JUDICIAL COUNCIL
MEETING AGENDA

October 27, 2025
Hybrid Meeting (in person and Webex)

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.	Council Members Service Recognition.....Chief Justice Matthew B. Durrant
3.	9:10 a.m.	Oath of Office for New Council Members.....Chief Justice Matthew B. Durrant
4.	9:15 a.m.	Chair's Report…….....…..Chief Justice Matthew B. Durrant (Information)
5.	9:20 a.m.	State Court Administrator's Report…….....Ron Gordon (Information)
6.	9:30 a.m.	Reports: Management Committee…….....Chief Justice Matthew B. Durrant Budget and Fiscal Management Committee…….....…...Judge Rita Cornish Liaison Committee…….....….Vacant Policy, Planning, and Technology Committee…….....…Judge James Gardner Bar Commission…….....…...Katie Woods, esq. (TAB 2 - Information)
7.	9:40 a.m.	Budget and Grants…….....Karl Sweeney (TAB 3 - Action) Alisha Johnson
8.	9:50 a.m.	2025 Court Fees Report.....Wayne Kidd (TAB 4 – Action)
9.	10:00 a.m.	Treatment Courts Certification.....Cris Seabury (TAB 5– Action) Katy Erickson
10.	10:10 a.m.	JPEC Report .....Mary-Margaret Pingree (TAB 6 – Information)
	10:25 a.m.	**Break**

11.	10:35 a.m.	CyberSecurity Awaraness.....….....Brody Arishita (TAB 7 - Information)	Jace Kinder Taz Hatch
12.	10:55 a.m.	GAL Oversight Committee Annual Report...…….....Stacey Snyder (TAB 8 - Information)	Jason Richards
13.	11:05 a.m.	Juror Demographic Data Collection…….....…….Jon Puente (TAB 9 – Action)	Keri Sargent
14.	11:20 a.m.	AI Committee Report.....Brody Arishita (TAB 10 – Action)	
15.	11:40 a.m.	Rules for Final Approval.....Keisa Williams (TAB 11 – Action)	
16.	11:45 a.m.	Old Business / New Business……..….....All (Discussion)	
17.	11:55 a.m.	Consent Calendar...……....Chief Justice Matthew B. Durrant (Action)	
18.	12:00 p.m.	Adjourn……..……Chief Justice Matthew B. Durrant	

Consent Calendar

1. Rules for Public Comment
   (TAB 12)

2. Forms Committee Appointment
   (TAB 13)

3. Forms
   (TAB 14)

4. MUJI (Civil) Committee Appointment
   (TAB 15)

Tab 1

JUDICIAL COUNCIL MEETING
Minutes

September 09, 2025
Hybrid Meeting (in person and Webex)

Zermatt Resort
784 W Resort Dr, Midway, UT 84049 Basel Room

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
Hon. Angela Fonnesbeck
Hon. Thomas Low

AOC Staff:
Ron Gordon
Neira Siaperas
Esme Blanco
Michael Drechsel
Sonia Sweeney
Shane Bahr
Jim Peters
Nick Stiles
Keisa Williams
Brody Arishita
Todd Eaton

Presenters:
Katy Burke
Cris Seabury

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting and asked for any questions or comments on the previous month's minutes. Judge Jon Carpenter recommended an amendment on page 3, changing "above sustainable levels" to "unsustainable levels."

Motion: Judge Jon Carpenter moved to approve the August 15, 2025 meeting minutes as amended. Judge Thomas Low seconded the motion, and it passed unanimously.

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

Chief Justice Durrant reported on a recent meeting with the Elected Officials and Judicial Compensation Commission (EJCC). The Commission expressed support for raising judicial salaries but cautioned that increases beyond a cost-of-living adjustment are unlikely. Ron

Gordon added that the Commission is concerned about the heavy judicial workloads and is considering ways to elevate those concerns during the upcoming legislative session.

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

Mr. Gordon introduced Esme Blanco, the new Executive Support Coordinator, who succeeds Hilary Wood following her departure to the private sector. Ms. Blanco previously served as a Training Coordinator in the Second District Juvenile Court and brings 17 years of experience and valuable skills that will benefit the Judiciary statewide.

Mr. Gordon also highlighted upcoming public outreach efforts aimed at promoting understanding of the Judiciary's role and independence. These events are designed to foster dialogue with community partners, other branches of government, and the public, ultimately strengthening trust and confidence in the Judiciary. Jon Puente, Director of the Office of Fairness and Accountability, shared plans for town halls, including an upcoming event at the Tooele Public Library featuring judges from district, juvenile, and justice courts. Similar initiatives are underway in the Fourth and Eighth Judicial Districts, with the goal of eventually hosting town halls in every district.

4. COMMITTEE REPORTS:

Management Committee Report:

Nothing to report.

Budget & Fiscal Management Committee Report:

Nothing to report.

Liaison Committee Report:

Judge Low reported that there were no new legislative developments or bills to update at this time.

Policy, Planning, and Technology Committee Report:

Nothing to report.

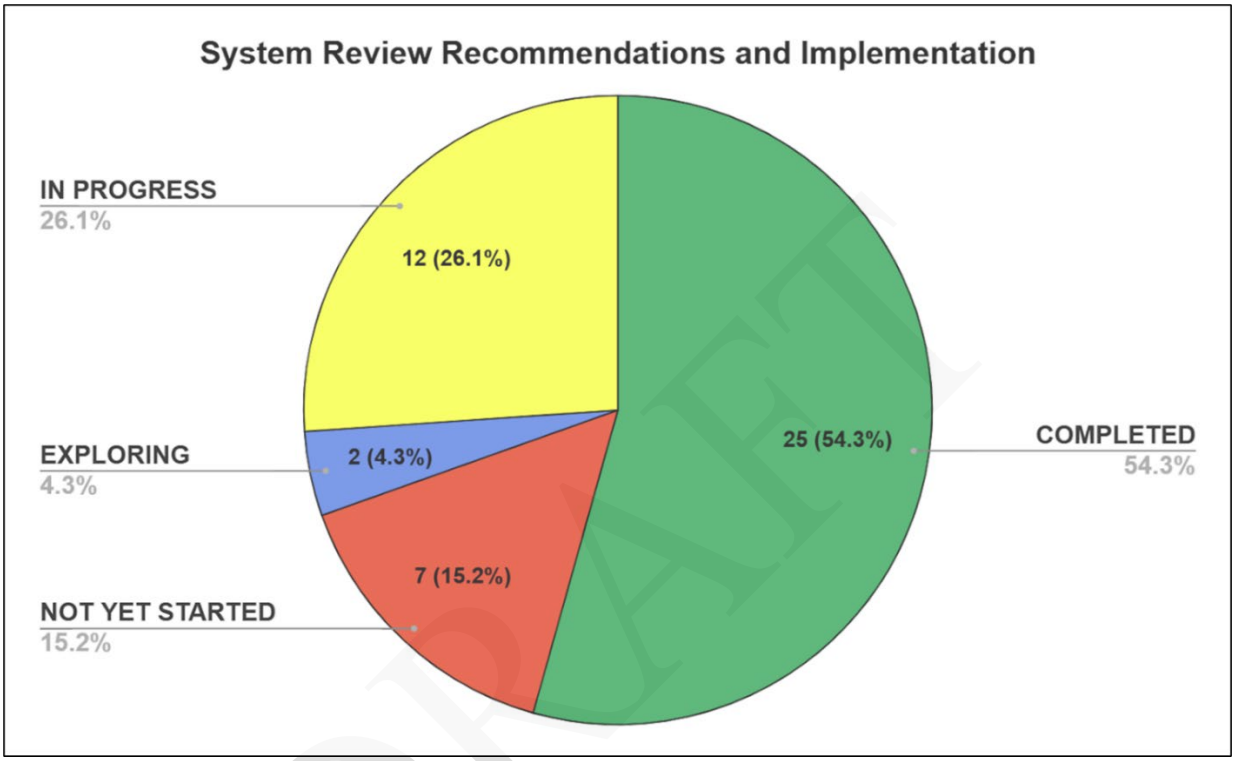
Bar Commission Report:

Katie Woods reported that the Utah State Bar recently met with legislators to discuss licensing fees, focusing on how fees are determined. Legislators also signaled interest in potentially restructuring the Bar. Ms. Woods noted that the licensing fee has remained $425 since 2009 and funds CLEs and attorney wellness resources. The Bar Commission is preparing to enhance engagement and communication with legislators ahead of the next session. She also reminded the Council that the Bar's Fall Forum is scheduled for November 13–14, 2025, and expressed appreciation for judicial participation.

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5. SYSTEM REVIEW UPDATE: (Ron Gordon, Neira Siaperas, Esme Blanco)

Ron Gordon, Neira Siaperas, and Esme Blanco presented an update on the implementation of the System Review recommendations, covering progress in the areas of Administration and Leadership; Culture and Work Environment; Communication; Workload, Turnover and Compensation; Training and Onboarding; and IT Support. The current progress on implementation is summarized in the chart below.



The full presentation can be accessed on the Judicial Council's Website.

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

Jim Peters recommended that the Judicial Council certify Dustin Erickson as a new justice court judge for Box Elder County. Mr. Erickson has completed required training and passed the exam.

Motion: Judge Brian Brower moved to certify Dustin Erickson as the new justice court judge for Box Elder County. Judge Angela Fonnesbeck seconded the motion, and it passed unanimously.

7. BOX ELDER JUSTICE COURT'S TERRITORIAL JURISDICTION: (Jim Peters)

Jim Peters requested approval to expand Box Elder County's territorial jurisdiction to include Garland City, effective October 1, 2025. Following a judicial vacancy, Garland City chose to discontinue its justice court and contract with the county for services. The Council received a resolution from Garland City and an interlocal agreement to support the request.

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Motion: Judge Brower moved to approve the expansion of the Box Elder County's territorial jurisdiction to include Garland City. Judge Low seconded the motion, and it passed unanimously.

8. CERTIFICATION OF TREATMENT COURTS: (Cris Seabury)

Cris Seabury presented certification recommendations for treatment courts, as required by UCJA Rule 4-409. Site visits, interviews, and document reviews were conducted. The following treatment courts met all certification criteria and were recommended for re-certification:

- Third District – Salt Lake County Adult Recovery Court (Judge Chelsea Koch)
- Third District – Salt Lake County Adult Recovery Court (Judge Diana Gibson)
- Fourth District – Utah County Veterans Treatment Court (Judge Kraig Powell)

Motion: Judge Suchada Bazzelle moved to certify the three treatment courts as presented. Judge Michael Leavitt seconded the motion, and it passed unanimously.

9. OLD BUSINESS/NEW BUSINESS: (All)

None.

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

Motion: Judge Leavitt moved to approve the items on the consent calendar. Judge Samuel Chiara seconded the motion, and it passed unanimously.

11. JUDICIAL RETENTIONS: (Jim Peters, Nick Stiles, Sonia Sweeney, Shane Bahr)

Jim Peters led a discussion on the Council's role in certifying judges as eligible to stand for retention in 2026. All judges completed self-declaration forms; 63 of 67 judges reported meeting all performance standards, while four reported not meeting one or more standards. The Council must certify each judge as Compliant, Compliant with an Explanation, or Non-Compliant, with results submitted to JPEC by October 1, 2025.

Motion: Judge Low moved to enter executive session only to discuss the character, professional competence, or physical or mental health of an individual and legal advice of counsel. Judge David Mortensen seconded the motion, and it passed unanimously.

12. EXECUTIVE SESSION

An executive session was held. Following the executive session, the Council made the following decision:

Motion: Judge Leavitt moved that the Council find all justices and judges standing for retention in 2026 to be Compliant with performance standards, with the exception of Judge Blaine Rawson. Judge Rawson will be asked to provide additional information, including the reasons

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for holding cases under advisement for more than two months, to the Management Committee for a final decision on compliance.

> **Amendment 1:** Judge Low proposed an amendment directing the Management Committee to set a deadline for Judge Rawson to provide the information.

Judge Leavitt accepted the amendment to his motion. Judge Rita Cornish seconded the motion.

> **Amendment 2:** Judge Fonnesbeck proposed a second amendment requesting that Judge Rawson also report the number of days each case was held under advisement beyond the two-month standard.

Judge Leavitt and Judge Cornish accepted the second amendment. The motion passed, with Judges Mortensen, Low, Eisenman, Carpenter, and Brower abstaining from voting on their own certifications.

13. ADJOURN

The meeting was adjourned.

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Tab 2

UTAH JUDICIAL COUNCIL
POLICY, PLANNING and TECHNOLOGY COMMITTEE
MEETING MINUTES

Webex video conferencing
August 1, 2025 – 12 p.m.

MEMBERS:	**PRESENT**	**EXCUSED**
Judge James Gardner, *Chair*	✓	
Justice Paige Petersen	✓	
Judge Angela Fonnesbeck		✓
Judge Jon Carpenter	✓	

GUESTS:
Keri Sargent
Daniel Meza-Ríncon
Michael Samantha Starks
Shane Bahr

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). PP&T considered the minutes from the July 11, 2025 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge Gardner seconded the motion. The motion passed unanimously.

(2) Non-substantive changes:

- **CJA 4-202.02. Records classification**
- **CJA 4-202.03. Records access**
- **CJA 4-510.06. Cases exempt from ADR rules**

The proposed changes amend the statutory references once again to coincide with the September 1, 2025 recodification effective date for S.B. 119.

Judge Carpenter moved to recommend to the Judicial Council that rules 4-202.02, 4-202.03, and 4-510.06 be approved as final with a September 1, 2025 effective date. The rules will be placed on the Council's consent calendar. Justice Petersen seconded the motion. The motion passed unanimously.

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

The committee discussed three separate issues with respect to rule 4-202.08. The first involved the increase in Xchange fees in paragraph (7). In May 2025, the Judicial Council approved an increase in Xchange fees on an expedited basis with a July 1, 2025 effective date. The proposed amendments were simultaneously sent out for public comment. The committee received several comments objecting to the fee increase. Following a discussion, the committee determined that no additional amendments are necessary in response to the public comments.

The second issue related to FTR audio fees in paragraph (3)(D) and the $10.00 or less fee waiver in (10)(A)(i). The proposed amendments to (3)(D) and (10)(A)(i) began with a memo included in the meeting materials that Daniel Meza Rincon and Keri Sargent presented to the Judicial Council in September 2024. The amendments regarding FTR and fee waivers were posted for public comment in November 2024. The comment period ended in January 2025 and two comments were received.

One comment was from the Salt Lake District Attorney's Office (SLDA) asking to waive fees for certified and exemplified copies. SLDA attended a PP&T meeting to discuss their concerns. PP&T determined that the court lacks the authority to waive fees for certified and exemplified copies under 78A-2-301(1)(ff). During the 2025 legislative session, SLDA ran S.B. 148, which would have waived all fees listed under 78A-2-301 and 78A-2-301.05 for the state, the state's agencies, or political subdivisions filing or defending any action. Unfortunately, that bill did not pass.

The second comment was a question about the definition of "transaction." Mr. Meza Rincon and Ms. Sargent discussed that issue with the clerks of court. The definition the clerks came up with is "same person, same request, single case." Clarifying language in (10)(A)(i) was added to capture that definition.

The third issue was whether Xchange fees and personnel fees must be listed in the rule or can be posted on the court website. Individual personnel fees were removed from paragraph (6) in January 2024 and posted on the court's webpage. The reason behind removing those fees was that the rates are tied to employee positions (i.e., clerk, JA, data analyst, service desk technician, programmer, etc.) and hourly rates change over time. Rather than having to amend the rule each time an hourly rate increased, the state court administrator was granted the authority to set personnel rates and post them on the court website.

The committee considered whether personnel fees should be put back into the rule in light of language in the following statutes:

> 78A-2-301: (1)(bb): "The Judicial Council shall, by rule, establish a schedule of fees for copies of documents and forms and for the search and retrieval of records under [GRAMA] …" (1)(cc): "The Judicial Council may, by rule, establish a reasonable fee to allow members of the public to conduct a limited amount of searches on the Xchange database without having to pay a monthly subscription fee."
>
> 63G-2-203(3)(d): "The judiciary shall establish fees by rules of the judicial council."
>
> 63G-2-702(4): "Substantially consistent with the provisions of [GRAMA], the Judicial Council shall: (a) make rules governing requests for access, fees, classification, designation …"

Following discussion, the committee determined that granting the state court administrator the authority "by rule" to set personnel rates complies with the Utah Code. Language was added to paragraph (6)(B) to make it clear that personnel rates must be posted on the court's website.

Judge Gardner moved to recommend to the Judicial Council that the increased Xchange fees remain in effect and that all other additional amendments to rule 4-202.08 be adopted as final with a November 1, 2025 effective date. Judge Carpenter seconded the motion. The motion passed unanimously.

Technology report/proposals:
The changes made by the committee to the draft rules on the use of generative AI at the last meeting were incorporated and reviewed by the legal subcommittee. Additional changes were made and presented to the staff subcommittee. A joint meeting is planned for August to finalize all AI rules before they are brought back to PP&T.

Old Business/New Business: The artwork policy is still working its way through the boards of judges.

Adjourn: With no further items for discussion, the meeting adjourned at 12:33 p.m. The next meeting will be held on September 5, 2025, at noon via Webex video conferencing.

UTAH JUDICIAL COUNCIL
POLICY, PLANNING and TECHNOLOGY COMMITTEE
MEETING MINUTES

Webex video conferencing
September 5, 2025 – 12 p.m. to 1:30 p.m.

MEMBERS:	**PRESENT**	**EXCUSED**
Judge James Gardner, *Chair*	✓	
Justice Paige Petersen		✓
Judge Angela Fonnesbeck	✓	
Judge Jon Carpenter	✓	

GUESTS:

Keri Sargent
Stacy Snyder
Stacy Haacke

STAFF:

Keisa Williams
Brody Arishita
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 August 1, 2025 meeting. With no changes, Judge Carpenter moved to approve the minutes as presented. Judge Gardner seconded the motion. The motion passed unanimously.

(2) Rules back from public comment:

- **CJA 3-201. Court commissioners**
- **CJA 3-402. Human resources administration**
- **CJA 3-413. Judicial library resources**

The proposed amendments to rules 3-201, 3-402, and 3-413 are back from a 45-day public comment period. No public comments were received. Rule 3-402 was approved as final on an expedited basis with a July 1, 2025 effective date. No additional amendments were made.

Following discussion, Judge Carpenter moved to recommend to the Judicial Council that rules 3-201 and 3-413 be approved as final with a November 1, 2025 effective date. Judge Fonnesbeck seconded the motion. The motion passed unanimously.

(3) CJA 4-906. Guardian ad litem (GAL) program:

Stacy Snyder presented proposed changes to rule 3-906. The proposed amendments: 1) change the annual reporting from August to October in (3)(I) to allow the director and chair to report on legislative grants and requests more accurately; 2) increase the compensation for GALs in (6)(D) to attract experienced attorneys to handle conflict cases; and 3) make grammatical and stylistic changes.
Ms. Snyder explained that the current pay for Private Conflict Guardians ad Litem (PGALs) is sourced from her office budget and is set by rule at an extremely low rate ($50 an hour), with a cap of $1,000.

Those amounts make it challenging to recruit and retain conflict GALs. Ms. Snyder proposed increasing the hourly rate to $100 an hour and the cap to $3,000, with existing procedures for requesting additional funding in complex cases. Additionally, she proposed amending payment provisions for appeals, noting the current $400 fee is extremely low, to align with the recommended payment structure.

Ms. Snyder reviewed the proposal to move the reporting month from August to October. The August date makes it difficult for oversight committee members to attend summer meetings and staff needs more time to prepare legislative requests and appropriation proposals for the Judicial Council.

The committee discussed the revisions in (3)(E) which were established at the office's inception and did not account for full-time GALs in rural districts, as they were not utilized then. Given the significant growth of the GAL Office, with at least one full-time attorney in each judicial district, amendments are needed based on caseload monitoring recommendations.

Following a discussion, the committee made the following changes:

- Line 29 – "State Court Administrator" changed to "Administrative Office"
- Lines 36, 38 – capitalize director in the titles;
- Line 122 – add quotation marks around "PGALs"
- Lines 130-131 – convert child abuse database to lowercase

Judge Gardner moved to recommend to the Judicial Council that rule 4-906 be approved on an expedited basis with a November 1, 2025 effective date followed by a 45 public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.

(4) CJA 4-202.10. Record sharing:

Stacy Haacke presented proposed amendments to rule 4-202.10. Currently, the court shares nonpublic records with other government entities as provided in GRAMA and with the Judicial Conduct Commission. The proposed amendments add the Office of Professional Conduct (OPC) as an entity with which the court can share nonpublic records. The OPC's prosecutorial functions include a duty to investigate all information brought to the OPC's attention which could be grounds for attorney discipline, transfer to disability status, or petitions for reinstatement or re-licensure. Adding OPC to the rule would facilitate sharing. OPC must agree to restrictions listed in the rule. Following a discussion, the committee made the following changes:

- Line 10 – added quotation marks around "JCC" and "OPC"

Judge Fonnesbeck moved to send CJA 4-202.10 to the Judicial Council with a recommendation that it be published for a 45-day public comment period. Judge Carpenter seconded the motion. The motion passed unanimously.

(5) AI Vision Statement and Guiding Principles, AI Training, and Generative AI Rules:
Brody Arishita presented the updated AI Vision Statement and Guiding Principles, AI Training, and Generative AI Rules. The updates were routed through the AI staff and legal committees and PP&T's prior feedback was incorporated.

The committee discussed the difference between “court approved AI tools” and “court provided AI tools” and made the following changes:

Generative AI Rules

- Section (6)(i) – added “without the restrictions in paragraph 5(a)”;
- Section (6) – removed subparagraphs (ii) and (iii) because they were duplicative;
- Section (4) – title changed to “You must get approval from the judicial officer”;
- Section (4) – changed to: “Employees must notify and get approval from the judicial officer if they use AI to prepare work or complete a task at the direction of the judicial officer”.

Judge Gardner suggested that Mr. Arishita be prepared at the Judicial Council meeting to discuss details about AI training and the purpose of the vision statement and guiding principles.

After further discussion, the committee recommended that the AI Vision Statement and Guiding Principles, AI Training, and Generative AI Rules be placed on the Judicial Council’s October agenda.

(6) 3-109. Ethics Advisory Committee (EAC):

The majority of proposed changes to rule 3-109 are minor formatting and style guide revisions. However, substantive edits were made to paragraphs (3)(F), (4), and (5) to clarify the process for requesting, issuing, and publishing opinions. As drafted, the terms "release," "issue," "refer," and "publish" are confusing.

<u>The revisions clarify the terms as follows</u>:

- “**release**”: when EAC sends an informal opinion to the requester in response to a request
- “**refer**”: when EAC sends a request to the Council without drafting an opinion, or a requester sends an informal opinion to the Council asking the Council to modify the opinion or convert it to a formal opinion
- “**reconsideration**”: when an EAC member, Board member, or Council member ask the Council to modify an opinion
- "**issued**": when an informal opinion becomes ‘official’
- "**published**": when the opinion is posted on the court's website

Following discussion, the committee made the following changes to the rule draft:

- Line 94 – added “The Council must consider a referral of an informal opinion made: (1) upon a majority vote from the committee, or (2)”
- Line 95 – removed “Upon an affirmative vote of a majority of the Committee members”
- Lines 97-98 – added “informal opinion”
- Line 99 – changed “the request and recommendation” to “referral”
- Line 3 – defined Ethics Advisory Committee as “Committee”
- Line 80 – added “Alternatively, the Committee may by majority vote refer the request to the Council without issuing an informal opinion.”
- Line 88 – removed “in accordance with paragraph (4)”
- Line 53 – added “the Office” to General Counsel and made it a defined term, “General Counsel”

Judge Carpenter moved to send CJA 3-109 to the Judicial Council with a recommendation that it be published for a 45-day public comment period. Judge Fonnesbeck seconded the motion. The motion passed unanimously.

Technology report/proposals: None

Old Business/New Business: The committee reviewed 2026 meeting dates and made adjustments as needed. The November 2025 meeting is scheduled for Monday, November 3rd; the January 2026 meeting is scheduled for January 9th; the April 2026 meeting is scheduled for April 10th; and the July 2026 meeting is scheduled for July 10th.

The committee discussed amending CJA 3-104 to establish a process for case and calendar assignments when judges retire, resign, or recuse. One option is to give each district the discretion to create their own processes (i.e., PJs must establish a local supplemental rule to assign calendars, etc.). Judge Gardner and Ms. Williams will prepare amendments for review by the committee. Once approved by the committee, the proposed drafts will be sent to the boards of judges for feedback.

Adjourn: With no further items for discussion, the meeting adjourned at 1:21 p.m. The next meeting will be held on October 3, 2025, at noon via Webex video conferencing.

JUDICIAL COUNCIL'S
BUDGET & FISCAL MANAGEMENT COMMITTEE

Minutes
August 4, 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
Judge Michael DiReda

Guests:
Brett Folkman, TCE, First District Court
Shonna Thomas
Katy Burke
Jon Puente
Amy Hernandez
Janie Liebert
Jessica Vazquez-Leavitt

Excused:

AOC Staff Present:
Ron Gordan
Neira Siaperas
Michael Drechsel
Nick Stiles
Shane Bahr
Sonia Sweeney
Brody Arishita
Todd Eaton
Bart Olsen
Tina Sweet
Karl Sweeney
Alisha Johnson
Kelly Moreira
Sheri Knighton
Suzette Deans, Recording Secretary

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

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

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

2. FY 2025 and Period 1 FY 2026 Financials (Alisha Johnson – "Presenter")

FY 2025

FY 2025 Ongoing Turnover Savings ("OTS") – Alisha Johnson indicated that when combined with carryover and benefits differential, we have OTS of $1,215,309 available for use in FY 2025. The total available OTS is reduced by $200,000 for hot spot raise funds leaving a net total of $1,015,309 for future use, of which almost all has been pledged to meet Investing in our People commitments for FY 2026.

FY 2025 Ongoing Turnover Savings as of 07/30/2025

#		Prior Month Forecast Amount @ YE	Actual Amount YTD	Forecasted Amount @ YE	Change in Forecast 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)	903,348	903,348	903,348	-
1	Ongoing Turnover Savings FY 2025 (forecast $65,000 / month x 0 month, Salary Differential only)	-	-	-	-
	TOTAL SALARY RELATED ONGOING SAVINGS	1,043,942	1,043,942	1,043,942	-
	Benefit Differental Savings FY 2025 (will be recognized in this row starting in Q4)	115,119	171,366	171,366	**56,248**
	TOTAL SAVINGS	1,159,061	1,215,309	1,215,309	**56,248**
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	**959,061**	**1,015,309**	**1,015,309**	**56,248**

* 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, 27.5 FTE are vacant.
1 Actual run rate is $903,348 / 12 months = $75,279 /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 – Alisha Johnson reported that in period 13 our actual YTD 1x TOS is $2,979,881. The prior report for period 12 showed $3,072,760.

FY 2025 One Time Turnover Savings - Period 13

Updated as of Pay Period Ending 07/04/2025 (0 out of 2,088 hours)

#		Funding Type	Actual Amount
	One Time Turnover Savings (from actual payroll data versus budget as of PPE 07/04/2025)	Internal Savings	2,979,881
	Est. One Time Savings for remaining pay hours (0 @ $1,500 / pay hour)	Internal Savings (Est.)	-
Total Potential One Time Savings			**2,979,881**
		Prior Report Totals (as of PPE 06/20/2025)	*3,072,760*

* Per hour cumulative one time savings amount is $2,979,881 / 2088 = $1,427.15 per pay hour

Ms. Johnson next reviewed the FY 2025 Year End Spending Requests and Forecasted Available One-Time Funds – As of period 13, as recapped on the prior schedule, the 1x TOS savings are forecasted to be $2.980M. After deducting $250,000 of hot spot incentive pay, our net total 1x TOS is $2.730M. Operational savings are $1,270,371. We also included $741,488 of unclaimed property funds, ($90,000) of prior period adjustments and $569,787 of uses to top off various carryforward amounts and minimize CCCF to reach a net total forecasted 1x funds of $4.233M. which was 100% used for either $3.7M of carryforward (legislative max) or $532,800 in current year 1x TOS uses.

FY 2025 Year End Requests and Forecasted Available One-time Funds - Period 13

Forecasted Available One-time Funds			
	Description	Funding Type	Amount
	Sources of YE 2025 Funds		
*	Turnover Savings as of PPE 07/04/2025	Turnover Savings	2,979,881
	Turnover savings Estimate for the rest of the year ($1,500 x 0 pay hours)	Turnover Savings	-
	Total Potential One Time Turnover Savings		**2,979,881**
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	**Total Potential One Time Turnover Savings Less Discretionary Use**		**2,729,881**
	Operational Savings From TCE / AOC Budgets	*Internal Operating Savings*	1,270,371
	Operational Savings from IT Budget - unused Carryforward Request	*Internal Operating Savings*	150,000
	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 OFA)	*Adjustments to CY Operations*	(90,000)
	Uses to balance - maximize carryforward for Facilities / minimize use of CCCF	*Balancing Entries*	(569,787)
(b)	**Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments**		**1,502,919**
(c)	**Total of Turnover Savings & Operational Savings = (a) + (b)**		**4,232,800**
	Uses of YE 2025 Funds		
(d)	Carryforward into FY 2026	*FY 2026 Carryforward*	**(3,700,000)**
Total Potential One Time Savings = (c) less Carryforward (d)			**532,800**
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.			-

Updated 07/30/2025

#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
1	Various Construction Projects (FY 2025) Contingency (10%) (NOT NEEDED)	$ -	-
2	All Rise Utah Welcome Dinner	$ -	10,000
3	Q1 / Q2 Performance Bonus	$ -	$ 156,000
4	Replacement of EMV Credit Card Devices	$ -	$ 36,500
	Reimbursement from Trust Account Interest Earnings	$ -	$ (36,500)
5	Purchasing Utah Code and Court Rules per CJA 3-413	$ -	$ 30,000
6	Mitigate Laptop Price Increases	$ -	$ 300,000
7	Bridge Replacement LMS System Go-Live	$ -	$ 27,700
8	Increase in Secondary Language Stipend	$ -	$ 9,100
	Current Month One-time Spending Requests	-	
	Previously Approved 1x FY 2024 YE Spending Request		**532,800**

As the FY 2025 YE Carryforward and Ongoing Requests showed, the Judicial Council approved various items that used the vast majority of the $3.7M in carryforward funds and ongoing funds (inclusive of both turnover and legislative funds) leaving $108,609 of ongoing funds available.

