

JUDICIAL COUNCIL MEETING

AGENDA

June 23, 2025

**Meeting held through Webex
and in person**

**Matheson Courthouse – Council Room
450 S State Street
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. Judicial Conduct Commission Report.....Alex Peterson
(TAB 2 – Information) Joe McGivern
5. 9:30 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 3 – Information)
6. 9:40 a.m. Court Facility Planning Committee Report.....Chris Talbot
(TAB 4 - Information)
7. 9:50 a.m. Budget and Grants.....Karl Sweeney
(TAB 5 – Action) Alisha Johnson

8. 10:20 a.m. Ethics Advisory Committee Report.....Judge Laura Scott
(Information) Keisa Williams
- 10:30 a.m. Break**
9. 10:40 a.m. Rules for Final Approval.....Keisa Williams
(TAB 6 – Action)
10. 10:45 a.m. Certification of New Justice Court Judges.....Jim Peters
(Action)
11. 10:50 a.m. Protective Order Translation Update.....Amy Hernandez
(TAB 7 – Information) Janine Liebert
Jessica Vazquez-Leavitt
12. 11:00 a.m. System Review Update.....Ron Gordon
(Discussion) Neira Siaperas
13. 11:30 a.m. Approval of 2026 Judicial Council Schedule.....Ron Gordon
(TAB 8 – Action)
14. 11:35 a.m. Old Business / New Business.....All
(Discussion)
15. 11:45 p.m. Consent Calendar.....Chief Justice Matthew B. Durrant
(Action)
16. 11:50 a.m. Senior Judge Appointments.....Neira Siaperas
(Action)
17. 11:55 a.m. Executive Session.....Chief Justice Matthew B. Durrant
18. 12:10 p.m. Adjourn.....Chief Justice Matthew B. Durrant

Consent Calendar

1. Rules for Public Comment
(TAB 9)
2. Rules for Final Approval (Non-substantive)
(TAB 10)
3. Forms Updates
(TAB 11)
4. Ethics Advisory Committee Appointment
(TAB 12)

Tab 1

JUDICIAL COUNCIL MEETING
Minutes

May 19, 2025

**Meeting held through Webex
and in person**

**Matheson Courthouse - Council Room
450 S State Street
Salt Lake City, UT 84111**

9:00 a.m. – 12:10 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. James Gardner
Hon. Michael Leavitt
Hon. Thomas Low
Hon. Brendan McCullagh
Justice Jill Pohlman
Kristin K. Woods

Presenters:

Judge Steven Beck
Karl Sweeney
Alisha Johnson
Jordan Murray
Tucker Samuelson
Bart Olsen
Judge Michelle Christiansen Forster
Katy Burke
Judge Douglas Nielsen
Cris Seabury

AOC Staff:

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

Excused:

Hon. Susan Eisenman
Hon. Angela Fonnesbeck
Justice Paige Petersen
Hon. Amber Mettler

Presenters (cont.)

Judge Richard Mrazik
Janine Liebert
Jeremy Marsh
Judge Clay Stucki
Judge Adam Mow
Nini Rich
Shelly Waite

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

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

Motion: Judge Thomas Low made a motion to approve the April 28, 2025 meeting minutes. Judge Brian Brower seconded the motion, which passed unanimously.

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

Ron Gordon expressed gratitude to the Education Team for planning and executing successful court level judicial conferences this spring. He also conveyed appreciation and gratitude to the Council for approving the "Investing in our People" compensation and benefits proposal last month, adding that leadership continues to work on the implementation details. Lastly, Mr. Gordon shared that the System Review tracking document will soon be posted on the intranet, making it available to employees and judges, and that he will provide a progress report at the next meeting.

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:

Senator Brammer has reached out to discuss a couple of issues, one of which involves appellate courts' JPEC performance standards. The committee looks forward to being able to address those issues as they arise. Legislative interim meetings begin May 20th, with additional meetings in June, August, September, October and November. Michael Drechsel has agreed to attend those meetings and will subsequently update the Council with relevant information.

Policy, Planning, and Technology Committee Report:

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

Bar Commission Report:

The Bar will be hosting the "Jack Rabbit Bar Conference" later this week in St. George, which includes smaller Bar organizations from around the country.

4. BOARD OF JUVENILE COURT JUDGES REPORT: (Judge Steven Beck, Sonia Sweeney)

Judge Steven Beck reported on the work of the Board of Juvenile Court Judges, noting that an ongoing goal for the year is to increase job satisfaction for staff, particularly since the board does not have budgetary ability to provide monetary increases. The board has made many efforts towards this goal, including implied leadership training for judges, the celebration of

Administrative Professionals Day, expanding local bench meetings to include more staff, and holding staff-led themed experiences and events promoting relationships between staff and the bench.

Judge Beck reported on a change regarding initial detention hearings for the youth, which are now being transitioned to the youth's home district rather than the location the youth was booked. This change aims to address concerns from families about seeing unfamiliar judges.

Finally, Judge Beck discussed efforts related to SB 157, which mandates that youth must now be advised of their right to receive legal advice through the Indigent Defense Commission (IDC) before declining a nonjudicial adjustment. As the courts and IDC begin implementing this requirement, an issue emerged regarding what information the IDC attorney should have access to when advising these youth. The board is considering a standing order that would authorize the release of the protected police reports to the IDC attorney for these types of cases.

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

Alisha Johnson presented the financial reports.

FY 2025 Ongoing Turnover Savings

#		Prior Month Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE	Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2024)	140,594	140,594	140,594	-
	Ongoing Turnover Savings FY 2025 (actual year-to-date, Salary Differential only)	734,456	772,110	772,110	37,653
1	Ongoing Turnover Savings FY 2025 (forecast \$65,000 / month x 2 months, Salary Differential only)	195,000	-	130,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,070,051	912,704	1,042,704	(27,347)
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	34,050	78,365	78,365	44,315
	TOTAL SAVINGS	1,104,100	991,069	1,121,069	16,969
2	2025 Annual Authorized Hot Spot Raises	(200,000)	(193,877)	(200,000)	-
	TOTAL USES	(200,000)	(193,877)	(200,000)	-
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025	904,100	797,192	921,069	16,969

FY 2025 One Time Turnover Savings

#		Actual	
		Funding Type	Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 04/11/2025)	Internal Savings	2,487,739
2	Est. One Time Savings for remaining pay hours (448 @ \$1,500 / pay hour)	Internal Savings (Est.)	672,000
	Total Potential One Time Savings		3,159,739

Prior Report Totals (as of 03/14/2025)

3,237,179

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

Forecasted Available One-time Funds			
	Description	Funding Type	Amount
Sources of YE 2025 Funds			
*	Turnover Savings as of PPE 04/11/2025	Turnover Savings	2,487,739
	Turnover savings Estimate for the rest of the year (\$1,500 x 448 pay hours)	Turnover Savings	672,000
	Total Potential One Time Turnover Savings		3,159,739
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	Total Potential One Time Turnover Savings Less Discretionary Use		2,909,739
	Operational Savings From TCE / AOC Budgets - mid-year forecast	Internal Operating Savings	634,358
	Operational Savings from IT Budget - unused Carryforward Request	Internal Operating Savings	150,000
	Reserve Balance (balance from FY 2024 Carryforward)	Judicial Council Reserve	847
	Estimated unclaimed property claims (received and pending)	Additional Revenue Received	741,488
	Prior year adjustments - impact on current year operations (Hyrum and OFA)	Adjustments to CY Operations	(90,000)
(b)	Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		1,436,693
(c)	Total of Turnover Savings & Operational Savings = (a) + (b)		4,346,432
Uses of YE 2025 Funds			
(d)	Carryforward into FY 2026 (Anticipate request to Legislature for \$3,700,000)	FY 2026 Carryforward	(3,700,000)
	Total Potential One Time Savings = (c) less Carryforward (d)		646,432
	Less: Judicial Council Requests Previously Approved		(532,800)
	Less: Judicial Council Current Month Spending Requests		-
	Remaining Forecasted Funds Available for FY 2025 YE Spending Requests, CCCF, etc.		113,632

Updated 05/05/2025

Exchange Fee Increase:

Karl Sweeney and Tucker Samuelson presented a proposal to increase three Xchange fees: the case search fee, the document download fee, and the guest and the one-time user account fees, effective July 1, 2025. It is anticipated that the proposed fee increases will generate \$1.2 million in funding for various items not funded by the Utah Legislature, such as critical ongoing IT expenses, while attempting to stay within the revenue cap set by HB 531.

Motion: Judge Low made a motion to approve the proposed Xchange fee increase as presented. Judge Brendan McCullagh seconded the motion, which passed unanimously.

Commissioner Pay Increases FY 2026:

Mr. Gordon presented a proposed annual pay increase for court commissioners, which has historically been set at 90% of a trial court judge's salary. Per the 2025 legislative session HB 8, District and Juvenile Court judges salaries are scheduled to increase from \$213,900 to \$219,250 effective June 23, 2025, which is a 2.5% increase. This proposal requests to set the salary for all 11 court commissioners for FY 2026 to also increase 2.5% from \$192,504 to \$197,330 to maintain the approximate 90% ratio. This request would be entirely funded through legislative appropriations for FY 2026, with no additional court funding needed.

Mr. Gordon shared that the commissioners, as a group, have requested that the Council consider covering the 0.11% Tier 2 retirement funding increase for FY 2026, which had been funded by

the legislature last year for FY 2025. The legislature did not set aside funds for this offset this year.

There was a discussion about the fairness of funding the retirement contribution increase for only some employees and not others, and the possibility that the cost could increase significantly in future years. Judge Rita Cornish noted that the Budget and Fiscal Management Committee (BFMC) *did* recommend approving the 2.5% commissioner salary increase, but there was no recommendation on funding the retirement cost increase for commissioners.

Motion: Judge David Mortensen motioned to approve the 2.5% salary increase for court commissioners, but not the retirement cost difference requested. Judge Michael DiReda seconded the motion, which passed unanimously.

New Grant from Utah Bar Foundation:

Nick Stiles requested approval to apply for a Utah Bar Foundation grant in the amount of \$10,000 in support of the Utah Supreme Court's Ad Hoc Committee on Regulatory Reform. The purpose of the grant is to fund two one-year law student fellowships to support the committee's study of the first five years of the Regulatory Sandbox, and then to recommend to the Supreme Court permanent rule changes to institutionalize the Sandbox's successes once it concludes.

Motion: Judge James Gardner motioned to approve the grant application, as presented. Judge Brower seconded the motion, which passed unanimously.

6. CJA Rule 4-202.08 AMENDMENT: (Ron Gordon, Neira Siaperas)

Mr. Gordon presented the proposed rule amendment for Xchange fees with an expedited effective date of July 1, 2025 which will be followed by a public comment period.

Judge McCullagh recommended a slight change in the wording of the rule amendment, using present tense of what the fee increase will be, rather than future tense. Jordan Murray made note of the recommended change, explaining that the rule had not yet been reviewed by Policy, Planning and Technology (PP&T) due to scheduling issues.

Motion: Judge Mortensen made a motion to approve the rule amendment, as presented. Judge Cornish seconded the motion, which passed unanimously.

7. COMMITTEE ON RESOURCES FOR SELF-REPRESENTED PARTIES REPORT: (Judge Richard Mrazik, Janine Liebert)

Janine Liebert reported on the work of the Committee on Resources for Self-Represented Parties, reporting that the committee has continued to focus on the development of Non-Lawyer Community Justice Advocates (CJAs) to help fill the access to justice gap, efforts which continue to bear fruit. She explained that the Community Justice Center, originating from the Timpanogas Legal Center, trains victim advocates as community justice advocates to provide limited scope legal advice regarding protective orders and civil stalkings, and will soon be expanded to include advocates for housing stability and medical debt.

A new training program through Utah State University's School of Social Work and the Transforming Communities Initiative is now underway to train new and existing social workers across the state as CJAs. Ms. Liebert explained that the pilot is focused on certifying social workers who are already employed by human services organizations, and the initial focus area is on debt collection.

In addition to this work, the committee supported efforts to change Rule 1-205 to add community non-lawyer voices on Judicial Council committees, and continues to monitor the needs of litigants in Utah.

Judge Richard Mrazik presented a preliminary discussion about running a pilot program in Summit and Wasatch counties, aimed to recreate the pro se debt collection and landlord/tenant calendars that have been successful in Salt Lake County, and to combine resources across the district and county lines.

8. HR POLICY AMENDMENTS FOR APPROVAL: (Bart Olsen, Jeremy Marsh)

Bart Olsen presented the proposed HR Policy Amendments for approval, noting that they have been vetted by PP&T and sent with a favorable recommendation for approval with an effective date of July 1, 2025.

Motion: Judge Cornish made a motion to approve the HR policy amendments, as presented. Judge Brower seconded the motion, which passed unanimously.

9. BOARD OF JUSTICE COURT JUDGES REPORT: (Judge Clay Stucki, Jim Peters)

Judge Clay Stucky gave a high-level overview focusing on future steps for improving Justice Courts, particularly in light of the lack of traction for prior Justice Court reform efforts in the legislature. He discussed the next logical steps, the main focus of which would be consolidation. The objective is to get to where all justice courts are Class I or II, have a judicial workload of 1.0+, or to be the only justice court in a county. He asked for the Judicial Council's support in having the County Justice Court as the default in each situation, and shared the recommendation to create a statutory presumption that a court cannot close if the cases will end up being heard by a district court. Jim Peters addressed discussions with local municipalities and counties, and shared that a survey through the legislative task force indicated a consensus that such high number (105) of justice courts is likely not needed,

Judge Thomas Low highlighted the potential urgency related to the Salt Lake County Justice Court closure, noting that preventing a court from closing would be easier than restarting one, if needed. Mr. Peters and Judge Stucki agreed that there is some urgency in continuing reform efforts, but shared that there probably wouldn't be any movement until next year.

10. ALTERNATIVE DISPUTE RESOLUTION (ADR) COMMITTEE REPORT: (Judge Adam Mow, Nini Rich)

Judge Mow began by reporting on ADR's services and statistics from FY 2024. Nini Rich shared that her team directly administers mediation programs in Juvenile Court (child welfare and juvenile justice) and the Third District Court (co-parent mediation). These programs received just over 1,700 case referrals. Other mediation in Utah is conducted by private providers, with approximately 159 providers on the court roster. These providers reported over 4,500 mediated cases, 148 arbitrations, and 569 pro bono mediations in their annual reports.

A key focus area for the ADR Committee is to study the use of AI in mediations through a newly formed working group, with the goal of drafting a new section of the Best Practice Guide based on what is learned.

11. BOARD OF APPELLATE COURT JUDGES REPORT: (Judge Michele Christiansen Forster, Nick Stiles)

Judge Michele Christiansen Forster reported that the Appellate Pro Bono Program has seen an increase in cases with seven appellate cases currently assigned pro bono counsel, and efforts underway to find representation for five more. Planning is in progress for a three-part CLE series in conjunction with the Bar's appellate practice section to recruit more volunteers for those pro bono cases.

Following the hire of an additional appellate mediator last year, FY 2024 was the first year with two full-time mediators, doubling the number of cases mediated and settled compared to FY 2023. Out of 174 cases mediated in 2024, 156 were ordered mediations, and 72 cases were resolved.

Nick Stiles reported that he is working on a request to the Judicial Council for an additional Court of Appeals judge, but will first present it to BFMC at their July meeting as part of the legislative requests. Judge Christiansen Forster noted that the Court of Appeals has not been expanded since its creation in 1987, and the additional help would be beneficial.

12. TREATMENT COURT CERTIFICATION UPDATE: (Katy Burke)

Katy Burke reported that a review of certification records revealed that two treatment courts participated in the certification process in 2024 but were not presented to the Judicial Council for approval, due to an oversight. Ms. Burke requested approval to certify these two courts now, the Sixth District Adult Drug Court and the Sixth District Mental Health Court. Both courts were in good standing at the time with no concerns.

Motion: Judge Low made a motion to approve the Sixth District Adult Drug Court and the Sixth District Mental Health Court certifications. Judge DiReda seconded the motion, which passed unanimously.

13. 4TH DISTRICT TREATMENT COURT APPLICATION: (Judge Douglas Nielsen, Shelly Waite, Katy Burke)

Ms. Burke presented a Family Treatment Court application for the Fourth District Juvenile Court (to include Juab and Millard Counties). Both counties are rural communities with an identified need and support to start a combined family treatment court. Ms. Burke explained that there is an anticipation of between four and eight participants, and that Judge Nielsen would hold treatment court in-person in one county and virtually in the other, alternating weekly. Ms. Burke added that funding for this problem solving court is already in place with each stakeholder independently and no additional court funds are needed.

Motion: Judge McCullagh motioned to approve the 4th District Treatment Court application as presented. Judge Cornish seconded the motion, which passed unanimously.

14. TREATMENT COURT RECERTIFICATIONS: (Cris Seabury, Katy Burke)

Cris Seabury requested the recertification of five treatment courts - Davis County Adult Mental Health Court, Salt Lake County Youth Wellness Court, Weber County Family Recovery Court, Utah County Juvenile Behavioral Health Court, and Utah County Juvenile Recovery Court. She explained that all five treatment courts have met the required certification criteria.

Motion: Kristin Woods made a motion to approve the five treatment courts for recertification. Judge Suchada Bazzelle seconded, and the motion passed unanimously.

15. OLD BUSINESS/NEW BUSINESS: (All)

Judge Cornish discussed two statutes that impact the Business and Chancery Court, which may eventually require legislative amendment. She asked the Council for input on approaching the Policy, Planning & Technology or Liaison Committee to begin vetting these issues. Judge Low recommended interfacing with Michael Drechsel first, who will then potentially put the matter on the next Liaison Committee agenda.

16. CONSENT CALENDAR: (Chief Justice Matthew B. Durrant)

Motion: Judge Cornish made a motion to approve the items on the consent calendar. Judge Michael Leavitt seconded the motion, which passed unanimously.

17. 2nd DISTRICT DOMESTIC RELATIONS COMMISSIONER APPOINTMENT: (Ron Gordon)

Motion: Judge Mortensen made a motion to move into an executive session for the purpose of discussing the character, professional competence, or physician or mental health of an individual. Judge Low seconded the motion, which passed unanimously.

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

Motion: Judge Gardner made a motion to ratify the Management Committee's action to approve

Brandon Richards as a Second District Court Commissioner. Judge DiReda seconded the motion, which passed unanimously.

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

The meeting was adjourned.

DRAFT

Tab 2



Alex G. Peterson
Executive Director

State of Utah

JUDICIAL CONDUCT COMMISSION

1385 S. State St., Suite #401
Salt Lake City, Utah 84115
Telephone: (801) 468-0021

TO

Judicial Council

FROM

Alex G. Peterson, Executive Director

DATE

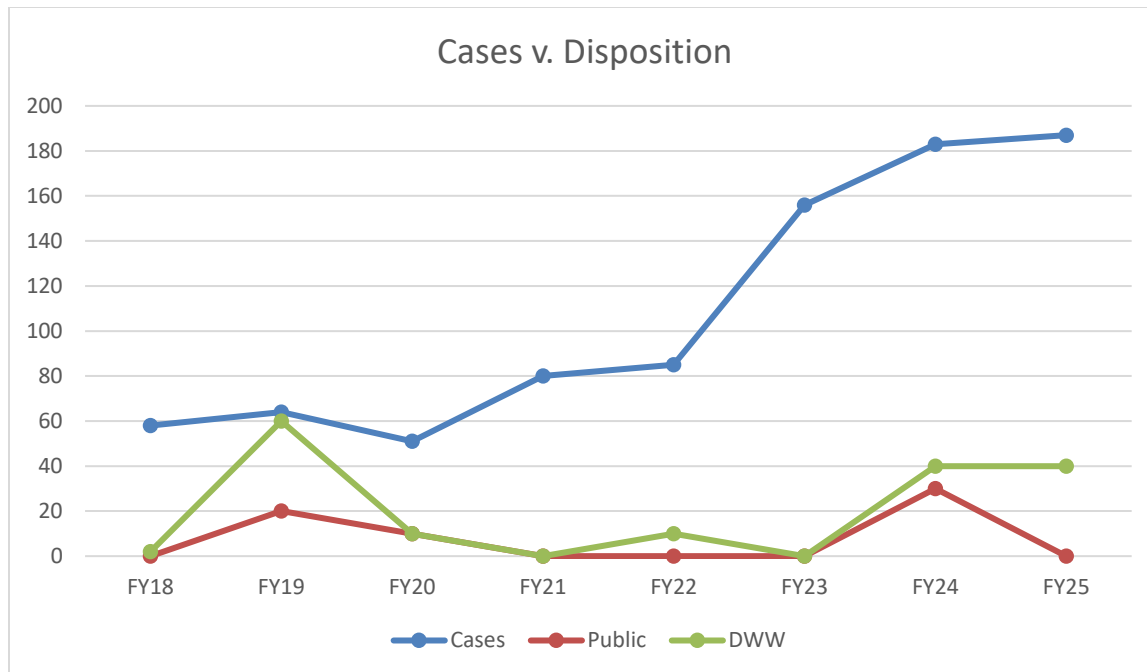
June 13th, 2025

RE

Biannual JCC Update

MESSAGE

1. JCC Membership Update
 - a. New Members: Rep. Grant Miller (D), Judge Ryan Harris, Public member to be named.
 - b. Missing Members: None.
 - c. Current Members (11): Ms. Cheylynn Hayman, Chair, Ms. Michelle Ballantyne, Judge Ryan Harris, Judge Michael Edwards, Rep. Grant Miller, Rep. Jordan Teuscher, Sen. Brady Brammer, Sen. Jen Plumb, Mr. Stephen Studdert, Ms. Georgia Thompson and new public member.
 - d. Next scheduled Supreme Court appointments are in 2027 (for attorney member).
2. JCC Caseload update and analysis (see adjusted chart)
 - a. Currently, in FY25 - 187 (FY24 - 183, FY23 - 156, FY22 - 85, FY 21 - 80, FY20 - 51, FY19 - 64, FY18 - 58).
 - b. Currently, in FY25, 0 public dispositions / 4 Dismissals with Warning (FY24, 3/4; FY23, 0/0; FY22, 0/1; FY21 0/0; FY 20 1/1; FY19 2/6, FY18 0/0).
3. Misc. Activities of JCC (over the last twelve months)
 - a. JCC meets monthly at anchor location.
 - b. The Commission increased staff (new structure: 1 FTE Ex. Dir., 1 FTE Judicial Investigator, 1 PTE Judicial Investigator, and 1 PTE Admin. Ass't). The new PTE Judicial Investigator, Joe McGivern started on 1 January 2025.
 - c. Updated Administrative Rules to address online complaints and caseload. Reviewing statute to address non-complaint information to align with Rules.



The disposition numbers were increased exponentially, so that they would be visible compared to the overall caseload. The takeaway is that, comparatively, disposition numbers remain historically about the same despite the significant increase in overall case numbers.

Tab 3

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

**Minutes
May 8, 2025
Meeting held virtually through WebEx
12:00 p.m. – 1:00 p.m.**

Members Present:

Judge Rita Cornish (Chair)
Judge Susan Eisenman
Kristin Woods

Guests:

Brett Folkman, TCE, First District Court
Tucker Samuelsen

Excused:

Judge Michael DiReda
Neira Siaperas
Mark Urry, TCE, Fourth District Court

AOC Staff Present:

Ron Gordon
Keisa Willams
Nick Stiles
Shane Bahr
Brody Arishita
Todd Eaton
Bart Olsen
Karl Sweeney
Alisha Johnson
Kelly Moreira
Jordan Murray
Suzette Deans, Recording Secretary

1. WELCOME AND APPROVAL OF MINUTES (Judge Rita Cornish – “Presenter”)

Judge Rita Cornish welcomed everyone to the meeting and asked for a motion to approve the minutes of the April 7, 2025, meeting.

Motion: Judge Susan Eisenman moved to approve the minutes as presented. Kristen Woods seconded the motion, and it passed unanimously.

2. FY 2025 Financials (Kelly Moreira – “Presenter”)

FY 2025 Ongoing Turnover Savings (“OTS”) – Kelly Moreira indicated we carried over \$140,594 in ongoing savings from FY 2024 and combined with YTD savings of \$772,110 we have generated total OTS savings of \$912,704 for FY 2025 YTD. We forecast future OTS amounts of \$130,000 (2 months @ \$65K per month) for a total forecast of OTS of \$1,042,704 that is reduced by \$200,000 for hot spot raise funds leaving a net total of \$921,069 for future discretionary use.



FY 2025 Ongoing Turnover Savings as of 05/01/2025 - Period 10

#		Prior Month	Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE		Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2024)	140,594		140,594	140,594	-
	Ongoing Turnover Savings FY 2025 (actual year-to-date, Salary Differential only)	734,456		772,110	772,110	37,653
1	Ongoing Turnover Savings FY 2025 (forecast \$65,000 / month x 2 months, Salary Differential only)	195,000		-	130,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,070,051		912,704	1,042,704	(27,347)
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	34,050		78,365	78,365	44,315
	TOTAL SAVINGS	1,104,100		991,069	1,121,069	16,969
2	2025 Annual Authorized Hot Spot Raises	(200,000)		(193,877)	(200,000)	-
	TOTAL USES	(200,000)		(193,877)	(200,000)	-
Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025		904,100		797,192	921,069	16,969

- * 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 increased compared from the last report - to a \$78,365 from \$34,050 last month. FY 2024 full year benefit differential was +\$331,176
- * Currently, 28 FTE are vacant.
- 1 Currently estimating \$65,000 of ongoing Salary Differential savings a month for the remainder of the FY; actual run rate is \$772,110 / 10 months = \$77,211/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.

FY 2025 One-Time Turnover Savings – Ms. Moreira reported that our actual YTD 1x TOS is running about \$1,517 per work hour versus \$1,200 per work hour actual for full FY 2024. Our FY 2025 forecast combines the actual YTD 1x TOS per hour of \$1,516.91 x YTD hours (1,640) with a future forecast for the balance of the year of \$1,500 per hour x 448 hours which yields a total of \$3,159,739. Bonus payouts have lowered several recent pay period amounts.



FY 2025 One Time Turnover Savings - Period 10

Updated as of Pay Period Ending 04/11/2025 (1,640 out of 2,088 hours)

#		Funding Type	Actual
			Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 04/11/2025)	Internal Savings	2,487,739
2	Est. One Time Savings for remaining pay hours (448 @ \$1,500 / pay hour)	Internal Savings (Est.)	672,000
Total Potential One Time Savings			3,159,739

Prior Report Totals (as of 03/14/2025)

3,237,179

- Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$1,680.21, \$377.70, \$1,377.23, and \$1,106.69. The average per hour turnover savings FY 2025 YTD is \$1,516.91; most recent week amount includes bonus payments. The remaining 1x Hot Spot available amount of ~\$17,000 is expected to be distributed in these last 5.5 pay periods. This is a one-time event and future weeks are expected to return to the \$1,500 per pay hour amount.
- \$1,500 / pay hour represents slightly below the actual YTD FY 2025 average (last year average was \$1,200); raised the forecast to \$1,500 per hour from \$1,200 per hour for the balance of the year as of 3/14/25 report.

Ms. Moreira next reviewed the FY 2025 Year End Spending Requests and Forecasted Available One-Time Funds – As of period 10, as recapped on the prior schedule, the 1x TOS savings are forecasted to be \$3,159,739. After deducting \$250,000 of hot spot incentive pay, our total 1x TOS is \$2.9M. Operational savings are estimated to be \$634,358. We also included \$741,488 of unclaimed property funds and (\$90,000) of prior period adjustments to reach a net total forecasted 1x funds of \$4.35M. We are showing \$3.7M of carryforward usage which is maxed out with the at the legislatively authorized amount of \$3.7M. Since we are now past the point of being able to expend monies for additional uses in FY 2025, the remaining 1x savings (after carryforward use) of \$646,432 of which \$532,800 has already been expended/approved for use leaves the Courts with a forecasted surplus of \$113.6K. It is important to note that \$301,427 of

the previously forecasted expenditures for construction contingency have been removed from this schedule. Construction costs have come in under budget.



FY 2025 Year End Requests and Forecasted Available One-time Funds - Period 10

Forecasted Available One-time Funds			# One-time Spending Plan Requests			Adjusted Requests Amount	Judicial Council Approved Amount
Description	Funding Type	Amount					
Sources of YE 2025 Funds			1**	Various Construction Projects (FY 2025) Contingency (10%) (NOT NEEDED)		\$ -	-
* Turnover Savings as of PPE 04/11/2025	Turnover Savings	2,487,739	2	All Rise Utah Welcome Dinner		\$ -	10,000
Turnover savings Estimate for the rest of the year (\$1,500 x 448 pay hours)	Turnover Savings	672,000	3	Q1 / Q2 Performance Bonus		\$ -	156,000
Total Potential One Time Turnover Savings		3,159,739	4	Replacement of EMV Credit Card Devices		\$ -	36,500
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)	5	Reimbursement from Trust Account Interest Earnings		\$ -	(36,500)
(a) Total Potential One Time Turnover Savings Less Discretionary Use		2,909,739	6	Purchasing Utah Code and Court Rules per CJA 3-413		\$ -	30,000
Operational Savings From TCE / AOC Budgets - mid-year forecast	Internal Operating Savings	634,358	7	Mitigate Laptop Price Increases		\$ -	300,000
Operational Savings from IT Budget - unused Carryforward Request	Internal Operating Savings	150,000	8	Bridge Replacement LMS System Go-Live		\$ -	27,700
Reserve Balance (balance from FY 2024 Carryforward)	Judicial Council Reserve	847		Increase in Secondary Language Stipend		\$ -	9,100
Estimated unclaimed property claims (received and pending)	Additional Revenue Received	741,488					
Prior year adjustments - impact on current year operations (Hyrum and OFA)	Adjustments to CY Operations	(90,000)					
(b) Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		1,436,693		Current Month One-time Spending Requests		-	
(c) Total of Turnover Savings & Operational Savings = (a) + (b)		4,346,432		Previously Approved 1x FY 2024 YE Spending Request			532,800
Uses of YE 2025 Funds							
(d) Carryforward into FY 2026 (Anticipate request to Legislature for \$3,700,000)	FY 2026 Carryforward	(3,700,000)					
Total Potential One Time Savings = (c) less Carryforward (d)		646,432					
Less: Judicial Council Requests Previously Approved		(532,800)					
Less: Judicial Council Current Month Spending Requests		-					
Remaining Forecasted Funds Available for FY 2025 YE Spending Requests, CCCF, etc.		113,632					

- Updated 05/05/2025
- * Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$1,680.21, \$377.70, \$1,377.23, and \$1,106.69. The average per hour turnover savings FY 2025 YTD is \$1,516.91; most recent week amount includes bonus payments. The remaining available amount of ~\$17,000 is expected to be distributed in these last 5.5 pay periods. This is a one-time event and future weeks are expected to return to the \$1,500 per pay hour amount.
- (b) Operational Savings from TCE / AOC Budgets have been updated. Due to inflation, we expect minimal further operational savings for the rest of the fiscal year. FY 2024 operational savings were \$1.3M.
- ** Construction contingency request of \$451,000 is no longer needed as per Chris Talbot. Construction costs have come in under budget.

The FY 2026 carryforward and Ongoing Requests below show the amounts that have been approved for use in the Investing in our People initiatives. Next month we will be going over several items, all remaining carryforward and ongoing requests.



FY 2026 Carryforward and Ongoing Requests - Period 10, FY 2025

5/5/2025

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2024		\$ 140,594
Forecasted YE Ongoing Turnover Savings from FY 2025		\$ 921,069
Subtotal		\$ 1,061,663
Unobligated Fiscal Note Funds - District Court (net)	\$ (10,500)	\$ 20,800
Unobligated Fiscal Note Funds - Juvenile Court	\$ (5,200)	\$ 15,700
Unobligated Fiscal Note Funds - Admin	\$ -	\$ -
Additional Legislative Appropriation	\$ -	\$ 1,000,000
Wellness Council Portion of Carryforward		
Expected Carryforward Amount from Fiscal Year 2025	\$ 3,700,000	\$ -
Total Available Funding	\$ 3,684,300	\$ 2,098,163
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
Net Ongoing TOS Available for Use	\$ 3,684,300	\$ 1,898,163

Ongoing Requests

	Presented		Judicial Council Approved	
	One Time	Ongoing	One Time	Ongoing
1 Investing in Our People - Ron Gordon and Neira Siaperas		\$ 1,745,900		\$ 1,745,900
Subtotal	\$ -	\$ 1,745,900	\$ -	\$ 1,745,900
Balance Remaining After Judicial Council Approvals			\$ 3,684,300	\$ 152,263
Balance Remaining Inclusive of "Presented"	\$ 3,684,300	\$ 152,263		

Carryforward One Time Requests

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
1	Investing in Our People - Ron Gordon and Neira Siaperas	\$ 1,334,600		\$ 1,334,600	
	Subtotal	\$ 1,334,600	\$ -	\$ 1,334,600	\$ -
	Balance Remaining After Judicial Council Approvals			\$ 2,349,700	\$ 152,263
+	Balance Remaining Inclusive of "Presented"	\$ 2,349,700	\$ 152,263		
	<i>Prior Report Balances (as of 3/31/2025)</i>	<i>\$ 1,980,981</i>	<i>\$ 194,700</i>		

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 – Of late, we reduced the ARPA monthly expenditures to less than \$100K per month now totaling slightly over \$14M of ARPA funds expended life-to-date as of period 9 leaving an available balance of \$958,452 of the \$15 million that was awarded to the courts. Per IT, 100% of the balance has been obligated with a signed contract. We anticipate this remaining balance of \$958,452 will have work performed and amounts disbursed before the final ARPA cutoff date of December 31, 2026.



ARPA Expenses as of 05/01/2025 (period 10 not closed yet)

	A Judicial Council Approved	B Actual FY 2022 Expended	C Actual FY 2023 Expended	D Actual FY 2024 Expended	E Actual FY 2025 Expended	F Total Expended Amount	G Balance Available	% Obligated
IT Access to Justice - Part I + II	12,373,400	3,042,468	4,613,255	3,075,857	683,368	11,414,948	958,452	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	
TOTAL	15,000,000	3,750,431	5,792,027	3,815,722	683,368	14,041,548	958,452	
					Expenditures added since last report:	18,955		

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.

As shown below, the Facilities Spending Plan is expected to come in \$206,734 under its revised budget of \$4,245,000. Facilities therefore has \$206,734 of over-budget spending that can be used before having to use the contingency amount \$301,427. With most of the construction completed, Facilities has released the remaining contingency of \$301,427.

Facilities Spending Plan for Large Projects FY25 - 4/28/25 update

Credits in FY24 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
Sub Total	\$ 1,581,000					
	(a)	(b)	(c)	(a) - ((b)+(c))		
Projects	Adjusted Budget	Original Budget	Actual To Date/Projected	Maximum future expected expenditures = 10% of original budget	(Under)/Over Budget	Contingency Available for Use
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
AF AV, access, cameras and Cabling	\$ -	\$ 168,614			\$ 168,614	Harris (\$15,326), Yamas (\$14,465) Cabling (\$14,842), and AV (\$124,981) only; will be adjusted as construction is completed
WJ Jun Shell Buildout	\$ 1,655,000	\$ 1,067,200		\$ 165,500	\$ (422,300)	will be adjusted as construction is completed
WJ FF&E		\$ 41,241			\$ 41,241	recon \$2,982 + new \$38,259; will be adjusted as construction is completed
WJ AV, See and Cabling		\$ 106,806			\$ 106,806	Harris \$15,678, AV \$77,958 and cabling \$13,170; will be adjusted as construction is completed
Math 1st Floor Courtroom Const	\$ 720,000	\$ 649,450		\$ -	\$ (70,550)	CO 1 - CO 3 for 28,051. No other COs expected
Math 1st Floor Chambers & Support Spaces Const	\$ 309,000				\$ (309,000)	Included in the courtroom bid/actual
Math AV, See and Cabling		\$ 151,198			\$ 151,198	AV \$116,177 + Harris \$21,185 + cabling \$13,836; will be adjusted as construction is completed
Math 1st floor courtroom FF&E	\$ 95,000	\$ 65,553			\$ (29,447)	Completed
Sub Total	\$ 4,514,274	\$ 3,795,266		\$ 243,000	\$ (206,734)	
Total Columns (b) + (c)						Total Spend with Contingency
Adjust for Roosevelt Deferred to FY 2026	\$ (269,274)					
Adjusted Sub Total of Expenditures	\$ 4,245,000	\$ 4,514,274				
Total Net Spend (Credits less Expenditures)	\$ (2,664,000)	\$ (2,933,274)		\$ 4,038,266	\$ (206,734)	Net Base Budget Over/(Under) = adjustment to contingency
10% Contingency on Expenditures	\$ (424,500)	\$ (451,427)			\$ (451,427)	Contingency needed (Only If Net Base Budget is Over)
Total Net Spend with 10% Contingency	\$ (3,088,500)	\$ (3,384,701)			\$ (451,427)	Total Contingency
					\$ 150,000	Less: Contingency previously released
					\$ (301,427)	= Contingency to be Released this period

* 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

3. Xchange Fees Increase Proposal (Karl Sweeney and Tucker Samuelson "Presenters")

Karl Sweeny presented a proposal to increase Xchange fees to fund various items not funded by the Utah Legislature. The table below shows Xchange fees increases in the past 10 years.

