

**JUDICIAL COUNCIL MEETING  
Minutes**

**March 13, 2025**

**Meeting held through Webex  
and in person**

**Dixie Convention Center - “Entrada A”  
1835 S. Convention Center Dr  
St. George, UT 84790**

**12:00 p.m. – 3:05 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 Fonnesbeck  
Hon. James Gardner  
Hon. Michael Leavitt  
Hon. Thomas Low  
Hon. Brendan McCullagh  
Hon. Amber Mettler  
Justice Paige Petersen  
Kristin K. Woods

**Presenters:**

Lauren Andersen  
Travis Erickson  
Alisha Johnson  
Jessica Vasquez-Leavitt

**AOC Staff:**

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

**Excused:**

**Presenters (cont.)**

Jordan Murray  
Jon Puente  
Russ Pearson  
Shonna Thomas

**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 Angela Fannesbeck made a motion to approve the February 24, 2025 meeting minutes. Judge Suchada Bazzelle seconded the motion, which passed unanimously.

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

Chief Justice Matthew B. Durrant reported on a difficult legislative session. He noted that the majority of Judicial Council's budget requests were not funded and commented on SB296 which grants the governor authority to appoint the Chief Justice and requires confirmation by the Senate every four years. The Chief Justice also stated that the judiciary ended up in a far better place than expected and thanked the administrators, Legislative Liaison committee, Council colleagues, and the Utah State Bar leadership for their efforts.

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

Ron Gordon reported a challenging budget session where only one of the seven budget priorities was fully funded: the interpreter funds (Council's number six priority). The Judiciary received the full requested amount of just under \$1.5 million in ongoing funds and \$450,000 in one-time funds for the Juror Witness and Interpreter Fund, which is very good news. He noted that the sixth-ranked priority received funding at the expense of higher-ranked items - most notably the top priority, Core Workforce employee compensation, which had a \$3 million funding request. While the appropriations subcommittees only make recommendations to the Executive Appropriations Committee (EAC), their ranking was high and would have typically been honored by the EAC. Despite the high ranking, the requested employee compensation funding was not appropriated.

Mr. Gordon mentioned receiving a \$1 million ongoing appropriation on the last day of the session, without specific restrictions, thanks to the efforts of a key legislator. He announced that he and Neira Siaperas will present a comprehensive proposal next month on reinvesting this \$1 million appropriation and turnover savings into employee retention, recruitment, and compensation. He emphasized the need to balance incentives for new hires with the value of retaining existing staff. This proposal will be presented to the Budget and Fiscal Management Committee first for approval.

Mr. Gordon stated he has been candid with AOC directors and TCEs about submitting budget requests as he will ask the Council to fully fund the employee recruitment and retention proposal before considering any other requests. He also reported continued work on implementing recommendations from the System Review report presented at the last Judicial Council meeting, with a strategy to develop implementation plans and fiscal/policy impacts for each recommendation.

Mr. Gordon also mentioned that employees and judges will receive a 2.5% pay increase. For employees, it is a COLA, and for judges, the salary increase is the equivalent of the COLA.

## **4. COMMITTEE REPORTS:**

**Management Committee Report:**

Nothing to report.

**Budget & Fiscal Management Committee Report:**

Judge Cornish reported a quiet month in finance but acknowledged they are heading into the last quarter of the fiscal year and anticipate additional work.

**Liaison Committee Report:**

Judge Thomas Low reported a difficult legislative year but ultimately, there was a lot of success in negotiating problematic bills. He highlighted very good conversations with the legislature and the positive working relationship, thanking Michael Drechsel and Mr. Gordon. Judge Low also thanked the Supreme Court for addressing important issues. Judge David Mortensen added his appreciation for the work of the Liaison Committee, noting the significant focus and time commitment involved.

Judge Brian Brower also thanked the committee, especially Mr. Drechsel, Mr. Gordon, and Ms. Siaperas, recognizing their hard work and experience.

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

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

**Bar Commission Report:**

The work of the Bar Commission will be reported later in the meeting.

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

Alisha Johnson presented the financial reports.