FY 2026 Carryforward and Ongoing Requests - Period 13, FY 2025

7/30/2025

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2024		$ 140,594
Forecasted YE Ongoing Turnover Savings from FY 2025		$ 1,074,715
Subtotal		$ 1,215,309
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	$ 2,251,809
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	$ 1,951,809

Ongoing Requests

	Recommend Approve and Fund Immediately	Presented One Time	Presented Ongoing	Judicial Council Approved One Time	Judicial Council Approved 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		$ 97,300
	Subtotal to Approve and Fund Immediately	$ -	$ 1,843,200	$ -	$ 1,843,200
	Balance Remaining After Judicial Council Approvals				$ 108,609
	Balance Remaining Inclusive of "Presented"		$ 108,609		

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 One Time	Presented Ongoing	Judicial Council Approved One Time	Judicial Council Approved 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		$ 60,000	
3*	Education Assistance Program - Kelly Moreira	$ 85,000		$ 85,000	
4*	HR Applicant Tracking - Jeremy Marsh	$ 20,900		$ 20,900	
5*	IT Stipend for Technology Subject Matter Experts - Todd Eaton and Taz Hatch	$ 65,000		$ 65,000	
6*	IT Replacement Inventory - Todd Eaton	$ 200,000		$ 200,000	
7*	Network / System Maintenance - Staff Augmentation - Todd Eaton and Chris Talbot	$ 150,000		$ 150,000	
8*	IT Webex Virtual Hearing Improvement Project - Brody Arishita	$ 150,000		$ 150,000	
9*	Retention of Contract Developers - Brody Arishita	$ 682,000		$ 682,000	
10*	Base Employee Incentive Awards - Bart Olsen, Erin Rhead, and Alisha Johnson	$ 280,000		$ 280,000	
11*	Wellness Program - Tava - Neira Seripas	$ 103,100		$ 103,100	
12*	FY 26 Q1/Q2 (paid in 12/2025) Performance Bonus - Bart Olsen and Karl Sweeney	$ 400,000		$ 400,000	
13*	Utah Code Purchase - Kaden Taylor	$ 35,000		$ 35,000	
X	ICJ Expenses - Sonia Sweeney (See ongoing Approve and Defer above)	$ 7,000		$ 7,000	
14*	Annual All Rise Outreach - Jonathan Puente	$ 11,000		$ 11,000	
	Subtotal	$ 3,583,600	$ -	$ 3,583,600	$ -
	Balance Remaining After Judicial Council Approvals			$ 700	$ 108,609
+	Balance Remaining Inclusive of "Presented" (for Ongoing net of Presented Fund Immediately)	$ 700	$ 108,609		

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.

<u>FY 2026</u>

We are conservatively using $1,200 per pay hour (last year's actual was $1,427/pay hour) for our period 1 forecast of 1x TOS funds. This produces $2,505,600 of potential 1x turnover savings. After deducting $250,000 delegated for discretionary use for one-time pay-related expenses, it leave $2,255,600 in discretionary 1x TOS funds. After adding in forecasted operational savings and net reserve sources and uses, the total 1x funds remaining are $2.694M. This is lower than FY 2025 primarily due to the lack of unclaimed property savings for FY 2026.

FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 1

Forecasted Available One-time Funds			
	Description	Funding Type	Amount
	Sources of YE 2026 Funds		
*	Turnover Savings as of PPE xx/xx/xxxx	Turnover Savings	-
	Turnover savings Estimate for the rest of the year ($1,200 x 2088 pay hours)	Turnover Savings	2,505,600
	Total Potential One Time Turnover Savings		**2,505,600**
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	**Total Potential One Time Turnover Savings Less Discretionary Use**		**2,255,600**
	Operational Savings From TCE / AOC Budgets - mid-year forecast	*Internal Operating Savings*	500,000
	Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27	*Internal Operating Savings*	400,000
	Reserve Balance (balance from FY 2025 Carryforward)	*Judicial Council Reserve*	700
	Use IT Budget Savings and Operational Savings to increase Retro YOS Eligibility	*Adjustments to CY Operations*	(462,000)
(b)	**Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments**		**438,700**
(c)	**Total of Turnover Savings & Operational Savings = (a) + (b)**		**2,694,300**
	Uses of YE 2026 Funds		
(d)	Carryforward into FY 2027 (Anticipate request to Legislature for $3,200,000)	*FY 2027 Carryforward*	**(2,694,300)**
Total Potential One Time Savings = (c) less Carryforward (d)			-
Less: Judicial Council Requests Previously Approved			-
Less: Judicial Council Current Month Spending Requests			-
Remaining Forecasted Funds Available for FY 2026 YE Spending Requests, CCCF, etc.			-

Updated 07/30/2025

#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
	Current Month One-time Spending Requests	-	
	Previously Approved 1x FY 2025 YE Spending Request		-

We have carried over $108,609 in turnover savings into FY26. We have accumulated $77,824 in FY26 in actual YTD ongoing savings, bringing our balance to $186,432. Because we have not seen turnover slow down from the actual trend observed in FY 2025, we are projecting $65,000 per month (same as the last several periods of FY 2025) which will total $715,000 for the 11 remaining months in FY 2026 bringing our forecasted total to $901,432 for FY26. We are not including any benefit differential savings/overage until Q3 of FY 2026. After taking out the annual $200,000 for hot spot raises, we have a net forecasted turnover savings total of $701,432

FY 2026 Ongoing Turnover Savings as of 07/30/2025 - Period 1

#		Prior Month Forecast Amount @ YE	Actual Amount YTD	Forecasted Amount @ YE	Change in Forecast Amount @ YE
	Net Carried over Ongoing Savings (not finalized from FY 2025)	-	108,609	108,609	**108,609**
	Ongoing Turnover Savings FY 2026 (actual year-to-date, Salary Differential only)	-	77,824	77,824	**77,824**
1	Ongoing Turnover Savings FY 2026 (forecast $65,000 / month x 11 month, Salary Differential only)	-	-	715,000	**715,000**
	TOTAL SALARY RELATED ONGOING SAVINGS	-	186,432	901,432	**901,432**
	Benefit Differental Savings FY 2026 (will be recognized in this row starting in Q4)	-	-	-	-
	TOTAL SAVINGS	-	186,432	901,432	**901,432**
2	2026 Annual Authorized Hot Spot Raises		(79,865)	(200,000)	(200,000)
	TOTAL USES	-	(79,865)	(200,000)	(200,000)
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026	-	106,567	701,432	701,432

* 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. Current benefit differential is -$10,221.12.
FY 2025 full year benefit differential (not finalized) was +$171,366.40

* Currently, 27.5 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 $77,824 / 1 months = $77,824 /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.

This following report shows the Actual Commitments/Reserves balances as of period 1 of FY 2026.

FY 26 Ongoing Funding Net of Commitments/Reserves - Period 1, FY 2026

	7/30/2025
Funding Sources	
Available Funds	**Net Available**
Ongoing Turnover Savings carried over from FY 2025	**$ 108,609**
Actual Ongoing Turnover Savings from FY 2026 (as of period 1) - Note: Does not include CY benefits differential until Q4 or forecasted amounts	**$ 77,824**
Total Available Ongoing Funding - Cash Basis	**$ 186,432**
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 Ongoing Funding - Cash Basis (Deficit)	**$ (483,568)**
Deferred Ongoing Requests	
Requests are deferred until Net Available Ongoing Funding - Cash Basis exceeds these requested amounts	**Judicial Council Approved**
8th District Probation Training Coordinator - Russ Pearson	$ 52,500
Juvenile Court ICJ Funding Increase	$ 7,000
Subtotal	**$ 59,500**

ARPA total expended amount is $14,429,315 as of the end of FY25. Currently, we have a balance left of $570,685 to expend before December 31, 2026.

ARPA Expenses as of Year End, FY 2025

	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*	*1,071,136*	11,802,715	570,685	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**	**1,071,136**	**14,429,315**	**570,685**	
					Expenditures added since last report:	*387,768*		

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.

3. Draft Legislative Requests

Karl Sweeney indicated that requests number 3 and 6 have had significant changes since the last BFMC meeting. The committee chose to discuss only those two. Summaries of only the two revised requests have been included in the minutes.

3. District and Juvenile Court Judicial Officers and Support Staff. (Shane Bahr, Sonia Sweeney, and Nick Stiles)

Karl indicated that since the last BFMC meeting, four requests were incorporated into a single request (Additional JAs and JA Leadership, 4th Juvenile Officer and Staff, 6th District Team Manager, District Court Judicial Staff.) The total request is for $9,932,400.

District Court

The need for judicial officers and court staff has increased since last year's request for the district court. Without meaningful increases in funding, the number of pending cases and the number of days it takes to resolve a case will also continue to increase. The FY25 district court judicial weighted caseload study (JWCS), and the shift of cases from two justice courts that closed to district court shows there is a need for 11.7 additional judicial officers.

Shane Bahr is requesting $7,694,900 in ongoing funding for eight judges, four commissioners, with accompanying support staff, and $1,380,000 in one-time funding to finish one shelled courtroom in Tooele as well as one-time initial purchases of IT hardware and software, as follows:

- 8 District Court Judges
- 4 District Court Commissioners
- 24 Judicial Assistants
- 5 Case Managers
- 1 Team Manager
- 4 Law Clerks
- 1 Business Application Technician (help desk)
- Ongoing IT, Operating and Travel/Training Costs
- One-time funding to finish one courtroom shell in the Tooele Courthouse, and
- One-time hardware and software costs

Juvenile Court

Sonia Sweeney is requesting $857,500 in FY27 ongoing funding for a 4th district Juvenile court judicial officer and support staff. Due to rapid population growth in Utah and Wasatch Counties, the addition of one juvenile court judge and appropriate support personnel will allow the Juvenile Courts to alleviate the rapidly growing case load. This investment will help ensure timely

hearings, reduce the risk of delays in critical decisions affecting minors and families, and improve overall system responsiveness for the many citizens residing in Utah, Wasatch, Juab, and Millard Counties. It will also enhance the court's ability to continue to comply with the well-founded, statutorily established timeframes for certain types of hearings in both juvenile justice and child welfare proceedings.

Appellate Courts
Nick Stiles reported that no changes had been made to the separate Appellate Court request which was now included in the current version as the final section of the consolidated request.

6. Integrated Domestic Violence Court Project Funding Request (Amy Hernandez "Presenter")

The Domestic Violence Program (DVP) requests $1,972,600 in ongoing funding and $1,285,000 in one-time funding for the Integrated Domestic Violence (IDV) Court. Domestic violence represents a significant threat to the health, safety, and wellbeing of Utah's families. To effectively address domestic violence, the Domestic Violence Program proposes implementing the IDV Court model ("one judge, one family" model). This model will improve safety for victims and their children, hold defendants accountable, reduce domestic violence recidivism rates, and improve court experiences for families involved in domestic violence cases.

Prioritize Requests

Motion: Judge Cornish made a motion to combine the Appellate Court Judge into the request for District and Juvenile Court Judicial Officers and Support Staff and rank them number 2 collectively. Motion seconded by Judge Eisenman, motion passed unanimously.

Legislative GS 2026 - Judicial Priorities Scoring Worksheet

Judicial Council Rankings - 08/15/2025

Judicial Council Ranking	Description	Ongoing Amount	One-time Amount	BFMC Rankings	Average Board Ranking	BACJ Rankings	BJCJ Rankings	BDCJ Rankings
	Core Workforce - Recruit and Retain	$6,008,300	$0	1	1.67	2	2	1
	Judicial Officers and Support Staff	$9,211,600	$1,380,000	2	1.67	1	1	3
	6th District Training Coordinator	$102,300	$0	3	3.00	4	3	2
	Integrated Domestic Violence Court Funding - Tooele Co.	$1,972,600	$1,285,000	4	4.00	3	4	5
	Speciailized Domestic Violence Court Funding - Wasatch and Grand Co.	$618,550	$0	5	4.33	5	4	4
	Guardian Signature Program	$667,550	$0	N/A	N/A	-	-	-
	Total Judicial Priority Requests	$18,580,900	$2,665,000					

Mission - 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.

Motion: Judge Cornish made a motion to re-rank the priority order as noted in the BFMC Rankings column above. Motion seconded by Judge DiReda, motion passed unanimously.

4. Grants(Jordan Murray "Presenter")

1. **Request to Accept Funds SAFG (Jordan Murray and Katy Burke "Presenters")**

We respectfully request the Judicial Council's authorization to accept a $45,000 grant award from the Utah Commission on Criminal and Juvenile Justice (CCJJ) under the State Asset Forfeiture Grant program (Grant #26N20).

The preceding grant application proposal presented a request for $50,000 and was approved by the Judicial Council for submission on July 21, 2025. The award amount has been subsequently revised to $45,000 following consultation with CCJJ and remains adequate for the intended use. This grant directly funds travel expenses for judicial officers/court staff and programming costs (including additional conference speakers) associated with the Utah Treatment Court Conference and Rise26 National Conference.

Motion: Judge Eisenman motioned to push this request to the Judicial Council with recommended approval. Judge Cornish seconded the motion and it passed unanimously.

Motion:

2. GAP Request for MyCase Development Work (Jordan Murray and Janine Liebert "Presenters")

The following grant application proposal presents a funding opportunity with the Utah Bar Foundation supporting critical user-facing improvements to online services for self-represented litigants. The Self-Help Center, in collaboration with Information Technology and other stakeholders, proposes a series of enhancements and optimizations to MyCase (to be rebranded as *MyCourtCase*) and its related platform, MyPaperwork. These changes are aimed at increasing efficiency and improving services for litigants engaging in the court system without formal legal representation. The Utah Bar Foundation has encouraged the Courts to apply for grant support noting this work's alignment with their funding priorities.

The grant request to the Utah Bar Foundation is for $980,430 and funds a broad set of projects. The total amount requested includes a ten-percent contingency allocation (equivalent to $89,130) to account for possible cost fluctuations should any expenses exceed initial estimates. Implementation will be managed by existing court personnel and there are no ongoing funding obligations tied to this request. If awarded, this grant would directly support the judiciary's mission to provide a system that is open, fair, and efficient for all. We kindly request approval to move forward with a grant application to the Utah Bar Foundation in support of this work.

Motion: Judge Cornish motioned to forward this request on to the Judicial Council with a recommendation to approve. Judge Eisenman seconded the motion and it passed unanimously.

5. Old Business/ New Business

1. **JWI Fund Initiative Spending – Judicial Interpreter Pilot – USU (Jessica Vazquez-Leavitt and Jon Puente "Presenters"_**

In partnership with Utah State University, the Language Access Program seeks this funding for the creation and implementation of a statewide interpreter training curriculum pilot. Senator Escamilla asked the Judiciary to explore a partnership with USU, as they have already developed a curriculum and structure for medical interpretation. USU can also reach potential interpreters statewide through their regional campuses. Similar to the Court Interpreter Training Institute at the University of Arizona, this program will prepare individuals to take all NCSC language proficiency exams. Currently, the NCSC provides sparse preparation materials or practice exercises for candidates. Our most recent proctoring of the Oral Proficiency Exam had 22 individuals sit for the exam, most of them repeat test takers, and not a single individual passed all three sections of the exam. This use of JWI initiative funds would go towards the creation of a curriculum by the Department of World Languages and Cultures at USU, which will also teach the pilot course over two separate cohorts of 50 individuals each to be taught during the Spring and Summer of 2026, respectively, to help increase the pass rate of the Oral Proficiency Exam.

2. **Accounting Manual Changes**

Motion: Judge Eisenman motioned to publish the new accounting manual rules. Kristin Woods seconded the motion and it passed unanimously.

None

Next meeting August 25, 2025
Meeting adjourned at 1:25 p.m.

Tab 3

Budget and Grants Agenda
For October 27, 2025
Judicial Council Meeting

1. Monthly YTD Financials ..... Alisha Johnson
(Information)

2. Grant Items..... Jordan Murray

1. Status of MyCase Development Work..... Jordan Murray and Janine Liebert
(Information)

2. Request to Accept Funds - Byrne SCIP Grant.....Jordan Murray and Amy Hernandez
(Action)

Item 1

FY 2025 Ongoing Turnover Savings as of 07/30/2025 (updated 09/30/2025)

#		Prior Month Forecast Amount @ YE		Actual Amount YTD	Forecasted Amount @ YE		Change in Forecast 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)	903,348		903,348	903,348		-
1	Ongoing Turnover Savings FY 2025 (forecast $65,000 / month x 0 month, Salary Differential only)	-		-	-		-
	TOTAL SALARY RELATED ONGOING SAVINGS	1,043,942		1,043,942	1,043,942		-
	Benefit Differental Savings FY 2025 (will be recognized in this row starting in Q4)	171,366		201,340	201,340		**29,973**
	TOTAL SAVINGS	1,215,309		1,245,282	1,245,282		**29,973**
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	**959,061**		**1,045,282**	**1,045,282**		**86,221**

* Ongoing turnover savings only happens when a vacant position is filled at a lower rate (Salary Differential) and / or with lower benefits (Benefit Differential).
* FY 2024 full year benefit differential was +$331,176

1 Actual run rate is $903,348 / 12 months = $75,279 /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 2026 Carryforward and Ongoing Requests - Period 13, FY 2025

9/30/2025

Funding Sources

	One Time	Ongoing
Ongoing Turnover Savings carried over from FY 2024		$ 140,594
Forecasted YE Ongoing Turnover Savings from FY 2025		$ 1,104,688
Subtotal		$ 1,245,282
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	$ 2,281,782
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	$ 1,981,782

Ongoing Requests

		Presented		Judicial Council Approved	
	Recommend Approve and Fund Immediately	**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		$ 97,300
	Subtotal to Approve and Fund Immediately	***$ -***	***$ 1,843,200***	***$ -***	***$ 1,843,200***
	Balance Remaining After Judicial Council Approvals				**$ 138,582**
	Balance Remaining Inclusive of "Presented"		**$ 138,582.18**		
	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		$ 60,000	
3*	Education Assistance Program - Kelly Moreira	$ 85,000		$ 85,000	
4*	HR Applicant Tracking - Jeremy Marsh	$ 20,900		$ 20,900	
5*	IT Stipend for Technology Subject Matter Experts - Todd Eaton and Taz Hatch	$ 65,000		$ 65,000	
6*	IT Replacement Inventory - Todd Eaton	$ 200,000		$ 200,000	
7*	Network / System Maintenance - Staff Augmentation - Todd Eaton and Chris Talbot	$ 150,000		$ 150,000	
8*	IT Webex Virtual Hearing Improvement Project - Brody Arishita	$ 150,000		$ 150,000	
9*	Retention of Contract Developers - Brody Arishita	$ 682,000		$ 682,000	
10*	Base Employee Incentive Awards - Bart Olsen, Erin Rhead, and Alisha Johnson	$ 280,000		$ 280,000	
11*	Wellness Program - Tava - Neira Seripas	$ 103,100		$ 103,100	
12*	FY 26 Q1/Q2 (paid in 12/2025) Performance Bonus - Bart Olsen and Karl Sweeney	$ 400,000		$ 400,000	
13*	Utah Code Purchase - Kaden Taylor	$ 35,000		$ 35,000	
X	ICJ Expenses - Sonia Sweeney (See ongoing Approve and Defer above)	$ 7,000		$ 7,000	
14*	Annual All Rise Outreach - Jonathan Puente	$ 11,000		$ 11,000	
	Subtotal	***$ 3,583,600***	***$ -***	***$ 3,583,600***	***$ -***
	Balance Remaining After Judicial Council Approvals			**$ 700**	**$ 138,582**
+	**Balance Remaining Inclusive of "Presented" (for Ongoing net of Presented Fund Immediately)**	**$ 700**	**$ 138,582.18**		

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.

FY 2026 Ongoing Turnover Savings as of 09/30/2025 - Period 3

#		Prior Month Forecast Amount @ YE		Actual Amount YTD	Forecasted Amount @ YE		Change in Forecast Amount @ YE
	Net Carried over Ongoing Savings (not finalized from FY 2025)	108,609		138,582	138,582		**29,973**
	Ongoing Turnover Savings FY 2026 (actual year-to-date, Salary Differential only)	77,824		307,372	307,372		**229,549**
1	Ongoing Turnover Savings FY 2026 (forecast $65,000 / month x 9 month, Salary Differential only)	715,000		-	585,000		**(130,000)**
	TOTAL SALARY RELATED ONGOING SAVINGS	901,432		445,954	1,030,954		**129,522**
	Benefit Differental Savings FY 2026 (will be recognized in this row starting in Q4)	-		-	-		**-**
	TOTAL SAVINGS	901,432		445,954	1,030,954		**129,522**
2	2026 Annual Authorized Hot Spot Raises	(200,000)		(169,990)	(200,000)		-
	TOTAL USES	(200,000)		(169,990)	(200,000)		-
	Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026	**701,432**		**275,965**	**830,954**		**129,522**

* 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. Current benefit differential is -$16,019.38
FY 2025 full year benefit differential (not finalized) was +201,339.72

* Currently, 15 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 $307,372 / 3 months = $102,427 /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 3

Updated as of Pay Period Ending 09/12/2025 (432 out of 2,088 hours)

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 09/12/2025)	Internal Savings	482,366
2	Est. One Time Savings for remaining pay hours (1,656 @ $1,200 / pay hour)	Internal Savings (Est.)	1,987,200
Total Potential One Time Savings			**2,469,566**

Prior Report Totals (as of PPE xx/xx/xxxx) *N/A*

1 Actual per hour turnover savings for the last 4 pay periods (oldest to newest) are $1,987.68, $368.76, $1,332.53, and $664.60. The average per hour turnover savings FY 2026 YTD is $1,116.59

2 The forecast was decreased to $1,200 per hour from $1,500 per hour for the balance of the year as of 09/12/2025 report. Currently, 15 FTE are vacant. This is down from FY 2025 where we were regularly between 25 and 30 positions vacant. This is resulting in lower savings and a lower forecast.

FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 3

Forecasted Available One-time Funds

	Description	Funding Type	Amount
	Sources of YE 2026 Funds		
*	Turnover Savings as of PPE 09/12/2025	Turnover Savings	482,366
	Turnover savings Estimate for the rest of the year ($1,200 x 1,656 pay hours)	Turnover Savings	1,987,200
	Total Potential One Time Turnover Savings		**2,469,566**
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)
(a)	**Total Potential One Time Turnover Savings Less Discretionary Use**		**2,219,566**
	Operational Savings From TCE / AOC Budgets - mid-year forecast	*Internal Operating Savings*	500,000
	Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27	*Internal Operating Savings*	400,000
	Reserve Balance (balance from FY 2025 Carryforward)	*Judicial Council Reserve*	700
	Use IT Budget Savings and Operational Savings to Increase Retro YOS Eligibility	*Adjustments to CY Operations*	(462,000)
(b)	**Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments**		**438,700**
(c)	**Total of Turnover Savings & Operational Savings = (a) + (b)**		**2,658,266**
	Uses of YE 2026 Funds		
(d)	Carryforward into FY 2027 (Anticipate request to Legislature for $3,200,000)	*FY 2027 Carryforward*	**(2,658,266)**
	Total Potential One Time Savings = (c) less Carryforward (d)		-
	Less: Judicial Council Requests Previously Approved		-
	Less: Judicial Council Current Month Spending Requests		-
	Remaining Forecasted Funds Available for FY 2026 YE Spending Requests, CCCF, etc.		-

Updated 10/01/2025

#	One-time Spending Plan Requests	Adjusted Requests Amount	Judicial Council Approved Amount
	Current Month One-time Spending Requests	-	
	Previously Approved 1x FY 2025 YE Spending Request		-

FY 26 Ongoing Funding Net of Commitments/Reserves - Period 3, FY 2026

10/1/2025

Funding Sources

Available Funds	Net Available
Ongoing Turnover Savings carried over from FY 2025	**$ 138,582**
Actual Ongoing Turnover Savings from FY 2026 (as of period 3) - Note: Does not include CY benefits differential until Q4 or forecasted amounts	**$ 307,372**
Total Available Ongoing Funding - Cash Basis	**$ 445,954**

	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 Ongoing Funding - Cash Basis (Deficit) **$ (224,046)**

Deferred Ongoing Requests

Requests are deferred until Net Available Ongoing Funding - Cash Basis exceeds these requested amounts	Judicial Council Approved
8th District Probation Training Coordinator - Russ Pearson	$ 52,500
Juvenile Court ICJ Funding Increase	$ 7,000
Subtotal	**$ 59,500**

ARPA Expenses as of 09/30/2025 (period 3 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 Actual FY 2026 Expended	G Total Expended Amount	H Balance Available	% Obligated
IT Access to Justice - Part I + II	12,373,400	*3,042,468*	*4,613,255*	*3,075,857*	*1,090,631*	114,540	11,936,750	436,650	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**	**1,090,631**	**114,540**	**14,563,350**	**436,650**	
					Expenditures added since last report:		*114,540*		

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.

Item 2

Administrative Office of the Courts

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

October 1, 2025

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

MEMORANDUM

TO: **Budget & Fiscal Management Committee**

FROM: Janine Liebert, Director, Self-Help Center and Law Library
Brody Arishita, Director, Information Technology
Karl Sweeney, Director, Finance Department
Jordan Murray, Financial Manager, Finance Department

RE: **Request to Accept Grant Funds – Utah Bar Foundation ($205,000)**

We are pleased to share that the Utah Bar Foundation (UBF) has awarded $205,000 of grant funding in support of strategic enhancements to MyCase and related platforms, MyPaperwork, and the forms engine. We respectfully request approval to accept the award and proceed with the projects described below.

The grant application proposal (GAP) for this funding opportunity was approved for submission by the Judicial Council on August 15, 2025. The GAP included a broad set of potential projects totaling $980,430. Following further discussions with UBF, we strategically refined our request to focus on six projects most immediately aligned with UBF's funding priorities for this grant cycle, totaling $195,000. UBF approved the full amount requested for those six projects, and in addition, awarded $10,000 for a seventh in-scope project (development of an automatic email functionality for defendants in certain types of civil cases). The projects approved for funding include:

1. **MyCase Hearing Notifications:** Hearing notifications will be enabled for all MyCase users, expanding a capability currently limited to Online Dispute Resolution (ODR) cases. $15,000

2. **Notifications Preferences in MyCase:** Allowing MyCase users to specify their notification preferences (email/text) will ensure they receive timely and meaningful communication about their case activity, which addresses unequal access to technology. $20,000

3.	**Display Table of Notifications on MyCase Notifications Screen:** An enhanced MyCase notifications screen (featuring a visible count of unread messages) making it easier for users to manage communications and stay informed about case activity.	$40,000
4.	**MyCase Notifications Portal:** A new administrator portal will provide court staff with full control over user notifications, enabling them to send immediate alerts and automate reminders.	$65,000
5.	**MyPaperwork Flexible Handoff Link for MyCase Access:** By automatically pre-filling the case number and court location, the MyPaperwork flexible handoff link seamlessly transitions users to a MyCase account, helping them access their documents and respond to filings.	$25,000
6.	**MyPaperwork Repeating Document Functionality:** This project will enable the launch of new, complex case types like guardianship and conservatorship in MyPaperwork by automating the creation of forms, such as a Notice of Right to Object, for each interested person with only their specific details from a single guided interview.	$30,000
7.	**Automatic Email Function for Defendants (new project):** An automatic critical notification email will be sent to pro se defendants. The system is strategically focused on high-volume case types, such as evictions and debt collection cases, to address their high rate of default judgments. When the court confirms the defendant has been served, the system will verify pro se status and check for an email address that was voluntarily provided. Eligible parties will receive an email with case information and direct links to MyCase, MyPaperwork, and self-help resources.	$10,000
	Total Award:	**$205,000**

We are grateful to have the support of UBF and look forward to utilizing these funds in accordance with the terms outlined in the attached award letter. The projects funded in this cycle represent a critical first phase of the broader vision presented in the GAP, and we are committed to pursuing funding for the remaining projects detailed in our funding request to UBF in future grant cycles.

Thank you.

Utah Bar Foundation, 645 South 200 East, Salt Lake City, Utah 84111, (801) 297-7046, kim@utahbarfoundation.org

September 24, 2025

Janine Liebert
Brody Arishita
Ron Gordon
Utah State Courts
Sent via email

Dear Janine, Brody & Ron:

The Utah Bar Foundation Board of Directors is pleased to announce that they have made a reimbursable grant award of up to $205,000 to complete strategic enhancements and optimizations to MyCase and MyPaperwork and the forms engine as outlined in the grant request dated 9-8-2025 and the supplemental email from Brody on 9-23-2025 for the additional $10,000 to upgrade the ability to send an auto-email to defendants in certain types of civil cases (debt, small claims, eviction, family law, etc) when a defendant email is provided with the case filing.

Given that the amounts provided for each proposed item in the grant request were presented as cost estimates, the Utah Bar Foundation will pay 50% of the grant award upon signature of the grant acceptance letter and will provide the remaining grant award, up to a total of $205,000, upon receipt of invoices for work on all proposed items detailed in the grant request and the additional auto-email feature. It is anticipated that all projects will be complete within eight months of acceptance of the grant. If any unexpended grant funds remain upon final invoicing, the Utah Bar Foundation will consider a grant amendment proposal from the Self-Help Center on use of any remaining funds.

Please contact Kim Paulding at kim@utahbarfoundation.org to provide her with the Name, Title and Email address of the person that will sign the Grant Acceptance Letter and the contact information for the best person in the Finance Department for Kim to work with on ACH payment information and financial matters.

A special thanks to Brody and Janine for all of their work to put together this grant request and for making the time to present the project to the Utah Bar Foundation Board. Please don't hesitate to reach out if you have any questions.