Table 1	Effective 10.2015	Effective 3.2021	Recommended Effective 7.2025	Notes
Description	Fee	Fee		
Account set up fee	\$25.00	\$25.00	\$25.00	One-time upon creation or reactivation of an account
Monthly subscription	\$30.00	\$40.00	\$40.00	Includes 500 free searches per mo.
Case search fee (above free)	\$0.10 per search	\$0.15 per search	\$0.35 per search	
Document download fee	\$0.50 per document	\$0.50 per document	\$1.00 per document	No increase in 10 years
Non subscriber "Guest" Acct. and 1x User Acct.	\$5 per transaction/session	\$5 per transaction/session	\$10 per transaction/session	No increase in 10 years; 10 searches in a Guest session; 1x User is charged \$0.20 per search which is deducted from balance.

The Xchange revenues primarily will be used to fund ongoing IT expenses that were once again ignored by the Legislature. We believe these increased fees will be primarily on those customers who are profit-based entities and are therefore most willing to bear the higher costs because our data is critical to the selling of their products and these increases still offer great value to them. We are seeking approval from the BFMC/Judicial Council to increase the following fees effective July 1, 2025:

- Increase the case search fee from \$0.15 to \$0.35 per search
- Increase the document download fee from \$0.50 to \$1.00 per document
- Increase the guest and 1x user accounts fees from \$5.00 per transaction/session to \$10 per transaction/session.

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

4. Commissioner Pay Increases FY 2026 (Ron Gordon, Neira Siaperas and Bart Olsen “Presenters”)

AOC Staff is proposing a new annual pay of \$197,330 that will be funded from 2.5% judicial officers’ legislative appropriations. Historically, court commissioners were paid 90% of the pay of district/juvenile judges. Per the 2025 Legislative session HB 8, district and juvenile judge salaries are scheduled to increase from \$213,900 to \$219,250 effective June 23, 2025, which is a 2.5% increase. We are seeking to set the salary for all 11 court commissioners for FY 2026 to also increase 2.5% from \$192,504 to \$197,330 to maintain the 90% ratio. This request will be entirely funded through legislative appropriations for FY 2026; no use of Court internally generated ongoing turnover savings (TOS) is needed. A robust discussion was also held on the Commissioners’ request that the BFMC/Judicial Council also fund as a salary increase a .11% Tier 2 retirement funding increase for FY 2026 that had been apportioned to all Tier 2 retirees in the state by the Legislature as a withholding for FY 2026.

Motion: Judge Susan Eisenman made a motion to recommend the Commissioner 2.5% base pay increase be forwarded to the Judicial Council with a recommendation to approve and no recommendation with respect to the retirement related pay increase but with the expectation this issue would be further discussed at the Council level. Kristin Woods seconded the motion, and it passed unanimously.

5. New Grant from Utah Bar Foundation (Nick Stiles and Jordan Murray “Presenters”)

In August 2020, the Utah Supreme Court launched the Regulatory Sandbox to study innovative and nontraditional models for the provision of legal services in a well-regulated experimental sandbox. In August 2027, the Regulatory Sandbox is set to conclude. In anticipation of its conclusion, the Supreme Court is creating a special ad hoc advisory committee that will study the first five years of the experiment and lessons learned from similar reform efforts across the

country and recommend to the Supreme Court permanent rule changes to institutionalize the Sandbox's successes. The Supreme Court's Ad Hoc Committee on Regulatory Reform will include four multistakeholder working groups, each focused on a key area: Rule 5.4; Licensed Paralegal Practitioners; Community Justice Advocates; and Artificial Intelligence and Legal Technology. The co-chairs of this effort are Nick Stiles, Appellate Court Administrator, and Maryt Fredrickson, Chief of Staff to the Chief Justice, two leaders with long histories in access to justice efforts. The purpose of this grant application is to fund two one-year law student fellowships to support the project.

The Regulatory Reform Fellows will assist the co-chairs in managing the ad hoc committee, researching the existing and available data, and drafting the final report that will be presented to the Supreme Court in August 2026. The Regulatory Reform Fellowships will be open to all current law students at the University of Utah and Brigham Young University. The Regulatory Reform Fellows will receive a \$5,000 stipend in exchange for 5-8 hours of work per week on the project. It is anticipated that the fellowships will begin in August 2025 and conclude with the presentation of the Committee's report to the Supreme Court in August 2026. Total requested funding: One-time award of \$10,000.

Motion: Judge Susan Eisenman made a motion to recommend the request be forwarded to the Judicial Council with a recommendation for approval. Judge Rita Cornish seconded the motion, and it passed unanimously.

6. First District Mental Health Court Funding (Shane Bahr and Brett Folkman "Presenters")

In 2007 the legislature appropriated approximately \$75,000 to the First Judicial District to support juvenile mental health court. At some point the original amount was reduced to \$49,000. In 2014 the legislature appropriated an additional \$75,000 to the First District to support district mental health court. Over the years the total amount has fluctuated, but since FY2020 the First District has consistently received \$109,300 every year to contract with agencies to provide services that support mental health courts. The Friends of Mental Health Court (FOMHC) contract expires June 30, 2025, and a new contract is pending approval from the AOC. Due to the unique nature of the FOMHC contract, the Office of General Counsel (OGC) raised a few questions about how the funds were being utilized. OGC also asked if the BFMC was aware of these funds and, if not, recommended that the issue be brought to the attention of this committee. This item is being presented to the BFMC to raise awareness, and to ask the BFMC if they have any questions or concerns about the use of these funds.

Motion: Judge Susan Eisenman made a motion to recommend the request be forwarded to the Judicial Council with a recommendation to extend for 1 year as we try to find a solution that doesn't route funds through the courts. Judge Rita Cornish seconded the motion, and it passed unanimously.

7. Other Business

None

Next meeting June 9, 2025

Meeting adjourned at 1:05 p.m.

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

Webex video conferencing
April 18, 2025 – 12 p.m.

MEMBERS:

PRESENT

EXCUSED

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

GUESTS:

Daniel Meza-Rincon
Janine Liebert
Keri Sargent
Lauren Anderson
Nini Rich
Shane Bahr
Bart Olsen
Pleasy Wayas
Judge Chelsea Koch
Jessica Vázquez-Leavitt
Stacy Haacke
Jon Puente
James Peters
Abram Sherrod
Aubrey Staples
Tucker Samuelson

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 March 7, 2025 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 1-101. General definitions – Rules of construction**
- **CJA 1-205. Standing and ad hoc committees**
- **CJA 3-306.04. Interpreter appointment, payment, and fines**
- **CJA 4-510.03. Qualifications of ADR providers**

No public comments were received on rules 1-101, 1-205, 3-306.04, or 4-510.03. Ms. Williams asked to hold rule 1-101 for a future PP&T meeting to conduct a more in-depth search for defined terms in the CJA.

The committee took no action on rule 1-101. Judge Gardner moved to recommend to the Judicial Council that rules 1-205, 3-306.04, and 4-510.03 be approved as final with a May 1, 2025 effective date. Justice Petersen seconded the motion. The motion passed unanimously.

(3) CJA 3-117. Committee on Court Forms

The Committee on Court Forms (Forms Committee) seeks approval to revise its enabling rule. Judge Chelsea Koch, Janine Liebert, and Pleasy Wayas from the Forms Committee reviewed the proposed changes which would 1) formalize the authority of the Forms Committee; 2) clarify that the Judicial Council must approve forms used by Licensed Paralegal Practitioners and the Forms Committee approves all other forms; 3) allow the Forms Committee to delegate its responsibility for certain groups of forms; and 4) direct the Forms Committee to draft forms that center on the needs of self-represented litigants and enhance access to justice. The proposed revisions were approved by the Forms Committee and reviewed by the Committee on Resources for Self-Represented Parties.

PP&T discussed paragraph (3) of the draft rule and made the following changes:

- Line 22 – change to “Unless directed otherwise, the Council delegates final approval authority to the committee for all forms except for forms for use by LPPs” because the Judicial Council should retain the ultimate final say on form approval.
- Line 22 – change the title to “Approval and use of Forms” instead of Licensed Paralegal Practitioners.
- Add to line 23-24 - “Objections to approved forms may be raised with the Council by the committee or Boards” to ensure clarity as to how to resolve disputes.

PP&T asked the presenters for clarification on the application of paragraph (4), which states, “Courts may not reject committee-approved forms,” particularly whether a judge could still require a different form if they found the approved form insufficient. The presenters clarified that the intent of that language is to prevent clerical staff from rejecting forms. Judges would retain their discretion. The committee made the following changes:

- Line 24-25- modified to “Courts must accept committee-approved forms, unless a judge or commissioner make a determination that the form is not legally sufficient.”

With no further discussion, Judge Gardner moved to send rule 3-117 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.

(3) CJA 3-203. Domestic Relations Special Masters

This new rule was developed by the Domestic Relations Special Masters subcommittee, a subcommittee of the Standing Committee on Children and Family Law, to establish the qualifications, training requirements, and continuing education for domestic relations special masters. Aubrey Staples and Stacy Haacke presented the proposed rule, explaining that it is designed to complement Rule 53A of the Utah Rules of Civil Procedure (URCP), which is currently out for public comment, by establishing specific training requirements and minimum qualifications for this role. Following discussion, PP&T agreed that the proposed rule should be taken back to the subcommittee for further revision to address identified issues and ensure alignment with URCP 53A.

PP&T took no action on CJA 3-203 at this time.

(4) 3-403. Judicial branch education

The Standing Education Committee proposed changes to rule 3-403 to make the rule applicable to all state employees who are not time-limited employees. This comes as law clerk attorneys asked whether the rule applied to them under the current wording. The Standing Education Committee would also like to make rule 3-403 applicable to state employees during the employees' performance year (April 1-March 31), excluding judicial officers and justice court employees. This would allow supervisors to include education requirements in performance expectations and evaluations.

PP&T changed "HR" to "human resource" on line 16 and to "human resources" on line 99 because "HR" is not a defined term.

With no further discussion, Judge Carpenter moved to send rule 3-403 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.

(5) Appendix A. Justice Court Nominating Commissions Procedure Manual

The proposed amendments will modernize the justice court judge application process by implementing an online portal for applications instead of requiring individuals to submit a paper application. Further amendments remove the requirement for a credit check paid for by the applicant and performed by the Administrative Office of the Courts. Removing the credit check requirement delegates this responsibility to the cities and counties by encouraging local governments to perform their own due diligence when selecting a candidate.

Mr. Peters requested an expedited effective date. The website has been programmed and they would like to stop processing paper applications.

Judge Gardner moved to recommend to the Judicial Council that CJA Appendix A be approved as final with an expedited effective date of May 1, 2025, as well as published for a 45-day public comment period. Justice Petersen seconded the motion. The motion passed unanimously.

(6) CJA 3-402. Human resources administration and HR Policies:

- **HR 11-1. Disciplinary Action**
- **HR 17-9, 3-5, 17-1. Grievance Procedures**
- **HR 17-5, 17-8. Mediation**
- **HR 7-3. Annual Leave Accrual**
- **HR 8-3. Exercise Release**

The Human Resources Policy Review Committee approved the proposed amendments to CJA 3-402 and HR policies. The amendments:

- facilitate consistency in disciplinary actions of career service employees and at-will employees;
- amend Grievance Panel Membership;

- allow job classification decisions to be grieved to the HR Director, with final decisions made by the State Court Administrator;
- clear up confusion about the process for reviewing allegations of retaliation;
- clarify that the Grievance Review Panel has the authority to review adverse actions against career service employees and defines what constitutes an adverse action;
- remove the ability to require mediation during the grievance process;
- discontinue the practice of automatically granting the maximum amount of annual leave to new hires in the IT Department; and
- expand exercise release time into wellness release time to promote mental health.

PP&T discussed the limited benefits received from mediation and the high cost associated with the process. Previously, career service employees only received notice and an opportunity to respond in termination cases. Now, human resources provides these rights before any adverse action is taken, making mediation less effective. Mediation is still an option, but it is not required. The committee made the following changes to CJA 3-402:

- Line 19 - Code of Ethics was uncapitalized;
- Line 73 - Remove section 5(C) Non-voting members as it is no longer needed;
- Lines 84-85 – Changed PP&T back to Policy, Planning and Technology Committee because its definition was removed along with section 5(C).

Judge Gardner moved to recommend to the Judicial Council that CJA 3-402 be approved as final with an expedited effective date of July 1, 2025, as well as published for a 45-day public comment period, and HR policies HR11-1, HR17-9, HR03-5, HR17-1, HR17-5, HR17-8, HR07-3, HR08-3 be approved as proposed. Judge Carpenter seconded the motion. The motion passed unanimously.

(7) CJA 4-202.02. Records classification

CJA 4-510.06. Cases exempt from ADR rules

CJA 4-613. Jail prisoner transportation

CJA 4-202.03. Records access

The proposed amendments to rules 4-202.02, 4-510.06, and 4-613 update statutory references in response to recodifications during the legislative session. The proposed amendments to rule 4-202.03 are in response to HB 129, which significantly impacts the classification of, and access to, adoption records. Stacy Haacke noted that the way in which the statute is worded, it would be difficult to rephrase the statutory language in the rule, making a reference to the statute preferable.

Judge Carpenter moved to recommend to the Judicial Council that rules 4-202.02, 4-510.06, 4-613, and 4-202.03 be approved as final with an effective date of May 1, 2025. Rule 4-202.03 should also be published for a 45-day public comment period. Justice Petersen seconded the motion. The motion passed unanimously.

(8) CJA 4-202.08. Fees for records, information, and services

Proposed amendments to rule 4-202.08 were reviewed at the February 7, 2025 PP&T meeting. No action was taken at that time because PP&T determined that the court may not (administratively) waive certified or exemplified copy fees for government agencies absent a legislative amendment to Utah Code

section 78A-2-301. The Salt Lake District Attorney's Office (SLDA) was unable to obtain a legislative amendment during the 2025 legislative session. Due to a lack of time, the proposed amendments will be moved to the June agenda.

PP&T took no action on CJA 4-202.08 at this time.

Technology report/proposals:

Mr. Eaton provided an update on the request from the Supreme Court's Advisory Committee on the Utah Rules of Evidence to add a historical tracking feature for rules on the court website. This request was referred to the Technology Advisory Committee (TAC) and Justice Pohlman requested it be reviewed by the Supreme Court bench. Mr. Arishita is scheduled to present this to the bench on April 30th. Mr. Eaton also provided an update on the development of a plan outlining essential court functions in the event of an emergency. Meetings were held with clerks of court in March. The plan has been presented to the board of district court judges and chief probation officers, and work is progressing. Briefings for juvenile boards and the justice court board are scheduled.

Old Business/New Business: None

Adjourn: With no further items for discussion, the meeting adjourned at 1:29 p.m. The next meeting will be held on June 6, 2025, at noon via Webex video conferencing.

Tab 4



**Utah Judiciary
Facilities Planning Standing Committee
Annual Report 2025**

**Utah State Courts
5-Year Capital Development Plan
for State Courthouse Replacement or Expansion
FY26**

Proposed June 2025

Project #1 Davis County Courthouse

Proposed new courthouse with 15 courtrooms to consolidate the existing Farmington, Layton and Bountiful courthouses into one facility - **Estimated cost: \$155M**

Project #2 Iron County, Cedar City Courthouse

Proposed new courthouse with 5 courtrooms - **Estimated cost: \$65M**

Project #3 Utah County, Lehi Courthouse

Proposed new courthouse with 4 courtrooms to replace the City owned leased facility - **Estimated cost: \$56M**

Project #4 Grand County, Moab Courthouse

Proposed new courthouse with 2 courtrooms to replace the City owned leased facility - **Estimated cost: \$30M**

Project #5 Sevier County, Richfield Courthouse

Proposed new courthouse with 3 courtrooms - **Estimated cost: \$42M**

Project #6 Salt Lake County, West Jordan Courthouse

Proposed expansion of 6 courtrooms - **Estimated cost: \$23M**

Capital Development Projects



Manti Sixth District Courthouse - Opened February 2025

Main Street Elevation from Plaza



North Elevation



View of Plaza on Main St.



New District Courtroom



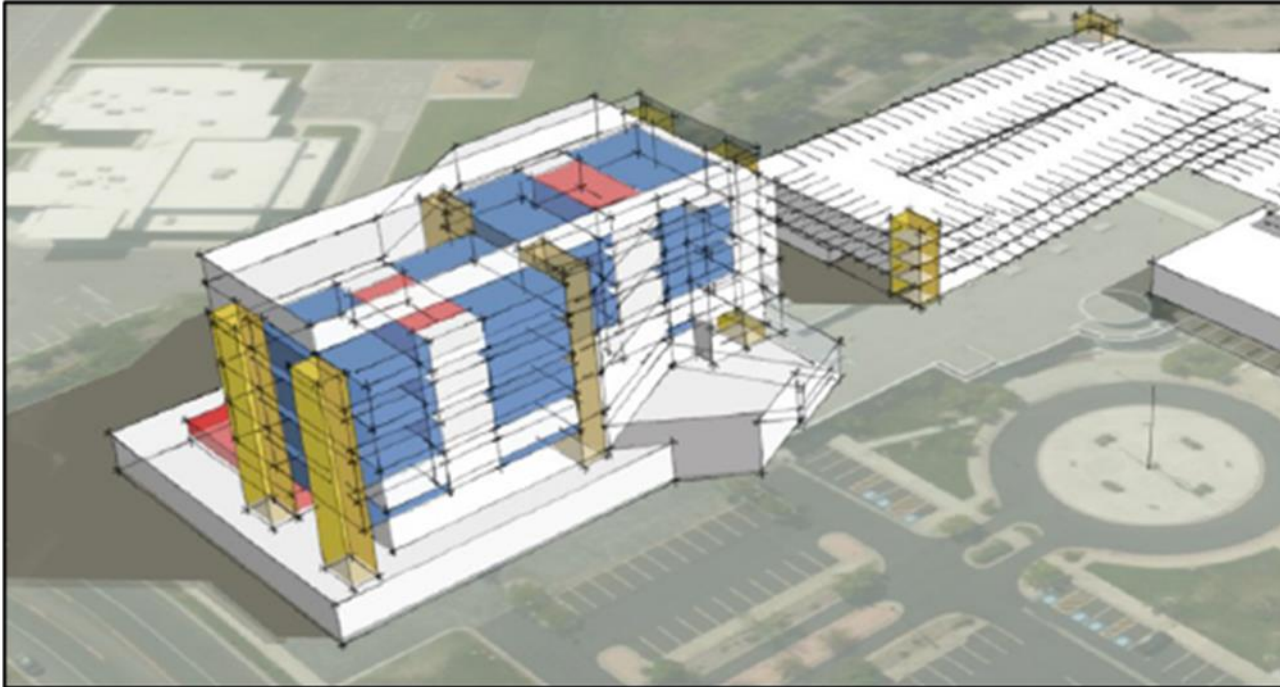
New Juvenile Courtroom



Main Lobby and Public Counters



Capital Development Projects



New Davis County Courthouse – Funding Update

FY25
Proposed
Original
Design
\$155M



New Courthouse Design Goals

Combine Three Davis County Courthouses

Correct All Physical Security Deficiencies

One Courtroom for Each Judge (13)

Inclusion of County Justice Courtroom

Shelled Courtrooms for Future Growth (2)

New
Courthouse
at \$155M+
Too Large
to Fund

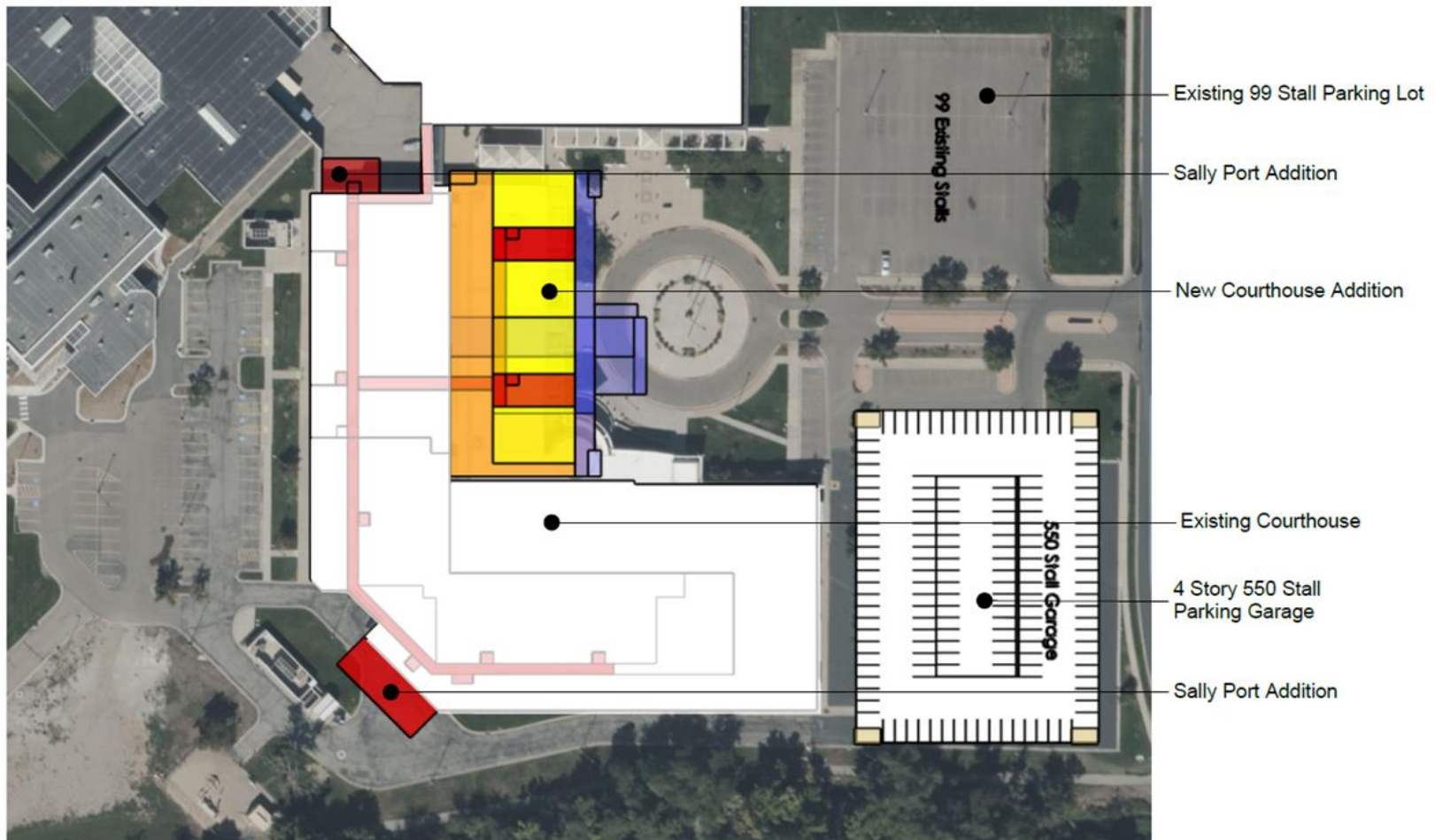


Farmington Courthouse Expansion



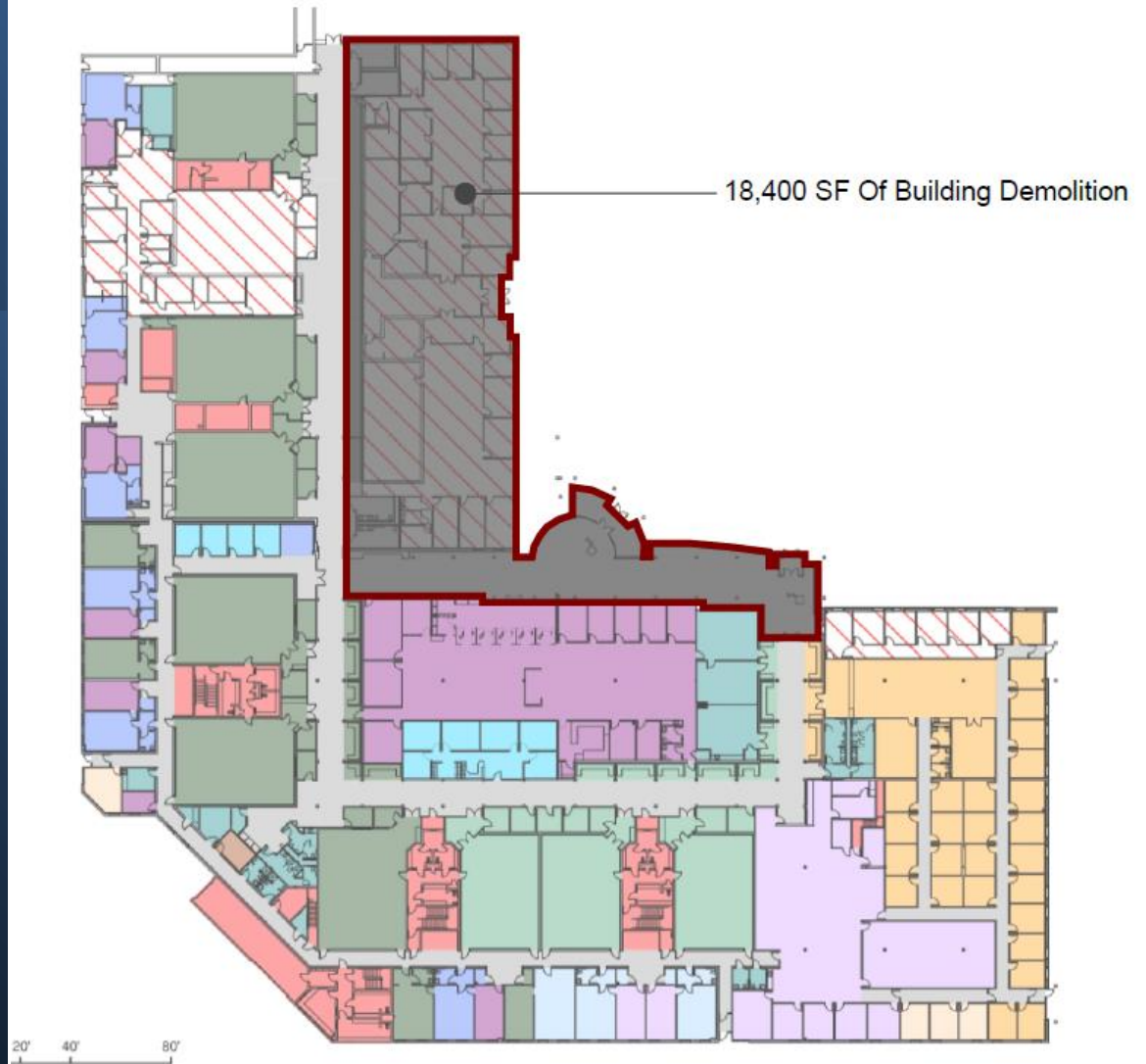
Preliminary Estimate of \$80M - \$87M

New Two-story Addition & Parking Structure



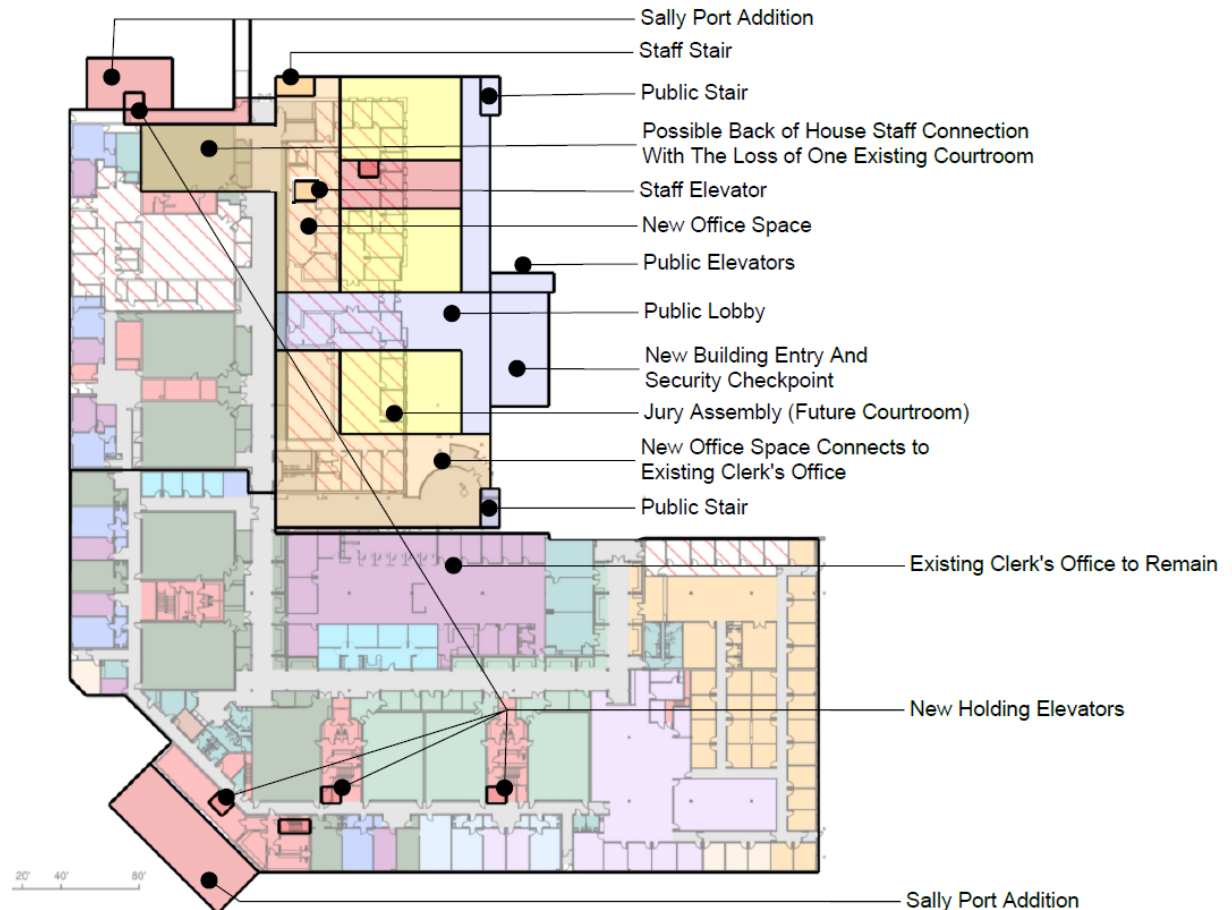
Estimated cost of \$85M

FY26
Proposed
Design
\$85M



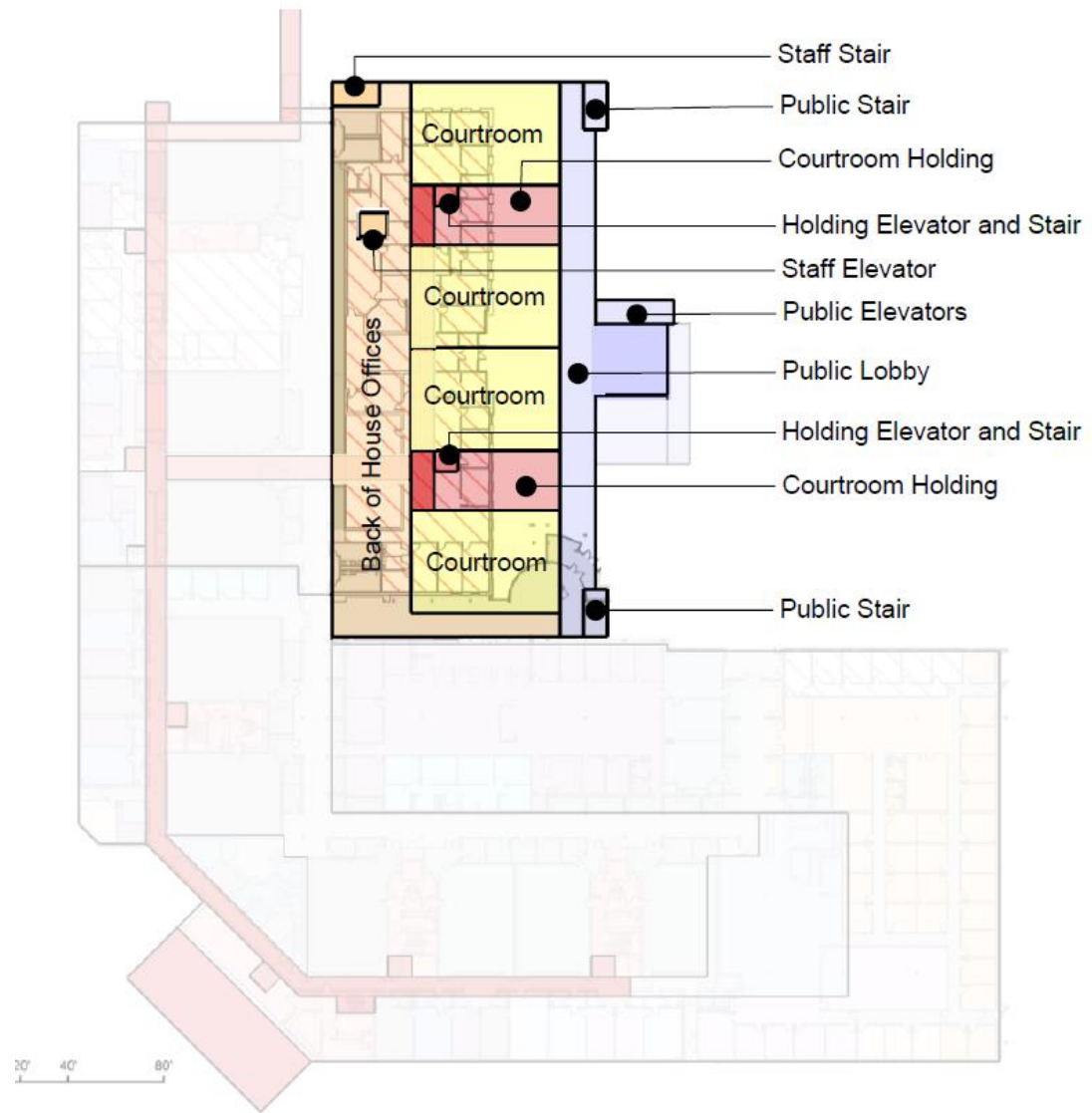
Proposed First Floor

Existing & New Spaces



Proposed Second Floor

New Space with Four Courtrooms



Farmington Courthouse Expansion



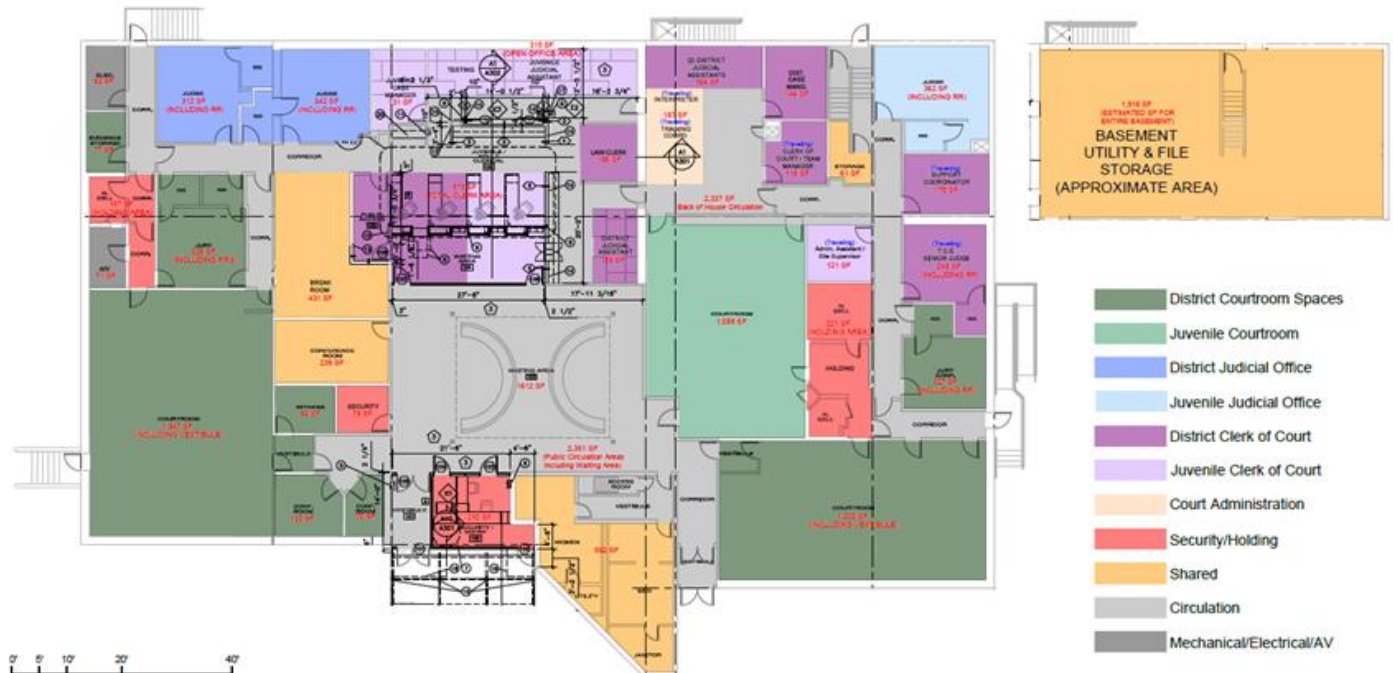
Comments on New Direction?

