but who is not a member of the Utah State Bar, contacted the AOC and asked the Judicial Council to determine what constitutes other education, training, and experience requirements. Nini noted that there are four providers on the Roster who are arbitrators and eight providers who are mediators and arbitrators. These providers are members of the Utah State Bar and have been for at least 10 years. She further noted that the ADR director can exclude a provider as part of their authority to maintain the Roster.

Following a discussion, the Committee made the following changes:

- Removed the language in (6)(A) (lines 100-101) as it is vague and keeping it would require a process to be put in place for a provider to be approved by the Council;
- Removed the definitions for “ADR” and “Roster” (line 5) and “Director” (line 14) as there is a definition section in 4-501.01 that defines those terms;
- Replaced “Provider” with “provider” throughout as it is not a defined term;
- Added “in writing” on line 146;
- Removed “All” from lines 44, 69, and 74; and
- Added “New applicants must” in line 53 and “New applicants and providers must” in lines 56 and 59.

The Committee discussed revising the definition section in 4-501.01 to update terms and define “provider.” Ms. Williams will review the section and report back to the Committee.

***With no further discussion, Judge Carpenter moved to send rule 4-510.03 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Justice Petersen seconded the motion. The motion passed unanimously.***

### **(4) CJA 1-101. General definitions – Rules of Construction.**

The proposed amendments clarify and update uniform definitions in the CJA. The Committee discussed the removal of the definition of “Chair” (line 14) as it is confusing and possibly unnecessary. To be certain that “Chair” is not used elsewhere in the rules, Ms. Williams will conduct a search before the next PP&T meeting.

Ms. Sargent noted the definition for Court Level Administrator (line 20) should include the newly formed business and chancery court. The Committee added business and chancery court to this definition.

***With no further discussion, Judge Gardner moved to send CJA 1-101 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.***

**(5) CJA 4-111. Priority of post-conviction petitions in capital cases.**

Shane Bahr reviewed proposed amendments that remove language requiring the AOC to prepare a monthly report on post-conviction petitions in capital cases. Currently, court staff compile the report manually and send it to judges with relevant cases. After consulting with the Capital Litigation Research Attorney and judges who have, or have had, post-conviction capital cases, they agree this report is no longer needed and creates unnecessary work.

The Committee discussed the portion of the rule in paragraph (1) that requires judges to expedite the procedures, hearings, and disposition of post-conviction petitions in capital cases above all other cases, except the trial and appeal of capital felonies. The rule went into effect on November 1, 1996. It is unclear if the Judicial Council still believes these cases should be expedited above all other cases. Following further discussion, the Committee determined that the language in paragraph (1) is a policy decision that should be made by the Judicial Council. Shane Bahr will seek feedback from the Capital Litigation Research Attorney and the Board of District Court Judges prior to the next Council meeting.

***Judge Gardner moved to send CJA 4-111 to the Judicial Council for discussion. Judge Carpenter seconded the motion. The motion passed unanimously.***

**Technology report/proposals:**

The Technology Advisory Committee (TAC) will meet on January 13, 2025 to discuss the Artic Wolf cybersecurity training, which is nearly ready for implementation. The IT department is working with the education department to facilitate the mandatory training and to ensure that completion is reported on LMS. TAC will also discuss the emergency response plan and create a restoration priority list, which will help identify essential court functions that could be affected in the event of an emergency impacting multiple systems.

**Old Business/New Business:** None.

**Adjourn:** With no further items for discussion, the meeting adjourned at 12:46 p.m. The next meeting will be held on February 7, 2025, at noon via Webex video conferencing.

Tab 3

**Budget and Grants Agenda  
For February 24, 2025  
Judicial Council Meeting**

1. Monthly YTD Financials ..... Alisha Johnson  
(Item 1 – Information)
  
2. Year End Budget Requests..... Alisha Johnson  
(Item 2 – Action)
  - Purchase of Utah Code and Court Rules per CJA 3-413 ..... Kaden Taylor
  - Mitigate Laptop Price Increases..... Todd Eaton
  
3. Grant Requests ..... Jordan Murray  
(Item 3 – Action/Information)
  - a. Request to Accept Award: Treatment Courts ..... Katy Burke-Collins  
(Action)
  - b. Request to Accept Award: CPO Pilot Program ..... Amy Hernandez  
(Action)
  - c. GAP Renewal: STOP Violence Against Women Act (VAWA) ..... Amy Hernandez  
(Action)
  - d. GAP: Jury Compensation Pilot Program ..... Jonathan Puente  
(Action)
  - e. Quarterly Grant Report (Q2 FY 2025)..... Jordan Murray  
(Information)



# **Item 1**



## FY 2025 Ongoing Turnover Savings as of 01/30/2025

			Actual	Forecasted
#	Funding Type	Amount YTD	Amount @ YE	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	556,147	556,147
1	Ongoing Turnover Savings FY 2025 (forecast \$50,000 / month x 5 months, Salary Differential only)	Internal Savings	-	250,000
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	Internal Savings	-	-
	<b>TOTAL SAVINGS</b>		<b>696,741</b>	<b>946,741</b>
2	2025 Annual Authorized Hot Spot Raises		(140,264)	(200,000)
	<b>TOTAL USES</b>		<b>(140,264)</b>	<b>(200,000)</b>
<b>Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025</b>			<b>556,477</b>	<b>746,741</b>

*Prior Report Totals as of 01/04/2025*

426,077.72

641,267.01

- \* Ongoing turnover savings only happens when a vacant position is filled at a lower rate (Salary Differential) and / or with lower benefits (Benefit Differential).
- \* We defer recognizing the Benefit Differential until Q4 of the fiscal year due to potential volatility in benefit selection in the short term.  
This allows time for the benefit selections for the year to normalize.  
YTD benefit differential continues to shrink - down to (\$52,928) from (\$70,655) last month. FY 2024 full year benefit differential was +\$331,176
- \* Currently, 22.5 FTE are vacant.
- 1 Currently estimating \$50,000 of ongoing Salary Differential savings a month for the remainder of the FY; actual run rate is \$556,147/7 months = \$79,500/month
- 2 Authority was delegated from the Judicial Council to the State Court Administrator/Deputy in October 2022 to expend up to \$200,000 annually.

**Definitions:**

**Salary Differential** - the annualized difference in salary and salary related benefits between a prior employee and a replacement employee.  
Recognized when a new employee is hired.

**Benefit Differential** - the annualized difference in medical and dental benefit cost between a prior employee and a replacement employee.  
Recognized in Q4 of the fiscal year and only after benefits are selected.



## FY 2025 One Time Turnover Savings

**Updated as of Pay Period Ending 01/17/2025 (1,160 out of 2,088 hours)**

			Actual
#		Funding Type	Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 01/17/2025)	Internal Savings	1,883,297
2	Est. One Time Savings for remaining pay hours (928 @ \$1,200 / pay hour)	Internal Savings (Est.)	1,113,600
<b>Total Potential One Time Savings</b>			<b>2,996,897</b>

*Prior Report Totals (as of 12/20/2024)*

3,040,311

- 1 Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$1,973.12, \$896.68, \$1,575.90, and \$624.05. The average per hour turnover savings FY 2025 YTD is \$1,623.53.
- 2 \$1,200 / pay hour represents the actual FY 2024 average; going with this conservative amount for the balance of the year.



## FY 2025 Year End Requests and Forecasted Available One-time Funds - Period 7

Forecasted Available One-time Funds		
Description	Funding Type	Amount
<b>Sources of YE 2025 Funds</b>		
* Turnover Savings as of PPE 01/17/2025	Turnover Savings	1,883,297
Turnover savings Estimate for the rest of the year (\$1,200 x 928 pay hours)	Turnover Savings	1,113,600
<b>Total Potential One Time Turnover Savings</b>		<b>2,996,897</b>
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
<b>( a ) Total Potential One Time Turnover Savings Less Discretionary Use</b>		<b>2,746,897</b>
<i>Operational Savings From TCE / AOC Budgets - mid-year forecast</i>	<i>Internal Operating Savings</i>	<i>589,875</i>
<i>Operational Savings from IT Budget - unused Carryforward Request</i>	<i>Internal Operating Savings</i>	<i>150,000</i>
<i>Reserve Balance (balance from FY 2024 Carryforward)</i>	<i>Judicial Council Reserve</i>	<i>847</i>
<i>Estimated unclaimed property claims (received and pending)</i>	<i>Additional Revenue Received</i>	<i>730,000</i>
<i>Prior year adjustments - impact on current year operations (Hyrum and OFA)</i>	<i>Adjustments to CY Operations</i>	<i>(90,000)</i>
<b>( b ) Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments</b>		<b>1,380,722</b>
<b>( c ) Total of Turnover Savings &amp; Operational Savings = ( a ) + ( b )</b>		<b>4,127,619</b>
<b>Uses of YE 2025 Funds</b>		
<b>( d ) Carryforward into FY 2026 (Anticipate request to Legislature for \$3,700,000)</b>	<i>FY 2026 Carryforward</i>	<b>(3,200,000)</b>
<b>Total Potential One Time Savings = ( c ) less Carryforward ( d )</b>		<b>927,619</b>
<b>Less: Judicial Council Requests Previously Approved</b>		<b>(467,427)</b>
<b>Less: Judicial Council Current Month Spending Requests</b>		<b>(330,000)</b>
<b>Remaining Forecasted Funds Available for FY 2025 YE Spending Requests</b>		<b>130,192</b>

Updated 02/13/2025

#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
1	Various Construction Projects Contingency (10%, REVISED)	\$ -	301,427
2	All Rise Utah Welcome Dinner	\$ -	10,000
3	Q1 / Q2 Performance Bonus	\$ -	\$ 156,000
4	Replacement of EMV Credit Card Devices	\$ -	\$ 36,500
	Reimbursement from Trust Account Interest Earnings	\$ -	\$ (36,500)
5	Purchasing Utah Code and Court Rules per CJA 3-413	\$ 30,000	
6	Mitigate Laptop Price Increases	\$ 300,000	
	<b>Current Month One-time Spending Requests</b>	<b>330,000</b>	
	<b>Previously Approved 1x FY 2024 YE Spending Request</b>		<b>467,427</b>

- \* Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$1,973.12, \$896.68, \$1,575.90, and \$624.05. The average per hour turnover savings FY 2025 YTD is \$1,623.53.
- (b) Operational Savings from TCE / AOC Budgets has been updated. We expect further updates to occur through the rest of the fiscal year. FY 2024 operational savings were \$1.3M.
- (c) Last month's amount was \$4,309,302. The decrease was primarily caused by mid-year forecast of operational savings coming in \$210,000 below our estimate of \$800,000 and prior year adjustments of (\$90,000). The end of year actual results historically are \$300,000 - \$500,000 above the mid-year forecast.



## ARPA Expenses as of 02/05/2025 (period 7 closed)

	A	B	C	D		E		F	G	
	Judicial Council Approved	Actual FY 2022 Expended	Actual FY 2023 Expended	Actual 2024 Expended	FY 2025 Expended	Actual 2025 Expended	FY	Total Expended Amount	Balance Available	% Obligated
IT Access to Justice - Part I + II	12,373,400	3,042,468	4,613,255	3,075,857	509,665			11,241,245	1,132,155	100.00%
Courts Case Backlog - Part I + II	2,302,100	707,963	1,007,135	587,002	-			2,302,100	Completed in FY 2024	
Legal Sandbox Response to COVID	324,500	-	171,636	152,864	-			324,500	Completed in FY 2024	
<b>TOTAL</b>	<b><u>15,000,000</u></b>	<b><u>3,750,430.78</u></b>	<b><u>5,792,026.58</u></b>	<b><u>3,815,722.46</u></b>	<b><u>509,665.29</u></b>			<b><u>13,867,845.11</u></b>	<b><u>1,132,154.89</u></b>	

*Expenditures added since last report: \$ 228,821.39*

ARPA funds expended cut off date is 12/31/2026; ARPA funds obligated cut off date was 12/31/2024.  
 The definition of obligation is not only budgeting money but also taking steps to create a contract, sub-award, or similar transaction that requires payment. Consider the time it takes to negotiate and execute a contract when planning to meet the obligation deadline.

### Historical Trends

IT Access to Justice Use - Last 3 Periods		
Period 5	Period 6	Period 7
\$ 39,833.90	\$ 85.00	\$ 228,821.39

Period 6 Expenses \$ 228,821.39

INCREASE FROM PRIOR TOTAL EXPENDED AMOUNT: \$ 228,821.39

### Facilities Spending Plan for Large Projects FY25 - 2/13/25 update

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)	(c)	(a) - ((b)+(c))		
<b>Projects</b>	<b>Adjusted Budget</b>	<b>Original Budget</b>	<b>Actual To Date/Projected</b>	<b>Contingency = 10% of original budget</b>	<b>(Under)/Over Budget</b>	<b>Contingency Available for Use</b>	
Provo FF&E		\$ 60,000	\$ 72,404		\$ 12,404		Completed
Heber FF&E **		\$ -	\$ -		\$ -		N/A
Manti Security Systems ***		\$ -	\$ -		\$ -		N/A
Manti FF&E Overage		\$ 72,000		\$ -	\$ (72,000)		Completed
Roosevelt Design and TI		\$ 269,274	\$ -				Deferred until FY 2026
Provo AV Equipment		\$ 285,000	\$ 104,346		\$ (180,654)		Completed; \$224K actual - \$119K paid in FY24 = \$104K actual
Provo Security Equipment		\$ 42,000	\$ 81,963		\$ 39,963		Completed
Provo / AF Furniture Move			\$ 16,499		\$ 16,499		Completed
AOC 3rd Floor Furniture		\$ 167,000	\$ 174,993		\$ 7,993		Completed
AF Hearing Room Const		\$ 500,000	\$ 704,678	\$ 50,000	\$ 254,678		Will be adjusted as construction is completed
AF Chambers, Office & Support Space Const		\$ 275,000	\$ 330,000	\$ 27,500	\$ 82,500		Will be adjusted as construction is completed
AF FF&E		\$ 65,000	\$ 60,321		\$ (4,679)		Completed
<b>AF AV, access, cameras and Cabling</b>		\$ -	\$ 175,390		\$ 175,390		Harris (\$9,684), Cabling \$13,792, and AV (\$124,981) only; will be adjusted as construction is completed
WJ Juv Shell Buildout		\$ 1,655,000	\$ 1,067,200	\$ 165,500	\$ (422,300)		will be adjusted as construction is completed
<b>WJ FF&amp;E</b>			\$ 41,241		\$ 41,241		recon \$2,982 + new \$38,259; will be adjusted as construction is completed
<b>WJ AV, Sec and Cabling</b>			\$ 121,271		\$ 121,271		Harris \$15,678, Yamas \$14,465, AV \$77,958 and cabling \$13,170; will be adjusted as construction is completed
Math 1st Floor Courtroom Const		\$ 720,000	\$ 739,680	\$ 72,000	\$ 91,680		inc 9K change order; will be adjusted as construction is completed
Math 1st Floor Chambers & Support Spaces Const		\$ 309,000			\$ (309,000)		Included in the \$739K bid/actual
<b>Math AV, Sec and Cabling</b>			\$ 146,708		\$ 146,708		AV \$116,177 + Harris \$16,695 + cabling \$13,836; will be adjusted as construction is completed
Math 1st floor courtroom FF&E		\$ 95,000	\$ 65,553		\$ (29,447)		Completed
<b>Sub Total</b>		<b>\$ 4,514,274</b>	<b>\$ 3,902,247</b>	<b>\$ 315,000</b>	<b>\$ (27,753)</b>		
Total Columns (b) + (c)				<b>\$ 4,217,247</b>			Total Spend with Contingency
Adjust for Roosevelt Deferred to FY 2026	\$ (269,274)						
Adjusted Sub Total of Expenditures	<b>\$ 4,245,000</b>	\$ 4,514,274				\$ 315,000	Contingency Allocated to WIP
<b>Total Net Spend (Credits less Expenditures)</b>	<b>\$ (2,664,000)</b>	<b>\$ (2,933,274)</b>				\$ (27,753)	Net Base Budget Over/(Under) = adjustment to contingency
10% Contingency on Expenditures	\$ (424,500)	\$ (451,427)				\$ (451,427)	Contingency Available
<b>Total Net Spend with 10% Contingency</b>	<b>\$ (3,088,500)</b>	<b>\$ (3,384,701)</b>				<b>\$ (164,180)</b>	Subtotal of above
						<b>\$ (150,000)</b>	<b>Contingency Released</b>

\* 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

## **Item 2**

## 5. FY 2025 YE Spending Request – purchasing Utah Code and Court Rules per CJA 3-413

The Judicial Branch receives budget funds through the Legislative appropriations process. Funds appropriated for FY 2025 are to be spent between July 1, 2024 and June 30, 2025; however current spending forecasts indicate the Courts may not fully expend our appropriations by June 30, 2025 even after reserving +\-\$3.2M for carryforward use. This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these anticipated surplus 1x funds for **one-time projects that could be delivered prior to June 30, 2025.**

**Date:** January 31, 2025

**Department or District:** Self-Help Center and Law Library

**Requested by:** Kaden Taylor

**Request title:** Funds for Purchasing Utah Code and Court Rules per CJA 3-413

**Amount requested:** \$30,000

**One-time Turnover Savings funds**

**Purpose of funding request:**

To help cover the extended cost of providing Utah Code and Court Rules volumes to the districts and appellate courts per CJA 3-413.

**Executive summary (include background/history, expected outcomes, relation to performance measures and court mission). Attach supporting data or documents.**

CJA 3-413 outlines that the court administrator will provide copies of the code and court rules to each courtroom in the state and each appellate judge:

(2)(B) Print publications. Upon request, the state court administrator will provide each district and juvenile courtroom a print publication set of the Utah Code Unannotated, and one set of the Utah Court Rules Annotated, and each appellate judge a print publication set of the Utah Code Annotated, and one set of the Utah Court Rules Annotated.

In the past, Legislative Services has assisted the courts in placing these orders. Starting in 2023, Legislative Services notified us that they were no longer going to place an order for the entire state and requested that each agency place orders separately. Their understanding was that the price points offered to Legislative Services for these volumes by the publisher would apply to each state agency as the agency placed their order with LexisNexis, the publisher.

In the second half of 2024, LexisNexis notified the Law Library that the cost for the books was no longer under contract, and they drastically increased the price. Personnel from our General Counsel's Office and the state's Division of Purchasing and General Services concluded that the contract allows for LexisNexis to work with each agency individually to set prices for items. This allows them to hold to the current prices they are offering.

Our costs have increased as follows:

Utah Code Unannotated: \$232 to \$708.80

Utah Court Rules Annotated: \$126 to \$294.40



## 5. FY 2025 YE Spending Request – purchasing Utah Code and Court Rules per CJA 3-413

Utah Code Annotated: \$418 plus \$86 for each replacement volume (number varies per year) to  
\$1,187.20 plus \$252.80 for each replacement volume

These new prices would place the courts \$109,000 over budget if we were to place the same order as last year. The Law Library has worked with the TCEs and staff of the appellate courts to adjust their orders. The resulting cuts to orders from each district still result in a budget deficit which this request aims to cover.

### **Alternative funding sources, if any:**

There are currently no surpluses in the library budget to help cover these costs.

### **If this request is not funded with this request, what are the consequences or is there an alternative strategy?**

CJA 3-413 states that upon request from a district the court administrator will provide these volumes. Without the required funds the law library cannot follow this court rule, and judges will not get their requested volumes. Strategies for future years to address this issue include:

- Seeking competitive bids from suppliers
- an ongoing budgetary increase,
- working with districts to further decrease their orders, or
- a change to the court rule.

**6. FY 2025 YE Spending Request – Mitigate Laptop Price Increase**

The Judicial Branch receives budget funds through the Legislative appropriations process. Funds appropriated for FY 2025 are to be spent between July 1, 2024 and June 30, 2025; however current spending forecasts indicate the Courts may not fully expend our appropriations by June 30, 2025 even after reserving +\-\$3.2M for carryforward use. This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these anticipated surplus 1x funds for **one-time projects that could be delivered prior to June 30, 2025.**

**Date:** February 12, 2025

**Department or District:** IT and AOC Finance

**Requested by:** Todd Eaton and Karl Sweeney

**Request title:** Mitigate Laptop Price Increase

**Amount requested:** \$300,000 **One-time Turnover Savings funds**

**Purpose of funding request:**

To accelerate planned purchases of laptops (which would have been funded with 2026 carryforward funds) to allow the Courts to purchase prior to an announced 10% pricing increase on February 22, 2025. Note: Although the Judicial Council will not vote until February 24, 2025, if needed, we can cancel the order on February 24 and pay at most a minimal re-stocking (if the goods have been shipped) fee and return all of the items. No fee would be due if the goods have not shipped by February 24<sup>th</sup>. The projected savings by making this purchase are at least 10% of the \$300,000 purchase = \$30,000.

**Executive summary (include background/history, expected outcomes, relation to performance measures and court mission). Attach supporting data or documents.**

Todd Eaton received word on February 12 from our IT suppliers of a 10% tariff-induced price increase on PC laptops that will take effect on February 22 with orders needing to be placed before that date. There is also the potential for other price increases between now and the end of the fiscal year depending on future tariff increases.

To protect the Courts’ purchasing power, IT is willing to defer \$150,000 of previously approved carryforward spending scheduled to take place in FY 2025 (see # 17 below) and re-schedule it for FY 2026 as a carryforward item.