Sincerely,

Kim Paulding

Kim Paulding
Executive Director

Directors and Officers

Elaina Maragakis, President
V. Lowry Snow, Vice-President
Marji Hanson, Sec./Treas.
Gregory N. Hoole, Director
Michael Thomson, Director
Nicole Salazar-Hall, Director
Timothy Wheelwright, Director
Walter A. Romney, Jr., Ex-Officio

Kim Paulding, Executive Director

Administrative Office of the Courts

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

October 2, 2025

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

MEMORANDUM

TO: **Budget & Fiscal Management Committee**

FROM: Amy Hernandez, Domestic Violence Program Manager

RE: **Request to Accept Grant Funds – State Crisis Intervention Program ($500,000)**

The Commission on Criminal and Juvenile Justice (CCJJ) has awarded $500,000 of Byrne State Crisis Intervention Program (SCIP) grant funding to develop an improved protective order records validation process and support the Domestic Violence Criminal Compliance Docket Pilot Program ("DV Docket").

The Judicial Council approved submission of the grant application proposal for this funding opportunity on August 23, 2024. The project includes: (1) protective order improvements adding two full-time specialists and system programming to streamline validations and ensure accurate, timely recordkeeping in national databases, and (2) support for the DV Docket by hiring a part-time coordinator to develop firearm surrender/recovery procedures, oversee compliance, and expand use of risk assessments for high-risk defendants. Together, these efforts will strengthen victim safety, reduce unlawful firearm access, and improve coordination among courts, law enforcement, and community partners.

We are grateful for CCJJ's support and respectfully request approval to accept the award and proceed with the projects included in the attached application.

Thank you.

Administrative Office of the Courts

Grant Application Proposal (GAP)
Federal Grant

August 8, 2024

A. Contact Information	
AOC Contact:	Amy Hernandez
Phone:	(801) 578-3809
Grant Administering Unit:	Domestic Violence Program and Third District

B. Grant Details			
Grantor:	Utah Commission on Criminal and Juvenile Justice and the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance.		
Title of Grant:	Byrne State Crisis Intervention Program (SCIP)		
Application Deadline:	December 2024		
Amount Requested:	$500,000		
Grant Period Begins:	01/01/2025	**Ends:**	06/30/2026 (now 9/30/2026)
Award Type:	☐ Recipient	☒ Subrecipient	

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

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

[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.

D. GAP Narrative — UCJA Rule 3-411 (5)

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.

As explained in greater detail below, currently, procedural gaps exist in how the courts process domestic violence and protective order cases; these gaps increase the risk that restricted individuals[2] can access firearms and violate court orders. The SCIP grant funding will close these gaps and support the courts' mission to provide a fair and efficient system which advances justice in domestic violence and protective order cases. To advance justice in a fair and efficient manner, the Domestic Violence Program requests $500,000 in SCIP grant funding to have Court's IT build an improved protective order records validation process (which will include an improved IT component and 2 FT Court employees) and support the Domestic Violence Criminal Compliance Docket Pilot Program[3] (AKA the DV docket).

Procedural Gaps

I. Protective order records are removed from the national protective order database (NCIC) when the courts fail to comply with federal requirements. As a result, protective orders will not be enforced across state lines, and restricted individuals will pass background checks and be able to purchase firearms.

Under state and federal requirements, the Utah Courts are required to review protective order records on a monthly and yearly basis to confirm the accuracy of the record and add any additional information to the record in the Statewide Domestic Violence Network and the National Crime Information Center (NCIC). When protective order records are not reviewed in a timely manner, the records are removed from NCIC's database. Removal from the NCIC database hinders enforcement of protective orders in other states and allows restricted individuals to unlawfully purchase firearms (i.e., pass a firearms background check successfully).

In the past, the Department of Public Safety (DPS), the Bureau of Criminal Identification (BCI), and the Federal Bureau of Investigations (FBI) allowed the courts to validate protective order records through an automatic batch process. This basic validation process verified if the protective order record was active but could not confirm if information in the record had changed. Unfortunately, several protective order data errors emerged from this process, and the NCIC record did not accurately

[2] A restricted individual is a person who is restricted from owning, possessing, or purchasing firearms under UCA 76-10-503(b)(xi) and 18 U.S.C. § 922(d)(8).

[3] The DV docket uses evidence-based practices to ensure victim safety, hold defendants accountable, and provide resources to both victims and defendants to reduce future incidents of domestic violence. After plea or entry into a plea in abeyance agreement (PIA), defendants are assessed using evidence-based, domestic violence-specific risk assessments. If a defendant poses a medium to high risk of committing future acts of domestic violence, the court places them on the compliance docket. On the compliance docket, the court monitors the defendant over a period of time with assistance from probation officers and treatment providers. The defendant must also demonstrate compliance with judicial orders during this time to avoid having their PIA revoked or failing probation (resulting in jail or prison time).

reflect the court's record. As a result, the FBI, BCI, and DPS will no longer allow the validation process to be completed automatically in a batch job.

To comply with federal rules, the FBI, DPS, and BCI are now requiring the courts to manually validate protective order records instead of relying upon the automatic batch job. The manual validation process is time-consuming and will significantly increase the workload of court staff in the district, juvenile, and justice courts[4]. However, if the courts fail to comply with validation requirements, parties in protective orders could have their safety compromised, and the courts could be held liable for failing to maintain the protective order records in the NCIC database. To close this gap, the Administrative Office of the Courts (AOC) requests SCIP funding to make technical changes to the protective order system. These changes will bring the courts into compliance with NCIC requirements and allow court staff to complete the yearly protective order record validations using the courts' system instead of the portal through the Utah Criminal Justice Information System (UCJIS). The court's protective order system is more user-friendly, does not require additional security measures,[5] and staff would not be required to multitask between two programs. Additionally, the funding will be used to hire two full-time staff positions to register the previously removed records with NCIC and complete the monthly protective order record validations which require searching for more information in UCJIS.

II. When a defendant is restricted from firearms due to probation, a plea in abeyance, or a conviction, the defendants are not surrendering their firearms. There is no standardized, safe procedure to comply with firearm laws and court orders. As a result, defendants don't surrender their firearms.

Defendants may submit firearms to law enforcement under the Safe Harbor law (UCA § 53-5c-201), but there is no communication between law enforcement agencies and the courts on how to surrender these firearms (e.g., go to this building, leave the firearms in a locked truck, give the keys to law enforcement to retrieve the firearms, etc.). There is also no formal policy on how a defendant recovers their firearms once they are no longer restricted (i.e., successful completion of PIA). To work with community stakeholders, build these procedures, and track defendants, the DV docket needs a part-time position (0.5 FTE) funded by the SCIP grant.

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[4] In the new manual validations process, the protective order record in NCIC will be reviewed and compared to the original court record one month after issuance and then every year after issuance. The new court staff hired from the SCIP funds will login into UCJIS and run a validations report each month. Staff will then have three weeks to validate the protective order records in UCJIS. To validate each record, they will search the protective order parties in the UCJIS and add information to the protective order record. They will also compare the NCIC protective order record to the original court record and fix any incorrect data. Once the record is updated with all available information, court staff will submit the validation code using UCJIS. This new process complies with federal rules. Under the current process, the validation process is not completed, and NCIC removes the protective order record from its database. This creates a gap whereby licensed firearm vendors conducting a background check for someone desiring to purchase a firearm will check the NCIC database and, since the protective order records have been removed, the restricted individual passes the background check and will be able to purchase a firearm.

[5] NCIC and BCI require that any personnel who access UCJIS must be fingerprinted with a thorough background check. After passing the background check, these personnel may only access UCJIS in a secure area (with locked doors). Finally, staff must receive a thorough training from the District Court Administration Team on an annual basis after the initial training.

Recapping:

The gaps:	The solutions (paid for with SCIP funding):
1. Technical and staffing issues are causing protective orders to not comply with federal rules resulting in protective orders being removed from NCIC and thereby becoming unenforceable across state lines. This leads to restricted persons passing background checks when purchasing a firearm from a licensed firearm vendor because these protective orders are not in the national protective order registry.	Make technical changes to comply with NCIC requirements (national protective order registry). Hire staff to complete the backlog of protective orders that need to be added back onto the national protective order registry.
2. When a defendant is restricted from firearms due to probation, a plea in abeyance, or a conviction, the defendants are not turning in their firearms. There is no standardized, safe way to comply with firearm laws and court orders. As a result, defendants don't surrender their firearms.	Hire a part-time staff to build and implement a firearm surrender policy as part of the domestic violence docket pilot program.

Benefits of These Changes

The work to build a pathway for defendants to safely surrender their firearms strengthens the courts' mission to provide a fair and efficient system that advances justice. For many defendants the current lack of a defined process surrounding surrendering firearms to comply with court orders, statutes and probation conditions combined with no clear path to recover the firearms if they are no longer restricted individuals appears 180 degrees from our mission of being fair and efficient. This work and funding corrects that gap.

Finally, this funding and proposed changes would provide potentially life-saving benefits for individuals experiencing domestic violence, sexual violence, dating violence, and stalking (mostly pro se individuals). Their protective orders would be enforced across state and tribal jurisdictions, and these individuals wouldn't need to register their order with court systems in other jurisdictions for enforcement. Access to firearms drastically increases the risk of domestic violence homicide. By ensuring the safe surrender of firearms and preventing unlawful firearm purchases, it is anticipated that there will be up to a 25% reduction in domestic violence homicides, mirroring the impact seen in other states with a similar program (Vigdor & Mercy, 2003; Zeoli, et al., 2017). For context, all of Utah's domestic violence-related homicides were completed with a firearm in 2020 (Centers for Disease Control and Prevention, 2020). These changes could prevent homicides and save lives.

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.

   To carry out this project in the post-award phase, the Domestic Violence Program anticipates using resources from the Information Technology Team (requesting grant funds to pay for the anticipated impact to their workload), the District Court Administration Team (specifically the Court Administrator, Meredith Mannebach, and the Terminal Agency Coordinator, Nicole Bless), and the Domestic Violence Program Manager Amy Hernandez. All teams and managers have agreed to assist with this project if awarded grant funds.

   Once the grant funds are expended (expected to be June 30, 2026) and if the positions are not funded with ongoing grant or state funding before this date, the project will continue with the District Court Administration Team and the Domestic Violence Program. However, the District Court Administration Team and the Domestic Violence Program lack the long-term capacity to validate protective order records in accordance with NCIC requirements. We expect to seek legislative funding or internal Court's ongoing turnover savings funding in FY 2026.

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?

   Additional state funding may be required to maintain or continue the protective order records validation program if the SCIP grant is not renewed. The AOC currently lacks the funding to support these positions without ongoing grant or state funding. However, the protective order validations program must be maintained to comply with NCIC requirements. For the DV docket program, the Domestic Violence Program can use STOP Abuse grant funding (a stable formula grant the courts have received over the past 13 years) if SCIP grant funding is not renewed.

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."

   Two full time positions to support the manual protective order validation process, and one part-time position to support the DV docket (0.5 FTE).

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

   N/A

E. Anticipated Budget Tables & Narrative

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

TABLE A. CASH MATCH

Fiscal Year		Funds Disbursed	Matching State Dollars (Cash)					
			General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	**Totals**
FY		$	$	$	$	$	$	$
FY		$	$	$	$	$	$	$
FY		$	$	$	$	$	$	$
Provide details below for each match:								

TABLE B. IN-KIND MATCH

Fiscal Year		Funds Disbursed	Matching State Dollars (In–Kind)					
			General Fund	Dedicated Credits	Restricted Funds	Other (describe)	Maintenance of Effort	**Totals**
FY		$	$	$	$	$	$	$
FY		$	$	$	$	$	$	$
FY		$	$	$	$	$	$	$
Provide details below for each match:								

TABLE C. NO MATCH REQUIREMENT

Fiscal Year		Funds Disbursed	
FY	25	$184,200.00	now disbursed FY26-FY27
FY	26	$315,800.00	(through September 30, 2026)

F. Resource Impact Assessment

This section completed by Grant Coordinator *UCJA Rule 3-411 (4)*

Compliance with the latest requirements in the protective order records validations process will need additional resources not presently deployed at the Courts. Consultation with administration teams from the district, juvenile, and justice courts conclude the new manual validation process will impart material increases in workload and exceed the capacities of existing court staff.

Whether or not the Courts elect to pursue grant funding, an ongoing plan for the additional resource demands will need contemplation by the Courts. The opportunity for grant funding presents at least two options for the Courts:

1. The Courts meet the new resource demand with the intention of pursuing ongoing formula grant funding in full, without consideration of ongoing legislative funding. Each federal award cycle, the Domestic Violence Program reapplies to CCJJ for funding. This resembles our State Court Improvement Program (CIP) – a formula grant supporting the salary and benefits of existing full-time permanent employees. As a formula grant, SCIP funds are available to CCJJ each federal award cycle without competition. However, funding is subject to congressional appropriation and contingent on CCJJ pursuing these funds each cycle, which they have affirmed. While the formula funds awarded to our state administering agency (CCJJ) are anticipated to be stable, the grants they issue as sub-awards do compete against any other applications from state, tribal, and community-based entities. The priority funding areas for the Byrne-SCIP grant largely center on Courts, and we are therefore a strong contender for funds.

2. Alternatively, the Courts leverage grant funding for the initial two-year project period meeting the immediate demand, but establish a controlled transition of the 2.5 FTE in full (or part) to ongoing legislative funding once the project period concludes (June 30, 2026). The Courts may also consider pursuing multiple years (award cycles) of grant funding to support these positions beyond June 30, 2026, and pursue ongoing legislative funding at an opportune time.

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 AOC Information Technology (IT) Team has confirmed their resource inputs for the project are feasible with grant funding to offset personnel costs, and estimates that updating the protective order records validation system will require 172 hours and $25,800 in funds. With personnel costs offset by grant funding, the present IT workforce is adequate to carry out necessary programming, testing, and deployment without detriment to existing obligations. IT resources required for the system updates are one-time inputs.

To address the resource gap in the protective order records validation process, an additional 2.5 FTE in grant-funded positions are requested. Two permanent full-time positions are intended to support the day-to-day management of the new manual records validation process, and will be supervised by the District Court Administration Team. One permanent part-time position (0.5 FTE) will support the DV docket's efforts addressing policies for firearm surrender, storage, and

recovery, community stakeholder engagement, and the tracking of firearms-related defendants. This half-time position will be supervised by the Domestic Violence Program Manager.

The SCIP grant requires that any employee paid with award funds be a new hire and add to the total number of employees. All standard employee benefits are allowable costs under the award (paid vacation/sick leave, and fringe benefits). Contractors and consultants are not subject to this requirement.

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

The Courts at present face incremental impacts stemming from the new manual records validation requirement, regardless of how that unmet resource demand is funded. In this instance, grant funding serves closer to a solution to incremental impacts rather than the cause. If grant funding is not pursued or awarded, the Courts remain in need to resolve the resource gap. In the short-term, the District Court Administration Team and Domestic Violence Program can float some critical aspects of the project, but neither group has the long-term capacity to carry out the manual validation of protective order records in fulfillment of NCIC requirements.

The Domestic Violence Program's ongoing STOP Abuse (VAWA) grant can be used to maintain the DV docket program if it is not supported with the SCIP grant or state funding.

No incremental impacts are anticipated for IT once the protective order records validation system is updated.

Tab 4



1

House Bill 531 Requirements

1. The types of fees charged, and the amounts collected
2. The cost related to each fee
3. A determination of whether the fees generate excess revenue
4. The count and amount of waived fees

2

Results for Fiscal Year 2025

Fee Category	Count
Expenses Exceeded Revenue	81
Revenue Exceeded Expenses	2
Total Fees Reviewed	**83**

Note: The excess revenue totaled $6,767.

3

Revenue Exceeds Expenses for Petition for At-Risk Noncitizen

- Petition for Special Findings for at-risk noncitizen children (Petition for At-Risk Noncitizen) went into effect in May 2023
- The fee exceeds the cost per filing by $6
- Additional Revenue: $2,016

4

Revenue Exceeds Expenses for Mandatory Parenting/Orientation Courses

- Mandatory Parenting Course is $35, judiciary receives $8
- Mandatory Parenting Orientation Course fee is $30, judiciary receives $5
- Additional revenue: $4,751

5

Recommendation

The amount collected and the expenses for the Petition for At-Risk Noncitizen and the Mandatory Parenting/Orientation Courses should be reviewed next year to determine if the fees should be reduced.

6


UTAH
JUDICIARY
REVIEW OF COURT FEES FOR
FISCAL YEAR 2025
2023 GENERAL SESSION HB 531 REPORT

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UTAH JUDICIARY

REVIEW OF COURT FEES FOR FISCAL YEAR 2025

2023 GENERAL SESSION HOUSE BILL 531 REPORT

ADMINISTRATIVE OFFICE OF THE COURTS

October 14, 2025

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 State Court Administrator

October 6, 2025

General Government Appropriations Subcommittee
Criminal Justice Appropriations Subcommittee
350 State Street
Salt Lake City, UT 84103

Dear Committee Members:

The Administrative Office of the Courts has completed the review of court fees as required by House Bill 531 that passed in the 2023 General Session. This report issued by the Judicial Council provides the information outlined in House Bill 531 as follows:

- The types of court fees charged and the amounts collected.
- The cost related to each fee, including the direct and indirect costs and expenses for providing the good or service for each fee.
- A determination of whether the fees generate excess revenue.
- The count and amount of waived fees.
- The history of court fees.

This report shows that overall, court fees do not generate excess revenue. Court fees help support the goods or services being provided, but most costs exceed the fee amount. Court fees collected and retained are a small percentage (6 percent) of the revenue needed to support court operations. The General Fund is the main source of revenue that supports court operations.

We are happy to meet with appropriate committees and individuals to discuss any item contained in the report.

Respectfully,

Ronald B. Gordon, Jr.
State Court Administrator

cc: Ivan D. Djambov, Finance Manager LFA
Gary Syphus, Finance Manager LFA

Overview

House Bill 531 which was passed in the 2023 General Session requires the Judiciary to join the Executive Branch in providing to the General Government Appropriations Subcommittee an annual report (due before November 30th) that provides the direct and indirect costs and expenses for providing the good or service for which the fee is charged. As required by House Bill 531 this report includes details on (1) the types of fees charged and collected by the Supreme Court, the Court of Appeals, District and Juvenile Courts, and the Administrative Office of the Courts, (2) the methods used to determine each fee charged, (3) the Judiciary's estimated cost related to each fee, (4) whether each fee is intended to cover the Judiciary's cost related to the fee, and (5) the number of fee waivers granted for each type of fee. Based on this scope, fines were excluded from our analysis. In addition, justice courts are part of the Judiciary, but were not included in House Bill 531.

A Recent State Audit Provided a Limited Review of Court Fees

The Utah Office of the State Auditor issued a *Limited Review of Utah State Courts Fees* in March 2023 that examined three fees charged by the Utah Judiciary. We have continued to follow the same methodology as the State Auditor, but we collected data statewide rather than collecting data from two districts. The following section is an excerpt from the State Auditor's report regarding the history of court fees:

> In 1992, the legislature consolidated and made uniform the filing fees for all courts of record in Utah. During the committee and floor debates on the 1992 consolidation bill,[1] bill sponsors Senator Lyle Hillyard and Representative John Valentine did not elaborate on how the court fees in the bill were determined. Thirty years later, those bill sponsors do not recall whether an analysis had been performed on the fees proposed by the USC [Utah State Courts].
>
> In addition, Judicial Council staff who were involved in those discussions have long since retired and their historical knowledge has been lost. Currently, there is no way to discern if an analysis was performed to determine the appropriateness of the amounts of the court fees that were adopted.
>
> The Judicial Council assumes that the Legislature may have set court fees below the actual cost to provide those services, subsidizing the USC's budgets through the State's general funds. The USC has expressed concern that high fees may limit citizens' constitutional right to access the courts.[2] While court fees have been revised since that original bill, we could not identify any methodology used for calculating fee recommendations provided to the Legislature.

[1] Utah S.B. 197, 1992 General Legislative Session.

2 Fee waivers and adjustments have been made available to those the legislature determines to meet the requirements for relief.

The State Auditor's report describes the Utah State Court fees as a fee for service. A fee for service is a "specific charge in return for a specific benefit to the one paying the fee."[3] Overall, court fees do not generate excess revenue, meaning the cost to provide the good or service exceeds the fee amount. Only 2 of the 83 fees listed in this report generated excess revenue in 2025.[4]

Court Fees Help Support Court Operations, but the General Fund Is the Main Source of Revenue

The General Fund is the main source of revenue for court operations. In fiscal year 2025, the Judiciary received $193.3 million from the General Fund. Court fees collected and retained are a small percentage (6 percent) of the revenue needed to support court operations.[5] Figure 1 shows the court fees collected for fiscal year 2025.

Figure 1. Court Fee Collection Summary. A majority of the court fees collected, 61 percent, are transferred to the General Fund.

FY 2025 Court Fee Collection Summary	Amount	Percent
Total Fees Transferred to General Fund	$ 21,207,668	61.4 %
Total Fees Retained by Statute (Restricted Funds)	8,719,995	25.3
Total Fees Transferred to URS (Judge's Retirement)	1,889,916	5.5
Total Other Service Fees Retained by the Judiciary	2,707,476	7.8
Total Fees Collected	**$ 34,525,055**	

Figure 1 shows that Utah Judiciary collected fees totaling $34.5 million for fiscal year 2025. The Judiciary retained 33 percent of the fees collected including (1) restricted funds as required by statute for specific purposes and (2) certain service fees.

Restricted Funds. The funds are used solely for the purposes as designated in statute. The funding source is related to the use of the fund. For example, court security fees are restrictively used for court security.

Judge's Retirement. The funds are forwarded to Utah Retirement Systems (URS) monthly for judicial officers' retirement. Since 1992, a flat rate of $15 is derived from certain filings fees in ***Utah Code*** 78A-2-301 and allocated per ***Utah Code*** Title 49, Chapter 17, Judges' Contributory Retirement Act.

Other Service Fees. The Judiciary also retains a few fees to manage specific services outlined in the Utah Code of Judicial Administration (UCJA); for example, the Xchange program, copy fees, and electronic media fees.

[3] V-1 Oil Co. v Utah State Tax Com'n, 942 P.2d 906 (Utah 1996).
[4] Petition for At-Risk Noncitizen (Figure 3) and Mandatory Parenting/Orientation Courses (Figure 9).
[5] This percentage includes Total Fees Retained by Statute ($8,719,995) and Total Other Service Fees Retained by the Judiciary ($2,707,476) divided by total revenue $204.7 million (general fund appropriation and fees retained).

Cost Analysis Was Performed for Each Individual Fee

To review each court fee to determine whether the fees are generating excess revenue, we determined the cost to provide each specific service. As required by House Bill 531, the cost includes both direct costs and administrative overhead (indirect costs).

Weighted caseload studies for the district and juvenile courts were used to calculate direct costs for this report. The weighted caseload studies include questionnaires of judges and court staff as to how much time it takes to complete routine tasks, such as reviewing and filing certain types of documents and holding certain types of hearings. For the weighted caseload process, the number of documents, hearings, or events of each type are counted and the time is averaged for each type of case. For the purposes of this report, the weighted caseload data is multiplied by compensation of the employees or judges performing the tasks to obtain an average dollar cost, and those totals are used to estimate how much judicial officer and clerical support are needed to perform court business.

The same underlying methodology was used to calculate the average clerical and judicial time it takes for the Judiciary to provide the non-caseload services related to the different fee types being reported under House Bill 531. For fees that required supplemental information not found in the weighted caseload questionnaires, select judges and employees were surveyed to obtain information on the staff and judicial time needed for services related to those fees. The times from the surveys were multiplied by compensation to obtain an average dollar cost for providing the related service for the applicable fee.

In addition, an overhead cost is added to each type of fee to cover administration, building costs, and support personnel. The overhead cost is calculated on a per filing basis. An overhead cost was not calculated for service fees, as it would not apply to all the fees, and would not be a material amount for other service fees such as copies and emails. For the analysis of all the fees in this report, we used fiscal year 2025.

The following sections of the report list all the fees required under House Bill 531. The fees are organized in the following order: filing fees, document fees, and service fees. In addition, Appendix A shows the number (and amount) of waived fees as required in House Bill 531, and Appendix B provides historic notes for specific fees and a summarized history of the fees.

Case Filing Fees

Case filing fees consist of the fee for filing any civil complaint or petition initiating the opening of a court case and invoking the jurisdiction of a court of record. All of the courts of record in Utah (district courts, juvenile courts, and appellate courts) have case filing fees.

District Court Case Filing Fees. Utah District Courts are trial courts of original jurisdiction over civil cases, criminal felonies, and certain misdemeanors. The district courts also hear domestic relations cases, such as divorces, child custody and support, adoption, and probate cases. Figure 2 shows the total number of filings for each civil fee for fiscal year 2025, the cost per filing, the fee amount, and the difference between the cost per filing and fee amount.

Figure 2. District Court Case Filing Fees. Each of the district court case filing fees are authorized in ***Utah Code*** 78A-2-301.

District Court Case Filing Fees	Total Filings	Cost Per Filing	Fee Amount	Over or (Under)
Abstract or Transcript Judgment	832	$ 193	$ 50	$ (143)
Administrative Agency Review	41	601	375	(226)
Award of Arbitration	31	331	35	(296)
Complaint or Petition:				
$2,000 or less	48,930	296	90	(206)
$2,001 to $9,999	29,222	299	200	(99)
$10,000 or more	14,468	386	375	(11)
Not Governed by Another Subsection ***Utah Code*** (78A-2-301(1)(a))*	15,807	522	375	(147)
Divorce Filing (after temp. separation)	22	492	290	(202)
Divorce or Separation Petition	14,005	492	325	(167)
Foreign Probate or Child Custody	22	273	35	(238)
Foreign Transcript of Judgment	84	223	35	(188)
Guardianship	562	515	35	(480)
Judicial Document Approval	629	238	35	(203)
Judgment by Confession	539	252	35	(217)
Municipal Appeal	6	601	80	(521)
Notice of Appeal	418	1,458	240	(1,218)
Petition for Expungement	3,768	224	150	(74)
Petition to Open Sealed Record	24	348	35	(313)
Sex Offender and Kidnap Offender Registry	20	267	125	(142)
Small Claims:**				
$0 - $2,000	5	881	60	(821)
$2,001 - $7,499	18	554	100	(454)
$7,500 or more	14	733	185	(548)
Temporary Separation Order	71	691	35	(656)
Trial De Novo	220	828	240	(588)

***Includes general civil, domestic, and probate cases.**
****Most small claims cases are filed in justice courts.**

Figure 2 shows that the average cost per filing for all the district court case filing fees exceeds the fee amount.

Juvenile Court Case Filing Fees. The Utah Juvenile Court has original jurisdiction over individuals who were under 18 years of age at the time they violated any federal, state, or municipal law, and any child who is abused, neglected, or dependent. The court has the power to

determine child custody, support, visitation and, in some circumstances, to permanently terminate parental rights.

Figure 3 shows the total number of filings for each fee for fiscal year 2025, the average cost per filing, the fee amount, and the difference between the cost per filing and fee amount. The average cost per filing exceeds the fee amount for the Juvenile Court filing fees, except for the Petition for At-Risk Noncitizen fee.

Figure 3. Juvenile Court Case Filing Fees. Each of the juvenile court case filing fees are authorized in ***Utah Code*** 78A-2-301.

Juvenile Court Case Filing Fees	Total Filings	Cost Per Filing	Fee Amount	Over or (Under)
Notice of Appeal	81	$ 1,463	$ 240	$ (1,223)
Petition – At-Risk Noncitizen	336	369	375	6
Petition – Emancipation	53	707	50	(657)
Petition – Expungement	203	291	150	(141)
Petition – Minor to Marry	27	1,178	5	(1,173)
Petition – Open Sealed Record	6	623	35	(588)
Petition – Original Complaint*	3,814	1,290	375	(915)

***Consists of Adoptions, Child Welfare Proceedings (State and Private), Termination of Parental Rights (State and Private), Voluntary Relinquishment, and Substantiation petitions that were not filed by the State.**

The fee amount for the petition for special findings for at-risk noncitizen children (Petition for At-Risk Noncitizen) exceeds the cost per filing by $6. This new petition process went into effect in May 2023. As outlined in ***Utah Code*** 80-3-505, a noncitizen child who is at-risk may petition the juvenile court for special findings regarding the abuse, neglect, abandonment, or similar circumstances of the noncitizen child.

Appellate Courts' Case Filing Fees. Utah has two appellate courts, the Court of Appeals and the Supreme Court. The Court of Appeals hears all appeals from the juvenile courts and those from the district courts involving domestic relations and criminal matters of less than a first-degree felony. It also may hear any cases transferred to it by the Supreme Court, including first-degree felony criminal cases.

The Supreme Court is the "court of last resort" in Utah. It hears appeals from capital and first-degree felony cases and all district court civil cases other than domestic relations cases. The Supreme Court also has jurisdiction over judgments of the Court of Appeals, proceedings of the Judicial Conduct Commission, lawyer discipline, and constitutional and election questions.

Note. Due to the significant variation in judicial officer costs resulting from a case being disposed of prior to oral argument and a written opinion, or after, Figures 4 and 5 do not include judicial officer costs and the costs incurred by the judicial officers' law clerks. The cost per filing amounts in Figures 4 and 5 include only the costs associated with the front office staff, clerks of court, appellate mediation staff, and appellate central staff attorneys.

Figure 4 displays the case filing fees for the Court of Appeals, and Figure 5 displays the case filing fees for the Supreme Court. The figures show the total number of filings for each fee for fiscal year 2025, the average cost per filing (as set forth in the note above), the fee amount, and the difference between the cost per filing and fee amount. We are providing the average cost per filing due to the variation in cost resulting from the different avenues of disposition for cases on appeal. In the Court of Appeals for example, the total cost to process a case that is disposed of through Summary Disposition would be significantly less than the total cost to dispose of a case by an Opinion Order, which in turn would also be significantly less than disposing of a case through oral argument and a full written opinion.

Figure 4. Court of Appeals Case Filing Fees. Each of the Court of Appeals case filing fees are authorized in ***Utah Code*** 78A-2-301.