Capital Development Projects



New Cedar City Courthouse - Feasibility Study

Existing Courthouse Spaces



Existing 5th District Courthouse Floor Plan Analysis

Site Plan Options

Propose Parking Count

Public Lot 92

Staff Lot 93

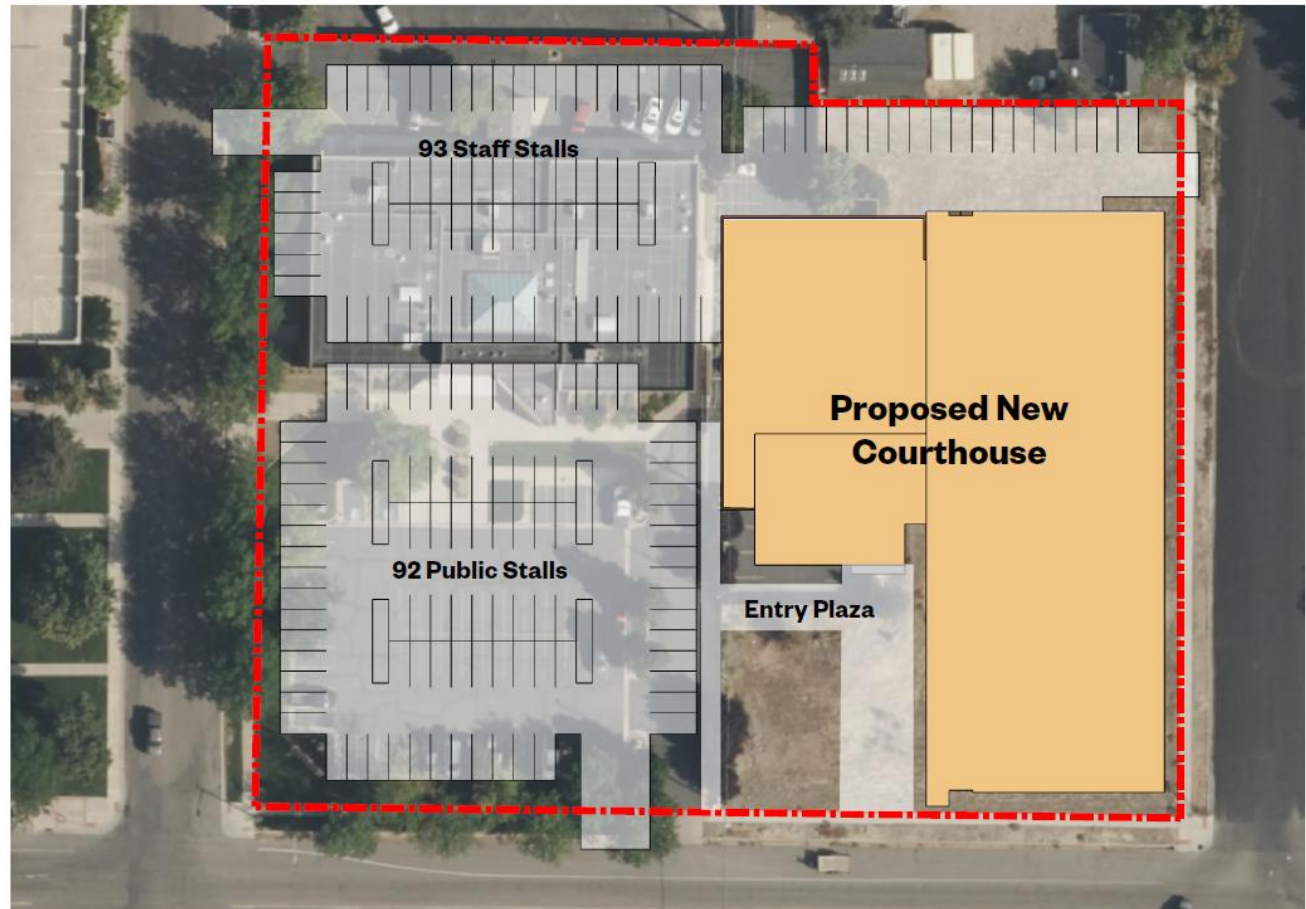
Total Parking 185

Existing Facility

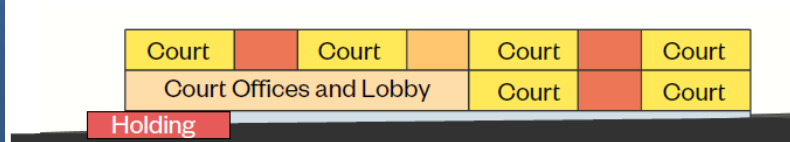
Existing Public Lot 50

Existing Staff Lot 41

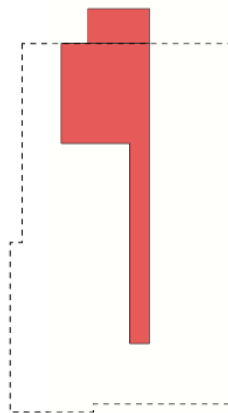
Total Existing Parking 91



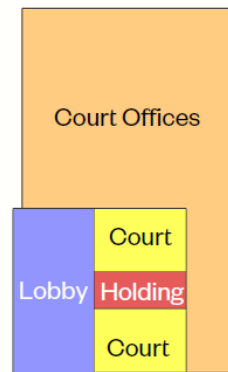
Possible Stacking Options



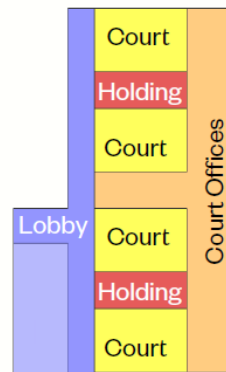
Site Section



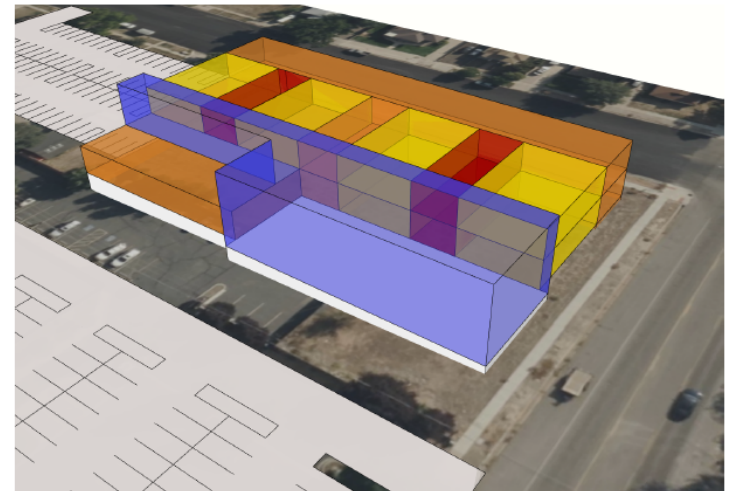
Basement



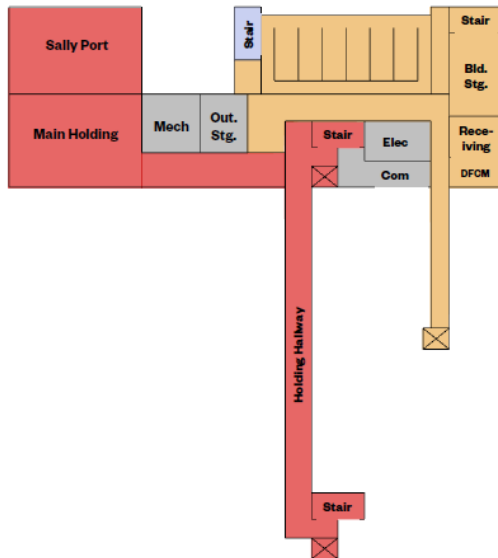
Level One



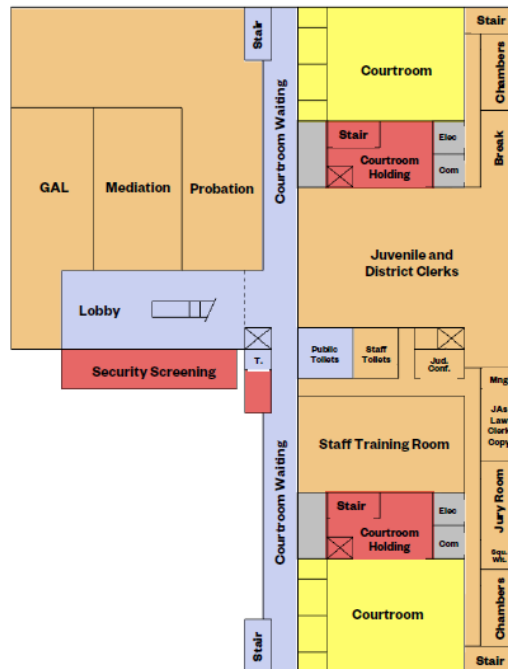
Level Two



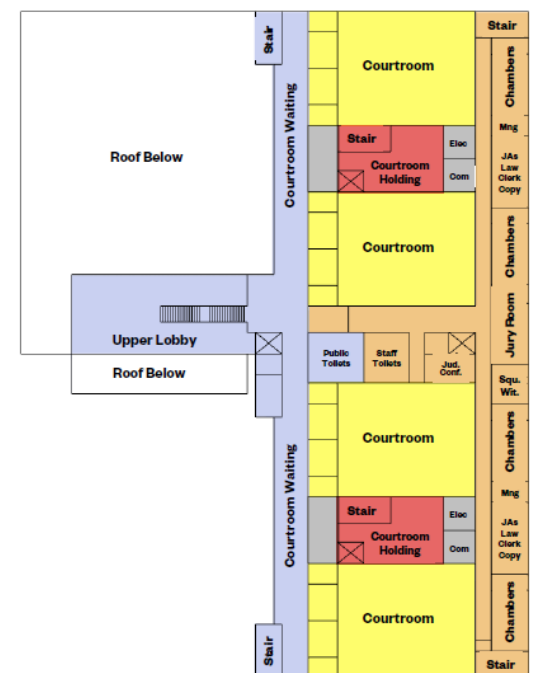
Three Stories with 5 to 6 Courtrooms



Basement Level



Level One



Level Two

Conceptual Exterior Elevation

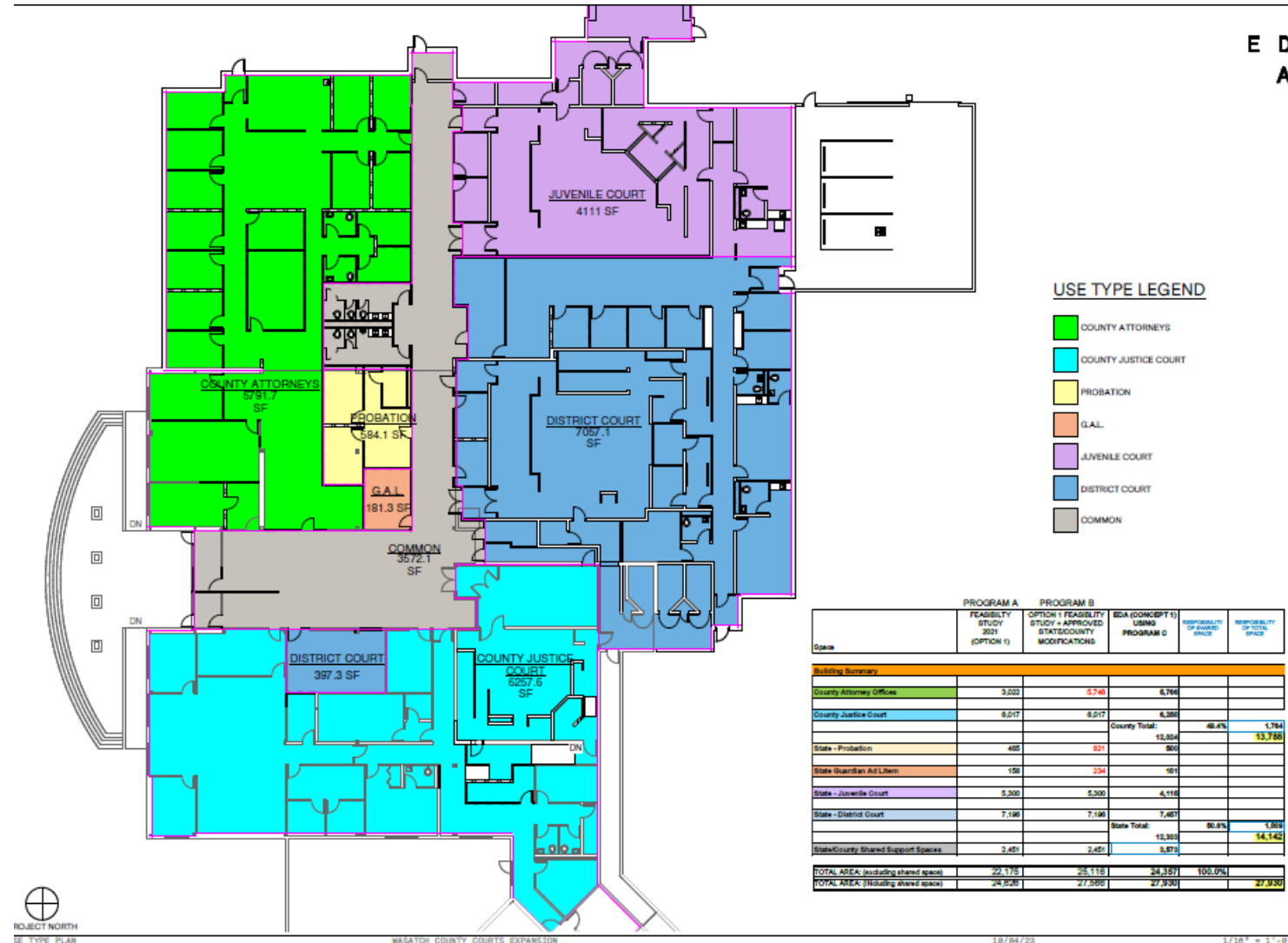
**State Funding Request
FY27 Legislative Session**



Capital Development Projects



Wasatch Justice Center Expansion – Opening January 2026



New District and Juvenile Courtrooms



New Public Lobby and Corridor



District Courtroom



**First Phase Construction
July 2024 – December 2026**

Capital Improvement Projects



Provo Shelled Courtrooms - Opened January 2025

New Matheson Business and Chancery Courtroom

Opened
May 2025



New Matheson Business and Chancery Courtroom

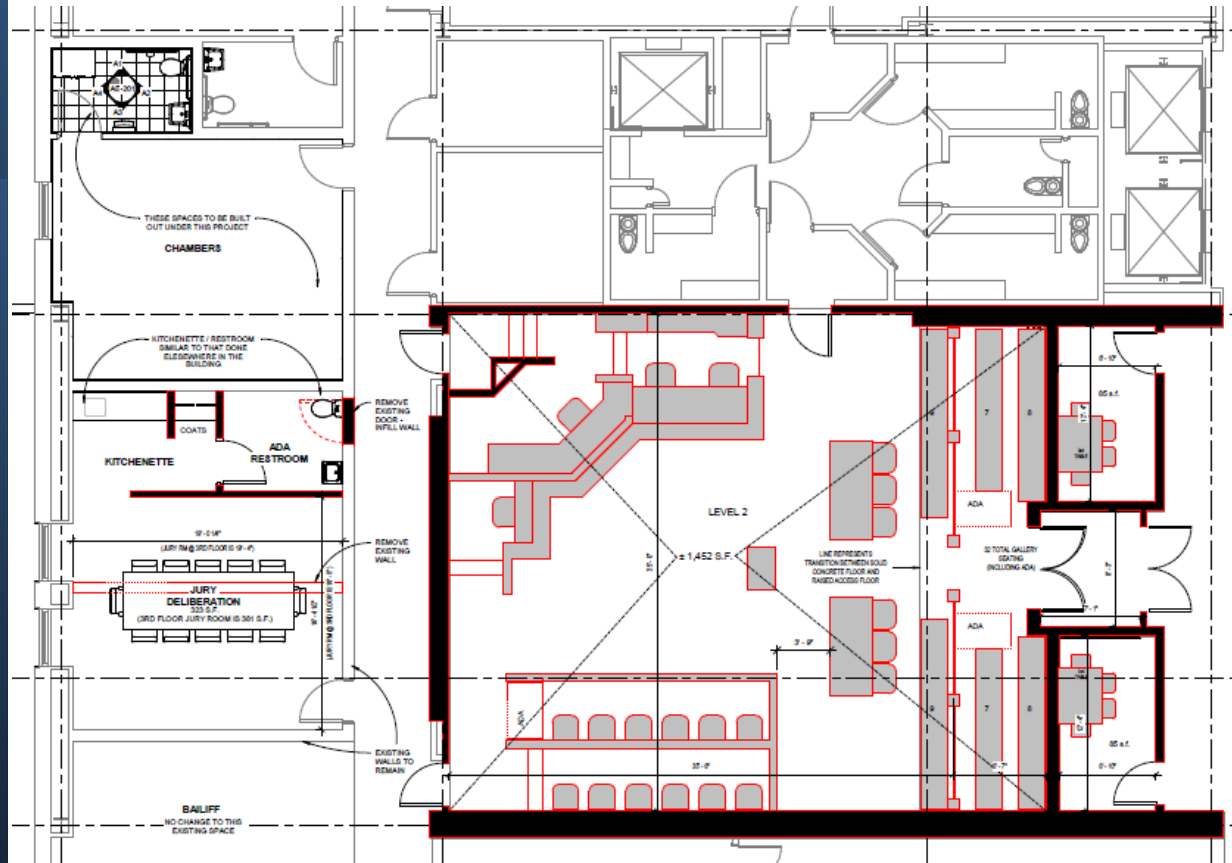


New American Fork Juvenile Courtroom

Opening
July 2025



Opening
July 2025



**Capital
Improvement
Projects
Completed or
in Progress
FY25**

- FY25 - **11** projects approved by Legislature with a total funding of **\$8.9M.**
- **82%** of projects complete YTD.
- Notable Projects in FY25 – Build out of 2 Provo shelled courtrooms and Ogden HVAC Controls Upgrade

Capital Improvement Projects Approved for FY26

- Top **18** of 70 prioritized projects approved by the Legislature for FY26 with a total funding of **\$7.3M**.
- Notable Projects in FY26 – Additional funding to complete the St. George HVAC upgrades, Statewide AV upgrades for 10 courtrooms and Ogden Juvenile chiller replacement

Tab 5

**Budget and Grants Agenda
For June 23, 2025
Judicial Council Meeting**

1. Monthly YTD Financials Alisha Johnson
(Item 1 – Information)
2. Carryforward 1x and Ongoing Turnover Savings Requests Karl Sweeney
(Item 2 – Action)

*These represent ongoing funds requests. Grayed out requests represent previously reviewed items.
Because available funds are less than the total requests, these items have been prioritized by the BFMC
into “fund immediately” and “defer funding” categories.*

Ongoing Funding Requests

1. *Investing in our People* *Ron Gordon and Neira Siaperas*
2. 3rd District Additional Training Coordinator Mark Paradise
3. 8th District Probation Training Coordinator Russell Pearson
4. ICJ Increased Expenses – Juvenile Court (both 1x and ongoing request) Sonia Sweeney

*These represent carryforward requests (1x funds). Grayed out requests represent previously reviewed items.
Because available funds exceed requests, there is no need to prioritize the requests.*

Carryforward into FY 2026 1x Funding Requests

1. *Investing in our People* *Ron Gordon and Neira Siaperas*
2. Courts Eco Pass Program Suzette Deans and Karl Sweeney
3. Education Assistance Program Funding Kelly Moreira
4. HR Applicant Tracking Jeremy Marsh
5. IT Stipend for Technology Subject Matter Experts Todd Eaton and Taz Hatch
6. IT Replacement Inventory Todd Eaton
7. IT Network/System Maintenance – Staff Augmentation Todd Eaton and Chris Talbot
8. IT Webex Virtual Hearing Improvement Project Brody Arishita
9. IT Retention of Contract Developers Brody Arishita
10. Base Employee Incentive Awards Bart Olsen, Erin Rhead, Alisha Johnson
11. Wellness Program - Tava Neira Siaperas
12. FY 2026 Q1/Q2 Performance Bonus Payments Bart Olsen and Karl Sweeney
13. Utah Code Purchase Kaden Taylor
- X. ICJ Increase Expenses (see #4 in Ongoing)

3. JCTST Fund Budget FY 2026 James Peters
(Item 3 – Action)

4. Court Grants – FY 2024 Internal Control Self-Assessment..... Jordan Murray
(Item 4 – Information)
5. Request to Accept Grant Award Jordan Murray, Nick Stiles
(Item 5 – Action)

Item 1



FY 2025 Ongoing Turnover Savings as of 06/04/2025 - Period 11

#		Prior Month	Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE		Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2024)	140,594		140,594	140,594	-
	Ongoing Turnover Savings FY 2025 (actual year-to-date, Salary Differential only)	772,110		866,314	866,314	94,204
1	Ongoing Turnover Savings FY 2025 (forecast \$65,000 / month x 1 month, Salary Differential only)	130,000		-	65,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,042,704		1,006,908	1,071,908	29,204
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	78,365		85,004	85,004	6,639
	TOTAL SAVINGS	1,121,069		1,091,912	1,156,912	35,843
2	2025 Annual Authorized Hot Spot Raises	(200,000)		(200,000)	(200,000)	-
	TOTAL USES	(200,000)		(200,000)	(200,000)	-
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2025	921,069		891,912	956,912	35,843

- * 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.
FY 2024 full year benefit differential was +\$331,176
- * Currently, 29.5 FTE are vacant.
- 1 Currently estimating \$65,000 of ongoing Salary Differential savings a month for the remainder of the FY; actual run rate is \$866,314 / 11 months = \$78,756 /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 - Period 11

Updated as of Pay Period Ending 05/23/2025 (1,880 out of 2,088 hours)

			Actual
#		Funding Type	Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 05/23/2025)	Internal Savings	2,827,624
2	Est. One Time Savings for remaining pay hours (208 @ \$1,500 / pay hour)	Internal Savings (Est.)	312,000
Total Potential One Time Savings			3,139,624

Prior Report Totals (as of 04/11/2025)

3,159,739

- 1 Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$988.93, \$1,512.83, \$1,280.76 and \$1,696.63.
The average per hour turnover savings FY 2025 YTD is \$1,504.06.
The remaining 1x Hot Spot available amount of ~\$4,400 is expected to be distributed in these last 2.5 pay periods.
- 2 \$1,500 / pay hour represents slightly below the actual YTD FY 2025 average (last year average was \$1,200);
raised the forecast to \$1,500 per hour from \$1,200 per hour for the balance of the year as of 3/14/25 report.



FY 2025 Year End Requests and Forecasted Available One-time Funds - Period 11

Forecasted Available One-time Funds						
	Description	Funding Type	Amount	#	One-time Spending Plan Requests	Adjusted Requests Amount
Sources of YE 2025 Funds						Judicial Council Approved Amount
*	Turnover Savings as of PPE 05/23/2025	Turnover Savings	2,827,624	1**	Various Construction Projects (FY 2025) Contingency (10%) (NOT NEEDED)	\$ -
	Turnover savings Estimate for the rest of the year (\$1,500 x 208 pay hours)	Turnover Savings	312,000	2	All Rise Utah Welcome Dinner	\$ -
	Total Potential One Time Turnover Savings		3,139,624	3	Q1 / Q2 Performance Bonus	\$ -
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)	4	Replacement of EMV Credit Card Devices	\$ -
(a)	Total Potential One Time Turnover Savings Less Discretionary Use		2,889,624		Reimbursement from Trust Account Interest Earnings	\$ -
	Operational Savings From TCE / AOC Budgets - mid-year forecast	Internal Operating Savings	654,108	5	Purchasing Utah Code and Court Rules per CJA 3-413	\$ -
	Operational Savings from IT Budget - unused Carryforward Request	Internal Operating Savings	150,000	6	Mitigate Laptop Price Increases	\$ -
	Reserve Balance (balance from FY 2024 Carryforward)	Judicial Council Reserve	847	7	Bridge Replacement LMS System Go-Live	\$ -
	Unclaimed property claims (received)	Additional Revenue Received	741,488	8	Increase in Secondary Language Stipend	\$ -
	Prior year adjustments - impact on current year operations (Hyrum and OFA)	Adjustments to CY Operations	(90,000)			
(b)	Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		1,456,443		Current Month One-time Spending Requests	-
(c)	Total of Turnover Savings & Operational Savings = (a) + (b)		4,346,066		Previously Approved 1x FY 2024 YE Spending Request	532,800
	Uses of YE 2025 Funds					
(d)	Carryforward into FY 2026 (Anticipate request to Legislature for \$3,700,000)	FY 2026 Carryforward	(3,700,000)			
	Total Potential One Time Savings = (c) less Carryforward (d)		646,066			
	Less: Judicial Council Requests Previously Approved		(532,800)			
	Less: Judicial Council Current Month Spending Requests		-			
	Remaining Forecasted Funds Available for FY 2025 YE Spending Requests, CCCF, etc.		113,266			

Updated 06/04/2025

* Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are \$988.93, \$1,512.83, \$1,280.76 and \$1,696.63.

The average per hour turnover savings FY 2025 YTD is \$1,504.06.

(b) Operational Savings from TCE / AOC Budgets have been updated. Due to inflation, we expect minimal further operational savings for the rest of the fiscal year.

FY 2024 operational savings were \$1.3M.

** Construction contingency request of \$451,000 is no longer needed as per Chris Talbot. Construction costs have come in under budget.



FY 2026 Carryforward and Ongoing Requests - Period 11, FY 2025

6/4/2025

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2024		\$ 140,594
Forecasted YE Ongoing Turnover Savings from FY 2025		\$ 1,016,318
Subtotal		\$ 1,156,912
Unobligated Fiscal Note Funds - District Court (net)	\$ (10,500)	\$ 20,800
Unobligated Fiscal Note Funds - Juvenile Court	\$ (5,200)	\$ 15,700
Unobligated Fiscal Note Funds - Admin	\$ -	\$ -
Additional Legislative Appropriation	\$ -	\$ 1,000,000
Wellness Council Portion of Carryforward		
Expected Carryforward Amount from Fiscal Year 2025	\$ 3,700,000	\$ -
Total Available Funding	\$ 3,684,300	\$ 2,193,412
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		\$ (200,000)
Less: Director of Finance and State Court Admin. Reserves to meet Investing in our People Commitments	\$ (100,000)	\$ (100,000)
Net Ongoing TOS Available for Use	\$ 3,584,300	\$ 1,893,412

Ongoing Requests

Recommend Approve and Fund Immediately		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
1	Investing in Our People - Ron Gordon and Neira Siaperas		\$ 1,745,900		\$ 1,745,900
2	Additional Training Coordinator - 3rd District - Mark Paradise - Fund now		\$ 97,300		
Subtotal to Approve and Fund Immediately		\$ -	\$ 1,843,200	\$ -	\$ 1,745,900
Balance Remaining After Judicial Council Approvals					\$ 147,512
Balance Remaining Inclusive of "Presented"			\$ 50,212		

Recommend Approve and Defer Funding

(hold until Ongoing Funding net of Commitments / Reserves Exceeds Requested Amounts)

3	8th District Probation Training Coordinator - Russ Pearson	\$ 52,500
4	ICJ Expenses - Sonia Sweeney	\$ 7,000
Subtotal to Defer Funding until FY 2026		\$ 59,500

Carryforward One Time Requests

		Presented		Judicial Council Approved	
		One Time	Ongoing	One Time	Ongoing
1	Investing in Our People - Ron Gordon and Neira Siaperas	\$ 1,334,600		\$ 1,334,600	
2*	Courts Eco Pass Program - Karl Sweeney	\$ 60,000			
3*	Education Assistance Program - Kelly Moreira	\$ 85,000			
4*	HR Applicant Tracking - Jeremy Marsh	\$ 20,900			
5*	IT Stipend for Technology Subject Matter Experts - Todd Eaton and Taz Hatch	\$ 65,000			
6*	IT Replacement Inventory - Todd Eaton	\$ 200,000			
7*	Network / System Maintenance - Staff Augmentation - Todd Eaton and Chris Talbot	\$ 150,000			
8*	IT Webex Virtual Hearing Improvement Project - Brody Arishita	\$ 150,000			
9*	Retention of Contract Developers - Brody Arishita	\$ 682,000			
10*	Base Employee Incentive Awards - Bart Olsen, Erin Rhead, and Alisha Johnson	\$ 280,000			
11*	Wellness Program - Tava - Neira Seripas	\$ 103,100			
12*	FY 26 Q1/Q2 (paid in 12/2025) Performance Bonus - Bart Olsen and Karl Sweeney	\$ 400,000			
13*	Utah Code Purchase - Kaden Taylor	\$ 35,000			
X	ICJ Expenses - Sonia Sweeney (see ongoing listed above)	\$ 7,000			
Subtotal		\$ 3,572,600	\$ -	\$ 1,334,600	\$ -
Balance Remaining After Judicial Council Approvals				\$ 2,249,700	\$ 147,512
+	Balance Remaining Inclusive of "Presented" (for Ongoing net of Presented Fund Immediately)	\$ 11,700	\$ 50,212		

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.



Historical Commitments/Reserves as % of Ongoing Forecast

	FY 2025	FY 2026
Ongoing Funds Forecast	Committed as % of Forecast	Committed as % of Forecast
Ongoing Turnover Savings carried over from prior year	\$ 141,000	\$ 50,000
Forecasted Ongoing Funds (12 months x \$50,000 per month)	\$ 600,000	\$ 600,000
Total Forecasted Ongoing Funds	\$ 741,000 ^a	\$ 650,000
Commitments/Reserves		
1 Judicial Council Delegated to State Court Administrator for Discretionary Use in FY 26	\$ (200,000)	\$ (200,000)
2 Obligated/Committed Funds Needed by June 30, 2026 for use in 7.1.2027 fiscal year for Investing in our People	\$ -	\$ (370,000)
3 Director of Finance and State Court Admin. reserves for assumption contingencies that enable meeting the investing in our People Ongoing Commitment	\$ -	\$ (100,000)
Total Commitments/Reserves	\$ (200,000) ^b	\$ (670,000)
Total Comitted/Reserves as % of Forecast	* 27% ^{b/a}	103%

Deferred Ongoing Requests

Reference		Requested
3	8th District Probation Training Coordinator - Russ Pearson (Defer until Ongoing funding net of Commitments/Reserves Exceeds This Request Amount)	\$ 52,500
4	Juvenile Court ICJ Funding Increase	\$ 7,000
Subtotal		\$ 59,500

*

Historically, the Judicial Branch has entered a new fiscal year with approximately 30% of forecasted ongoing TOS committed.

LEGEND

Highlighted items have been previously approved by the Judicial Council.

Highlighted items have been deferred by the Budget and Fiscal Management Committee.

Highlighted items have been previously approved by the Judicial Council but will be contracted only when Net Available Funding is adequate



FY 26 Ongoing Funding Net of Commitments/Reserves as % of Ongoing Forecast - Period 13, FY 2025

6/30/2025

Available Funds

Ongoing Funding Net of Commitments/ Reserves

1 Ongoing Turnover Savings carried over from FY 2025 (will change for 90 days)	\$ 50,212
2 Actual Ongoing Turnover Savings from FY 2026 YTD - Note: Does not include (1) CY benefits differential until Q4 or (2) forecasted amounts	\$ -
Total Available Ongoing Funding - Cash Basis	\$ 50,212

Commitments/Reserves

1 Judicial Council Delegated to State Court Administrator for Discretionary Use in FY 26	\$ (200,000)
2 Obligated/Committed Funds Needed by June 30, 2026 for use in 7.1.2027 fiscal year for Investing in our People	\$ (370,000) **
3 Director of Finance and State Court Admin. reserves for assumption contingencies that enable meeting the investing in our People Ongoing Commitment	\$ (100,000)
Total Commitments/Reserves	\$ (670,000)

Net Available (Deficit) Ongoing Funding - Cash Basis

\$ (619,788) *

* Note: Fund Deferred Items when this number is positive

** Assumes 150 Core Workforce hires in FY26 * 90% retention rate = 135 persons eligible for \$1 raise in FY27 * 1.31% benefit rate

Deferred Ongoing Requests

Reference		Requested	Judicial Council Approved	Funded
3	8th District Probation Training Coordinator - Russ Pearson (Defer until Ongoing funding net of Commitments/Reserves Exceeds This Request Amount)	\$ 52,500		
4	Juvenile Court ICJ Funding Increase	\$ 7,000		
Total		\$ 59,500	\$ -	\$ -

LEGEND

Highlighted items have been previously approved by the Judicial Council.

Highlighted items have been deferred by the Budget and Fiscal Management Committee.

Highlighted items have been previously approved by the Judicial Council but will be contracted only when Net Available Funding is adequate

Item 2

**Previously Submitted & Approved
Ongoing Funding Requests**

1. FY 2025 Ongoing Funds Spending Request – Investing in Our People

The Judicial Council approves uses of Ongoing Turnover Savings and Legislative Ongoing Discretionary Funding (Case Processing). This is a request to the Budget and Fiscal Management Committee and the Judicial Council to allocate the use of some of these FY 2025 Ongoing Funds for ongoing personnel needs that will be utilized in FY 2026.

Date: 2 April 2025

Department or District: Administrative Office of the Courts

Requested by: Ron Gordon and Neira Siaperas

Request title: [insert from heading]

Amount requested: Ongoing \$ \$1,745,900

- \$1,036,500 would come from funds appropriated by the legislature for FY26.
- \$709,400 would come from ongoing turnover savings.

Purpose of funding request:

We request these funds to implement our proposal titled “Investing in Our People: Compensation, Careers, & Flexibility.” That proposal is outlined in the attached memorandum.

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

Alternative funding sources, if any: None.

There are two main reasons for this proposal.

First, we continue to experience a high turnover rate in many of our key employee positions. Most of this turnover takes place during the first two years of employee service in the Judiciary. The high turnover negatively impacts longer-serving employees (who must perform additional duties while new employees are trained and who must also train the new employees), judges (who rely on the work of judiciary employees to help them fulfill their functions), and court patrons (who receive less than ideal service at times because of the volume of new employees). The most significant factor contributing to high turnover is low pay. High turnover interferes with our ability to fulfill all aspects of our mission.

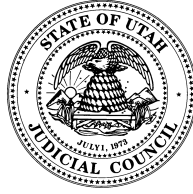
Second, as we address the high turnover rate for newer employees, we need to make sure that we do not overlook the employees who have remained with the Judiciary despite the challenges. We must address the low wages of longer-term employees and provide additional opportunities for professional growth.

If the legislature had approved the Judicial Council’s employee compensation budget request, we would still be submitting this request to supplement that funding. Because the legislature did not approve the budget request, this request is even more important. There is no alternative funding source.

1. FY 2025 Ongoing Funds Spending Request – Investing in Our People

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

The problems associated with high turnover will persist until we are able to address the root causes. If this proposal is not funded, we will continue losing 20-25% of people filling key positions within their first two years of service with the Judiciary. Additionally, if we do not address these problems soon, we will almost certainly see longer-term employees begin leaving the Judiciary at higher rates. Many employees have continued to work for the Judiciary because they know we are actively working on solutions to our current challenges. If those challenges are not addressed, we cannot expect longer-term employees to continue working for the Judiciary.



Administrative Office of the Courts

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

April 2, 2025

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

MEMORANDUM

TO: Budget and Fiscal Management Committee

FROM: Ron Gordon, State Court Administrator
Neira Siaperas, Deputy State Court Administrator

RE: Investing in Our People: Compensation, Careers & Flexibility

The Utah Judiciary is experiencing an unsustainably high turnover rate in certain key positions, including judicial assistants and probation officers. When turnover takes place, the longer-serving employees assume additional responsibilities while there is a vacancy and while a new employee is being trained.

This is true in any organization and is part of organizational staffing. However, the high turnover rate that has persisted for multiple years has resulted in a constant pattern of longer-serving employees performing additional duties. Those employees are exhausted because of these additional duties. If we do not address the high turnover rate, we are also at risk of losing our longer-serving employees. Many have remained with the courts because they know we are working on solutions to our current challenges. If we do not solve those challenges, we cannot expect them to remain in the Judiciary.

High turnover also significantly impacts judicial officers who rely on staff to help them fulfill their responsibilities. This adds burdens to the already overworked judicial officers and can contribute to frustrations of parties and lawyers.

Our court patrons also feel the consequences of high turnover. New judicial assistants and new probation officers require 12-18 months of training. This training period slows the work of the Judiciary when it applies to such a large percentage of our workforce. A high number of new employees can also result in inaccurate information being provided to some court patrons.

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

Because of these concerns, the Judicial Council submitted a budget request to the legislature for \$3,019,000 to be used for employee compensation. That budget request was one part of a larger plan to slow turnover, increase job satisfaction, and improve the operations of the Judiciary. Another part of that plan is this proposal, which has always been intended to supplement an appropriation from the legislature. In light of the legislature's decision to not fund the employee compensation budget request, this part of the plan becomes even more critical.

This proposal seeks to:

- improve retention of new employees;
- improve retention of longer-serving employees;
- expand career advancement options; and
- identify ongoing funding for our essential software budget request that has not been funded by the legislature. (This is unrelated to employee turnover, but is included as part of the funding recommendations.)

This proposal includes the following elements:¹

- budget requests;
- annual/administrative leave adjustments; and
- wellness release policy amendments.

An explanation of each of the elements follows. Additional details are found in the PowerPoint slides that follow this memorandum.

¹ Though the Budget and Fiscal Management Committee only needs to approve the budget requests, we present the full proposal for context.

