

**JUDICIAL COUNCIL MEETING
Minutes**

**July 21, 2025
9:00 a.m. – 11:00 a.m.**

**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

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. Susan Eisenman
Hon. James Gardner
Hon. Michael Leavitt
Hon. Brendan McCullagh
Hon. Amber Mettler
Justice Paige Petersen
Kristin K. Woods

Excused:

Ron Gordon
Hon. Angela Fonnesbeck
Hon. Thomas Low

AOC Staff:

Neira Siaperas
Bart Olsen
Michael Drechsel
Sonia Sweeney
Shane Bahr
Jim Peters
Nick Stiles
Keisa Williams
Brody Arishita
Todd Eaton
Karl Sweeney
Alisha Johnson
Michael Samantha Starks
Bryson King
Brianna Eriksson

Guests:

Mary-Margaret Pingree
Madison Klein
Matthew Barraza

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 Jon Carpenter made a motion to approve June 23, 2025, meeting minutes. Judge Samuel Chiara seconded the motion, which passed unanimously.

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

Chief Justice Durrant reported on a recent meeting with Senator Brady Brammer, and Representatives Karianne Lisonbee and Jordan Teuscher. Attendees included Chief Justice Durrant, Neira Siaperas, Michael Drechsel, Bart Olsen, Judge Michael Leavitt (Juvenile Court), Judge Brendan McCullagh (Justice Court), and Judge Samuel Chiara (District Court). The discussion centered around improving communication between the Legislature and the Judiciary; concerns about the cost of constructing new courthouses; the possibility of consolidating judicial districts; and establishing a clear process for reassignment of cases when a judge retires or recuses. Participants described the meeting as productive and largely positive. They expressed appreciation that legislators initiated the conversation early, prior to the legislative session, as a constructive step toward addressing concerns proactively.

3. STATE COURT ADMINISTRATOR'S REPORT: (Neira Siaperas)

Neira Siaperas, Deputy State Court Administrator, reported that meeting dates with legislators in each judicial district have been finalized and will take place from September through December. As in prior years, Chief Justice Durrant, Ms. Siaperas, Mr. Gordon, Mr. Drechsel, and members of the local benches and leadership will participate in these meetings.

She also reported that the boards of judges have reviewed and prioritized funding requests for consideration by the Budget and Fiscal Management Committee (BFMC). The BFMC will review these rankings and submit its recommendations to the Judicial Council. At the Council's annual budget meeting on August 15, 2025, the Legislative Fiscal Analysts will present the Legislature's budget approach for the coming year, followed by an economic outlook from the Chief Economist with the Governor's Office of Planning and Budget (GOPB). After these presentations, the Judicial Council will determine which funding requests to advance to the Legislature and finalize their priorities.

4. COMMITTEE REPORTS:

Management Committee Report:

Nothing to report.

Budget & Fiscal Management Committee Report:

Nothing to report.

Liaison Committee Report:

Nothing to report.

Policy, Planning, and Technology Committee Report:

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

Bar Commission Report:

Kristin Woods reported that the Utah State Bar is forming an AI Committee to provide ethical guidance for attorneys on the use of artificial intelligence. The Bar is also preparing to administer the July bar exam to a record 385 applicants on July 29–30, 2025. A growing number of ADA testing accommodation requests has increased staffing demands and extended the testing period, prompting the Bar to explore alternative venues for the February exam. To reduce costs, the July

exam has been relocated to the Western Sports Park in Farmington. Additionally, the Bar is exploring a new licensure pathway that would replace the traditional bar exam with a combination of supervised legal practice, specific law school coursework, and structured mentorship.