Court of Appeals Case Filing Fees	Total Filings	Cost Per Filing	Fee Amount	Over or (Under)
Interlocutory	159	$ 1,810	$ 240	$ (1,570)
Notice of Appeal	972	3,600	240	(3,360)
Other Petition – Extraordinary Writs	54	1,623	375	(1,248)
Other Petition – Review	61	3,022	375	(2,647)

Figure 4 shows the average cost per filing for the Court of Appeals exceeds the fee amount. The Court of Appeals handles about 1,200 cases per year among the seven judicial officers. If a case is not set for oral argument and a written opinion, the Court of Appeals relies heavily on the work and recommendations of the four central staff attorneys regarding which disposition mechanism is proper for the specific case. The Court of Appeals also disposes of cases through appellate mediation.

Figure 5. Supreme Court Civil Filing Fees. Each of the Supreme Court case filing fees are authorized in ***Utah Code*** 78A-2-301.

Supreme Court Case Filing Fees	Total Filings	Cost Per Filing	Fee Amount	Over or (Under)
Interlocutory	29	$ 626	$ 240	$ (386)
Notice of Appeal	40	490	240	(250)
Other Petition – Extraordinary Writs	29	5,734	375	(5,359)
Other Petition – Review	5	352	375	23
Petition for Certiorari	151	1,007	240	(767)
Petition for Expungement	0	684	150	(534)

Figure 5 shows the average cost per filing for the Supreme Court exceeds the fee amount, except for the Petition for Review. However, the cost per filing does not include judicial officers' time or the judicial officers' law clerks' time due to the nature of appealed cases. The cost per filing

for the Petition for Review would exceed the fee amount if the judicial officers' and law clerks' time could be included.

Document Filing Fees

Document filing fees consist of the fee for filing any document in a court of record that does not initiate the opening of a court case. Courts of record that have document filing fees include the district court and juvenile court.

District Court Document Filing Fees. Figure 6 shows the total number of filings for each fee for fiscal year 2025, the cost per filing, the fee amount, and the difference between the cost per filing and fee amount.

Figure 6. District Court Document Filing Fees. Each of the district court document filing fees are authorized in ***Utah Code*** 78A-2-301.

District Court Document Filing Fees	Total Filings	Cost Per Filing	Fee Amount	Over or (Under)
Accounting - Estate Value:				
$50,000 or less	712	$ 261	$ 15	$ (246)
$50,001- $75,000	33	261	30	(231)
$75,001 - $112,000	28	261	50	(211)
$112,001 - $168,000	36	261	90	(171)
$168,001 or more	247	261	175	(86)
Counter Claim Paternity/Grandparent Visitation	245	787	170	(617)
Counter/Cross Claim Divorce or Separate Maintenance	2,753	1,136	130	(1,006)
Counter/Cross Claim, Third Party:				
$2,000 or less	101	846	55	(791)
$2,001 - $9,999	65	737	165	(572)
$10,000 or more	1,272	1,390	170	(1,220)
Demand for Civil Jury	3,560	327	250	(77)
Foreign Deposition Notice	425	209	35	(174)
Garnishment	72,966	239	50	(189)
Motion to Renew Civil Judgment:				
$0 - $2,000	1,546	209	45	(164)
$2,001 - $9,999	1,369	209	100	(109)
$10,000 or more	803	209	188	(21)
Motion to Renew Judgment by Confession	0	209	18	(191)
Motion to Renew Small Claims:*				
$0 - $2,000	0	209	30	(179)
$2,001 - $7,499	0	209	50	(159)
$7,500 or more	0	209	93	(116)
Petition to Disburse Funds	107	277	50	(227)
Petition to Modify Divorce Decree	3,129	1,056	100	(956)
Petition to Reopen Estate Case	28	315	170	(145)
Vital Statistics Fee	13,799	185	8	(177)
Writ of Replevin, Attachment or Execution	2,908	242	50	(192)

*** Most small claims cases are filed in justice courts.**

Figure 6 shows the average cost per filing for all district court document filing fees exceeds the fee amount.

Juvenile DNA and Document Fee. Figure 7 shows the juvenile court fee for DNA collection and one document filing fee for Vital Statistics. The figure shows the total number of filings for each fee for fiscal year 2025, the cost per filing, the fee amount, and the difference between the cost per filing and fee amount.

Figure 7. Juvenile Court Document and DNA Fee. These juvenile fees are authorized in statute (see descriptions below Figure 7).

Juvenile Court Filing Fees	Total Filings	Cost Per Filing	Fee Amount	Over or (Under)
DNA Collection Fee	772	$ 203	$ 150	$ (53)
Vital Statistics Fee	254	185	8	(177)

Figure 7 shows the average cost per filing for the juvenile court fees exceed the fee amount. Each fee is briefly described below.

DNA Collection Fee. A minor, who is 14 years old or older, who is adjudicated by the juvenile court due to the commission of a felony or class A misdemeanor is required to submit DNA. The fee of $150 is set in ***Utah Code*** 53-10-404.

Vital Statistics Document Fee. In accordance with ***Utah Code*** 26B-8-128 for each adoption ordered or decreed in Utah, the clerk of court shall prepare a certificate or report of adoption on a form furnished by the state of the child's birth. The fee for this certificate is $8, as authorized in ***Utah Code*** 78A-2-301(1)(y).

Service Fees

The Utah Judiciary also collects service fees, which applies to the Supreme Court, the Court of Appeals, District and Juvenile Courts. Most of the service fees are related to providing records and public case information. The fees in Figure 8 are presented as the average cost per receipt to provide the service and the average collection per receipt because the cost increases as the number of copies requested increases. It is not a flat rate for all copies and email. The average cost per item includes the cost to provide services to (1) government entities, none of whom are charged the fee and (2) any person whose fee has been waived (see Appendix A).

Figure 8. Service Fees. Fees for records and information include audio, video, and electronic media, paper copies, and emailed copies. These service fees are authorized in ***UCJA Rule*** 4-202.08.

Service Fees	Total Receipts	Average Cost per Receipt	Average Collection per Receipt	Over or (Under)
Electronic Media ($15)*	12,757	$ 25	$ 16	$ (9)
Copies:				
Standard ($0.25 per page)	11,060	10	4	(6)
Certified ($4 & $0.50 per page)	43,632	9	6	(3)
Exemplified Document ($6 & $0.50 per page)	1,811	23	7	(16)
Email ($5 & $0.50 per page 11+)	780	9	7	(2)

*** Electronic Media includes audiotape and videotape.**

For all the fees listed in Figure 8, the cost to provide the record or information exceeds the amount collected.

Figure 9 shows other types of service fees that provide records and case information to the public as well as other types of miscellaneous services. Each service is described below Figure 9.

Figure 9. Other Service Fees. Each of these services are authorized in statute or administrative rule, except for the Certificate of Good Standing and Duplicate Attorney Certificate.

Service Fee	Fee Amount	Total Expenses	Total USC Collections	Over or (Under)
Bar Admission Certificate	$ 50	$ 34,481	$ 32,500	$ (1,981)
Certificate of Good Standing	15	9,140	5,130	(4,010)
Data and Research Services	45	71,556	24,114	(47,442)
Deferred Traffic Prosecution	5	316,523	2,285	(314,238)
Duplicate Attorney Certificate	25	190	125	(65)
Interest-Bearing Account	varies	731	250	(481)
Interpreter Credentialing	varies	35,943	2,900	(33,043)
Mandatory Parenting/Orientation Courses	5/8	136,906	141,657	4,751
Online Court Assistance Program (OCAP)	20	225,816	112,803	(113,013)
Xchange	varies	4,024,632	2,376,428	(1,648,204)

Overall, the expenses exceed service fees collected except for the Mandatory Parenting/ Orientation Courses. Each of the service fees in Figure 9 are described as follows:

- **Bar Admission Certificate.** The appellate courts receive a $50 fee for a certificate of admission from all new attorneys as required by ***Utah Code*** 78A-9-102. Statute also requires that $30 of the $50 fee be distributed to benefit the State Law Library. In fiscal year 2025, $19,500 was distributed to the law library. Total expenses exceeded fee revenue by $1,981.
- **Certificate of Good Standing.** A certificate of good standing is a document issued by the Utah Supreme Court that provides verification of a Utah attorney's admission date and licensing status. The $25 fee was reduced by the Utah Supreme Court in 2023 by $10 because the revenue exceeded the cost by $515 as reported for calendar year 2022 in the Court Fees report in 2023. The current fee is $15.
- **Data and Research Services.** This is a specific service for bulk data or research requests for reports on public court data. The fee is $45 per hour for a programmer/analyst. The fee is set in ***UCJA Rule*** 4-202.08.
- **Deferred Traffic Prosecution.** Deferred Prosecution is a program that allows individuals with a traffic citation to have their case dismissed after a 12-month deferral period. ***Utah Code*** 77-2-4.2 outlines the requirements to participate in the program. Qualified individuals pay their fine like a normal ticket and the $5 administrative fee. If individuals have a clean record for 12 months the charge is dismissed.
- **Duplicate Attorney Certificate.** The Utah Supreme Court occasionally provides duplicate copies of attorney license certificates, which are large certificates that attorneys can display in their offices. These certificates are $25. The original certificate is provided to attorneys as part of their admission fees.
- **Interest-Bearing Account (IBA).** The court may order funds (typically over $5,000) be deposited in an interest-bearing trust account. The bank account allows interest to be earned for parties while the case is in litigation. ***UCJA Rule*** 4-301 gives the Judiciary authority to charge a fee. On November 20, 2023, the Judicial Council approved a change in the IBA fee. Standardized charges for each IBA account of (1) $250 for the initial deposit, (2) $50 for subsequent deposits or withdrawals, and (3) $100 to close the account and perform the payout. This change was implemented for all IBA accounts effective March 19, 2024. The total amount collected under the new fee for fiscal year 2025 was $250.
- **Interpreter Credentialing.** ***UCJA Rule*** 3-306.03 outlines the procedure for credentialing of interpreters for legal proceedings. The Utah Judiciary contracts with two third-party vendors to provide interpreter credentialing services. The cost to the Judiciary to provide testing and credentialing of interpreters is $18,134 and cost of employees to oversee this credentialing is $17,809. Total Collections represent several fees charged to interpreters which include the skill building workshop ($150), written exam ($25), orientation ($100), oral proficiency interview ($108), and the oral proficiency exam ($200). The court collects the fees and pays the vendors for their service. Due to a shortage of qualified interpreters, the Judicial Council temporarily suspended certain fees

charged to interpreters beginning January 16, 2024. The suspension of fees remains in effect.

- **Mandatory Parenting/Orientation Courses.** The Mandatory Parenting Course, formerly titled as the Divorce Education Course, is required by ***Utah Code*** 81-9-103, and a Mandatory Orientation Course for divorcing parties is required by ***Utah Code*** 81-4-105. The fees for the courses are set by ***UCJA Rule*** 4-907. The fee for the Mandatory Parenting Course is $35 and the Utah Judiciary receives $8 of that fee for the Children's Legal Defense Fund. The fee for the Mandatory Parenting Orientation Course is $30, and the Utah Judiciary receives $5 of that fee for the Children's Legal Defense Fund. The private vendors collect the fees and remit the Utah Judiciary portion monthly. In 2011, the cost to attend the Mandatory Parenting Course increased to $35, and the Mandatory Orientation course increased in 2014 to $30. Figure 9 depicts only the collections the court receives for deposit to the Children's Legal Defense Fund (from the $8 and $5 fees) and related expenses. Expenses include offsetting impecunious waivers and the expenses of Utah Judiciary employees who oversee the courses, which are paid from the Children's Legal Defense Fund. These totals do not include vendor expenses or the amount they collect.

- **Online Court Assistance Program (OCAP).** The program is provided to assist court users who do not have an attorney to prepare court documents. The program is outlined in ***Utah Code*** 78A-2-501 and 78A-2-301. The fee to use the program is $20.

- **Xchange.** Xchange is a program to access the repository of district court and justice court case information. The public can subscribe to Xchange to access public record case information. Xchange has three subscription options: (1) A one-time user account has an initial fee of $5, and searches charged at $0.20 each and documents at $0.50 each. These charges are credited from the initial $5 fee. (2) A guest account has the same fees as a one-time user account, but no account will be created. (3) A monthly subscription account requires a $25 initial set up fee and has a $40 fee each month. The fee to access public online services without subscribing is a transaction fee of $5 allowing up to 10 searches during a session. The program and fees are governed by ***UCJA Rule*** 4-202.08.

Conclusion

For two fees, the revenue exceeded the cost per filing: the petition for special findings for at-risk noncitizen children (Petition for At-Risk Noncitizen) and the Mandatory Parenting/Orientation Courses. The fee amount for the Petition for At-Risk Noncitizen exceeded the cost per filing by $6. This new petition and fee went into effect in May 2023.

The Mandatory Parenting/Orientation Courses fees revenue exceeded the costs in fiscal year 2025 by $4,751, which is $4,833 less than last year ($9,584). The fees for these two education courses are set by ***UCJA Rule*** 4-907. However, ***Utah Code*** 81-4-105 and ***Utah Code*** 81-9-103 state the amount to be deposited to the Children's Legal Defense Fund. The fee amounts are described in the previous section of this report. The excess revenue is only the amounts the court

receives for deposit to the Children's Legal Defense Fund, a restricted account. Between the Office of Guardian ad Litem and the Utah Judiciary, all of the revenue collected for the Children's Legal Defense Fund for FY 2025 was used to pay for needed expenses.

This is the third year that the revenue exceeded expenses for these courses. However, the excess revenue has decreased by 83 percent. The Court Fees reports showed the revenue exceeded expenses by $27,296 in 2023, and $9,584 in 2024.

Recommendations: Since the Petition for At-Risk Noncitizen is new (as of May 2023) and the fee only exceeded the cost per filing by $6 (a total of $2,016), the amount collected and the expenses for this fee should be reviewed next year to determine if the fee should be reduced.

In addition, since the excess revenue ($4,751) from the Mandatory Parenting/Orientation Courses has decreased by 83 percent since 2023, the amount collected and the expenses for these fees ($8 and $5) should be reviewed next year to determine if the fees should be reduced.

The excess revenue of $6,767 for the Petition for At-Risk Noncitizen and the divorce courses for fiscal year 2025 is a small amount when compared with the Utah Judiciary $193.3 million General Fund budget. It is also important to note that the costs per filing and service fees exceeded the fee amount for 81 court fees by a total of $55 million in 2025.

APPENDIX A
Fee Waivers

House Bill 531 from the 2023 General Session requires the Utah Judiciary to report the number of fee waivers granted by the Judiciary (78A-2-310 (2)(a)(v)). Figure 10 shows the number of fees waived by judges. The figure also shows the number of government filings, and the total dollar amount waived by judges or not charged to government entities. The Judiciary does not charge a fee for government filings (78A-2-301(1)(ff)). If government entities were charged a fee, the collected amount would have been incrementally increased by $1,504,633.

Figure 10. Number and Amount of Waived and Government Filings for FY 2025. The total number of filings waived in full or in part or not charged to government entities for the year was 21,417 and the total amount waived or not charged was $3,264,095.

Type of Fee	Waived Filings	Govt. Filings	Total Filings	Amount
Abstract or Transcript Judgment	1	804	805	$ 40,250
Accounting - Estate Value:				
$50,000 or less	22	2	24	270
$112,000 to 168,000	2	0	2	90
Administrative Agency Review	21	0	21	7,500
Appeal	73	8	81	14,948
Complaint or Petition:				
$2,000 or less	36	33	69	6,120
$2,001 to $9,999	9	6	15	3,000
$10,000 or more	90	15	105	40,359
No Amount Specified	1,073	282	1,355	502,987
Copies (certified)	162	313	475	2,930
Copies (exemplified)	0	4	4	43
Copies (standard)	29	7	36	92
Counter/Cross Claim, 3rd Party:				
$2,000 or less	53	57	110	4,345
$2,001 - $9,999	15	0	15	2,475
$10,000 or more	11	29	40	9,640
Counterclaim Paternity/Grandparent Visitation	20	1	21	3,570
Demand for Civil Jury	24	89	113	27,250
Divorce Education	698	0	698	4,798
Divorce or Separate Maintenance – Counter Claim or Cross Claim	173	10	183	22,545
Divorce or Separation Petition	2,919	204	3,123	918,055
Electronic Media	54	635	689	10,095

Type of Fee (continued)	Waived Filings	Govt. Filings	Total Filings	Amount
Extraordinary Writs	51	0	51	$ 19,125
Fax	0	2	2	10
Foreign Deposition Notice	2	2	4	175
Foreign Transcript of Judgment	6	0	6	210
Foreign Probate or Child Custody	2	0	2	70
Garnishment	10	2,606	2,616	130,800
Guardianship	47	0	47	1,575
Interlocutory, Certiorari	75	0	75	18,000
Judicial Document Approval	2	51	53	1,890
Motion to Renew Civil Judgment:				
$0 - $2,000	0	203	203	9,135
$2,001 - $9,999	0	59	59	5,900
$10,000 or more	0	11	11	2,063
Offender Registry	0	1	1	125
Online Court Assistance Program (OCAP)	2,573	0	2,573	51,545
Petition for At-Risk Noncitizen	270	1	271	16,875
Petition for Expungement	1,587	3	1,590	219,109
Petition for Review	43	0	43	16,125
Petition of Emancipation	3	0	3	150
Petition to Disburse Funds	15	14	29	1,450
Petition to Modify Divorce Decree	101	317	418	42,573
Petition to Open Sealed Record	0	2	2	70
Petition – Original Complaint*	446	2,812	3,258	1,082,220
Small Claims Affidavit:				
$2,000 to $7,500	1	0	1	100
Temporary Separation Order	10	0	10	315
Trial De Novo	22	0	22	4,800
Vital Statistics	2,003	16	2,019	16,273
Writ of Replevin, Attachment, or Execution	23	41	64	2,050
Total	**12,777**	**8,640**	**21,417**	**$ 3,264,095**
Government Amount Not Charged				**$ 1,504,633**
Government Percentage of Total				**46%**

***Consists of Adoptions, Child Welfare Proceedings (State and Private), Termination of Parental Rights (State and Private), Voluntary Relinquishment, and Substantiation petitions that were not filed by the State.**

Note: The appellate courts management system, Appellate Information System (AIS), has limited ability to track waivers. Figure 10 does include the count and amount for when a motion to waive fees is granted but does not include when fees are automatically waived like criminal cases or government filings.

APPENDIX B
Historical Notes

Fees Set by Statute

The 1992 General Session passed Senate Bill 197 Court Fees effective July 1, 1992: *"An act relating to Court Fees; consolidating the fees for all Courts of Record; making fees uniform in all courts; raising some fees and eliminating miscellaneous fees; and providing an effective Date."* (***Utah Code*** 21-1-5 Civil Fees of the Courts of Record.)

The 2001 General Session passed House Bill 19, which recodified ***Utah Code*** 21-1-5 to ***Utah Code*** 78-7-35 Civil Fees of the Courts of Record–Courts Complex Design.
The 2008 amendment, effective February 7, 2008, renumbered this section to UCA 78A-2-301.

Five restricted accounts receive amounts from filing fees outlined in statute as follows:

- As currently stated in ***Utah Code*** 78A-2-301(1)(j)(i): *"Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be allocated to and between the Judges' Contributory Retirement Trust Fund and the Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter 18, Judges' Noncontributory Retirement Act."* **Note:** This allocation has not increased since 1992.

- Effective March 17, 1994, Senate Bill 275 Court Complex Financing Authorization was passed. *"An Act relating to Judiciary; increasing certain civil filing fees; defining the allocation of the revenues from that increase; creating a restricted account in the Division of Finance; authorizing design of the project and providing an effective date.* **Note:** The Judiciary has not increased this allocation since 1994. (78A-2-301(2)(a)(i)).

- ***Utah Code*** 78A-2-301(1)(j)(ii): ***"***___ *dollars of the fees established by Subsections (1)(a) through (i) shall be allocated by the state treasurer to be deposited in the restricted account, Children's Legal Defense Account, as provided in Section 51-9-408."*
  Note: The following two increases have occurred:
  From 1992-2007: $2.00 was deposited per filing fee
  From 2008-2024: $4.00 was deposited per filing fee

- ***Utah Code*** 78A-2-301(1)(j)(iii): *"____ dollars of the fees established under subsections (1)(a)through (e), (1)(g), and (1(s) shall be allocated to and deposited with the Dispute Resolution Account as provided in Section 78B-6-209."*
  Note: The following 3 increases have occurred:
  From Jan 1, 1995 – April 29, 2007: $1.00 was deposited per filing fee
  From April 30, 2007 – May 3, 2020: $3.00 was deposited per filing fee
  From May 4, 2020 – Current: $5.00 was deposited per filing fee

- ***Utah Code*** 78A-2-301(1)(j)(iv): *"_____dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv), (1)(d)(iii) and (iv), (1)(g)(ii), and (1)(i) shall be allocated by the state treasurer to be deposited in the restricted account, Court Security Account, as provided in Section 78A-2-602."*

  Note: The following two increases have occurred:

  From May 5, 2003 – June 30, 2020: $15 was deposited per filing fee
  From July 1, 2020 – Current: $30 was deposited per filing fee

  Utah Code 78A-2-301(1)(j)(v): "_____dollars of the fees established by Subsections (1)(b)(i) and (ii) and (1)(g)(i) shall be allocated by the state treasurer to be deposited in the restricted account, COURT SECURITY ACCOUNT, as provided in Section 78A-2-602."

  Note: The following two increases have occurred:

  From May 5, 2003 – June 30, 2020: $5 was deposited per filing fee
  From July 1, 2020 – Current: $20 was deposited per filing fee

Fees Set by Utah Code of Judicial Administration Rule

Rule 4-202.08 created in April 1996 for the purpose of: "*establishing uniform fees for requesting records, information, and services."*

Highlighted historical changes in descending date order:

Effective 1/1/2024

Amendments:

1) Rather than listing various storage mediums to be duplicated and their associated costs (microfiche, audio tape, video tape etc.) a flat rate of $15 per unit will be assessed for any "electronic storage medium".
2) Amendment to (6)(B) removes the cost per personnel classification to research requests over the first 15 minutes. The fees for personnel time may be set by the State Court Administrator. The following are no longer detailed in the rule: (i) clerical assistant: $15.00 per hour;)(ii) technician: $22.00 per hour; (iii) senior clerical: $21.00 per hour (iv) programmer/analyst: $32.00 per hour;)(v) manager: $37.00 per hour.
3) Provision added regarding bulk data requests. Bulk data fees are now posted on the court's webpage along with other personnel classifications: *https://www.utcourts.gov/en/court-records-publications/records/request-a-court-record.html*
4) Clarify that court appointed attorneys qualify for a fee waiver if they are requesting records on behalf of an indigent client and the client would qualify for a waiver.
5) Public Online Services (Xchange) – non-subscription access at a transaction fee of $5 up to 10 searches during a session. This has been mentioned in prior revisions as a future enhancement that went into practice 1/1/23.

Effective 11/1/2022

Amendments:

1) Allow the court to charge for requests for the first 15 minutes of personnel time if the person has submitted a separate request within the 10-day period immediately prior to the date of the new request, provided the person is not a Utah media representative.
2) Indigent requesters are allowed one free copy of each record, after which they would be required to pay the standard rates.
3) Public Online Services (Xchange) Monthly subscription fee increased from $30 to $40 per month.

Effective Oct 7, 2015

Amendment: Xchange document access went from $2.50 to $.50 on Oct 7, 2015.

Effective 2012

Emailed documents costs are the same as the current facsimile cost at $5.00 for 10 pages or less. The fee for additional pages is $.50 per page.

Effective March 1, 2011

Amendment: Public Online Services renamed "Xchange". Setup fee of $25 with a monthly subscription cost of $30**.**

Effective August 1, 2006

Amendment: Public Online Services search over 200 during a billing cycle was reduced from $.20 to $.10

Effective April 1, 1996
The following reflects those fees put into effect the year Rule 4-202.08 was created:

(3) Copies. Copies are made of court records only. The term "Copies" includes the original production. For tapes and floppy disks, an additional $2.00 shall be charged if the person making the request does not provide the medium. Fees for copies are based on the number of record sources to be copied and are as follows:
(A) paper: $.25 per sheet
(B) microfiche: $1.00 per card
C) audio tape: $5.00 per tape
D) video tape: $15.00 per tape
E) floppy disk: $15.00 per disk
F) Compact disk: $40.00 per disk

(6)(B) Personnel time. The fee for time beyond the first 15 minutes is charged in 15-minute increments for any part thereof. The fee for personnel time is charged at the following rates for the least expensive group capable of providing the record, information or service:
i) clerical assistant: $13.00 per hour;
ii) technician: $15.00 per hour;
iii) senior clerical: $21.00 per hour
iv) programmer/analyst: $21.00 per hour;
v) manager: $33.00 per hour;

Historical Fee Adjustments from 1992-2023 set by Statute

Filing Fees (UCA 78A-2-301)	1992	1993	1994	1995	2000	2001	2002	2003	2006	2007	2009	2010	2011	2012	2015	2017	2020	Current Fees as of 2023
Petition or Complaint - Original																		
$2,000 or less	$20.00		$25.00	$37.00			$45.00	$50.00			$75.00						$90.00	**$90.00**
GT $2,000 and LT $10,000	$40.00		$60.00	$80.00			$90.00	$95.00			$185.00						$200.00	**$200.00**
$10,000 or more	$80.00		$100.00	$120.00			$140.00	$155.00			$360.00						$375.00	**$375.00**
Filing Fee for Civil Complaint or Petition not governed by another section	$80.00		$100.00	$120.00			$140.00	$155.00			$360.00						$375.00	**$375.00**
Motion to Renew Civil Judgment																		
$0 - $2,000													$37.50				$45.00	**$45.00**
GT $2,000 and LT $10,000													$92.50				$100.00	**$100.00**
$10,000 or more													$180.00				$187.50	**$187.50**
Divorce or Separate Maintenance Petition				$80.00				$95.00	$155.00		$310.00						$325.00	**$325.00**
Cohabitant Abuse Act fee- required if Petition of Divorce was not filed. Fee Removed in 1995.	$25.00																	
Temporary Separation Order										$25.00	$35.00							**$35.00**
Divorce Filing AFTER Temporary separation						$60.00	$70.00	$85.00			$275.00						$290.00	**$290.00**
Modify Divorce or Separate Maintenance - Counter Claim or Cross Claim	$30.00						$40.00				$100.00	$115.00					$130.00	**$130.00**
Counter Claim, Cross Claim, Intervention, 3rd Party Complaint																		
$2,000 or less	$15.00		$35.00	$45.00							$55.00						$55.00	**$55.00**
GT $2,000 and LT $10,000	$30.00		$50.00	$60.00			$70.00	$75.00			$150.00						$165.00	**$165.00**
$10,000 or more	$60.00		$80.00	$90.00				$105.00			$155.00						$170.00	**$170.00**
Counterclaim, Paternity/Grandparent	$60.00		$80.00	$90.00				$105.00			$155.00						$170.00	**$170.00**
Guardian Child (18-22)															$35.00			**$35.00**
Demand for Civil Jury	$50.00						$75.00				$250.00							**$250.00**
Trial De Novo (Justice or Small Claims Court)	$50.00			$70.00				$75.00			$225.00						$240.00	**$240.00**
Municipal Appeal					$40.00			$55.00			$65.00						$80.00	**$80.00**
Appeal	$160.00		$180.00	$190.00				$205.00			$225.00						$240.00	**$240.00**
Appellate Interlocutory Order or Writ of Certiorari	$160.00		$180.00	$190.00				$205.00			$225.00						$240.00	**$240.00**
Petition for Expungement (not charged from 5/4/22- 6/30/2023)	$50.00							$65.00			$135.00						$150.00	**$150.00**
Offender Regstry Ptn														$125.00				**$125.00**
Foreign Transcript of Judgment (from a court of another state)	$25.00										$35.00							**$35.00**
Foreign Probate or Child Custody	$25.00										$35.00							**$35.00**
Abstract or Transcript Judgment of Court or Agency of Utah	$10.00			$40.00							$50.00							**$50.00**
Judgment by Confession	$25.00										$35.00							**$35.00**
Motion to Renew Judgment by Confession															$17.50			**$17.50**
Award of Arbitration	$25.00										$35.00							**$35.00**
Petition to modify a divorce decree	$30.00									$40.00	$100.00							**$100.00**
Accounting - Estate Value	*80.00																	
$50,000 or Less		$10.00									$15.00							**$15.00**
GT $50,000, LT or EQ $75,000		$20.00									$30.00							**$30.00**
GT $75,000, LT or EQ $112,000		$40.00									$50.00							**$50.00**
GT $112,000, LT or EQ $168,000		$80.00									$90.00							**$90.00**
Greater Than $168,000		$150.00									$175.00							**$175.00**
PETN Reopen Estate Case															$170.00			**$170.00**
PETN to disburse Funds																$50.00		**$50.00**
Demand for Civil Jury	$50.00						$75.00				$250.00							**$250.00**
Judicial Document Approval (not part of a case)	$25.00										$35.00							**$35.00**
Petition to Open Sealed Record	$25.00										$35.00							**$35.00**
Writ of Replevin, Attachment, or Execution	$5.00			$20.00			$35.00				$50.00							**$50.00**
Garnishment	$5.00			$20.00			$35.00				$50.00							**$50.00**
Vital Statistics Fee	$2.00										$8.00							**$8.00**
Pet to authorize to marry		$5.00																**$5.00**
Emancipation of a minor									$50.00									**$50.00**
DNA (Juv)							$75.00						$150.00					**$150.00**
OCAP (Online Court Assistance Program)					$20.00													**$20.00**
Deferred Prosecution (Effective 5/3/23)																		**$5.00**
Fees for certificate of Bar Admission	$50.00																	**$50.00**

*The fee for filing any accounting required by law was a set fee until 1993. At that time fees were incremental based on estate value.

Tab 5

Administrative Office of the Courts

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

October 6, 2025

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

MEMORANDUM

TO: Management Committee, Judicial Council

FROM: Cris Seabury, Statewide Treatment Court Certification Coordinator
Katy Erickson, Statewide Treatment Court Coordinator

RE: Treatment Court Certification - Recommendations

According to UCJA Rule 4-409 Council Approval of Problem-Solving Courts, each problem-solving court must be considered for certification by the Judicial Council every two years. Prior to submitting certification recommendations to the Judicial Council, Cris Seabury, the Statewide Treatment Court Certification Coordinator, conducts site visits with each court to observe the pre-court staff meeting, treatment court hearings, and to interview each treatment court team member. The certification coordinator also reviews the certification checklist approved by the Judicial Council, staffing documents, and the policy and procedure manuals for each treatment court. The certification coordinator completes a jurisdiction report for each Court, which includes the strengths, recommendations, and resources identified through the certification process.