Budget Requests

	Ongoing Funding	One-time Funding
New compensation structure for employees who make less than \$25/hour and who have been with the Judiciary for less than 18 months. <ul style="list-style-type: none"> • 6 month retention bonus of \$1,000 • Salary increase of \$1/hour at 12 months • 18 month retention bonus of \$1,500 • Retroactive bonuses 	\$799,900	\$176,600
Service recognition bonuses for longer-serving employees	\$558,000	\$347,500
Performance bonuses (This supplements the funds appropriated by the legislature and allows every employee with satisfactory performance or better to receive a bonus of \$1,000.)		\$447,500
Additional incentive award funds		\$280,000
14 new Lead Judicial Assistant positions and 8 new Lead Probation Officer positions (This funds the salary increase that will be given to the current employees who will work in these positions.)	\$100,000	
Judicial assistant staffing (7 new JA positions and extension of 6 time-limited positions)	\$595,000	\$183,000
Salary compression offset	\$200,000	
Essential software	\$963,000	
Total	\$3,215,900	\$1,434,600

This proposal will draw upon seven funding sources as noted below.

Funding Source	Ongoing Amount	One-time Amount
Legislation appropriation of \$1,000,000 for FY26	\$1,000,000	
Ongoing turnover savings	\$709,400	
One-time savings		\$1,334,600
AOC budget reductions	\$270,000	
Increased Xchange fees ²	\$1,200,000	
FY26 fiscal note funding	\$36,500	
FY26 one-time hot spot funding		\$100,000
Total	\$3,215,900	\$1,434,600

² The Judicial Council's FY24 fee report showed that the costs to operate Xchange exceed the revenue collected from Xchange fees by nearly \$1,500,000. We will present a separate proposal to the Judicial Council to increase the Xchange fees. We believe the new fees will generate an additional \$1,200,000.

Annual/Administrative Leave

In addition to these funding requests, the proposal seeks approval of the following leave-related changes.

- Grant all new employees 24 hours of administrative leave at the start of their employment.
- All employees in their first or second year of employment as of July 1, 2025 will retroactively receive 24 hours of administrative leave.
- Adjust the annual leave accrual structure so that employees accrue more annual leave earlier in their careers.
- Grant 40 hours of administrative leave to employees with over 20 years of service as of July 1, 2025.

Wellness Policy

We propose amending the current Exercise Release policy (HR 08-3(3)) to a Wellness Release policy that includes activities other than exercise that contribute to employees' overall wellness.



Investing in Our People: Compensation, Careers & Flexibility

April 2025

Compensation

New Hire Compensation Track

Bonus Structure



Current compensation model:

- ❑ Hotspot Bonuses
- ❑ Incentive Awards
- ❑ Performance-based Bonuses
- ❑ Hotspot Salary Increases
- ❑ Performance-based Salary Increases

Proposed enhancements to the current model:

- ❑ Implement a structured 18-month compensation track for new employees making less than \$25/hour
- ❑ Expand bonus and promotion opportunities for all employees beyond their first 18 months of employment

New Hire Compensation Track

- ❑ Implement retention incentives to reduce turnover in the first two years of employment
- ❑ Eligibility:
 - New hires starting on or after July 1, 2025 and earning under \$25/hour
 - Current employees still within their first year as of July 1, 2025 and earning under \$25/hour

Item	Amount	Funding
Retention Bonus (6 months)	\$1,000	\$183,100
Salary Increase (12 months)	\$1 per hour	\$377,500
Retention Bonus (18 months)	\$1,500	\$239,300
Retroactive Bonuses (6 and 18 months)*	\$1,000 and \$1,500	\$176,600
TOTAL FUNDING		\$976,500

*For employees already in the first year of employment as of July 1, 2025

New Hire Compensation Track

Implementation

- ❑ During the new hire compensation track (18 months):
 - Eligible for incentive awards and COLA increases
 - Not eligible for performance-based bonuses or salary increases
- ❑ Eligible for all compensation options after completing the track
- ❑ TCEs will inform the AOC of salary compression concerns affecting employees who are not part of the New Hire compensation track.
 - The Retention and Recruitment Fund will support compression-related salary adjustments.

Enhanced Bonus Structure

- ❑ Increase the Incentive Award funds and expand criteria to include trainer bonuses and other recognition bonuses
- ❑ Implement Service Recognition Bonuses and Judicial Council Award Bonuses

Implementation

- ❑ Employees who reach a new service milestone on or after July 1, 2025 will receive their bonus in the month they reach the milestone.
- ❑ Employees who reached an old service milestone (in 5-year increments) between January 1, 2024 and June 30, 2025 will receive their bonus retroactively.

Years of Service	3	5	7	10	12	15	17	20	22	25	27	30	35	40
Bonus	\$500	\$500	\$700	\$1,000	\$1,200	\$1,500	\$1,700	\$2,000	\$2,200	\$2,500	\$2,700	\$3,000	\$3,500	\$4,000
Administrative Leave	0	8 hrs	0	24 hrs	0	32 hrs	0	40 hrs	0	40 hrs	0	40 hrs	0	40 hrs

Enhanced Bonus Structure

Item	Amount	Funding
Incentive Awards*	Varies	\$280,000
Service Recognition Bonus	Varies	\$558,000
Service Recognition Bonus (retroactive)	Varies	\$347,500
Performance Bonus (FY 26)**	\$1,000	\$447,500
Judicial Council Award Bonus	\$1,000 per award	\$5,000
TOTAL FUNDING		\$1,633,000

*Increase in the Incentive Award funds (currently \$280,000)

**Each employee will receive a \$1,000 bonus in July 2025 with satisfactory performance.

Professional Growth

Expanded Career Advancement Options

- ❑ A limited number of Lead roles will be available:
 - 14 Lead Judicial Assistant (JA) positions
 - 8 Lead Probation Officer (PO) positions
- ❑ Existing positions will be converted to Lead roles as JA and PO vacancies occur.
- ❑ Lead roles include core JA/PO duties plus added responsibilities, as outlined in new job descriptions.
- ❑ These are promotional opportunities, but not managerial roles.
- ❑ Selection will occur through internal recruitment.

UTAH JUDICIARY

Staffing and Workload

UTAH JUDICIARY

Judicial Assistant Positions

- ❑ Extend 2 full-time and 4 part-time time-limited Judicial Assistant positions through December 31, 2025:
 - 4th District (2 FT and 3 PT)
 - 8th District (1 PT)
- ❑ Fund 7 new JA positions and allocate them to the districts according to the FY25 Clerical Weighted Caseload study

Item	Funding
6 time-limited JA positions	\$183,000
7 permanent JA positions	\$595,000
TOTAL FUNDING	\$778,000

UTAH JUDICIARY

Funding

UTAH JUDICIARY

Compensation and Staffing Funding Requests

Program	Current Onetime Funding	Current Ongoing Funding	New (Additional) Onetime Funding	New (Additional) Ongoing Funding
New Hire Compensation Track	\$0	\$0	\$176,600	\$799,900
Incentive Awards	\$280,000	N/A	\$280,000	N/A
Retention & Recruitment Bonuses	\$250,000	N/A	\$0	N/A
Retention & Recruitment Salary Increases	N/A	\$200,000	N/A	\$0
Performance Bonuses*	\$900,000	N/A	\$0	N/A
Service Recognition Bonuses	\$0	N/A	\$347,500	\$558,000
Judicial Assistant positions (7)	N/A	N/A	N/A	\$595,000
Time-limited Judicial Assistants (6)	N/A	\$0	\$183,000	N/A
Salary Compression offset	N/A	\$0	N/A	\$200,000
Lead JA and PO positions (22)	N/A	\$0	N/A	\$100,000
Additional funding for performance bonuses**	\$910,500	N/A	\$447,500	\$0
TOTAL New Funding (FY 2026)			\$1,434,600	\$2,252,900

*TBD on one-time turnover savings

**Supplemental funding to the \$910,500 in legislative funding for FY26 performance bonuses



	Need		FY26 Appropriation \$1,000,000	Judicial Council - Turnover Savings				AOC \$270,000	Xchange Fees Increase \$1,200,000	Fiscal Note \$36,500	Hot Spot \$100,000
	Ongoing	One-time FY26	Ongoing	Ongoing FY26	Ongoing FY27+	One-time FY26	One-time FY27+	Ongoing	Ongoing	Ongoing	One-time FY26
Microsoft	\$250,000								\$250,000		
Adobe Sign	\$300,000								\$300,000		
Adobe Pro	\$128,000								\$128,000		
FTR	\$220,000								\$220,000		
Appellate e-filing	\$40,000								\$40,000		
Auto expungement	\$25,000								\$25,000		
Retroactive Comp Track Salary	\$0										
First year comp track-salary	\$377,500		\$33,600	\$343,900	\$370,000						
Retroactive Comp Track Bonuses - 6 month		\$97,600				\$97,600					
Retroactive Comp Track Bonuses - 18 month		\$79,000				\$79,000					
First year comp track-bonuses*	\$422,400		\$15,400					\$170,000	\$237,000		
Enhanced bonuses	\$558,000		\$389,000	\$89,000				\$80,000			
Retroactive Enhanced Bonuses		\$336,200				\$236,200					\$100,000
"Above Average" Year - Bonuses		\$11,300				\$11,300					
Time-limited JA positions		\$183,000				\$183,000					
7 JA positions	\$595,000		\$470,000	\$68,500				\$20,000		\$36,500	
Increased Incentive awards		\$280,000				\$280,000					
Increased Incentive awards FY27							\$280,000				
Extra Funds for Leg Perf Bonus		\$447,500				\$447,500					
Compression offset	\$200,000		\$92,000	\$108,000							
Lead JA / PO positions (14 JA 8 PO)	\$100,000			\$100,000							
Total	\$3,215,900	\$1,434,600	\$1,000,000	\$709,400	\$370,000	\$1,334,600	\$280,000	\$270,000	\$1,200,000	\$36,500	\$100,000
Projected Available			\$1,000,000	\$940,594	\$777,819	\$1,447,150	\$361,040	\$270,000	\$1,200,000	\$36,500	\$100,000
Balance (over) / under budget			\$0	\$231,194	\$407,819	\$112,550	\$81,040	\$0	\$0	\$0	\$0

Other Employee Incentives



Flexibility and Incentives

- ❑ Grant all new hires 24 hours of administrative leave at the start of their employment
- ❑ All employees in their first or second year of employment as of July 1, 2025 will retroactively receive 24 hours of administrative leave.
- ❑ Adjust the annual leave accrual structure to the following:

Current	Hours per pay period	Proposed	Hours per pay period
0-5 years	4 hrs	0-1 years	4 hrs
5-10 years	5 hrs	2-5 years	5 hrs
10-20 years	6 hrs	6-10 years	6 hrs
20+ years	7 hrs	10+ years	7 hrs

- ❑ All employees will begin accruing annual leave based on the new schedule starting July 1, 2025
 - Employees with over 20 years of service as of July 1, 2025 will receive 40 hours of administrative leave
- ❑ Revise the current Exercise Release policy [HR 08-3(3)] to a Wellness Release policy





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



New Ongoing Funding Requests

2. FY 2025 Ongoing Funds Spending Request – 3rd Dist. Additional Training Coordinator

The Judicial Council approves uses of Ongoing Turnover Savings. This is a request to the Budget and Fiscal Management Committee and the Judicial Council to allocate the use of some of the FY 2025 Ongoing Turnover Savings for ongoing personnel and operational needs that will be utilized in FY 2026.

Date: 05/01/2025

Department or District: 3rd District Court

Requested by: Mark Paradise – Trial Court Executive

Request title: Third District Court Training Coordinator

Amount requested: \$ 97,300 in ongoing funding (\$26.54 hourly plus benefits)

Purpose of funding request:

We are requesting ongoing funding for a second training coordinator position in the Third District.

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

The Third District unfortunately has a high turnover rate. Statistics obtained from the Courts Human Resources Department show that the Third District has had one of the highest turnover rates throughout the state courts, with an average turnover rate from 2022-2024 at 28% for our judicial assistant position (see attached chart). This rate equates to approximately 38 new judicial assistants each year. When you combine the turnover rate with the overall number of staff to training coordinators (see chart below), you can see that the district court has fallen behind the Juvenile court in this valuable resource. This directly correlates to an ongoing need for training resources in the Third district as the number of staff is more than double that of any other district. Feedback from multiple judges, courts management and staff indicate that it generally takes 18-24 months of combined training and on-the-job learning before a Judicial Assistant reaches proficient knowledge and skill level in the Judicial Assistant role. Most Judicial Assistants with less than two years of experience still need to rely heavily on their trainers/managers. Training encompasses the need for help from: a training coordinator, supervisor (usually case managers), and often other judicial assistants.

New employees usually spend their first two weeks with our 3rd District training coordinator before they begin working with their assigned supervisor and members of their team. Currently, we do not have the capacity to allow for much, if any, time spent in the dedicated workspace between the new employee and the training coordinator; additional training is passed along to the direct supervisor and other judicial assistants who are already overburdened. Often times after this initial two-week training, Judicial Assistants are expected to complete in-court minutes, answer questions by email, phone, and in person, and process filings from both parties and the court. This ongoing training burden is simply assumed by the team, with corresponding reductions in the amount of work the team members can complete. Even with the help of the team, the focused resources directed towards the new hire are far less than the actual need.

2. FY 2025 Ongoing Funds Spending Request – 3rd Dist. Additional Training Coordinator

The addition of a second training coordinator will allow us to double the initial time spent with new employees to 4 weeks, as well as incorporating spending a portion of this time in the new employees' dedicated workspace.

In addition to training new employees, we recognize the importance of one-time and ongoing training amongst all employees. The court continues to go through a significant number of changes including:

- CORIS,
- rules and statutes,
- forms,
- pro-se party resources, and
- technological resources

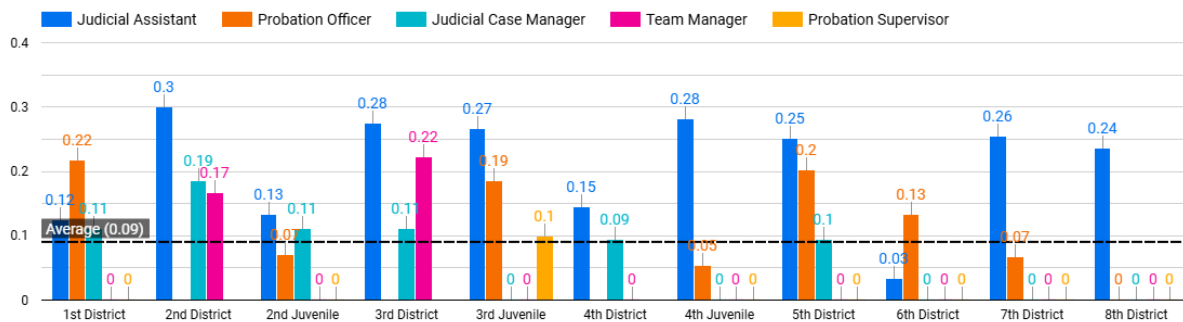
All of the above require some need for additional training and/or education. We firmly believe that the more resources we can provide for our workforce, the more effective our district and the court will function as a whole.

In addition to the duties and responsibilities that are described above, it is also common for the training coordinator to be requested for involvement in various committees and work groups. With only one training coordinator, the demand for involvement greatly exceeds available time leaving many groups completely underserved with training coordinator input. In order for the 3rd District to appropriately support these committees and work groups, we need additional resources in the form of an additional training coordinator.

We piloted two training coordinators through a career mobility position which began in Feb 2025. The Third District has funds to accomplish this pilot through the end of the fiscal year. We are hoping to receive ongoing funding to proceed indefinitely with this resource.

This additional resource will immediately help by ensuring that we have staff trained to better and more efficiently assist in their duties and responsibilities. We know that this additional resource will not only benefit our district, but all the members of the public and allied agencies that rely on the third district to fulfill the court's mission of providing an open, fair, efficient, and independent system.

Average TO Percent FY22-FY24



	Number of Staff	Training Coordinators
1st District (District and Juvenile)	50	2

2. FY 2025 Ongoing Funds Spending Request – 3rd Dist. Additional Training Coordinator

2nd District	83	1
2nd Juvenile	65	2
3rd District	176	1
3rd Juvenile	122	3
4th District	83	1
4th Juvenile	71	2
5th District (District and Juvenile)	72	2
6th District (District and Juvenile)	27	1
7th District (District and Juvenile)	33	1.5 (.5 shared w/ 8 th District)
8th District (District and Juvenile)	32	1.5 (.5 shared w/ 7 th District)

As shown above, the 3rd District's training personnel to JAs ratio is 176:1 which is double the next closest district (2nd and 4th District at 83:1).

Alternative funding sources, if any:

A legislative request could be made to help fund this position. Based on recent past Legislative approvals, we give this option a low success chance.

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

We will continue to strive to train all of our staff in the best way possible, understanding that this does result in a higher amount of stress and workload for our Case Managers and Judicial Assistants that are assisting in this function. We firmly believe that our limited training resources contribute to our higher turnover rate as well. If we can provide the necessary resources for training, we believe that this, in conjunction with the new compensation programs recently approved for core workforce personnel, could lower turnover rate that we currently experience related to recruiting JA's.

3. FY 2025 Ongoing Spending Request – Fund 8th District Probation Training Coordinator

The Judicial Council approves uses of Ongoing Turnover Savings. This is a request to the Budget and Fiscal Management Committee and the Judicial Council to allocate the use of some of the FY 2025 Ongoing Turnover Savings for ongoing personnel and operational needs that will be utilized in FY 2026.

Date: 7 March 2025

Department or District: 8th District

Requested by: Russell Pearson

Request title: 8th District Probation Training Coordinator

Amount requested: Ongoing \$ 90,000 - \$37,500 = \$52,500

Purpose of funding request:

The Statewide Juvenile Court Probation Department has identified a need for increased quality control and training in each individual district. Phase II of the System Review also highlighted the need for Training Coordinators and additional training of staff. While the AOC Program coordinators do a fine job with quality assurance and site visits, the in-depth process requires extended time to complete. The creation of a district level training and program coordinator position will alleviate this need and provide timely quality assurance while assisting the Probation Supervisor with coaching on assessments, case plans, notes etc.

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

The Seventh District created a Probation Training Coordinator position that is shared with the Eight District. The position worked for both districts for several years. However, increased training requirements and additional Statewide Quality Assurance duties have required extra time from the shared 1 FTE. Both the 7th and 8th District Trial Court Executives have discussed the increased workload and agree that both Districts need an FT Training Coordinator to meet the increased training requirements and tackle statewide projects. In summary, rural Probation Training Coordinators serve multiple functions such as training, quality assurance, CPC staff¹ for the AOC, and an additional Training Coordinator in the 8th District would meet local and State needs in Probation.

The 8th District has a vacant part-time DPO position. The DPO position comes with benefits. However, we have had difficulties over the last two years in finding applicants for this position. The feedback we have received is that applicants are looking for full-time work. As shown in the request amount, we propose to use this benefitted .5 FTE DPO position that carries \$37,500 in budget as an offset to the request and thereby reduce the request to \$52,500.

¹ In June 2024, the Juvenile Court Executives (JCE) voted and approved the use of funds to increase the number of licenses purchased for Correction Program Checklist (CPC) Assessments. Part of that approval was to use Training Coordinators to assist in performing the assessments. At the May 2025 JCE meeting, they approved adding QA positions as a position that can do assessments. CPC is a required review of any program youth are assigned to attend and complete. The purpose of the review is to ensure that programs are using Evidenced Based Practices.

3. FY 2025 Ongoing Spending Request – Fund 8th District Probation Training Coordinator

Alternative funding sources, if any:

None.

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

Continued higher workload for the one Training Coordinator split between the 7th and 8th Districts. This would be a move away from the Phase II recommendations.

4. FY 2025 Ongoing/Carryforward Spending Request – Juvenile Court ICJ Needs

The Judicial Council approves uses of Ongoing Turnover Savings. This is a request to the Budget and Fiscal Management Committee and the Judicial Council to allocate the use of some of the FY 2025 Ongoing Turnover Savings for ongoing personnel and operational needs that will be utilized in FY 2026.

Date: 5/27/25

Department or District: Juvenile Court

Requested by: Sonia Sweeney, Juvenile Court Administrator

Request title: Interstate Compact for Juveniles (ICJ) Out-of-State Evaluations and Treatment Funding

Amount requested: Ongoing **\$7,000 for FY 27 (or earlier if ongoing funds become available)**
1x Carryforward **\$7,000 for FY 26**

Purpose of funding request: Funding for Interstate Compact for Juveniles (ICJ) expenses related to out-of-state evaluations and treatment.

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

Utah is a member of the ICJ as outlined in Utah Code 80-6-11. Prior to last year, the Council funded ICJ expenses for annual dues and other ICJ expenses with one-time funds. Last year, a request for one-time funds was submitted, but the Council approved the request with ongoing funds. Currently, the ongoing funds total \$29,950 for the following items:

- \$22,950--Annual Dues
- \$3,000 -- Extradition Expenses
- \$1,000 -- Training/Annual Business meeting
- \$3,000 – Out-of-State Evaluations and Treatment

As a member of the ICJ, the state of Utah is responsible for adhering to all compact requirements. One key obligation arises when an adjudicated youth relocates out of state before completing court-ordered evaluations or treatment. In such cases, the ICJ considers the adjudicating state as the sending state and requires it to cover the cost of these services unless the receiving state has both the resources and willingness to pay.

This request is for an additional \$7,000 to support out-of-state evaluations and treatment that Utah is required to cover. This amount is projected to adequately cover anticipated expenses. The need for additional funding became clear during FY 2025, when a single evaluation resulted in a \$2,700 bill, nearly exhausting our entire budget for these services. This highlighted the need to secure additional funding in case more than one youth requires out-of-state evaluations and treatment in a given year.

Alternative funding sources, if any: None

If this request is not funded at this time, what are the consequences or is there an alternative strategy? If out-of-state evaluations and treatment funds are not approved, it will hinder Utah's ability to comply with the ICJ and Utah Court orders intended to promote accountability while supporting growth towards positive behavior change for youth who move out of state post adjudication and prior to completing all court ordered services.

Previously Submitted & Approved Carryforward Funding Requests

1. FY 2026 Carryforward Spending Request – Investing in Our People

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024 and June 30, 2025; however **the Legislature has approved the Judicial Branch to carryforward up to \$3.7M in unspent FY 2025 funds into FY 2026. This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.**

Date: 04/02/2025

Department or District: Administrative Office of the Courts

Requested by: Ron Gordon and Neira Siaperas

Request title: Investing in Our People

Amount requested: One-time \$1,334,600

Purpose of funding request:

We request these funds to implement our proposal titled “Investing in Our People: Compensation, Careers, & Flexibility.” That proposal is outlined in the attached memorandum.

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

There are two main reasons for this proposal.

First, we continue to experience a high turnover rate in many of our key employee positions. Most of this turnover takes place during the first two years of employee service in the Judiciary. The high turnover negatively impacts longer-serving employees (who must perform additional duties while new employees are trained and who must also train the new employees), judges (who rely on the work of judiciary employees to help them fulfill their functions), and court patrons (who receive less than ideal service at times because of the volume of new employees). The most significant factor contributing to high turnover is low pay. High turnover interferes with our ability to fulfill all aspects of our mission.

Second, as we address the high turnover rate for newer employees, we need to make sure that we do not overlook the employees who have remained with the Judiciary despite the challenges. We must address the low wages of longer-term employees and provide additional opportunities for professional growth.

If the legislature had approved the Judicial Council’s employee compensation budget request, we would still be submitting this request to supplement that funding. Because the legislature did not approve the budget request, this request is even more important.

1. FY 2026 Carryforward Spending Request – Investing in Our People

Alternative funding sources, if any:

There is no alternative funding source.

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

The problems associated with high turnover will persist until we are able to address the root causes. If this proposal is not funded, we will continue losing 20-25% of people filling key positions within their first two years of service with the Judiciary. Additionally, if we do not address these problems soon, we will almost certainly see longer-term employees begin leaving the Judiciary at higher rates. Many employees have continued to work for the Judiciary because they know we are actively working on solutions to our current challenges. If those challenges are not addressed, we cannot expect longer-term employees to continue working for the Judiciary.

New Carryforward Funding Requests

2. FY 2026 Carryforward Spending Request – Public Transit Reimbursement Program

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/01/2025

Department or District: AOC - Finance

Requested by: Suzette Deans and Karl Sweeney

Request title: FY 2026 Public Transit Partial Reimbursement Program

Amount requested: One-time \$ 60,000 (prior year's request was \$60,000)

Purpose of funding request:

To provide up to +/-94 Court employees state-wide with an opportunity to receive 90% reimbursement of the costs paid for utilizing public transit until the carryforward funds are depleted. We currently average 85 participants per month.

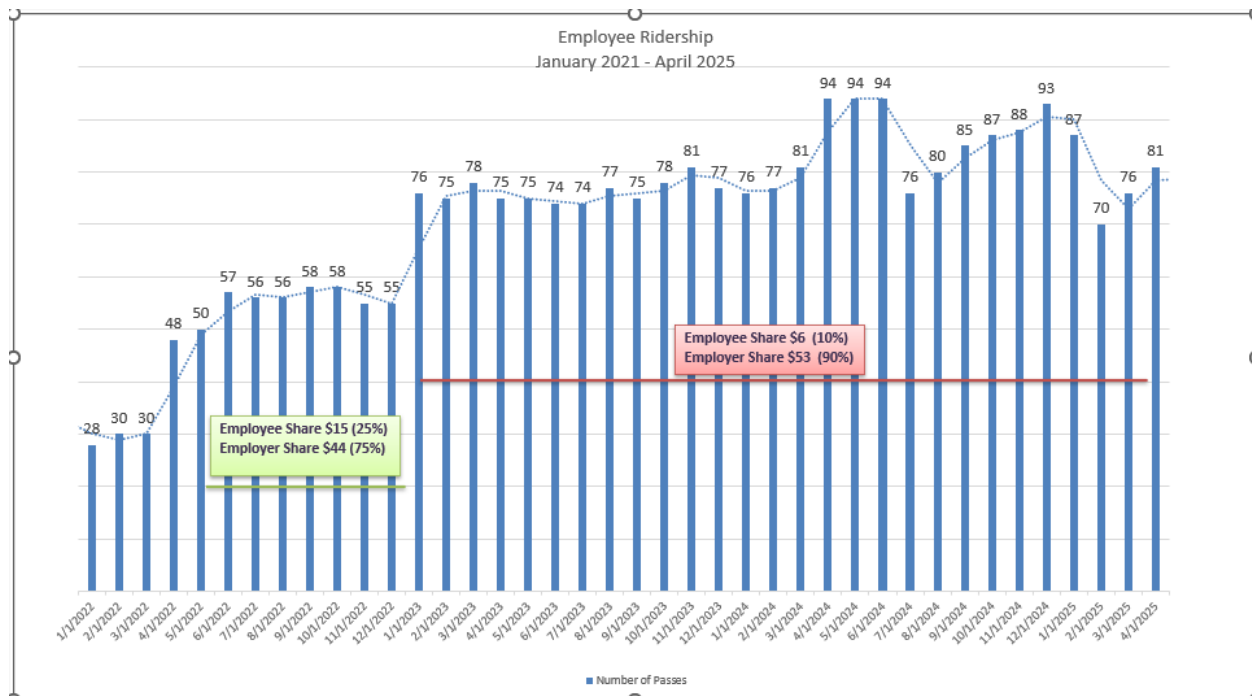
We request \$60,000 in one-time carryforward funds to continue a public transit program that is (1) open to all employees but targeted to benefit those who use public transportation most, (2) state-wide (not just UTA), and (3) has a manageable administrative cost. The old Eco-Pass program was eliminated in the budget cuts of 2020. Because the old Eco-Pass program fully paid for every member of the Courts to receive an Eco-Pass, it was expensive (\$124,000 per year). However, a new Eco-Pass program was offered by UTA which offered a monthly pass at \$59 per person. We have gradually raised the reimbursement to 90% which provides a good balance between affordability (\$6 per person per month is the employee cost) and cost to the court (which is only \$5,000 per month, less than ½ the cost of the old Eco-Pass). For non-UTA users (there are none at present) they must provide a receipt and request reimbursement through an expense report.

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

Background

Effective August 2021 in connection with an improved UTA Eco-Pass plan, the Courts instituted a reimbursement program which paid 50% of the monthly cost of commuting on public transportation throughout the state. At the beginning of this program, there was an average of 30 riders per month. As we increased the reimbursement percentage over time, the average ridership also increased to approximately 85 as shown in the following chart.

2. FY 2026 Carryforward Spending Request – Public Transit Reimbursement Program



We are not in a financial position to have every court employee participate due to the different program offered by UTA today (no fixed costs, but higher monthly costs). If all 800 former Eco-Pass holders decided to enroll in today's UTA plan, the annual cost to reimburse participants would be $800 \times \$59 \times .90 \times 12 \text{ months} = \$509,760$. So, we plan to maintain some minimum co-payment requirement which provides Court employees who regularly commute with a very affordable monthly payment. Going to a zero required co-payment would potentially draw non-work-related users into the Eco-Pass program to the disadvantage of those who have a business-related use.

At 94 Eco-Pass participants, the annual utilization of carryforward funds at a 90% reimbursement rate would be on target with our request for \$60,000:

$$94 \times \$59 \times .90 \times 12 \text{ months} = \$59,897.$$

We expect the requested funding will be adequate, however, should the number of persons increase above the maximum 94 monthly riders, our plan is to either make a supplemental request or increase the copayment to reduce the fund utilization.

Alternative funding sources, if any:

None

2. FY 2026 Carryforward Spending Request – Public Transit Reimbursement Program

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

The Courts' benefits have historically offset somewhat lower wage scales. This is a benefit that supports other benefits (retirement, medical, etc.) in attracting candidates to the Courts. There will be negative consequences for those employees who use public transit as they would continue to assume the costs with no reimbursement.

3. FY 2026 Carryforward Spending Request – Education Assistance Program

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to **allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.**

Date: 05/12/2025

Department or District: AOC Finance

Requested by: Alisha Johnson

Request title: Education Assistance Program Funding for FY 2025

Amount requested: One-time **\$85,000** (prior year's request was \$85,000)

Purpose of funding request:

The Utah Courts encourage employees to seek further education to perform their jobs more effectively and to enhance their professional development. These requests are tracked by AOC Finance which evaluates all requests and thereby assists employees in the pursuit of educational goals by granting reimbursement of educational expenses to Court employees under specified circumstances. This request will subsidize education assistance for court employees for FY 2026.

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

All benefitted Court employees are eligible to apply for this benefit. HR policy currently in effect specifies the educational pursuit must be an evident benefit to the Courts and have approval of the Court Executive or Director. The employee enters into an Education Assistance Contract prior to the beginning of the course and may be reimbursed for their costs (tuition and fees) at the successful conclusion of the course (successful means a final GPA of 2.0 or better). If the employee leaves the Courts within 12 months of receiving an Educational Assistance reimbursement, HR policy allows the Courts to ask that the departed employee repay any education assistance money received within the 12-month period after departure. The Court's Education Assistance Program complies with section 127 of the IRS Code which limits reimbursements to any person at \$5,250 per calendar year per employee as a tax-free benefit.

Alternative funding sources, if any:

This funding is not included in our base budget and the courts have traditionally used carryforward funds to provide this benefit.

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

Employees will not receive reimbursement for their educational pursuits. This will place the Courts at a competitive disadvantage in the pursuit of the best talent.

4. FY 2026 Carryforward Spending Request – HR Applicant Tracking System

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 4/14/2025

Department or District: Human Resources Department

Requested by: Bart Olsen and Jeremy Marsh

Request title: Applicant Tracking (ATS) and Onboarding System Request

Amount requested: One-time \$20,900 (ATS - \$10,550, Onboarding - \$10,350)

Purpose of funding request:

We request one final year of funding for our Applicant Tracking/Recruitment and Onboarding solutions iSolved (formerly ApplicantPRO) and HireForms. These tools are critical components in meeting essential business needs of the Utah judiciary when it comes to filling vacant non-judicial positions.

- The iSolved solution gives district and department leadership the ability to efficiently review job applicants for jobs in their immediate stewardship in real time – a function that was not available prior to the implementation of iSolved applicant tracking.
- HireForms ensures that the judiciary can gather the required sensitive information for new hires efficiently and safely, minimizing data breach risks that were present prior to the implementation of HireForms.

The Executive Branch's new system, Vantage, is expected to launch in December 2025. Until then, we hope to maintain our current systems to ensure the secure handling of personally identifiable information (PII), prevent data loss during the transition, and avoid the risks of reverting to manual or outdated methods. Continuing this system provides stability and critical protection of sensitive information as we prepare for Vantage.

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

Providing an open, fair, efficient, and independent system for the advancement of justice under the law requires people with the best possible talent to fill our positions, equipped with the best possible tools to succeed. The Human Resources (HR) Department aims to provide cutting-edge personnel tools and strategies that build an environment where the Judicial Council, its committees, management, and employees *thrive* by advancing the mission of the Courts.

Background and history

Four years ago, the Judicial Council approved funding for the ATS and Onboarding systems because they would effectively solve some crisis-level problems of growing magnitude without hiring more personnel in the HR Department. The technological solutions have been far less costly than hiring more HR employees and have provided far greater benefits to district and department leaders.

4. FY 2026 Carryforward Spending Request – HR Applicant Tracking System

For example, since the implementation of iSolved's Applicant Tracking System (ATS), the full-time employee in HR assigned to recruitment and onboarding has all but eliminated time formerly spent reviewing applications for all non-judicial jobs posted. That time has been reinvested such that HR now provides leadership training for initial applicant reviews using the iSolved ATS, coordinates regularly with hiring managers to improve job advertisements posted by the HR Department, and consults with managers to continually improve their interview/selection procedures, and engages in more proactive head-hunting efforts for hard-to-fill positions. District and department leaders say they love being empowered with more control and agility in the work they do to fill vacant positions.

Additionally, the implementation of HireForms enabled the Utah judiciary to move away from an antiquated, highly inefficient and high-risk manual process of gathering and processing new hire I-9 documentation. Not only was data security a major concern, but there was no way to have a new employee ready to work with all necessary computer access on their first day of work. The HireForms solution collects and transfers all new hire information seamlessly and securely, enabling managers to have most, if not all, of that work completed and computer access granted on an employee's first day.

The invoice for the coming fiscal year to maintain iSolved's Applicant Tracking System (ATS) and Onboarding (HireForms) systems is \$20,900. We prefer to keep this as a one-time request since, as mentioned above, Vantage should replace these two systems in early 2026.

The Executive Branch's Department of Government Operations ("DGO") recently announced that it will launch a full scope human capital management system ("Vantage") for all three branches of Utah government in December 2025, replacing the payroll and human resource information systems we currently use. DGO states Vantage will include applicant tracking and onboarding solutions, but because we have not had an opportunity to test these systems, it is unclear whether Vantage will meet the Utah Judicial Branch's needs. A full year of one-time funding will allow the Court's HR Department time to evaluate and develop a transition plan for the following year if it ends up that those platforms do sufficiently meet the judiciary's business needs.

Alternative funding sources, if any:

None.

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

If funding is not approved for the continued use of iSolved and HireForms, the judiciary would face significant setbacks in its hiring and onboarding processes. These systems are deeply integrated into our current workflows and serve to improve efficiency, reduce administrative burdens, and provide a secure and professional experience for hiring managers, candidates, and new hires. Losing one or both systems would require reverting to outdated systems or manual processes that are not aligned with our operational needs or compliance standards.

5. FY 2026 Carryforward Spending Request – IT Stipend for Tech Subject Matter Expert

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/06/2025

Department or District: Information Technology

Requested by: Todd Eaton and Taz Hatch

Request title: IT Stipend for Tech Subject Matter Expertise (TSME)

Amount requested: one-time \$65,000

Purpose of funding request:

IT received approval in May 2023 to designate up to 30 court employees as Technical Subject Matter Experts (TSMEs) to support District and Juvenile courts statewide with specialized IT skills. In the first year, 25 employees applied, passed the IT qualification test, and became eligible for reimbursement.

In FY 2025, the funding request was adjusted from the original \$78,000 (for 30 employees) to \$65,000 (for 25 employees).

The program has been successful, delivering value to the 25+ sites served by TSMEs and providing crucial support to the Service Desk. TSMEs provide hands-on support as needed and handle a growing number of local tickets each month, reducing the demand on the Service Desk. In many cases, having local support drastically shortens the time needed to resolve simple IT issues, ensuring faster service for court staff.

The stipend is set at \$100 per pay period and based on the program's success in FY25, we request \$65,000 for the 26 pay periods in FY26. (Total is 26 pay periods x 25 employees x \$100 = \$65,000)

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

IT leadership identified the need for basic technology support at court locations. The need ranges from assisting with login and setup of our newer cloud apps, to making sure the correct cables for peripherals are properly seated in a dock or desktop. It also includes activating a network jack and assisting with mapping a printer. This change enables new hires to be up and running much faster with the help of a TSME who can get a workspace set up properly. Addressing simple issues requiring hands-on support by TSMEs reduces the time required for resolution. Less downtime for court staff will help to keep daily activities in line with the needs of the court's mission.

TSMEs are selected and tracked by senior IT leaders who test prospects for required skills. TSMEs are also given continuing tech education from court staff. Although TSMEs are not required to have the full

5. FY 2026 Carryforward Spending Request – IT Stipend for Tech Subject Matter Expert

technological background of IT Service Desk personnel, they have a basic knowledge of how computer hardware and software connect and function.