		<i>One Time Requests</i>			
		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
14	Third District Juvenile - Village Project Mentor Program - Tiffany Power	\$ 8,500		\$ 8,500	
15	AOC Communications - New Style Guide Resources - Tania Mashburn	\$ 27,000		\$ 27,000	
16*	FY 2025 Contract Court Site Supplemental Funds - Shane Bahr	\$ 10,000		\$ 10,000	
17	IT Webex Virtual Hearing Improvement Project - Brody Arishita	\$ 150,000		\$ 150,000	
18	MyCase Critical Functionality - Self Help Center - Jonathan Mark and Nathanael Player	\$ 265,000		\$ 265,000	
19	Water Law Curriculum Phase 2 - Judge Kate Appleby and Ron Gordon	\$ 20,000		\$ 20,000	
<b>Subtotal</b>		<b>\$ 2,699,350</b>	<b>\$ -</b>	<b>\$ 2,699,350</b>	<b>\$ -</b>

To supplement these funds, Chris Talbot has released \$150,000 of the \$451,427 of previously requested construction contingency funds for this use. This gives us \$300,000 in available FY 2025 funds. This would purchase 270 new laptops. As previously communicated (see schedule below), the construction spending vs budget to date is \$27,753 below budget leaving the potential for a future release of the entire \$451,427. For now, after the release of the \$150,000, we will have \$301,427 remaining in the contingency.

## 6. FY 2025 YE Spending Request – Mitigate Laptop Price Increase

<b>Sub Total</b>		\$ 4,514,274	\$ 3,902,247	\$ 315,000	\$ (27,753)	
Total Columns (b) + (c)				\$ 4,217,247		Total Spend with Contingency
Adjust for Roosevelt Deferred to FY 2026	\$ (269,274)					
Adjusted Sub Total of Expenditures	\$ 4,245,000	\$ 4,514,274			\$ 315,000	Contingency Allocated to WIP
<b>Total Net Spend (Credits less Expenditures)</b>	\$ (2,664,000)	\$ (2,933,274)			\$ (27,753)	Net Base Budget Over/(Under) = adjustment to contingenc
10% Contingency on Expenditures	\$ (424,500)	\$ (451,427)			\$ (451,427)	Contingency Available
<b>Total Net Spend with 10% Contingency</b>	\$ (3,088,500)	\$ (3,384,701)			\$ (164,180)	Subtotal of above
					\$ (150,000)	<b>Contingency Released</b>

**Alternative funding sources, if any:**

None at the time.

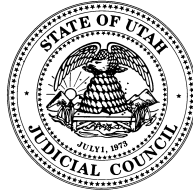
**If this request is not funded with this request, what are the consequences or is there an alternative strategy?**

We always purchase new laptops each year to replace stock that is 5 years old. We will need to increase our spending if we wait.

**Item 3**  
**(Action/Information)**

**(Action)**

**a. Request to Accept Award: Treatment Courts**



# Administrative Office of the Courts

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

January 23, 2025

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

## MEMORANDUM

**TO:** The Budget and Fiscal Management Committee

**FROM:** Jordan Murray, Grant Coordinator  
Katy Burke-Collins, Treatment Court Coordinator  
Shane Bahr, District Court Administrator

**RE:** Request to accept grant funds (\$25,000)

---

Budget and Fiscal Management Committee members, thank you recommending the attached grant application proposal to the Management Committee on December 2, 2024. With the Management Committee's recommendation, the Judicial Council approved the application for submission via consent calendar on December 16, 2024 in accordance with grant renewal provisions in UCJA Rule 3-411(12).

The Commission on Criminal and Juvenile Justice has issued the grant award for \$25,000. We ask today for your recommendation to accept the grant funds and advance our request to the Judicial Council for final review and approval.

Thank you.

Attachments:

1. Grant award letter
2. Grant application proposal

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.



Spencer J. Cox  
Governor  
Deidre Henderson  
Lieutenant Governor

# State of Utah Commission on Criminal and Juvenile Justice

Tom Ross  
*Executive Director*

Utah State Capitol Complex, Senate Building, Suite 330 • Salt Lake City, Utah 84114  
801-538-1031 • Fax: 801-538-1024 • [www.justice.utah.gov](http://www.justice.utah.gov)

January 1, 2025

Katy Burke,  
Statewide Treatment Court Coordinator  
Utah Administrative Office of the Courts

Dear Ms. Burke,

It is my privilege to inform you that the Utah Commission on Criminal and Juvenile Justice (CCJJ) has approved an award from the Utah **State Asset Forfeiture Grant (SAFG)** in the amount of **\$25,000**. Please use the assigned grant number, **25N20**, in all correspondence regarding this project. The award period is from **October 1, 2024 through June 30, 2025**.

By accepting this award, you assume certain administrative and financial responsibilities including the timely submission of all financial and programmatic reports, and resolution of all audit findings. Should your organization not adhere to the terms and conditions of this award, it is subject to termination for cause or other administrative action as appropriate. For these reasons, I encourage you to read Certified Assurances and Grant Conditions, as they summarize important grant management issues.

All CCJJ grants are based on the reimbursement of actual costs. No funding will be provided up-front. Also, do not begin spending funds prior to the start date of your award or on any item not approved in your grant budget or an approved grant adjustment.

Please note that Narrative Progress Reports, Financial Status Reports (FSR), Consortium Reports and other reports as specified by CCJJ are due quarterly. Instruction and general reporting information will be provided each quarter.

Note that all project-related materials and accounting records must be maintained for a period of eight years from the date of your last financial status report, unless an audit has been initiated or unresolved audit findings remain. All records must be maintained until the audit findings are resolved.

If you have any questions regarding this award, please contact Richard Ziebarth at (801) 538-1812 or e-mail [rzebarth@utah.gov](mailto:rzebarth@utah.gov). We look forward to working with you in the months ahead.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Ross".

Tom Ross,  
Executive Director



# Administrative Office of the Courts

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

November 25, 2024

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

## MEMORANDUM

**TO:** The Management Committee

**FROM:** Katy Burke, Statewide Treatment Court Coordinator  
Jordan Murray, Grants Coordinator  
Shane Bahr, District Court Administrator

**RE:** Treatment Courts Grant Renewal (State Asset Forfeiture Grant – \$25,000)

Dear Management Committee:

Following the recommendation of the Budget & Fiscal Management Committee<sup>1</sup>, we kindly request this grant renewal application be considered for the Judicial Council’s consent calendar on 12/16/2024, per [UCJA Rule 3-411\(12\)](#) as the award amount, material conditions of the grant, and AOC resource impact assessment remain unchanged from prior years (“Attachment A”). The application for last year’s funds was approved through the renewal process and is presented again for consideration in the same manner.

This funding is provided by the State Asset Forfeiture Grant Program (SAFG) and is administered by the Utah Commission on Criminal & Juvenile Justice (CCJJ). CCJJ generously supports the annual training initiatives pursued by the treatment courts as their yearly appropriation permits. Our partners at CCJJ have again reserved \$25,000 to support the reimbursement of costs associated with the annual “All Rise” Conference (“RISE25”) scheduled for May 28-31, 2025 in Kissimmee, Florida.

The FY2025 CCJJ grant application is attached (“Attachment B”).

Thank you.

**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.**

450 South State Street / P.O. Box 140241 / Salt Lake City, Utah 84114-0241 / 801-578-3800/ Fax: 801-578-3843

<sup>1</sup> Meeting: December 2, 2024



**ATTACHMENT [A]**  
**Grant Renewals**

UCJA Rule 3-411. Grant Management.

**UCJA Rule 3-411 (12) Renewing the Grant**

(12)(A) Judicial Council approval is required for grant renewals, even when there are no changes to scope, purpose, employees, matching, funding amount, or other areas, or when the prior assessment and/or Legislature approvals will not need to be revised. With appropriate documentation and the recommendation of BFMC, the Management Committee may review and confirm the grant renewal for Judicial Council approval in the consent calendar.

(12)(B) If a grant renewal involves a change that requires a new incremental assessment, or a change to the number of permanent full or part-time employees, or a grant amount requiring a different approval level than previously obtained, the Grant Coordinator will perform the steps in paragraphs (4)(5). If the grant qualifies, the Grant Coordinator will resubmit the grant to the BFMC and Judicial Council for approval.

**ATTACHMENT [B]  
Grant Application**

**State of Utah**



**UTAH COMMISSION ON  
CRIMINAL & JUVENILE JUSTICE**

Utah State Capitol Complex  
East Office Building, Suite E330  
Salt Lake City, Utah 84114-2330  
Ph: (801) 538-1031  
Fax: (801) 538-1024



**State Asset Forfeiture Grant (SAFG)**

**CCJJ Grant # 25N20**

**1. Your Agency Name and Address:**

**Utah Administrative Office of the Courts**  
450 South State Street  
P.O. Box 140241  
Salt Lake City, UT 84114

**2. Agency Contact (Grant Project Director):**

**Katy Burke**

**3. Phone Number:**

**(801) 578-3893**

**4. E-mail Address:**

**Katyb@utcourts.gov**

**5. Grant Start Date and End Date:**

Start Date: **10/1/2024** End Date: **6/30/2025**

**6. Federal Tax Identification Number (87-\_\_\_\_\_):**

**87-6000 545**

**7. Application Budget Summary:**

Contract Services: \$0

Equipment, Supplies and Operating : \$0

Travel & Training: \$25,000.00

**Total Grant Funds: \$25,000.00**

**Signature in line 9 indicates acceptance of the application narrative, budget, certified assurances and grant conditions.**

**8. Print Name and Title of Official Authorized to Sign**

Ronald B. Gordon, Jr.  
State Court Administrator

**9. Signature of Official Authorized to Sign** *(Official authorized to sign includes: City/County Mayor, Manager or Commissioner, Agency Director or President.*

**For CCJJ use ONLY**

**Tom Ross,  
Executive Director of CCJJ**

# Application Narrative

**Application Narrative:** In order for your application to be competitive it will be necessary for you to address Sections a, b, and c application narrative: **Application narratives should be Calibri or Arial 11 point and be 1 to 3 pages max.**

**a)** Please indicate which of the following 7 SAFG Purpose Area(s) your project will focus on (select one or more):

	<b>1)</b> Controlled substance interdiction and enforcement activities.
x	<b>2)</b> Drug court programs.
	<b>3)</b> Activities calculated to enhance future investigations.
	<b>4)</b> Law enforcement training that includes (but not limited to): <i>a) Implementation of the Fourth Amendment of the federal constitution and Utah Constitution Article I, Section 7, b) Protection of the rights of innocent property holders.  c) The 10<sup>th</sup> Amendment of the federal constitution regarding states' sovereignty and the states' reserved rights.</i>
	<b>5)</b> Law enforcement or detention facilities.
	<b>6)</b> Law enforcement operations or equipment which are not routine costs or operational expenses.
	<b>7)</b> Drug, gang, or crime prevention education programs which are sponsored in whole or in part by the law enforcement agency.

**b.) Problem Statement:** Clearly describe the problem to be addressed with SAFG grant funding and support your problem statement with data and statistics where possible:

Despite evidence supporting the efficacy of treatment courts (“problem-solving courts”), many judges, court staff, and other stakeholders have not participated in national training opportunities on the subject. Training for treatment court teams is critical in the effort to improve involved individuals’ overall outcomes and personal wellbeing. Treatment courts are one of the most effective programs in existence addressing substance use and mental health disorders. These specialized courts are effective because of their collaborative team approach which is grounded in the evidence-based Adult Drug Court “Best Practice Standards” manual published by the National Association of Drug Court Professionals (NADCP).

Individuals who are involved with the criminal justice system who live with substance use and mental health disorders are most likely to succeed when they participate in a drug/treatment court where team members adhere to best practice standards. Involved individuals undergo treatment and counseling, make regular appearances before a judge, submit to frequent and random drug testing, and are monitored closely by case management staff and Unified Police Detectives. This model is specially designed to achieve a reduction in recidivism and substance abuse among substance abusing offenders and to increase the offender’s likelihood of successful recovery through treatment, drug testing, supervision, and the use of appropriate sanctions and services. Graduated sanctions, including jail time, are imposed for program non-compliance. Upon graduation, the guilty plea is withdrawn, and the criminal charges are dismissed.

The establishment of treatment courts in the State of Utah is part of a collaborative approach with an individualized plan for each participant. Courts have observed that the same offenders appear in their courts time and time again. Many traditional methods of dealing with certain afflictions, such as through strict probation or mandatory imprisonment, do not correct the fundamental problem.

Treatment courts work by recognizing that unless substance abuse ends, fines and jail time are unlikely to prevent future criminal activity. Consequently, treatment courts, through frequent testing and court supervision, focus upon eliminating drug addiction as a long-term solution to crime. Since the first drug court in Utah was established in Third District Court in 1996, the program has spread quickly. There are an estimated 700-800 participants statewide and hundreds of successful graduates. Although a number of treatment courts exist within Utah, all programs have incorporated a set of ten components created by the United States Department of Justice. These guidelines establish structural components across drug courts while each jurisdiction independently handles matters such as treatment providers and participatory restrictions.

**c.) Plan to Address the Problem:** Clearly describe how SAFG funding will be used to address the problem you have identified and support your plan with data and statistics where possible:

All Rise provides training to over 7,000 treatment court professionals annually at its national conference – the largest training conference in the nation addressing substance abuse and crime. RISE25 is specifically tailored to enhance the skills, leadership, and training of the treatment court team with over 250 cutting-edge sessions, opportunities to connect and learn from colleagues around the world. RISE25 offers courses for the new practitioner and team members who have been in the field for years. The sessions will be a blend of providing what to watch for now and in the future and practical ways to implement these concerns at a minimal cost. Further, it will help us focus our attention on the highest risk areas, given how stretched our resources are. Plenary presentations and breakout sessions will include topics for all types of treatment courts. If funded, this grant will permit approximately eight judicial personnel (Estimated cost of attendance per staff member is \$2,774) to attend and bring the information back to share with their team and colleagues. RISE25 offers a world-class education that is unparalleled in our field.

## Application Budget Tables & Narrative

Complete the Budget Tables page by including cost and quantity of items to be purchased. Within each budget category, you must provide a brief narrative description of the items to be purchased and explain how they will benefit your grant project.

<b>Contract Services</b> - Briefly describe the Contract Services you will pay for with State Asset Forfeiture Grant funds. Any contractor you hire for services to this grant project must first be approved by your agencies purchasing department or Utah State Purchasing Department. Include contract numbers and/or copies of this contract.	
<b>Total Contract Costs</b>	\$

(Provide budget detail and narrative here)

<b>Equipment, Supplies and Operating (ESO)</b> - Briefly describe the ESO costs you will pay for with State Asset Forfeiture Grant funds. Include item descriptions, unit costs and quantity of purchases. ESO purchases must follow the regular procurement policies of your agency or the State of Utah if your agency has no procurement policies.	
<b>Total ESO Costs</b>	\$

(Provide budget detail and narrative here)

<b>Travel/Training</b> - Briefly describe the Travel/Training costs you will pay for with State Asset Forfeiture Grant funds. Include your travel destination, travel purpose, cost of lodging, per diem, ground transport, airfare, etc. Travel costs (including per diem) must follow state of Utah rates unless your agency travel rates are more restrictive.	
<b>Total Travel/Training Costs</b>	\$25,000

The estimated training/travel budget includes the following: flight \$550 + Lodging (\$145/night x 5 nights) \$725 + Ground transportation (2 trips) \$170 + Airport parking (\$10/day x 5 days) \$50 + Meals (\$54/day x 6 days) \$324 + Checked bag fee \$60 + Conference registration fee \$895 = \$2,774/ court staff member.

Many treatment courts do not have funding to send team members to the national conference. If funded, this grant will provide the opportunity for a judge, or designee, from each court type to attend the conference. The judicial role is identified as the team leader and imperative they receive training on the foundation and facilitation of a treatment court. This will also provide an opportunity for increasing team cohesiveness as the attendees will be expected to share the knowledge gained from the conference with their team members and colleagues.

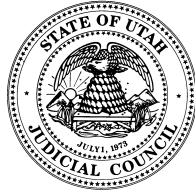
**FYI.** - 5. Expenses Not Allowable - Tips in excess of 20% on food purchases. *Tips on any other grant related purchase other than food is not allowed.*

<b>Confidential Informant/Undercover Officer Buy (CI/UC)</b> - Briefly describe the CI/UC costs you will pay for with State Asset Forfeiture Grant funds. CI/UC costs charged to the STFG grant are required to follow the guidelines of APPENDIX 2 in this application.	
<b>Total CI Costs</b>	\$

<b>Total Grant</b>	<b>\$25,000.00</b>
--------------------	--------------------

**(Action)**

**b. Request to Accept Award: CPO Pilot Program**



# Administrative Office of the Courts

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

February 5, 2025

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

## MEMORANDUM

**TO:** The Budget and Fiscal Management Committee (BFMC)

**FROM:** Amy Hernandez (Domestic Violence Program Manager) and Jordan Murray (Grant Coordinator)

**RE:** Request to participate in the Child-Related Relief Facilitation in Civil Protection Orders Pilot Program and accept the increased program grant award

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The Domestic Violence Program requests approval from the BFMC to accept the increased award amount of \$250,000 (from an original request for \$180,000 submitted but not voted on at the 13 January 2025 BFMC meeting) for the grant titled “The Cook County Model: A Pilot Project to Increase Safe Child-Related Relief in Civil Protection Orders.” This pilot program is offered by the National Council of Juvenile and Family Court Judges (NCJFCJ) in partnership with the Office of Violence Against Women (OVW). The award amount was originally anticipated to be \$180,000 over a three-year period. If approved by the BFMC and Judicial Council, the increased funding of \$250,000 would be used over a twenty-month period instead. The NCJFCJ did not provide an explanation for the shortened timeline. However, the Domestic Violence Program suspects that the new timeline may be in greater compliance with OVW funding requirements.

This grant award would provide funding and technical assistance oversight from NCJFCJ to replicate the [protective order model](#) used by the Domestic Violence Division of the Cook County (Chicago), IL Circuit Court over a twenty-month period. OVW and NCJFCJ have certified this protective order model as the gold standard in protective order practices as it has significantly increased reported safety outcomes for court patrons and their children.

This model also addresses the provisions in Om’s Law ([HB 272](#); [§78A-7-232](#)) which requires judicial officers to receive training on domestic violence, child abuse, and other related topics. Om’s Law also directs the judiciary to find grant funding to support this

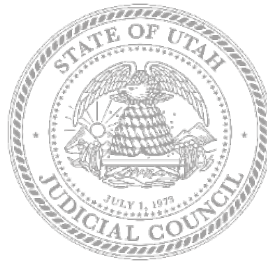
The mission of the Utah judiciary is to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law.

training and improve outcomes in matters involving domestic violence and child custody. Under the proposed pilot program, participating court sites and AOC staff will receive specialized training and resources to better understand and address child safety in cohabitant protective order cases.

If approved, the benefits of this program will greatly impact pro se litigants who often lack the resources to hire an attorney or pay for a custody evaluation. This model would inform the courts about these self-represented parties' custody and parent-time needs in domestic violence cases, where there is often a risk of further domestic violence, child abuse, and/or homicide. With this model, judicial officers may have more information to balance safety and parental rights in protective order cases for court patrons with very few resources.

If the BFMC and Judicial Council approve this request to accept this increased grant award, this program could significantly improve safety and procedural justice outcomes in protective order cases involving children. We look forward to discussing this request with the committee.





# Administrative Office of the Courts

## Grant Application Proposal (GAP) Federal Grant

February 5, 2025

A. Contact Information	
<b>AOC Contact:</b>	Amy Hernandez, Domestic Violence Program Manager (DVPM)
<b>Phone:</b>	(801) 578-3809
<b>Grant Administering Unit:</b>	Domestic Violence Program

B. Grant Details	
<b>Grantor:</b>	Office on Violence Against Women (OVW) and the National Council of Juvenile and Family Court Judges (NCJFCJ)
<b>Title of Grant:</b>	Cook County Model: A Pilot Project to Increase Safe Child-Related Relief in Civil Protection Orders
<b>Application Deadline:</b>	January 1, 2025
<b>Amount Requested:</b>	\$250,000.00
<b>Grant Period Begins:</b>	01/01/2025 <b>Ends:</b> 09/30/2026
<b>Award Type:</b>	<input type="checkbox"/> Recipient <input checked="" type="checkbox"/> Subrecipient

C. Legislative Reporting: Statutory Grant Impact <sup>1</sup>	
<b>Tier 1 – Low</b>	<input type="checkbox"/>
Up to \$1M per year; and no new permanent full or part time employees; and no new state monies required for match (report GAP approved by Judicial Council to LFA, Office of Legislative Research & General Counsel, and EAC).	
<b>Tier 2 – Med</b>	<input checked="" type="checkbox"/>
Greater than \$1M but less than \$10M per year; adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP approved by the Judicial Council to the federal funds request summary to EAC for review & recommendations).	
<b>Tier 3 – High</b>	<input type="checkbox"/>
Greater than \$10M per year; or adds more than 11 permanent full or part time employees; or requires state to expend greater than \$1M per year in new state monies for match (submit GAP approved by the Judicial Council to the federal funds request summary to Legislature for approval or rejection in an annual general session or special session)	

Accounting Manual §11-07.00 Exhibit A (I)(a-c) & UCA 63J-5-§203, 63J-5-§204(1)(a-b)

<sup>1</sup> Grant funds awarded through the Commission on Criminal & Juvenile Justice (CCJJ), Utah Office for Victims of Crime (UOVC), or other authorized State Administering Agency (SAA), are appropriated by the legislature prior to the issuing of subawards; accordingly, SAA-issued subawards are not reported by the recipient to the LFA for EAC/EOCJ review. “Impact Tier” may still be assigned for completeness and purposes of GAP assessment.