Third District - Salt Lake County - Judge Kristine Johnson Adult Recovery Court. Based on the courts' responses on the certification checklist, team member interviews, and court observation, the Statewide Treatment Court Certification Coordinator recommends that the Judicial Council certify the Third District Salt Lake County Adult Recovery Court.

The team participated in an Operational Tune-Up in October 2024, facilitated by the national organization, *AllRise*. Working directly with a national facilitator, they conducted a comprehensive review of the court's policies, procedures, and communication practices, identifying opportunities to strengthen alignment with best practices in Adult Treatment Courts. This commitment to continuous improvement builds on earlier efforts, including their participation in the Recovery Capital Recap workshop in July 2024. The team's dedication to professional development has not only enhanced individual skills but also strengthened collaboration and unity across the court.

REQUIRED CERTIFICATION CRITERIA:

#41. The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models.
The team marked "No" and wrote "Can but don't." The program utilizes Certified Peer Support Specialists (CPSS) through Utah Support Advocates for Recovery Awareness (USARA), who are trained to provide services that foster recovery and resiliency. Using evidence-based frameworks, CPSS offer hope, guidance, and advocacy while meeting individuals where they are in their recovery journey.

#53. The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.
The team marked "No" and wrote "If needed." Following their Operational Tune-Up in October 2024, the team received jurisdictional reports and a time-task plan from the *AllRise*.

PRESUMED CERTIFICATION CRITERIA:

#30. Clients are placed in the program within 50 days of arrest.
The team marked "No" and put a question mark by it. Upon further review, it was determined that participants are not screened at the time of arrest; therefore, the arrest date is not considered the starting point for measuring time to admission. The duration from arrest to admission varies significantly, as participants are screened only upon application, which may occur at any stage of case adjudication or, in some instances, post-adjudication. The team is actively exploring more efficient methods to reduce screening and assessment time to support quicker participant entry into the program.

#37. New arrests, new convictions, and new incarcerations are monitored for at least 3 years following each participant's entry into the Drug Court.
The team marked "No" but wrote "In progress." Additionally, the Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop consistent data entry policies and procedures.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#4. For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.
The team initially marked "No" and noted "Should." After further discussion, it was clarified that they are actively exploring options to follow up with participants who have either graduated

or been unsuccessfully terminated from the program.

#10. Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.
The team noted “In progress” rather than selecting an answer. The team has shown consistent engagement, participating in an Operational Tune-Up with AllRise in October 2024, completing the Recovery Capital Training in July 2025, and preparing to attend the Treatment Court Conference in November.

UTAH JUDICIAL COUNCIL
ADULT DRUG COURT CERTIFICATION CHECKLIST

REVISED AND ADOPTED DECEMBER 16, 2019

COURT LOCATION: Matheson Courthouse

JUDGE NAME: Johnson

REVIEW DATE: 9-2-2025

*Many of the criteria enumerated in this certification checklist are restatements of the Adult Drug Court Best Practice Standards, Volume I and Volume II, published by the National Association of Drug Court Professionals (NADCP). Those are indicated by a citation in the **BPS** column following the standard. An asterisk indicates a modification of the NADCP standard.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
☑	☐	1	Eligibility and exclusion criteria are defined and applied objectively.	I.A.
☑	☐	2	Eligibility and exclusion criteria are specified in writing.	I.A.
☑	☐	3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
☑	☐	4	Candidates for the Drug Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
☑	☐	5	Candidates for the Drug Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
☑	☐	6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
☑	☐	7	Current or prior offenses may not disqualify candidates from participation in the Drug Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Drug Court.	I.D.
☑	☐	8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Drug Court.	I.D.
☑	☐	9	If adequate treatment is available, candidates are not disqualified from participation in the Drug Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
☑	☐	10	The program has a written policy addressing medically assisted treatment.	
☑	☐	11	Participants ordinarily appear before the same judge throughout their enrollment in the Drug Court.	III.C.
☑	☐	12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Drug Court team.	III.D.
☑	☐	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
☑	☐	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.*
☑	☐	15	The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.	III.G.
☑	☐	16	If a participant has difficulty expressing him or herself because of such factors as a language barrier, nervousness, or cognitive limitation, the judge permits the participant's attorney or legal representative to assist in providing such explanations.	IV.B.
☑	☐	17	The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.	III.H. VIII.D.
☑	☐	18	The judge makes these decisions after taking into consideration the input of other Drug Court team members and discussing the matter in court with the participant or the participant's legal representative.	III.H. VIII.D.
☑	☐	19	The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
☑	☐	20	Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are specified in writing and communicated in advance to Drug Court participants and team members.	IV.A.
☑	☐	21	The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
☑	☐	22	The Drug Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
☑	☐	23	For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
☑	☐	24	Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance. ?	IV.F.
☑	☐	25	Drug testing is performed at least twice per week.	VII.A.*
☑	☐	26	Drug testing is random, and is available on weekends and holidays.	VII.B.*
☑	☐	27	Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E* VII.F.*
☑	☐	28	Drug testing utilized by the Drug Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
☑	☐	29	Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	VII.G.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
☑	☐	30	Upon entering the Drug Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.
☑	☐	31	The program requires a period of at least 90 consecutive days drug-free to graduate.	
☑	☐	32	The minimum length of the program is twelve months.	
☑	☐	33	Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
☑	☐	34	Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
☑	☐	35	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
☑	☐	36	Participants are not terminated from the Drug Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
☑	☐	37	If a participant is terminated from the Drug Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
☑	☐	38	Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
☑	☐	39	Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity.	V.H.*
☑	☐	40	Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
☐	☒	41	The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models. Can but don't	V.I.
☑	☐	42	There is a secular alternative to 12-step peer support groups.	
☑	☐	43	Participants complete a final phase of the Drug Court focusing on relapse prevention and continuing care.	V.J.
☑	☐	44	Participants are not excluded from participation in Drug Court because they lack a stable place of residence.	VI.D.
☑	☐	45	Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Drug Court and continuing as needed throughout their enrollment in the program. as above -	VI.E.*
☑	☐	46	Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court.	VI.I.*
☑	☐	47	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
☑	☐	48	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Drug Court session.	VIII.A.*
☑	☐	49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
☑	☐	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
☑	☐	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
☑	☐	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
☐	☑	53	The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices. If needed	X.D.*
☑	☐	54	The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
? ☑	☐	1	Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
☑	☐	2	The Drug Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
☑	☐	3	Each member of the Drug Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
☑	☐	4	The Drug Court judge attends current training events on legal and constitutional issues in Drug Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
☑	☐	5	The judge presides over the Drug Court for no less than two consecutive years.	III.B.
☑	☐	6	The Judge spends an average of at least three minutes with each participant.	III.F.*
☑	☐	7	The Drug Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
☑	☐	8	Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
☑	☐	9	Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
☑	☐	10	Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.	VII.B.*
? ☑	☐	11	Drug test results are available within 48 hours.	VII.H.
☑	☐	12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug	VII.B.

YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
			or alcohol test has been scheduled.	
☑	☐	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Drug Court population.	VII.D.
☑	☐	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
☑	☐	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
☑	☐	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Drug Court's programmatic phase structure.	V.A.
☑	☐	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
☑	☐	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
☑	☐	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
☑	☐	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
☑	☐	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
☑	☐	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
☑	☐	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
☑	☐	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Drug Court.	V.J.
☑	☐	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Drug Court and continuing as necessary throughout their enrollment in the program.	VI.D.
☑	☐	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
☑	☐	27	All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
☑	☐	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Drug Court.	VI.I.
☑	☐	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.
?	☐	30	Clients are placed in the program within 50 days of arrest. ?	

YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
☑	☐	31	Team members are assigned to Drug Court for no less than two years. ? Dct, PM,	
☑	☐	32	All team members use electronic communication to contemporaneously communicate about Drug Court issues.	
☑	☐	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Drug Courts.	VIII.F.
☑	☐	34	New staff hires receive a formal orientation training on the Drug Court model and best practices in Drug Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
☑	☐	35	The Drug Court has more than 15 but less than 125 active participants.	IX.A.*
☑	☐	36	The Drug Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
not accs. ? in prgm	☑	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court.	X.C.
☑	☐	38	A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
☑	☐	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
☑	☐	40	The program conducts an exit interview for self- improvement.	

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS *These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.*	BPS
☑	☐	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☑	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☑	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
short.	☑	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☑	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☑	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when	VI.F.

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS *These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.*	BPS
			necessary to manage panic, dissociation, or severe anxiety.	
☑	☐	7	Female participants receive trauma-related services in gender-specific groups. ?	VI.F.
☑	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court. ?	VI.I.
☑	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment. – Depending on treatment program –	VI.J.
☐	☐	10	Before starting a Drug Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program. – In progress –	VIII.F.
☑	☐	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☑	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☑	☐	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☑	☐	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☑	☐	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☑	☐	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.

Administrative Office of the Courts

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

October 6, 2025

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

MEMORANDUM

TO: Management Committee, Judicial Council

FROM: Cris Seabury, Statewide Treatment Court Certification Coordinator
Katy Erickson, Statewide Treatment Court Coordinator

RE: Treatment Court Certification - Recommendations

According to UCJA Rule 4-409 Council Approval of Problem-Solving Courts, each problem-solving court must be considered for certification by the Judicial Council every two years. Prior to submitting certification recommendations to the Judicial Council, Cris Seabury, the Statewide Treatment Court Certification Coordinator, conducts site visits with each court to observe the pre-court staff meeting, treatment court hearings, and to interview each treatment court team member. The certification coordinator also reviews the certification checklist approved by the Judicial Council, staffing documents, and the policy and procedure manuals for each treatment court. The certification coordinator completes a jurisdiction report for each Court, which includes the strengths, recommendations, and resources identified through the certification process.

Fifth District - Iron County - Judge Meb Anderson Adult Recovery Court. Based on the courts' responses on the certification checklist, team member interviews, and court observation, the Statewide Treatment Court Certification Coordinator recommends that the Judicial Council certify the Fifth District Iron County Adult Recovery Court.

The team demonstrates innovation, adaptability, and a strong commitment to participant success. Through strategic and solution-focused approaches, the team has developed new methods to track progress and connect participants with resources that support long-term stability and well-being. The team has gone above and beyond to guide and support the new Judge, who has shown openness and dedication to learning the program's methods and procedures. Together, their collaboration cultivates a culture of creativity, accountability, and hope that drives meaningful and lasting change.

REQUIRED CERTIFICATION CRITERIA:

#1. Eligibility and exclusion criteria are defined and applied objectively.
The team did not select "Yes/No" and wrote "State?" written in response. After further discussion with the Prosecutor, it was determined that the appropriate response should have been marked as "Yes."

#2. Eligibility and exclusion criteria are specified in writing.
The team noted, "We have a participant handbook." The team was encouraged to develop an Operations Manual specifically for team members, and sample documents were provided in the Jurisdiction Report.

#10. The program has a written policy addressing medically assisted treatment.
The team marked "Yes" incorrectly. Participants are instructed to take all medications as prescribed by their health care provider and to provide a list of current medications. The use of medication-assisted treatment is allowed in the program, and the team was encouraged to include a formal written policy in the Participant Handbook and the Operations Manual.

PRESUMED CERTIFICATION CRITERIA:

#37. New arrests, new convictions, and new incarcerations are monitored for at least 3 years following each participant's entry into the Drug Court.
The team marked "No". The Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop consistent data entry policies and procedures.

#39. Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.
The team did not select "Yes/No" and wrote "?". After further discussion with the team, it was determined that the appropriate response should have been marked as "Yes."

#40. The program conducts an exit interview for self-improvement.
The team marked "No". At commencement, graduates are asked to share what they have learned and their reflections with the Court and their peers. The team continues to explore ways to improve this process, with samples provided in the Jurisdiction Report.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS: The court meets all non-certification related criteria.

UTAH JUDICIAL COUNCIL
ADULT DRUG COURT CERTIFICATION CHECKLIST
REVISED AND ADOPTED DECEMBER 16, 2019

COURT LOCATION: Iron County
JUDGE NAME: Meb Anderson
REVIEW DATE: Sept 17, 2025

*Many of the criteria enumerated in this certification checklist are restatements of the Adult Drug Court Best Practice Standards, Volume I and Volume II, published by the National Association of Drug Court Professionals (NADCP). Those are indicated by a citation in the **BPS** column following the standard. An asterisk indicates a modification of the NADCP standard.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
☐	☐	1	Eligibility and exclusion criteria are defined and applied objectively. State?	I.A.
☐	☐	2	Eligibility and exclusion criteria are specified in writing. we have a Participant Handbook	I.A.
☑	☐	3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
☑	☐	4	Candidates for the Drug Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
☑	☐	5	Candidates for the Drug Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
☑	☐	6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
☑	☐	7	Current or prior offenses may not disqualify candidates from participation in the Drug Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Drug Court.	I.D.
☑	☐	8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Drug Court.	I.D.
☑	☐	9	If adequate treatment is available, candidates are not disqualified from participation in the Drug Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
☑	☐	10	The program has a written policy addressing medically assisted treatment.	
☑	☐	11	Participants ordinarily appear before the same judge throughout their enrollment in the Drug Court.	III.C.
☑	☐	12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Drug Court team.	III.D.
☑	☐	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.

☐	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.*
☐	15	The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.	III.G.
☐	16	If a participant has difficulty expressing him or herself because of such factors as a language barrier, nervousness, or cognitive limitation, the judge permits the participant's attorney or legal representative to assist in providing such explanations.	IV.B.
☐	17	The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.	III.H. VIII.D.
☐	18	The judge makes these decisions after taking into consideration the input of other Drug Court team members and discussing the matter in court with the participant or the participant's legal representative.	III.H. VIII.D.
☐	19	The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
☐	20	Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are specified in writing and communicated in advance to Drug Court participants and team members.	IV.A.
☐	21	The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
☐	22	The Drug Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
☐	23	For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
☐	24	Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance.	IV.F.
☐	25	Drug testing is performed at least twice per week.	VII.A.*
☐	26	Drug testing is random, and is available on weekends and holidays.	VII.B.*
☐	27	Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E* VII.F.*
☐	28	Drug testing utilized by the Drug Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
☐	29	Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	VII.G.*
☐	30	Upon entering the Drug Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.

31	The program requires a period of at least 90 consecutive days drug-free to graduate.	
32	The minimum length of the program is twelve months.	
33	Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
34	Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
35	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
36	Participants are not terminated from the Drug Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
37	If a participant is terminated from the Drug Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
38	Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
39	Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity.	V.H.*
40	Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
41	The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models.	V.I.
42	There is a secular alternative to 12-step peer support groups.	
43	Participants complete a final phase of the Drug Court focusing on relapse prevention and continuing care.	V.J.
44	Participants are not excluded from participation in Drug Court because they lack a stable place of residence.	VI.D.
45	Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Drug Court and continuing as needed throughout their enrollment in the program.	VI.E.*
46	Participants are not required to participate in job seeking or vocational skills development in the early phases of drug court.	VI.I.*
47	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
48	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Drug Court session.	VIII.A.*
49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.
50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.

☑	☐	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Drug Court must be reasonably related to the costs of testing or other services.	
☑	☐	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
☑	☐	53	The Drug Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
☑	☐	54	The Drug Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES	NO	#	**PRESUMED CERTIFICATION CRITERIA** *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
☑	☐	1	Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
☑	☐	2	The Drug Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
☑	☐	3	Each member of the Drug Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
☑	☐	4	The Drug Court judge attends current training events on legal and constitutional issues in Drug Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
☑	☐	5	The judge presides over the Drug Court for no less than two consecutive years.	III.B.
☑	☐	6	The Judge spends an average of at least three minutes with each participant.	III.F.*
☑	☐	7	The Drug Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
☑	☐	8	Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
☑	☐	9	Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
☑	☐	10	Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.	VII.B.*
☑	☐	11	Drug test results are available within 48 hours.	VII.H.
☑	☐	12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled.	VII.B.
☑	☐	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Drug Court population.	VII.D.
		14	If a participant denies substance use in response to a positive screening test, a portion of the	VII.G.

	same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	
15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Drug Court's programmatic phase structure.	V.A.
17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
19	Participants are screened for- their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Drug Court.	V.J.
25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Drug Court and continuing as necessary throughout their enrollment in the program.	VI.D.
26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
27	All Drug Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Drug Court.	VI.I.
29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.
30	Clients are placed in the program within 50 days of arrest.	
31	Team members are assigned to Drug Court for no less than two years.	
32	All team members use electronic communication to contemporaneously communicate about Drug Court issues.	
33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and	VIII.F.

		constitutional and legal issues in Drug Courts.	
☑	☐	34	New staff hires receive a formal orientation training on the Drug Court model and best practices in Drug Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
☑	☐	35	The Drug Court has more than 15 but less than 125 active participants.	IX.A.*
☑	☐	36	The Drug Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
☐	☑	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Drug Court.	X.C.
☑	☐	38	A skilled and independent evaluator examines the Drug Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
☐	☐	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
☐	☐	40	The program conducts an exit interview for self- improvement.	

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS *These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.*	BPS
☑	☐	1	The Drug Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☑	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☑	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☑	☐	4	For at least the first ninety days after discharge from the Drug Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☑	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Drug Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☑	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when necessary to manage panic, dissociation, or severe anxiety.	VI.F.
☑	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☑	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Drug Court.	VI.I.
☑	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☑	☐	10	Before starting a Drug Court, team members attend a formal pre-implementation training to	VIII.F.

		learn from expert faculty about best practices in Drug Courts and develop fair and effective policies and procedures for the program.	
☐	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
☐	13	The Drug Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☐	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Drug Court's adherence to best practices and in-program outcomes.	X.F.
☐	15	Outcomes are examined for all eligible participants who entered the Drug Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☐	16	The Drug Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.

Administrative Office of the Courts

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

October 6, 2025

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

MEMORANDUM

TO: Management Committee, Judicial Council

FROM: Cris Seabury, Statewide Treatment Court Certification Coordinator
Katy Erickson, Statewide Treatment Court Coordinator

RE: Treatment Court Certification - Recommendations

According to UCJA Rule 4-409 Council Approval of Problem-Solving Courts, each problem-solving court must be considered for certification by the Judicial Council every two years. Prior to submitting certification recommendations to the Judicial Council, Cris Seabury, the Statewide Treatment Court Certification Coordinator, conducts site visits with each court to observe the pre-court staff meeting, treatment court hearings, and to interview each treatment court team member. The certification coordinator also reviews the certification checklist approved by the Judicial Council, staffing documents, and the policy and procedure manuals for each treatment court. The certification coordinator completes a jurisdiction report for each Court, which includes the strengths, recommendations, and resources identified through the certification process.

Fifth District - Iron County - Judge Matthew Bell Adult Mental Health Court. Based on the courts' responses on the certification checklist, team member interviews, and court observation, the Statewide Treatment Court Certification Coordinator recommends that the Judicial Council certify the Fifth District Adult Mental Health Court.

The Judge demonstrates compassionate leadership, engaging participants in meaningful discussions and sharing inspiring quotes at each hearing. Supported by a cohesive, communicative, and dedicated team, participants experience a culture of trust, accountability, and growth. Through a required service project at commencement, they learn that recovery encompasses not only personal progress but also building community connections and fostering meaningful relationships.

REQUIRED CERTIFICATION CRITERIA:

#10. The program has a written policy addressing medically assisted treatment.
The team marked "No". Participants are instructed to take all medications as prescribed by their health care provider and to provide a list of current medications. The use of medication-assisted treatment is allowed in the program, and the team was encouraged to include a formal written policy in the Participant Handbook and the Operations Manual.

#32. The minimum length of the program is twelve months.
The team marked "No". The Participant Handbook indicates that the program is approximately 18 months in duration; however, the actual length is largely determined by the participant's progress.

PRESUMED CERTIFICATION CRITERIA:

#14. If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrument test, such as gas chromatography/mass spectrometry (GC/MS).
The team marked "No" incorrectly. It was determined that Beechtree does confirmation tests.

#29. Participants complete a brief evidence-based education curriculum describing concrete measures they can take to prevent or reverse drug overdose.
The team marked "No". While there is no formal curriculum, participants discuss triggers and coping strategies with their case managers and therapists as needed, as well as during group sessions. Southwest Behavioral Health Center operates a 24-hour emergency response system, accessible in Beaver, Iron, Garfield, Kane, and Washington Counties. Crisis staff also coordinate closely with other agencies to manage emergencies effectively.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#10. Before starting a Mental Health Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Mental Health Courts and develop fair and effective policies for the program.
The team marked "No". The Statewide Treatment Court Steering Committee will assist the Statewide Treatment Court Coordinator and the Statewide Treatment Court Certification Coordinator in developing role-specific onboarding for new team members. Teams are encouraged to attend conferences.

#14. Information relating to the services provided and participant's in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Mental Health Court's adherences to best practices and in-program outcomes.
The team marked "No". The Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop consistent data entry policies and procedures.

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

COURT LOCATION: 5th District Cedar City (Iron County)

NAME: Iron County Mental Health Court Program

REVIEW DATE: September 15, 2025

*Many of the criteria enumerated in this certification checklist are restatements of the Adult Drug Court Best Practice Standards, Volume I and Volume II, published by the National Association of Drug Court Professionals (NADCP). Those are indicated by a citation in the **BPS** column following the standard. An asterisk indicates a modification of the NADCP standard.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
☒	☐	1	Eligibility and exclusion criteria are defined and applied objectively.	I.A.
☒	☐	2	Eligibility and exclusion criteria are specified in writing.	I.A.
☒	☐	3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool.	I.B.*
☒	☐	4	Candidates for the Mental health Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population.	I.C.
☒	☐	5	Candidates for the Mental health Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction.	I.C.
☒	☐	6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results.	I.C.
☒	☐	7	Current or prior offenses may not disqualify candidates from participation in the Mental health Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Mental health Court.	I.D.
☒	☐	8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Mental health Court.	I.D.
☒	☐	9	If adequate treatment is available, candidates are not disqualified from participation in the Mental health Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
☐	☒	10	The program has a written policy addressing medically assisted treatment.	
☒	☐	11	Participants ordinarily appear before the same judge throughout their enrollment in the Mental health Court.	III.C.
☒	☐	12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Mental health Court team.	III.D.
☒	☐	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.

☒	☐	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.*
☒	☐	15	The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.	III.G.
☒	☐	16	If a participant has difficulty expressing him or herself because of such factors as a language barrier, nervousness, or cognitive limitation, the judge permits the participant's attorney or legal representative to assist in providing such explanations.	IV.B.
☒	☐	17	The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.	III.H. VIII.D.
☒	☐	18	The judge makes these decisions after taking into consideration the input of other Mental health Court team members and discussing the matter in court with the participant or the participant's legal representative.	III.H. VIII.D.
☒	☐	19	The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
☒	☐	20	Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are specified in writing and communicated in advance to Mental health Court participants and team members.	IV.A.
☒	☐	21	The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
☒	☐	22	The Mental health Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
☒	☐	23	For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
☒	☐	24	Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance.	IV.F.
☒	☐	25	Drug testing is performed at least twice per week.	VII.A.*
☒	☐	26	Drug testing is random, and is available on weekends and holidays.	VII.B.*
☒	☐	27	Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E* VII.F.*
☒	☐	28	Drug testing utilized by the Mental health Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
☒	☐	29	Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	VII.G.*
☒	☐	30	Upon entering the Mental health Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.

☒	☐	31	The program requires a period of at least 90 consecutive days drug-free to graduate.	
☐	☒	32	The minimum length of the program is twelve months.	
☒	☐	33	Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
☒	☐	34	Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
☒	☐	35	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
☒	☐	36	Participants are not terminated from the Mental health Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
☒	☐	37	If a participant is terminated from the Mental health Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
☒	☐	38	Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
☒	☐	39	Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity.	V.H.*
☒	☐	40	Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
☒	☐	41	The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models.	V.I.
☒	☐	42	There is a secular alternative to 12-step peer support groups.	
☒	☐	43	Participants complete a final phase of the Mental health Court focusing on relapse prevention and continuing care.	V.J.
☒	☐	44	Participants are not excluded from participation in Mental health Court because they lack a stable place of residence.	VI.D.
☒	☐	45	Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Mental health Court and continuing as needed throughout their enrollment in the program.	VI.E.*
☒	☐	46	Participants are not required to participate in job seeking or vocational skills development in the early phases of mental health court.	VI.I.*
☒	☐	47	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
☒	☐	48	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Mental health Court session.	VIII.A.*
☒	☐	49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.
☒	☐	50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
☒	☐	51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Mental health Court must be reasonably	

		related to the costs of testing or other services.	
☒	☐	52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant.	
☒	☐	53	The Mental health Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
☒	☐	54	The Mental health Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES	NO	#	**PRESUMED CERTIFICATION CRITERIA** *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
☒	☐	1	Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
☒	☐	2	The Mental health Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
☒	☐	3	Each member of the Mental health Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
☒	☐	4	The Mental health Court Judge attends current training events on legal and constitutional issues in Mental health Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
☒	☐	5	The Judge presides over the Mental health Court for no less than two consecutive years.	III.B.
☒	☐	6	The Judge spends an average of at least three minutes with each participant.	III.F.*
☒	☐	7	The Mental health Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
☒	☐	8	Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
☒	☐	9	Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
☒	☐	10	Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.	VII.B.*
☒	☐	11	Drug test results are available within 48 hours.	VII.H.
☒	☐	12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled.	VII.B.
☒	☐	13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Mental health Court population.	VII.D.
☐	☒	14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
☒	☐	15	Standardized patient placement criteria govern the level of care that is provided.	V.A.

☒	☐	16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Mental health Court's programmatic phase structure.	V.A.
☒	☐	17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction.	V.D.
☒	☐	18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
☒	☐	19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms.	V.E.
☒	☐	20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system.	V.F. VI.G
☒	☐	21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
☒	☐	22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
☒	☐	23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy.	V.I.
☒	☐	24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Mental health Court.	V.J.
☒	☐	25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Mental health Court and continuing as necessary throughout their enrollment in the program.	VI.D.
☒	☐	26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
☒	☐	27	All Mental health Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services.	VI.F.
☒	☐	28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Mental health Court.	VI.I.
☐	☒	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.	VI.L.
☒	☐	30	Clients are placed in the program within 50 days of eligibility screening.	
☒	☐	31	Team members are assigned to Mental health Court for no less than two years.	
☒	☐	32	All team members use electronic communication to contemporaneously communicate about Mental health Court issues.	
☒	☐	33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Mental health Courts.	VIII.F.
☒	☐	34	New staff hires receive a formal orientation training on the Mental health Court model and best practices in Mental health Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.	VIII.F.
☒		35	The Mental health Court has more than 15 but less than 125 active participants.	IX.A.*

YES	NO			
☒	☐			
☒	☐	36	The Mental health Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions.	X.A.
☒	☐	37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Mental health Court.	X.C.
☒	☐	38	A skilled and independent evaluator examines the Mental health Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
☒	☐	39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
☒	☐	40	The program conducts an exit interview for self- improvement.	

YES	NO	#	**NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS** *These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.*	BPS
☒	☐	1	The Mental health Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
☒	☐	2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
☒	☐	3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
☒	☐	4	For at least the first ninety days after discharge from the Mental health Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.	V.J.
☒	☐	5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Mental health Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders.	VI.E.
☒	☐	6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when necessary to manage panic, dissociation, or severe anxiety.	VI.F.
☒	☐	7	Female participants receive trauma-related services in gender-specific groups.	VI.F.
☒	☐	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Mental health Court.	VI.I.
☒	☐	9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment.	VI.J.
☐	☒	10	Before starting a Mental health Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Mental health Courts and develop fair and effective policies and procedures for the program.	VIII.F.
☒	☐	11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
☒	☐	12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated	IX.C.

		complementary services.	
☒	☐	13	The Mental health Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals.	X.B.*
☐	☒	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Mental health Court's adherence to best practices and in-program outcomes.	X.F.
☒	☐	15	Outcomes are examined for all eligible participants who entered the Mental health Court regardless of whether they graduated, withdrew, or were terminated from the program.	X.H.
☒	☐	16	The Mental health Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants.	II.B. X.E.

Administrative Office of the Courts

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

October 6, 2025

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

MEMORANDUM

TO: Management Committee, Judicial Council

FROM: Cris Seabury, Statewide Treatment Court Certification Coordinator
Katy Erickson, Statewide Treatment Court Coordinator

RE: Treatment Court Certification - Recommendations

According to UCJA Rule 4-409 Council Approval of Problem-Solving Courts, each problem-solving court must be considered for certification by the Judicial Council every two years. Prior to submitting certification recommendations to the Judicial Council, Cris Seabury, the Statewide Treatment Court Certification Coordinator, conducts site visits with each court to observe the pre-court staff meeting, treatment court hearings, and to interview each treatment court team member. The certification coordinator also reviews the certification checklist approved by the Judicial Council, staffing documents, and the policy and procedure manuals for each treatment court. The certification coordinator completes a jurisdiction report for each Court, which includes the strengths, recommendations, and resources identified through the certification process.

Fourth District - Utah County - Judge Denise Porter Adult Mental Health Court. Based on the courts' responses on the certification checklist, team member interviews, and court observation, the Statewide Treatment Court Certification Coordinator recommends that the Judicial Council certify the Fourth District Iron County Adult Mental Health Court.

The team has diligently revised operational program materials and, guided by the Judge's expectations, consistently demonstrates a commitment to program improvement. Participants remain the central focus within a structured, supportive, and accountable environment. Discussions with the Judge and the Statewide Treatment Court Certification Coordinator clarified the certification criteria below and ensured a thorough and shared understanding.

REQUIRED CERTIFICATION CRITERIA:

#25. Drug testing is performed at least twice per week.
The team did not select "Yes/No". For individuals with a substance use disorder, participants start on the highest UA schedule and may gradually move to the lowest as they progress and demonstrate compliance. Consistent with the Best Practice Standard: Incentives, Sanctions, and Service Adjustments, testing frequency may be reduced when participants achieve early remission, are consistently engaged in recovery activities, and are preparing for graduation. UA's are given and approved based on ASAM evaluation and have to qualify for service.