To qualify as a TSME, individuals must have:

- A basic understanding of applications such as M365/MS Office, Adobe, WebEx, and Google Workspace.
- Familiarity with network connections, including Ethernet, Wi-Fi, and VPN.
- The ability to troubleshoot issues in a Windows environment, including Windows devices and file shares.
- A foundational knowledge of machine staging, including hardware placement and peripherals.
- A proactive approach to learning and staying updated on current and emerging technologies.

Of the 25 positions we plan to staff, 24 are currently filled and actively supporting court locations, including American Fork; Ogden Juvenile & District; Brigham Juvenile & District; Logan District; Matheson Juvenile & District; Provo Juvenile & district; Richfield; TSOB; Tooele; Duchesne; West Jordan; Farmington; Spanish Fork; the Appellate courts; Price; and St. George.

We are collaborating with local court management in the 8th District to replace the TSME for Vernal, who is no longer with the courts.

6. FY 2026 Carryforward Request – IT – PCs, Printers, Peripherals Replacement Inventory

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 5/6/2025

Department or District: AOC Information Technology
Requested by: Todd Eaton

Request title: IT Inventory for Computer, Printer, Scanner and other Peripherals Replacements

Amount requested: One-time **\$200,000** (prior year's request was \$364,000)

Purchasing Process Followed:

IT purchases all these items through vendors/resellers who are on state contract. Most of these contracts are multiple award contracts with many vendors to choose from. We use multiple State of Utah contracts and solicit competing bids for the lowest price and fastest speed of delivery.

Purpose of funding request:

IT follows an annual laptop replacement schedule, aiming to refresh all laptops every five years. The program was initially funded at \$250,000 per year, increasing to \$364,000 in FY23. The goal was to fully establish the five-year replacement cycle by FY26 which we have achieved. The only reason this request is for less than \$364,000 is that this request reflects a reduction from the stabilized amount of \$364,000 due to a March 2025 YE 2025 emergency funding request of \$300,000 (see exhibit A) to purchase 270 laptops in anticipation of cost increases tied to newly announced tariffs. This advanced purchase significantly reduced our replacement needs for the upcoming fiscal year. As a result, the reduced FY26 request of \$200,000 will be sufficient to maintain the replacement cycle and cover other essential IT equipment such as printers, scanners, and peripherals.

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

This \$200,000 request will support the replacement of various equipment, including laptops, scanners, printers, notebooks, and other peripherals that enhance court staff productivity. This funding allows us to maintain our established five-year laptop replacement cycle and address the replacement of other essential peripherals as they reach end-of-life or experience failure.

Alternative funding sources, if any:

None.

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

When laptops, printers, or scanners fail, employees either must go without or rely on older equipment that may still function. Without IT funding, local districts may be forced to cover these costs, potentially straining their budgets.

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 24th. 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	
Subtotal		\$ 2,699,350	\$ -	\$ 2,699,350	\$ -

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

Sub Total		\$ 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
Total Net Spend (Credits less Expenditures)	\$ (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
Total Net Spend with 10% Contingency	\$ (3,088,500)	\$ (3,384,701)			\$ (164,180)	Subtotal of above
					\$ (150,000)	Contingency Released

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.

7. FY 2026 Carryforward Spending Request – Network/System Maintenance Staff Aug.

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/10/2025

Department or District: IT & Facilities

Requested by: Todd Eaton & Chris Talbot

Request title: Network/System Maintenance - Staff Augmentation

Amount requested: One-time \$ 150,000 (prior year's request was \$50,000)

Purpose of funding request:

This request establishes a fund for maintenance, repairs, and other non-technical tasks statewide, ensuring IT staff can stay focused on higher-value work. By leveraging vendors on state contracts, this funding provides ongoing support without diverting IT resources. It covers labor, travel, and necessary hardware. The efficiencies enabled by this funding should be maintained.

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

Over the past year, this funding has supported a variety of maintenance, hardware, and service needs statewide. As of January 2025, the fund has been fully utilized to:

- Provide new monitors for all American Fork staff relocating from American Fork to Provo
- Hire a moving company to transport desktop hardware
- Cover half the cost of new desktop computers for the statewide in-court clerk PC refresh
- Install data cabling, network jacks, and additional wireless access points at multiple locations
- Repair/replace failed audio equipment in several courtrooms

This year's increased request is driven by a final ARPA hardware project push. As IT travels the state, we're conducting wireless network assessments focusing on optimizing both the coverage and load of the wireless network in our courtrooms. With the remaining ARPA hardware funding, we purchased 200 additional wireless access points for this project. This additional funding will allow us to utilize a contractor to install these access points and pull the required network cabling. This approach mirrors and supplements a similar request from 2022 when we utilized contracted services to replace all existing wireless access points statewide.

Benefits of Funding:

- Reduces strain on IT staff, allowing them to focus on more technical projects
- Prevent delays in maintenance and network and audio/video infrastructure improvements
- Ensures stable, high-performance Wi-Fi in courtrooms

7. FY 2026 Carryforward Spending Request – Network/System Maintenance Staff Aug.

Examples of work covered by this funding:

- Network jack repair/relocation
- Wireless access point relocations/additions for better coverage
- Addition of network jacks for office reconfigurations
- Audio/Video repairs – cameras, sound systems, microphones

Alternative funding sources, if any:

None.

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

Without this funding, IT and Facilities will have to absorb these costs, forcing tough trade-offs. IT staff will be shifted from higher-priority projects, delaying key efforts, while Facilities may have to postpone planned upgrades to cover maintenance needs.

8. FY 2026 Carryforward Spending Request – IT Webex Virtual Hearing Improvement

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/06/2025

Department or District: AOC Information Technology

Requested by: Brody Arishita

Request title: IT Webex Virtual Hearing Improvement Project

Amount requested: One-time **\$150,000** (last year's request was \$150,000)

Purpose of funding request:

With this request we are making a slight change to the initial request which will be a benefit statewide. Below is a history of the prior requests on this project.

Currently Clerical staff for District and Justice Courts must create a case calendar note that a clerk copies from Webex by using the link needed to join the meeting/webinar. This link is then manually copied and pasted to show the Webex link on the courts' website for hearings. Per the Clerks of Court, this is a "huge" time consumer. This request is for funds to create a more streamlined process for programming the meeting/webinar link by making functionality changes to Judicial Workspace and Coris that allow the clerk to add the link to one or multiple cases/hearings. This will greatly simplify the current process. There would also be enhancements to the website to connect to the Webex API (Application Programming Interface) for meeting/webinar information.

A good example of this is if a Judge has a Law and Motion calendar that has 100 hearings that are Webex, in the current software the clerk would be required to create 100 case calendar notes with the embedded URL/link for the Webex meeting. The new process will be more efficient in that a clerk can link many cases and hearings to one link. This project will also include changes to the website to pull in the information and display for hearings that are virtual.

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

History and Project Deliverables

This carryforward funding request was approved in FY 2023 and FY 2024 (for spending in FY 2024 and FY 2025, respectively) by the Budget & Fiscal Management Committee and the Judicial Council to complete some additional functionality within Cisco Webex to improve ease of use and ease of attendance at all virtual hearings hosted by Cisco Webex for the public. Cisco worked on this Webex project for the courts' public portal since FY 2021 but did not complete the work satisfactorily, so we carried forward the budgeted-but-unpaid \$150,000 of project funds into FY 2024. During FY 2024, we realized that the initially proposed Cisco solution wasn't going to work, and we've migrated to using internal and external Devs to create a solution within Judicial Workspace and Coris to make everything work as originally intended, within the same scope and with the same budgeted money. Cisco/Webex has agreed to this

8. FY 2026 Carryforward Spending Request – IT Webex Virtual Hearing Improvement

course correction and will not seek payment under the old contract. We expect to deliver the internal and external Devs developed solution in FY 2026.

This request cancels the carryforward expenditure scheduled for FY 2025 and moves it into FY 2026.

Alternative funding sources, if any:

None.

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

The development would likely delay the project as it would have to go through the core team to prioritize requests and to assess where this one falls on the list.

9. FY 2026 Carryforward Spending Request – IT Contract Developers

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/06/2025

Department or District: AOC Information Technology

Requested by: Brody Arishita

Request title: Contractor Support for Senior Project Manager/Developer training and Critical IT Projects

Amount requested: One-time \$ 682,000 (prior year's request was for \$682,000)

Purpose of funding request:

This request for retaining our current experienced contract developers is critical for the success of IT, the Courts, Senior Project Managers (SPMs) and our ability to deliver essential development projects for the courts. These long-term contractors possess a diverse range of skills that allow us to adopt an agile approach, deploying the necessary expertise based on each project. Their continued involvement is crucial for ongoing development in key areas like CORIS Rewrite, Judicial Workspace and Xchange. Funding their positions is not only vital for SPMs, but also essential to the Courts' commitment to advancements like e-filing, MyCase, OCAP, and ODR and modernization of existing Court applications (e.g. CORIS, CARE, and Judicial Workspace). These initiatives, launched in recent years to improve access to justice, rely heavily on dedicated contract IT resources. Without continued investment in these contract developers, the increasing efficiencies we seek from these critical functions of the court would be at risk.

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

Our utilization of long-term contractors over the past few years has proven to be a valuable resource. It allows us to be adaptable and responsive to project needs by bringing in specific skillsets that complement our existing IT staff and address any technological shortcomings.

Alternative funding sources, if any: None

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

The designated projects will not get the needed support and will necessarily be slowed.

10. FY 2026 Carryforward Spending Request – Base Employee Incentive Awards

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/20/2025

Department or District: AOC Incentive Team

Requested by: Bart Olsen, Erin Rhead and Alisha Johnson

Request title: Base Employee Incentive Awards

Amount requested: One-time: \$280,000 (prior year's request was \$280,000)

Purpose of funding request:

The Courts have established a program to provide on-the-spot recognition for outstanding service as well as a formal nomination process to reward employees for their service in the following ways:

- An innovative idea or suggestion, implemented by the courts, which improves operations or results in cost savings
- The exercise of leadership beyond that normally expected in the employee's assignment
- An action which brings favorable public or professional attention to the courts
- Successful completion of an approved special individual or team project
- Continually outstanding performance of normal responsibilities

The incentive can be issued in cash or a gift card. If deserved, a single employee can receive multiple incentive awards each year.

In the Investing in our People request that was approved in April 2025, the base employee incentive awards amount was doubled to \$560,000 by adding an additional \$280,000 to the program. Since the increase was approved in April 2025, this request seeks to renew the base amount.

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

Note: Prior to FY 2019, employees who received these awards were not "grossed up" for the impact of payroll taxes (FICA, Federal and State personal taxes) on the awards. This lessened the value to the recipient. The Executive Branch's incentive policy adds 30% to the incentive award to mitigate the impact of personal taxes on the recipient. The Courts matched the Executive Branch's policy starting in FY 2019.

The FY 2026 base request mirrors the FY 2025 request, providing a total of \$560,000 for FY 2026, including the Investing in our People request, which is allocated as follows:

- \$400,000 for cash or gift card awards +
- \$120,000 for the funds required to cover assumed personal taxes at 30% +
- \$40,000 for the funds required to cover retirement costs and employer FICA (32%) for cash incentive payments. Incentive awards issued as gift cards do not incur the retirement fund

10. FY 2026 Carryforward Spending Request – Base Employee Incentive Awards

contribution. The extra \$20,000 covers up to \$60,000 of incentive awards given out as cash payments.

Alternative funding sources, if any:

This funding has always been carved out of carryforward funds from the prior fiscal year. If we do not fund this amount, there will be no funds available to fund the base employee incentive awards and the amount funded will not be consistent with our communication to our employees, hurting employee retention.

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

See above.

11. FY 2026 Carryforward Spending Request – Employee Wellness Resources

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 05/19/2025

Department or District: State Court Administrator

Requested by: Neira Siaperas

Request title: Employee Wellness Resources

Amount requested: One-time \$103,100 (prior year request was \$115,370)

Purpose of funding request:

Employees and judicial officers have continued access to essential employee wellness resources by requesting the funds to pay for a third year of our Tava service contract. Note: Judicial officers have access to these resources through the Utah State Bar. We have cancelled the Unmind contract (at \$20,000 per year) effective August 2025. This is the reason for the request decrease.

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

In 2023, the AOC established a Statewide Wellness Steering Committee (the “Committee”) to make recommendations regarding employee wellness. The Committee recommended that state court employees have access to the same wellness resources (Tava Health) recently offered by the Utah State Bar to all members of the Bar (meaning that judicial officers and all court employees who are members of the Utah State Bar already have access to these resources). These resources included six free online therapy sessions per year (with some in-person session availability) and an app that provides access to daily wellness tracking and evaluation, recommendations, and wellness education.

Mental health resources are difficult to find and wait times for an appointment with a therapist are often long. These two obstacles mean that many people do not access mental health resources when they need them most. The need for mental health resources is important for everyone and is especially acute for people whose jobs expose them to traumatic events. All court employees may be exposed to traumatic events, some firsthand and some secondhand through the cases we handle.

Tava offers easy-to-use, confidential, online, and in-person therapy. Tava matches clients with a therapist based on the client need and helps the client see the therapist within a few days, and oftentimes within 24 hours. The contracts provide every state court employee and their dependents with six free counseling sessions per year. After the six free sessions, employees can use PEHP benefits to help pay for the cost of additional sessions (\$115.50/session is the current cost but subject to a 10% increase in FY 2026).

The online platform allows our employees to access the services without the additional time and expense of traveling to a therapist’s office. Tava therapists also offer appointments during non-traditional hours making it easier for employees to find time to access the benefit. The quick turnaround

11. FY 2026 Carryforward Spending Request – Employee Wellness Resources

for appointments reduces the risk of employees deciding against mental health care because of the long waiting times. The ease of access results in more employees using the benefit which will subsequently result in a happier, healthier, more productive workforce.

The current cost for Tava is \$95,500 with an October 24th renewal which is subject to a 10% increase in each fiscal year at Tava's discretion. Assuming Tava increases the pricing by 10% (which they did last year), based on an estimated 700 prepaid sessions per year and a \$126.50 per session cost (\$115.50 x 1.10%), the annual cost will increase to \$88,550 for the prepaid sessions + a monthly employee count fee of \$1.10 ($\$1.00 \times 1.10\% \times 12 \text{ months}$) for each of the 1,100 Court employees = \$14,520 for a total cost of \$103,100. If our employees use less than the estimated number of therapy sessions, Tava will refund the balance or roll the amount over to the next year. It is too early in the Tava plan year to estimate if any funds will be rolled over, so we are requesting the full amounts.

Given the expanded capabilities of Tava, which now includes resources similar to Unmind, the separate Unmind Wellbeing app at its \$20,000 annual cost is no longer deemed necessary. The functionalities offered by Unmind, such as wellness assessments, will be sufficiently covered within the Tava platform, providing a more integrated and comprehensive employee wellbeing solution.

This proposal recognizes that the demanding nature of the work of the courts can create or add to mental health difficulties for our employees. It also recognizes that our work exposes employees to potentially traumatic situations. Providing these resources is a way for the state courts to be proactive in helping our employees manage their wellbeing,

Alternative funding sources, if any:

Employees have access to mental health services through their health insurance, including two designated providers, Blomquist Hale and Brightside Health. However, out-of-pocket costs with these two providers can vary based on the employee's selected insurance plan, which may create financial barriers to care. Additionally, navigating these providers can be complex and discouraging, leading many employees to forgo the services altogether. Users have reported difficulties with Blomquist Hale, including extended wait times for appointments and concerns about the overall quality of care.

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

The mental health needs of many employees would continue to go unmet. The state courts would miss the opportunity to improve the wellbeing and productivity of our workforce.

12. FY 2026 Carryforward Spending Request – FY 2026 Q1/Q2 Performance Bonus Payments

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 6/1/2025

Department or District: AOC Administrators

Requested by: Karl Sweeney and Bart Olsen

Request title: FY 2026 Q1/Q2 Performance Bonus Payments

Amount requested: \$400,000 of 1x Turnover Savings (TOS) (\$308,000 in cash payments + \$92,000 in Retirement/employer taxes)

Purpose of funding request: The conversion of the Court’s incentive plans to a court-wide incentive plan (as approved by the Judicial Council in May 2021) includes a performance-based bonus plan. Under this plan all non-judicial Court employees have the opportunity to receive a Performance Bonus using one-time Turnover Savings (1x TOS) similar to the one-time performance bonus payments that were made in FY 2022, FY 2023, FY 2024, and FY 2025 (see table below).

Due to lower open positions experienced in FY 2024, the payments for FY2024 were limited to \$450,000 for Q1/Q2 2024. No performance bonus funds were paid for Q3/Q4 2024. The totals for all bonus plans for the last 4 years are detailed below:

	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>Q1/Q2***</u> <u>FY 2026</u>
Performance Bonus Payments	\$730,000	\$900,000	\$450,000*	\$448,000 \$910,000**	\$400,000
Career Ladder 1x Payments	<u>\$243,000</u>	<u> </u>	<u> </u>	<u> </u>	
Total	\$973,000	\$900,000	\$450,000	\$1,358,000	

*Legislature funded \$1.65M in performance raises

**Funded by legislature

***Q3/Q4 performance bonus amounts will not be requested until Q4 FY 2026

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

Because of the importance of regularly recognizing high performing employees, we are requesting \$400,000 be funded for the first two quarters of FY 2026 through carryforward funds. Because these funds are already available, approving this request will ensure that FY 2026 Q1/Q2 performance bonus payments can be made (generally these payments go out in December).

Performance Bonuses are based on completion of milestones in performance expectations. Performance Bonuses are generally the largest type of one-time compensation that can be given to non-judicial officer employees. These payments are authorized by the Judicial Council by request from the State Court and Deputy State Court Administrators and funded from 1x turnover/operational savings. Payment of Performance Bonuses is a critical piece of the Court’s compensation strategy. However, request amounts may vary year to year depending on the (1) amount of 1x Turnover Savings and (2) the competing demands for those funds.

12. FY 2026 Carryforward Spending Request – FY 2026 Q1/Q2 Performance Bonus Payments

These bonuses are meant to be given as employees complete milestones in performance goals as set with their manager. Not all goals will be accomplished in Q1 or Q2, but to further reduce the turnover of Court personnel not in the New Hire Compensation track, we are encouraging managers to continue paying performance bonuses as eligible employees complete portions of their annual goals. Of course, those who do not complete their performance goals will not receive performance bonus payments.

Bonus payments in Q1/Q2 of FY 2026 not only immediately reinforce the accomplishment of an employee's goals but serve to assure employees that the Performance Bonus plan can continue to be relied upon as part of the total compensation plan for the Courts.

The FY 2026 Q3/Q4 performance bonus request will not be made until April 2026 after we have more certainty over what our 1x TOS will be in FY 2026.

Alternative funding sources, if any:

None.

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

It would potentially accelerate turnover in critical positions.

13. FY 2026 Carryf'wd Spending Request – Purchase Utah Code and Court Rules per CJA 3-413

The Judicial Branch receives budget funds annually through the Legislative appropriations process. Funds appropriated for FY 2025 are normally to be spent between July 1, 2024, and June 30, 2025; however, **the Legislature has approved the Judicial Branch to carry forward up to \$3.7M in unspent FY 2025 funds into FY 2026 (we will submit the lesser of \$3.7M or the actual amount of carryforward funds available).** This is a request to the Budget and Fiscal Management Committee/Judicial Council to allocate the use of some of these FY 2025 carryforward funds for one-time projects that will be delivered in FY 2026.

Date: 5/21/2025

Department or District: State Law Library

Requested by: Kaden Taylor

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

Amount requested: One-time \$35,000

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 with 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 FY 2025, the Law Library asked for \$30,000 in YE 2025 funds to help cover the cost of these purchases due to an increase in price from the publisher. Without adjustments to mitigate the price increase impact, the FY 2025 price increases would have put the law library \$109,000 over budget if the same order was placed in FY 2025 that was made in 2023. The Law Library has worked with the TCEs and staff of the appellate courts to adjust their orders down as a primary mitigating effort. The resulting cuts to orders from each district still result in a small budget deficit which this request aims to cover.

Due to requests from the Budget and Fiscal Management Committee and the Judicial Council to review CJA 3-413 to determine if there is a need for a change to the rule, the Law Library will be working with the Policy, Planning and Technology (PP&T) to review the rule and make recommendations to reduce the cost of making these required purchases. The Law Library surveyed judges to collect data on the use and necessity of these volumes. Depending on the final decision of the PP&T Committee and others, the need for additional funds to provide code and rule books to the courts could be greatly reduced or eliminated. In the event the survey of the judges and others leads to no change in the rule, the law library requests that these funds be available to make these purchases.

13. FY 2026 Carryfwd Spending Request – Purchase Utah Code and Court Rules per CJA 3-413

Once a firm decision has been made on the policy moving forward, the Law Library has discussions already scheduled with publishers to reduce the future cost.

Alternative funding sources, if any:

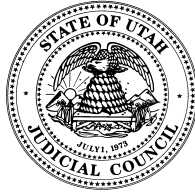
There are currently no surpluses in the library budget to help cover these costs.

If this request is not funded at this time, 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.

Item 3



Administrative Office of the Courts

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

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

MEMORANDUM

TO: Budget and Fiscal Management Committee

FROM: Jim Peters, Justice Court Administrator

DATE: June 2, 2025

RE: Board Recommendations for FY26 Allocations from the
Justice Court Technology, Security and Training Account

Section 78A-7-301 of the Utah Code and Rule 9-107 of the Code of Judicial Administration (both attached) describe a fund known as the Justice Court Technology, Security and Training Account (Fund). The Fund balance increases with the collection of the security surcharge assessed on moving violations and certain other offenses. The Fund balance decreases as money is allocated in support of one or more justice courts.

Typically, applications are solicited each year for audit, technology, security, and training needs in justice courts throughout the state. The Board of Justice Court Judges (Board) then reviews the requests and makes recommendations to the Judicial Council. Because the services provided by the Administrative Office of the Courts (AOC) benefit *all* justice courts (as opposed to just a *single* justice court), the AOC receives the majority of each year's allocation.

The Fund has generally been managed so that the total allocation for the coming year (e.g. FY26) is approximately equal to the amount of collections estimated for the current year (e.g. FY25). Collections for FY25 are expected to be about \$880,000, while the requests itemized on the attached chart amount to more than \$1,000,000. As such, the Board did not invite the justice courts to submit requests for funding. To cover the difference between the attached requests and the revenue anticipated in the current fiscal year, the Board recommends spending into the Fund's balance to the extent necessary. At most, that amount is estimated to decrease the balance by approximately \$120,000. I look forward to answering any questions you may have at your next meeting.

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

Effective 5/3/2023

78A-7-301 Justice Court Technology, Security, and Training Account established -- Funding -- Uses.

- (1) There is created a restricted account in the General Fund known as the Justice Court Technology, Security, and Training Account.
- (2) The state treasurer shall deposit in the account:
 - (a) money collected from the surcharge established in Subsection 78A-7-122(4)(b)(iii); and
 - (b) the administrative fee from a deferred prosecution or traffic school deferred prosecution under Subsection 77-2-4.2(5) or (6).
- (3) Money shall be appropriated from the account to the Administrative Office of the Courts to be used for:
 - (a) audit, technology, security, and training needs in justice courts throughout the state;
 - (b) additional compensation for presiding judges and associate presiding judges for justice courts under Section 78A-7-209.5; and
 - (c) costs to implement, operate, and maintain deferred prosecution and traffic school deferred prosecution pursuant to Subsections 77-2-4.2(5) and (6).

Amended by Chapter 393, 2023 General Session

Utah Courts

UCJA Rule 9-107 (Code of Judicial Administration)

Rule 9-107. Justice court technology, security, and training account.

*Effective:
11/1/2022*

*Rule printed on June 2, 2025 at 12:25 pm. Go to
<https://www.utcourts.gov/rules> for current rules.*

Intent:

To establish the process for allocation of funds from the Justice Court Technology, Security, and Training restricted account.

Applicability:

This rule shall apply to all applications for and allocations from the account.

Statement of the Rule:

- (1) Any governmental entity that operates or has applied to operate a justice court may apply for funds from the account for qualifying projects. Local governmental entities may only use the funds for one-time purposes, and preference will be given to applications that propose to use the funds for new initiatives rather than for supplanting existing efforts.
- (2) The Board of Justice Court Judges, through the Administrative Office of the Courts, may apply for funds from the account for qualifying projects.
- (3) The Administrative Office of the Courts may apply for funds from the account for qualifying projects, and may use the funds for ongoing support of those projects.
- (4) Qualifying projects are those that meet the statutory requirements for the use of the account funds.
- (5) Funds will be distributed on or about July 1 of each year in which funds are available, and applications for those funds must be made by April 15 of the same year on forms available from the Administrative Office of the Courts. All applications for funds shall be first reviewed and prioritized by the Board of Justice Court Judges. The Board’s recommendations shall then be forwarded to the Budget and Fiscal Management Committee of the Judicial Council. The Judicial Council will then make the final awards.
- (6) An entity receiving funds shall file with the Board of Justice Court Judges an accounting, including proof of acquisition of the goods or services for which the award was granted. The accounting shall be filed no later than July 15 for activity during the previous fiscal year.

**Justice Court Technology, Security and Training Account
Funding Requests for FY26**

#	Requesting Entity	Description	Requested	Recommended	Notes
1	AOC/Audit	Internal Audit Position Dedicated to the Justice Courts	\$80,300	\$80,300	Cost of one auditor
2	AOC/Information Technology	Programming and Help Desk Support for Justice Courts	\$323,766	\$323,766	Personnel costs attributable to Justice Courts for IT support
3	AOC/Information Technology	Webex and Google Accounts for Justice Court Judges and Clerks	\$93,059	\$93,059	Cost of licensing and maintenance for Google Apps and Webex
4	AOC/Judicial Institute (Education)	Request for Justice Courts' Share of Education's Overhead Costs	\$47,463	\$47,463	Learning Management System, Professional Memberships and Training of Education Personnel
5	AOC/Judicial Institute (Education)	One-time Funding for a New Learning Management System	\$25,000	\$25,000	To help fund a one-year overlap between the current Learning Management System and a new one
6	AOC/Judicial Institute (Education)	Judicial Decision Making	\$9,000	\$10,000	Funding for an overnight program for 15 judges
7	AOC/Judicial Institute (Education)	Small Claims Training for Judges Pro Tem	\$1,000	\$1,000	Three hours of small claims training provided each year for judges pro tem
8	AOC/Judicial Institute	Education Coordination Fee	\$50,000	\$50,000	Coordination of all Justice Court events with personnel from Education
9	AOC/Judicial Institute	Justice Court Education Coordinator	\$48,069	\$48,069	Funding for half of the Justice Court Education Coordinator
10	AOC/Judicial Institute	New Judge Orientation	\$2,000	\$2,000	Estimated cost of orientation for new justice court judges as needed
11	AOC/Judicial Institute	Leadership Conference	\$15,000	\$15,000	Funding to allow 40 justice court clerks to attend a leadership conference with district and juvenile court staff
12	AOC/Judicial Institute	Justice Court Clerks' Conference	\$18,500	\$35,000	Estimated cost of providing an in-person conference to 400 clerks (with a registration fee of \$150 per clerk)
13	AOC/Judicial Institute	Justice Court Judges' Conference (Spring)	\$26,450	\$26,450	Estimated cost of providing an in-person conference for all judges in spring 2026 (with a registration fee of \$175 per judge)
14	AOC/Judicial Institute	Annual Judicial Conference (Fall)	\$25,625	\$36,600	Estimated cost of having 50 judges attend the Annual Judicial Conference (with no registration fee)

#	Requesting Entity	Description	Requested	Recommended	Notes
15	Board of Justice Court Judges	Deputy Justice Court Administrator	\$74,000	\$74,000	Additional funding required for the Deputy Justice Court Administrator
16	Board of Justice Court Judges	AV Equipment for Conferences	\$10,000	\$10,000	Funding to upgrade equipment for better recordings
17	Board of Justice Court Judges	District Trainings	\$10,000	\$10,000	Funding to provide lunch at district level training for judges and clerks @ \$18 each
18	Board of Justice Court Judges	Financial Assistance for Active Senior Judges to Attend the Spring Conference	\$3,000	\$3,000	Four active senior judges @ \$750 each
19	Board of Justice Court Judges	Out-of-State Training Fund	\$20,000	\$20,000	Funding for out-of-state training and other educational opportunities
20	Board of Justice Court Judges	Stipend for Education Liaison	\$1,500	\$1,500	Education Committee members will receive a \$1000 stipend but the chair would otherwise receive nothing
21	Board of Justice Court Judges	Westlaw Access	\$15,000	\$15,000	Access to Legal Research for Justice Court Judges
22	Board of Justice Court Judges	Access to Language Line for Justice Courts	\$15,000	\$15,000	Provide access to Language Line for Justice Courts to assist patrons who don't speak English
23	Board of Justice Court Judges	Production costs for training video(s)	\$10,000	\$10,000	Cost of producing a new orientation video for pro tem judges
24	Statutory	Compensation for Presiding and Associate Presiding Judges	\$24,000	\$24,000	Section 78A-7-209.5 requires that PJs receive \$2,000 and APJs receive \$1,000
25	AOC Staff	Contingency	\$25,000	\$25,000	Funding available in the event that one of the items above costs more than estimated

Total Funding Requests for FY26	\$972,732
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Total Allocations Recommended for FY26	\$1,001,207
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Recommended Budget for FY26 (based on projected revenue)	\$1,000,000
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Difference Between Recommended Allocations and Recommended Budget	\$ (1,207)
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Fund Balance

Beginning Balance 7/1/2024	\$663,855
Forecasted Collections FY25	\$880,309
Forecasted Max Expenditures FY25	<u>(914,523)</u>
Ending Fund Balance 6/30/2025	\$629,641
Forecasted Collections FY26	\$880,309
Forecasted Max Expenditures FY26	<u>(1,001,207)</u>
Ending Fund Balance 6/30/2026	\$508,743

Item 4

Internal Control Self-Assessment Court Grants | FY2024



Finance Department
Administrative Office of the Courts

June 9, 2025

Overview

The Internal Control Self-Assessment (ICSA) is an annual process established in [UCJA Rule 3-411\(9\)\(a\)\(i\)](#) with the objectives of testing and strengthening internal controls and ensuring compliance with all grant-related policies, procedures, rules, and statutes. Internal controls are designed to establish reasonable assurances that affirm the integrity of financial processes, promote accountability, prevent errors, and protect against the mishandling of funds.

The assessment involved two components: (1) a transaction-level review using Monetary Unit Sampling (MUS), and (2) a self-assessment questionnaire completed by each grant administrator.

Transaction Review: Using a dollar-weighted random sampling method, 63 transactions were selected for review across the grant units. Each transaction was tested for allowability under the grant's terms, documentation support, proper approval, and accurate financial coding. All sampled transactions met these criteria, affirming sound financial stewardship and strong operational controls at the transaction level.

Internal Control Questionnaire: All grant administrators completed a structured questionnaire assessing key internal control areas, including separation of duties, budget monitoring, reporting and records practices, and approval processes for new or renewed grants. Responses were supplemented with reviewer observations and with context gleaned from firsthand administration and monitoring activities.

Key findings include:

- **Separation of Duties:** Roles related to authorization, purchasing, and reconciliation were adequately separated in all units, with appropriate compensating controls used where staffing constraints exist.
- **Budget Monitoring:** While budget oversight was generally strong, monthly reconciliation practices varied. Over-reliance on quarterly reconciliations (rather than monthly) causes delays in issuing corrections or transfers. There is also a need to familiarize most grant administrators with FINET and Online Accounting Journal (OAJ) tools for budget monitoring. Training opportunities are under consideration to equip grant administrators with the necessary tools to conduct independent monthly and ad-hoc reviews of their grant units. Additional accounting resources have been identified to better support budget monitoring activities, including an aggregated FINET expenditure report tabulating up to thirteen fiscal periods at once, and real-time integration of OAJ expense and revenue data importable within Excel software (user-friendly and more practical analytic applications/functionality).
- **Reporting and Records:** Reporting documents are currently dispersed across multiple platforms (email, shared network drives, grant management systems). Though records are retrievable, the lack of a centralized system increases the time required to locate records and leaves the files subject to possible loss or misplacement during the retention period. The grant coordinator will create an updated document storage solution using Google Drive, improving accessibility and oversight of grant reports.

- **Grant Approvals:** All new or renewing grants in FY2024 followed required approval pathways, including use of the Grant Application Proposal (GAP) form and review by the Budget and Fiscal Management Committee and Judicial Council.

Overall, the ICSA found that internal controls are robust across most areas, with strengths noted in compliance with the grant approval process, consistently well-executed separation of key financial duties, and appropriate supporting documentation justifying grant-related expenditures.

Grant Portfolio

Figure 1. FY2024 Grants Table. A total of eight grants (comprised of twelve budget units) are assessed in the FY2024 ICSA report. The scope of this assessment includes grants that were either active, newly awarded, or concluded between July 1, 2023, and June 30, 2024.

Recipient (A-Z)	Grant Title	Short Title	Grantor	Units
Administrative Office of the Courts	American Rescue Plan Act State & Local Fiscal Recovery Funds	SLFRF	U.S. Congress (federal stimulus package 2021)	2970
				2971
				2972
Alternative Dispute Resolution Program	State Access & Visitation Program	SAVP	U.S. Department of Health & Human Services	2962
Appellate Courts Administration	Pro Bono Pilot Program	UBF	Utah Bar Foundation	2981
District Court Administration	State Asset Forfeiture Grant	SAFG	Commission on Criminal & Juvenile Justice	2920
Domestic Violence Program	STOP Violence Against Women Act	VAWA	Utah Office for Victims of Crime	2936
Domestic Violence Program	Rural Domestic Violence Program Grant	UDVC	Utah Domestic Violence Coalition	2999
Juvenile Court Administration	State Court Improvement Program	CIP	U.S. Department of Health & Human Services	2918
				2919
				2957
Law Library & Self-Help Center	Eviction Diversion Initiative	EDI	National Center for State Courts	2980

Assessment & Findings

Transaction Review

Monetary Unit Sampling (MUS) was applied across all grant units to ensure appropriate stewardship of grant funds at the transaction level. MUS is a trusted statistical risk-based review tool used in auditing and compliance monitoring. This assessment tests whether grant expenditures were allowable, supported with necessary documentation, and properly authorized using a dollar-weighted risk model (meaning higher-dollar transactions carrying greater possible risk are more likely to be selected for review). This approach ensures efficient use of resources while still providing a high degree of control assurance.

Methods

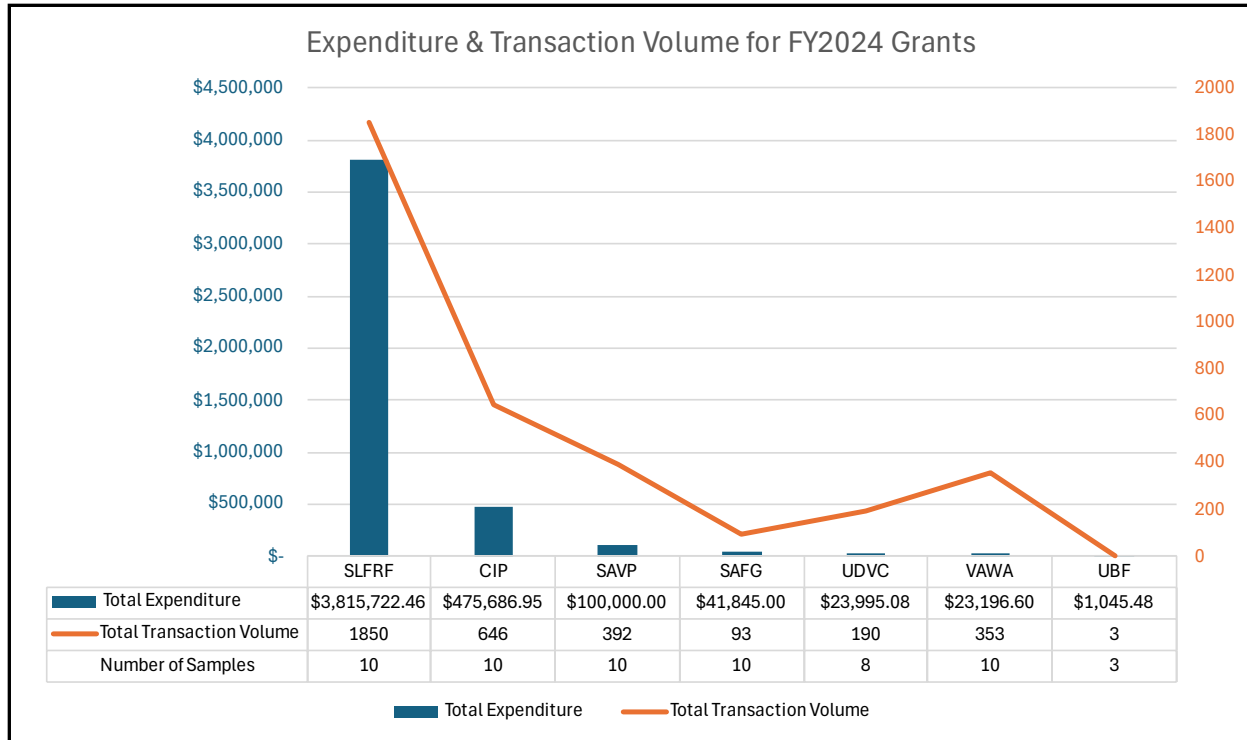
A sample size was established for each grant using the total FY2024 expenditure and a defined threshold for what would constitute a material error. A random number generator selected a dollar amount within the expense range in each grant ledger. Beginning with the randomly selected starting number, sample transactions were identified at regular dollar intervals (“sampling intervals”) throughout the population of individual transactions in the ledger. Transactions selected through this process were then assessed for allowability under terms of the grant, proper documentation supporting the expense, approval pathways, and accurate FINET coding to the correct unit and expense category.