1. Describe **(a)** how this grant will support the mission of the Utah Courts to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law; and **(b)** how this grant provides measurable benefits to marginalized, minority, pro se, or similar underserved individuals or communities.

The Cook County Model: A Pilot Project to Increase Safe Child-Related Relief in Civil Protection Orders is a pilot program offered by the National Council of Juvenile and Family Court Judges (NCJFCJ) in partnership with the Office of Violence Against Women (OVW). This model centers upon five key values as guiding principles; they are:

- safety and well-being of children and parents;
- access to justice;
- due process;
- collaboration; and
- accountability and transparency.

These values ensure that court patrons can receive child-related relief in protective order hearings in a manner that meets both parties' needs while prioritizing the safety of their children.

This grant opportunity would provide funding and technical assistance oversight from NCJFCJ to replicate the protective order model used by the Domestic Violence Division of the Cook County (Chicago), IL Circuit Court over a twenty-month period. The NCJFCJ originally anticipated that this program would require three years, but they have recently updated the timeline to a twenty-month implementation period. The NCJFCJ did not provide an explanation for the shortened timeline. However, the DVPM suspects that the new timeline may be in greater compliance with OVW funding requirements.

OVW and NCJFCJ have certified this protective order model as the gold standard in protective order practices as it has significantly increased reported safety outcomes for court patrons and their children.

The benefits are most pronounced for pro se litigants who often lack the resources to hire an attorney or pay for a custody evaluation. This model would inform the courts about these self-represented parties' custody and parent-time needs in domestic violence cases, where there is often a risk of further domestic violence, child abuse, and/or homicide. With this model, judicial officers may have more information to balance safety and parental rights in child custody, parent-time, and child support orders for court patrons with very few resources.

By participating in this pilot program, the Utah Courts will demonstrate a commitment to the key values outlined in the Cook County model. These values mirror the values expressed in the courts' mission statement by ensuring fair and transparent access to justice while advancing safety and accountability for court patrons in protective order cases.

2. Describe the court resources required to carry out the project in the post-award phase and subsequent to grant closeout once funds are expended.

It is anticipated that grant funding will pay for a full-time position (1 FTE) (approximately \$180,000 (\$108,000 annualized with medical and payroll related benefits), travel costs for judicial officers and court staff involved in the pilot program (approximately \$20,000), and contracted fees to pay for supervised visitation in certain cases (approximately \$50,000). To support the full-time position, the DVPM will supervise that position. Aside from supervision from the DVPM, this position will only require the typical resources associated with onboarding a new employee and maintaining their accounts. Finally, the overall program will require support from the judicial officers and court staff participating in the pilot sites. These judicial officers, their court staff, the Clerks of Court, the Trial Court Executives, and other court programs have agreed to support this program.

Before the grant period concludes, the DVPM plans to request state funding to support this position and project. This pilot program and grant request reflects the work required by House Bill 272 (AKA Om's Law). The legislature required the courts to look at training opportunities and court programs to address domestic violence and child abuse in civil cases. It is implied in the bill that these efforts will initially be funded with grant funds but may later be funded with state funding. The Domestic Violence Program hopes to show positive outcomes from this program to demonstrate why the state should continue to fund this program.

3. Explain whether additional state funding shall be required to maintain or continue this program, or its infrastructure, when the grant concludes. **If yes**, will the funds required to continue this program come from within your existing budget?

Yes, additional funding will be required to support this program once the grant period ends. The Domestic Violence Program does not have the resources to support this program without additional grant funding or state funding. The DVPM will request state or grant funding to continue to support this project and position once the grant ends. Because of the expedited program implementation period, the DVPM will start the request process for this funding in approximately six months to meet the deadline for early FY 2027 funding. By that time, there should be data demonstrating the efficacy of this program to support the funding request.

4. How many **new permanent** full or part-time employees are required for the grant project at peak levels of grant-funded employment? If none, write "N/A."

One full-time position (1 FTE)

5. How many **new temporary** full or part-time employees are required for the grant project at peak levels of grant-funded employment? If none, write "N/A."

NA.

## E. Anticipated Budget Tables & Narrative

Complete the following tables as applicable with estimated expenditures for up to three state fiscal years. **If no matching contributions are required, complete only Table C.**

**TABLE A. CASH MATCH**

Fiscal Year	Funds Disbursed	Matching State Dollars (Cash)					
		General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	Totals
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$

Provide details below for each match:

**TABLE B. IN-KIND MATCH**

Fiscal Year	Funds Disbursed	Matching State Dollars (In-Kind)					
		General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	Totals
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$

Provide details below for each match:

**TABLE C. NO MATCH REQUIREMENT**

Fiscal Year	Funds Disbursed
FY 25-26	\$110,000
FY 26-27	\$140,000
FY 27-28	\$0

## F. Resource Impact Assessment

This section completed by Grant Coordinator

UCJA Rule 3-411 (4)

### Summary Recommendation

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This grant opportunity provides funding for 1 FTE and covers travel costs associated with judicial officers and other courts' staff participating in the pilot program over a 20-month period. If awarded, this grant begins to address incremental impacts from [Utah House Bill 272](#). Current staffing levels must be supplemented to successfully carry out the additional work. The legislation encourages pursuit of grant funding to support the program, either fully or in part. Please see "Attachment A" for a memorandum on HB 272 that was presented to the Judicial Council in August 2024.

#### **Assessment Criteria 1:** Capacity of impacted court areas to successfully support the grant at current staffing levels (UCJA Rule 3-411 (4)(a)(i))

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Current staffing levels must be supplemented to successfully oversee the work associated with Utah House Bill 272 (AKA Om's Law). This legislation requires the courts to look at training opportunities and court programs addressing domestic violence and child abuse in civil cases, and recommends these efforts be supported (in whole or part) with grant funds (78A-2-232 (3)(b)(iv)). At least 1 additional FTE is required to ensure core aspects of the associated work are addressed and to sustain the program long-term. Multiple sources of funding are being considered to support this position and related work in the future (see "Attachment A" pg. 2, section 4).

#### **Assessment Criteria 2:** Anticipated incremental impacts to AOC resources once grant funds are expended (UCJA Rule 3-411 (4)(a)(ii)).

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Incremental impacts are anticipated as a condition of Utah House Bill 272, regardless of whether grant funding supports the program. HB 272 requires the development of a judicial education program to strengthen the courts' ability to identify domestic violence and child abuse in child custody proceedings. In addition, the courts must comply with new requirements for evidence admission and orders in district court proceedings involving child custody and parent-time matters.

This proposal has been reviewed and approved by the following (complete all that apply):

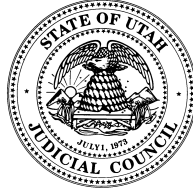
Applicable Board of Judges and Court Level Administrator

AOC Grant Coordinator and Finance Director

The Utah Supreme Court (UCJA Rule 3-105)

Approved by the Judicial Council (date):

State Court Administrator Signature:



# Administrative Office of the Courts

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

August 1, 2024

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

## MEMORANDUM

**TO:** The Judicial Council

**FROM:** Ron Gordon (State Court Administrator), Lauren Anderson (Judicial Institute Director), Tonia Wilson (Judicial Educator), and Amy Hernandez (Domestic Violence Program Manager)

**RE:** Proposed Judicial Education Program Required by HB 272

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During the 2024 session, the legislature passed [HB 272](#) to address the protection of children in district court proceedings involving child custody and parent-time issues. In addition to imposing specific requirements for evidence admission and orders in these cases, HB 272 requires the state court administrator to develop a judicial education program. This judicial education program must strengthen the courts' ability to identify domestic violence and child abuse in child custody proceedings and make custody decisions that "prioritize a child's physical and psychological safety and well-being" ([UCA 78A-2-232\(2\)\(a\)](#)).

The state court administrator must present this proposed judicial education program to the Judiciary Interim Committee by the committee's September interim meeting. To prepare for this presentation, we are seeking the Judicial Council's feedback on the proposed program and the four key presentation topics required by HB 272.

We anticipate that this judicial education program will be carried out over 18 months to two years with assistance from local and national technical assistance providers. This program will provide training about domestic violence, child abuse, and how the courts can address these issues in civil cases. The training options will range from basic, introductory trainings to in-depth and advanced trainings to meet the diverse needs and backgrounds of Utah's judicial officers.

To comply with HB 272 requirements and ensure an effective education program, we are proposing the following:

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1. specific personnel positions that will be required to participate in the program:
  - a. Judicial Education Department Team,
  - b. Domestic Violence Program Manager,
  - c. Grants Coordinator (i.e., grants may be needed to fund the program),
  - d. District Court Administrative Team and
  - e. Self-Help Center Team (i.e., to provide training and guidance for working with self-represented court patrons).
2. performance metrics for the program and how those metrics may be tracked:
  - a. increased knowledge tracked by pre and post knowledge assessment outcomes.
  - b. improved judicial skills in cases involving parent-time and custody decisions tracked by implementation survey responses.
  - c. the implementation of trauma-informed care practices tracked by a completed trauma-informed care audit (whether conducted by the AOC or Trauma-Informed Utah),
  - d. improved domestic violence, child abuse, and procedural justice outcomes for court patrons tracked by court patron feedback collected through:
    - i. survey responses and
    - ii. focus groups conducted by the Utah Domestic Violence Coalition.
3. an estimate of the costs to implement the program:
  - a. Low range: \$5,000<sup>1</sup>
    - i. online, on-demand content
  - b. High Range: \$160,000
    - i. \$50,000 for conference costs (includes speaker fees, lodging, per diem, and travel costs for judicial officers)
    - ii. \$110,000 for a position within the Utah Domestic Violence Coalition to manage and conduct the focus groups
4. an identification of potential grant sources, if any, that may be available to fund the program in whole or in part.
  - a. STOP Abuse Formula Program Grant,
  - b. Justice for Families Program Grant,
  - c. State Justice Institute Curriculum Adaptation & Training Grant, and
  - d. Disability Program Grant.

We look forward to getting your feedback on the proposed education program; thank you.

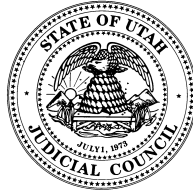
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<sup>1</sup> This cost may be feasible if national technical assistant providers use their grant funding to assist the courts with training.



**(Action)**

**c. GAP Renewal: STOP Violence Against Women Act  
(VAWA)**



# Administrative Office of the Courts

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

February 5, 2025

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

## MEMORANDUM

**TO: The Budget and Fiscal Management Committee (BFMC)**

**FROM: Amy Hernandez (Domestic Violence Program Manager or "DVPM") and Jordan Murray (Grant Coordinator)**

**RE: Request to renew the application for the STOP Violence Against Women Act Grant Funding (AKA "VAWA funding")**

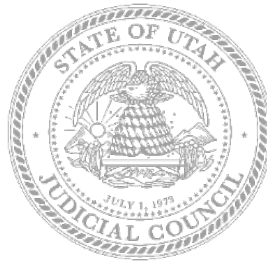
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The Domestic Violence Program (DVP) requests approval from the BFMC to renew the grant application for the STOP Abuse Formula Program Grant funding (AKA VAWA funding). The current VAWA funding expires on June 30<sup>th</sup>, 2025, and has/will provide approximately \$150,000 over a two-year period. This renewal grant funding will provide \$200,000 to be utilized over a two-year period starting July 1<sup>st</sup>, 2025. This renewal funding will be used similarly to the current VAWA funding. If the BFMC and the Judicial Council approve this request to renew the courts' application, the DVPM will apply for funding to support the Domestic Violence Criminal Compliance Dockets Pilot Program (AKA the DV dockets program) and the work required by House Bill 272.

This funding continues to assist low-income defendants involved in the DV dockets receive free probation services or a free domestic violence treatment evaluation. It also pays for speaker fees and other training costs associated with the work required by HB 272 (detailed in the grant application proposal). As a result, this grant funding improves the courts' response to domestic violence in criminal and civil matters.

If the BFMC approves this request to renew the VAWA grant application, the VAWA funding will be used to significantly improve safety and procedural justice outcomes in criminal and civil cases involving domestic violence. Timing considerations prevent this grant renewal request for inclusion on the Management Committee's agenda this month. Alternatively, it is presented to the BFMC under the standard grant application procedures, which requests the BFMC's recommendation to advance this item to the Judicial Council for approval, rather than the Management Committee. We look forward to discussing this request with the 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

## Grant Application Proposal (GAP) Federal Grant

February 5, 2025

A. Contact Information	
<b>AOC Contact:</b>	Amy Hernandez (Domestic Violence Program Manager)
<b>Phone:</b>	(801) 578-3809
<b>Grant Administering Unit:</b>	Domestic Violence Program

B. Grant Details			
<b>Grantor:</b>	Utah Office for Victims of Crime and the Office on Violence Against Women		
<b>Title of Grant:</b>	STOP Abuse Formula Grant Program (AKA VAWA grant)		
<b>Application Deadline:</b>	03/13/2025		
<b>Amount Requested:</b>	\$200,000		
<b>Grant Period Begins:</b>	07/01/2025	<b>Ends:</b>	06/30/2027
<b>Award Type:</b>	<input type="checkbox"/> Recipient	<input checked="" type="checkbox"/> Subrecipient	

C. Legislative Reporting: Statutory Grant Impact <sup>1</sup>	
<b>Tier 1 – Low</b>	<input checked="" type="checkbox"/>
Up to \$1M per year; and no new permanent full or part time employees; and no new state monies required for match (report GAP approved by Judicial Council to LFA, Office of Legislative Research & General Counsel, and EAC).	
<b>Tier 2 – Med</b>	<input type="checkbox"/>
Greater than \$1M but less than \$10M per year; adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP approved by the Judicial Council to the federal funds request summary to EAC for review & recommendations).	
<b>Tier 3 – High</b>	<input type="checkbox"/>
Greater than \$10M per year; or adds more than 11 permanent full or part time employees; or requires state to expend greater than \$1M per year in new state monies for match (submit GAP approved by the Judicial Council to the federal funds request summary to Legislature for approval or rejection in an annual general session or special session)	

Accounting Manual §11-07.00 Exhibit A (I)(a-c) & UCA 63J-5-§203, 63J-5-§204(1)(a-b)

<sup>1</sup> Grant funds awarded through the Commission on Criminal & Juvenile Justice (CCJJ), Utah Office for Victims of Crime (UOVC), or other authorized State Administering Agency (SAA), are appropriated by the legislature prior to the issuing of subawards; accordingly, SAA-issued subawards are not reported by the recipient to the LFA for EAC/EOCJ review. “Impact Tier” may still be assigned for completeness and purposes of GAP assessment.

1. Describe **(a)** how this grant will support the mission of the Utah Courts to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law; and **(b)** how this grant provides measurable benefits to marginalized, minority, pro se, or similar underserved individuals or communities.

The Domestic Violence Program (DVP) seeks to renew their grant application for the STOP Abuse Formula Program Grant funding (AKA the VAWA grant) originally entered into in July of 2010 to support the Domestic Violence Criminal Compliance Dockets Pilot Program (AKA the DV dockets program) and the work required by House Bill 272. This is the thirteenth renewal. The continuing projects are as follows:

- a) The DV dockets: this project seeks to enhance safety and stability for court patrons experiencing domestic violence (both victims and defendants). The DV dockets program maintains three components: the initial domestic violence docket, the compliance docket, and the stakeholder workgroup. The initial domestic violence docket (before adjudication) ensures that pilot sites set domestic violence cases on reoccurring calendars to provide trauma-informed resources to court patrons and enhance best practices regarding domestic violence cases. The second component, the compliance docket (after adjudication), centers upon defendant accountability and victim safety. The pilot sites monitor medium to high-risk defendants placed on this docket and provide resources to both the defendants and victims to keep victims safe, rehabilitate defendants, and prevent further acts of domestic violence and homicide. The final component, the stakeholder workgroup, brings together all the stakeholders in the local criminal justice system to conduct program evaluations, address any issues in the program, and receive ongoing training.

If approved, the renewal VAWA grant funding would support these activities by funding evidence-based domestic violence-specific assessments, domestic violence-specific probation services (including case management), training for pilot sites and their stakeholder groups, and additional resources for defendants and victims involved in the DV dockets program.

By funding the DV dockets program, the VAWA grant will support efforts to advance justice in domestic violence cases by emphasizing the core elements of procedural justice. It will also provide measurable benefits to marginalized, underserved populations in Salt Lake County, Grand County, Wasatch County, and Juab County (pilot sites for the DV dockets program). Under this program, low-income defendants involved in the DV dockets will receive free probation services (paid for by the grant) or a free domestic violence treatment evaluation. Additionally, both victims and defendants will be able to voice feedback on their court experiences (where appropriate) to improve the DV dockets program. These efforts and funding will improve how the courts and local communities respond to domestic violence.

- b) HB 272 Efforts: During the 2024 session, the legislature passed HB 272 to address the protection of children in district court proceedings involving child custody and parent-time issues. In addition to imposing specific requirements for evidence admission and orders in these cases, HB 272 required the state court administrator to develop a judicial education

program. This judicial education program must strengthen the courts' ability to identify domestic violence and child abuse in child custody proceedings and make custody decisions that "prioritize a child's physical and psychological safety and well-being" (UCA 78A-2-232(2)(a)).

This judicial education program is in the process of being implemented and will provide training about domestic violence, child abuse, and how the courts can address these issues in civil cases. The training options will range from basic, introductory trainings to in-depth and advanced trainings to meet the needs of Utah's judicial officers. The renewal VAWA grant funding will support these efforts by paying for speaker fees and training costs. It will also cover the cost of surveying court patrons through SurveyMonkey (a metric to measure the efficacy of the judicial education program). This renewal funding will strengthen the courts' ability to provide fair and open court services to court patrons experiencing domestic violence.

2. Describe the court resources required to carry out the project in the post-award phase and subsequent to grant closeout once funds are expended.

It is anticipated that these projects will only require the Domestic Violence Program Manager's (DVPM) resources during the post-award phase. After FY 2027, it is likely that the courts will receive VAWA grant funding again to support these efforts. The courts have consistently been the recipient of this grant funding since 2010. If this funding source is no longer available, the DVPM will work with stakeholders to fund these projects using state funds.

Finally, the DV dockets program will require support from the judicial officers and court staff participating in the pilot sites. These judicial officers, their court staff, and their local stakeholders have already agreed to support this program.

3. Explain whether additional state funding shall be required to maintain or continue this program, or its infrastructure, when the grant concludes. **If yes**, will the funds required to continue this program come from within your existing budget?

After the VAWA grant funding concludes for this cycle, it is anticipated that the DVPM will be able to apply for additional VAWA grant funding to support these projects. If that funding source is no longer available, the DVPM will seek out state funding to support these projects.

4. How many **new permanent** full or part-time employees are required for the grant project at peak levels of grant-funded employment? If none, write "N/A."

N/A.

5. How many **new temporary** full or part-time employees are required for the grant project at peak levels of grant-funded employment? If none, write "N/A."

N/A.

## E. Anticipated Budget Tables & Narrative

Complete the following tables as applicable with estimated expenditures for up to three state fiscal years. **If no matching contributions are required, complete only Table C.**

**TABLE A. CASH MATCH**

Fiscal Year		Funds Disbursed	Matching State Dollars (Cash)					Totals
			General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	
FY	2026	\$100,000	\$25,000	\$	\$	\$	\$	\$125,000
FY	2027	\$100,000	\$25,000	\$	\$	\$	\$	\$125,000
FY		\$	\$	\$	\$	\$	\$	\$

Provide details below for each match:

The Domestic Violence Program proposes to use the general funding set aside for the Domestic Violence Program Manager position. The funding for this position will fully cover the cash match requirement over the two years of the grant.

**TABLE B. IN-KIND MATCH**

Fiscal Year		Funds Disbursed	Matching State Dollars (In-Kind)					Totals
			General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	
FY		\$	\$	\$	\$	\$	\$	\$
FY		\$	\$	\$	\$	\$	\$	\$
FY		\$	\$	\$	\$	\$	\$	\$

Provide details below for each match:

**TABLE C. NO MATCH REQUIREMENT**

Fiscal Year		Funds Disbursed
FY		\$
FY		\$
FY		\$

## F. Resource Impact Assessment

This section completed by Grant Coordinator

UCJA Rule 3-411 (4)

### Summary Recommendation

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The Domestic Violence Program has successfully utilized VAWA funding since 2010. The Domestic Violence Program Manager maintains sufficient capacity to oversee the work, and no incremental impacts are anticipated to AOC resources once this two-year funding cycle concludes.

**Assessment Criteria 1:** Capacity of impacted court areas to successfully support the grant at current staffing levels (UCJA Rule 3-411 (4)(a)(i))

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The Domestic Violence Program is adequately staffed to support work associated with the ongoing VAWA grant funding.

**Assessment Criteria 2:** Anticipated incremental impacts to AOC resources once grant funds are expended (UCJA Rule 3-411 (4)(a)(ii)).

---

Incremental impacts are not anticipated upon conclusion of this grant cycle. VAWA funding comes to the Utah Office for Victims of Crime as a federal formula grant, which has been stable since 2010.