PRESUMED CERTIFICATION CRITERIA:

#6. The Judge spends an average of at least three minutes with each participant.
The team did not select "Yes/No". The Judge conducted individualized, meaningful conversations averaging nearly three minutes, allowing more time for participants with questions. She asked open-ended questions, showed empathy, expressed optimism, and assured support from the team.

#10. Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day.
The team did not select "Yes/No". Consistent with the Best Practice Standard: Incentives, Sanctions, and Service Adjustments, the frequency of testing may be decreased after a participant has achieved early remission of their substance use disorder and is reliably engaged in recovery management activities and preparing for graduation. UA's are given and approved based on ASAM evaluation and have to qualify for service.

#29. Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose.
The team marked "No". Participants discuss triggers and coping strategies with their case managers and therapists as needed. The curriculum addresses avoidance, and the team is exploring ways to incorporate this content into the Seeking Safety phase. Staff at Wasatch Behavioral Health are trained in overdose prevention, and relevant measures are in place in their offices.

#34. New staff hires receive a formal orientation training on the Mental Health Court model and best practices in Mental Health Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter.
The team did not select "Yes/No". The team's Operations Manual outlines training and continuing education requirements for all Mental Health Court team members. The Statewide Treatment Court Steering Committee will assist the Statewide Treatment Court Coordinator and the Statewide Treatment Court Certification Coordinator in developing role-specific onboarding for new team members.

#40. The program conducts an exit interview for self-improvement.
The team marked "No". Participants complete a petition to graduate and are asked to share what they have learned and their reflections with the court. The team continues to explore ways to improve this process, with samples provided in the Jurisdiction Report.

NON-CERTIFICATION RELATED BEST PRACTICE STANDARDS:

#4. For at least the first ninety days after discharge from the Mental Health Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated.
The team marked "No". This is not the case for everyone; some choose to stay, while others access services elsewhere.

#7. Female participants receive trauma-related services in gender-specific groups.
The team marked "No". While there are no regular female-specific groups, Wasatch Behavioral Health tailors services to meet individual needs. Participants who are not a good fit for group settings receive individualized support, including services through NAMI. On the substance use side, the Promise Program offers a gender-specific outpatient treatment program for adult women, providing both intensive and general outpatient services.

#8. Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Mental Health Court.
The team marked "No". While these resources are available, some participants face limitations that make such requirements challenging. Unlike traditional Adult Treatment Courts, participants in Mental Health Court may be civilly committed or on lifelong disability due to mental illness, which can impact their ability to participate in employment, education, or other pro-social activities. The Court accounts for these circumstances when supporting participants toward graduation.

#10. Before starting a Mental Health Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Mental Health Courts and develop fair and effective policies and procedures for the program.
The team marked "No". The team's Operations Manual outlines training and continuing education requirements for all Mental Health Court team members. The Statewide Treatment Court Steering Committee will assist the Statewide Treatment Court Coordinator and the Statewide Treatment Court Certification Coordinator in developing role-specific onboarding for new team members. Teams are encouraged to attend conferences.

#14. Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Mental Health Court's adherence to best practices and in-program outcomes.
The team marked "No". The team is adding content to the shared Weekly Compliance Worksheet (Google Doc). Additionally, the Statewide Treatment Court Steering Committee is collaborating with the CORE Problem-Solving Court Subcommittee to develop consistent data entry policies and procedures.

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

COURT LOCATION: 4th District Court - Provo Courthouse

NAME: Judge Denise M. Porter

REVIEW DATE: September 22, 2025

*Many of the criteria enumerated in this certification checklist are restatements of the Adult Drug Court Best Practice Standards, Volume I and Volume II, published by the National Association of Drug Court Professionals (NADCP). Those are indicated by a citation in the **BPS** column following the standard. An asterisk indicates a modification of the NADCP standard.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
X		1	Eligibility and exclusion criteria are defined and applied objectively.	I.A.
X		2	Eligibility and exclusion criteria are specified in writing.	I.A.
X		3	The program admits only participants who are high-risk high-need as measured by the RANT or some other approved and validated assessment tool. RANT & LSI	I.B.*
X		4	Candidates for the Mental health Court are assessed for eligibility using validated risk-assessment tool that has been demonstrated empirically to predict criminal recidivism or failure on community supervision and is equivalently predictive for women and racial or ethnic minority groups that are represented in the local arrestee population. RANT & LSI	I.C.
X		5	Candidates for the Mental health Court are assessed for eligibility using validated clinical-assessment tool that evaluates the formal diagnostic symptoms of substance dependence or addiction. DSM-5TR, ASAM	I.C.
X		6	Evaluators are trained and proficient in the administration of the assessment tools and interpretation of the results. ASAM, SPDAT	I.C.
X		7	Current or prior offenses may not disqualify candidates from participation in the Mental health Court unless empirical evidence demonstrates offenders with such records cannot be managed safely or effectively in a Mental health Court. No death cases.	I.D.
X		8	Offenders charged with non-drug charges, drug dealing or those with violence histories are not excluded automatically from participation in the Mental health Court.	I.D.
X		9	If adequate treatment is available, candidates are not disqualified from participation in the Mental health Court because of co-occurring mental health or medical conditions or because they have been legally prescribed psychotropic or addiction medication.	I.E.
X		10	The program has a written policy addressing medically assisted treatment.	
X		11	Participants ordinarily appear before the same judge throughout their enrollment in the Mental health Court.	III.C.
X		12	The judge regularly attends pre-court staff meetings during which each participant's progress is reviewed and potential consequences for performance are discussed by the Mental health Court team.	III.D.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
X	☐	13	Participants appear before the judge for status hearings no less frequently than every two weeks during the first phase of the program. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.
X	☐	14	Status hearings are scheduled no less frequently than every four weeks until participants graduate. In rural areas, some allowance may be made for other appearances or administrative reviews when the judge is unavailable.	III.E.*
X	☐	15	The judge allows participants a reasonable opportunity to explain their perspectives concerning factual controversies and the imposition of sanctions, incentives, and therapeutic adjustments.	III.G.
X	☐	16	If a participant has difficulty expressing him or herself because of such factors as a language barrier, nervousness, or cognitive limitation, the judge permits the participant's attorney or legal representative to assist in providing such explanations.	IV.B.
X	☐	17	The judge is the ultimate arbiter of factual controversies and makes the final decision concerning the imposition of incentives or sanctions that affect a participant's legal status or liberty.	III.H. VIII.D.
X	☐	18	The judge makes these decisions after taking into consideration the input of other Mental health Court team members and discussing the matter in court with the participant or the participant's legal representative.	III.H. VIII.D.
X	☐	19	The judge relies on the expert input of duly trained treatment professionals when imposing treatment-related conditions.	III.H.
X	☐	20	Policies and procedures concerning the administration of incentives, sanctions, and therapeutic adjustments are specified in writing and communicated in advance to Mental health Court participants and team members.	IV.A.
X	☐	21	The policies and procedures provide a clear indication of which behaviors may elicit an incentive, sanction, or therapeutic adjustment; the range of consequences that may be imposed for those behaviors; the criteria for phase advancement, graduation, and termination from the program; and the legal and collateral consequences that may ensue from graduation and termination.	IV.A.
X	☐	22	The Mental health Court has a range of sanctions of varying magnitudes that may be administered in response to infractions in the program.	IV.E.
X	☐	23	For goals that are difficult for participants to accomplish, such as abstaining from substance use or obtaining employment, the sanctions increase progressively in magnitude over successive infractions. For goals that are relatively easy for participants to accomplish, such as being truthful or attending counseling sessions, higher magnitude sanctions may be administered after only a few infractions.	IV.E.
X	☐	24	Consequences are imposed for the non-medically indicated use of intoxicating or addictive substances, including but not limited to alcohol, cannabis (marijuana) and prescription medications, regardless of the licit or illicit status of the substance.	IV.F.
☐	☐	25	Drug testing is performed at least twice per week. For individuals with a substance use disorder, participants start on the highest UA schedule and may gradually move to the lowest as they progress and demonstrate compliance. Consistent with the Best Practice Standard: Incentives, Sanctions, and Service Adjustments, testing frequency may be reduced when participants achieve early remission, are consistently engaged in recovery activities, and are preparing for graduation. UA's are given and approved based on ASAM evaluation and have to qualify for service.	VII.A.*

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
X		26	Drug testing is random, and is available on weekends and holidays.	VII.B.*
X		27	Collection of test specimens is witnessed and specimens are examined routinely for evidence of dilution, tampering and adulteration.	VII.E* VII.F.*
X		28	Drug testing utilized by the Mental health Court uses scientifically valid and reliable testing procedures and establishes a chain of custody for each specimen.	VII.G.
X		29	Metabolite levels falling below industry- or manufacturer-recommended cutoff scores are not interpreted as evidence of new substance use or changes in substance use patterns, unless such conclusions are reached by an expert trained in toxicology, pharmacology or a related field.	VII.G.*
X		30	Upon entering the Mental health Court, participants receive a clear and comprehensive explanation of their rights and responsibilities relating to drug and alcohol testing.	VII.I.
X		31	The program requires a period of at least 90 consecutive days drug-free* to graduate. *illicit	
X		32	The minimum length of the program is twelve months absent extraordinary circumstances.	
X		33	Unless a participant poses an immediate risk to public safety, jail sanctions are administered after less severe consequences have been ineffective at deterring infractions.	IV.J.
X		34	Jail sanctions are definite in duration and typically last no more than three to five days.	IV.J.
X		35	Participants are given access to counsel and a fair hearing if a jail sanction might be imposed.	IV.J.
X		36	Participants are not terminated from the Mental health Court for continued substance use if they are otherwise compliant with their treatment and supervision conditions, unless they are non-amenable to the treatments that are reasonably available in their community.	IV.K.
X		37	If a participant is terminated from the Mental health Court because adequate treatment is not available, the participant does not receive an augmented sentence or disposition for failing to complete the program.	IV.K.
X		38	Participants are not incarcerated to achieve clinical or social service objectives such as obtaining access to detoxification services or sober living quarters.	V.B.
X		39	Treatment providers are licensed or certified to deliver substance abuse treatment, as required by the Department of Human Services or other relevant licensure or certification entity. Any Tx provider giving SA services is properly licensed.	V.H.*
X		40	Participants regularly attend self-help or peer support groups in addition to professional counseling.	V.I.
X		41	The peer support groups follow a structured model or curriculum such as the 12-step or Smart Recovery models. See email on Peer to Peer course.	V.I.
X		42	There is a secular alternative to 12-step peer support groups. See email on Peer to Peer Course.	
X		43	Participants complete a final phase of the Mental health Court focusing on relapse prevention and continuing care. Seeking Safety - Done in Phase 3	V.J.
X		44	Participants are not excluded from participation in Mental health Court because they lack a stable place of residence.	VI.D.

YES	NO	#	REQUIRED CERTIFICATION CRITERIA *Adherence to these standards is required for certification.*	BPS
X		45	Participants diagnosed with mental illness receive appropriate mental health services beginning in the first phase of Mental health Court and continuing as needed throughout their enrollment in the program.	VI.E.*
X		46	Participants are not required to participate in job seeking or vocational skills development in the early phases of mental health court.	VI.I.*
X		47	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each staffing meeting.	VIII.B.*
X		48	At a minimum, the prosecutor / assistant attorney general, defense counsel, treatment representative, law enforcement, a guardian ad litem (in dependency courts), and the judge attend each Mental health Court session.	VIII.A.*
X		49	Pre-court staff meetings are presumptively closed to participants and the public unless the court has good reason for a participant to attend discussions related to that participant's case.	VIII.B.
X		50	Participants provide voluntary and informed consent permitting team members to share specified data elements relating to participants' progress in treatment and compliance with program requirements.	VIII.C.
X		51	Court fees are disclosed to each participant, are reasonable, and are based on each participant's ability to pay. Any fees assessed by the Mental health Court must be reasonably related to the costs of testing or other services. There are no court fees and drug testing / Tx fees from Wasatch are disclosed at the beginning of participation.	
X		52	Treatment fees are based on a sliding fee schedule and are disclosed to each participant. See financial agreement (Wasatch Behavioral)	
X		53	The Mental health Court develops a remedial action plan and timetable to implement recommendations from the evaluator to improve the program's adherence to best practices.	X.D.*
X		54	The Mental health Court has written policies and procedures that ensure confidentiality and security of participant information, which conform to all applicable state and federal laws, including, but not limited to, Utah's Governmental Records Access and Management Act (GRAMA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and 42 C.F.R. 2 (Confidentiality of Substance Abuse Disorder Patient Records).	VIII.C.*

YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
X		1	Eligibility and exclusion criteria are communicated to potential referral sources.	I.A.
X		2	The Mental health Court regularly monitors the delivery of incentives and sanctions to ensure they are administered equivalently to all participants.	II.D.
X		3	Each member of the Mental health Court team attends up-to-date training events on recognizing implicit cultural biases and correcting disparate impacts for members of historically disadvantaged groups.	II.F.
X		4	The Mental health Court judge attends current training events on legal and constitutional issues in Mental health Courts, judicial ethics, evidence-based substance abuse and mental health treatment, behavior modification, and community supervision.	III.A.
X		5	The judge presides over the Mental health Court for no less than two consecutive years.	III.B.

YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
		6	The Judge spends an average of at least three minutes with each participant. The Judge conducted individualized, meaningful conversations averaging nearly three minutes, allowing more time for participants with questions. She asked open-ended questions, showed empathy, expressed optimism, and assured support from the team.	III.F.*
X		7	The Mental health Court team relies on expert medical input to determine whether a prescription for an addictive or intoxicating medication is medically indicated and whether non-addictive, non-intoxicating, and medically safe alternative treatments are available.	IV.F.
X		8	Phase promotion is predicated on the achievement of realistic and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.	IV.I.
X		9	Treatment is reduced only if it is determined clinically that a reduction in treatment is unlikely to precipitate a relapse to substance use.	IV.I.
		10	Testing regimens are not scheduled in seven-day or weekly blocks. The chances of being tested should be at least two in seven every day. Consistent with the Best Practice Standard: Incentives, Sanctions, and Service Adjustments, the frequency of testing may be decreased after a participant has achieved early remission of their substance use disorder and is reliably engaged in recovery management activities and preparing for graduation. UA's are given and approved based on ASAM evaluation and have to qualify for service.	VII.B.*
X		11	Drug test results are available within 48 hours.	VII.H.
X		12	Participants are required to deliver a test specimen within 8 hours of being notified that a drug or alcohol test has been scheduled.	VII.B.
X		13	Randomly selected specimens are tested periodically for a broader range of substances to detect any new drugs of abuse that might be emerging in the Mental health Court population.	VII.D.
X		14	If a participant denies substance use in response to a positive screening test, a portion of the same specimen is subjected to confirmatory analysis using an instrumented test, such as gas chromatography/mass spectrometry (GC/MS).	VII.G.
X		15	Standardized patient placement criteria govern the level of care that is provided.	V.A.
X		16	Adjustments to the level of care are predicated on each participant's response to treatment and are not tied to the Mental health Court's programmatic phase structure.	V.A.
X		17	Participants receive a sufficient dosage and duration of substance abuse treatment to achieve long-term sobriety and recovery from addiction. * if applicable	V.D.
X		18	Participants meet with a treatment provider or clinical case manager for at least one individual session per week during the first phase of the program.	V.E.
X		19	Participants are screened for their suitability for group interventions, and group membership is guided by evidence-based selection criteria including participants' gender, trauma histories and co-occurring psychiatric symptoms. If group isn't a good fit, individual Tx is allowed.	V.E.
X		20	Treatment providers administer behavioral or cognitive-behavioral treatments that are documented in manuals and have been demonstrated to improve outcomes for addicted persons involved in the criminal justice system. CBT in therapy and Thinking Matters curriculum.	V.F. VI.G

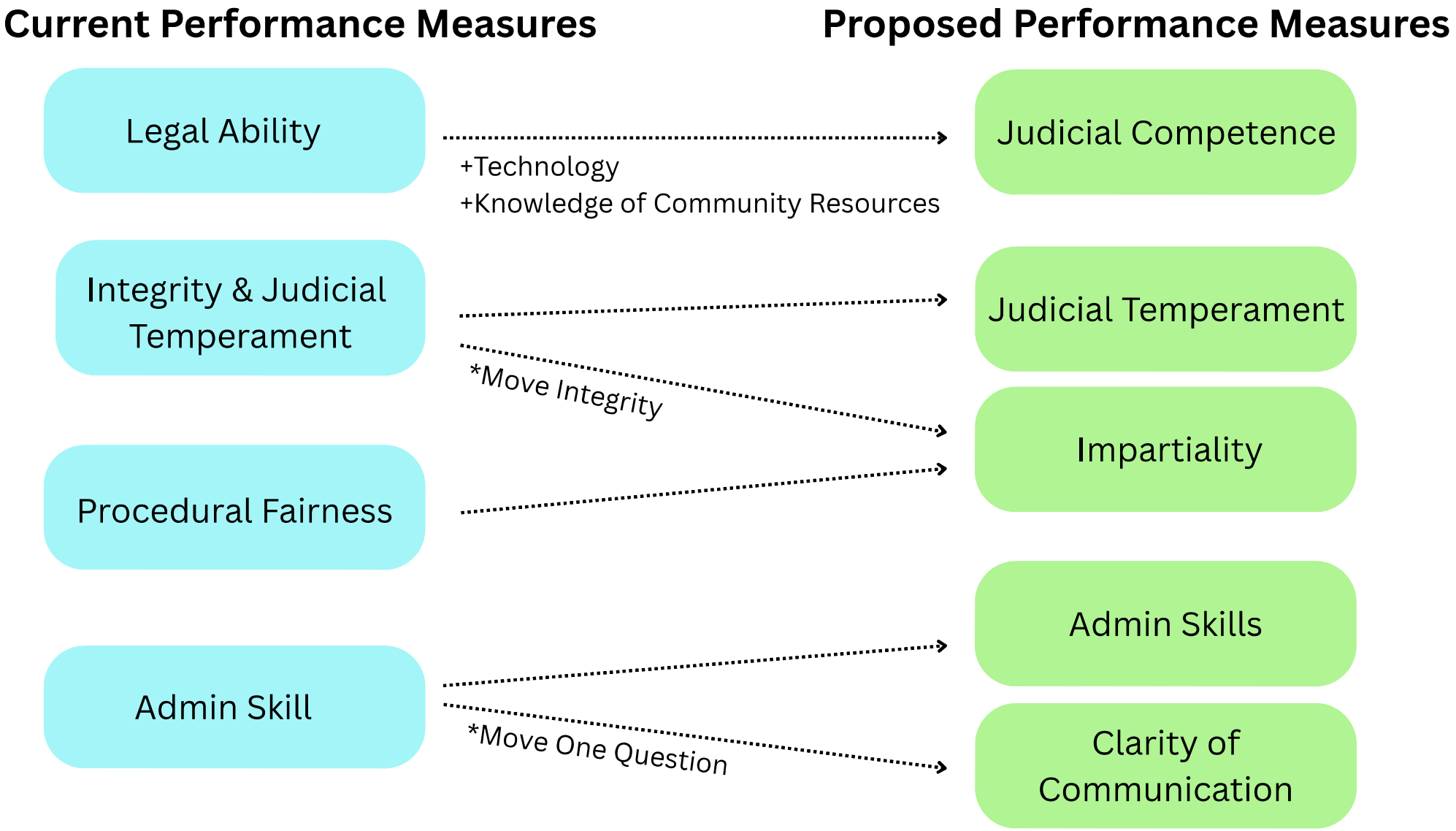
YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
X		21	Treatment providers are proficient at delivering the interventions and are supervised regularly to ensure continuous fidelity to the treatment models.	V.F.
X		22	Treatment providers are supervised regularly to ensure continuous fidelity to evidence-based practices.	V.H.
X		23	Before participants enter the peer support groups, treatment providers use an evidence-based preparatory intervention, such as 12-step facilitation therapy. Thinking Matters	V.I.
X		24	Participants prepare a continuing-care plan together with their counselor to ensure they continue to engage in pro-social activities and remain connected with a peer support group after their discharge from the Mental health Court. Just a petition to graduate.	V.J.
X		25	Where indicated, participants receive assistance finding safe, stable, and drug-free housing beginning in the first phase of Mental health Court and continuing as necessary throughout their enrollment in the program.	VI.D.
X		26	Participants are assessed using a validated instrument for trauma history, trauma-related symptoms, and posttraumatic stress disorder (PTSD).	VI.F.
		27	All Mental health Court team members, including court personnel and other criminal justice professionals, receive formal training on delivering trauma-informed services. Judge - yes. Wasatch - yes. APP - yes Defense counsel - no	VI.F.
X		28	Participants with deficient employment or academic histories receive vocational or educational services beginning in a late phase of Mental health Court.	VI.I.
	X	29	Participants complete a brief evidence-based educational curriculum describing concrete measures they can take to prevent or reverse drug overdose. Participants discuss triggers and coping strategies with their case managers and therapists as needed. The curriculum addresses avoidance, and the team is exploring ways to incorporate this content into the Seeking Safety phase. Staff at Wasatch Behavioral Health are trained in overdose prevention, and relevant measures are in place in their offices.	VI.L.
X		30	Clients are placed in the program within 50 days of eligibility screening. Vast majority	
X		31	Team members are assigned to Mental health Court for no less than two years. Ideally.	
X		32	All team members use electronic communication to contemporaneously communicate about Mental health Court issues.	
X		33	Subsequently, team members attend continuing education workshops on at least an annual basis to gain up-to-date knowledge about best practices on topics including substance abuse and mental health treatment, complementary treatment and social services, behavior modification, community supervision, drug and alcohol testing, team decision making, and constitutional and legal issues in Mental health Courts.	VIII.F.
		34	New staff hires receive a formal orientation training on the Mental health Court model and best practices in Mental health Courts as soon as practicable after assuming their position and attend annual continuing education workshops thereafter. The team's Operations Manual outlines training and continuing education requirements for all Mental Health Court team members. The Statewide Treatment Court Steering Committee will assist the Statewide Treatment Court Coordinator and the Statewide Treatment Court Certification Coordinator in developing role-specific onboarding for new team members.	VIII.F.
X		35	The Mental health Court has more than 15 but less than 125 active participants.	IX.A.*

YES	NO	#	PRESUMED CERTIFICATION CRITERIA *There is a presumption that these standards must be met. If your program can show sufficient compensating measures, compliance with the standard may be waived.*	BPS
X		36	The Mental health Court monitors its adherence to best practice standards on at least an annual basis, develops a remedial action plan and timetable to rectify deficiencies, and examines the success of the remedial actions. From now on per Judge Porter.	X.A.
X		37	New arrests, new convictions, and new incarcerations are monitored for at least three years following each participant's entry into the Mental health Court. From APP perspective - yes.	X.C.
X		38	A skilled and independent evaluator examines the Mental health Court's adherence to best practices and participant outcomes no less frequently than every five years.	X.D.
X		39	Staff members are required to record information concerning the provision of services and in-program outcomes within forty-eight hours of the respective events.	X.G.
	X	40	The program conducts an exit interview for self- improvement. Participants complete a petition to graduate and are asked to share what they have learned and their reflections with the court. The team continues to explore ways to improve this process, with examples provided in the jurisdiction report.	

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS *These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.*	BPS
X		1	The Mental health Court offers a continuum of care for substance abuse treatment including detoxification, residential, sober living, day treatment, intensive outpatient and outpatient services.	V.A.
X		2	Treatment groups ordinarily have no more than twelve participants and at least two leaders or facilitators.	V.E.
X		3	Treatment providers have substantial experience working with criminal justice populations.	V.H.
	X	4	For at least the first ninety days after discharge from the Mental health Court, treatment providers or clinical case managers attempt to contact previous participants periodically by telephone, mail, e-mail, or similar means to check on their progress, offer brief advice and encouragement, and provide referrals for additional treatment when indicated. Not done for everyone, some choose to stay while others receive services elsewhere.	V.J.
X		5	Participants are assessed using a validated instrument for major mental health disorders that co-occur frequently in Mental health Courts, including major depression, bipolar disorder (manic depression), posttraumatic stress disorder (PTSD), and other major anxiety disorders. DSM V-TR	VI.E.
X		6	Participants with PTSD or severe trauma-related symptoms are evaluated for their suitability for group interventions and are treated on an individual basis or in small groups when necessary to manage panic, dissociation, or severe anxiety.	VI.F.
	X	7	Female participants receive trauma-related services in gender-specific groups. While there are no regular female-specific groups, Wasatch Behavioral Health tailors services to meet individual needs. Participants who are not a good fit for group settings receive individualized support, including services through NAMI. On the substance use side, the Promise Program offers a gender-specific outpatient treatment program for adult women, providing both intensive and general outpatient services.	VI.F.

YES	NO	#	NON-CERTIFICATION-RELATED BEST PRACTICE STANDARDS *These are best practice standards that research has shown will produce better outcomes. Failure to meet these standards will not result in decertification.*	BPS
	X	8	Participants are required to have a stable job, be enrolled in a vocational or educational program, or be engaged in comparable pro-social activity as a condition of graduating from Mental health Court. While these resources are available, some participants face limitations that make such requirements challenging. Unlike traditional adult treatment courts, participants in Mental Health Court may be civilly committed or on lifelong disability due to mental illness, which can impact their ability to participate in employment, education, or other pro-social activities. The court accounts for these circumstances when supporting participants toward graduation.	VI.I.
X		9	Participants receive immediate medical or dental treatment for conditions that are life-threatening, cause serious pain or discomfort, or may lead to long-term disability or impairment. Appears to be the case. We help if requested.	VI.J.
	X	10	Before starting a Mental health Court, team members attend a formal pre-implementation training to learn from expert faculty about best practices in Mental health Courts and develop fair and effective policies and procedures for the program. The team's Operations Manual outlines training and continuing education requirements for all Mental Health Court team members. The Statewide Treatment Court Steering Committee will assist the Statewide Treatment Court Coordinator and the Statewide Treatment Court Certification Coordinator in developing role-specific onboarding for new team members. Teams are encouraged to attend conferences.	VIII.F.
X		11	Supervision caseloads do not exceed fifty active participants per supervision officer.	IX.B.
X		12	Caseloads for clinicians must permit sufficient opportunities to assess participant needs and deliver adequate and effective dosages of substance abuse treatment and indicated complementary services.	IX.C.
X		13	The Mental health Court continually monitors participant outcomes during enrollment in the program, including attendance at scheduled appointments, drug and alcohol test results, graduation rates, lengths of stay, and in-program technical violations and new arrests or referrals. Weekly compliance worksheet (joint document) and compliance emails.	X.B.*
	X	14	Information relating to the services provided and participants' in-program performance is entered into an electronic database. Statistical summaries from the database provide staff with real-time information concerning the Mental Health Court's adherence to best practices and in-program outcomes.	X.F.
X		15	Outcomes are examined for all eligible participants who entered the Mental health Court regardless of whether they graduated, withdrew, or were terminated from the program. From APP perspective - yes.	X.H.
X		16	The Mental health Court regularly monitors whether members of historically disadvantaged groups complete the program at equivalent rates to other participants. MHC seeks to provide equal services for all participants and will not discriminate in admitting or in treatment services.	II.B. X.E.

Tab 6


Current Performance Measures
Proposed Performance Measures
Legal Ability
+Technology
+Knowledge of Community Resources
Judicial Competence
Integrity & Judicial Temperament
Judicial Temperament
*Move Integrity
Impartiality
Procedural Fairness
Admin Skills
Admin Skill
*Move One Question
Clarity of Communication

Tab 7

Utah Judiciary Cybersecurity





WHY THIS MATTERS NOW MORE THAN EVER



Government agencies are prime targets for cyberattacks from bad actors



The goal of these attacks: steal sensitive data, disrupt critical infrastructure, and undermine public trust.



Our digital footprint is expanding, creating more potential vulnerabilities. Every connected device is an entry point.



The first line of defense isn't a firewall; it's you.

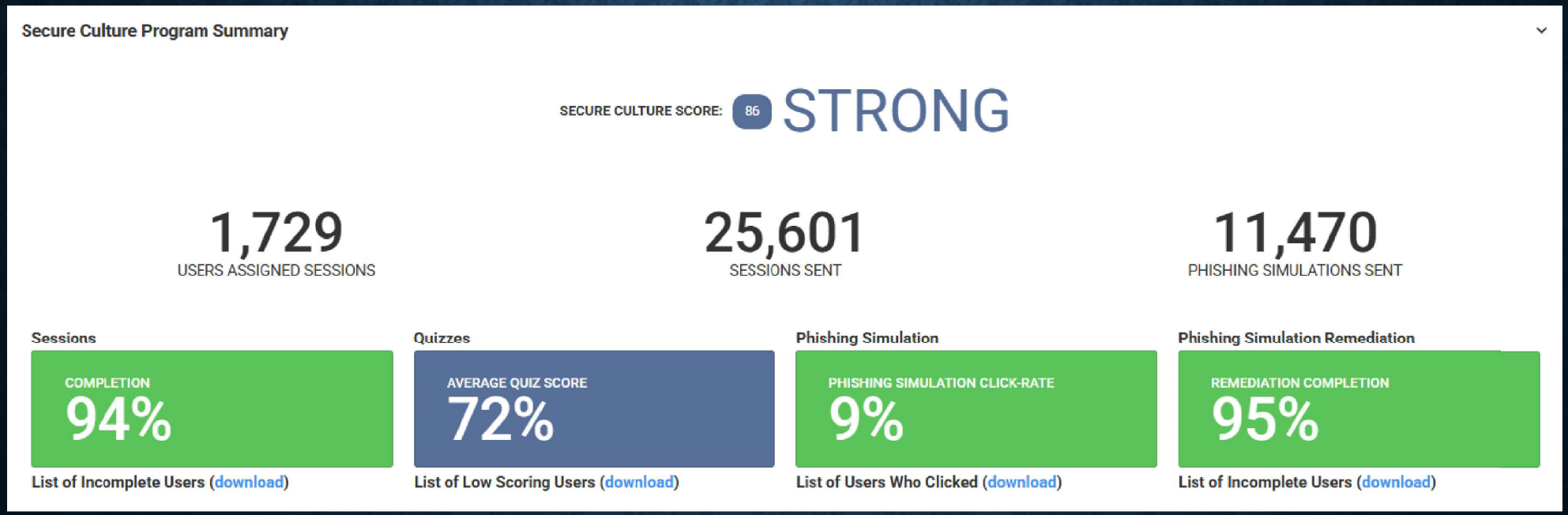


Human Error: 95% of cybersecurity breaches are caused by human error. (Source: IBM's Cyber Security Intelligence Index)



Phishing emails, weak passwords, and improper handling of data are the most common entry points for attackers.