**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	720,212	720,212
1	Ongoing Turnover Savings FY 2025 (forecast \$50,000 / month x 4 months, Salary Differential only)	Internal Savings	-	200,000
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	Internal Savings	-	-
	TOTAL SAVINGS		860,807	1,060,807
2	2025 Annual Authorized Hot Spot Raises		(150,091)	(200,000)
	TOTAL USES		(150,091)	(200,000)
Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025			710,715	860,807
Prior Report Totals as of 01/30/2025			556,476.66	746,740.94

**FY 2025 One Time Turnover Savings**

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 02/14/2025)	Internal Savings	2,103,301
2	Est. One Time Savings for remaining pay hours (768 @ \$1,200 / pay hour)	Internal Savings (Est.)	921,600
Total Potential One Time Savings			3,024,901
Prior Report Totals (as of 01/17/2025)			2,996,897

## 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 02/14/2025	Turnover Savings	2,103,301
	Turnover savings Estimate for the rest of the year (\$1,200 x 768 pay hours)	Turnover Savings	921,600
	<b>Total Potential One Time Turnover Savings</b>		<b>3,024,901</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>2,774,901</b>
	<i>Operational Savings From TCE / AOC Budgets - mid-year forecast</i>	<i>Internal Operating Savings</i>	629,905
	<i>Operational Savings from IT Budget - unused Carryforward Request</i>	<i>Internal Operating Savings</i>	150,000
	<i>Reserve Balance (balance from FY 2024 Carryforward)</i>	<i>Judicial Council Reserve</i>	847
	<i>Estimated unclaimed property claims (received and pending)</i>	<i>Additional Revenue Received</i>	730,000
	<i>Prior year adjustments - impact on current year operations (Hyrum and OFA)</i>	<i>Adjustments to CY Operations</i>	(90,000)
( b )	<b>Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments</b>		<b>1,420,752</b>
( c )	<b>Total of Turnover Savings &amp; Operational Savings = ( a ) + ( b )</b>		<b>4,195,653</b>
<b>Uses of YE 2025 Funds</b>			
( d )	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 ) less Carryforward ( d )</b>		<b>995,653</b>
	<b>Less: Judicial Council Requests Previously Approved</b>		<b>(797,427)</b>
	<b>Less: Judicial Council Current Month Spending Requests</b>		<b>(36,800)</b>
	<b>Remaining Forecasted Funds Available for FY 2025 YE Spending Requests</b>		<b>161,426</b>

Updated 02/26/2025

## Spending Requests

Lauren Andersen presented a request from Education to sunset the current Judiciary's Learning Management System (LMS) and purchase a new one in this fiscal year. Reasons include the need to manage the onboarding process without service disruption, given a small education team. Education has \$25,000 in savings from a downgraded service available this fiscal year for the project, and the Justice Court Board has tentatively allocated \$25,000 as well. The total project cost is \$77,700, with a request for \$27,700 from the Judicial Council. Ms. Andersen emphasized the reliance on the LMS for onboarding and tracking education requirements and the desire to implement it correctly without rushing. The proposal is to purchase this year, spend three to five months learning and building the system, start training, and go live with the new system by July 2026, turning off the old one at the end of June 2026.

**Motion:** Justice Paige Petersen made a motion to approve the request as presented. Judge Brower seconded the motion, which passed unanimously.

Jessica Vazquez-Leavitt presented a request for an increase in the secondary language stipend. She explained the request for \$9,800 to increase secondary language stipend availability. Currently, 64 positions are filled, and this additional funding would cover five individuals on the waitlist and two pending off the waitlist for the remaining months of the fiscal year.

**Motion:** Judge Michael Leavitt made a motion to approve the \$9,800 increase request as presented. Judge Fannesbeck seconded the motion, which passed unanimously.

**6. FIFTH DISTRICT REPORT: (Judge John Walton, Cade Stubbs)**

Judge John Walton and Cade Stubbs reported on the Fifth District, noting that they have 10 judges (seven District and three Juvenile), with five judges onboarded in the past five years. Judge Walton noted some growing pains but overall successful onboarding processes.

Mr. Stubbs shared that the federal court is occupying one of the Fifth District courtrooms, as they are in the process of renovating their own building. Their lease expires at the end of the fiscal year, at which time it will transition to a month-to-month lease. Judge Leavitt extended an invitation to the Judicial Council to the Fifth District's celebration of the 120th anniversary of Juvenile Courts in Utah on April 25th, 28th, and 29th, to be held at their three courthouses.

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

Keisa Williams presented CJA Rule 4-202.07. She reminded the Council that this rule was presented last month, and Judge Eisenman had a question about notice of appeal for individuals whose interests are protected by disclosure. Ms. Williams took the question to Policy, Planning and Technology (PP&T) for further consideration, and provided an explanation of the Committee's direction in the memo. She requested the rule be approved with a May 1, 2025 effective date.