This proposal has been reviewed and approved by the following (complete all that apply):

Applicable Board of Judges and Court Level Administrator

AOC Grant Coordinator and Finance Director

The Utah Supreme Court (UCJA Rule 3-105)

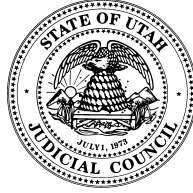
Approved by the Judicial Council (date):

State Court Administrator Signature



**(Action)**

**d. GAP: Jury Compensation Pilot Program**



# Administrative Office of the Courts

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

February 6, 2025

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

## MEMORANDUM

**TO: The Budget and Fiscal Management Committee (BFMC)**

**FROM: Jon Puente, OFA Director**

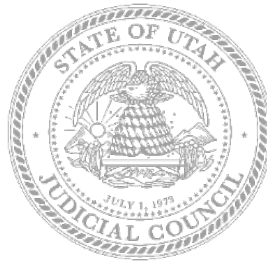
**RE: Grant application proposal for increasing jury participation pilot program (Utah Bar Foundation – \$20,000)**

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The Jury Equity Workgroup (“Workgroup”) has been tasked with helping the Judiciary have more representative juries. One of the items they have identified as a potential barrier to representative juries is compensation. The Workgroup designed a proof-of-concept pilot program to gather data to begin addressing this issue.

The Utah Bar Foundation (UBF) has shown interest in funding this pilot program. We respectfully ask for the BFMC’s recommendation to present this request to the Judicial Council for approval and submission to UBF for funding.

**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

## Grant Application Proposal (GAP) Non-Federal Grant

February 6, 2025

A. Contact Information	
AOC Contact:	Jon Puente, OFA Director
Phone:	801-578-3974
Grant Administering Unit:	The Jury Equity Workgroup

B. Grant Details	
Grantor:	Utah Bar Foundation (UBF)
Title of Grant:	Empirically Evaluating Strategies for Increasing Jury Participation
Amount Requested:	\$20,000
Grant Period Begins:	UBF has not issued a project period requirement, however we anticipate the work to be carried out over one month in FY2025.
Award Type:	<input checked="" type="checkbox"/> Recipient <input type="checkbox"/> Subrecipient

C. Legislative Reporting: Statutory Grant Impact*	
Tier 1 – Low	<input checked="" type="checkbox"/>
At least \$10k but less than \$50k per year, and no new permanent full or part time employees; and no new state monies required as match (report GAP with Judicial Council approval to LFA and EAC only).	
Tier 2 – Med	<input type="checkbox"/>
Greater than \$50k but less than \$1M per year; or adds more than zero but less than 11 permanent full or part time employees; or requires state to expend up to \$1M per year in new state monies as match (submit GAP with Judicial Council approval to EAC for review and recommendations).	
Tier 3 – High	<input type="checkbox"/>
Greater than \$1M per year; or adds more than 11 permanent full or part time employees; or requires state to expend greater than \$1M per year in new state monies as match (submit GAP with Judicial Council approval to the Legislature for review to approve or reject the grant).	

*Reference: Accounting Manual §11-07.00 Exhibit A(II)(a-c) & UCA 63J-7-§202 & §203*

\* Grant funds awarded through the Commission on Criminal & Juvenile Justice (CCJJ), Utah Office for Victims of Crime (UOVC), or other authorized State Administering Agency (SAA), are appropriated by the legislature prior to the issuing of subawards; accordingly, SAA-issued subawards are not reported by the recipient to the LFA for EAC/EOCJ review. "Impact Tier" may still be assigned for completeness and purposes of GAP assessment.

1. Describe **(a)** how this grant will support the mission of the Utah Courts to provide the people an open, fair, efficient, and independent system for the advancement of justice under the law; and **(b)** how this grant provides measurable benefits to marginalized, minority, pro se, or similar underserved individuals or communities.

*Background:* In 2024 the Utah Judicial Council established the Workgroup as a subcommittee of the Committee on Fairness and Accountability. The Workgroup was formed to create more representative juries in the Utah Courts by examining court rules, protocols, and other practices that might cause juries to not reflect local communities. The Workgroup is chaired by Judge Gibson and Judge Jones and is made up of Judge Harris, Judge Larsen, Judge Pehrson, Judge Gilmore, Dane Thorley, David Billings, Ivy Telles, Tucker Samuelsen, Keri Sargent, Kristene Laterza, Alissa Swart, Kevin Swenson, Teneille Brown, and Jon Puente.

After deliberation, the Workgroup determined that to increase broader participation in Utah's juries and fulfill the Constitutional mandate of having a jury of one's peers, we must increase participation among various underrepresented groups. Given that studies have found that jurors are reluctant to serve in large part due to the low pay, we believe the policy change most likely to increase participation is to increase compensation for jury service. However, the Workgroup strongly feels that such methods, which are costly, should only be broadly adopted after they are empirically evaluated.<sup>1</sup>

*Study Description:* We are requesting funds in order to run a pilot study that tests the impact that increased juror compensation has on the "jury yield" rate in Utah District Court jury trials.

Utah currently pays jurors \$18.50 for their first day (generally the juror selection process) and \$49 for each day of jury service. We suspect that lower jury yield rates, specifically among demographic communities that are traditionally underrepresented in Utah juries (*e.g.*, self-employed and hourly wage employees; mothers with young children; people of color; low-income individuals; people with disabilities) are due, in part, to the substantial perceived and actual financial burden that jury service puts on Utah citizens who are selected for service.

This pilot study will provide increased jury compensation (\$50 for the first day and \$100 per day for subsequent days<sup>2</sup>) for a random selection of jury pools in one of Utah's larger districts (3rd, 4th, or 2nd). The random jury pools will be selected from criminal or civil jury

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<sup>1</sup> Memorandum from Michael Drechsel, Assistant State Court Administrator, on Exploring Recommendation to Increase Juror Fees to the Budget and Fiscal Management Committee (Aug.1, 2023).

<sup>2</sup> These values are based on trends in other states but can be changed subject to feedback from the committee. In the full study (pending funding for and the implementation of the pilot study), different intervention groups could be created to test the efficacy of lower or higher compensation increases. Similarly, we may want to adjust the increased compensation for a given trial depending on whether the first day of jury service is conducted in-person or online (Utah's districts deploy a mix of approaches in this regard).

trials lasting no longer than four (4) days including the day of jury selection and with requested pools of no more than forty (40), with a final panel of no more than ten (10) jurors, inclusive of all alternates. These study parameters may need to be modified, depending on approved funding.<sup>3</sup> The qualifying trials will be provided with increased jury compensation (intervention group) and the remaining pools will be compensated according to the status quo (the control group). This methodology, often called a randomized controlled trial (or RCT) has two key benefits: (1) it creates groups (a control group and an intervention group) that are, ex ante, statistically equivalent, which allows for unbiased comparison in outcomes of interest; and (2) it selects which groups will be subject to the increased compensation in a neutral, unbiased manner. There is fairly wide consensus that this sort of study design is considered ethical when the control group is no worse off than they would be without the study taking place. Additionally, RCTs provide the strongest evidence of whether the intervention has a causal impact.

In order to highlight the increased compensation (which is likely unknown to potential jury members during recruitment), the intervention groups will receive recruitment materials that advertise the increased compensation, while the control group will receive the standard recruitment materials (which simply inform them that they will be paid \$18.50 for their first day of service, without reference to the \$49 for subsequent days or the form of compensation).

*Prior Empirical Research on Juror Compensation:*<sup>4</sup> Surveys of past and potential jurors across the United States have consistently found that jury compensation is one of the key factors in both an individual's determination as to whether they will appear for service and in their post-trial satisfaction as a jury member.<sup>5</sup> Consequently, increased juror compensation has long been a common (if not the most common) policy prescription made by legal scholars and policy makers for low juror participation.<sup>6</sup> However, the (limited) empirical studies that attempt to identify the causal impact of increased participation are mixed, with some studies showing no effect and others showing marked improvement.<sup>7</sup>

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<sup>3</sup> These values were calculated using rough estimates of the average number of first-day participants in the initial jury pool (compensated at \$50 a day), individuals who are ultimately selected as jury members or alternates (compensated at \$100 a day), and the length of the trial (one to four days). For purposes of comparison, for a four day jury trial (jury selection on day one and the trial lasting three days), we currently pay \$740.00 for jury selection, assuming forty (40) potential jurors appear and \$1,764 for nine (9) jurors to sit for a three day trial. Under the pilot, using those same numbers, we would pay \$1,960 for jury selection and \$3,600 for the three-day trial. So, each intervention group (pilot group) could cost approximately \$5,560.

<sup>4</sup> This section does not provide a comprehensive review of the extant empirical literature on juror compensation (although there is less work here than we anticipated). We have included studies we feel represent the general conclusions drawn from that literature.

<sup>5</sup> Reporting on the results of a study that found "only 13 percent [of the jurors surveyed] were satisfied with jury pay." Susan Carol Losh & Adina W. Wasserman, "Reluctant Jurors", 83 *Judicature* 304, 306 (2000) ([link](#)).

<sup>6</sup> See, e.g., Robert G. Boatright, "Improving Citizen Response to Jury Summonses: A Report With Recommendations", US DOJ Report (1998) ([link](#)).

<sup>7</sup> See Kevin J. Quilty, *The Unrecognized Right: How Wealth Discrimination Unconstitutionally Bars Indigent Citizens from the Jury Box*, 24 *Cornell J.L. & Pub. Pol'y* 567, 573 (2015) ([link](#)) (providing a review of empirical studies in the area) ("Would increased juror pay lead to higher juror participation, and thus a more representative cross-section of society in the jury box? Anecdotally, this certainly seems to be the case. The empirical evidence also

*Venue/location:* Eventually, we hope to run a study in multiple/all districts for a sustained period of time in order to increase the external validity of the results. However, for this pilot study, we will run a month-long test run in one of Utah's larger districts (2nd, 3rd, or 4th). While we have not determined in which district the pilot study will be conducted, we have representatives from the judicial and administrative arms of the court in the Workgroup and believe that, with funding for the pilot, we can navigate the inevitable administrative hurdles that will be involved with creating two tracks for jury recruitment and compensation.

*Qualifying jury trials:* Additionally, in order to avoid randomly assigning a jury pool for a large, lengthy trial to the intervention condition—which could potentially use up all the pilot funding on one group—we anticipate limiting this pilot study to (a) criminal or civil trials that are (b) anticipated to last four days or less with a (c) a requested venire of no more than forty (40). As a result, the only jury pools that are subject to the randomization process (to either a treatment group or the control group) will be for trials that fit these qualifications.

*Current Legal Landscape:* Utah Code 78B-1-118 governs juror compensation and states, “(1) Every juror and witness legally required or in good faith requested to attend a trial court of record or not of record or a grand jury is entitled to: (a) \$18.50 for the first day of attendance and \$49 per day for each subsequent day of attendance; and (b) if traveling more than 50 miles, \$1 for each four miles in excess of 50 miles actually and necessarily traveled in going only, regardless of county lines.”

The committee (which includes multiple Utah judges) is unanimous in interpreting this provision to be a compensation floor meant to protect juror rights, as opposed to a ceiling that would prevent increased compensation for a study like we are proposing.

*The Need for a “Pilot” Study:* According to our statistical power analyses<sup>8</sup> (tests that determine how large a study needs to be in order to be sufficiently likely to yield reliable and statistically significant results) we are likely to need at least 50 jury pools in the treatment group in order to identify reliable intervention effects. Funding compensation increases for this many jury pools would cost upwards of \$200,000, and the study would need to last a year and involve the participation of multiple (if not all) judicial districts in Utah.

Here, we are seeking a smaller grant in order to run a pilot study, or a “proof-of-concept” study. The purposes of this pilot study are to ensure that (1) the experimental design is sound (i.e., that jury pools can actually and practically be randomized into the various treatment groups) and (2) the outcomes of interest can be accurately measured. As a consequence, we are only seeking a grant sufficient to meet those purposes. While we will

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suggests it would.”) See also an empirical study in the state of Washington, where juror compensation rates were increased from \$10 a day to \$60 a day for a year, showed no significant difference in juror compliance to summons. Andrew J. Bloeser, Carl McCurley, & Jeffrey J. Mondak, “Jury Service as Civic Engagement: Determinants of Jury Service Compliance”, *American Politics Research*, 40(2), 179-204 (2012) ([link 1](#)). See also a recent study conducted in California indicated that increased compensation resulted in broader participation and juror satisfaction. San Francisco Be the Jury Pilot Program Results ([link 2](#)).

<sup>8</sup> These power analyses can be provided upon request.

be measuring outcomes of interest, it is exceedingly unlikely that the pilot study has sufficient power to yield statistically significant results.

If the pilot study is successful, we will seek a larger grant to run the full-scale study (multiple Utah Districts over the course of a year) in order to identify the effect of the proposed treatments. We anticipate seeking the larger grant from (a) Utah state funds, (b) private research organizations (e.g., [Arnold Ventures](#)), or (c) a mix of both. While successfully running the pilot study is not a guarantee of a full study, the Workgroup believes that it will be a necessary first step in securing the funding and permissions necessary to fully explore increased compensation as a potential solution for lower jury yields.

As with all studies, but particularly with pilot studies, it is possible that there are hurdles in administering the study such that it is deemed either practically not viable or too expensive. In the case that the pilot study fails before jury members are recruited using the promise of increased funding, the money provided in the grant will be returned.

2. Describe the court resources required to carry out the project in the post-award phase and after grant closeout once funds are expended.

Administrative resources required would be training court staff that handle jury compensation on different compensation amounts.

3. Explain whether additional state funding shall be required to maintain or continue this program, or its infrastructure, when the grant concludes. **If yes**, will the funds required to continue this program come from within your existing budget?

This is just a proof-of-concept pilot program to see if running a larger full-scale study is possible.

4. How many **new permanent** full or part-time employees are required for the grant project at peak levels of grant-funded employment? If none, write "N/A."

N/A.

5. How many **new temporary** full or part-time employees are required for the grant project at peak levels of grant-funded employment? If none, write "N/A."

N/A.

## E. Anticipated Budget Tables & Narrative

Complete the following tables as applicable with estimated expenditures for up to three state fiscal years. **If no matching contributions are required, complete only Table C.**

**TABLE A. CASH MATCH**

Fiscal Year	Funds Disbursed	Matching State Dollars (Cash)					
		General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	Totals
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$

Provide details below for each match:

**TABLE B. IN-KIND MATCH**

Fiscal Year	Funds Disbursed	Matching State Dollars (In-Kind)					
		General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	Totals
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$
FY	\$	\$	\$	\$	\$	\$	\$

Provide details below for each match:

**TABLE C. NO MATCH REQUIREMENT**

Fiscal Year	Funds Disbursed
FY 2025	\$20,000
FY	\$
FY	\$



## F. Resource Impact Assessment

This section completed by Grant Coordinator

UCJA Rule 3-411 (4)

### Summary Recommendation

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The project introduces a one-month pilot program designed as a proof-of-concept, which will require some training and slightly increase processing times for handling juror payments. Juror payments are managed by the AOC Finance Department, and current staffing levels are sufficient to support these tasks. The grant-funded project is not anticipated to produce incremental resource impacts at its conclusion.

**Assessment Criteria 1:** Capacity of impacted court areas to successfully support the grant at current staffing levels (UCJA Rule 3-411 (4)(a)(i)).

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The proposed project will require training and likely marginal increases in processing time for employees completing juror payments. Juror payments are processed by the AOC Finance Department. Current staffing levels are adequate to support this work.

**Assessment Criteria 2:** Anticipated incremental impacts to AOC resources once grant funds are expended (UCJA Rule 3-411 (4)(a)(ii)).

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Incremental impacts to AOC resources are not anticipated upon completion of this award. This project proposes a limited duration (approximately one month) pilot program with the intent of establishing a proof-of-concept. If evaluation of the pilot program concludes that a broader effort should be pursued, the Jury Equity Workgroup will explore additional funding resources. If one or more of those resources includes grant funding, an accompanying grant application proposal (GAP) will be submitted to the Budget and Fiscal Management Committee and the Judicial Council for consideration. Incremental impacts will be reassessed at that time to evaluate the enhanced scope of the proposed work.

This proposal has been reviewed and approved by the following (complete all that apply):

Applicable Board of Judges and Court Level Administrator

AOC Grant Coordinator and Finance Director

The Utah Supreme Court (UCJA Rule 3-105)

Approved by the Judicial Council (date):

State Court Administrator Signature

**(Action)**

**e. Quarterly Grant Report (Q2 FY 2025)**



COURT GRANTS REPORT  
October – December 2024

Administrative Office of the Courts  
Finance Department

February 2025

# Grants Portfolio Summary

## Active Grants

As of December 2024, the Courts hold five awards comprised of three federal grants and two non-federal grants.

## Newly Awarded Grants

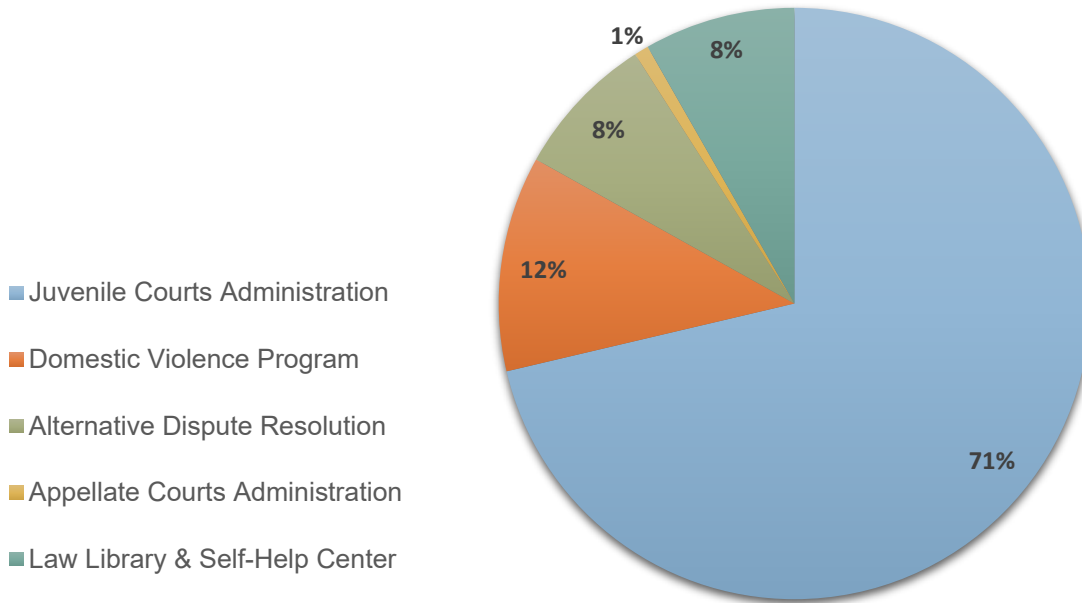
The National Council of Juvenile and Family Court Judges (NCJFCJ) awarded the Domestic Violence Program a grant titled The Cook County Model: A Pilot Project to Increase Safe Child-Related Relief in Civil Protection Orders (\$250,000). This grant is not included in the Q2 Grants Report charts and analysis since permission to accept these grant funds is pending Judicial Council approval. If approved, this grant will be included in the Q3 Grants Report.

## Grant Application Proposals (GAP)

The Domestic Violence Program submitted a GAP for federal funds provided by the National Council of Juvenile and Family Court Judges (NCJFCJ) and Office on Violence Against Women. A grant renewal application was also approved in support of the annual treatment courts conference with funding provided by the Commission on Criminal and Juvenile Justice.