CYBER SECURITY AWARENESS



TAKEAWAYS & CALL TO ACTION

Security is a Shared Responsibility

Be Vigilant: Treat all unsolicited emails with suspicion. Think before you click.

Stay Informed: Our automated systems are powerful, but they are not foolproof. Your awareness is the crucial last line of defense.

Complete Your Training: Your monthly cybersecurity training and quizzes are not just a task to be checked off—they are essential practice for protecting our mission.

Report Everything: If you see something suspicious, report it to the IT/Security department immediately. It's always better to be safe than sorry.

WHY CYBERSECURITY AWARENESS, COMMUNICATION, AND CAUTION MATTER



Cyber Threats Are Constant and Evolving



Communication Prevents Breaches



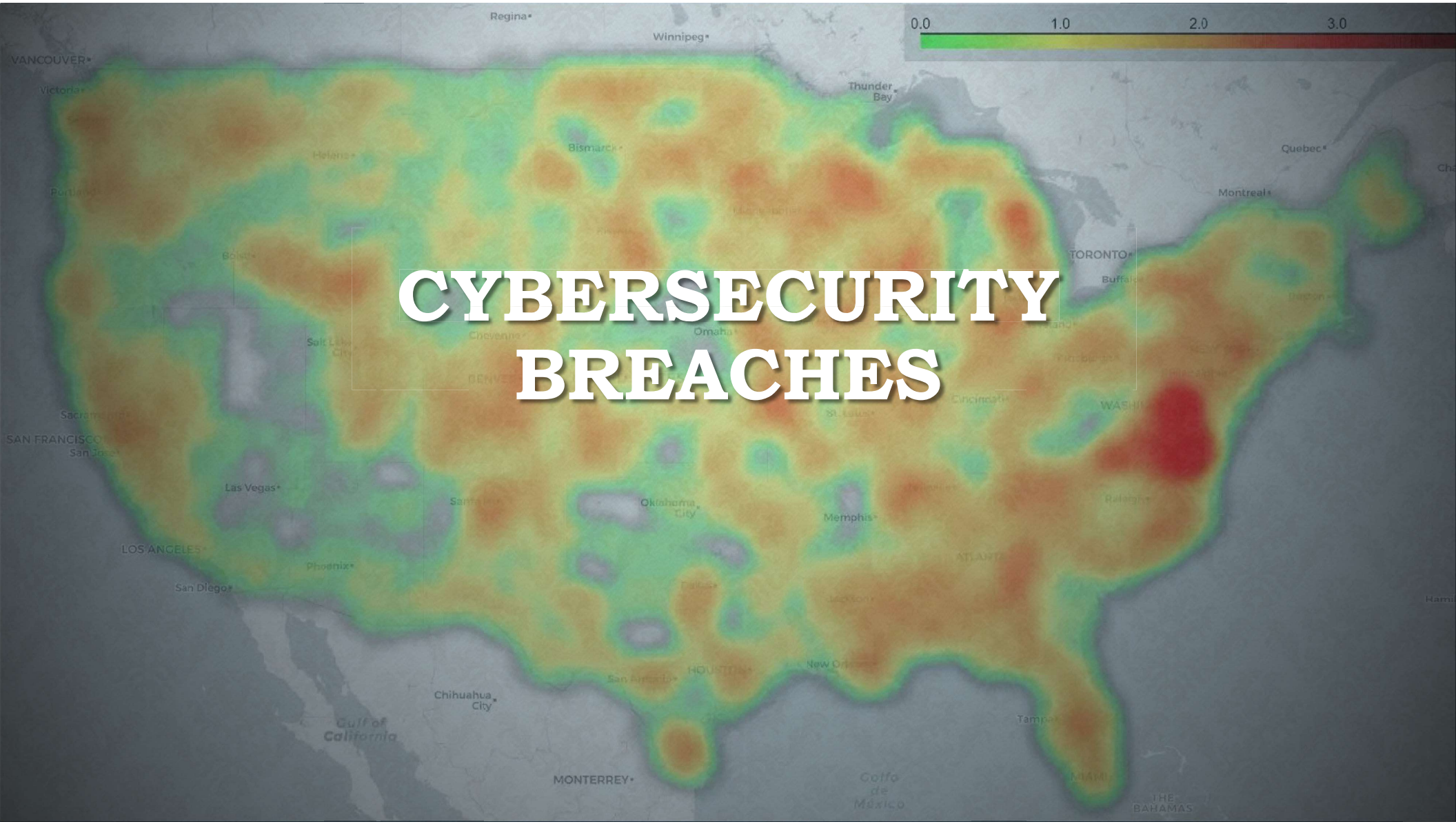
Caution Reduces Risk



Awareness Empowers Everyone



Cybersecurity Is a Shared Responsibility



CYBERSECURITY BREACHES



WHAT WILL BE REQUIRED FOR CYBERSECURITY BREACH

This report outlines the essential evidence required from an agency that has experienced a cybersecurity breach to gain access to our applications and services. The aim is to verify thorough remediation and a strengthened security posture.

This comprehensive documentation will enable us to accurately assess the agency's security commitment and readiness to regain access to our services. If external agencies or law enforcement were engaged, we request in writing their acknowledgement of containment and remediation prior to granting access.

INCIDENT ANALYSIS

- **Detailed Incident & Forensic Reports**: Submit documentation detailing the **attack timeline**, **type of attack**, **initial compromise point**, **affected systems/data**, and the **technical execution** of the breach. This should include all findings from your forensic investigation.
- **Root Cause Analysis (RCA)**: Present a thorough **Root Cause Analysis** that identifies the underlying systemic issues contributing to the breach (e.g., policy gaps, misconfigurations, unpatched vulnerabilities). This analysis should clearly explain *how* the breach occurred.
- **Post-Breach Scans**: Provide recent **vulnerability scan and penetration test results** that confirm the successful application of fixes and the absence of identified vulnerabilities related to the breach.

REMEDIATION ACTIONS

- **Comprehensive Remediation Plan**: Submit a detailed plan outlining all **actions taken** to contain, eradicate, and recover from the breach.
- **System Hardening**: Provide proof of all **applied patches and security updates** on affected and related systems. This includes documentation of patch management processes.
- **Credential Management**: Confirm the **reset and revocation of all compromised credentials**, alongside evidence of **new, secure credential policies** implemented.
- **Access Control**: Offer evidence of **updated least-privilege access controls** across all relevant systems and data, ensuring that access is granted only on a need-to-know basis.
- **System Rebuilds**: Provide verification that all **compromised systems were rebuilt from secure, trusted states**, rather than simply cleaned.
- **Recovery Validation**: Submit documentation confirming the **successful and validated restoration of data and systems**, including integrity checks and user acceptance testing where applicable.



ONGOING SECURITY MEASURES

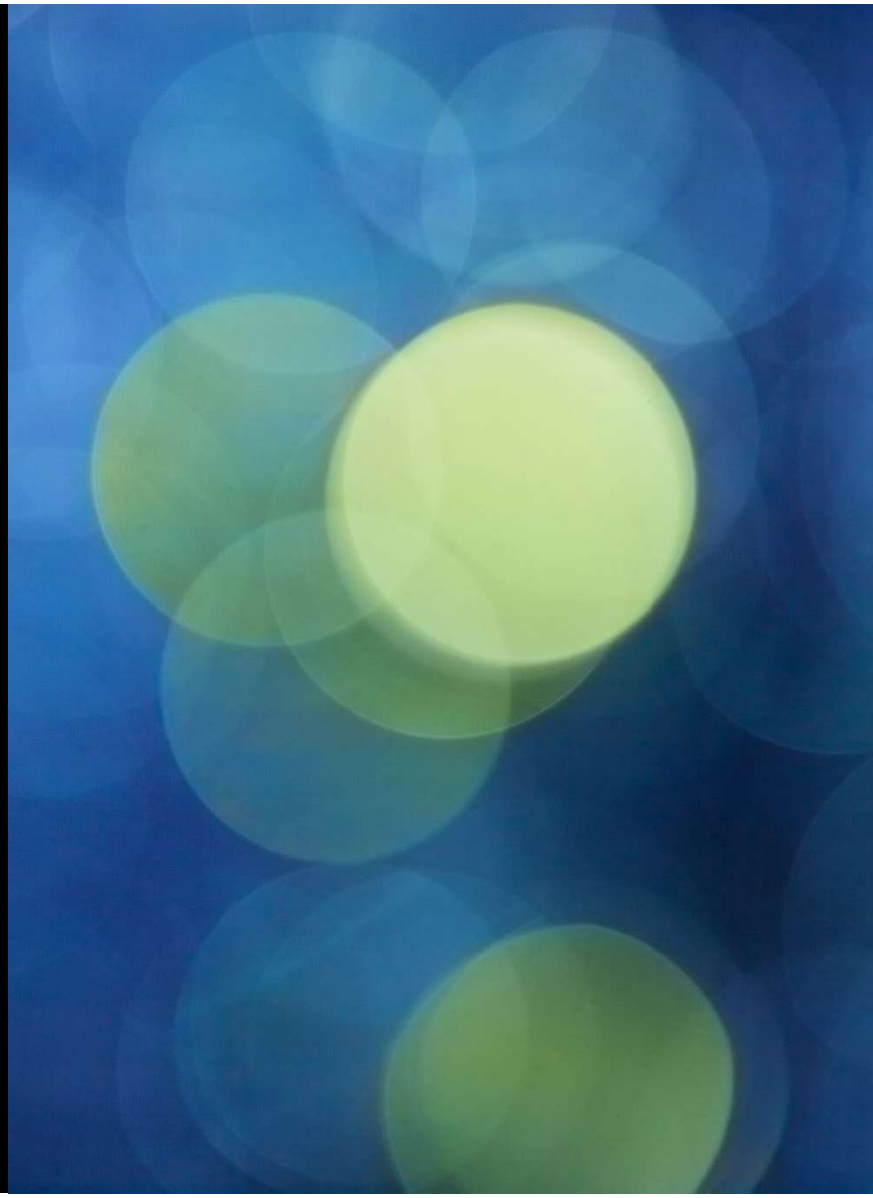
Updated Policies: Submit copies of all **revised security policies and incident response plans.** Highlight key changes made in response to the breach.

Employee Training: Provide records of **completed cybersecurity awareness training** for all relevant personnel, focusing on lessons learned from the incident.

Enhanced Monitoring: Describe any **new or improved security tools and technologies** implemented for enhanced threat detection, prevention, and response capabilities.

Third-Party Risk: Document **revised vendor risk assessment processes** to mitigate supply chain and third-party security risks, especially if the breach involved external entities.

Compliance Filings: Provide copies of all relevant **breach notification submissions** to regulatory bodies and affected parties, demonstrating adherence to legal and regulatory requirements.



RECENT EXAMPLES: NEVADA

What happened?

Ransomware attack:

- The incident began as a "sophisticated ransomware-based cyber security attack" on August 24, 2025, leading to the shutdown of many state systems to contain the threat.

Widespread disruption:

- The attack affected various services, such as the Department of Motor Vehicles (DMV), the Department of Health and Human Services (DHHS), and several other state agencies.

Data exfiltration:

- Evidence indicates some state data was moved out of the state's systems by the attackers, but it is not confirmed to be personal information



SECURING OUR IDENTITIES – POSITIVE VALIDATION FOR RESETS

Failing to properly verify a user's identity before a password reset is like giving the keys to a house to someone who simply claims they own it without asking for any proof. It completely bypasses all other security measures.





WHY IT MATTERS

The consequences of weak password reset validation

- **Account takeover:** The most direct result, allowing attackers to hijack user accounts.
- **Widespread data exposure:** A single compromised account can give an attacker access to a much larger dataset.
- **Mandatory resets:** A poorly handled incident can force organizations into a reactive position, requiring a mass password reset that inconveniences all departments and patrons.

SECURING OUR IDENTITIES – IMPROVED POSITIVE VALIDATION FOR RESETS




Q
A

Tab 8

UTAH JUDICIARY

UTAH OFFICE OF GUARDIAN AD LITEM AND CASA

2025 ANNUAL REPORT

UTAH OFFICE OF GUARDIAN AD LITEM AND CASA

The job of a Guardian ad Litem attorney carries with it a tremendous responsibility. It is their job to stand in the shoes of the child and zealously advocate for the children that the Office of Guardian ad Litem and CASA represent. Our attorneys are committed and well trained, and as such, they are an asset to the State of Utah.

In FY2013, the Office of Guardian ad Litem and CASA were asked to develop performance measures and report on those measures annually to the Executive Offices and Criminal Justice Subcommittee. In FY2014, the Office of Guardian ad Litem and CASA developed these Standards and Performance Measures, and they were approved by the Executive Offices and Criminal Justice Subcommittee. The approved Standards and Performance Measures, as well as supporting FY2025 data, are listed below.

STANDARDS & PERFORMANCE MEASURES

Standard I:
GAL Attorneys shall be competent and knowledgeable attorneys and shall participate in training that addresses issues surrounding abuse and neglect, as well as improving legal skills.

Performance Measure I:
The Office of GAL and CASA will measure the participation of GAL attorneys in the required trainings, as well as attorney satisfaction in the subject matter of the provided trainings.

Performance Measure I FY25:

In FY25, the Office of GAL and CASA provided GAL attorney's access to the following trainings: GAL Annual Conference; Court Improvement Virtual Conference, NACC VIrtual conference, CJC Conference, and Promising Youth Conference. These trainings provided valuable information about issues related to abuse and neglect; domestic violence; mental health; and substance abuse, as well as helped improve the advocacy skills of our attorneys.

Standard II:
GAL attorneys shall have caseloads that allow them to adequately represent their clients.

Performance Measure II:
The Office of GAL and CASA will measure the average number of children being represented by GAL attorneys during the fiscal year.

Performance Measure II FY25:

In FY25, GAL attorneys had on average **91** children and **51** families on their caseloads at any given time. This number is decreasing in part to authorization by the legislature to reallocate resources within the Office of Guardian ad Litem and CASA.

Standard III:
GAL attorneys shall ensure that the children they represent are present in court and able to participate when appropriate.

Performance Measure III:
The Office of GAL and CASA will measure the number of children attending post-adjudication hearings as specified in UCA§80-3-108 or if not attending, the reason why the child is not in attendance.

Performance Measure III FY25:

In FY25, more than **50%** of children attended and participated in their court hearings. The most common reasons for children not attending their court hearings is that is was impractical for the child to attend or it was detrimental for the child to attend. The Office of GAL and CASA continues to work with the courts and community partners to increase the presence of our clients in court, especially older youth.

Standard IV:
GAL attorneys shall ensure that there is appellate review for decisions affecting their clients.

Performance Measure IV:
The Office of GAL and CASA will measure the number of appeals initiated, as well as participated in, by GAL attorneys.

Performance Measure IV FY25:
In FY25, The Office of GAL and CASA participated in **148** appeals on behalf of our clients. We also staffed many other cases to determine the efficacy of an appeal.

Standard V:
GAL attorneys will complete an independent investigation and communicate regularly with their clients.

Performance Measure V:
The Office of GAL will measure the number of completed independent investigations by GAL attorneys, including non-client contacts; measure the number of client contacts by GAL attorneys, as well as the frequency of those contacts.

Performance Measure V FY25:

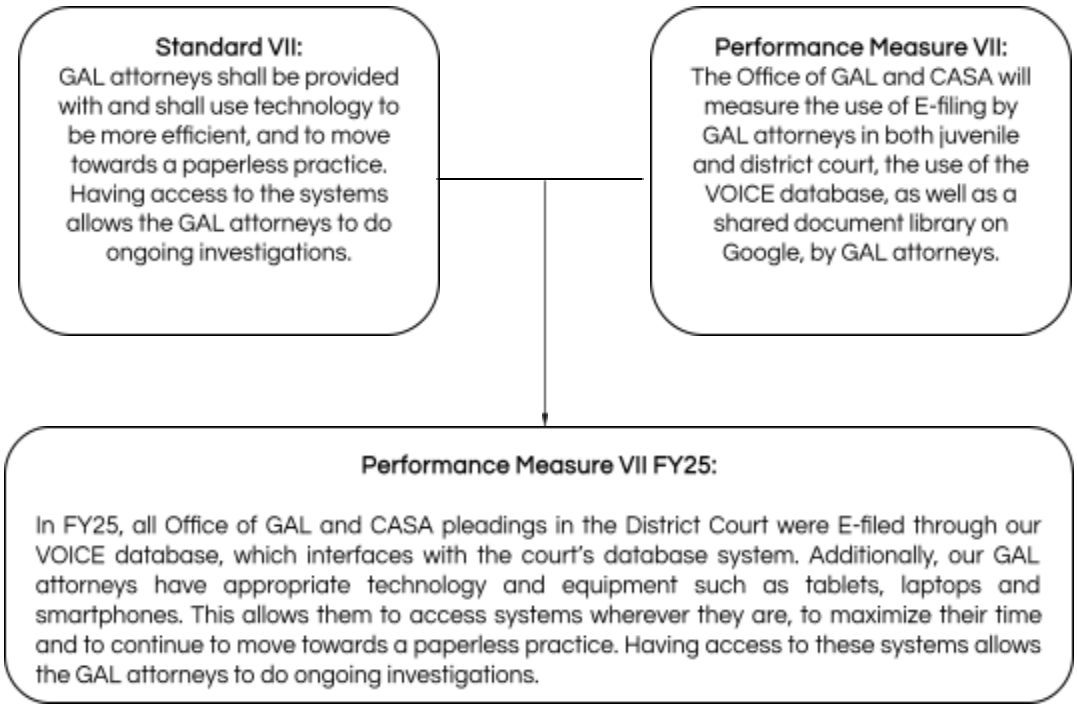
In FY25, the Office of GAL attorneys engaged in **61,651** independent investigations on behalf of the **12,310** children we represented. Our GAL attorneys also met with these children **16,141** times. During these communications with our clients, especially older youth, GAL attorneys explained the court process, obtained the clients wishes and identified services with the clients to assist them with returning home or finding another permanent placement.

Standard VI:
GAL attorneys shall ensure clients and their families receive appropriate services to keep children safely with their families or reunite them whenever practical by attending court hearings and participating in Family Team Meetings.

Performance Measure VI:
The Office of GAL and CASA will measure the number of hearings attended by GAL attorneys and the number of Child & Family Team Meetings in which GAL attorneys participated.

Performance Measure VI FY25:

In FY25, Office of GAL attorneys attended **25,967** hearings on behalf of our clients. During those hearings, our attorneys informed the court about the steps they had taken to prepare for the hearing; they advocated for specific services for the children and their parents, including what was in the best interest of the child, as well as the child's wishes, and the basis for their requests. Our attorneys also participated in **8,510** Child & Family Team Meetings where we advocated for services for our clients and their families. Finally, to try to resolve the issues before the court, as well as giving families a voice in the legal process, our GAL attorneys attended **1,853** mediations.



PRIVATE GUARDIAN AD LITEM PROGRAM

The Private Guardian ad Litem Program is administered by the director of the Office of Guardian ad Litem & CASA (the Office) pursuant to UCA 78A-2-802(3)(l) and **UCA § 78A-2-705(11).** In FY25, the Private Guardian ad Litem Program continued to be active. Currently there are **81** private attorneys who have accepted over 534 cases this past year, including over **41** pro bono cases. The online Private Guardian ad Litem Attorney Roster is updated monthly and provided to the bench pursuant to **UCA § 78A-2-705(16)**.

A Private Guardian ad Litem Attorney (PGAL) is required to complete an application process, background screening, and initial training. Once approved, a PGAL receives ongoing individual coaching and mentoring as needed.
Additionally, PGAL training materials are continually updated in accordance with best practices and changes in the law. This information provides additional reference material to help PGAL attorneys in handling the challenging types of cases they are involved with. Finally, to assist PGAL's in complying with **URJA 4-906**, the Office hosts Continuing Legal Education training throughout the state.

Our Private Guardian ad Litem Coordinator, Kacy Crandall, supports PGAL attorneys by responding to questions, providing guidance, and attending hearings when necessary.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

The CASA program is a valued resource for the Office of Guardian ad Litem and CASA. During FY25, **643** volunteer advocates served **1,264** children and donated **30,127** hours. Advocates are appointed pursuant to **UCA § 78A-2-803,** subsection (4) (a) that states:

> "An attorney guardian ad litem may use trained volunteers, in accordance with **UCA § 67-20-1** et seq…to assist in the investigation and preparation of information regarding the cases of individual minors before the court."

CASA volunteers are assigned to an individual case and gather information for the GAL attorneys by visiting consistently with child clients, attending child and family team meetings and court hearings, and tracking the child's progress in school. In addition, these advocates ensure that the child receives needed services and is in a safe, nurturing environment by monitoring court orders and reporting to the GAL attorney.

CASA volunteers are carefully screened; they receive a background check and are provided with 32 hours of pre-service training and 12 hours of annual in-service training. Research conducted by the National CASA Association has found that children with CASA volunteers do better in school, spend less time in the foster care system, are less likely to re-enter foster care, and are more likely to have a consistent, responsible adult present than other children in care.

UTAH'S FRIENDS OF CASA

Utah's Friends of CASA is a 501(c) (3) nonprofit organization that supports the CASA program by providing supplemental funding for volunteer recruitment, training, and retention.

Tab 9

Administrative Office of the Courts

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

September 26, 2025

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

MEMORANDUM

TO: **Management Committee**

FROM: **Jon Puente, OFA Director**
Keri Sargent, Deputy District Court Administrator

RE: **Juror Demographic Data Collection**

Earlier this year, the Jury Equity Workgroup presented to the Management Committee regarding juror demographic data collection. The purpose behind this initiative is so that the judiciary can examine the barriers that might stop individuals from serving on juries. The ultimate goal of this work is to sit more representative juries.

The Management Committee agreed to allow for the collection of juror demographic information. However, the Committee asked that, before we begin collecting this information, we come back to them and present to them the procedures and methods on how the data would be collected. The Jury Equity Workgroup has developed these methods and is ready to present them to the Management Committee.

Administrative Office of the Courts

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

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

Dear Prospective Juror,

This letter is to inform you that you have been randomly selected as a prospective juror. If you meet the requirements established by law, you may be selected to serve on a jury. No special knowledge or skills are needed to be a juror, only your personal experience.

The thought of jury service may be a bit unsettling and you may be inconvenienced; however, most citizens find jury service rewarding. So that everyone has the opportunity to serve, the court draws names randomly from a list of adult citizens in the county, which is as inclusive as possible.

This letter includes a form that you are required to complete and send to the jury clerk in order to qualify for jury service. You may also complete the form online as per the instructions on the form. The clerk will try to fit jury service into your schedule. There are limits, however, and the clerk may not be able to meet your scheduling request. If you have a disability, contact the clerk prior to arriving at court to arrange for accommodations. You may ask to be excused, either permanently or for the term, but the reasons to be excused are very limited.

If you are called for jury service, you will need to arrange to take leave from work. The clerk can provide you with a letter for your employer to verify your service. (Your employer is prohibited by law from retaliating against you because of jury service.) You will also need to arrange for the care of your children and other dependents.

Courts try to be efficient but often delays occur, so please come prepared to spend time waiting. You are welcome to bring a book or work with you. Business attire is requested to reflect the importance of the proceedings. Please note that most trials last no more than two days.

In the end, you might not be called for jury service. If you do serve, however, you will be paid $18.50 for the first day you attend court and $49 for each subsequent day. You will also be rewarded with the pride you can take in serving your community. Thank you in advance for your public service. I hope you welcome the prospect of jury service. It is an important civic duty and an important civic right. Our justice system cannot function without you.

Sincerely,



Matthew B. Durrant
Chief Justice, Utah Supreme Court

JUROR QUALIFICATION FORM INSTRUCTIONS

Dear ** County Resident:

Your name has been drawn at random from a list of all adult citizens of the county for jury service. Please carefully read and follow these instructions to complete your Juror Qualification Form and return it to the court. **You must complete and return the form within 10 days.**

To complete the Juror Qualification Form online, scan this QR code or go to www.utcourts.gov/juryroom:

1. Select “Qualify Online.”
2. Enter Juror Number. Your Juror Number can be found below on the Juror Qualification Form.
3. Enter your birthdate and follow the instructions.
4. If you respond online, you **do not need** to mail or return the form.

To complete the Juror Qualification Form on paper:

1. Complete **Parts 1 and 2** of the form.
2. Complete **Part 3** if you want to request scheduling accommodations. To help us meet your schedule, please keep the conflict dates to a minimum.
3. Complete **Part 4** if you feel that you qualify to be excused from jury service either permanently or temporarily. Include a doctor’s note if your reason to be excused is medical.
4. Sign the form in **Part 5.**
5. Return the Jury Qualification Form by one of the following methods:

MAIL:

- **Send only** the Juror Qualification Form and any attachments (i.e. doctor’s note). Be sure the court’s address appears in the envelope’s window.
- If an envelope was not included with the qualification form, fold the form so the court’s address appears on the outside. Seal the top edge with tape.
- Do not use a stamp. The court has already paid the postage.

EMAIL:

- Scan and **send only** the Juror Qualification Form and any attachment (i.e. doctor’s note) by email to email@utcourts.gov.

Once you have filled out the Juror Qualification Form, no further action is required unless you receive a summons or questionnaire. These may be sent to you by mail or email. If you receive such a notice, it will contain subsequent directions or instructions, possibly including specific dates and times for a court appearance.

Individuals with disabilities can serve on juries. Contact the court after being summoned if you require accommodations. Your information is private and will not be disclosed unless you are summoned or selected for a case. The court will not ask for private information over the phone. If this occurs, refuse, hang up, and report it to the jury clerk or law enforcement. If you have any questions not answered here, please call the jury clerk at ** or email at **.

JUROR QUALIFICATION FORM

YOU CAN COMPLETE THIS FORM ONLINE AT WWW.UTCOURTS.GOV/JURYROOM

TERM OF JURY SERVICE: FROM _____ TO _____

IF ADDRESSEE DOES NOT LIVE AT THIS ADDRESS OR IS DECEASED, PLEASE INDICATE BELOW AND RETURN TO SENDER

☐ **DOES NOT LIVE HERE** ☐ **DECEASED**

PART 1 -- IDENTIFICATION

Juror Name	Juror Number (Found above your address.)	Date of Birth
Physical Address	Mailing Address (If different.)	Phone
City State Zip	City State Zip	
Email Address **(The court will use your email as the primary way to contact you.)**		
Which gender do you most identify as? ☐Male ☐Female ☐Gender Variant ☐Not Listed ☐Prefer not to answer		
What race / ethnicity best describes you? ☐American Indian or Alaska Native ☐Asian ☐Black or African American ☐Hispanice or Latino ☐Middle Eastern or North African ☐Native Hawaiian or Pacific Islander ☐White ☐Not Listed ☐Prefer not to answer		

PART 2 -- QUALIFICATION

Fill in the box under “yes” or “no” as appropriate.

Yes	No	Qualification Question
☐	☐	Have you been convicted of a felony? If yes, please give the name of the court and the date of conviction.
☐	☐	Was the felony expunged or reduced to a misdemeanor? If yes, what was the date of the expungement or reduction? Mark “no” if you have never been convicted of a felony.
☐	☐	Have you appeared for jury service in Utah within the last 24 months? If yes, please give the name of the court and the date of service.
☐	☐	Are you 18 years of age or older?
☐	☐	Are you a citizen of the United States?
☐	☐	Are you a resident of ** County?
☐	☐	Are you able to read, speak and understand, or communicate, in English?

PART 3 - SCHEDULING

Fill in the box as appropriate:

☐ I have no conflict dates.

☐ I have conflicts on the following dates:

Dates	Nature of Conflict

PART 4 – REQEUST TO BE EXCUSED

You may request excuse from jury duty due to undue hardship, public necessity, or inability to serve. Mothers who are breastfeeding may also be excused at this time. To request an excusal, check the corresponding box.

☐ I request that the court excuse me at this time.

☐ I request that the court excuse me permanently.

Please explain the reason you should be excused. If your request is for medical reasons, please attach a letter from your physician supporting the request.

PART 5 - SIGNATURE

Pursuant to Utah Code § 78B-18a-101, et seq., I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Sign Here ►_____ Date_____

☐ Fill in the box if signed by someone other than the juror.

[MUST LEAVE SPACE BLANK FOR BRM

JURY CLERK
THIRD DISTRICT COURT
450 S STATE ST
PO BOX 141860
SALT LAKE CITY UT 84114-1860 [MUST LEAVE SPACE BLANK FOR JUROR MAILING ADDRESS]

Tab 10

Administrative Office of the Courts

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

October 27, 2025

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

M E M O R A N D U M

TO: Judicial Council

FROM: Brody Arishita, Chief Information Officer
Ron Gordon, State Court Administrator
Neira Siaperas, Deputy State Court Administrator

RE: AI Subcommittee Report

At its January 2025 meeting, the Judicial Council established an AI Subcommittee to evaluate appropriate uses and safeguards for generative AI within the Utah Judiciary. Two subcommittees -- one for staff and the one for judicial officers and law clerks -- met separately and jointly to develop a comprehensive AI Framework for the Council's consideration.

This memorandum outlines the AI Framework, which includes a Vision Statement, Guiding Principles, and Judicial Council Policy on the Use of Generative AI. The subcommittees' goal is to integrate AI as a supportive tool that enhances efficiency and frees time for higher-value work without replacing human judgment and professional expertise.

AI Framework: Aligning the "Why" and the "How"

The AI Framework connects the Judiciary's purpose for using artificial intelligence ("Why") with the structure that ensures its responsible implementation ("How").