**Motion:** Kristin Woods made a motion to approve CJA Rule 4-202.07, with an effective date of May 1, 2025. Judge Samuel Chiara seconded the motion, which passed unanimously.

Ms. Williams then presented CJA Rule 4-206 for expedited approval. This rule concerns exhibits and was amended last year to reflect statutory changes. Feedback was received from prosecuting agencies regarding the sending of defense exhibits and bulky exhibits requiring law enforcement chain of custody to them. Similar concerns were raised by Judge McCullagh. Staff worked with the prosecuting agency to amend paragraphs 2, 3, and 5 to address this. Given the nature of the change, expedited approval with a March 14th effective date was requested, followed by a 45-day public comment period.

Judge Leavitt asked about procedures in case of a dispute between the prosecutor and law enforcement regarding who should retain an exhibit, and asked if there was a way to make the direction clearer for Judicial Assistants (JAs). He expressed concern about the process after a trial ends and the judge takes a matter under advisement, specifically regarding exhibit disposal. Judge Leavitt stated that he didn't think the rule itself needed to be changed but suggested ensuring clear direction for JAs on practical implementation. Judge James Gardner added that if there were any additional concerns on this topic, they could be addressed after the comment period.

**Motion:** Judge Low made a motion to approve CJA Rule 4-206 with a March 14, 2025 effective date. Judge Leavitt seconded the motion, which passed unanimously.

## **8. LEGISLATIVE UPDATE: (Michael Drechsel)**

Michael Drechsel provided a schedule of upcoming legislative updates to various groups. The general legislative update for the judicial officers is in three weeks. He added that the effective date for most bills will be May 7th, 2025.

Out of 582 bills passed (slightly less than last year), 264 were actively monitored due to their connection with court operations. He identified 81 bills that need to be summarized, mostly dealing with criminal justice issues (52), with only five of those being traffic-related and two specifically juvenile justice. He stated there were no really big sweeping changes in the passed bills, despite significant concerns about some proposed bills that did not pass, except for Senate Bill 296 concerning the Governor appointing and Senate confirming the Chief Justice every four years.

Of the remaining bills to be summarized (around 30), about 10 are in domestic/family law, three in child welfare, three around guardianship and civil commitment, and four in probate, with the rest in civil or procedural contexts. Mr. Drechsel noted it would not be a very heavy year for implementing changes, but there will be moving pieces, including the recodification of several important sections of code.

Regarding the judiciary's own legislative efforts, the new judges bill (Senate Bill 109) did not pass as the funding was not appropriated for the positions. The bill to increase the online court assistance fee and make court security-related provision changes (Senate Bill 148) also did not pass. This means issues like Business Chancery Court not being included in the ability to pay for bailiff services through the court security account will need to be navigated for another year. Mr. Drechsel commended the Salt Lake County Sheriff's Office for their work on court security and indicated he would consult with the Liaison Committee and the Council on whether to pursue these issues again next year.

Mr. Drechsel also addressed the Salt Lake County Justice Court closure set for June 30, 2027, noting the potential million-dollar case processing impact on the District Court in Salt Lake County, which won't require funding until fiscal year 2028. Finally, Mr. Drechsel mentioned House Bill 273 (law enforcement investigation amendments), which creates a new type of warrant called a reverse keyword warrant and will likely increase the workload related to warrant requests, without any associated funding. He estimated a need for \$130,000 in ongoing funding and some one-time funds for IT system updates to offset these impacts.

## **9. TCE REPORT: (Russell Pearson, Travis Erickson)**

Russell Pearson and Travis Erickson, co-chairs of the TCE group, presented their report to the Judicial Council. Mr. Pearson began by highlighting challenges faced by TCEs, including hiring, recruitment, retention, and morale. He expressed appreciation for Mr. Gordon, and Ms. Siaperas' support in trying to increase compensation for Judicial Assistants and Probation Officers. High turnover keeps training coordinators busy, impacting the ability to provide additional training for newer employees. Change fatigue is another ongoing challenge, especially with annual legislative changes, and Mr. Pearson noted the importance of reminding employees of the



technological advancements and changes the courts have undergone over the years. He expressed excitement about the potential of leveraging generative AI for future improvements.