## Active Grants Detail

Award Amount Distribution by Grant Administering Unit (GAU)



Unit	Grant Title	Grant Administering Unit	Grantor
F	2936 Stop Violence Against Women Act	Domestic Violence Program	Utah Office for Victims of Crime
F	2957 Court Improvement Program	Juvenile Courts Administration	U.S. Dept. of Health & Human Services
F	2962 State Access & Visitation Program	Alternative Dispute Resolution	U.S. Dept. of Health & Human Services
NF	2980 Eviction Diversion Initiative	Law Library & Self-Help Center	National Center for State Courts
NF	2981 Pilot Pro Bono Program	Appellate Courts Administration	Utah Bar Foundation

- Passthrough Award
- Direct Award
- F Federal Funds
- NF Non-Federal Funds

# Updates from Grant Administering Units (alphabetic order)

## Alternative Dispute Resolution

**Grant:** State Access & Visitation Program **Grantor:** U.S. Department of Health & Human Services **Unit:** 2962

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*Between October and December 2024, the Co-Parenting Mediation Program received 56 referrals.*

## Appellate Courts Administration

**Grant:** Pilot Pro Bono Program  
**Grantor:** Utah Bar Foundation **Unit:** 2981

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*No grant funds were expended between October and December 2024.*

## Domestic Violence Program (DVP)

**Grants:** Stop Violence Against Women Act (VAWA) & subaward from the Utah Domestic Violence Coalition (UDVC) Rural Domestic Violence Grant **Grantors:** Utah Office for Victims of Crime and Utah Domestic Violence Coalition **Units:** 2936

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*The DVP activities for this quarter include:*

*(1) Addressed protective order data issues by implementing procedural and technical changes with the help of IT and the Office of the General Counsel, (2) distributed protective order resources to victim advocates, court staff, and law enforcement to help court patrons more easily access protective order services, (3) continued developing policies and procedures for the Domestic Violence Criminal Compliance Docket Pilot Program. DV Docket Pilot sites will be implementing the ODARA and DVSI-R to determine a defendant's risk. Additionally, these courts are seeking feedback from victims and defendants on their court experiences, (4) trained 365 professionals about domestic violence, trauma, protective orders, and related subject matter, (5) managed a pilot program with the courts in 5th District and 8th District where petitioners in protective order and stalking injunction cases can submit audio and video evidence for the judge or commissioner to review at the ex parte stage, and (6) started working on domestic violence benchcards to be distributed during the various conferences.*

## Juvenile Courts Administration

**Grant:** Court Improvement Program (CIP) **Grantor:** U.S. Department of Health & Human Services **Unit:** 2957

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*The CIP was happy to take a large part in hosting the annual Indian Child Welfare Act (ICWA) conference. The event was held at the S.J. Quinney College of Law building on October 18, 2024. Attendees also had the option to join virtually. The conference included a keynote speech highlighting the history of*

*ICWA, six breakout sessions that covered an array of topics including information about qualified expert witnesses, cultural awareness, sensitivity, and foster care recruitment and retention. The day concluded with a special cultural presentation from the Navajo Nation who served as this year's host tribe for the conference.*

*Two new projects began in the last quarter as well which include the formation of a workgroup to address the needs of dually involved youth. In 2014, a toolkit was developed by the CIP to support cross system collaboration for youth that are involved with both child welfare and delinquency matters. The new workgroup is reviewing data, considering updates to the toolkit, and discussing training and implementation. The CIP has also convened a workgroup to consider CARE enhancements that will align with revisions to the Office of Management and Budget's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting and Presenting Federal Data on Race and Ethnicity.*

*Lastly, a final evaluation report has been completed by the Social Research Institute at the University of Utah for the CIP's hearing quality project. Efforts to review, analyze and share the report with the child welfare community are underway.*

## Law Library & Self-Help Center

**Grant:** Eviction Diversion Initiative  
**Grantor:** National Center for State Courts  
**Unit:** 2980

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*Utah Legal Services continues to provide eviction diversion services and receive technical assistance from experts at the National Center for State Courts. Janine Liebert now serves as the Director of the Law Library and Self-Help Center and the administrator of the Eviction Diversion Initiative funding.*

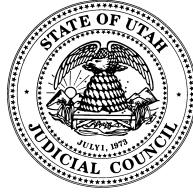
# Grant Awards Financial Summary

## State Fiscal Year 2025 | Quarter 2

Unit	Grant Administering Unit	Grant Title	Actual		Budget	Balance
			Expenditures (Fiscal Quarter)	Expenditures (YTD)	Award(s) Total	
<b>Federal Awards</b>						
2936	Domestic Violence Program	Stop Violence Against Women Act	\$ 16,749	\$ 39,470	\$ 150,000	\$ 110,530
2957	Juvenile Courts Administration	[ Court Improvement Program (CIP) CIP Data & Collaboration (min. 30%)	\$ 66,318	\$ 148,354	\$ 907,983	\$ 651,557
			\$ 48,228	\$ 108,072		
2962	Alternative Dispute Resolution	State Access & Visitation Program	\$ 31,797	\$ 59,969	\$ 100,000	\$ 40,031
<i>Subtotals Federal</i>			\$ 163,092	\$ 355,865	\$ 1,157,983	\$ 802,118
<b>Non-Federal Awards</b>						
2980	Law Library & Self-Help Center	Eviction Diversion Initiative	\$ 11,087	\$ 26,221	\$ 105,191	\$ 78,970
2981	Appellate Courts Administration	Pilot Pro Bono Program	\$ -	\$ 1,045	\$ 10,000	\$ 8,955
<i>Subtotals Non-Federal</i>			\$ 11,087	\$ 27,266	\$ 115,191	\$ 87,925
<b>TOTAL</b>			<b>\$ 174,179</b>	<b>\$ 383,131</b>	<b>\$ 1,273,174</b>	<b>\$ 890,043</b>

Tab 4





# Administrative Office of the Courts

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

February 3, 2025

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

## MEMORANDUM

**TO: Management Committee, Utah Judicial Council**

**FROM: Cris Seabury Statewide Treatment Court Certification Coordinator**

**RE: Treatment Court Certification - Recommendations**

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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 Certification Coordinator conducts site visits with each court to observe the pre-court staffing and Treatment Court hearings and interviews team members. The coordinator also reviewed the Certification Checklist, staffing documents and the policy and procedure manuals for each Treatment Court. The coordinator completed a jurisdiction report for each Court which includes the strengths and recommendations.

**Second District - Weber County - Judge Noel Hyde Adult Mental Health Court** meets all required certification criteria. Based on the Courts' answers on the certification checklist, team member interviews, and Court observation I recommend the Judicial Council certify the Second District - Weber County Adult Mental Health Court.

### **PRESUMED CERTIFICATION CRITERIA**

**#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.** All participants start on a weekly basis and transition to biweekly Court as they progress through the program. A phase structure was recommended in the Jurisdiction Report and examples were provided to the Team.

### **NON-CERTIFICATION RELATED BEST PRACTICE**

**#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.** Judge Hyde explained that disability limitations were noted and the Team made accommodations if needed.

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.

**UTAH JUDICIAL COUNCIL**  
**MENTAL HEALTH COURT CERTIFICATION CHECKLIST**  
 REVISED AND ADOPTED 2020

COURT LOCATION: 2<sup>nd</sup> District - Weber County  
 NAME: Noel S. Hyde  
 REVIEW DATE: Aug. 9, 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.

YES NO

#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
	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 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 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.*

YES NO

#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
	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 checked="" type="checkbox"/> <input 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.*



YES	NO	#	REQUIRED CERTIFICATION CRITERIA <i>Adherence to these standards is required for certification.</i>	BPS
<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 type="checkbox"/>	<input checked="" 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. <i>(strict phase progression is not used)</i>	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.*

YES NO

		<b>PRESUMED CERTIFICATION CRITERIA</b>		<b>BPS</b>
		#	<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>	
<input checked="" type="checkbox"/>	<input 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 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 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 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 Mental health 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.

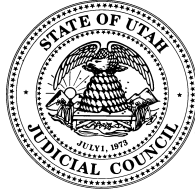
YES	NO	<b>PRESUMED CERTIFICATION CRITERIA</b>		BPS
		#	<i>There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	30	Clients are placed 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 checked="" type="checkbox"/>	<input 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	40	The program conducts an exit interview for self-improvement.	

YES	NO	<b>NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS</b>		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>	
<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.

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"/>	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 checked="" type="checkbox"/>	<input type="checkbox"/>	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
<input type="checkbox"/>	<input checked="" 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. <i>(disability limitations are noted and accommodated)</i>	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 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 checked="" type="checkbox"/>	<input 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.



Tab 5



# Administrative Office of the Courts

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

February 14, 2025

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

## MEMORANDUM

**TO: Mangement Committee / Judicial Council**  
**FROM: Keisa Williams**  
**RE: Rules for Final Approval**

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Proposed amendments to CJA rules 4-202.02, 4-202.04, 4-202.07, and 4-403 are back from a 45-day public comment period. No public comments were received on rules 4-202.02 or 4-202.07. One public comment was received on rule 4-202.04 and one public comment was received on rule 4-403.

The Policy, Planning, and Technology Committee (PP&T) made minor amendments to rule 4-202.04, adopting the commenter's suggestion to revert back to the original language giving court clerks the discretion to waive the "in writing" requirement for requests to access public court records. PP&T made no changes to rule 4-403.

### **CJA 4-202.02. Records classification. (AMEND)**

Upon request, the contact and identifying information of a participant in the Safe at Home Program under Utah Code, title 77, chapter 38, part 6, will be classified as "safeguarded." All other amendments are non-substantive formatting changes.

### **CJA 4-202.04. Request to access a record associated with a case; request to classify a record associated with a case. (AMEND)**

The amendments allow court clerks to waive the "in writing" requirement for requests to access non-public court records, if the requester is authorized to access those records under Rule 4-202.03. All other amendments are non-substantive formatting changes.

### **CJA 4-202.07. Appeals. (AMEND)**

The amendments streamline and clarify the records access appeal process.

### **CJA 4-403. Electronic signature and stamp use. (AMEND)**

The amendments grant district, juvenile, and justice courts the discretion to authorize court clerks to electronically sign or stamp additional document types without judicial review by issuing a standing order signed by a presiding judge.

PP&T recommends that the rules above be adopted as final with a *May 1, 2025 effective date*.

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 4-202.02. Records Classification.**

2

3 **Intent:**

4 To classify court records as public or non-public.

5

6 **Applicability:**

7 This rule applies to the judicial branch.

8

9 **Statement of the Rule:**

10 (1) **Presumption of Public Court Records.** Court records are public unless otherwise  
11 classified by this rule.

12

13 (2) **Public Court Records.** Public court records include but are not limited to:

14

15 (2)(A) abstract of a citation that redacts all non-public information;

16

17 (2)(B) aggregate records without non-public information and without personal identifying  
18 information;

19

20 (2)(C) appellate filings, including briefs;

21

22 (2)(D) arrest warrants, but a court may restrict access before service;

23

24 (2)(E) audit reports;

25

26 (2)(F) case files;

27

28 (2)(G) committee reports after release by the Judicial Council or the court that requested  
29 the study;

30

31 (2)(H) contracts entered into by the judicial branch and records of compliance with the  
32 terms of a contract;

33

34 (2)(I) drafts that were never finalized but were relied upon in carrying out an action or  
35 policy;

36

37 (2)(J) exhibits, but the judge may regulate or deny access to ensure the integrity of the  
38 exhibit, a fair trial or interests favoring closure;

39

40 (2)(K) financial records;

41

42 (2)(L) indexes approved by the Management Committee ~~of the Judicial Council~~,  
43 including the following, in courts other than the juvenile court; an index may contain any  
44 other index information:

45

46 (2)(L)(i) amount in controversy;

47

48 (2)(L)(ii) attorney name;

49

- 50 (2)(L)(iii) licensed paralegal practitioner name;  
51  
52 (2)(L)(iv) case number;  
53  
54 (2)(L)(v) case status;  
55  
56 (2)(L)(vi) civil case type or criminal violation;  
57  
58 (2)(L)(vii) civil judgment or criminal disposition;  
59  
60 (2)(L)(viii) daily calendar;  
61  
62 (2)(L)(ix) file date;  
63  
64 (2)(L)(x) party name;  
65  
66 (2)(M) name, business address, business telephone number, and business email  
67 address of an adult person or business entity other than a party or a victim or witness of  
68 a crime;  
69  
70 (2)(N) name, address, telephone number, email address, date of birth, and last four  
71 digits of the following: driver's license number; social security number; or account  
72 number of a party;  
73  
74 (2)(O) name, business address, business telephone number, and business email  
75 address of a lawyer or licensed paralegal practitioner appearing in a case;  
76  
77 (2)(P) name, business address, business telephone number, and business email  
78 address of court personnel other than judges;  
79  
80 (2)(Q) name, business address, and business telephone number of judges;  
81  
82 (2)(R) name, gender, gross salary and benefits, job title and description, number of  
83 hours worked per pay period, dates of employment, and relevant qualifications of a  
84 current or former court personnel;  
85  
86 (2)(S) unless classified by the judge as private or safeguarded to protect the personal  
87 safety of the juror or the juror's family, the name of a juror empaneled to try a case, but  
88 only 10 days after the jury is discharged;  
89  
90 (2)(T) opinions, including concurring and dissenting opinions, and orders entered in open  
91 hearings;  
92  
93 (2)(U) order or decision classifying a record as non~~nt~~-public;  
94  
95 (2)(V) private record if the subject of the record has given written permission to make the  
96 record public;  
97  
98 (2)(W) publications of the Administrative Office;  
99

- 100 (2)(X) record in which the judicial branch determines or states an opinion on the rights of  
101 the state, a political subdivision, the public, or a person;  
102  
103 (2)(Y) record of the receipt or expenditure of public funds;  
104  
105 (2)(Z) record, minutes, or transcript of an open meeting;  
106  
107 (2)(AA) official audio record, minutes, or transcript of an open hearing;  
108  
109 (2)(BB) record of formal discipline of current or former court personnel or of a person  
110 regulated by the judicial branch if the disciplinary action has been completed, and all  
111 time periods for administrative appeal have expired, and the disciplinary action was  
112 sustained;  
113  
114 (2)(CC) record of a request for a record;  
115  
116 (2)(DD) reports used by the judiciary if all of the data in the report is public or the Council  
117 designates the report as a public record;  
118  
119 (2)(EE) rules of the Supreme Court and Judicial Council;  
120  
121 (2)(FF) search warrants, the application and all affidavits or other recorded testimony on  
122 which a warrant is based are public after they are unsealed under Rule 40 of the Utah  
123 Rules of Criminal Procedure;  
124  
125 (2)(GG) statistical data derived from public and nonpublic records but that disclose only  
126 public data; and  
127  
128 (2)(HH) notwithstanding subsections (6) and (7), if a petition, indictment, or information is  
129 filed charging a person 14 years of age or older with a felony or an offense that would be  
130 a felony if committed by an adult, the petition, indictment or information, the adjudication  
131 order, the disposition order, and the delinquency history summary of the person are  
132 public records. The delinquency history summary will contain the name of the person, a  
133 listing of the offenses for which the person was adjudged to be within the jurisdiction of  
134 the juvenile court, and the disposition of the court in each of those offenses. Upon a  
135 finding of good cause on the record, the juvenile court may reclassify these records as  
136 nonpublic.

137  
138 **(3) Sealed Court Records.** The following court records are sealed:

139  
140 (3)(A) records in the following actions:

141  
142 (3)(A)(i) Utah Code Title 78B, Chapter 6, Part 1—Utah Adoption Act, six  
143 months after the conclusion of proceedings, which are private until sealed;

144  
145 (3)(A)(ii) Utah Code Title 78B, Chapter 15, Part 8—Gestational Agreement,  
146 six months after the conclusion of proceedings, which are private until sealed;

147  
148 (3)(A)(iii) Utah Code Section 76-7-304.5—Consent required for abortions  
149 performed on minors; and  
150

- 151 (3)(A)(iv) Utah Code ~~S~~Section 78B-8-402, —Actions for disease testing;  
152  
153 (3)(B) expunged records;  
154  
155 (3)(C) orders authorizing installation of pen register or trap and trace device under Utah  
156 Code ~~s~~Section 77-23a-15;  
157  
158 (3)(D) records showing the identity of a confidential informant;  
159  
160 (3)(E) records relating to the possession of a financial institution by the commissioner of  
161 financial institutions under Utah Code ~~s~~Section 7-2-6;  
162  
163 (3)(F) wills deposited for safe keeping under Utah Code title 75, chapter 2, part 9,  
164 Custody and Deposit of Wills;  
165  
166 (3)(G) records designated as sealed by rule of the Supreme Court;  
167  
168 (3)(H) record of a Children's Justice Center investigative interview after the conclusion of  
169 any legal proceedings;  
170  
171 (3)(I) on appeal, any record previously designated as sealed by another court;  
172  
173 (3)(J) video record of a court proceeding, other than security video;  
174  
175 (3)(K) “nonpublic restitution records” as defined in Utah Code section 63M-7-502; and  
176  
177 (3)(L) other records as ordered by the court under Rule 4-202.04.  
178

179 **(4) Private Court Records.** The following court records are private:  
180

181 (4)(A) records in the following actions:  
182

183 (4)(A)(i) Utah Code ~~s~~Section 26B-5-332, Involuntary commitment under court  
184 order;  
185

186 (4)(A)(ii) Utah Code ~~S~~Section 76-10-532, Removal from the National Instant  
187 Check System database;  
188

189 (4)(A)(iii) Utah Code, ~~T~~title 78B, ~~C~~chapter 6, ~~P~~part 1, Utah Adoption Act, until the  
190 records are sealed;  
191

192 (4)(A)(iv) Utah Code, ~~t~~title 78B, ~~c~~Chapter 15, ~~p~~Part 8, Gestational Agreement,  
193 until the records are sealed;  
194

195 (4)(A)(v) cases initiated in the district court by filing an abstract of a juvenile court  
196 restitution judgment; and  
197

198 (4)(A)(vi) Utah Code ~~s~~Section 26B-8-111, Sex designation changes, and name  
199 changes combined with sex designation changes for both minors and adults,  
200 except that:  
201

- 202 (4)(A)(vi)(a) the case history is public for minors; and  
203  
204 (4)(A)(vi)(b) the case history and record of public hearings are public for  
205 adults.  
206
- 207 (4)(B) records in the following actions, except that the case history, judgments, orders,  
208 decrees, letters of appointment, and the record of public hearings are public records:  
209
- 210 (4)(B)(i) Utah Code, title 81, Utah Domestic Relations Code, including qualified  
211 domestic relations orders, except that an action for consortium due to personal  
212 injury under section 81-3-111 is public;  
213
- 214 (4)(B)(ii) Utah Code, Title 75, Chapter 5, Protection of Persons Under  
215 Disability and their Property;
- 216  
217 (4)(B)(iii) Utah Code, Title 78B, Chapter 7, Protective Orders and Stalking  
218 Injunctions;
- 219  
220 (4)(B)(iv) Utah Code, title 81, chapter 6 Child Support;
- 221  
222 (4)(B)(v) Utah Code, Title 78B, Chapter 13, Utah Uniform Child Custody  
223 Jurisdiction and Enforcement Act;
- 224  
225 (4)(B)(vi) Utah Code, Title 78B, Chapter 14, Uniform Interstate Family Support  
226 Act;
- 227  
228 (4)(B)(vii) Utah Code, Title 78B, Chapter 15, Utah Uniform Parentage Act; and  
229
- 230 (4)(B)(viii) an action to modify or enforce a judgment in any of the actions in this  
231 subparagraph (4)(B);
- 232  
233 (4)(C) records related to determinations of indigency;  
234
- 235 (4)(D) an affidavit supporting a motion to waive fees;  
236
- 237 (4)(E) aggregate records other than public aggregate records under subsection  
238 paragraph (2);
- 239  
240 (4)(F) alternative dispute resolution records;  
241
- 242 (4)(G) applications for accommodation under the Americans with Disabilities Act;  
243
- 244 (4)(H) jail booking sheets;  
245
- 246 (4)(I) citation, but an abstract of a citation that redacts all non-public information is public;  
247
- 248 (4)(J) judgment information statement;  
249
- 250 (4)(K) judicial review of final agency action under Utah Code Section 80-2-707;  
251

- 252 (4)(L) the following personal identifying information about a party: driver's license  
253 number, social security number, account description and number, password,  
254 identification number, maiden name and mother's maiden name, and similar personal  
255 identifying information;  
256
- 257 (4)(M) the following personal identifying information about a person other than a party or  
258 a victim or witness of a crime: residential address, personal email address, personal  
259 telephone number; date of birth, driver's license number, social security number,  
260 account description and number, password, identification number, maiden name,  
261 mother's maiden name, and similar personal identifying information;  
262
- 263 (4)(N) medical, psychiatric, or psychological records;  
264
- 265 (4)(O) name of a minor, except that the name of a minor party is public in the following  
266 district and justice court proceedings:  
267
- 268 (4)(O)(i) name change of a minor, unless the name change is combined with a  
269 sex designation change;  
270
- 271 (4)(O)(ii) guardianship or conservatorship for a minor;  
272
- 273 (4)(O)(iii) felony, misdemeanor, or infraction when the minor is a party;  
274
- 275 (4)(O)(iv) protective orders and stalking injunctions; and  
276
- 277 (4)(O)(v) custody orders and decrees;  
278
- 279 (4)(P) nonresident violator notice of noncompliance;  
280
- 281 (4)(Q) personnel file of a current or former court personnel or applicant for employment;  
282
- 283 (4)(R) photograph, film, or video of a crime victim;  
284
- 285 (4)(S) record of a court hearing closed to the public or of a child's testimony taken under  
286 [URCrP Rule 15.5 of the Utah Rules of Criminal Procedure](#);  
287
- 288 (4)(S)(i) permanently if the hearing is not traditionally open to the public and  
289 public access does not play a significant positive role in the process; or  
290
- 291 (4)(S)(ii) if the hearing is traditionally open to the public, until the judge  
292 determines it is possible to release the record without prejudice to the interests  
293 that justified the closure;  
294
- 295 (4)(T) record submitted by a senior judge or court commissioner regarding performance  
296 evaluation and certification;  
297
- 298 (4)(U) record submitted for in camera review until its public availability is determined;  
299
- 300 (4)(V) reports of investigations by Child Protective Services;  
301
- 302 (4)(W) statement in support of petition to determine competency;



- 303  
304 (4)(X) victim impact statements;  
305  
306 (4)(Y) name of a prospective juror summoned to attend court, unless classified by the  
307 judge as safeguarded to protect the personal safety of the prospective juror or the  
308 prospective juror's family;  
309  
310 (4)(Z) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure,  
311 except briefs filed pursuant to court order;  
312  
313 (4)(AA) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure;  
314  
315 (4)(BB) records related to Court Commissioner Conduct Committee and Council actions  
316 under Rule 3-201.02, other than a public censure by the Council, and  
317  
318 (4)(CC) other records as ordered by the court under Rule 4-202.04.  
319

320 **(5) Protected Court Records.** The following court records are protected:

- 321  
322 (5)(A) attorney's work product, including the mental impressions or legal theories of an  
323 attorney or other representative of the courts concerning litigation, privileged  
324 communication between the courts and an attorney representing, retained, or employed  
325 by the courts, and records prepared solely in anticipation of litigation or a judicial, quasi-  
326 judicial, or administrative proceeding;  
327  
328 (5)(B) records that are subject to the attorney client privilege;  
329  
330 (5)(C) bids or proposals until the deadline for submitting them has closed;  
331  
332 (5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation  
333 before issuance of the final recommendations in these areas;  
334  
335 (5)(E) budget recommendations, legislative proposals, and policy statements, that if  
336 disclosed would reveal the court's contemplated policies or contemplated courses of  
337 action;  
338  
339 (5)(F) court security plans;  
340  
341 (5)(G) investigation and analysis of loss covered by the risk management fund;  
342  
343 (5)(H) memorandum prepared by staff for a member of any body charged by law with  
344 performing a judicial function and used in the decision-making process;  
345  
346 (5)(I) confidential business records under Utah Code ~~s~~Section 63G-2-309;  
347  
348 (5)(J) record created or maintained for civil, criminal, or administrative enforcement  
349 purposes, audit or discipline purposes, or licensing, certification or registration purposes,  
350 if the record reasonably could be expected to:  
351  
352 (5)(J)(i) interfere with an investigation;  
353

- 354 (5)(J)(ii) interfere with a fair hearing or trial;  
355  
356 (5)(J)(iii) disclose the identity of a confidential source; or  
357  
358 (5)(J)(iv) concern the security of a court facility;  
359  
360 (5)(K) record identifying property under consideration for sale or acquisition by the court  
361 or its appraised or estimated value unless the information has been disclosed to  
362 someone not under a duty of confidentiality to the courts;  
363  
364 (5)(L) record that would reveal the contents of settlement negotiations other than the  
365 final settlement agreement;  
366  
367 (5)(M) record the disclosure of which would impair governmental procurement or give an  
368 unfair advantage to any person;  
369  
370 (5)(N) record the disclosure of which would interfere with supervision of an offender's  
371 incarceration, probation, or parole;  
372  
373 (5)(O) record the disclosure of which would jeopardize life, safety, or property;  
374  
375 (5)(P) strategy about collective bargaining or pending litigation;  
376  
377 (5)(Q) test questions and answers;  
378  
379 (5)(R) trade secrets as defined in Utah Code ~~s~~Section 13-24-2;  
380  
381 (5)(S) record of a Children's Justice Center investigative interview before the conclusion  
382 of any legal proceedings;  
383  
384 (5)(T) presentence investigation report;  
385  
386 (5)(U) probation progress/violation reports;  
387  
388 (5)(V) except for those filed with the court, records maintained and prepared by juvenile  
389 probation; and  
390  
391 (5)(W) other records as ordered by the court under Rule 4-202.04.  
392

393 **(6) Juvenile Court Social Records.** The following are juvenile court social records:

- 394  
395 (6)(A) correspondence relating to juvenile social records;  
396  
397 (6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations,  
398 substance abuse evaluations, domestic violence evaluations;  
399  
400 (6)(C) medical, psychological, psychiatric evaluations;  
401  
402 (6)(D) pre-disposition, dispositional, and social summary reports;  
403  
404 (6)(E) probation agency and institutional reports or evaluations;

- 405  
406 (6)(F) referral reports;  
407  
408 (6)(G) report of preliminary inquiries;  
409  
410 (6)(H) treatment or service plans;  
411  
412 (6)(I) nonjudicial adjustment records; and  
413  
414 (6)(J) documents filed with the court that were received pursuant to the Utah Interstate  
415 Compact for Juveniles.