Two grants were selected for full review due to the low transaction volume and low total expenditure: (1) Unit 2980 Pro Bono Pilot Program, and (2) Unit 2999 Rural Domestic Violence Program Grant. One grant was excluded from transaction review as no expenditures were made in FY2024 (Unit 2980 Eviction Diversion Initiative).

Findings

A total of sixty-three transactions from FY2024 were reviewed as part of the MUS assessment. All transactions included in the review were deemed allowable under the terms of each grant, supported with adequate documentation, properly approved, and coded accurately to the correct units and expense categories in FINET. The full table of sampled transactions is presented in the appendix.

Figure 2. Expenditure and Transaction Volume. This chart displays total FY2024 expenditures (blue bars, left axis) and the number of individual transactions (orange line, right axis) for each grant. The SLFRF grant had the highest total expenditure and transaction volume, significantly exceeding other grants in both categories. The CIP and SAVP grants followed with moderate expenditures and activity, while smaller grants such as SAFG, UDVC, VAWA, and UBF had relatively low financial activity and fewer transactions. This visualization highlights both the scale and transactional complexity of each grant, which informed the proportional sampling approach used in the MUS review.



Internal Control Questionnaire

The Administrator(s) of each grant reviewed their grant management practices by completing an internal control self-assessment questionnaire. The questionnaire contains thirteen questions assessing the integrity of financial controls and compliance with grant policies. All eight grant administrators provided responses to the questionnaire, regardless of their grant activity for the fiscal year. In addition to the questions below (which address various control areas), grant administrators were asked to provide input on their training needs or other support needs.

Methods

The following control areas were assessed in the questionnaire:

1. Separation of Critical Duties

- Who authorizes purchases?
- Who performs the actual purchasing of goods or services?
- Who reconciles financial transactions for accuracy and completeness?
- If any of these roles overlap, what compensating controls are employed preventing misuse of grant funds?

2. Budget Monitoring

- How do you monitor your grant budget, and what tools do you use in that process?
- If your grant has matching cash or in-kind requirements, how are these dollars tracked?
- If you administer federal funds, do you ensure all contractors and outside vendors are eligible to receive federal funds?

3. Reporting & Records

- a. What is the frequency of grant external reporting?
- b. Are external reports sent to the grant coordinator prior to submission to the grantor?
- c. What types of grant documents do you retain?
- d. Where do you physically or electronically store grant records?
- e. How long are your grant records retained?

4. Approvals (new or renewing grants only)

- a. Did you complete a grant application proposal (GAP)?
- b. For new grants, did you present the GAP and obtain approval from the Budget and Fiscal Management Committee and full Judicial Council prior to submission to the grantor? For renewing grants, did you present the request to the BFMC (or Management Committee) and Judicial Council prior to submission to the grantor?
- c. Did you obtain approval from the Judicial Council prior to accepting award funds?

Findings

Figure 3. Control Area Review. The table below utilizes a numerical scale rating the overall performance of the 4 major internal control areas for each grant unit. Scoring is based on two inputs: (1) questionnaire responses submitted by each grant unit, and (2) supplemental review and oversight conducted by the ICSA review team, including additional observations made over the fiscal year and prior findings from routine monitoring. Rating scale: **1** = noncompliant, **2** = partially compliant, **3** = fully compliant, **(+)** = compensating control present, **N/A** = not applicable.

Unit	Major Internal Control Areas			
	Separation of Duties	Budget Monitoring	Reporting & Records	Approvals
2918	2+	2	2+	N/A
2919	2+	2	2+	N/A
2920	3	2	2+	3
2936	2+	2+	2+	N/A
2957	2+	2	2+	N/A
2962	3	3	2+	N/A
2970	3	3	2+	N/A
2971	3	3	2+	N/A
2972	3	3	2+	N/A
2980	3	3	2+	3
2981	3	3	2+	3
2999	2+	2+	2+	N/A

Separation of Duties

Requirements: Separation of critical financial duties is adequate to ensure that grant funds are expended as directed in grant governing documents and so that no single individual is placed in a position that would leave them able to perpetrate and conceal the misuse of funds while performing regularly assigned duties. The duties needing separation or compensating controls include:

1. authorization to spend grant funds;
2. custody of assets for payment processing; and
3. reconciliation to monitor and verify all incoming and outgoing funds.¹ An employee who is independent of cash receipting and disbursement duties performs payment and expenditures reconciliation (*Accounting Manual §08-01.00*).

Conclusion. Critical duties are sufficiently separated across all twelve grant units. The grant coordinator provides a secondary review of grant transactions using the Online Accounting Journal, and a finance officer provides additional monitoring on a quarterly basis for expenditures and cash receipts (revenue). A dedicated finance officer assists with cash receipting for internal transaction agreements (funds transferred between state entities). A dedicated AOC Finance analyst performs accounts receivable duties for all other cash receipting, and separate accounts payable staff perform all disbursement duties. None of these positions exclusively perform payment and expenditure reconciliation. Payment and expenditure reconciliation duties are primarily performed by the grant administrator in collaboration with the grant coordinator. Compensating controls for instances where approvers also serve as the purchasing party are in place for units 2918, 2919, 2957, 2936, and 2999. This includes a secondary review by the AOC procurement officer for expenses paid with a purchasing card, review by accounts payable staff and the grant coordinator in AOC Finance, and/or having another party complete the purchase (e.g., AOC Information Technology purchases approved programming-related expenses). Larger purchases are reviewed by the grant administrator's court executive and follow AOC procurement policies (*Accounting Manual Section 07-00.00*).

Action. None.

[Budget Monitoring](#)

Requirement: An employee without the ability to process transactions in FINET performs monthly reconciliations for the grant unit utilizing FINET expenditure and revenue reports (*Accounting Manual §08-01.00*).

Conclusion. FINET expenditure and revenue reports are most frequently run on a quarterly basis when financial reporting and payment requests are due to grantors and on an ad-hoc basis. Not all grant administrators are familiar with the process for generating FINET reports or querying the State Data Warehouse Online Accounting Journal (OAJ) to review financial activity in their grant unit. Monthly reconciliation is necessary to verify each expense is accurate, supported with proper detail, allowable, and charged to the correct budget unit. In addition, cash receipts must match the drawdown request submitted for the prior quarter. Requests for corrections and/or transferring of funds between budget units occur at the end of a quarter. When these instances are not identified in the month where the transaction was originally recorded, changes in the budget unit will be reflected only in the subsequent month when the correction was issued, introducing discrepancies in monthly reconciliation practices. Adjustments to budget units are processed through offsetting

¹ See Accounting Manual §01-06.00 Separation of Duties

entries within the accounting system, where an expense *decrease* in one unit is *balanced by an equivalent increase* in another. While these adjustments achieve a net-zero impact across budget units, the timing of the correction - if occurring in a later fiscal period - can introduce reconciliation mismatches between when (and where) an expense was first recorded and when it was adjusted with an offsetting entry to transfer the expense elsewhere. Monthly reconciliations increase the likelihood that offsetting entries are issued in the same month (or minimally the same quarter) in which the initial expense was recorded in the budget unit. A cadence of monthly reconciliations makes it easier to identify and issue corrections while the current accounting period is still open. This helps ensure expenses are accurate and reported in the correct month.

Action. Grant administrators will receive training in how to access financial monitoring tools (FINET reports and OAJ transaction detail) and receive templates and other guides to complement the training received, leading to standardized reconciliation practices and expectations. The grant coordinator will collaborate with AOC Education to design an online learning module to meet this need. In the interim before training, AOC Finance staff will supply grant administrators with monthly expenditure and revenue reports, not earlier than three business days following the end of the fiscal period (month). Grant administrators will review expenditure and revenue reports and request changes or additional information from AOC Finance to perform their reconciliation. Any need for inter-department transfers (IDTs) will be requested by grant administrators at this time and completed by AOC Finance staff within 30 business days from receipt of the request. The parties responsible include AOC Finance staff (grant coordinator, accounts receivable officer, accounts payable accounting technician) and all active grant administrators.

Reporting & Records

Requirements: The grant administrator forwards all reporting deliverables to the grant coordinator for review prior to submission to the grantor. (*Accounting Manual §11-07.00 (8)(B)(iii)*). Substantiating source documents, such as invoices, are provided and retained to validate grant expenditures and for all audit support (*Accounting Manual §08-00.00*).

Conclusion. A formal document retention system for grant reporting has not yet been fully implemented; and while a shared filing structure was devised to centralize reports and other records, a combination of under-staffing and time-sensitive organizational priorities (e.g., transitioning travel management to SAP Concur, administration of the Utah State Bar license reimbursement cycle, etc.) prevented consistent promotion and adoption of the system across grant units. Accordingly, grant administrators continue transmitting their reporting deliverables to the grant coordinator via email. As a result, grant reports are retained in a decentralized manner across email, shared drives, online grant system portals, and local network storage drives. While records are retained and recoverable (constituting a compensating control), they are not maintained in a single, accessible location for long term audit or monitoring purposes. Expenditures are appropriately supported with substantiating documents by the grant administrators and are required attachments in all FINET entries for payment approval and processing. Sixty-three source documents were verified as part of the monetary unit sampling

strategy employed in this assessment. Grant administrators retain records a minimum of four years in accordance with section 01-01.00 of the Accounting Manual.

Action. The grant coordinator will prioritize an updated Google Drive system with structured subfolders for each grant administrator. Grant administrators will be given viewing and editing access only for their subfolder, where reporting deliverables will be directly uploaded. Benefits of this strategy include a centralized and readily accessible resource to upload documents, easy organization and built-in search functionality, and time-stamped uploads. Google Drive is already integrated and widely used across the Judiciary. The parties responsible include the grant coordinator and all active grant administrators.

Approvals

Requirements: All new requests for grant submissions use the Grant Application Proposal (GAP) form approved by the Judicial Council. The grant coordinator is notified of the applicant's intent to apply with at least eight weeks before the grant submission deadline; and if not, the GAP is reviewed in accordance with the expedited process outlined in rule (*UCJA 3-411 (3)(A)(B)*). The Budget and Fiscal Management Committee (BFMC) reviews all prepared GAPs. The GAP is not advanced to the Judicial Council without the recommendation of the BFMC. If the GAP obtains a positive recommendation from the BFMC, the GAP is reviewed for approval or rejection by the Judicial Council during a regularly scheduled meeting (*UCJA 3-411 (5)(A)(B)*).

Conclusion. Two new grant proposals (supported with properly prepared GAPs) and one formal grant renewal request were submitted in accordance with the requirements of Rule 3-411, and received approval from the BFMC and the Judicial Council in FY 2024:

1. **Utah Bar Foundation (\$10,000) / Pro Bono Pilot Program**
 - a. GAP approved in March 2023
 - b. Grant award approved for acceptance in July 2023
2. **National Center for State Courts (\$105,000) / Eviction Diversion Initiative**
 - a. GAP approved in March 2023
 - b. Grant award approved for acceptance in September 2023
3. **Commission on Criminal & Juvenile Justice (\$25,000) / State Asset Forfeiture Grant**
 - a. Renewal request approved in September 2023

Tab 5



Nicolas Stiles
Appellate Court Administrator

Nicole J. Gray
Clerk of Court

Supreme Court of Utah

450 South State Street
P.O. Box 140210
Salt Lake City, Utah 84114-0210

Appellate Clerks' Office
Telephone 801-578-3900
Email: supremecourt@utcourts.gov

Matthew B. Durrant

Chief Justice

John A. Pearce

Associate Chief Justice

Paige Petersen

Justice

Diana Hagen

Justice

Jill M. Pohlman

Justice

To: Budget and Fiscal Management Committee, Utah Judicial Council
From: Utah Supreme Court
Re: Request to Accept Grant Award
Date: May 29, 2025

Dear BFMC & Utah Judicial Council –

I am pleased to report that the Utah Bar Foundation has awarded the Utah Supreme Court a \$10,000 grant in support of the Ad Hoc Committee on Regulatory Reform. Please allow this memo to serve as a request to accept the grant award.

I have included the original application that was submitted to the Utah Bar Foundation, and the grant impact analysis prepared by Jordan Muray, the Judiciary's Grant Manager.

Thank you for considering this request.

Nicholas Stiles

Nick Stiles
Appellate Court Administrator
Co-Chair, Ad Hoc Committee on Regulatory Reform



Nicolas Stiles
Appellate Court Administrator

Nicole J. Gray
Clerk of Court

Supreme Court of Utah

450 South State Street
P.O. Box 140210
Salt Lake City, Utah 84114-0210

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Email: supremecourt@utcourts.gov

Matthew B. Durrant	Chief Justice
John A. Pearce	Associate Chief Justice
Paige Petersen	Justice
Diana Hagen	Justice
Jill M. Pohlman	Justice

Dear Ms. Paulding,

Thank you for considering the following grant application.

In August 2020, the Utah Supreme Court launched the Regulatory Sandbox to study innovative and nontraditional models for the provision of legal services in a well-regulated experimental sandbox. The Supreme Court is very appreciative of the Utah Bar Foundation's continued support of Sandbox entities.

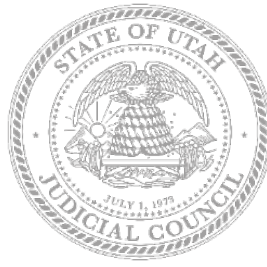
As we approach the five-year mark of the experiment, we now have the data and experience to design long-term, post-Sandbox solutions to sustain and expand civil access to justice. Just over two years from now, in August 2027, the Regulatory Sandbox is set to conclude. In anticipation of its conclusion, the Supreme Court is creating a special ad hoc advisory committee that will study the first five years of the experiment and lessons learned from similar reform efforts across the country and recommend to the Supreme Court permanent rule changes to institutionalize the Sandbox's successes. The Supreme Court's Ad Hoc Committee on Regulatory Reform will include four multistakeholder working groups, each focused on a key area: Rule 5.4; Licensed Paralegal Practitioners; Community Justice Advocates; and Artificial Intelligence and Legal Technology. The co-chairs of this effort are Nick Stiles, Appellate Court Administrator, and Maryt Fredrickson, Chief of Staff to the Chief Justice, two leaders with long histories in access to justice efforts.

The purpose of this grant application is to fund two one-year law student fellowships to support the project. The Regulatory Reform Fellows will assist the co-chairs in managing the ad hoc committee, researching the existing and available data, and drafting the final report that will be presented to the Supreme Court in August 2026. The Regulatory Reform Fellowships will be open to all current law students at the University of Utah and Brigham Young University. The Regulatory Reform Fellows will receive a \$5,000 stipend in exchange for 5-8 hours of work per week on the project. It is anticipated that the fellowships will begin in August 2025 and conclude with the presentation of the Committee's report to the Supreme Court in August 2026. Total requested funding: One-time award of \$10,000.

Thank you for considering our request.

Nicholas Stiles

Nick Stiles
Appellate Court Administrator



Administrative Office of the Courts

Grant Application Proposal (GAP) Non-Federal Grant

May 2, 2025

A. Contact Information	
Applicant Name:	Nick Stiles, Appellate Court Administrator
Applicant Phone:	385-303-3305
District or Court Area:	Utah Supreme Court

B. Grant Details			
Grantor:	Utah Bar Foundation		
Title of Grant:	Utah Supreme Court Regulatory Reform Fellowship		
Application Deadline:	May 19 th		
Amount Requested:	\$10,000		
Grant Period Begins:	August 2025	Ends:	August 2026
Award Type:	<input checked="" type="checkbox"/> Recipient	<input type="checkbox"/> Subrecipient	

C. Legislative Reporting: Statutory Grant Impact ¹	
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

¹ 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 purpose of this grant is to award two fellowships to support the Utah Supreme Court's Ad Hoc Committee on Regulatory Reform for one year. The fellowships will be awarded to two law students. Each fellow would receive a \$5,000 stipend and be expected to work 5-8 hours a week. The award period is August 2025 to August 2026.

Article VIII, Section 4 of the Utah Constitution says that the Utah Supreme Court shall govern the practice of law, including admission to practice law and the conduct and discipline of persons admitted to practice law. The Supreme Court launched the Office of Legal Services Innovation (Regulatory Sandbox) in 2020 to increase access to justice. After the first five years of the Regulatory Sandbox, the Supreme Court created an Ad Hoc Committee on Regulatory Reform to study and report on the first five years of operations, accumulated data, national data from states now using similar initiatives, and advancing technology including artificial intelligence. The Committee's work is broad in scope, with four working groups dedicated to: Rule of Professional Conduct 5.4, Licensed Paralegal Practitioners, Community Justice Advocates, and AI/Legal Technology. The Committee's report to the Supreme Court will identify successes and lessons learned since the launch of the Sandbox. The report will also include recommendations on which features of the Regulatory Sandbox the Court should institutionalize, and which features should be abandoned. The Ad Hoc Committee on Regulatory Reform will disband after the report is presented to the Supreme Court.

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.

The Supreme Court has tasked Nick Stiles, Appellate Court Administrator, and Maryt Fredrickson, Chief of Staff to the Chief Justice, with Co-Chairing the Committee and being the primary authors of the report. The purpose of the \$10,000 grant funding is to have the two Regulatory Reform fellows assist in the research and drafting of the report and supporting the Ad Hoc Committee on Regulatory Reform. The fellows would also serve as recording secretaries permitted under UCJA Rule 11-101(7).

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?

None. This is to support two one-year, 5-8 hours a week, fellowships.

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."

This grant will fund two temporary part-time fellows, who will work 5-8 hours per week from August 2025 to August 2026.

E. Anticipated Budget

Please indicate the estimated grant expenditures for up to three state fiscal years.

NO MATCH REQUIREMENT		
Fiscal Year		Funds Disbursed
FY	2026	\$10,000 (no match required)
FY		\$
FY		\$

F. Resource Impact Assessment

This section completed by Grant Coordinator

UCJA Rule 3-411 (4)

Summary Recommendation

This grant proposal is well-aligned with the mission of the Judiciary and no material resource impacts are anticipated during implementation, nor are ongoing resources required once grant funds are expended. The Regulatory Reform Fellows will meaningfully support the Utah Supreme Court's Ad Hoc Committee by contributing to research, drafting, and administrative tasks associated with its final report. Beyond advancing the Supreme Court's efforts, the fellowships also provide a valuable professional development opportunity for two emerging legal professionals.

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

The Utah Supreme Court has sufficient capacity to support this project under current staffing levels. Nick Stiles (Appellate Court Administrator) and Maryt Fredrickson (Chief of Staff to the Chief Justice) are already leading the Ad Hoc Committee and will provide grant oversight and implementation. The addition of two Regulatory Reform fellows performing 5-8 hours of work per week will not strain existing resources. The fellows will serve in a supportive capacity and within a narrow scope, primarily aiding in research, drafting, and recordkeeping. No new permanent court staff are required.

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

There are no anticipated impacts to AOC resources once grant funds are expended. The two temporary fellowship positions are limited to 12 months and will not require ongoing support. The project is time-limited, concluding with the Committee's final report. There is no expectation of state funding to sustain the fellowships beyond August 2026.

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

☒ Applicable Board of Judges and Court Level Administrator

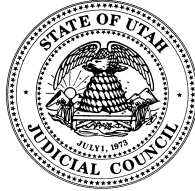
☒ AOC Grant Coordinator and Finance Director

☒ The Utah Supreme Court (UCJA Rule 3-105)

Approved by the Judicial Council (date):

State Court Administrator Signature

Tab 6



Administrative Office of the Courts

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

June 11, 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 Final Approval

Proposed amendments to CJA rules 4-111 and 4-403 are back from a 45-day public comment period. No public comments were received and no additional amendments were made by PP&T.

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

The proposed amendments remove the requirement that the Administrative Office of the Courts prepare a monthly report on pending post-conviction petitions in capital cases because those reports are no longer needed.

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

The proposed amendments grant district, juvenile, and justice courts the discretion to authorize clerks to use a judge's or commissioner's electronic signature or signature stamp on 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 *July 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.

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

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

Applicability:

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

Statement of the rule:

(1) ~~The e~~Courts ~~shall~~must 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.

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

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

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

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

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

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

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

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

Effective: ~~November 1, 1996~~July 1, 2025

Rule 4-403. Electronic signature and signature stamp use.**Intent:**

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

Applicability:

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

Statement of the Rule:

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

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

(1)(B) bench warrants;

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

(1)(D) civil orders for dismissal pursuant to Rule 4-103, and Rules 3 and 4 of the Utah Rules of Civil Procedure~~URCP 3 and URCP 4(b)~~;

(1)(E) orders to show cause and orders to appear/attend under Rules 7A and 7B of the Utah Rules of Civil Procedure~~URCP 7A(c)(4) and URCP 7B(c)(4)~~;

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

(1)(G) summons;

(1)(H) supplemental procedure orders;

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

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

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

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

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

(2) Approval of additional document types.

(2)(A) Standing Orders. A juvenile or district court presiding judge, or a justice court presiding judge of a judicial district may issue a standing order authorizing judges and commissioners to allow clerks to use an electronic signature or signature stamp in lieu of a judge's or commissioner's signature on specific document types other than those listed

in paragraph (1). Before issuing such an order, the presiding judge must determine that there is a benefit in administrative convenience, and be satisfied that there are minimal concerns about record accuracy or integrity in allowing a clerk to use a judge's or commissioner's electronic signature or signature stamp.

(2)(B) Judge Authorization. When a presiding judge has issued a standing order pursuant to paragraph (2)(A), a judge or commissioner within that district may authorize a clerk to use an electronic signature or signature stamp, in lieu of obtaining the judge's or commissioner's signature.

(2)(C) Retention of Standing Orders. Standing orders issued under this Rule must be maintained in accordance with the Utah State Courts Records Retention Schedule.

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

(3)(A) a domestic relations injunction issued under Rule 109 of the Utah Rules of Civil Procedure~~URCP 109~~;

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

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

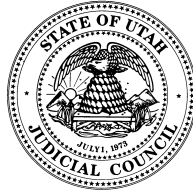
(4) **Approval on a document-by-document basis.** All ~~other~~ documents not covered under paragraphs (1), (2), or (3) that require~~ing at the~~ judge's or commissioner's signature shall must be personally signed by the judge or commissioner, unless the judge or commissioner, on a document-by-document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

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

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

Effective: October July 1, 2025~~2~~

Tab 7



Administrative Office of the Courts

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

June 12, 2025

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

MEMORANDUM

TO: The Judicial Council

FROM: Janine Liebert (Self-Help Center & Law Library Director), Amy Hernandez (Domestic Violence Program Manager), & Jessica Leavitt (Language Access Program Manager)

RE: Protective Order Translation Update

During the January meeting, the Judicial Council passed a motion to have the civil and criminal protective order forms (including stalking injunctions) translated into Spanish. Before the forms could be translated, the forms required some changes to:

- comply with the requirements of the Bureau of Criminal Identification's (BCI) protective order audits,
- address changing legislation,
- match MyCase programming needs, and
- fulfill judicial assistants' form requests.

For forms that didn't require legislative changes, the Domestic Violence Program and Self-Help Center staff worked collaboratively to bring the forms into compliance. The Forms Committee approved the form changes at their March 10 meeting. For forms impacted by legislative changes, the Domestic Violence Program and Self-Help Center staff worked collaboratively on the revisions which were approved by the Forms Committee at their April 14 meeting. Form changes requiring Judicial Council approval – the forms used by Licensed Paralegal Practitioners and for practice in juvenile court – were approved by the Judicial Council on April 28 as part of the Judicial Council's monthly meeting. Following approval by the Judicial Council, the Language Access Program began working on the translations under the direction of the Language Access Program Manager

It is anticipated that the translators will finish the 110 pages of protective order documents by June 30th, 2025. The translations necessitate the use of multiple translators to prepare the Spanish

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.

translation and certify the accuracy of each other's work. The final version of the translated protective order forms will include English and Spanish in the same lay-out.

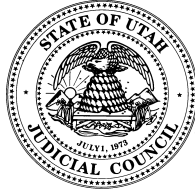
Before the bilingual protective orders forms are made available to court patrons, the Domestic Violence Program and MyCase team will need to program the Spanish translations into MyCase and the protective order system in CORIS and CARE. After this update, MyCase and the protective order system will synch with the new forms. This work should be completed by mid to late July. Once that work is complete, the dual Spanish and English protective order forms will be released to the public and placed on the Utah Courts' website.

Tab 8

2026 Schedule		
Management Committee	Judicial Council	Notes
<i>Management meetings are the second Tuesday of each month, unless otherwise noted.</i>	<i>Council meetings are the fourth Monday of each month, unless otherwise noted. Annual budget meeting is the third Friday in August.</i>	

January 13	12:00 p.m.	January 26	9:00 a.m.	First day of the Legislative General Session & State of the Judiciary is Tuesday, January 20, as Martin Luther King Holiday is January 19.
February 10	12:00 p.m.	February 23	9:00 a.m.	President's Day is February 16.
February 23	Following Council mtg			Second Management meeting held to set the March Council agenda.
March 10	12:00 p.m.	March 12	12:00 p.m.	The March Management meeting will not include approval of the Council agenda, Council meeting held in conjunction with the Bar Spring Convention in St. George.
April 14	12:00 p.m.	April 27	9:00 a.m.	
May 12	12:00 p.m.	May 18	9:00 a.m.	Council meeting moved up a week because Memorial Day is May 25.
June 9	12:00 p.m.	June 22	9:00 a.m.	Juneteenth is June 15.
July 14	12:00 p.m.	July 27	9:00 a.m.	Pioneer Day is July 24.
August 4	12:00 p.m.	August 21	8:00 a.m.	Management meeting needs to be moved up to accommodate time to approve the Council agenda. Council meeting held in conjunction with Annual Budget & Planning meeting.
September 1	12:00 p.m.	September 8	12:00 p.m.	Council meeting held in conjunction with the Annual Conference, October 7-9.
October 13	12:00 p.m.	October 26	9:00 a.m.	
November 10	12:00 p.m.	November 23	9:00 a.m.	Thanksgiving is November 26.
December 8	12:00 p.m.	December 14	9:00 a.m.	Council moved up a week to avoid being too close to the holiday.

Tab 9



Administrative Office of the Courts

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

June 11, 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 recommends that CJA rules 3-201 and 3-413 be approved for a 45-public comment period.

CJA 3-201. Court commissioners (AMEND)

The proposed amendments delegate the authority to approve court commissioner selections to the Management Committee.

CJA 3-413. Judicial library resources (AMEND)

The proposed amendments modify which print publications are provided to each district and juvenile courtroom. The amendments are necessary due to significant price increases for print publications and the discontinuation of statewide bulk ordering by Legislative Services.

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

Rule 3-201. Court Commissioners**Intent:**

To define the role of court commissioner.

To establish a term of office for court commissioners.

To establish uniform administrative policies governing the qualifications, appointment, supervision, discipline and removal of court commissioners.

To establish uniform administrative policies governing the salaries, benefits and privileges of the office of court commissioner.

Applicability:

This rule ~~shall apply~~applies to all trial courts of record.

Statement of the Rule:

(1) **Definition.** Court commissioners are quasi judicial officers established by the Utah Code.

(2) **Qualifications.**

(2)(A) Court commissioners must be at least 25 years of age, United States citizens, Utah residents for three years preceding appointment and residents of Utah while serving as commissioners. A court commissioner ~~shall~~will reside in a judicial district the commissioner serves.

(2)(B) Court commissioners must be admitted to practice law in Utah and exhibit good character. Court commissioners must possess ability and experience in the areas of law in which the court commissioner serves.

(2)(C) Court commissioners ~~shall~~will serve full time and ~~shall~~will comply with Utah Code Section 78A 2 221.

(3) **Appointment - Oath of office.**

(3)(A) Selection of court commissioners ~~shall~~will be based solely upon consideration of fitness for office.

(3)(B) When a vacancy occurs or is about to occur in the office of a court commissioner, the Council ~~shall~~will determine whether to fill the vacancy. The Council may determine that the court commissioner will serve more than one judicial district.

(3)(C) After the determination required by paragraph (3)(B), the presiding judge(s) of the district(s) the commissioner will serve, will form a committee for the purpose of nominating candidates. The committee will consist of the presiding judge(s) or designee(s) from each court level and judicial district that the commissioner will serve, three lawyers, and two members of the public. Committee members ~~shall~~will be appointed by the presiding judge(s) of the district court of each judicial district. The

52 presiding judge(s) ~~shall~~will designate a chair of the committee. All members of the
53 committee ~~shall~~will reside in the judicial district(s). All members of the committee ~~shall~~
54 will be voting members. A quorum of one half the committee members is necessary for
55 the committee to act. The committee ~~shall~~will act by the concurrence of a majority of the
56 members voting. When voting upon the qualifications of a candidate, the committee ~~shall~~
57 will follow the procedures established in the commissioner nominating manual.

58
59 (3)(D) No member of the committee may vote upon the qualifications of any candidate
60 who is the spouse of that committee member or is related to that committee member
61 within the third degree of relationship. No member of the committee may vote upon the
62 qualifications of a candidate who is associated with that committee member in the
63 practice of law. The committee member ~~shall~~will declare to the committee any other
64 potential conflict of interest between that member and any candidate as soon as the
65 member becomes aware of the potential conflict of interest. The committee ~~shall~~will
66 determine whether the potential conflict of interest will preclude the member from voting
67 upon the qualifications of any candidate. The committee ~~shall~~will record all declarations
68 of potential conflicts of interest and the decision of the committee upon the issue.
69

70 (3)(E) The administrative office of the courts ~~shall~~will advertise for qualified applicants
71 and ~~shall~~will remove from consideration those applicants who do not meet minimum
72 qualifications of age, citizenship, residency, and admission to the practice of law. The
73 administrative office of the courts ~~shall~~will develop uniform guidelines for the application
74 process for court commissioners.
75

76 (3)(F) The nominating committee ~~shall~~will review the applications of qualified applicants
77 and may investigate the qualifications of applicants to its satisfaction. The committee
78 ~~shall~~will interview selected applicants and select the three best qualified candidates. All
79 voting ~~shall~~will be by confidential ballot. The committee ~~shall~~will receive public
80 comment on those candidates as provided in paragraph (4). Any candidate may be
81 reconsidered upon motion by a committee member and upon agreement by a majority of
82 nominating committee members.
83

84 (3)(G) When the public comment period as provided in paragraph (4) has closed, the
85 comments ~~shall~~will be given to the nominating committee. If any comments would
86 negatively affect the committee's decision on whether to recommend a candidate, the
87 candidate ~~shall~~will be given all comments with the commenters' names redacted and an
88 opportunity to respond to the comments. If the committee decides not to recommend a
89 candidate based on the comments, the committee ~~shall~~will select another candidate
90 from the interviewed applicants and again receive public comment on the candidates as
91 provided in paragraph (4).
92

93 (3)(H) The chair of the nominating committee ~~shall~~will present the names, applications,
94 and the results of background investigations of the nominees to the judges of the courts
95 the court commissioner will serve. The committee may indicate its order of preference.
96

97 (3)(I) The judges of each court level the court commissioner will serve ~~shall~~will together
98 select one of the nominees by a concurrence of a majority of judges voting. If the
99 commissioner will serve more than one judicial district, the concurrence of a majority of
100 judges in each district is necessary for selection.
101

(3)(J) The presiding judge of the district the court commissioner will primarily serve ~~shall~~ will present the name of the selected candidate to the ~~Council~~Management Committee. The selection ~~shall~~ will be final upon the concurrence of two-thirds of the members of the ~~Council~~Management Committee. The ~~Council~~Management Committee ~~shall~~ will vote upon the selection within 45 days of the selection or the concurrence of the ~~Council~~ Management Committee ~~shall~~ will be deemed granted.

(3)(K) If the ~~Council~~Management Committee does not concur in the selection, the judges of the district may select another of the nominees or a new nominating process will be commenced.

(3)(L) The appointment ~~shall~~ will be effective upon the court commissioner taking and subscribing to the oath of office required by the Utah Constitution and taking any other steps necessary to qualify for office. The court commissioner ~~shall~~ will qualify for office within 45 days after the concurrence by the ~~Council~~Management Committee.

(4) Public comment for appointment and retention.

(4)(A) Final candidates for appointment and court commissioners who are up for retention ~~shall~~ will be subject to public comment.

(4)(B) For final candidates, the nominating committee ~~shall~~ will be responsible for giving notice of the public comment period.

(4)(C) For court commissioners, the district in which the commissioner serves ~~shall~~ will be responsible for giving notice of the public comment period.

(4)(D) The nominating committee or district in which the commissioner serves ~~shall~~ will:

(4)(D)(i) email notice to each active member of the Utah State Bar including the names of the nominees or court commissioner with instructions on how to submit comments;

(4)(D)(ii) issue a press release and other public notices listing the names of the nominees or court commissioner with instructions on how to submit comments; and

(4)(D)(iii) allow at least 10 days for public comment.

(4)(E) Individuals who comment on the nominees or commissioners should be encouraged, but not required, to provide their names and contact information.

(4)(F) The comments are classified as protected court records and ~~shall~~ will not be made available to the public.

(5) Term of office. The court commissioner ~~shall~~ will be appointed until December 31 of the third year following concurrence by the Council. At the conclusion of the first term of office and each subsequent term, the court commissioner ~~shall~~ will be retained for a term of four years unless the judges of the courts the commissioner serves vote not to retain the commissioner in accordance with paragraph (8)(B) or unless the Judicial Council does not certify the commissioner for retention under rule 3-111. The term of office of court commissioners holding

office on April 1, 2011 ~~shall~~will end December 31 of the year in which their term would have ended under the former rule.

(6) Court commissioner performance review.

(6)(A) **Performance evaluations and performance plans.** The presiding judge of each district and court level the commissioner serves ~~shall~~will prepare an evaluation of the commissioner's performance and a performance plan in accordance with Rule 3-111. Court commissioners ~~shall~~will comply with the program for judicial performance evaluation, including expectations set forth in a performance plan.

(6)(B) **Public comment period results.** When the public comment period for a commissioner provided in paragraph (4) closes, the comments ~~shall~~will be given to and reviewed by the presiding judge of each district and court level the commissioner serves. If there are any negative comments, the negative comments ~~shall~~will be provided to the commissioner with the commenters' names redacted and the commissioner ~~shall~~will be given an opportunity to respond to the comments.

(7) Corrective action or removal during a commissioner's term.

(7)(A) Corrective action.

(7)(A)(i) The Council may take corrective actions as the result of a complaint filed under rule 3-201.02.

(7)(A)(ii) If the commissioner's performance is not satisfactory, corrective actions may be taken in accordance with paragraph (7)(A)(iii) by the presiding judge, or presiding judges if the commissioner serves multiple districts or court levels, with the concurrence of a majority of the judges in either district or court level the commissioner serves.

(7)(A)(iii) Corrective actions may include but are not limited to private or public censure, restrictions in case assignments with corresponding reduction in salary, mandatory remedial education, suspension without pay for a period not to exceed 60 days, and removal under (7)(B)(i)(c).

(7)(B) Removal.

(7)(B)(i) **Removal by Judicial Council.** During a commissioner's term, the court commissioner may be removed by the Council:

(7)(B)(i)(a) as part of a reduction in force;

(7)(B)(i)(b) for failure to meet the evaluation requirements; or

(7)(B)(i)(c) as the result of a complaint filed under rule 3-201.02 upon the concurrence of two-thirds of the Council.

(7)(B)(ii) **Removal by District or Court Level.**

(7)(B)(ii)(a) During a commissioner's term, if the commissioner's performance is not satisfactory, the commissioner may be removed by the presiding judge, or presiding judges if the commissioner serves multiple districts or court levels, only with the concurrence of a majority of the judges in each district or court level the commissioner serves.

(7)(B)(ii)(b) If the commissioner serves multiple districts or court levels and one district or court level contests a commissioner removal decision made by the other district or court level, the Management Committee will review the decision, with final determination by the Judicial Council.

(7)(C) **Review of District or Court Level Decisions.** If the commissioner disagrees with a district or court level's decision to remove the commissioner or take corrective actions, the commissioner may request a review of the decision by the Management Committee of the Council.

(8) Retention.

(8)(A) The Council shall review materials on the commissioner's performance prior to the end of the commissioner's term of office and the Council ~~shall~~will vote on whether the commissioner is eligible to be retained for another term in accordance with rule 3-111.

(8)(B) At the end of a commissioner's term, the judges of each district and court level the commissioner serves may vote not to retain the commissioner for another term of office. The decision not to retain is without cause and ~~shall~~will be by the concurrence of a majority of the judges in each district and court level the commissioner serves. A decision not to retain a commissioner under this paragraph ~~shall~~will be communicated to the commissioner within a reasonable time after the decision is made, and not less than 60 days prior to the end of the commissioner's term.

(9) Salaries and benefits.

(9)(A) The Council ~~shall~~will annually establish the salary of court commissioners. In determining the salary of the court commissioners, the Council ~~shall~~will consider the effect of any salary increase for judges authorized by the Legislature and other relevant factors. Except as provided in paragraph (6), the salary of a commissioner ~~shall~~will not be reduced during the commissioner's tenure.