Mr. Erickson continued by outlining efforts to address concerns, focusing on projects that better serve staff and the organization. District-level recognition efforts are used to engage staff, recognizing their work even when increased financial compensation isn't possible. He reiterated appreciation for the Council's ongoing support for incentives, bonuses, and salary increases, acknowledging that some years are more difficult financially. Retention remains a struggle, and efforts focus on making districts desirable places to work, emphasizing the staff's role in the courts' mission through mentorship and leadership development opportunities. Mr. Erickson specifically thanked Mr. Gordon, Ms. Siaperas, Sonia Sweeney, and Shane Bahr for their visits and engaging discussions with staff, which help staff feel connected to the Judiciary's mission. He also commended Human Resources for providing updates and in-person engagement and IT for their on-site support and proactive approach to equipment needs.

#### **10. UTAH STATE BAR REPORT: (Cara Tangaro, Kim Cordova, Elizabeth Wright)**

Cara Tangaro, President of the Utah State Bar, presented the Bar's report. She acknowledged the Bar's busy legislative session and appreciated the Judiciary's support. Ms. Tangaro shared information from Elizabeth Wright about the February Bar exam, noting higher than historical application numbers (106 compared to the typical 87-92). The upcoming July Bar exam venue has been changed from the Mountain America Event Center to the Western State Event Venue in Davis County due to a scheduling conflict. This new location is newly renovated and will save the bar a significant amount of money, potentially making it the new permanent location.

Ms. Tangaro conveyed the Government Relations Committee and Bar leadership's gratitude back to the Judiciary and their satisfaction in making an impact. Chief Justice Durrant emphasized the speed of the Bar's response to legislation, which was very impressive. Justice Petersen added that the Bar's support had an effect on both the legislature and the public, with the letter signed by many attorneys getting public attention.

Ms. Tangaro then discussed the Bar's increased focus on government relations, aiming to build relationships with legislators during the off-season and be a resource for them on legal matters. She highlighted the importance of continuity in Bar leadership, with the president-elect (Kim Cordova) and incoming president-elect being involved in current activities. The Bar brought on Jacey Skinner to assist with the legislative session and will be evaluating its governmental relations efforts. Ms. Tangaro thanked past judges for their support and noted the strategic plan to involve them in advocacy, and emphasized the Bar's firm stance on judicial independence and separation of powers. She also noted the significant volunteer hours dedicated by lawyers to bar committees like the Governmental Relations Committee and Admissions Committee. The upcoming Bar convention is expected to be successful, with 363 paid attendees, adding that the Bar is focusing on fiscal responsibility due to its mandatory nature. Next year's annual meeting will be in Sun Valley for their 95th anniversary, and this year's will be at This is the Place on June 26th. Ms. Tangaro expressed her and Ms. Cordova's deep respect and gratitude for the Utah Judiciary, recognizing their dedication and the service they provide.

Judge Chiara asked about the scope of bills the Bar can weigh in on. Ms. Tangaro explained that the bar must be non-political, focusing on the rule of law and access to justice. She also mentioned the ongoing lawsuit against mandatory bars nationwide, highlighting the need to ensure Bar activities (like wellness programs) relate to the practice of law.

Judge Chiara also inquired if the Bar ever provides input on bills without taking a formal position, similar to the Liaison Committee's practice of offering feedback on potential impacts. Ms. Tangaro indicated that the Bar does this and wants to be a resource for legislators wherever possible. She reiterated the Bar's commitment to educating the public on judicial independence.

Ms. Cordova briefly added that the bar aims to be proactive and work with legislators, courts, and the governor's office during the interim to build relationships and offer their expertise to help draft better bills.

## **11. INTERLOCAL AGREEMENT BETWEEN IRON COUNTY AND PAROWAN CITY: (Jim Peters)**

Jim Peters presented a request regarding an interlocal agreement where Parowan City Justice Court proposes to cease operating without dissolving altogether, with Iron County Justice Court handling cases originating in Parowan City, effective July 1, 2025. He noted similar instances with Springville and Mapleton four or five years prior. Iron County is a Class One court, while Parowan's workload study indicates a very low volume. The city is supportive, and the city clerk will be repurposed; discussions are underway regarding the Parowan City judge's payout for the remainder of his term (just under two years). Iron County's attorney, judge, and court administrator are all supportive. The July 1st effective date provides lead time for IT changes and allows Parowan to inform residents about case resolution options.