416  
417 **(7) Juvenile Court Legal Records.** The following are juvenile court legal records:

- 418  
419 (7)(A) accounting records;  
420  
421 (7)(B) discovery filed with the court;  
422  
423 (7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes,  
424 findings, orders, decrees, probable cause statements;  
425  
426 (7)(D) name of a party or minor;  
427  
428 (7)(E) record of a court hearing;  
429  
430 (7)(F) referral and offense histories; and  
431  
432 (7)(G) any other juvenile court record regarding a minor that is not designated as a  
433 social record.

434  
435 **(8) Safeguarded Court Records.** The following court records are safeguarded:

- 436  
437 (8)(A) upon request, location information, contact information, and identity information,  
438 other than the name of a petitioner and other persons to be protected, in an action filed  
439 under Utah Code, Title 78B, Chapter 7, Protective Orders and Stalking Injunctions;  
440  
441 (8)(B) upon request, location information, contact information and identity information,  
442 other than the name of a party or the party's child, after showing by affidavit that the  
443 health, safety, or liberty of the party or child would be jeopardized by disclosure in a  
444 proceeding under Utah Code, Title 78B, Chapter 13; Utah Uniform Child Custody  
445 Jurisdiction and Enforcement Act; ~~or Utah Code, Title 78B, Chapter 14~~, Uniform  
446 Interstate Family Support Act; or Utah Code, Title 78B, Chapter 15, Utah Uniform  
447 Parentage Act;  
448  
449 (8)(C) upon request, if the information has been safeguarded under paragraph (8)(A) or  
450 (8)(B), location information, contact information and identity information, other than the  
451 name of a party or the party's child, in a proceeding under Utah Code, title 81, Utah  
452 Domestic Relations Code.  
453  
454 (8)(D) location information, contact information, and identity information of prospective  
455 jurors on the master jury list or the qualified jury list;

456  
457 (8)(E) location information, contact information, and identity information other than name  
458 of a prospective juror summoned to attend court; and

459  
460 (8)(F) the following information about a victim or witness of a crime, including, upon  
461 receipt of notice, a participant in the Safe at Home Program under Utah Code, title 77,  
462 chapter 38, part 6, Safe at Home Program:

463  
464 (8)(F)(i) business and personal address, email address, telephone number, and  
465 similar information from which the person can be located or contacted;

466  
467 (8)(F)(ii) date of birth, driver's license number, social security number, account  
468 description and number, password, identification number, maiden name,  
469 mother's maiden name, and similar personal identifying information;:-

470  
471 (8)(F)(iii) except for a Safe at Home Program participant's assigned address,  
472 documents showing a participant's enrollment, including the authorization card,  
473 for a program participant under Utah Code, title 77, chapter 38, part 6, Safe at  
474 Home Program.

475  
476  
477  
478 *Effective: January-May 1, 2025*

1 **Rule 4-202.04. Request to access a record associated with a case; request to classify a**  
2 **record associated with a case.**

3 **Intent:**

4 To establish the process for accessing a court record associated with a case.

5 **Applicability:**

6 This rule applies to court records associated with a case.

7 **Statement of the Rule:**

8 (1) **Written request to access record.**

9 **(1)(A) Public records.** A request to access a public court record ~~shall~~must be  
10 presented in writing to the ~~court clerk of the court,~~ unless the court clerk waives the  
11 requirement.

12 **(1)(B) Non-public records.** A request to access a non-public court record must be  
13 presented in writing to the court clerk and the requester must present identification. A  
14 court clerk may waive the written requirement if the requester to which a person is  
15 authorized access to the non-public court record pursuant to under Rule 4-202.03, shall  
16 be presented in writing to the clerk of the court.

17 **(1)(C) Written requests.** A written request ~~shall~~must contain the requester's name,  
18 email address, mailing address, ~~daytime~~ telephone number, and a description of the  
19 record requested. ~~If the record is a non-public record, the person making the request~~  
20 ~~shall present identification.~~

21 (2) **Motion or petition to access record.**

22 (2)(A) If a written request to access a court record is denied by the court clerk ~~of court,~~  
23 the ~~person making the request~~requester may file a motion or petition to access the  
24 record.

25 (2)(B) A person not authorized to access a non-public court record pursuant to ~~R~~Rule 4-  
26 202.03 must file a motion or petition to access the record. If the court allows access, the  
27 court may impose any reasonable conditions to protect the interests favoring closure.

28 (2)(C) A motion should be filed when the court record is associated with a case over  
29 which the court has continuing jurisdiction. A petition should be filed ~~to access the record~~  
30 whenif the court record is associated with a case over which the court no longer has  
31 jurisdiction.

32 (3) **Motion or petition to reclassify record.**

33 (3)(A) If the court record is associated with a case over which the court has continuing  
34 jurisdiction, a person with an interest in a court record may file a motion to classify the  
35 record as a private, protected, sealed, safeguarded, juvenile court legal, or juvenile court  
36 social record; or to have information redacted from the record. The court shallmust deny  
37 access to the record until the court enters an order.

38 (3)(B) If the court record is associated with a case over which the court no longer has  
39 jurisdiction, a person with an interest in the record may file a petition to classify the

40 record as a private, protected, sealed, safeguarded, juvenile court legal, or juvenile court  
 41 social record; or to have information redacted from the record. The court ~~shall~~ must deny  
 42 access to the record until the court enters an order.

43 (4) **Rules of Procedure Applicable to Motions and Petitions.** As appropriate for the nature of  
 44 the case with which the record is associated, the motion or petition ~~shall~~ must be filed, and  
 45 proceedings ~~shall~~ must be conducted, ~~in accordance with~~ under the ~~Utah R~~ules of ~~C~~ivil  
 46 ~~P~~rocedure, ~~Utah Rules of C~~eriminal ~~P~~rocedure, ~~Utah Rules of J~~uvenile ~~P~~rocedure, or ~~Utah~~  
 47 ~~R~~ules of ~~A~~ppellate ~~P~~rocedure. The person filing the motion or petition ~~shall~~ must serve any  
 48 representative of the press who has requested notice in the case. The court ~~shall~~ must conduct  
 49 a closure hearing when a motion or petition to close a record is contested, when the press has  
 50 requested notice of closure motions or petitions in ~~at~~ the particular case, or when the court  
 51 decides public interest in the record warrants a hearing.

52 (5) **Classify – Redact.** The court may classify the record as a private, protected, sealed,  
 53 safeguarded, juvenile court legal, or juvenile court social record, or redact information from the  
 54 record if the record or information:

55 (5)(A) is classified as a private, protected, sealed, safeguarded, juvenile court legal, or  
 56 juvenile court social record under Rule 4-202.02;

57 (5)(B) is classified as a private, controlled, or protected record by a governmental entity  
 58 and shared with the court under Utah Code, title 63G, chapter 2, ~~the~~ Government  
 59 Records Access and Management Act;

60 (5)(C) is a record regarding the character or competence of an individual; or

61 (5)(D) is a record containing information the disclosure of which constitutes an  
 62 unwarranted invasion of personal privacy.

63 (6) **Factors and findings.** ~~In~~ When deciding whether to allow access to a court record or  
 64 whether to classify a court record as a private, protected, or sealed, safeguarded, juvenile court  
 65 legal, or juvenile court social record, or to redact information from the record, the court may  
 66 consider any relevant factor, interest, or policy, including but not limited to the interests  
 67 described in Rule 4-202. In ruling on a motion or petition under this rule the court ~~shall~~ must:

68 (6)(A) make findings and conclusions about specific records;

69 (6)(B) identify and balance the interests favoring opening and closing the record; and

70 (6)(C) if the record is ordered closed, determine there are no reasonable alternatives to  
 71 closure sufficient to protect the interests favoring closure.

72 (7) **Appellate briefs.** If an appellate brief is sealed, the court clerk ~~of the court~~ ~~shall~~ must seal  
 73 the brief under Rule 4-205. If an appellate brief is classified as a private, protected,  
 74 safeguarded, juvenile court legal, or juvenile court social record, the court clerk ~~of the court~~ ~~shall~~  
 75 must allow access only to persons authorized by Rule 4-202.03. If the court orders information  
 76 redacted from the brief, the court clerk ~~of the court~~ ~~shall~~ must remove the information and allow  
 77 public access to the edited brief.

78 (8) **State Law Library.** If the petitioner serves ~~an~~ the order on the director of the ~~s~~State ~~L~~aw  
 79 ~~L~~ibrary, the director ~~shall~~ must comply with the order in the same manner as ~~at~~ the court clerk ~~of~~  
 80 ~~the court under paragraph (7).~~

81 (9) **Compliance.** Unless otherwise ordered by the court, the order is binding only on the court,  
82 the parties to the motion or petition, and the state law library. Compliance with the order by any  
83 other person is voluntary.

84 (10) **Governing rules.** A request under this rule to access a public court record is also governed  
85 by Rule 4-202.06. A motion or petition under this rule is not governed by Rule 4-202.06 or Rule  
86 4-202.07.

87 *Effective: ~~April 11, 2011~~ May 1, 2025*

1 **Rule 4-202.07. Appeals**

2 **Intent:**

3 To establish the rights and procedures in an appeal of a record request.

4 **Applicability:**

5 This rule applies to requests to access or ~~to~~ classify a court record, other than a motion or  
6 petition under Rule 4-202.04.

7 **Statement of the Rule:**

8 (1) **Access – Extraordinary circumstances.** A person requesting access to a court record may  
9 appeal a denial of the request, a claim of extraordinary circumstances, or the time claimed  
10 necessary to address the extraordinary circumstances. A person whose interests are protected  
11 by closure may appeal a decision to permit access to a court record.

12 **(2) Classification.** A person requesting that a court record be classified as private or protected  
13 may appeal a denial of the request. ~~A person whose interests are protected by closure may~~  
14 ~~appeal a decision to permit access to a court record.~~

15 **(3) Time for filing appeal.** An appeal ~~must~~shall be made in writing within 30 days after the  
16 decision giving rise to the appeal, or within 30 days after a request is deemed denied under  
17 Rule 4-202.06(6). ~~A person described in this subsection may petition for judicial review as~~  
18 ~~provided by statute.~~

19 **(4) Notice of appeal.**

20 ~~(43)~~**(A)** The notice of appeal ~~must~~shall contain the appellant's name, email address,  
21 mailing address, daytime telephone number, the relief sought, and a statement of facts,  
22 authority and argument in support of the appeal.

23 ~~(42)~~**(B)** If the original request was to the custodian of the record, the appeal is to the  
24 state court administrator. If the original request was to the state court administrator, the  
25 appeal is to the Management Committee ~~of the Judicial Council.~~ The appeal of a  
26 decision by the state court administrator is to the Management Committee.

27 ~~(4)~~**(C)** The notice of appeal must be delivered to the state court administrator, including  
28 appeals to the Management Committee.

29 ~~(54)~~ **State court administrator.** ~~An appeal to T~~the state court administrator may mail a decision  
30 within 5 business days after receiving the appeal, or within 15 business days after mailing a  
31 notice under Rule 4-202.05(2)(B). ~~If the state court administrator does not mail a decision is~~  
32 ~~deemed denied unless a decision on the appeal is mailed within 5 business days after receiving~~  
33 ~~the appeal or within 15 business days after mailing notice under Rule 4-202.05(2)(B), the appeal~~  
34 ~~is deemed denied.~~

35 **(6) Management Committee.**

36 ~~(6)~~**(A) Initial review.** The Management Committee will review an appeal at its first  
37 meeting held no fewer than 15 business days, but not more than 45 business days, after  
38 receiving the appeal. After reviewing the appeal, the Management Committee will



39 determine whether to issue a decision denying the appeal, schedule a hearing on the  
 40 appeal, or take no action on the appeal, in which case the appeal is deemed denied. An  
 41 appeal to the Management Committee is deemed denied unless a decision on the  
 42 appeal is mailed within 5 business days after ~~the first meeting of the~~ Management  
 43 Committee's initial review held ~~more than 15 business days after receiving the appeal.~~

44 (6)(B) Notice of hearing. If the Management Committee determines to hold a hearing  
 45 on the appeal, the state court administrator will:

46 (6)(B)(i) notify the Office of General Counsel no fewer than 15 business days  
 47 before the hearing to submit a written statement of facts, authority and argument  
 48 in opposition to the appeal and to appear before the Management Committee to  
 49 present its argument. The Office of General Counsel shall submit its written  
 50 statement of facts, authority and argument to the state court administrator and  
 51 the Petitionerappellant at least 7 business days before the meeting; and

52 (6)(B)(ii) notify the Petitionerappellant no fewer than 5 business days after the  
 53 initial review that a hearing will be held. 15 business days before the hearing to  
 54 appear before the Management Committee to present their argument.

55 (6)(C)(5) Hearing. ~~The state court administrator shall mail notice of the Management~~  
 56 ~~Committee meeting to all participants at least 10 business days before the meeting. At~~  
 57 ~~least 7 business days before the meeting, all participants shall mail to the state court~~  
 58 ~~administrator and to the other participants a written statement of facts, authority and~~  
 59 ~~argument in support of or opposition to the appeal.~~

60 (6)(C)(i) The Management Committee may permit any other person whose  
 61 interests are substantially affected by a decision to participate. The order of  
 62 presentation will be decided by the Management Committee.

63 (6)(C)(ii) Discovery is prohibited, but the Management Committee may compel  
 64 the production of evidence. The Management Committee may review a record in  
 65 a closed meeting.

66 (6)(C)(iii) The deliberations of the Management Committee are closed, but the  
 67 ~~balance of the~~ hearing on the appeal is an open and public meeting of which  
 68 notice will be given in accordance with Rule 2-103.

69  
 70 ~~(6) The Management Committee shall allow the participants a reasonable opportunity to present~~  
 71 ~~facts, authority and argument in support of or opposition to the appeal. The order of~~  
 72 ~~presentation shall be decided by the Management Committee. The Management Committee~~  
 73 ~~may review the record in a closed meeting. Discovery is prohibited, but the Management~~  
 74 ~~Committee may compel the production of evidence.~~

75 (6)(D)(7) Decision. Following the hearing or the initial review of the appeal, the  
 76 Management Committee may issue a written decision on the appeal. The state court  
 77 administrator ~~will~~ shall mail ~~the decision~~ written decisions on an appeal to all participants.  
 78 ~~The decision shall:~~

79 ~~(7)(A) describe the record or portions of the record to which access is granted or denied~~  
80 ~~in a manner that does not disclose information other than public information;~~

81 ~~(7)(B) refer to the authority under which access to the record or portions of the record~~  
82 ~~the request is being denied;~~

83 ~~(7)(C) make findings and conclusions about specific records;~~

84 ~~(7)(D) identify and balance the interests favoring opening and closing the record; and, if~~  
85 ~~the record is closed, determine there are no reasonable alternatives to closure sufficient~~  
86 ~~to protect the interests favoring closure;~~

87 ~~(7)(E) state that the requester may appeal or seek judicial review; and~~

88 ~~(7)(F) state the time limits for filing an appeal or petition for judicial review, and the name~~  
89 ~~and address of the person to whom the appeal or petition must be directed.~~

90 ~~(87)~~ **Time.** The time periods in this rule may be extended by mutual agreement. A document  
91 required to be sent by mail may be sent by email, fax or hand-delivery. The duties of the state  
92 court administrator may be delegated.

93

94 ~~**(8) Judicial review.** Nothing in this rule prevents an individual from filing a petition for judicial~~  
95 ~~review as provided by statute.~~

96

97 ~~*Effective: November 1, 2018*~~ *May 1, 2025*

1 **Rule 4-403. Electronic signature and signature stamp use.**

2

3 **Intent:**

4 To establish a uniform procedure for the use of judges' and commissioners' electronic  
5 signatures and signature stamps.

6 **Applicability:**

7 This rule ~~shall apply~~applies to all trial courts of record and not of record.

8 **Statement of the Rule:**

9 (1) **Approved document types.** A clerk may, with the prior approval of the judge or  
10 commissioner, use an electronic signature or signature stamp in lieu of obtaining the judge's or  
11 commissioner's signature on the following document types:

12 (1)(A) bail bonds from approved bondsmen;

13 (1)(B) bench warrants;

14 (1)(C) civil orders for dismissal when submitted by the plaintiff in uncontested cases or  
15 when stipulated by both parties in contested cases;

16 (1)(D) civil orders for dismissal pursuant to Rule 4-103, URCP 3 and URCP 4(b);

17 (1)(E) orders to show cause and orders to appear/attend under URCP 7A~~(e)(4)~~ and  
18 URCP 7B~~(e)(4)~~;

19 (1)(F) orders to take into custody;

20 (1)(G) summons;

21 (1)(H) supplemental procedure orders;

22 (1)(I) orders setting dates for hearing and for notice;

23 (1)(J) orders on motions requesting the Department of Workforce Services (DWS) to  
24 release information concerning a debtor, where neither DWS nor the debtor opposes the  
25 motion;

26 (1)(K) orders for transportation of a person in custody to a court hearing, including writs  
27 of habeas corpus ad prosequendum and testificandum; and

28 (1)(L) orders appointing a court visitor.

29 ~~(2) When a clerk is authorized to use a judge's or commissioner's electronic signature or~~  
30 ~~signature stamp as provided in paragraph (1), the clerk shall sign his or her name on the~~  
31 ~~document directly beneath the electronic signature or stamped imprint of the judge's or~~  
32 ~~commissioner's signature.~~

33 **(2) Approval of additional document types.**

34 (2)(A) Trial courts of record. In a court of record, a judge or commissioner may  
35 authorize a clerk to use the electronic signature or signature stamp of the judge or  
36 commissioner, in lieu of obtaining the judge's or commissioner's signature, on document  
37 types listed in paragraph (1) and on document types authorized by a standing order  
38 issued by the presiding judge of that district.

39 (2)(A)(i) **Standing order.** The presiding judge of a juvenile or district court may,  
 40 by standing order, authorize clerks to use the electronic signature or signature  
 41 stamp of a judge or commissioner in the district, in lieu of obtaining the judge's or  
 42 commissioner's signature, on document types not listed in paragraph (1).

43 (2)(A)(ii) **Retention.** Standing orders and documentation of the authorization  
 44 must be maintained in accordance with the Utah State Courts Records Retention  
 45 Schedule.

46 (2)(B) **Trial courts not of record.** In courts not of record, a clerk may, with the prior  
 47 approval of the judge, use an electronic signature or signature stamp in lieu of obtaining  
 48 the judge's signature on document types not listed in paragraph (1). Judges may grant  
 49 such approval by standing order, listing each approved document type.

50 (2)(B)(i) **Presiding judge approval.** All document types in the standing order  
 51 must be pre-approved, in writing, by the presiding judge of the district.

52 (2)(B)(ii) **Retention.** Standing orders and documentation of the presiding judge's  
 53 approval must be maintained in accordance with the Utah State Courts Records  
 54 Retention Schedule.

55 (3) **Automatic.** The electronic signature of a judge may be automatically affixed to the following  
 56 documents without the need for specific direction from the assigned judge when issued using a  
 57 form approved by the Judicial Council;

58 (3)(A) a domestic relations injunction issued under URCP 109;

59 (3)(B) an automatic expungement order issued under Utah Code; and

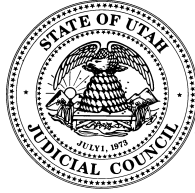
60 (3)(C) automated orders related to deferred traffic prosecution cases under Utah Code  
 61 Section§ 77-2-4.2.