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

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)	866,314	903,348	903,348	37,034
1	Ongoing Turnover Savings FY 2025 (forecast \$65,000 / month x 0 month, Salary Differential only)	65,000	-	-	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,071,908	1,043,942	1,043,942	(27,966)
	Benefit Differential Savings FY 2025 (will be recognized in this row starting in Q4)	85,004	115,119	115,119	30,115
	TOTAL SAVINGS	1,156,912	1,159,061	1,159,061	2,149
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	956,912	959,061	959,061	2,149

FY 2025 One Time Turnover Savings

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 06/20/2025)	Internal Savings	3,000,760
2	Est. One Time Savings for remaining pay hours (48 @ \$1,500 / pay hour)	Internal Savings (Est.)	72,000
	Total Potential One Time Savings		3,072,760

Prior Report Totals (as of PPE 05/23/2025)

3,139,624

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 06/20/2025	Turnover Savings	3,000,760
	Turnover savings Estimate for the rest of the year (\$1,500 x 48 pay hours)	Turnover Savings	72,000
	Total Potential One Time Turnover Savings		3,072,760
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	Total Potential One Time Turnover Savings Less Discretionary Use		2,822,760
	Operational Savings From TCE / AOC Budgets - mid-year forecast	Internal Operating Savings	634,108
	Operational Savings from IT Budget - unused Carryforward Request	Internal Operating Savings	130,000
	Reserve Balance (balance from FY 2024 Carryforward)	Judicial Council Reserve	847
	Unclaimed property claims (received)	Additional Revenue Received	741,488
	Prior year adjustments - impact on current year operations (Hyrum and OPA)	Adjustments to CY Operations	(90,000)
(b)	Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		1,456,443
(c)	Total of Turnover Savings & Operational Savings = (a) + (b)		4,279,203
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)		579,203
	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.		46,403

Updated 07/02/2025

Funding Requests

Jon Puente requested \$11,000 in funding on behalf of the All Rise Utah Project to host the program's annual fall welcome dinner. The project's goal is to encourage individuals from diverse and underrepresented communities to consider a judicial career. The requested funds would cover the welcome dinner for law students from these communities. It was noted that if the Utah State Bar contributes—as it did last year, covering approximately \$7,000—the total funding request may be less than \$11,000.

Motion: Judge Chiara made a motion to approve the funding request for the All Rise welcome dinner. Judge Rita Cornish seconded the motion, which passed unanimously.

Grants

Jordan Murray and Shane Bahr requested approval to apply for a \$50,000 grant from the Commission on Criminal and Juvenile Justice (CCJJ) to fund participation in two treatment courts conferences, an increase from the traditional \$25,000 due to budget shortfalls reported by conference hosts and the inability of national partners to provide funding for speakers. The increased request is also due to both conferences falling in the same fiscal year.

Motion: Judge Susan Eisenman made a motion to approve the grant application, as presented. Judge Cornish seconded the motion, which passed unanimously.

6. OPEN AND PUBLIC MEETINGS ACT TRAINING: (Bryson King)

Bryson King, Associate General Counsel, provided training on the Open Public Meetings Act (OPMA), which is intended to promote transparency in the actions and deliberations of state agencies and political subdivisions—a principle reflected in UCJA Rule 2-103 governing Judicial Council meetings.

While Judicial Council meetings are public, they may be closed under specific conditions and in accordance with established procedures. Mr. King reviewed the permissible reasons for closing a meeting and the required process for doing so. He explained that during a closed meeting, the Council may hold discussions but may not approve or vote on contracts, appointments, rules, or resolutions. At the conclusion of the closed session, the meeting may be reopened by a majority vote. The Council may then rely on the discussions from the closed session to finalize votes in the open meeting with reference to closed meeting discussions.

7. CERTIFICATION OF A JUSTICE COURT JUDGE: (Jim Peters)

Jim Peters reported that following the retirement of Judge Gary Johnson on June 30, 2025, Kane County has selected Jeffrey Shea Owens as its new judge. Mr. Owens has completed the online orientation modules and passed the exam administered by the Education Department.

Motion: Judge David Mortensen made a motion to certify Jeffrey Shea Owens as a Justice Court judge. Judge Carpenter seconded the motion, which passed unanimously.