Judge Brendan McCullagh raised concerns, stating that the agreement is essentially about prosecution, defense, and expenses, as cases would go to Iron County Court anyway if Parowan closed. He questioned if the agreement obligates Iron County to perform Parowan City's services in exchange for 25% of the fines. Judge McCullagh was concerned about the scenario where the agreement falls apart later, and Parowan City no longer has a judge, potentially leaving cases in Iron County Justice Court without a Parowan court to revert to. He also expressed concern about the agreement addressing the constitutional obligation of compensating the judge upon severance.

Mr. Peters clarified that the motion is to approve Iron County handling Parowan City cases, waiving the 180-day time period for a July 1st effective date.

**Motion:** Judge McCullagh made a motion to approve the interlocal agreement between Iron County and Parowan City with an effective date of July 1, 2025, subject to the Council receiving verification that the Parowan City has disbursed the Justice Court judge's compensation per the agreement. Judge Jon Carpenter seconded the motion, and the motion stalled for discussion.

Judge Mortensen voted no on the motion, adding that the Council doesn't usually get involved to that degree. Discussion ensued regarding the implications and conditions of the motion. Judge McCullagh emphasized the importance of ensuring the Parowan judge is appropriately compensated.



**The motion was restated:** Judge McCullagh made a motion to approve the agreement to consolidate the courts with an effective date of July 1st, waiving the 180-day time period, subject to receiving assurances from both Parowan City and the judge that the constitutional obligations to pay the judge his salary for the term of office, having been met before July 1, 2025. Judge Carpenter seconded the motion, and the motion passed with nine in favor, six against.

## **12. CERTIFICATION OF NEW JUSTICE COURT JUDGE: (Jim Peters)**

Mr. Peters reported that Pleasant Grove City has selected and their city council has ratified Brook Larson to replace Judge Randy Birch as a Justice Court judge. Brook Larson has completed the abbreviated orientation seminar and passed the exam.

**Motion:** Judge Bazzelle made a motion to certify Brook Larson as a Justice Court judge. Judge Low seconded the motion, which passed unanimously.

## **13. WINGS COMMITTEE REPORT: (Judge Keith Kelly, Shonna Thomas)**

Judge Keith Kelly and Shonna Thomas presented the WINGS (Working Interdisciplinary Network of Guardianship Stakeholders) Committee Report. Judge Kelly highlighted several projects illustrating WINGS' value, including a legislative project resulting in updates to Utah Code 75-5-303 to address medically obsolete language and in-person appearance requirements, enacted through House Bill 334. WINGS also suggested changes to Rule 26.4 regarding initial disclosures in guardianship proceedings, which was adopted by the Rules of Civil Procedure Advisory Committee and is out for comment. An emerging issue being pursued is requiring criminal background checks for prospective guardians, prompted by a case of significant financial exploitation. Judge Kelly noted the formalization of WINGS as a Judicial Council committee, ensuring oversight and continuity, which is particularly important as he is retiring in September. Succession planning will be a follow-up with the Judicial Council and Management Committee.

Judge Kelly commended Ms. Thomas, the grant coordinator, for her excellent work in leading various issues and ensuring commitments are met. He also mentioned the ongoing challenge of finding guardians for indigent individuals needing protection, which was pursued legislatively.

Ms. Thomas added that WINGS is a large committee with over 30 stakeholders from various relevant fields (medical, legal, mental health, aging), who are invested in improving Utah's response to guardianships and alternatives. She highlighted the collaborative effort in making recommendations, such as the changes to 75-5-303, ensuring diverse perspectives were considered. Ms. Thomas expressed gratitude for Judge Kelly's dedicated work on the committee.

Justice Paige Petersen seconded the comments about Judge Kelly's fantastic dedication to the committee.

Judge Leavitt asked if there is a sufficient roster of attorneys available for appointment in guardianship cases. Judge Kelly acknowledged this as an ongoing problem, mentioning a legislative suggestion to fund a couple of attorneys for such cases, similar to the Guardian ad Litem office, though it did not get far in the budget process. Ms. Thomas confirmed a shortage of

volunteers and that many cases rely on the court visitor program as an alternative. They will pursue funding again and explore grant options.

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

There was none.

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

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

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

The meeting was adjourned.

**CONSENT CALENDAR ITEMS**

1. Rules for Public Comment
2. Forms Updates

DRAFT