(9)(B) Court commissioners ~~shall~~will receive annual leave of 20 days per calendar year and the same sick leave benefits as judges of the courts of record. Annual leave not used at the end of the calendar year ~~shall~~will not accrue to the following year. A commissioner hired part way through the year ~~shall~~will receive annual leave on a prorated basis. Court commissioners ~~shall~~will receive the same retirement benefits as non-judicial officers employed in the judicial branch.

(10) Support services.

(10)(A) Court commissioners ~~shall~~will be provided with support personnel, equipment, and supplies necessary to carry out the duties of the office as determined by the presiding judge.

254 (10)(B) Court commissioners are responsible for requesting necessary support services
255 from the presiding judge.

256
257 Effective: ~~May 1, 2024~~November 1, 2025

Rule 3-413. Judicial ~~Library~~ ~~r~~Resources.**Intent:**

To establish minimum standards for legal reference materials to be provided to judicial and quasi-judicial officers and court employees.

To establish acquisition, distribution, and budgetary responsibilities for the legal reference materials identified in this rule for the state law librarian.

To realize financial advantages through the use of high volume purchases of regularly used legal reference materials.

Applicability:

This rule ~~shall apply~~applies to the state law library, all judges and commissioners of courts of record and not of record, and all court employees.

Statement of the Rule:**(1) State law library.**

(1)(A) The state law library ~~shall~~will be supervised and administered by the state law librarian under the general supervision of the state court administrator.

(1)(B) The state law librarian ~~shall~~will facilitate the purchase of the electronic research resources and print publications authorized by this rule and arrange to have them distributed in accordance with this rule.

(2) Responsibility for providing judicial library resources.**(2)(A) Electronic research resources.**

(2)(A)(i) The state court administrator ~~shall~~will provide access to approved electronic research resources, including commercial legal databases.

(2)(A)(ii) All judges of courts of record, judges of courts not of record, court commissioners, and staff attorneys ~~shall~~will have access to these electronic research resources. Other employees may receive access to these resources based upon a demonstrated need and supervisor authorization.

(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.

(2)(C) **Publisher's complimentary copies.** The publisher of the Pacific Reporter currently provides complimentary volumes to appellate judges as of the date of the judge's appointment to the appellate court. The state law librarian ~~shall~~will coordinate the distribution of these materials with the judges and the publisher.

(2)(D) **Counties.** Each county ~~shall~~will provide a current copy of either the Utah Code Annotated with annual updates or the softbound Utah Code Unannotated to each county justice court judge serving within that county. Each county operating a court of record under contract with the administrative office of the courts ~~shall~~will provide the judge with access to the local law library pursuant to Utah Code ~~s~~Section 78A-5-111.

(2)(E) **Municipalities.** Each municipality ~~shall~~will provide a current copy of either the Utah Code Annotated with annual updates or the softbound Utah Code Unannotated to each municipal justice court judge serving within that municipality. Each municipality operating a court of record under contract with the administrative office of the courts ~~shall~~will provide the judge with access to the local law library pursuant to Utah Code ~~S~~section 78A-5-111.

(2)(F) **Administrative ~~O~~office ~~of the courts~~.** The ~~A~~administrative ~~O~~office ~~of the courts~~ ~~shall~~will provide a Justice Court Manual, updated biannually, to each judge of a court not of record.

(3) **Budget Procedures.**

(3)(A) The state law librarian ~~shall~~will separately account for:

(3)(A)(i) the operating budget for the state law library;

(3)(A)(ii) the costs associated with access to electronic research resources in subsection (2)(A); and

(3)(A)(iii) the costs associated with the purchase of print publications in subsection (2)(B).

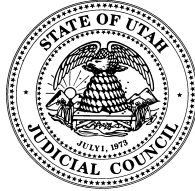
(3)(B) Funds appropriated or allocated for purchasing in accordance with subsections (2)(A) and (2)(B) ~~shall~~will not be used to supplement the appropriation to the state law library.

(3)(C) The purchase of electronic research resources and print publications to fully implement the provisions of this rule ~~shall~~will be limited by the availability of funds.

(3)(D) Any publication purchased with public funds ~~shall~~will be the property of the court and not the property of any official. Publications provided to an official without charge to the state ~~shall~~will be the personal property of the official.

Effective: ~~August 21, 2020~~November 1, 2025

Tab 10



Administrative Office of the Courts

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

June 11, 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 Final Approval – Non-substantive amendments

CJA rule 4-206 was approved on an expedited basis, followed by a 45-day public comment period. Two comments were received, both recommending clerical fixes. In response to the comments, PP&T amended line 13 by removing “by the submitting party” and changed “sent” to “taken” in lines 83 and 91.

PP&T recommends amending CJA rules 1-205, 4-202.02, 4-202.03, 4-510.06, 4-613, and 6-501 to correct references to statutes that do not take effect until September 1, 2025 and make other clerical, non-substantive changes.

CJA 1-205. Standing and ad hoc committees (AMEND)
CJA 4-202.02. Records classification (AMEND)
CJA 4-202.03. Records access (AMEND)
CJA 4-206. Exhibits (AMEND)
CJA 4-510.06. Testing and reporting requirements for guardians and conservators (AMEND)
CJA 4-613. Jail prisoner transportation (AMEND)
CJA 6-501. Testing and reporting requirements for guardians and conservators (AMEND)

The proposed amendments correct references to statutes that do not take effect until September 1, 2025, and make other clerical, non-substantive changes.

PP&T recommends that the rules above be adopted as final with a *July 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.

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

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

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

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

Applicability:

This rule applies to the internal operation of the Council.

Statement of the Rule:**(1) Standing Committees.**

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

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

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

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

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

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

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

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

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

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

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

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

(1)(A)(xii) Committee on Fairness and Accountability;

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

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

(1)(B) Composition.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(iii)(f) one court level administrator;

(1)(B)(iii)(g) the Human Resources ~~s 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 Resources ~~s Management~~ Director and the adult educator will serve as non-voting members. The court level administrator and the Human Resources ~~s Management~~ Director will serve as permanent Committee members.

(1)(B)(iv) The **Court Facility Planning Committee** performs the duties described in ~~R~~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;

(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 ~~R~~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~~Health and Human Services or designee;

(1)(B)(v)(c) one attorney of the Executive Committee of the Family Law Section of the Utah State Bar;

(1)(B)(v)(d) one attorney with experience in abuse, neglect and dependency cases;

(1)(B)(v)(e) one attorney with experience representing parents in abuse, neglect and dependency cases;

(1)(B)(v)(f) one representative of a child advocacy organization;

(1)(B)(v)(g) the ADR Program Director or designee;

(1)(B)(v)(h) one professional in the area of child development;

(1)(B)(v)(i) one mental health professional;

(1)(B)(v)(j) two community representatives who are knowledgeable about the needs of self-represented litigants;

(1)(B)(v)(k) the Director of the Office of Guardian ad Litem or designee;

(1)(B)(v)(l) one court commissioner;

(1)(B)(v)(m) two district court judges; and

(1)(B)(v)(n) two juvenile court judges.

(1)(B)(v)(o) One of the district court judges and one of the juvenile court judges will serve as co-chairs to the committee. In its discretion, the committee may appoint non-members to serve on its subcommittees.

(1)(B)(vi) The **Committee on Resources for Self-represented Parties** performs the duties described in Rule 3-115 and will consist of:

(1)(B)(vi)(a) two district court judges;

(1)(B)(vi)(b) one juvenile court judge;

(1)(B)(vi)(c) two justice court judges;

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

(1)(B)(vi)(e) one representative from a social services organization providing direct services to underserved communities;

(1)(B)(vi)(f) one representative from the Utah State Bar;

(1)(B)(vi)(g) two representatives from legal service organizations that serve low-income clients;

(1)(B)(vi)(h) one private attorney experienced in providing services to self-represented parties;

(1)(B)(vi)(i) two law school representatives;

(1)(B)(vi)(j) the state law librarian; and

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

(1)(B)(vii) The **Language Access Committee** performs the duties described in Rule 3-306.02 and will consist of:

(1)(B)(vii)(a) one district court judge;

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

(1)(B)(vii)(c) one justice court judge;

(1)(B)(vii)(d) one trial court executive;

(1)(B)(vii)(e) one court clerk;

(1)(B)(vii)(f) one interpreter coordinator;

(1)(B)(vii)(g) one probation officer;

(1)(B)(vii)(h) one prosecuting attorney;

(1)(B)(vii)(i) one defense attorney;

(1)(B)(vii)(j) two certified interpreters;

(1)(B)(vii)(k) one approved interpreter;

(1)(B)(vii)(l) one expert in the field of linguistics;

(1)(B)(vii)(m) one American Sign Language representative; and

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

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

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

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

(1)(B)(ix)(a) two district court judges;

(1)(B)(ix)(b) four lawyers who primarily represent plaintiffs;

(1)(B)(ix)(c) four lawyers who primarily represent defendants; and

(1)(B)(ix)(d) one person skilled in linguistics or communication.

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

(1)(B)(x)(a) two district court judges;

(1)(B)(x)(b) one justice court judge;

(1)(B)(x)(c) four prosecutors;

(1)(B)(x)(d) four defense counsel; and

(1)(B)(x)(e) one person skilled in linguistics or communication.

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

(1)(B)(xi)(a) two district court judges;

(1)(B)(xi)(b) one court commissioner;

(1)(B)(xi)(c) one juvenile court judge;

(1)(B)(xi)(d) one justice court judge;

- (1)(B)(xi)(e) one court clerk;
- (1)(B)(xi)(f) one appellate court staff attorney;
- (1)(B)(xi)(g) one representative from the Self-Help Center;
- (1)(B)(xi)(h) the State Law Librarian;
- (1)(B)(xi)(i) the district court administrator or designee;
- (1)(B)(xi)(j) one representative from a legal service organization that serves low-income clients;
- (1)(B)(xi)(k) one paralegal;
- (1)(B)(xi)(l) one educator from a paralegal program or law school;
- (1)(B)(xi)(m) one person skilled in linguistics or communication;
- (1)(B)(xi)(n) one representative from the Utah State Bar;
- (1)(B)(xii)(o) the Licensed Paralegal Practitioner (LPP) administrator; and
- (1)(B)(xii)(p) two community representatives who are knowledgeable about the needs of the self-represented litigants.
- (1)(B)(xii) The **Committee on Fairness and Accountability** performs the duties described in Rule 3-420. The committee will include members who demonstrate an interest in or who have experience with issues of diversity, equity, and inclusion and will consist of:
- (1)(B)(xii)(a) one district court judge;
- (1)(B)(xii)(b) one juvenile court judge;
- (1)(B)(xii)(c) one justice court judge;
- (1)(B)(xii)(d) one appellate court judge;
- (1)(B)(xii)(e) two former judges from any court level;
- (1)(B)(xii)(f) the General Counsel or designee;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1)(B)(xiv)(g) two representatives of Utah's Indian Tribes or affiliated community groups;

(1)(B)(xiv)(h) the Tribal Liaison;

(1)(B)(xiv)(i) one trial court executive;

(1)(B)(xiv)(j) one clerk of court or designee;

(1)(B)(xiv)(k) one representative from the Utah State Bar Indian Law Section;

(1)(B)(xiv)(l) one representative from the United States Attorney's Office;

(1)(B)(xiv)(m) one representative from the Indigent Defense Commission; and

(1)(B)(xiv)(n) one representative from the Guardian ad Litem's Office.

(1)(C) **Standing committee meetings and chairs.** The Council will designate the chair of each standing committee. Standing committees will meet as necessary to accomplish their work. Except for the Committee on Fairness and Accountability, Council members may not serve, participate or vote on standing committees. Standing committees may invite participation by others as they deem advisable, but only members designated by this rule may make motions and vote. All members designated by this rule may make motions and vote unless otherwise specified. Standing committees may form subcommittees as they deem advisable.

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

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

(1)(D)(ii) **Committee assessment.** At least once every three years, the chair of each standing committee will conduct a performance assessment. Chairs should, at a minimum, consider:

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

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

(1)(D)(iii)(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 Council that the committee continue. If the Management Committee determines that modification of a committee is warranted, it may so recommend to the Council.

(1)(D)(iv) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem Oversight Committee, recognized by Utah Code sSection 78A-2-104, 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 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 prospective reappointee, the prospective reappointee's contributions to

the committee, and the prospective reappointee's other present and past committee assignments; and

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

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

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

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

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

Effective: July 1, 2025~~May 1, 2025~~

Rule 4-202.02. Records Classification.

Intent:

To classify court records as public or non-public.

Applicability:

This rule applies to the judicial branch.

Statement of the Rule:

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

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

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

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

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

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

(2)(E) audit reports;

(2)(F) case files;

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

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

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

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

(2)(K) financial records;

(2)(L) indexes approved by the Management Committee, including the following, in courts other than the juvenile court; an index may contain any other index information:

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

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

(2)(L)(iii) licensed paralegal practitioner name;

(2)(L)(iv) case number;

(2)(L)(v) case status;

(2)(L)(vi) civil case type or criminal violation;

(2)(L)(vii) civil judgment or criminal disposition;

(2)(L)(viii) daily calendar;

(2)(L)(ix) file date;

(2)(L)(x) party name;

(2)(M) name, business address, business telephone number, and business email address of an adult person or business entity other than a party or a victim or witness of a crime;

(2)(N) name, address, telephone number, email address, date of birth, and last four digits of the following: driver's license number; social security number; or account number of a party;

(2)(O) name, business address, business telephone number, and business email address of a lawyer or licensed paralegal practitioner appearing in a case;

(2)(P) name, business address, business telephone number, and business email address of court personnel other than judges;

(2)(Q) name, business address, and business telephone number of judges;

(2)(R) name, gender, gross salary and benefits, job title and description, number of hours worked per pay period, dates of employment, and relevant qualifications of a current or former court personnel;

(2)(S) unless classified by the judge as private or safeguarded to protect the personal safety of the juror or the juror's family, the name of a juror empaneled to try a case, but only 10 days after the jury is discharged;

(2)(T) opinions, including concurring and dissenting opinions, and orders entered in open hearings;

(2)(U) order or decision classifying a record as non-public;

(2)(V) private record if the subject of the record has given written permission to make the record public;

(2)(W) publications of the Administrative Office;

(2)(X) record in which the judicial branch determines or states an opinion on the rights of the state, a political subdivision, the public, or a person;

(2)(Y) record of the receipt or expenditure of public funds;

(2)(Z) record, minutes, or transcript of an open meeting;

(2)(AA) official audio record, minutes, or transcript of an open hearing;

(2)(BB) record of formal discipline of current or former court personnel or of a person regulated by the judicial branch if the disciplinary action has been completed, and all time periods for administrative appeal have expired, and the disciplinary action was sustained;

(2)(CC) record of a request for a record;

(2)(DD) reports used by the judiciary if all of the data in the report is public or the Judicial Council designates the report as a public record;

(2)(EE) rules of the Supreme Court and Judicial Council;

(2)(FF) search warrants, the application and all affidavits or other recorded testimony on which a warrant is based are public after they are unsealed under Rule 40 of the Utah Rules of Criminal Procedure;

(2)(GG) statistical data derived from public and non-public records but that disclose only public data; and

(2)(HH) notwithstanding subsections (6) and (7), if a petition, indictment, or information is filed charging a person 14 years of age or older with a felony or an offense that would be a felony if committed by an adult, the petition, indictment or information, the adjudication order, the disposition order, and the delinquency history summary of the person are public records. The delinquency history summary will contain the name of the person, a listing of the offenses for which the person was adjudged to be within the jurisdiction of the juvenile court, and the disposition of the court in each of those offenses. Upon a finding of good cause on the record, the juvenile court may reclassify these records as non-public.

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

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

(3)(A)(i) Utah Code, title ~~84~~78B, chapter ~~436~~, Part 1, Utah Adoption Act, six months after the conclusion of proceedings, which are private until sealed;

(3)(A)(ii) Utah Code, title ~~84~~78B, chapter 15, part 8, Gestational Agreement, six months after the conclusion of proceedings, which are private until sealed;

(3)(A)(iii) Utah Code section 76-7-304.5, Consent required for abortions performed on minors; and

(3)(A)(iv) Utah Code section 78B-8-402, Actions for disease testing;

- (3)(B) expunged records;
- (3)(C) orders authorizing installation of pen register or trap and trace device under Utah Code section 77-23a-15;
- (3)(D) records showing the identity of a confidential informant;
- (3)(E) records relating to the possession of a financial institution by the commissioner of financial institutions under Utah Code section 7-2-6;
- (3)(F) wills deposited for safe keeping under Utah Code, title 75, chapter 2, part 9, Custody and Deposit of Wills;
- (3)(G) records designated as sealed by rule of the Supreme Court;
- (3)(H) record of a Children's Justice Center investigative interview after the conclusion of any legal proceedings;
- (3)(I) on appeal, any record previously designated as sealed by another court;
- (3)(J) video record of a court proceeding, other than security video;
- (3)(K) "nonpublic restitution records" as defined in Utah Code section 63M-7-502; and
- (3)(L) other records as ordered by the court under Rule 4-202.04.

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

- (4)(A) records in the following actions:
- (4)(A)(i) Utah Code section 26B-5-332, Involuntary commitment under court order;
- (4)(A)(ii) Utah Code section 76-~~4011-532311~~, Removal from the National Instant Check System database;
- (4)(A)(iii) Utah Code, title ~~8478B~~, chapter ~~436~~, part 1, Utah Adoption Act, until the records are sealed;
- (4)(A)(iv) Utah Code, title ~~8478B~~, chapter 15, part 8, Gestational Agreement, until the records are sealed;
- (4)(A)(v) cases initiated in the district court by filing an abstract of a juvenile court restitution judgment; and
- (4)(A)(vi) Utah Code section 26B-8-111, Sex designation changes, and name changes combined with sex designation changes for both minors and adults, except that:
- (4)(A)(vi)(a) the case history is public for minors; and

(4)(A)(vi)(b) the case history and record of public hearings are public for adults.

(4)(B) records in the following actions, except that the case history, judgments, orders, decrees, letters of appointment, and the record of public hearings are public records:

(4)(B)(i) Utah Code, title 81, Utah Domestic Relations Code, including qualified domestic relations orders, except that an action for consortium due to personal injury under Utah ~~Code s~~Section 81-3-111 is public;

(4)(B)(ii) Utah Code, title 75, chapter 5, Protection of ~~persons~~Persons under Under disability and their Property;

(4)(B)(iii) Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;

(4)(B)(iv) Utah Code, title ~~8478B~~, chapter ~~612~~, ~~Child Support~~Utah Child Support Act;

(4)(B)(v) Utah Code, title ~~8478B~~, chapter ~~1113~~, Utah Uniform Child Custody Jurisdiction and Enforcement Act;

(4)(B)(vi) Utah Code, title ~~8478B~~, chapter ~~814~~, Uniform Interstate Family Support Act;

(4)(B)(vii) Utah Code, title ~~8478B~~, chapter ~~15~~, Utah Uniform Parentage Act; and

(4)(B)(viii) an action to modify or enforce a judgment in any of the actions in this subparagraph (4)(B);

(4)(C) records related to determinations of indigency;

(4)(D) an affidavit supporting a motion to waive fees;

(4)(E) aggregate records other than public aggregate records under paragraph (2);

(4)(F) alternative dispute resolution records;

(4)(G) applications for accommodation under the Americans with Disabilities Act;

(4)(H) jail booking sheets;

(4)(I) citation, but an abstract of a citation that redacts all non-public information is public;

(4)(J) judgment information statement;

(4)(K) judicial review of final agency action under Utah Code section 80-2-707;

(4)(L) the following personal identifying information about a party: driver's license number, social security number, account description and number, password,

253 identification number, maiden name and mother's maiden name, and similar personal
254 identifying information;

255
256 (4)(M) the following personal identifying information about a person other than a party or
257 a victim or witness of a crime: residential address, personal email address, personal
258 telephone number; date of birth, driver's license number, social security number,
259 account description and number, password, identification number, maiden name,
260 mother's maiden name, and similar personal identifying information;

261
262 (4)(N) medical, psychiatric, or psychological records;

263
264 (4)(O) name of a minor, except that the name of a minor party is public in the following
265 district and justice court proceedings:

266
267 (4)(O)(i) name change of a minor, unless the name change is combined with a
268 sex designation change;

269
270 (4)(O)(ii) guardianship or conservatorship for a minor;

271
272 (4)(O)(iii) felony, misdemeanor, or infraction when the minor is a party;

273
274 (4)(O)(iv) protective orders and stalking injunctions; and

275
276 (4)(O)(v) custody orders and decrees;

277
278 (4)(P) nonresident violator notice of noncompliance;

279
280 (4)(Q) personnel file of a current or former court personnel or applicant for employment;

281
282 (4)(R) photograph, film, or video of a crime victim;

283
284 (4)(S) record of a court hearing closed to the public or of a child's testimony taken under
285 Rule 15.5 of the Utah Rules of Criminal Procedure:

286
287 (4)(S)(i) permanently if the hearing is not traditionally open to the public and
288 public access does not play a significant positive role in the process; or

289
290 (4)(S)(ii) if the hearing is traditionally open to the public, until the judge
291 determines it is possible to release the record without prejudice to the interests
292 that justified the closure;

293
294 (4)(T) record submitted by a senior judge or court commissioner regarding performance
295 evaluation and certification;

296
297 (4)(U) record submitted for in camera review until its public availability is determined;

298
299 (4)(V) reports of investigations by Child Protective Services;

300
301 (4)(W) statement in support of petition to determine competency;

302
303 (4)(X) victim impact statements;

(4)(Y) name of a prospective juror summoned to attend court, unless classified by the judge as safeguarded to protect the personal safety of the prospective juror or the prospective juror's family;

(4)(Z) records filed pursuant to Rules 52 - 59 of the Utah Rules of Appellate Procedure, except briefs filed pursuant to court order;

(4)(AA) records in a proceeding under Rule 60 of the Utah Rules of Appellate Procedure;

(4)(BB) records related to Court Commissioner Conduct Committee and Council actions under Rule 3-201.02, other than a public censure by the Council, and

(4)(CC) other records as ordered by the court under Rule 4-202.04.

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

(5)(A) attorney's work product, including the mental impressions or legal theories of an attorney or other representative of the courts concerning litigation, privileged communication between the courts and an attorney representing, retained, or employed by the courts, and records prepared solely in anticipation of litigation or a judicial, quasi-judicial, or administrative proceeding;

(5)(B) records that are subject to the attorney client privilege;

(5)(C) bids or proposals until the deadline for submitting them has closed;

(5)(D) budget analyses, revenue estimates, and fiscal notes of proposed legislation before issuance of the final recommendations in these areas;

(5)(E) budget recommendations, legislative proposals, and policy statements, that if disclosed would reveal the court's contemplated policies or contemplated courses of action;

(5)(F) court security plans;

(5)(G) investigation and analysis of loss covered by the risk management fund;

(5)(H) memorandum prepared by staff for a member of any body charged by law with performing a judicial function and used in the decision-making process;

(5)(I) confidential business records under Utah Code section 63G-2-309;

(5)(J) record created or maintained for civil, criminal, or administrative enforcement purposes, audit or discipline purposes, or licensing, certification or registration purposes, if the record reasonably could be expected to:

(5)(J)(i) interfere with an investigation;

(5)(J)(ii) interfere with a fair hearing or trial;

(5)(J)(iii) disclose the identity of a confidential source; or

(5)(J)(iv) concern the security of a court facility;

(5)(K) record identifying property under consideration for sale or acquisition by the court or its appraised or estimated value unless the information has been disclosed to someone not under a duty of confidentiality to the courts;

(5)(L) record that would reveal the contents of settlement negotiations other than the final settlement agreement;

(5)(M) record the disclosure of which would impair governmental procurement or give an unfair advantage to any person;

(5)(N) record the disclosure of which would interfere with supervision of an offender's incarceration, probation, or parole;

(5)(O) record the disclosure of which would jeopardize life, safety, or property;

(5)(P) strategy about collective bargaining or pending litigation;

(5)(Q) test questions and answers;

(5)(R) "trade secrets" as defined in Utah Code section 13-24-2;

(5)(S) record of a Children's Justice Center investigative interview before the conclusion of any legal proceedings;

(5)(T) presentence investigation report;

(5)(U) probation progress/violation reports;

(5)(V) except for those filed with the court, records maintained and prepared by juvenile probation; and

(5)(W) other records as ordered by the court under Rule 4-202.04.

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

(6)(A) correspondence relating to juvenile social records;

(6)(B) custody evaluations, parent-time evaluations, parental fitness evaluations, substance abuse evaluations, domestic violence evaluations;

(6)(C) medical, psychological, psychiatric evaluations;

(6)(D) pre-disposition, dispositional, and social summary reports;

(6)(E) probation agency and institutional reports or evaluations;

(6)(F) referral reports;

(6)(G) report of preliminary inquiries;

(6)(H) treatment or service plans;

(6)(I) nonjudicial adjustment records; and

(6)(J) documents filed with the court that were received pursuant to the Utah Interstate Compact for Juveniles.

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

(7)(A) accounting records;

(7)(B) discovery filed with the court;

(7)(C) pleadings, summonses, subpoenas, motions, affidavits, calendars, minutes, findings, orders, decrees, probable cause statements;

(7)(D) name of a party or minor;

(7)(E) record of a court hearing;

(7)(F) referral and offense histories; and

(7)(G) any other juvenile court record regarding a minor that is not designated as a social record.

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

(8)(A) upon request, location information, contact information, and identity information, other than the name of a petitioner and other persons to be protected, in an action filed under Utah Code, title 78B, chapter 7, Protective Orders and Stalking Injunctions;

(8)(B) upon request, location information, contact information and identity information, other than the name of a party or the party's child, after showing by affidavit that the health, safety, or liberty of the party or child would be jeopardized by disclosure in a proceeding under Utah Code, title ~~8478B~~, chapter ~~1413~~, Utah Uniform Child Custody Jurisdiction and Enforcement Act, Utah Code, title ~~8478B~~, chapter ~~814~~, Uniform Interstate Family Support Act; or Utah Code, title ~~8478B~~, chapter ~~15~~, Utah Uniform Parentage Act;

(8)(C) upon request, if the information has been safeguarded under paragraph (8)(A) or (8)(B), location information, contact information and identity information, other than the name of a party or the party's child, in a proceeding under Utah Code, title 81, Utah Domestic Relations Code;

(8)(D) location information, contact information, and identity information of prospective jurors on the master jury list or the qualified jury list;

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

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

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

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

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

Effective ~~July 1~~May 1, 2025

Rule 4-202.03. Records access**Intent:**

To identify who may access court records.

Applicability:

This rule applies to the judicial branch.

Statement of the Rule:

(1) **Public Court Records.** Any person may access a public court record.

(2) **Sealed Court Records.** No one may access a sealed court record except as authorized below or by order of the court. A judge may review a sealed record when the circumstances warrant.

(2)(A) **Adoption records.** Upon request and presentation of positive identification, adoption records may be accessed according to Utah Code, title ~~84~~78B, chapter ~~136~~, part 1, or pursuant to any court order that may have been entered.

(2)(B) **Expunged records.**

(2)(B)(i) The following may obtain certified copies of the expungement order and the case history upon request and presentation of positive identification:

(2)(B)(i)(a) the petitioner or an individual who receives an automatic expungement under Utah Code, ~~T~~title 77, ~~c~~Chapter 40a or ~~s~~Section 77-27-5.1;

(2)(B)(i)(b) a law enforcement officer involved in the case, for use solely in the officer's defense of a civil action arising out of the officer's involvement with the petitioner in that particular case;

(2)(B)(i)(c) parties to a civil action arising out of the expunged incident, if the information is kept confidential and utilized only in the action; and

(2)(B)(i)(d) an attorney who is not the attorney of record with a release from an individual authorized access under this rule that is signed and notarized not more than 90 days before the date of the request.

(2)(B)(ii) Information contained in expunged records may be accessed by qualifying individuals and agencies under Utah Code ~~s~~Section 77-40a-403 upon written request and approval by the state court administrator in accordance with Rule 4-202.05. Requests must include documentation proving that the requester

meets the conditions for access and a statement that the requester will comply with all confidentiality requirements in Rule 4-202.05 and Utah Code.

(2)(C) **Video records.** An official court transcriber may obtain a video record of a court proceeding for the purposes outlined in Rule 5-202. A court employee may obtain a video record of a court proceeding if needed to fulfill official court duties.

(3) **Private Court Records.** The following may access a private court record:

(3)(A) the subject of the record;

(3)(B) the parent or guardian of the subject of the record if the subject is an unemancipated minor or under a legal incapacity;

(3)(C) a party, attorney for a party, or licensed paralegal practitioner for a party to litigation in which the record is filed;

(3)(D) an interested person to an action under the Uniform Probate Code;

(3)(E) the person who submitted the record;

(3)(F) the attorney or licensed paralegal practitioner for a person who may access the private record or an individual who has a written power of attorney from the person or the person's attorney or licensed paralegal practitioner;

(3)(G) an individual with a release from a person who may access the private record signed and notarized no more than 90 days before the date the request is made;

(3)(H) anyone by court order;

(3)(I) court personnel, but only to achieve the purpose for which the record was submitted;

(3)(J) a person provided the record under Rule 4-202.04 or Rule 4-202.05; and

(3)(K) a governmental entity with which the record is shared under Rule 4-202.10.

(4) **Protected Court Records.** The following may access a protected court record:

(4)(A) the person or governmental entity whose interests are protected by closure;

(4)(B) the parent or guardian of the person whose interests are protected by closure if the person is an unemancipated minor or under a legal incapacity;

(4)(C) the person who submitted the record;

(4)(D) the attorney or licensed paralegal practitioner for the person who submitted the record or for the person or governmental entity whose interests are protected by closure or for the parent or guardian of the person if the person is an unemancipated minor or under a legal incapacity or an individual who has a power of attorney from such person or governmental entity;

(4)(E) an individual with a release from the person who submitted the record or from the person or governmental entity whose interests are protected by closure or from the parent or guardian of the person if the person is an unemancipated minor or under a legal incapacity signed and notarized no more than 90 days before the date the request is made;

(4)(F) a party, attorney for a party, or licensed paralegal practitioner for a party to litigation in which the record is filed;

(4)(G) anyone by court order;

(4)(H) court personnel, but only to achieve the purpose for which the record was submitted;

(4)(I) a person provided the record under Rule 4-202.04 or Rule 4-202.05; and

(4)(J) a governmental entity with which the record is shared under Rule 4-202.10.

(5) Juvenile Court Social Records. The following may access a juvenile court social record:

(5)(A) the subject of the record, if 18 years of age or over;

(5)(B) a parent or guardian of the subject of the record, or their attorney, if the subject is an unemancipated minor;

(5)(C) an attorney or person with power of attorney for the subject of the record;

(5)(D) a person with a notarized release from the subject of the record or the subject's legal representative dated no more than 90 days before the date the request is made;

(5)(E) the subject of the record's therapists and evaluators;

(5)(F) a self-represented litigant, a prosecuting attorney, a defense attorney, a Guardian ad Litem, and an Attorney General involved in the litigation in which the record is filed;

(5)(G) a governmental entity charged with custody, guardianship, protective supervision, probation or parole of the subject of the record including juvenile probation, Division of Child and Family Services and ~~Juvenile Justice Services~~ Juvenile Justice and Youth Services;

(5)(H) the ~~Department of Human Services~~ Department of Health and Human Services, school districts and vendors with whom they or the courts contract (who must not permit further access to the record), but only for court business;

(5)(I) court personnel, but only to achieve the purpose for which the record was submitted;

(5)(J) a governmental entity with which the record is shared under Rule 4-202.10;

(5)(K) the person who submitted the record;

(5)(L) public or private individuals or agencies providing services to the subject of the record or to the subject's family, including services provided pursuant to a nonjudicial adjustment, if a probation officer determines that access is necessary to provide effective services; and

(5)(M) anyone by court order.

(5)(N) Dispositional reports on delinquency cases may be accessed by the minor's counsel, the prosecuting attorney, the guardian ad litem, and the counsel for the parent, guardian, or custodian of a child. When a minor or minor's parent, guardian, or custodian is not represented by counsel the court may limit inspection of reports by the minor or the minor's parent, guardian, or custodian if the court determines it is in the best interest of the minor.

(5)(O) Juvenile court competency evaluations, psychological evaluations, psychiatric evaluations, psychosexual evaluations, sex behavior risk assessments, and other sensitive mental health and medical records may be accessed only by:

(5)(O)(i) a prosecuting attorney, a defense attorney, a Guardian ad Litem, and an Attorney General involved in the litigation in which the record is filed;

(5)(O)(ii) a governmental entity charged with custody, guardianship, protective supervision, probation or parole of the subject of the record including juvenile probation, Division of Child and Family Services and ~~Juvenile Justice Services~~ Juvenile Justice and Youth Services;

(5)(O)(iii) court personnel, but only to achieve the purpose for which the record was submitted; and

(5)(O)(iv) anyone by court order.

(5)(P) When releasing records under (5)(O)(iv), the court should consider whether releasing the records to the subject of the record would be detrimental to the subject's mental health or the safety of any individual, or would constitute a violation of normal professional practice and medical ethics.

(5)(Q) When records may be accessed only by court order, a juvenile court judge will permit access consistent with Rule 4-202.04 as required by due process of law in a manner that serves the best interest of the child.

(6) Juvenile Court Legal Records. The following may access a juvenile court legal record:

(6)(A) all who may access the juvenile court social record;

(6)(B) a law enforcement agency;

(6)(C) a children's justice center;

(6)(D) public or private individuals or agencies providing services to the subject of the record or to the subject's family;

(6)(E) the victim of a delinquent act may access the disposition order entered against the minor; and

(6)(F) the parent or guardian of the victim of a delinquent act may access the disposition order entered against the minor if the victim is an unemancipated minor or under legal incapacity.

(7) Safeguarded Court Records. The following may access a safeguarded record:

(7)(A) the subject of the record;

(7)(B) the person who submitted the record;

(7)(C) the attorney or licensed paralegal practitioner for a person who may access the record or an individual who has a written power of attorney from the person or the person's attorney or licensed paralegal practitioner;

(7)(D) an individual with a release from a person who may access the record signed and notarized no more than 90 days before the date the request is made;

(7)(E) anyone by court order;

(7)(F) court personnel, but only to achieve the purpose for which the record was submitted;

(7)(G) a person provided the record under Rule 4-202.04 or Rule 4-202.05;

(7)(H) a governmental entity with which the record is shared under Rule 4-202.10; and

(7)(I) a person given access to the record in order for juvenile probation to fulfill a probation responsibility.

(8) Juvenile court probation records. Records prepared and maintained by juvenile court probation that are not filed in a juvenile court case are not open for inspection except by order of the court.

(9) Court personnel may not permit access to court records by unauthorized persons. The court may order anyone who accesses a non-public record not to permit further access, the violation of which may be contempt of court.

(10) If a court or court employee in an official capacity is a party in a case, the records of the party and the party's attorney are subject to the rules of discovery and evidence to the same extent as any other party.

Effective: ~~May~~ July 1, 2025

Rule 4-206. Exhibits.**Intent:**

To establish a uniform procedure for the receipt, maintenance, and release of exhibits.

Applicability:

This rule applies to all trial courts of record and not of record, except small claims court. In the discretion of the court, this rule may apply to any proceeding in which exhibits are introduced.

Statement of the Rule:**(1) Marking exhibits.**

(1)(A) **Marking Exhibits.** Prior to trial, or at a time specified by the judge, each party must mark all exhibits it intends to introduce with exhibit labels in the format prescribed by the clerk of court. Labels or tags must include, at a minimum, a case number, exhibit number/letter, and an appropriate party designation. With approval of the court, a photograph may be offered ~~by the submitting party~~ as a representation of the original exhibit.

(1)(B) **Digital Exhibits.** Digital exhibits must be marked as provided in paragraph (1)(A) and submitted to the court as prescribed by the clerk of court. Exhibits should not be eFiled.

(1)(C) **Courts not of record.** Courts not of record may exempt parties from the requirements outlined in paragraphs (1)(A) and (1)(B) and prescribe an alternative process for marking exhibits.

(2) Exhibit custody during trial.

(2)(A) **Custody of the Parties.** During the trial, bulky and sensitive exhibits, and exhibits that require law enforcement chain of custody, will remain in the custody of the party offering the exhibit or in the custody of the appropriate law enforcement agency. Such exhibits include, but are not limited to: biological evidence, biohazards, controlled substances, paraphernalia, firearms, ammunition, explosive devices, pornographic materials, jewelry, poisonous or dangerous chemicals, intoxicating liquors, money or articles of high monetary value, counterfeit money, original digital storage media such as a hard drive or computer, and documents or physical exhibits of unusual bulk or weight. The clerk of court or designee must list these exhibits in the exhibit list and note that the original exhibit is in the custody of the party or agency.

(2)(B) **Custody of the Court.** Physical exhibits offered, other than those in paragraph (2)(A), must be placed in the custody of the clerk of court or designee. Digital exhibits offered will be stored electronically or on digital media such as a thumb drive and stored in accordance with paragraph (2)(C). The clerk of court or designee must list all exhibits in the exhibit list, and the list will be made a part of the court record. An exhibit list may be the court's designated case management system or a form approved by the Judicial Council.

39 (2)(C) **Secured Storage.**

40 (2)(C)(i) Upon daily adjournment, the clerk of court or designee must compare
41 the exhibit list with the exhibits offered that day. Digital exhibits in the custody of
42 the court will be stored electronically in a manner meeting the requirements
43 outlined in paragraph (3)(A)(ii). Physical exhibits in the custody of the court must
44 be stored in an envelope or container, marked with the case number, and stored
45 in a secured storage location that meets the requirements outlined in paragraph
46 (3)(A)(ii).