62 (4) **Approval on a document-by-document basis.** ~~All other~~ documents not covered under  
 63 paragraphs (1), (2), or (3) that require ~~ing at the~~ judge's or commissioner's signature ~~shall~~ must be  
 64 personally signed by the judge or commissioner, unless the judge or commissioner, on a  
 65 document ~~by~~ document basis, authorizes the clerk to use the judge's or commissioner's  
 66 electronic signature or signature stamp in lieu of the judge's or commissioner's signature. The  
 67 judge or commissioner must review the document prior to granting such authorization.

68 (5) **Documentation in the case.** Authorization granted under paragraph (4) must be  
 69 documented in writing in the case. Authorization granted under paragraphs (1), (2), or (3) does  
 70 not need to be documented in the case.

71 (6) **Clerk signature.** When a clerk is authorized to use a judge's or commissioner's electronic  
 72 signature or signature stamp under this rule, ~~On such documents, the clerk shall~~ must indicate  
 73 in writing that the electronic signature or signature stamp was used at the direction of the judge  
 74 or commissioner and shall sign his or her name directly beneath the electronic signature or  
 75 stamped imprint of the judge's or commissioner's signature.

76 *Effective: ~~October~~ May 1, 2025*



# Administrative Office of the Courts

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

February 14, 2025

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

## MEMORANDUM

**TO: Mangement Committee / Judicial Council**  
**FROM: Keisa Williams**  
**RE: CJA Rule 4-111. Priority of post-conviction petitions in capital cases**

---

CJA Rule 4-111 does two things:

- (1) requires courts to expedite the procedures, hearings, and disposition of post-conviction petitions in capital cases above all other cases, except the trial and appeal of capital felonies; and
- (2) requires the Administrative Office of the Courts (AOC) to prepare and send a monthly report on pending post-conviction petitions in capital cases to the judges presiding over those cases, the presiding judge of districts with pending cases, and the presiding officer of the Judicial Council.

The Board of District Court Judges (Board) submitted a proposed amendment to Rule 4-111 to the Policy, Planning, and Technology Committee (PP&T) eliminating the requirement to prepare monthly reports. Currently, the AOC compiles the report manually. AOC staff consulted with the Capital Litigation Research Attorney, the presiding officer of the Council, and judges on the Board who have, or have had, post-conviction capital cases about the utility of the monthly report. Each agreed that the report creates unnecessary work and is no longer needed.

Removing the reporting requirement would reduce the rule to one sentence. Rule 4-111 went into effect on November 1, 1996. PP&T would like to discuss whether the policy of expediting post-conviction petitions in capital cases above all other cases (except the trial and appeal of capital felonies) is still the preferred policy of the Council and, if so, whether that policy needs to be memorialized in rule. The Capital Litigation Research Attorney noted that judges are very aware of capital cases assigned to them and give them great care and attention. She does not believe removing the reporting requirement or eliminating the rule would change how judges prioritize those cases. In her experience, delays are often outside of the judges' control. The sentiment from Board members is that the policy statement in the rule is a reflection of best practices, but there are not enough capital cases to necessitate a rule.

**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 4-111. Priority of post-conviction petitions in capital cases.**

2

3 **Intent:**

4 To provide for the just and speedy resolution of post-conviction petitions in capital cases.

5

6 **Applicability:**

7 This rule ~~shall apply~~applies to the Supreme Court, District Court, and Administrative Office ~~of~~  
8 ~~the Courts~~.

9

10 **Statement of the rule:**

11 (1) ~~The e~~Courts ~~shall~~must expedite the procedures, hearings, and disposition of post-conviction  
12 petitions in capital cases above all other cases, except the trial and appeal of capital felonies.

13

14 ~~(2) The Administrative Office of the Courts shall prepare a monthly report that~~  
15 ~~identifies:~~

16

17 ~~(A) all pending post-conviction petitions in capital cases;~~

18

19 ~~(B) the name of the judge or judges assigned to each case;~~

20

21 ~~(C) the names of counsel for the parties;~~

22

23 ~~(D) the prior and next calendared event of each case;~~

24

25 ~~(E) the age of each case from filing of the petition; and~~

26

27 ~~(F) the age of each case from filing of the notice of appeal.~~

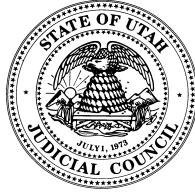
28

29 ~~(3) The Administrative Office of the Courts shall provide the report to any judge assigned to a~~  
30 ~~pending post-conviction petition in a capital case, to the presiding judge of that court, and to the~~  
31 ~~presiding officer of the Judicial Council.~~

32

33 **Effective:** ~~November 1, 1996~~May 1, 2025

Tab 6



# Administrative Office of the Courts

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

February 14, 2025

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

The proposed amendments:

- (1) add community representatives who are knowledgeable about the needs of self-represented litigants to the Court Facility Planning Committee, Committee on Children and Family Law, Committee on Resources for Self-represented Parties, Language Access Committee, Committee on Court Forms, and Committee on Fairness and Accountability;
- (2) require the chair of each standing committee to conduct a committee performance assessment every three years and report the results to the Management Committee; and
- (3) make non-substantive formatting changes.

### **CJA 3-306.04. Interpreter appointment, payment, and fines (AMEND)**

The proposed amendments:

- (1) require parties to provide a written transcript of recorded evidence involving a spoken language other than English;
- (2) with limited exceptions, prohibit parties from asking court interpreters to provide on-the-spot translations of written documents or on-the-spot interpretation of recorded evidence;
- (3) direct interpreters to review audio and video files recorded in English prior to a court proceeding;
- (4) require court interpreters to inform the court if they are unable to provide on-the-spot interpretation or translations; and
- (5) make non-substantive formatting changes.

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 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 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 Resources for Self-represented Parties;

30

31 (1)(A)(vii) Language Access Committee;

32

33 (1)(A)(viii) Guardian ad Litem Oversight Committee;

34

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

36

37 (1)(A)(x) Committee on Model Utah Criminal Jury Instructions;

38

39 (1)(A)(xi) Committee on Court Forms;

40

41 (1)(A)(xii) Committee on ~~Judicial~~ Fairness and Accountability;

42

43 (1)(A)(xiii) Working Interdisciplinary Network of Guardianship Stakeholders  
44 (WINGS); and

45  
46 (1)(A)(xiv) Tribal Liaison Committee.

47  
48 **(1)(B) Composition.**

49 (1)(B)(i) The **Uniform Fine Committee** performs the duties described in rule 4-  
50 302 and will consist of:

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

53  
54 (1)(B)(i)(b) three district court judges who have experience with a  
55 misdemeanor docket; and

56  
57 (1)(B)(i)(c) four justice court judges.

58  
59 (1)(B)(ii) The **Ethics Advisory Committee** performs the duties described in rule  
60 3-109 and will consist of:

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

62  
63 (1)(B)(ii)(b) one district court judge from Judicial Districts 2, 3, or 4;

64  
65 (1)(B)(ii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;

66  
67 (1)(B)(ii)(d) one juvenile court judge;

68  
69 (1)(B)(ii)(e) one justice court judge; and

70  
71 (1)(B)(ii)(f) an attorney from either the Bar or a college of law.

72  
73 (1)(B)(iii) The **Judicial Branch Education Committee** performs the duties  
74 described in rule 3-403 and will consist of:

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

76  
77 (1)(B)(iii)(b) one district court judge from Judicial Districts 2, 3, or 4;

78  
79 (1)(B)(iii)(c) one district court judge from Judicial Districts 1, 5, 6, 7, or 8;

80  
81 (1)(B)(iii)(d) one juvenile court judge;

82  
83 (1)(B)(iii)(e) the education liaison of the Board of Justice Court Judges;

84  
85 (1)(B)(iii)(f) one state-court level administrator;

86  
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(1)(B)(iii)(g) the Human Resource Management Director;

(1)(B)(iii)(h) one court executive;

(1)(B)(iii)(i) one juvenile court probation representative;

(1)(B)(iii)(j) two court clerks from different levels of court and different judicial districts;

(1)(B)(iii)(k) one data processing manager; and

(1)(B)(iii)(l) one adult educator from higher education.

(1)(B)(iii)(m) The Human Resource Management Director and the adult educator will serve as non-voting members. The courtstate level administrator and the Human Resource Management Director will serve as permanent Committee members.

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

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

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

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

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

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

(1)(B)(iv)(f) the court security director; and

(1)(B)(iv)(g) two community representatives who are knowledgeable about the needs of the self-represented litigants.

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

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

(1)(B)(v)(b) the Director of the Department of Human Services or designee;

- 129  
130 (1)(B)(v)(c) one attorney of the Executive Committee of the Family Law  
131 Section of the Utah State Bar;  
132  
133 (1)(B)(v)(d) one attorney with experience in abuse, neglect and  
134 dependency cases;  
135  
136 (1)(B)(v)(e) one attorney with experience representing parents in abuse,  
137 neglect and dependency cases;  
138  
139 (1)(B)(v)(f) one representative of a child advocacy organization;  
140  
141 (1)(B)(v)(g) the ADR Program Director or designee;  
142  
143 (1)(B)(v)(h) one professional in the area of child development;  
144  
145 (1)(B)(v)(i) one mental health professional;  
146  
147 (1)(B)(v)(j) one-two community representatives ~~of the community~~ who are  
148 knowledgeable about the needs of self-represented litigants;  
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 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 Resources for Self-represented Parties** performs  
163 the duties described in rule 3-115 and will consist of:  
164 (1)(B)(vi)(a) two district court judges;  
165  
166 (1)(B)(vi)(b) one juvenile court judge;  
167  
168 (1)(B)(vi)(c) two justice court judges;  
169  
170 (1)(B)(vi)(d) three clerks of court – one from an appellate court, one from  
171 an urban district, and one from a rural district;  
172

- 173 (1)(B)(vi)(e) one representative from a social services organization  
174 providing direct services to underserved communities;  
175  
176 (1)(B)(vi)(f) one representative from the Utah State Bar;  
177  
178 (1)(B)(vi)(g) two representatives from legal service organizations that  
179 serve low-income clients;  
180  
181 (1)(B)(vi)(h) one private attorney experienced in providing services to self-  
182 represented parties;  
183  
184 (1)(B)(vi)(i) two law school representatives;  
185  
186 (1)(B)(vi)(j) the state law librarian; and  
187  
188 (1)(B)(vi)(k) two community representatives [who are knowledgeable](#)  
189 [about the needs of self-represented litigants](#).  
190
- 191 (1)(B)(vii) The **Language Access Committee** performs the duties described in  
192 rule 3-306.02 and will consist of:
- 193 (1)(B)(vii)(a) one district court judge;  
194  
195 (1)(B)(vii)(b) one juvenile court judge;  
196  
197 (1)(B)(vii)(c) one justice court judge;  
198  
199 (1)(B)(vii)(d) one trial court executive;  
200  
201 (1)(B)(vii)(e) one court clerk;  
202  
203 (1)(B)(vii)(f) one interpreter coordinator;  
204  
205 (1)(B)(vii)(g) one probation officer;  
206  
207 (1)(B)(vii)(h) one prosecuting attorney;  
208  
209 (1)(B)(vii)(i) one defense attorney;  
210  
211 (1)(B)(vii)(j) two certified interpreters;  
212  
213 (1)(B)(vii)(k) one approved interpreter;  
214  
215 (1)(B)(vii)(l) one expert in the field of linguistics; ~~and~~  
216

217 (1)(B)(vii)(m) one American Sign Language representative; and  
218  
219 (1)(B)(vii)(n) two community representatives who are knowledgeable  
220 about the needs of self-represented litigants.

221  
222 (1)(B)(viii) The **Guardian ad Litem Oversight Committee** performs the duties  
223 described in rule 4-906 and will consist of:

224 (1)(B)(viii)(a) seven members with experience in the administration of law  
225 and public services selected from public, private, and non-profit  
226 organizations.

227  
228 (1)(B)(ix) The **Committee on Model Utah Civil Jury Instructions** performs the  
229 duties described in rule 3-418 and will consist of:

230  
231 (1)(B)(ix)(a) two district court judges;  
232  
233 (1)(B)(ix)(b) four lawyers who primarily represent plaintiffs;  
234  
235 (1)(B)(ix)(c) four lawyers who primarily represent defendants; and  
236  
237 (1)(B)(ix)(d) one person skilled in linguistics or communication.

238  
239 (1)(B)(x) The **Committee on Model Utah Criminal Jury Instructions** performs  
240 the duties described in rule 3-418 and will consist of:

241 (1)(B)(x)(a) two district court judges;  
242  
243 (1)(B)(x)(b) one justice court judge;  
244  
245 (1)(B)(x)(c) four prosecutors;  
246  
247 (1)(B)(x)(d) four defense counsel; and  
248  
249 (1)(B)(x)(e) one person skilled in linguistics or communication.

250  
251 (1)(B)(xi) The **Committee on Court Forms** performs the duties described in rule  
252 3-117 and will consist of:

253 (1)(B)(xi)(a) two district court judges;  
254  
255 (1)(B)(xi)(b) one court commissioner;  
256  
257 (1)(B)(xi)(c) one juvenile court judge;  
258  
259 (1)(B)(xi)(d) one justice court judge;

- 260  
261 (1)(B)(xi)(e) one court clerk;  
262  
263 (1)(B)(xi)(f) one appellate court staff attorney;  
264  
265 (1)(B)(xi)(g) one representative from the Self-Help Center;  
266  
267 (1)(B)(xi)(h) the State Law Librarian;  
268  
269 (1)(B)(xi)(i) the district court administrator or designee;  
270  
271 (1)(B)(xi)(j) one representative from a legal service organization that  
272 serves low-income clients;  
273  
274 (1)(B)(xi)(k) one paralegal;  
275  
276 (1)(B)(xi)(l) one educator from a paralegal program or law school;  
277  
278 (1)(B)(xi)(m) one person skilled in linguistics or communication;  
279  
280 (1)(B)(xi)(n) one representative from the Utah State Bar; [and](#)  
281  
282 (1)(B)(xii)(o) the LPP administrator; [and](#)  
283  
284 [\(1\)\(B\)\(xii\)\(p\) two community representatives who are knowledgeable](#)  
285 [about the needs of the self-represented litigants.](#)  
286  
287 (1)(B)(xii) The **Committee on Fairness and Accountability** performs the duties  
288 described in rule 3-420. The committee will include members who demonstrate  
289 an interest in or who have experience with issues of diversity, equity, and  
290 inclusion and will consist of:  
291 (1)(B)(xii)(a) one district court judge;  
292  
293 (1)(B)(xii)(b) one juvenile court judge;  
294  
295 (1)(B)(xii)(c) one justice court judge;  
296  
297 (1)(B)(xii)(d) one appellate court judge;  
298  
299 (1)(B)(xii)(e) two former judges from any court level;  
300  
301 (1)(B)(xii)(f) the General Counsel or designee;  
302

303 (1)(B)(xii)(g) one two community representatives of the community who  
304 are knowledgeable about the needs of self-represented litigants;

305  
306 (1)(B)(xii)(h) the Director of the Office of Fairness and Accountability;

307  
308 (1)(B)(xii)(i) the Director of Data and Research or designee; and

309  
310 (1)(B)(xii)(j) up to two additional qualified individuals.

311  
312 (1)(B)(xiii) The **Working Interdisciplinary Network of Guardianship**  
313 **Stakeholders (WINGS)** performs the duties described in rule 3-421, and will  
314 consist of:

315 (1)(B)(xiii)(a) **Judiciary** representatives:

316  
317 (1)(B)(xiii)(a)(i) two or more district court judges;

318  
319 (1)(B)(xiii)(a)(ii) two or more district court judicial support staff with  
320 experience in guardianship matters;

321  
322 (1)(B)(xiii)(a)(iii) one representative from the Guardianship  
323 Reporting and Monitoring Program (GRAMP); and

324  
325 (1)(B)(xiii)(a)(iv) one representative from the Court Visitor  
326 Program.

327  
328 (1)(B)(xiii)(b) **Community stakeholder** representatives:

329 (1)(B)(xiii)(b)(i) one representative from Adult Protective Services;

330  
331 (1)(B)(xiii)(b)(ii) one representative from Disability Law Center;

332  
333 (1)(B)(xiii)(b)(iii) one representative from Adult and Aging  
334 Services;

335  
336 (1)(B)(xiii)(b)(iv) one representative from Office of Public  
337 Guardian;

338  
339 (1)(B)(xiii)(b)(v) one representative from the Utah State Bar;

340  
341 (1)(B)(xiii)(b)(vi) one representative from Office of the Attorney  
342 General;

343  
344 (1)(B)(xiii)(b)(vii) one representative from the Utah legislature;

345



346 (1)(B)(xiii)(b)(viii) one representative from the Utah Commission  
347 on Aging;

348  
349 (1)(B)(xiii)(b)(ix) one representative from Utah Legal Services; and

350  
351 (1)(B)(xiii)(b)(x) the Long-Term Care Ombudsman or designee.

352  
353 (1)(B)(xiii)(c) **Individual community** representatives. Three or more  
354 community stakeholders representing:

355 (1)(B)(xiii)(c)(i) mental health community;

356  
357 (1)(B)(xiii)(c)(ii) medical community;

358  
359 (1)(B)(xiii)(c)(iii) private legal community that specializes in  
360 guardianship matters;

361  
362 (1)(B)(xiii)(c)(iv) aging-adult services community;

363  
364 (1)(B)(xiii)(c)(v) educator from a legal program or law school;

365  
366 (1)(B)(xiii)(c)(vi) organization serving low-income, minorities, or  
367 marginalized communities;

368  
369 (1)(B)(xiii)(c)(vii) citizens under or involved in guardianship; and

370  
371 (1)(B)(xiii)(c)(viii) other organizations with a focus including, but  
372 not limited to guardianship, aging, legal services, or disability.

373  
374 (1)(B)(xiv) The **Tribal Liaison Committee** performs the duties described in rule  
375 3-422 and will consist of:

376  
377 (1)(B)(xiv)(a) one district court judge;

378  
379 (1)(B)(xiv)(b) one juvenile court judge;

380  
381 (1)(B)(xiv)(c) one justice court judge;

382  
383 (1)(B)(xiv)(d) one appellate court judge;

384  
385 (1)(B)(xiv)(e) one federal district court judge or magistrate;

386  
387 (1)(B)(xiv)(f) one tribal court judge;

388

- 389 (1)(B)(xiv)(g) two representatives of Utah's Indian Tribes or affiliated  
390 community groups;
- 391
- 392 (1)(B)(xiv)(h) the Tribal Liaison;
- 393
- 394 (1)(B)(xiv)(i) one trial court executive;
- 395
- 396 (1)(B)(xiv)(j) one clerk of court or designee;
- 397
- 398 (1)(B)(xiv)(k) one representative from the Utah State Bar Indian Law  
399 Section;
- 400
- 401 (1)(B)(xiv)(l) one representative from the United States Attorney's Office;
- 402
- 403 (1)(B)(xiv)(m) one representative from the Indigent Defense Commission;  
404 and
- 405
- 406 (1)(B)(xiv)(n) one representative from the Guardian ad Litem's Office.
- 407

408 (1)(C) **Standing committee meetings and chairs.** The ~~Judicial~~ Council will designate  
409 the chair of each standing committee. Standing committees will meet as necessary to  
410 accomplish their work. ~~Standing committees will report to the Council as necessary but a~~  
411 ~~minimum of once every year.~~ Except for the Committee on ~~Judicial~~ Fairness and  
412 Accountability, ~~C~~ouncil members may not serve, participate or vote on standing  
413 committees. Standing committees may invite participation by others as they deem  
414 advisable, but only members designated by this rule may make motions and vote. All  
415 members designated by this rule may make motions and vote unless otherwise  
416 specified. Standing committees may form subcommittees as they deem advisable.

417

418 (1)(D) **Committee performance review.**

419

420 (1)(D)(i) Council. Standing committees will report to the Council as necessary,  
421 but at least annually.

422

423 (1)(D)(ii) Committee assessment. At least once every ~~six-three~~ years, the chair  
424 of each standing committee~~Management Committee~~ will review the performance  
425 of each committee~~conduct a performance assessment. Chairs should, at a~~  
426 minimum, consider:

427

428 (1)(D)(ii)(a) whether there is a more efficient way to accomplish the  
429 committee's work;

430

431 (1)(D)(ii)(b) whether there are any redundancies that would allow for  
432 consolidation with other committees or working groups; and

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(1)(D)(ii)(c) whether the committee continues to serve its purpose or could be dissolved.

(1)(D)(iii) Management Committee. Committee chairs will report the results of the performance assessment in paragraph (1)(D)(ii) to the Management Committee. If the Management Committee determines that the committee continues to serve its purpose, the Management Committee will recommend to the ~~Judicial~~ Council that the committee continue. If the Management Committee determines that modification of a committee is warranted, it may so recommend to the ~~Judicial~~ Council.

(1)(D)(iv) Guardian ad Litem Oversight Committee. Notwithstanding subsection (1)(D), ~~the~~ Guardian ad Litem Oversight Committee, recognized by Section 78A-~~2-1046-901~~, will not terminate.

(2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider topical issues outside the scope of the standing committees and to recommend rules or resolutions concerning such issues. The Council may set and extend a date for the termination of any ad hoc committee. The Council may invite non-Council members to participate and vote on ad hoc committees. Ad hoc committees will keep the Council informed of their activities. Ad hoc committees may form sub-committees as they deem advisable. Ad hoc committees will ~~disband~~ disband upon issuing a final report or recommendation(s) to the Council, upon expiration of the time set for termination, or upon the order of the Council.