8. JUDICIAL PERFORMANCE EVALUATION COMMISSION: (Mary-Margaret Pingree and Madison Klein)

Mary-Margaret Pingree and Madison Klein, with the Judicial Performance Evaluation Commission (JPEC), introduced a new judge portal currently under development. Designed as a personalized website for each judge, the portal will centralize current and historical evaluations, including performance summaries across four categories, peer comparisons, narratives, survey comments with surveyor type identification, courtroom observations, public comments, judicial discipline records, and the three Judicial Council-certified standards. It will also feature the voter information pamphlet, an overall cover sheet, quick toggling between retention and midterm data, and an FAQ page. The portal will not be publicly available, and the development team is still determining access options for presiding judges and the AOC. Initial pilot feedback has been positive, with judges noting its ease of use and improved access to evaluation information.

9. INDIGENT DEFENSE COMMISSION REPORT: (Matthew Barraza)

Matt Barraza, Executive Director of the Utah Indigent Defense Commission (IDC), provided an update on the IDC's work. Established in 2016, the IDC provides oversight and financial support for indigent defense, including grants to counties—totaling \$7.4 million last year to jurisdictions handling 97% of district work cases—and travel reimbursements for rural areas. Despite flat funding, caseloads have increased significantly. The IDC has achieved a 30% success rate in appellate rulings and has expanded its post-conviction program, partnering with the University of Utah Law School to launch a clinic and securing a private grant to help manage the growing workload. Training efforts have also increased, with more online CLEs and enhanced child welfare content.

Mr. Barraza highlighted the success of the Interdisciplinary Parent Representation pilot, which integrates social workers into child welfare legal teams. The program saw a 57% reunification success rate and a 22% placement rate. The IDC also hired an attorney to advise youth and families on nonjudicial adjustments, potentially diverting 400 cases from juvenile court annually. To improve youth defense, especially in rural areas, the IDC is creating a juvenile defense fund to help counties pool resources for full-time specialized contracts. Additionally, the IDC has taken over management of the aggravated murder fund, resulting in more focused casework and better resource allocation.

For the upcoming budget cycle, the IDC will prioritize funding for additional attorneys in the Indigent Appellate Defense program and the post-conviction unit, where a growing backlog has delayed attorney consultations. Judges continue to refer cases, though staffing limitations have led the IDC to decline some appointments.

10. RULES FOR FINAL APPROVAL: (Keisa Williams)

Keisa Williams presented CJA Rules 3-117 and 3-403 for final approval, noting that both had completed the public comment period without receiving any comments. She also presented Rule 3-116, explaining that while the standing committee on pretrial release and supervision was dissolved and removed from CJA Rule 1-205 in November 2024, the associated committee rule had not yet been repealed.

Motion: Judge Cornish made a motion to approve CJA Rules 3-117 and 3-403 as final, with an effective date of November 1, 2025, and to approve Rule 3-116 for repeal. Judge James Gardner seconded the motion, which passed unanimously.

11. OLD BUSINESS/NEW BUSINESS: (All)

Michael Drechsel, Assistant State Court Administrator, reported that the Elected Official and Judicial Compensation Commission (EJCC) will meet on August 12, 2025, to consider whether to recommend judicial compensation increases. This meeting will occur prior to the Judicial Council's annual budget meeting on August 15, 2025. Mr. Drechsel sought guidance from the Council on discussion points to raise at the August 12 meeting. One suggestion was to advocate strategies to expand the applicant pool for judges, particularly by addressing compensation. He noted that the EJCC has historically aligned judicial pay adjustments with cost-of-living increases approved for other state employees.

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

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

13. SENIOR JUDGE APPOINTMENTS: (Neira Siaperas)

Motion: Judge Gardner made a motion that Judges Paul Larsen, Gordon Low, and Thomas Willmore meet the qualifications for inactive senior judge status, and that Judge Robert Lunnen meets the qualifications for active senior judge status. Judge Brian Brower seconded the motion, which passed unanimously.

14. EXECUTIVE SESSION

Motion: Judge Mortensen made a motion to authorize Judge McCullagh to communicate the sentiments of the Council and Management Committee relative to the proposal as discussed in the executive session. Judge Cornish seconded the motion, which passed unanimously.

15. ADJOURN

The meeting was adjourned.