47 (2)(C)(ii) Exhibits may be stored in a temporary secured location for no more than
48 72 hours, provided the temporary location is sufficient to prevent access by
49 unauthorized persons, and the location is secured with a key lock, combination
50 lock, or electronic lock. Access to the temporary storage location will be limited to
51 the clerk of court, judge, or a designee.

52 (3) **Exhibit custody prior to disposition.**

53 (3)(A) **Pending Disposition.** Exhibits in the court's custody pursuant to paragraph (2)(B)
54 may not be taken from the custody of the clerk of court or designee until final disposition
55 of the case, except upon order of the court and execution of a receipt that identifies the
56 material, the party or law enforcement agency to whom the exhibit is released, and the
57 date and time of the release. The receipt will be made a part of the court record.

58 (3)(A)(i) **Exhibit Manager.** The clerk of court will appoint an exhibit manager with
59 responsibility for the security, maintenance, documentation of the chain of
60 custody, and disposition of exhibits. The clerk of court may also appoint a person
61 to act as exhibit manager during periods when the primary exhibit manager is
62 absent. Unaccompanied or unauthorized access to secured storage locations by
63 anyone other than the exhibit manager, acting exhibit manager, or the clerk of
64 court is prohibited without a court order.

65 (3)(A)(ii) **Secured Storage Location.** Each court must provide physical and
66 electronic secured storage locations within their facility for storing exhibits
67 retained by the court under subsection (2)(B), and will maintain a current
68 inventory list of all exhibits in the court's custody. The physical secured storage
69 location must be sufficient to prevent access from unauthorized persons, secured
70 with a key lock, combination lock, or electronic lock, and protected from theft or
71 damage. The electronic secured storage location should be sufficient to prevent
72 access from unauthorized persons. Prior to use, physical and electronic secured
73 storage locations must be certified by the Court Security Director. Requests for
74 certification must be made in writing and will fully describe the secured storage
75 location, local access procedures, and security controls. Any changes to the
76 location, access procedures, or security controls require recertification by the
77 Court Security Director.

78 (3)(B) **Exhibit custody post disposition.**

(3)(B)(i) **Courts of record.** In courts of record, upon final disposition of the case, exhibits in the court's custody will be disposed of or returned to the offering parties or appropriate law enforcement agency pursuant to paragraph (5). The clerk of court, exhibit manager, or designee will execute a receipt identifying the material ~~taken~~sent, the party to whom the exhibit is released, and the date and time of the release. The receipt will be made a part of the court record.

(3)(B)(ii) **Courts not of record.** In civil cases in courts not of record, upon final disposition of the case, all exhibits in the court's custody will be returned to the parties. In criminal cases in courts not of record, upon final disposition of the case, all exhibits in the court's custody will be given to the offering party or appropriate law enforcement agency, which must comply with Utah Code title 77, chapter 11c, Retention of Evidence. The clerk of court, exhibit manager, or designee will execute a receipt identifying the material ~~sent~~taken, the party or law enforcement officer to whom the exhibit is released, and the date and time of the release. The receipt will be made a part of the court record.

(3)(C) **Exhibits in the custody of the parties.** Unless otherwise ordered by the court, exhibits identified in paragraph (2)(A) will remain in the custody of the parties or law enforcement agency until they are eligible for disposal pursuant to paragraph (5)(A)(i) or (5)(B)(i). Parties are responsible for preserving exhibits in the same condition as when they were first admitted into evidence.

(3)(D) **Access to exhibits by parties.** Parties may file a motion requesting access to an exhibit in the custody of the court or another party. Upon order of the court, the clerk of court, exhibit manager or designee, or party or law enforcement agency with custody of the exhibits will promptly make available for examination exhibits, or original or true copies of the exhibits.

(4) **Appeals.** Exhibits and exhibit lists will be provided upon appeal in accordance with the Utah Rules of Appellate Procedure.

(5) **Disposal of exhibits.** Exhibits will be disposed of as follows:

(5)(A) **Criminal.** In criminal and juvenile delinquency cases:

(5)(A)(i) **Party custody.** Parties and law enforcement agencies with custody of evidence must comply with Utah Code title 77, chapter 11c, Retention of Evidence.

(5)(A)(ii) **Court custody.** Exhibits in the court's custody will be transferred to the offering party or appropriate law enforcement agency no earlier than 365 days after the time for appeal has expired, provided no appeal has been filed and there are no pending post-conviction relief actions or pending appeals of post-conviction relief actions.

(5)(B) **Civil.** In cases that are not criminal in nature:

(5)(B)(i) **Disposal time.** Provided no appeal has been filed, parties may dispose of, and exhibit managers, clerks of court, or designees will dispose of any exhibits in their custody no earlier than 90 days after the time for appeal has expired.

(5)(B)(ii) **Court custody.** Exhibits in the court's custody will be disposed of as follows:

(5)(B)(ii)(a) **No monetary value.** Property having no monetary value will be destroyed by the exhibit manager, clerk of court, or designee. The exhibit manager will create a certificate of destruction including a description of the exhibit, the case and exhibit numbers, and the date and time of the destruction. The certificate of destruction will be made a part of the court record.

(5)(B)(ii)(b) **Monetary value.** Property having monetary value will be returned to its owner or, if unclaimed, will be given to the offering party, sheriff of the county, or other law enforcement agency to be sold in accordance with Utah Code. The receiving agency will furnish the court with a receipt identifying the receiving agency, the exhibit received, and the date and time the exhibit was received. The receipt will be made a part of the court record.

(5)(C) **Time Period.** Upon receipt of remittitur from an appellate court, the time period for all cases is reset.

Effective: ~~March 14~~July 1, 2025

Rule 4-510.06. Cases exempt from ADR rules.**Intent:**

To identify the actions exempt from Rules 4-510.01 through 4-510.05.

Applicability:

This rule applies in the district court.

Statement of the Rule:

(1) Rules 4-510.01 through 4-510.05 do not apply to the following actions:

(1)(A) Utah Code ~~t~~Title 26B, ~~c~~Chapter 3, ~~p~~Part 10, Medical Benefits Recovery;

(1)(B) Utah Code ~~t~~Title 26B, ~~c~~Chapter 9, Recovery Services and Administration of Child Support;

(1)(C) Utah Code ~~t~~Title 78B, ~~c~~Chapter 7, ~~p~~Part 61, Cohabitant Abuse Protective Orders;

(1)(D) Utah Code ~~t~~Title 26B, ~~c~~Chapter 5, Health Care - Substance Use and Mental Health;

(1)(E) Rules 65A, 65B and 65C of the Utah Rules of Civil Procedure; and

(1)(F) uncontested matters.

(2) Rules 4-510.01 through 4-510.05 do not apply to the following actions, but they may undergo ADR procedures under other programs:

(2)(A) Utah Code ~~t~~Title 78A, ~~c~~Chapter 8, Small Claims Court; and

(2)(B) Utah Code ~~t~~Title 78B, ~~c~~Chapter 6, ~~p~~Part 8, Forcible Entry and Detainer.

(3) Rules 4-510.01 through 4-510.05 do not apply to the following actions, but the judge may direct that they undergo ADR procedures under these rules:

(3)(A) Utah Code ~~t~~Title 81, ~~c~~Chapter 6, Child Support;

(3)(B) Utah Code ~~t~~Title ~~84~~78B, ~~c~~Chapter ~~8~~14, Uniform Interstate Family Support Act;

(3)(C) Utah Code ~~t~~Title ~~84~~78B, ~~c~~Chapter ~~1~~5, Utah Uniform Parentage Act;

(3)(D) Utah Code ~~t~~Title ~~84~~78B, ~~c~~Chapter ~~44~~13, Utah Uniform Child Custody Jurisdiction and Enforcement Act; and

(3)(E) temporary orders requested under Utah Code ~~t~~Title 81, ~~c~~Chapter 4, Dissolution of Marriage, except temporary separation orders under ~~s~~Section 81-4-104.

Effective: ~~May 4~~July 1, 2025

Rule 4-613. Jail prisoner transportation**Intent:**

To establish a procedure for designating on the statewide warrants system offenses which require transportation of an individual arrested in a county other than the county from which the warrant was issued.

Applicability:

This rule applies to all warrants issued on or after November 1, 2011.

Statement of the Rule:

(1) Unless otherwise ordered by the court, warrants for the following offenses will require transportation from the county in which the defendant is arrested:

(1)(A) felonies;

(1)(B) class A misdemeanors; and

(1)(C) class B misdemeanors charged under Utah Code ~~t~~itle 76, ~~c~~hapter 5, ~~{~~Offenses Against the ~~Person~~Individual~~}~~, Utah Code tit~~l~~e 76, ~~c~~hapter 11, ~~{~~Weapons~~}~~, and Utah Code tit~~l~~e 41, ~~c~~hapter 6a, ~~p~~part 5, ~~{~~Driving Under the Influence and Reckless Driving~~}~~.

(2) Unless otherwise ordered by the court, warrants for the following offenses will require transportation only within the county from which the warrant originates:

(2)(A) class B misdemeanors not included in paragraph (1); and

(2)(B) class C misdemeanors.

Effective: ~~May 1~~July 1, 2025

Rule 6-501. Testing and reporting requirements for guardians and conservators.**Intent:**

To set forth the testing requirements for guardians and conservators and to establish standards and procedures for inventories, reports, and accountings that guardians and conservators are required to file under the Utah Uniform Probate Code.

Applicability:

This rule applies to individuals seeking appointment as guardians and conservators and individuals who are appointed by the court as guardians and conservators.

Statement of the Rule:**(1) Definitions.**

(1)(A) "Accounting" means the annual accounting required by Utah Code ~~s~~Section 75-5-312 and ~~s~~Section 75-5-417 and the final accounting required by Utah Code ~~s~~Section 75-5-419.

(1)(B) "Interested person" means the respondent, if he or she is not a minor, the respondent's guardian and conservator, the respondent's spouse, adult children, parents and siblings, and any other person interested in the welfare, estate, or affairs of the respondent who requests notice under Utah Code ~~s~~Section 75-5-406. If no person is an interested person as previously defined, then interested person includes at least one of the respondent's closest adult relatives, if any can be found. For purposes of minor guardianship, interested persons include the persons listed in Utah Code ~~s~~Section 75-5-207.

(1)(C) "Inventory" means the inventory required by Utah Code ~~s~~Section 75-5-418.

(1)(D) "Serve" means any manner of service permitted by ~~Utah Rule~~ the Utah Rules of Civil Procedure ~~5~~.

(1)(E) "Protected person" means a minor or an incapacitated person for whom the court appoints a guardian or an individual for whom the court appoints a conservator.

(1)(F) "Report" means the inventory, accounting, or annual report on the status of the protected person under Utah Code ~~s~~Sections 75-5-209 and 75-5-312, and the final accounting under ~~s~~Sections 75-5-210 and 75-5-419

(1)(G) "Respondent" means a person who is alleged to be incapacitated and for whom the appointment of a guardian or conservator is sought.

(2) Exceptions.

(2)(A) Paragraph (3) does not apply to the following:

(2)(A)(i) a guardian certified under Utah Code ~~s~~Section 75-5-311~~(1)(a)~~;

(2)(A)(ii) the Office of Public Guardian; or

(2)(A)(iii) a conservator issued a permit under Utah Code ~~s~~Section 7-5-2.

(2)(B) Paragraphs (6), (7), (8), (9), and (10) do not apply if the guardian or conservator is a parent of the protected person.

(2)(C) ~~Paragraphs (6)(C) and (8)(C) do Paragraph (7)(C) does~~ not apply to the guardian of a minor if the minor's estate consists of funds that are deposited in a restricted account, which requires judicial approval for withdrawal, or if there is no estate.

(2)(D) Paragraph (9) does not apply to a conservator who is appointed for the purpose of receiving a personal injury settlement for a minor if 1) no funds are to be distributed until the minor reaches the age of majority, or 2) no structured settlement payments are to be made until the minor reaches the age of majority.

(3) Examination and private information record.

(3)(A) Before the court enters an order appointing a guardian or conservator, the proposed guardian or conservator must file:

(3)(A)(i) a verified statement showing satisfactory completion of a court-approved examination on the responsibilities of a guardian or conservator; and

(3)(A)(ii) a completed and verified Private Information Record form provided by the Administrative Office ~~of the Courts~~.

(3)(B) The guardian or conservator must continue to keep the court apprised of any changes to the guardian or conservator's contact information.

(4) **Recordkeeping.** The guardian must keep contemporaneous records of significant events in the life of the protected person and produce them if requested by the court. The conservator must keep contemporaneous receipts, vouchers or other evidence of income and expenses and produce them if requested by the court. The guardian and conservator must maintain the records until the appointment is terminated and then deliver them to the successor guardian or conservator, to the protected person if there is no successor guardian or conservator, or to the personal representative of the protected person's estate.

(5) Filing and service of required reports and proposed Order on Review

(5)(A) The guardian or conservator ~~shall~~will file with the court the reports required by ~~p~~Paragraphs 6, 7, 8, 9, and/or 10 using the appropriate Council-approved form or a form that substantially conforms to the format and content of the Council form.

(5)(A)(i) A corporate fiduciary ~~shall~~will attach its internal report or accounting, if any, as an exhibit to the Council form.

(5)(A)(ii) If the protected person's estate is limited to a federal or state program requiring an annual accounting, the guardian may file a copy of that accounting instead of the Council form.

(5)(B) The annual status report and annual accounting must contain sufficient information to put interested persons on notice of all significant events and transactions during the reporting period.

(5)(C) Along with the required report, the guardian or conservator ~~shall~~will also file the Council-approved Order on Review of Guardian or Conservator Report ("Order on Review") as a proposed document.

(5)(D) The guardian or conservator must serve a copy of the required report on all interested persons in accordance with ~~Rule 5 of~~ the Utah Rules of Civil Procedure. The required report must include the following language at the top right corner of the first page, in bold type: **You have the right to object to this report within 28 days of service. If you do not object within that time, your objection may be waived.**

(6) Inventory.

(6)(A) Within 90 days after the appointment, the conservator must file with the appointing court the inventory required by Utah Code ~~s~~Section 75-5-418 in accordance with ~~p~~Paragraph 5. The inventory must be in substantially the same form as the inventory form approved by the Council, including the required attachments. The court may extend the time for filing the inventory for good cause.

(6)(B) The judge may conduct a hearing even though no objection is filed. If the judge finds that the inventory is in order, the judge must approve it by signing the Order on Review.

(6)(C) If there is no conservator, the guardian must file the inventory required of a conservator under Utah Code ~~s~~Section 75-5-312.

(7) Annual status reports.

(7)(A) The guardian must file with the appointing court a report on the status of the protected person no later than 60 days after the anniversary of the appointment in accordance with ~~p~~Paragraph 5.

(7)(A)(i) The status report must be in substantially the same form as the status report form approved by the Council, including the required attachments.

(7)(A)(ii) The guardian must file the report with the court that appointed the guardian unless that court orders a change in venue under Utah Code sSection 75-5-313.

(7)(A)(iii) The reporting period is yearly from the appointment date unless the court changes the reporting period on motion of the guardian. The guardian may not file the report before the close of the reporting period. For good cause the court may extend the time for filing the report, but a late filing does not change the reporting period.

(7)(B) The judge may conduct a hearing even though no objection is filed. If the judge finds that the report is in order, the judge must approve it by signing the Order on Review

(8) Annual accounting.

(8)(A) The conservator must file with the appointing court an accounting of the estate of the protected person no later than 60 days after the anniversary of the appointment in accordance with pParagraph 5.

(8)(A)(i) The accounting must be in substantially the same form as the accounting form approved by the Council, including the required attachments.

(8)(A)(ii) The conservator must file the accounting with the court that appointed the conservator unless that court orders a change in venue under Utah Code sSection 75-5-403.

(8)(A)(iii) The reporting period is yearly from the appointment date unless the court changes the reporting period on motion of the conservator. The conservator may not file the accounting before the close of the reporting period. For good cause the court may extend the time for filing the accounting, but a late filing does not change the reporting period.

(8)(B) The judge may conduct a hearing even though no objection is filed. If the judge finds that the accounting is in order, the judge must approve it by signing the Order on Review.

(8)(C) If there is no conservator, the guardian must file the accounting required of a conservator under Utah Code sSection 75-5-312.

(9) Final accounting.

(9)(A) The conservator must file with the court a final accounting of the estate of the protected person with the motion to terminate the appointment in accordance with pParagraph 5.

(9)(B) The court may conduct a hearing even though no objection is filed. If the court finds that the accounting is in order, the court must approve it by signing the Order on Review.

(10) Objections.

(10)(A) If an interested person objects to a report, the person must file a written objection with the court and serve a copy on all interested persons within 28 days from the date of service of the report. A request to submit must be included with the objection. The court may for good cause, including in order to accommodate a person with a disability, waive the requirement of a writing and document the objection and request to submit in the court record.

(10)(B) The objection must specify in writing the entries to which the person objects and state the reasons for the objection.

(10)(C) An objection to a report may not contain a request to remove or substitute the guardian or conservator. Any request for removal or substitution of the guardian or conservator must be filed as a separate petition consistent with Utah Code ~~s~~Section 75-5-307 or 75-5-415.

(10)(D) If an objection is filed, the court must conduct a hearing unless the court determines that a hearing is not necessary. If the court determines that a hearing is not necessary, the court must issue a minute entry or order stating why a hearing is not necessary.

(10)(E) At the hearing, the court may require the guardian or conservator to supplement or amend the report if the court determines there is good cause for the objection.

(10)(F) If the court determines that the objection is unfounded or is filed in bad faith, the court may deny the objection and approve the report.

(11) **Waiver.** If an interested person does not object to a report within 28 days of service, the interested person waives any objection unless:

(11)(A) the objection relates to matters not fairly disclosed by the report; or

(11)(B) the time for objection is extended by the court under ~~Rule 6 of~~ the Utah Rules of Civil Procedure. If the request for an extension is made before the time has run, the court may extend the time for good cause. If the request is made after the time has run, the court may extend for excusable neglect.

(12) **Report approval.**

(12)(A) **Approval.** The court must examine and approve the report as required by Utah Code sections 75-5-312 and 75-5-417. Approving a report means the judge has reviewed it, to the court's knowledge notice has been given to every person entitled to notice, no objection has been received, the report meets the requirements set forth by the report form, and the court has not requested additional information or scheduled a hearing. Such approval does not foreclose a valid claim permitted under paragraphs (11)(A) or (11)(B), nor does it start an appeal time.

(12)(B) **Notice to interested persons.** When a court approves a report, the court must sign and enter the Order on Review. When a court does not approve a report, the court must

215 indicate on the Order on Review, or in another minute entry or order, the reasons for non-
216 approval, any additional actions required, and serve it on all interested persons entitled to
217 notice.

218
219 (13) **Report on a minor.** Under Utah Code ~~s~~Section 75-5-209, a person interested in the welfare
220 of a minor may petition the court for a report from the guardian on the minor's welfare or the
221 minor's estate. If the court orders a status report from the guardian, the status report must be in
222 substantially the same form as the status report form for guardianships of adults approved by the
223 Council, including the required attachments.

224
225 *Effective ~~November 1, 2023~~ July 1, 2025*

Tab 11

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

I am ☐ Petitioner ☐ Respondent
☐ Petitioner's Attorney ☐ Respondent's Attorney (Utah Bar #: _____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of (select one)

- ☐ the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)
☐ the Children of (to establish custody, parent-time or child support)
☐ the Parentage of the Children of (for a paternity case)

(name of Petitioner)

and

(name of Respondent)

Other parties (if any)

Notice of a Change of Judge by Agreement of the Parties

Utah Rule of Civil Procedure 63A(b)

Case Number

Judge

Commissioner (domestic cases)

1. We ask the court for a new judge in this case based on Utah Rule of Civil Procedure 63A(b).
2. The current assigned judge is _____ (name of judge).
3. This action was started on _____ (date). This notice is being filed within 90 days of that day or before notice of the trial date, whichever came first.

4. All parties to the case have agreed to the change.
5. No one else is expected to be added to the case.
6. We have made a good faith effort to serve all the parties named in the pleadings.
7. This is the first and only time we are asking for a new judge under this part of the rule.

Plaintiff/Petitioner

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____	Signature ►	_____
Date	Printed Name	_____

Plaintiff/Petitioner's Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____	Signature ►	_____
Date	Printed Name	_____

Defendant/Respondent

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____	Signature ►	_____
Date	Printed Name	_____

Defendant/Respondent's Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____	Signature ►	_____
Date	Printed Name	_____

The Certificate of Service proves you gave copies of this document to everyone involved in your case. It is saying, "I gave everyone the papers they need to see." (Utah Rule of Civil Procedure 5)

1. **Fill out the sections below:** Write the information for each person you are sending a copy to. You have space to include two people and may add more pages if needed.
2. **Serve it:** You need to give a copy of the document including the certificate of service page to the other person. Give it to them on or before the day you give the document to the court.
3. **File it:** You need to give this document including the certificate of service page to the court. Make sure you also keep a copy for yourself.

Certificate of Service

I confirm that I provided a copy of this Notice of a Change of Judge by Agreement of the Parties to the following people.

I provided a copy to Name of Person	I provided the copy by [x]check one	I provided the copy to this address (based on ← option checked)	I provided the copy on Date
1.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
2.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Your
Signature ►

Date
(when you filled this out)

Your Printed
Name _____

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

I am ☐ Petitioner ☐ Respondent
☐ Petitioner's Attorney ☐ Respondent's Attorney (Utah Bar #: _____)
☐ Petitioner's Licensed Paralegal Practitioner
☐ Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of (select one)

- ☐ the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)
☐ the Children of (to establish custody, parent-time or child support)
☐ the Parentage of the Children of (for a paternity case)

(name of Petitioner)

and

(name of Respondent)

Other parties (if any)

Notice of a Change of Judge by One Party

Utah Rule of Civil Procedure 63A(a)

Case Number

Judge

Commissioner (domestic cases)

1. I ask the court for a new judge in this case.
2. I meet the requirements of Utah Rule of Civil Procedure 63A(a).
 - This case is in a county with seven or more district court judges.
 - This is the first time in this case I am changing judge using this rule.
 - I am

- The plaintiff or petitioner. I am filing this within **7 days** after the judge was first assigned.
- OR
- I am the defendant or respondent. I am filing this within **7 days** after being served with the complaint or petition or within **7 days** of when I first filed something with the court. Whichever one happened first.
- I am not filing this to delay any action or proceeding.
- I am not filing this because of the judge's race, gender, or religious affiliation.
- This case
 - Is not about a petition for post-conviction relief under Rule 65C
 - Is not about a petition to modify child custody, child support or alimony. Or, if it is, the judge for this case is different from the judge who worked on any past cases between the parties.
 - Is not in the juvenile court
 - Is not in the Business and Chancery Court
 - Is not with a sitting water or tax judge
 - Is not on remand from an appellate court

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

	Signature ►	
Date	Printed Name	

Plaintiff/Petitioner's or Defendant/Respondent's Attorney or Licensed Paralegal Practitioner of record (if applicable)

	Signature ►	
Date	Printed Name	

The Certificate of Service proves you gave copies of this document to everyone involved in your case. It is saying, "I gave everyone the papers they need to see." (Utah Rule of Civil Procedure 5)

1. **Fill out the sections below:** Write the information for each person you are sending a copy to. You have space to include two people and may add more pages if needed.
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Certificate of Service

I confirm that I provided a copy of this Notice of a Change of Judge to the following people.

I provided a copy to Name of Person	I provided the copy by [x]check one	I provided the copy to this address (based on ← option checked)	I provided the copy on Date
1.	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed/MyCase <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
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Your
Signature ►

Date
(when you filled this out)

Your Printed
Name

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

<p>In the Matter of (select one)</p> <p><input type="checkbox"/> the Marriage of (for a divorce with or without children, annulment, separate maintenance, or temporary separation case)</p> <p><input type="checkbox"/> the Children of (to establish custody, parent-time or child support)</p> <p><input type="checkbox"/> the Parentage of the Children of (for a paternity case)</p> <p>_____</p> <p>(name of Petitioner)</p> <p>and</p> <p>_____</p> <p>(name of Respondent)</p> <p>_____</p> <p>Other parents (if any)</p>	<p>Order Appointing Domestic Special Master</p> <p>(Rule of Civil Procedure 53A)</p> <p>_____</p> <p>Case Number</p> <p>_____</p> <p>Judge</p> <p>_____</p> <p>Commissioner (domestic cases)</p>
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The matter before the court is the appointment of the Domestic Relations Special Master. This matter has been agreed to by both parents. The stipulation of the parents was:

☐ stated on the record at the hearing held _____ (date).

☐ based on a written stipulation of the parties.

The court finds:

1. A Court ordered parenting plan, temporary order, or final order has been entered by this Court

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The court orders:

Pursuant to URCP 53A and based on the stipulation of the parties to appoint a Special Master the Court orders the following.

1. The Court appoints _____ (name of Special Master) to serve as a Special Master.
2. **Delegation of Authority.** By entering this order, the Special Master is delegated some of the authority ordinarily reserved to the Court as defined herein in addition to quasi-judicial immunity to the extent allowed by law.
3. The Court retains jurisdiction to make specific orders regarding the number of services to be provided, including the use of consultants and their fees, based upon economic or other factors (including use of the process to unreasonably increase economic costs or require the other parent to devote excessive time and attention to the process).
4. **Scope.** This order defines the directives that a Special Master may make, and what directives and authority are reserved by the Court such as modifying the parenting plan, custody, and relocation issues. The Special Master may make recommendations to the parents and the Court about those major directives to the extent authorized by this order if requested by the Court or the parents. The Special Master has no additional powers other than those granted by this order.
5. **Existing Order.** The Special Master may not make directives that are contrary to or inconsistent with current court orders. Current court orders include the following: _____

(Name of current orders).
6. The parents shall meet and confer with one another pursuant to court orders concerning communication prior to submitting an issue to the Special Master and consist of one request and one response.
7. The Special Master will:
 - Proceed with all reasonable diligence
 - Reduce misunderstanding and conflict
 - Clarify the parents' priorities
 - Develop methods of collaboration in parenting
 - Help the parents resolve conflict or issues that are not specifically addressed or need further clarification in the controlling orders.
 - Make directives as outlined herein within the confines of the existing order.
8. The Special Master may determine the following:

[] Scheduling and conflict resolution

☐ Directives resolving conflicts between the parents which do not significantly affect the Court's exclusive jurisdiction to issue permanent rulings on fundamental issues of custody and parent-time

☐ Safety plans necessary in the Special Master's opinion to address concerns or allegations regarding abuse, neglect or maltreatment of the children

☐ Safety plans necessary in the Special Master's opinion to address concerns regarding a parent's substance abuse issues, criminal activity, or mental health issues and the impact thereof on the children

☐ Means of and limitations on communication between the parents

☐ Parent time exchanges

☐ Make up parent time

☐ Require the use of professionals or outside resources deemed necessary or beneficial to the best interests of the children and parenting, including but not limited to reading books/articles, attending classes/programs, and enrolling in therapy for adults/children

☐ Minor health care directives

☐ Education

☐ Surrogate care providers for the children

☐ Management of previously-determined health care directives

☐ Transportation and parent-time

☐ Recreation

☐ After school and enrichment activities

☐ Discipline

☐ Participation in parent-time (significant other, relatives, etc.)

☐ Large one-time changes in vacation and holiday-time schedules

☐ Participation by parents in their children's physical examinations; and

☐ Other: _____

☐ Other: _____

☐ Other: _____

9. **Term Length.** The Special Master's term begins when this order is entered. Termination or suspension of the Special Master shall occur within _____ years after appointment or as otherwise directed by Utah Rule of Civil Procedure 53A.
10. **Contempt.** A Special Master may not make a finding of contempt pursuant to Utah law but may report the objective facts to the Court if the Special Master feels so inclined. A Special Master may not impose any fines nor order jail time. A Special Master may reallocate their fees if they determine it is appropriate.
11. **Opportunity to be Heard.** The Special Master must give each parent a reasonable opportunity to be heard before making any directive, but can make a directive when a parent does not reply to the request for a response.
12. **Best Interests.** The Special Master shall base all directives upon the best interests of the children.
13. **Guardian Ad Litem.** If the children have Court-appointed counsel or a private guardian ad litem, the Special Master must consult with the children's counsel, and give notice to the children's counsel in the same manner and under the same circumstances that the Special Master consults with and gives notice to the parents.
14. **Contact Information.** Each parent must give the Special Master their contact information (mailing address, email address, fax number, and telephone numbers), and the children's addresses and telephone numbers, and provide advanced notice of all changes of contact information. Each parent must give the Special Master a method for rapid oral and written communication and notification (such as voicemail, text message, email, or fax) that allows prompt transmission of information.
15. **Structure.** The Special Master may structure the directive-making process, including directing how the parents are to communicate with each other and with the Special Master concerning issues presented to the Special Master for directive.
16. **Pleadings.** If any pleadings, documentation, reports, evaluations, etc. are requested by the Special Master, each parent must provide those documents within a reasonable time following the request.

Protocol

17. **Filing of Appearance.** A Special Master shall file their notice of appearance with the Court after the Order has been entered and their fee agreement has been signed.
18. **Use of Consultants and Assistants.** The Special Master may utilize consultants or assistants or both as necessary to assist them in the performance of the duties contained herein.

19. **Emergencies or Exigent Circumstances.** In an emergency or exigent circumstance, the Special Master may submit a written motion to the Court with notice to all parties. The request must be accompanied by an affidavit of the Special Master. If a hearing is required, the Court's clerk will schedule a hearing to address the motion as soon as practicable.
20. **Directive Requirements.** Directives are effective as orders when made and will continue to be effective unless modified or set aside by the court, the special master, or by written stipulation of the parties. A special master must deliver all directives in writing to the parties. A special master must also file all directives with the court. The directive shall contain the following:
 - a. **Issues.** An outline of the specific issues addressed in the directive and a statement of issues still pending
 - b. **Current Orders in Effect.** A statement of current Court orders and parenting plans and the provisions of each which are relevant to the issues being addressed
 - c. **Each Parent's Position.** A statement of what each parent proposes for the resolution of each issue and response to the other parent's position, and
 - d. **Findings and Directive.** A statement of the information utilized by the Special Master to reach their directive. The detailed directive issued by the Special Master addressing all issues brought before them.
21. **Directive as an Order.** The directive of the Special Master is binding on the parents unless modified by the court.
22. **Records.** The Special Master shall maintain records, including:
 - a. Copies of documents (hard copies or electronic files) submitted,
 - b. Summaries of conversations with parents and others concerning each directive, and
 - c. Directives of the Special Master and the methods by which the Special Master communicated directives.

A parent may obtain copies of the Special Master's records at their own expense.

Limits of Special Master's Authority

23. The Special Master shall only make directives or recommendations to the Court upon the request of a parent, the Court, or Guardian ad Litem.
24. Except as provided here, the court may not authorize a special master to issue

directives that are contrary to or inconsistent with existing orders, judgments, or decrees. The court may authorize a special master to deviate from the parenting plan, but that authorization must be express and narrow in scope. Recognizing the special master's role may involve creating rules, clarifications, or additional requirements for the parties to follow to resolve disputes, the court may not authorize a special master to issue any decisions or modifications of orders that would otherwise require a judicial order. The Court retains jurisdiction to review directives of the Special Master and over all other issues related to the parenting plan, temporary orders, or final orders.

25. **Legal and Physical Custody.** The Special Master is excluded from changing or reassigning legal custody directive-making authority and primary physical custody.
26. **Geographic Residence.** The Special Master is prohibited from changing the geographic residence of the children that would render implementation of the current custody arrangement and parent-time schedule impossible or impracticable.

Communication

27. The Special Master process is not confidential, and any information shared from one parent to the Special Master may be shared with the other parent unless an order prohibits otherwise.
28. **Ex Parte with the Parents.** The Special Master should not speak ex parte with the parents unless permitted by the Court as determined in this order or if a parent's safety is a concern.
29. **Ex Parte with Collateral Sources.** The Special Master may speak ex parte with collateral sources to gather information, but the collateral source must be informed that the communication will not be kept confidential unless it is a conversation with a mental health professional.
30. **Ex Parte with the Court.** The Special Master shall not have any communication with the Court ex parte unless the Special Master needs to inform the Court that a restraining order is necessary to prevent an imminent risk to the physical safety of the child or the parent.
31. **Children.** The Special Master should refrain from speaking with the children and instead speak to the children's attorney if applicable, unless ordered by the Court.

Privilege, Privacy, and Confidentiality

32. **No Legal Privilege.** No information, observations of the Special Master, or communications made to the Special Master are protected by any legal privilege except for communications with mental health professionals.

33. **Best Efforts to Preserve Privacy.** All participants, including the Special Master, the parents, counsel, and consultants are ordered to use their best efforts to preserve the privacy of the family, and most particularly, the children and restrict dissemination of information related to the directives to the Court, the parents, and the professionals working with the family who need to know the information to carry out the objectives of the parenting plan, temporary order, or final order.
34. **Conditional Directives.** The Special Master may condition making directives related to issues such as healthcare and education upon the parents providing releases permitting access to information from schools, physicians, and other relevant service providers.
35. **Mandatory Reporter.** The Special Master is a mandatory reporter of suspected child abuse or neglect. The Special Master must follow the laws for reporting suspected abuse or neglect to law enforcement or child protective services. Utah Code 62A-4a-403.
36. **Disclosure of Certain Criminal Acts.** The Special Master may disclose information to others where disclosure is necessary to prevent a criminal act that the Special Master reasonably believes is likely to result in the death of, or substantial bodily harm to, an individual.

Release of Information

37. The parents shall cooperate with the Special Master including providing all reasonable records, documentation, and information requested.
38. The parents shall sign all releases for records and information requested by the Special Master.

Court Appearances

39. **Attending Hearings.** The Special Master must attend hearings when requested by the Court or a parent. The Special Master may attend hearings on their own volition.
40. If the Special Master attends court, the parents must advance their share of all estimated fees and costs for the appearance using the proportions defined below.

Fees and Costs

41. Except as otherwise indicated herein, the parent's responsibility for payment of the Special Master's fees and costs is allocated as follows:
 - a. Petitioner _____ (name) --Percentage of total fees and costs ____%.

b. Respondent _____ (name) --Percentage of total fees and costs ____%.

In the event of an objection to a Special Master's directive, the issue of a final allocation of the Special Master's fees is reserved for the objection hearing.

42. **10 Days to Pay Deposit.** Each parent must pay their share of the initial deposit and retainer to the Special Master within ten business days after the Special Master gives notice that they have accepted the appointment.
43. **Fee Agreement.** Each parent must fully execute a copy of the Special Master's fee agreement within ten business days after the Special Master gives notice that they have accepted the appointment.
44. **Payment by Other Parent.** A parent who advances the other parent's share of the Special Master's fees and costs because the other parent has not paid them is entitled to reallocation of payment.
45. **Return of Positive Funds.** Upon completion of all services rendered hereunder, the Special Master shall refund the amount to each parent, if any, by which payments received exceeds fees and costs earned.
46. **No Warranties or Guarantees.** The Court finds that the parents understand that the Special Master has made no warranties or guarantees relating to the conclusions or findings. The Special Master shall exercise independent judgement in making directives. The fees and costs paid under this order are not contingent on results or outcome.
47. **Suspension.** The Special Master may suspend services based upon the failures of either parent to maintain their financial obligations. Notice of suspension of service will be filed with the court. Any time and costs associated with ensuring that the parent maintains their financial obligation will be charged to the parent who caused the suspension of services.

Effective Date

48. This Order becomes effective on the date signed by the Court.

Commissioner's or Judge's signature may instead appear at the top of the first page of this document.

_____	Signature ► _____
Date	Commissioner _____
_____	Signature ► _____
Date	Judge _____

Approved as to form.

_____	Signature ►	_____
Date	Plaintiff/Petitioner, Attorney or Licensed Paralegal Practitioner	_____

_____	Signature ►	_____
Date	Defendant/Respondent, Attorney or Licensed Paralegal Practitioner	_____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order Appointing Domestic Special Master on the following people.

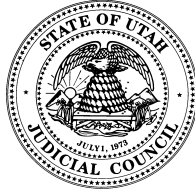
Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
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Signature ►

Date

Printed Name

Tab 12



Administrative Office of the Courts

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

June 2, 2025

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

MEMORANDUM

TO: Management Committee / Judicial Council
FROM: Keisa Williams
RE: Ethics Advisory Committee – Member Appointments

Name of Committee: Ethics Advisory Committee. Membership is set forth in [CJA 1-205\(1\)\(B\)\(ii\)](#).

Current committee member list:

NAME	ROLE
Judge Elizabeth Knight	Juvenile court judge
Judge Ryan Harris	Judge from the Court of Appeals
Judge Gregory Lamb	District court judge (1 st , 5 th , 6 th , 7 th , or 8 th district)
Judge Trent Nelson	Justice court judge
Judge Laura Scott (Chair)	District court judge (2 nd , 3 rd , or 4 th district)
Lara Swenson	Attorney from the Bar or a college of law

New appointments: Judge Harris will be replacing Judge Mortensen on the Judicial Conduct Commission on July 1, 2025. The Court of Appeals nominated Judge John Luthy as Judge Harris's replacement on the Ethics Advisory Committee. That nomination was approved by the Management Committee on May 13, 2025, but Judge Luthy's name was inadvertently excluded from the memo in the Judicial Council's meeting materials. Judge Luthy's first term would begin July 1, 2025.

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