(3) **General provisions.**

(3)(A) **Appointment process.**

(3)(A)(i) **Administrator's responsibilities.** The state court administrator will select a member of the administrative staff to serve as the administrator for committee appointments. Except as otherwise provided in this rule, the administrator will:

(3)(A)(i)(a) announce expected vacancies on standing committees two months in advance and announce vacancies on ad hoc committees in a timely manner;

(3)(A)(i)(b) for new appointments, obtain an indication of willingness to serve from each prospective appointee and information regarding the prospective appointee's present and past committee service;

(3)(A)(i)(c) for reappointments, obtain an indication of willingness to serve from the prospective reappointee, the length of the prospective reappointee's service on the committee, the attendance record of the

476 prospective reappointee, the prospective reappointee's contributions to  
477 the committee, and the prospective reappointee's other present and past  
478 committee assignments; and

479  
480 (3)(A)(i)(d) present a list of prospective appointees and reappointees to  
481 the Council and report on recommendations received regarding the  
482 appointment of members and chairs.

483  
484 (3)(A)(ii) **Council's responsibilities.** The Council will appoint the chair of each  
485 committee. Whenever practical, appointments will reflect geographical, gender,  
486 cultural, and ethnic diversity.

487  
488 (3)(B) **Terms.** Except as otherwise provided in this rule, standing committee members  
489 will serve staggered three-year terms. Standing committee members may not serve  
490 more than two consecutive terms on a committee unless the Council determines that  
491 exceptional circumstances exist which justify service of more than two consecutive  
492 terms.

493  
494 (3)(C) **Expenses.** Members of standing and ad hoc committees may receive  
495 reimbursement for actual and necessary expenses incurred in the execution of their  
496 duties as committee members.

497  
498 (3)(D) **Secretariat.** The Administrative Office will serve as secretariat to the Council's  
499 committees.

500

501 *Effective: ~~November 1, 2024~~November 1, 2025*

1 **Rule 3-306.04. Interpreter appointment, payment, and fines.**

2

3 **Intent:**

4 To state the policy of the Utah courts to secure the rights of people under Title VI of the  
5 Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. in legal proceedings who are unable to  
6 understand or communicate adequately in the English language.

7

8 To outline the procedures for appointment and payment of contract interpreters for legal  
9 proceedings.

10

11 **Applicability:**

12 This rule ~~shall apply~~applies to legal proceedings in courts of record and not of record.

13

14 This rule ~~shall apply~~applies to interpretation for individuals with a primary language other than  
15 English and limited English proficiency (LEP). This rule does not apply to non-English speaking  
16 people and not to interpretation for persons~~individuals~~ with a hearing impairment, which is  
17 governed by Utah and federal statutes.

18

19 **Statement of the Rule:**

20 **(1) Appointment.**

21 (1)(A) Except as provided in paragraphs (1)(B) and (1)(C), if the appointing authority  
22 determines that a party, witness, victim or person who will be bound by the legal  
23 proceeding has a primary language other than English and ~~limited English~~  
24 ~~proficiency~~LEP, the appointing authority ~~will~~shall appoint a certified or approved  
25 interpreter in all legal proceedings. A person requesting an interpreter is presumed  
26 to be a person of LEP~~limited English proficiency~~.

27

28 (1)(B) A registered interpreter may be appointed if no certified or approved  
29 interpreter is reasonably available.

30

31 (1)(C) A conditionally-approved interpreter may be appointed if the appointing  
32 authority, after evaluating the totality of the circumstances, finds that:

33

34 (1)(C)(i) the prospective interpreter has language skills, knowledge of  
35 interpreting techniques, and familiarity with interpreting sufficient to interpret  
36 the legal proceeding; ~~and~~

37

38 (1)(C)(ii) appointment of the prospective interpreter does not present a real or  
39 perceived conflict of interest or appearance of bias; and

40

41 (1)(C)(iii) a certified, approved, or registered interpreter is not reasonably  
42 available or the gravity of the legal proceeding and the potential consequence  
43 to the person are so minor that delays in obtaining a certified or approved

44 interpreter are not justified.

45

46 (1)(D) **Out of state credentials.** The appointing authority may appoint an interpreter  
47 with certified or approved or equivalent credentials from another state if the  
48 appointing authority finds that the approved, registered, or conditionally approved  
49 interpreters who are reasonably available do not have the language skills,  
50 knowledge of interpreting techniques, or familiarity with interpreting sufficient to  
51 interpret the legal proceeding. The appointing authority may consider the totality of  
52 the circumstances, including the complexity or gravity of the legal proceeding, the  
53 potential consequences to the person of ~~LEP~~~~limited English proficiency~~, and any other  
54 relevant factor.

55

56 (1)(E) **Direct verbal exchange.** No interpreter is needed for a direct verbal exchange  
57 between the person and court staff if the court staff can fluently speak the language  
58 understood by the person and the state court employee is acting within guidelines  
59 established in the Human Resources Policies and Procedures. An approved,  
60 registered, or conditionally approved interpreter may be appointed if court staff  
61 does not speak the language understood by the person.

62

63 (1)(F) **Number of interpreters.** The appointing authority will appoint one interpreter  
64 for all participants with ~~LEP~~~~limited English proficiency~~, unless the judge determines that  
65 the participants have adverse interests, or that due process, confidentiality, the  
66 length of the legal proceeding, or other circumstances require that there be  
67 additional interpreters.

68

69 (2) **Review of denial of request for interpreter.** A person whose request for an interpreter  
70 has been denied may apply for review of the denial. The application ~~shall~~will be decided by  
71 the presiding judge. If there is no presiding judge or if the presiding judge is unavailable,  
72 the court clerk ~~will~~~~of the court shall~~ refer the application to any judge ~~of the court or any judge~~ of  
73 a court of equal jurisdiction. The application must be filed within 20 days after the denial.

74

75 (3) **Waiver.** A person may waive an interpreter if the appointing authority approves the  
76 waiver after determining that the waiver has been made knowingly and voluntarily. A  
77 person may retract a waiver and request an interpreter at any time. An interpreter is for  
78 the benefit of the court as well as for the ~~non-English-speaking person~~ with a primary language  
79 other than English and LEP, so the appointing authority may reject a waiver.

80

81 (4) **Translation of court forms.** Forms must be translated by a team of at least two people  
82 who are interpreters certified or approved under this rule or translators accredited by the  
83 American Translators Association.

84

85 (5) Recorded evidence.

86

87 (5)(A) Sight translations. Parties may not ask interpreters to produce on-the-spot sight  
88 translations of written documents. The court may explain to the parties why this task is  
89 inappropriate.

90  
91 (5)(B) Recorded evidence in languages other than English. When offering a  
92 recording of a spoken language other than English, a party must offer a written transcript  
93 of the recording to aid the jury or the court in understanding the recording. Admissibility  
94 of the recording and transcript is governed by the Utah Rules of Evidence.

95  
96 (5)(C) Recorded evidence in English. Audio and video files recorded in English that  
97 will be played in open court should be reviewed by the interpreter(s) who will be  
98 providing language services for that hearing prior to the proceeding.

99  
100 (5)(D) Emergency circumstances. If the situation involves an emergency  
101 circumstance, the court may require a party with LEP to testify as to what is being said  
102 on the recording and have that testimony interpreted by the court interpreter for the  
103 record. If the recorded evidence is brief or not complex, the court may permit on-the-spot  
104 interpretation with the consent of the court interpreter.

105  
106 (5)(E) Duty to inform. Court interpreters assigned to a given proceeding must inform  
107 the judge if they are unable to provide an on-the-spot interpretation of audio or video  
108 recordings, or sight translations of written documents in English.

109  
110 **(56) Payment.**

111  
112 (56)(A) Courts of record. The fees and expenses for language access in courts of  
113 record shall will be paid by the Administrative Office. Payment of fees and expenses  
114 shall will be made in accordance with the Accounting Manual.

115  
116 (56)(B) Courts not of record. The local government that funds a court not of record  
117 shall will set and pay the fees and expenses for interpreters in that court.

118  
119 (56)(C) Parties. The court may assess the fees and expenses as costs to a party as  
120 otherwise provided by law- (e.g., Utah Constitution, Article I, Section 12, Utah Code  
121 Sections 77-1-6(2)(b), 77-18-116, 77-32b-104, 78B-1-146(3), URCP-Rule 54 of the Utah  
122 Rules of Civil Procedure(4)(2), and Title VI of the Civil Rights Act of 1964, 42 U.S.C.  
123 2000d, et seq., and including regulations and guidance adopted under that title-).

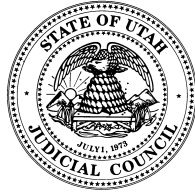
124  
125 (56)(D) Review. A person who has been ordered to pay fees and expenses for  
126 language access may apply to the presiding judge to review the order. If there is no  
127 presiding judge, the person may apply to any judge of the court or any judge of a  
128 court of equal jurisdiction. The application must be filed within 20 days after the date the  
129 order was issued.

130

|131 *Effective: ~~2/27/2024~~November 1, 2025*



Tab 7



# Administrative Office of the Courts

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

January 28, 2025

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

## MEMORANDUM

**TO:** The Management Committee of the Judicial Council

**FROM:** Standing Committee on Model Utah Civil Jury Instructions  
Jace Willard, Associate General Counsel

**RE:** Leadership appointment(s) and reappointment

---

### *Leadership Appointment(s)*

The Committee is in need of leadership appointment(s) and reappointment. The current Chair, Alyson McAllister, was first appointed to the Committee in November 2018, and was appointed as Chair in February 2022, with an expiration date of February 28, 2025. Pursuant to Rule 1-205(3)(B) of the Utah Code of Judicial Administration, “[s]tanding committee members may not serve more than two consecutive [three-year] terms on a committee unless the Council determines that exceptional circumstances exist which justify service of more than two consecutive terms.”

It is proposed that Ms. McAllister be permitted to serve an additional three-year term based on the existence of exceptional circumstances. The Committee’s previous Vice-Chair, Lauren Shurman, completed her service on the Committee in December 2023. Since that time, Ms. McAllister has served without a Vice-Chair. In Ms. McAllister’s view, the best candidate to succeed Ms. Shurman as Vice-Chair is Stewart Harman. Mr. Harman is an experienced litigator and trial lawyer primarily representing civil defendants. For nearly 20 years, he practiced at Plant Christensen & Kanell, handling mainly insurance defense cases. He currently serves as in-house counsel for Bach Homes. However, he has only been serving on the Committee since August 2023.

Additionally, Ms. McAllister has been involved in revitalizing certain subcommittees (Intentional Torts and Products Liability) whose work with the Committee is currently in progress. Given this involvement and Mr. Harman’s brief time with the Committee to date, it would be very helpful if Ms. McAllister could continue serving as Chair while he takes on additional responsibilities as the Vice-Chair. For these reasons, it is recommended that Ms.

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efficient, and independent system for the advancement of justice under the law.**

McAllister be re-appointed for one additional three-year term as Chair and that Mr. Harman be appointed as Vice-Chair.

Alternatively, the Chair recommends that Mr. Harman and John Macfarlane be appointed as Co-Chairs. Mr. Harman's experience is summarized above. Mr. Macfarlane is likewise an accomplished litigator. He currently practices at Younker Hyde Macfarlane, a reputable personal injury firm he helped to found in 2016. He has worked on cases involving general litigation, product liability, medical malpractice, and bankruptcy. He also has several years of experience working on different committees with the Utah Association for Justice. Mr. Macfarlane was appointed to the Committee in April 2023.

The Committee looks forward to approval and any feedback from the Management Committee and Judicial Council as to the proposed reappointment and new appointment(s).

Tab 8



# Administrative Office of the Courts

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

January 8, 2025

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

## MEMORANDUM

**TO: Management Committee**

**FROM: Judicial Institute**

**RE: Judicial Branch Education Committee vacancy**

---

[UCJA Rule 1-205\(1\)\(B\)\(iii\)\(c\)](#) states that the Judicial Branch Education Committee shall consist of one judge from one district court judge from Judicial Districts 1, 5, 6, 7 or 8. This position was previously held by Judge Angela Fannesbeck. She served on this committee until she became a member of the Judicial Council. UCJA Rule 1-205(1)(C) precludes Judicial Council members from serving on Standing Committees like the Judicial Branch Education Committee.

Judge Jeremiah Humes from the Seventh District has been nominated by the District Court Board to fill this vacancy.

The Judicial Institute seeks the Management Committee, and the Judicial Council's approval of this appointment.

Tab 9

# Utah Office of Guardian ad Litem & CASA

450 S State Street, N31, Salt Lake City, UT 84114

## ADMINISTRATIVE OFFICE

Stacey M. Snyder  
Director

## APPELLATE TEAM

Martha Pierce, MA  
Heath Haacke  
Alisha Giles

## PROGRAM COORDINATORS

Melanie Speechly  
CASA Administrator

Kacy Crandall  
Private Guardian ad Litem  
Conflict Guardian ad Litem

TO: The Utah Judicial Council  
FROM: Stacey M. Snyder, Director, on behalf of the GAL Oversight Committee  
DATE: January 13, 2025  
SUBJECT: Nominees for Oversight Committee



Currently, there are two vacancies on the Guardian ad Litem Oversight Committee, due completion of terms for Jeanine Timothy and Kenyon Dove. For the Council's consideration to fill these vacancies, the Oversight Committee submits the names of Kristin Fadel and Alexa Hudson.

Kristin Fadel is a recently retired Guardian ad Litem attorney with over 30 years of experience. Her historical knowledge will be invaluable to the committee.

Alexa Hudson is the Co-Executive Director & Co-Founder of the 1999 Collective. The 1999 Collective is a community of foster care alumni and allies that work to ensure that Utahns who experienced foster care after age 13 are given resources, have supportive connections, and ongoing support through early adulthood and beyond. She will contribute lived experience expertise to the committee, a voice we are currently lacking. I have attached her resume for your reviews.

We are fortunate to have two highly experienced and qualified nominees and appreciate your consideration to these individuals.

## PROFESSIONAL EXPERIENCE

CO-FOUNDER & CO-EXECUTIVE DIRECTOR  
1999 Collective, Salt Lake City, UT

August 2022 – Present

- Led a diverse group of 12 co-founders, most with lived-expertise in Utah's foster care system, through multiple processes of identifying areas for improvement in Utah's foster care system and resource landscapes, and ideating solutions.
- Led the process of ideation into implementation of solutions by founding a new non-profit; fundraising over \$500,000 to-date from small, private funders; building a Board of Directors; creating innovative organizational structures to ensure lived-expertise power and decision-making; guiding the process of individualized work with youth impacted by foster care; and building cross-sector and cross-organizational partnerships.
- Ongoing leadership of co-founding group, Board of Directors, and staff to directly serve over 200 youth and young adults impacted by foster care in Utah, and indirectly serve hundreds more through community partnerships and advocacy.

DIRECTOR OF DEVELOPMENT  
First Star, Inc., Los Angeles, CA

April 2022 – May 2023

- Created first Development Department for First Star, Inc. by updating and implementing policies and procedures, creating and implementing Development Plan, and implementing new development software.
- Oversaw grant-writing, grants management and individual giving program to maintain annual budget of approximately one million.

FOUNDING DIRECTOR, IMPACT SCHOLARS  
DIRECTOR, FIRST STAR ACADEMY  
University of Utah, Salt Lake City, UT

January 2018 – January 2022

- Led First Star Academy through initial four years, which culminated in the first student cohort exceeding educational outcomes of the general (non-foster care) population: 100% graduated high school, 91% enrolled in higher education, 64% enrolled in four-year institutions
- Founded Impact Scholars program in fall 2019 to support college students with foster care experience
- Raised \$1,022,000 through contracts, grants and cultivation of foundations and individual donors. This included establishing a five-year contract with USBE and increasing an existing contract with DCFS by 66%.
- Developed and directed First Star Academy and Impact Scholar's policies and procedures, curriculum and programming, student recruitment, staffing structure, case management, fundraising, budgeting, marketing and communications, data collection and management, and organizational culture.



## ALEXA HUDSON, MFA

1010 East 200 South, Salt Lake City, UT 84102

(413) 575-7219 \* alexa@1999collective.org

---

- Collaborated with the Advisory Board, University leadership and community partners to identify, create and implement strategic plans. Provided ongoing strategic direction and long-term sustainability by setting short and long-term goals, forecasting budget needs for staff, programming and growth.
- Oversaw twenty-five direct reports and all aspects of staff management including recruitment, retention and analysis and determination of appropriate staff mix to support scholar needs. Hired, onboarded and trained staff. Liaised with Youth Protection and Program Support, General Counsel and Office of Equal Opportunity to ensure safety of minors.
- Provided case management for participating students in collaboration with the students' social workers, attorneys, caregivers, teachers and other adults involved in the student's cases.

### CORE ADJUNCT FACULTY

May 2014 – June 2018

Westminster College, Salt Lake City, UT

- Awarded Core Adjunct Faculty status (June 2017) in acknowledgement of excellence in working with students, creating inclusive environments and significant contributions to programming
- Collaborated with faculty and staff to design and develop effective Outdoor Education and Leadership curricula and minor / major program
- Designed, planned and taught 4-5 courses per semester, including skills courses and academic courses

### SENIOR INSTRUCTOR

May 2012-May 2015

Mountain Education and Development, Salt Lake City, UT

- Developed curricula for wilderness medicine and mountain development community engaged learning courses for American college students in Kenya. Administered and led courses in Kenya.
- Taught rock climbing courses for the University of Utah and wilderness medicine courses in Utah and Kenya.

## EDUCATION

THE SOLSTICE MFA IN CREATIVE WRITING

2015-2017

Boston, MA

MFA, Fiction, Teaching Pedagogy

UNIVERSITY OF UTAH

2010-2012

Salt Lake City, UT

Bachelor of Arts, Anthropology; *Magna Cum Laude*; *Phi Beta Kappa*, *Anderson Scholar (awarded for excellence in Anthropology)*; GPA: 4.0

COLUMBIA UNIVERSITY, SCHOOL OF GENERAL STUDIES

Fall 2009

New York, NY

Bachelor of Arts Candidate, Anthropology; *Dean's List*; GPA: 3.75

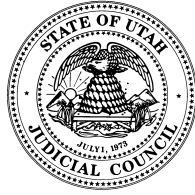
WESLEYAN UNIVERSITY

2005-2007

Middletown, CT

Bachelor of Arts Candidate, Sociology; *Dean's List*; GPA: 3.93

Tab 10



# Administrative Office of the Courts

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

January 28, 2025

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

## MEMORANDUM

**TO: Management Committee**

**FROM: Judge Hruby-Mills, Co-Chair, Judge Brody Keisel, and Meredith Mannebach, Deputy District Court Administrator**

**RE: Commissioner Seat Vacancy on the Standing Committee on Children and Family Law**

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Per UCJA Rule 1-205(1)(B)(v)(I) Standing and Ad Hoc Committees, the Standing Committee on Children and Family Law (SCCFL) has a seat for one commissioner. Commissioner Minas has served his two-term limit and we are so appreciative of all his work over the last six years.

Commissioner Julie Winkler has volunteered to take this seat on this committee. The Board of District Court Judges has approved this appointment be advanced to Management. I am seeking approval of Commissioner Winkler's appointment to the SCCFL committee.

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Tab 11



# Administrative Office of the Courts

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

January 29, 2025

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

## MEMORANDUM

**TO:** Management Committee of the Judicial Council

**FROM:** Pleasy Wayas, on behalf of the Forms Committee

**RE:** Committee membership

---

The Management Committee is asked to approve a new member to serve on the Forms Committee, consistent with the composition requirements detailed in CJA 1-205(1)(B)(xi). Approval is sought, pursuant to CJA 1-205(3)(A)(i)(d), for the following individual:

- Kevin Nelson, as justice court judge

Current membership of the Forms Committee is detailed on the following page, with changes highlighted.

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

<b>Name</b>	<b>Position</b>	<b>Comment</b>
Hon. Chelsea Koch	District court judge and chair	
Hon. Meb Anderson	District court judge	
Hon. Michelle Blomquist	Court commissioner	
Hon. Brent Bartholomew	Juvenile court judge	
Hon. Kevin Nelson	Justice court judge	If approved
Guy Galli	Court clerk	
Bret Hayman	Appellate court staff attorney	
Janine Liebert	Self-Help Center representative	
Kaden Taylor	State Law Librarian	
Keri Sargent	District court administrator	
Stewart Ralphs	Rep from a legal serv org that serves low-inc. clients	
Amber Alleman	Paralegal	
Jacqueline Morrison	One educator from a paralegal program or law school	
LaReina Hingson	Person skilled in linguistics or communication	
David Head	Representative of Utah State Bar	
Jonathan Wayas	LPP administrator	

Tab 12



# Administrative Office of the Courts

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

February 3, 2025

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

Dear Management Committee:

A vacancy exists among the membership of the Standing Committee on Model Utah Criminal Jury Instructions for a Justice Court Judge. The vacancy results from the appointment of Judge Brendan McCullagh to the Judicial Council. After consultation with the Board of Justice Court Judges, it is recommended that Judge Christopher Bown be appointed to fill this vacancy. Therefore, pursuant to Rule 1-205 of the Code of Judicial Administration, we respectfully ask that the Council appoint Judge Christopher Bown for an initial term of three years beginning March 1<sup>st</sup>, 2025 and ending February 29<sup>th</sup>, 2028.

Warm regards,

Judge Teresa Welch, chair  
Bryson King, staff

**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.**