The "Why" is grounded in the Judiciary's Vision and Guiding Principles for the use of AI -- to responsibly leverage AI to advance our mission of providing an open, fair, efficient, and independent system of justice. This AI Framework is anchored in judicial integrity, public trust, and operational efficiency. The Guiding Principles emphasize that AI must support rather than replace human judgment, maintain transparency, and promote fairness while guarding against bias or misuse.

The “How” is reflected in the Judicial Council Policy on the Use of Generative AI**,** which operationalizes those principles through clear standards and safeguards. The Policy defines appropriate and prohibited uses, requires human verification of AI outputs, and ensures the protection of confidential information. Given that AI tools can fabricate information or reflect bias, the Policy ensures disciplined, transparent, and ethical implementation across the Judiciary.

Implementation and Support

Successful adoption depends on clear guidance, consistent training, and accessible resources that promote responsible use and build confidence among users.

1. NotebookLM Training Plan

NotebookLM has been identified as a key tool to assist judicial officers and employees with summarization, structured research, and retrieving information. Training will emphasize both effective use and ethical safeguards and include the following modules:

- Introduction to NotebookLM: Purpose, scope, and alignment with the Judicial Council Policy on the Use of Generative AI.
- Approved Use Cases: Role-based examples of appropriate applications of AI.
- Verification and Accuracy: How to check AI outputs and confirm sources.
- Data Maintenance: How to refresh and update information.
- Ethical Use**:** Do’s and don’ts tied to the Employee Code of Ethics and Rule 3-403 training requirements.

2. AI Resources Hub

The AI Resources page will serve as the central access point for governance, training, and tools. It will include:

- A list of approved AI tools and corresponding policies
- Training materials and video tutorials
- Predefined Notebooks to promote consistency and productivity across court roles
- Links to the LMS and ethics materials

Conclusion

This AI Framework links the Vision Statement and Guiding Principles (the "Why") to the Judicial Council Policy on the Use of Generative AI and robust training protocols (the "How"). It provides the structure necessary to integrate AI responsibly -- enhancing efficiency, accuracy, and access to justice while safeguarding integrity, fairness, and public trust.

We request the Judicial Council’s review and approval of the AI Framework to begin immediate statewide implementation and training.

Vision Statement

Responsibly leverage the power of artificial intelligence to advance the mission of the Judiciary.

Definitions

AI - Artificial Intelligence Tools, Systems, Applications
Utah Judiciary - All judicial officers and employees in the judicial branch

AI Guiding Principles for the Utah Judiciary

Fairness and Impartiality

The Judiciary should use AI in a way that promotes procedural fairness and impartial decision-making.

Equal Access to Justice

The Judiciary should use AI in a way that supports equal access to justice.

Transparency

The Judiciary should remain transparent about its use of AI.

Human Oversight

The Judiciary will not replace human judgment with AI. Human oversight will identify and assist in eliminating bias. Judicial officers and staff remain responsible for all of their decisions.

Privacy and Data Protection

The Judiciary will use AI in a way that protects non-public information; complies with applicable laws, rules, and policies; and maintains confidentiality.

Efficiency and Accuracy

The judiciary should use AI to streamline court processes, reduce administrative burdens, and improve the accuracy and consistency of court operations.

Accessibility

The Judiciary will deploy AI in ways that enhance accessibility by making court services and processes easier to use and understand.

Agility

The Judiciary will remain adaptable in its approach to AI, ensuring timely and informed decisions regarding its implementation. This will allow for adjustments to strategies and practices in response to evolving technologies, budgetary constraints, risks, and the changing needs of users.

Training and Development

The Judiciary will promote the responsible adoption and use of AI in the courts by providing judicial officers, staff, and others with the necessary knowledge and skills for understanding, evaluating, and utilizing AI.

Ethics

The Judiciary's use of AI will align with the requirements outlined in the Employee Code of Ethics (HR09-1), Code of Judicial Conduct (UCJA Chapter 12), and/or other applicable ethics codes.

JUDICIAL COUNCIL POLICY ON THE USE OF GENERATIVE AI
October 27th, 2025

These policies set forth the only authorized use of generative artificial intelligence (AI) tools for court-related work or on court-owned devices. Generative AI creates new content, such as text or images, based on existing data.

AI tools have been known to produce outputs that appear legitimate but may be false or fabricated. They may also inadvertently promote stereotypes, reinforce prejudices, or exhibit unfair biases. As a result, judicial officers and court employees should recognize the limitations of AI and may not rely solely on AI-generated content.

POLICIES

1) **You are responsible:** Judicial officers and court employees are responsible for their known use of AI in their work. This includes obtaining sufficient training and understanding the limitations and risks of using AI. AI may assist with certain tasks, but it does not replace human judgment. The person using the tool is fully responsible for the final work product and any decisions or actions taken based on AI-generated content.

2) **You may only use approved or provided tools:** Judicial officers and court employees may only use approved or provided tools for court-related work or on court-owned devices.

    a) The State Court Administrator, in consultation with the Information Technology Department (IT) and the General Counsel's Office, will maintain a list of approved tools on the court's intranet.

    b) This does not apply to commonly used AI tools that assist with routine tasks such as internet search engines, spellcheck, or grammar check.

    c) Court-approved and provided AI tools can be found at: https://intranet.utcourts.gov/about/research/ai.html/

3) **You must complete the required training:** Judicial officers and court employees must complete the required training courses posted on LMS or the AI Resource page. Following the initial training, Judicial officers and court employees who use AI are encouraged to complete ongoing education on AI.

4) **You must get approval from the judicial officer**: Employees must notify and get approval from the judicial officer if they use AI to prepare work or complete a task at the direction of the judicial officer.

5) **Court-Approved AI Tools:** Public tools that are authorized for use but not purchased or managed by IT.
    a) Restrictions:
        i) Do not disclose non-public information, personally-identifying information, court

records, court data, or any details that could identify specific cases or involved individuals.

ii) Do not share documents filed or submitted for filing, even if classified as public.

b) Allowed Purposes (if in compliance with restrictions under 5(a)):

- preparing educational materials;
- conducting legal research;
- drafting documents;
- creating surveys;
- testing readability and comprehension of public documents (e.g., accessibility for self-represented litigants);
- writing instructions for using new software (e.g., Adobe Captivate), devices, or applications; and
- taking administrative meeting minutes.

6) **Court-Provided AI Tools:** Non-public tools that are purchased, configured, and distributed by IT.

a) Allowed Purposes:

i) purposes listed under 5(b) without the restrictions in paragraph 5(a)

b) Access Restrictions: Access is strictly limited to employees and judicial officers whose official duties require handling sensitive or non-public information.

7) **You must comply with legal and ethical obligations:** When using AI, judicial officers and court employees must comply with all relevant laws, legal standards, court policies, and ethical and professional conduct rules.

Tab 11

Administrative Office of the Courts

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

October 14, 2025

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

MEMORANDUM

TO: **Management Committee / Judicial Council**

FROM: **Keisa Williams**

RE: **Rules for Final Approval**

Proposed amendments to Code of Judicial Administration (CJA) rules 3-201, 3-413, and 3-407 are back from a 45-day public comment period. No public comments were received. The Policy, Planning, and Technology Committee (PP&T) recommends that the rules be adopted as final with a ***November 1, 2025 effective date***.

CJA 3-201. Court commissioners (AMEND)
The amendments authorize the Management Committee to approve court commissioner selections.

CJA 3-413. Judicial library resources (AMEND)
The 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.

CJA 3-407. Accounting (AMEND)
The Board of Justice Court Judges voted to adopt the Court's Accounting Manual as the standard for all justice courts. The amendments: 1) broaden the scope of the manual to include justice courts; 2) add two members of the Justice Court Education Committee to the Accounting Manual Review Committee; and 3) make non-substantive formatting changes.

PP&T also recommends that CJA Rule 4-906 be approved on an expedited basis with an ***October 27, 2025 effective date***, followed by a 45-day public comment period.

CJA 4-906. Guardian ad litem program (AMEND)
The proposed amendments: 1) change annual reporting from August to October in (3)(I) to allow the director and chair to report on legislative grants and requests more accurately; 2) increase compensation for conflict guardians ad litem in (6)(D) to attract experienced attorneys to handle conflict cases; and 3) make grammatical and stylistic changes.

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

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

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

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

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

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

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

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

(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.

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

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

Rule 3-413. Judicial lLibrary rResources.

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~~S~~ection 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 Oo~~ffice of the courts~~.** The Aa~~dministrative 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

Rule 3-407. Accounting.

Intent:

To establish uniform procedures for the processing, tracking, and reporting of accounts receivable and trust accounts.

Applicability:

This rule applies to the judiciary.

Statement of the Rule:

(1) Manual of procedures.

(1)(A) **Manual of procedures**. The ~~a~~Administrative ~~o~~Office ~~shall~~ will develop a manual of procedures (~~"~~Utah Judiciary Accounting Manual~~"~~) to govern all accounting matters, including accounts receivable, accounts payable, trust accounts, cash receipts, ~~the audit thereof, and~~ disbursements, separation ~~the audit~~ of duties, and all relevant ~~administrative~~ procedures needed to comply ~~generally. The procedures shall be in conformity~~ with generally accepted accounting principles (GAAP) and generally accepted auditing standards (GAAS). ~~of budgeting and accounting and shall, at a minimum, conform to the requirements of this Code and state law.~~ The Utah Judiciary Accounting Manual will apply to personnel in Courts of Record and Courts not of Record, and will, at a minimum, conform to the requirements of this Code and state law. Unless otherwise directed by the ~~Judicial~~ Council, the Utah Judiciary Accounting Manual ~~and amendments to it shall~~ will be approved by ~~the~~ a majority vote of the Budget and Fiscal Management Committee ~~("BFMC") following the procedures in (1)(D)~~.

(1)(B) **Utah Judiciary Accounting Manual Review Committee**. There is established a Utah Judiciary ~~an~~ Aaccounting Mmanual Rreview Ccommittee (Accounting Committee) responsible for making and reviewing proposals to promulgate, ~~for~~ repeal, and amend~~ing~~ accounting policies and procedures ~~and proposals for promulgating new and amended accounting policies and procedures~~. The Accounting Ccommittee ~~shall~~ will consist of the following ~~minimum~~ membership:

(1)(B)(i) the finance director ~~of the AOC finance department~~, who ~~shall~~ will serve as chair ~~and shall vote only in the event of a tie~~;

(1)(B)(ii) four support services coordinators ~~who will serve a three-year term, and may repeat~~;

(1)(B)(iii) two accountants or clerks with accounting responsibilities from each of the trial Ccourts of Rrecord ~~who will serve a three-year term, and may repeat~~;

(1)(B)(iv) a ~~trial~~ Ccourt Eexecutive ~~who will serve a three-year term~~;

(1)(B)(v) a court clerk ~~of court who will serve a three-year term~~;

(1)(B)(vi) a clerk with accounting responsibilities from an appellate court ~~who will serve a three-year term, and may repeat~~;

(1)(B)(vii)~~i~~ two members of the Justice Court Education Committee (JCEC);

(1)(B)(viii) the audit director or designee~~, who shall not vote~~; and

(1)(B)(ix~~viii~~) the director of the ~~state~~ Utah D~~d~~ivision of F~~f~~inance or designee~~, who shall not vote~~.

(1)(C) **Member appointments.** The JCEC members will be appointed by the Board of Justice Court Judges. Unless designated by office, all other members of the Accounting C~~c~~ommittee ~~shall~~ will be appointed by the state court administrator, or designee. The ~~AOC department of~~ finance department ~~shall~~ will provide necessary support to the committee.

(1)(D) **Terms and voting.** Accounting Committee members not designated by office will serve three-year terms. Additional terms must be approved by the state court administrator, or designee. The finance director will vote only in the event of a tie. The audit director and the director of the Utah Division of Finance are nonvoting members.

(1)(E~~D~~) ~~**Trial**~~ **Court e~~E~~xecutives and court c~~C~~lerks ~~of Court Review~~.** New and amended policies and procedures recommended by a~~the~~ majority vote of the A~~a~~ccounting ~~manual review c~~Committee ~~shall~~ will be reviewed and approved by the ~~trial~~ C~~c~~ourt E~~e~~xecutives and court clerks ~~of court~~ of all C~~c~~ourts of R~~r~~ecord and the JCEC. The ~~trial c~~Court E~~e~~xecutives, ~~and~~ court clerks ~~of court~~, and JCEC may endorse or amend the draft policies and procedures or return them ~~draft policies and procedures~~ to the Accounting ~~c~~Committee for further consideration.

Once approved by the ~~trial c~~Court E~~e~~xecutives, ~~and~~ court clerks, and the JCEC, the new and amended policies and procedures will be submitted to the Budget and Fiscal Management Committee for approval ~~as noted in (1)(A)~~.

(2) Revenue accounts.

(2)(A) **Deposits~~,~~; transfers~~,~~; and withdrawals.** All courts ~~shall~~ will make deposits with a depository ~~determined~~ deemed qualified by the A~~a~~dministrative O~~o~~ffice, ~~or make deposits directly~~ with the Utah State Treasurer, or with the treasurer of the appropriate local government entity. The Supreme Court, Court of Appeals, State Law Library, A~~a~~dministrative O~~o~~ffice, district court primary locations, and juvenile courts ~~shall~~ will deposit ~~daily~~ every business day~~,~~ whenever practicable, but at least~~but not less than~~ once every three business days. The deposit ~~shall~~ will consist of all court collections ~~of state money~~. District court contract sites and justice courts having funds due to the state

or any political subdivision of the state ~~shall~~will, on or before the 10th day of each month, remit~~deposit~~ all funds receipted ~~by them~~ in the preceding month to~~in a qualified depository with~~ the appropriate public treasurer. The courts ~~shall~~ will make no withdrawals from depository accounts.

(2)(B) **Periodic revenue report.** Under the supervision of the C~~c~~ourt E~~e~~xecutive, the court clerk ~~of the court~~ or designee ~~shall~~ will prepare and submit a revenue report that identifies the amount and source of the funds received during the reporting period and the state or local government entity entitled to the funds.

(2)(B)(i) Juvenile courts and primary locations of the district courts ~~shall~~ will submit the report weekly to the A~~a~~dministrative O~~e~~ffice.

(2)(B)(ii) District court contract sites ~~shall~~ will submit the report at least monthly, together with a check for the state portion of revenue, to the ~~a~~Administrative O~~e~~ffice.

(2)(B)(iii) Justice courts ~~shall~~ will submit the report monthly, together with a check for the state revenue collected, to the Utah State Treasurer.

(2)(C) **Monthly reconciliation of bank statements.** The A~~a~~dministrative O~~e~~ffice ~~shall~~ will reconcile the revenue account upon receipt of the monthly bank statements and weekly revenue reports from the district and juvenile courts. ~~and the monthly bank statements~~ The justice court administrator or designee will reconcile the monthly bank statements for justice courts with a revenue bank account. For all other justice courts, the local government will reconcile the bank statements to the general ledger.

(3) Trust accounts.

(3)(A) **Definition.** Trust accounts are accounts established by the courts for the benefit of third parties. Examples of funds which are held in trust accounts include restitution, attorney fees, and monetary bail amounts.

(3)(B) **Accounts required; duties of a fiduciary.** District court primary locations and juvenile courts ~~shall~~ will maintain a trust account in which to deposit monies held in trust for the benefit of the trustor or some other beneficiary. Under the supervision of the C~~c~~ourt E~~e~~xecutive, the court clerk ~~of the court shall~~ will be the custodian of the account and ~~shall~~ will have the duties of a trustee as established by law. All ~~other c~~Courts ~~of record and~~ not of R~~r~~ecord may maintain a trust account in accordance with the provisions of this rule. Justice courts may deposit trust funds through the local government into a revenue or trust bank account. Justice courts may also deposit trust funds directly into a trust bank account maintained by the court.

(3)(C) **Monthly reconciliation of bank statements.** Each court ~~shall~~ will reconcile its ledgers upon receipt of the monthly bank statement. ~~and submit the reconciliation to the administrative office.~~

(3)(C)(i) **Courts of Record.** Courts of Record will submit reconciliations to the Administrative Office.

(3)(C)(ii) **Courts not of Record.** Justice courts that deposit trust funds into a court trust bank account will submit reconciliations to a person in the local jurisdiction who is independent of court operations. For justice courts depositing trust funds with the local government treasurer, the local government will reconcile monthly bank statements to the general ledger and CORIS trust account reports.

(3)(D) **Accounting to trustor.** C~~The c~~ourts ~~shall~~ will establish a method of accounting that will trace the debits and credits attributable to each trustor.

(3)(E) **Monetary b~~B~~ail forfeitures and~~;~~ other withdrawals.** Transfers from trust accounts to a revenue account may be made upon an order of forfeiture of monetary bail or other order of the court. Other withdrawals from trust accounts ~~shall~~ will be made upon the order of the court after a finding of entitlement.

(3)(F) **Interest bearing.** All trust accounts ~~shall~~ will be interest bearing. The disposition of interest ~~shall be~~is governed by Rule 4-301.

~~(4) **Compliance.** The administrative office and the courts shall comply with state law and the Accounting Manual.~~

Effective: ~~3/11/2022~~November 1, 2025

Rule 4-906. Guardian ad litem program.

Intent:

To establish:

(1) the responsibilities of the Guardian ad Litem Oversight Committee ("Committee") ~~established in Rule 1-205~~;.

(2) ~~To establish~~ the policies~~y~~ and procedures for the management of the guardian ad litem ("GAL") program;.

~~To establish responsibility for management of the program.~~

(3) ~~To establish~~ the policies~~y~~ and procedures for the selection of ~~guardians ad litem~~GALs;.

(4) ~~To establish~~ the policies~~y~~ and procedures for payment for ~~guardian ad litem~~GAL services; and.

(5) ~~To establish~~ the policies~~y~~ and procedures for complaints regarding ~~guardians ad litem~~GALs and volunteers.

Applicability:

This rule applies~~shall apply~~ to the management of the ~~guardian ad litem~~GAL program.

This rule does not affect the authority of the Utah State Bar to discipline a ~~guardian ad litem~~GAL.

Statement of the Rule:

(1) **Guardian ad Litem Oversight Committee.** The Committee will~~shall~~:

(1)(A) develop and monitor policies of the Office of Guardian ad Litem ("Office") to:

(1)(A)(i) ensure the independent and professional representation of a child-client and the child's best interest; and

(1)(A)(ii) ensure compliance with federal and state statutes, rules, and case law;

(1)(B) recommend rules of administration and procedure to the ~~Judicial~~ Council and Supreme Court;

(1)(C) select the Director of the Office ~~of Guardian ad Litem~~ ("Director") in consultation with the ~~State Court~~ Administrative Office~~or~~;

(1)(D) develop a performance plan for the Director;

(1)(E) monitor the Office's caseload and recommend to the ~~Judicial~~ Council adequate staffing of ~~guardians ad litem~~ GALs and staff;

(1)(F) develop standards and procedures for hearing and deciding complaints and appeals of complaints; and

(1)(G) hear and decide complaints and appeals of complaints as provided in this rule.

(2) **Qualifications of the Dd~~d~~irector.** The Director willshall have the qualifications provided in~~by~~ the Utah Code.

(3) **Responsibilities of the Dd~~d~~irector.** In addition to responsibilities under the Utah Code, the Director willshall have the following responsibilities:~~.~~

(3)(A) m~~M~~anage the Office ~~of Guardian ad Litem~~ to ensure that minors who have been appointed a ~~guardian ad litem~~GAL by the court receive qualified ~~guardian ad litem~~ GAL services;~~.~~

(3)(B) d~~D~~evelop the budget appropriation request to the legislature for the ~~guardian ad litem~~GAL program;~~.~~

(3)(C) c~~C~~oordinate the appointments of ~~guardians ad litem~~GALs among different levels of courts;~~.~~

(3)(D) m~~M~~onitor the services of the ~~guardians ad litem~~GALs, staff, and volunteers by regularly consulting with users and observers of ~~guardian ad litem~~GAL services, including judges, court executives and clerks, and by requiring the submission of appropriate written reports from the ~~guardians ad litem~~GAL;~~.~~

(3)(E) ~~Determine whether the guardian ad litem caseload in Judicial Districts 1, 5, 6, 7, and 8 is best managed by full or part time employment or by contract.~~monitor attorney GAL caseloads to ensure compliance with standards established by the American Bar Association;

(3)(F) s~~S~~elect ~~guardians ad litem~~GALs and staff for employment as provided in this rule,~~.~~ s~~S~~elect volunteers, and~~.~~ c~~C~~oordinate appointment of conflict counsel;~~.~~

(3)(G) s~~S~~upervise, evaluate, and discipline ~~guardians ad litem~~GALs and staff employed by the courts and volunteers;~~.~~

(3)(H) s~~S~~upervise and evaluate the quality of service provided by ~~guardians ad litem~~GALs under contract with the court;~~.~~

(3)(I~~H~~) m~~M~~onitor and report to the Committee ~~guardian ad litem~~GAL, staff, and volunteer compliance with federal and state statutes, rules, and case law; and~~.~~

(3)(J~~I~~) p~~P~~repare and submit to the Committee in October~~August~~ an annual report regarding the development, policy, and management of the ~~guardian ad litem~~GAL program and the training and evaluation of ~~guardians ad litem~~GALs, staff, and volunteers. The Committee may amend the report prior to release to the Legislative Interim Human Services Committee.

(4) **Qualification and responsibilities of ~~guardian ad litem~~GALs.** A ~~guardian ad litem~~GAL will ~~shall~~ be admitted to the practice of law in Utah and willshall demonstrate experience and interest in the applicable law and procedures. The ~~guardian ad litem~~GAL willshall have the responsibilities established in~~by~~ the Utah Code.

(5) **Selection of ~~guardian ad litem~~GAL for employment.**

(5)(A) A ~~guardian ad litem~~GAL employed by the Administrative Office ~~of the Courts~~ is an at-will employee subject to dismissal by the Director with or without cause.

(5)(B) A ~~guardian ad litem~~GAL employed by the Administrative Office ~~of the Courts~~ willshall be selected by the Director. Prior to the Director's ~~making a~~ selection, a panel

will ~~shall~~ interview applicants and make hiring recommendations to the Director. The interview panel will~~shall~~ consist of the Director (or Director's designee) and two or more of the following persons:

(5)(B)(i) the managing attorney of the local ~~guardian ad litem~~GAL office;

(5)(B)(ii) the ~~trial~~ C~~c~~ourt E~~e~~xecutive of the district court or juvenile court;

(5)(B)(iii) a member of the Committee;

(5)(B)(iv) a member of the Utah State Bar Association selected by the Director; or

(5)(B)(v) a member selected by the Director.

(6) **Conflicts of interest and disqualification of ~~guardian ad litem~~GAL.**

(6)(A) In cases where a ~~guardian ad litem~~GAL has a conflict of interest, the ~~guardian ad litem~~GAL will ~~shall~~ declare the conflict and request that the court appoint a conflict ~~guardian ad litem~~GAL in the matter. Any party who perceives a conflict of interest may file a motion with the court setting forth the nature of the conflict and a request that the ~~guardian ad litem~~GAL be disqualified from further service in that case. Upon a finding that a conflict of interest exists, the court will~~shall~~ relieve the ~~guardian ad litem~~GAL from further duties in that case and appoint a conflict ~~guardian ad litem~~GAL.

(6)(B) The Administrative Office ~~of the Courts~~ may contract with attorneys to provide conflict ~~guardian ad litem~~GAL services.

(6)(C) If the conflict ~~guardian ad litem~~GAL is arranged on a case-by-case basis, the c~~C~~ourt will~~shall~~ use the order form approved by the Council. The o~~O~~rder will~~shall~~ include a list of the duties of a ~~guardian ad litem~~GAL. The court will~~shall~~ ~~distribute~~ file the original o~~O~~rder ~~as follows: original~~ into the case ~~file~~ and will distribute one copy each to: the appointed conflict ~~guardian ad litem~~GAL;~~,~~ the ~~guardian ad litem~~GAL;~~,~~ all parties of record;~~,~~ the parents, guardians or custodians of the child(ren);~~,~~ the C~~c~~ourt E~~e~~xecutive; and the Director.

(6)(D) A conflict ~~guardian ad litem's~~GAL's compensation will~~shall~~ not exceed $100~~50~~ per hour or $3,000~~1000~~ per case in any ~~twelve month~~twelve-month period, whichever is less. The per case compensation limit includes incidental expenses incurred in the case. Under extraordinary circumstances, the Director may ~~extend~~ increase the ~~payment~~ compensation limit upon request from the conflict ~~guardian ad litem~~GAL. The request will~~shall~~ include justification showing that the case required work of much greater complexity than, or time far in excess of, that required in most ~~guardian ad litem~~GAL assignments. ~~Incidental expenses incurred in the case will~~shall be included within the ~~limit.~~ If a case is appealed, ~~the limit shall be extended by an additional $400~~compensation will be as set forth above.

(7) **Staff and v~~V~~olunteers.**

(7)(A) The Director will~~shall~~ develop a strong volunteer component to the ~~guardian ad litem~~GAL program and provide support for volunteer solicitation, screening, and training. Staff and volunteers will~~shall~~ have the responsibilities established in~~by~~ the Utah Code.

(7)(B) Training for staff and volunteers will~~shall~~ be conducted under the supervision of the attorney ~~guardian ad litem~~GAL with administrative support provided by the Director. Staff and volunteers will~~shall~~ receive training in the areas of child abuse, child

psychology, juvenile and district court procedures, and local child welfare agency procedures. Staff and volunteers willshall be trained in the guidelines established by the National Court Appointed Special Advocate Association.

(8) **Private guardians ad litem ("PGALs").**

(8)(A) **List.** The Director willshall maintain a list of private attorney guardians ad litemPGALs qualified for appointment.

(8)(B) **Application.** To be included on the list of eligible private attorney guardians ad litemPGALs, an applicants shall must apply for eligible private attorney guardian statussubmit a written application to the Utah Office of Guardian ad Litem and:

(8)(B)(i) show membershipbe a member in good standing in the Utah State Bar;

(8)(B)(ii) provide a Bureau of Criminal Identification criminal history report;

(8)(B)(iii) provide a Utah Division of Child and Family Services cChild aAbuse dDatab Base report (and like similar information from any state in which the applicant has resided as an adult);

(8)(B)(iv) provide a certificate of completion for any initial or additional necessary training requirements established by the Director;

(8)(B)(v) agree to perform in a competent, professional, proficient, ethical, and appropriate manner;

(8)(B)(vi) and to meet any minimum qualifications as determined by the Director; and

(8)(B)(vii) agree to be evaluated at the discretion of the Director for competent, professional, proficient, ethical, appropriate conduct, and/or performance, and minimum qualifications.

(8)(C) **Appointment.** Upon the appointment by the court of a private guardian ad litemPGAL, the court willshall:

(8)(C)(i) use the following language in its order: "The Court appoints a private attorney guardian ad litem to be assigned by the Office of Guardian ad Litem, to represent the best interests of the minor child(ren) in this matter.";

(8)(C)(ii) designate in the order whether the private attorney PGAL guardian ad litem willshall:

(8)(C)(ii)(a) be paid the set fee, as established by paragraph (8)(F), and an initial retainer;

(8)(C)(ii)(b) not be paid and serve pro bono; or

(8)(C)(ii)(c) be paid at a rate less than the set fee in paragraph (8)(F); and

(8)(C)(iii) send the order to the Director c/o the Private Attorney Guardian ad Litem Program.

(8)(D) **Assignment.** Upon receipt of the court's order appointing a private guardian ad litemPGAL, the Director willshall contact and assign the case to an eligible attorney, if available.

(8)(E) **Notice of appearance and representation.** Upon accepting the court's appointment, the assigned attorney willshall file a notice of appearance with the court within five business days of acceptance, and willshall thereafter represent the best interests of the minor(s) until released by the court.

(8)(F) **Fees.** The hourly fee to be paid by the parties and to be ordered and apportioned by the court against the parties willshall be $150.00 per hour or at a higher rate as determined reasonable by the court. The retainer amount willshall be $1,000 or a different amount determined reasonable by the court. The retainer amount willshall be apportioned by the court among the parties and paid by the parties.

(8)(G) **Education.** Each year, private attorneys guardian ad litemPGALs mustshall complete three hours of continuing legal education (CLE) credits that are relevant to the role and duties of a private attorney guardian ad litemPGAL. To meet this requirement, the Office of Guardian ad Litem willshall provide training opportunities that are accredited by the Utah State Bar Board of Mandatory Continuing Legal Education. In order to provide access to all private attorney guardians ad litemPGALs, the Office of Guardian ad Litem shawillll provide multiple trainings at locations throughout the State or online.

(8)(H) **Removal.**

(8)(H)(i) A private attorney guardian ad litemPGAL who fails to complete the required number of CLE hours willshall be notified that unless all requirements are completed and reported within 30 days, the Director may remove the private attorney guardian ad litemPGAL from the list of eligible private attorney guardians ad litemPGALs.

(8)(H)(ii) The Director may remove with or without a complaint a PGAL from the list of eligible PGALs for failure to perform or conduct themselves in a competent, professional, proficient, ethical, or appropriate manner, or for failure to meet minimum qualifications, including the annual CLE requirement. Within a reasonable time after the removal, and in the event the PGAL has not yet been released by the court in a pending case, the Director will provide written notice to the court of the Director's action, and the court may, in its discretion, determine whether the PGAL should be released from the case.

(9) **Complaints and appeals.**

(9)(A) **Complaints against Director or administrative policies.** (9)(A)(i) Any person may file Complaints against the Director or an administrative policy or procedure must be submitted towith the chair of the Committee. Complaints submitted to the Director's office must be sent to the Committee chair within a reasonable period of time, but not more than 14 days after receipt. a complaint regarding the Director, or regarding an administrative policy or procedure, not including complaints regarding a particular guardian ad litem, private guardian ad litem, or volunteer. If deemed necessary, the Committee may enter a recommendation to the Judicial Council, which may include discipline of that the Director be disciplined.

(9)(A)(ii) If a complaint regarding the Director or an administrative policy or procedure is received in the Director's office, the Director shall forward the complaint to the chair of the Committee within a reasonable time, but not more than 14 days after receipt.

(9)(B) **Complaints against GALs or volunteers.**

(9)(B)(i) ~~Any person may file with the Director a c~~Complaints against ~~regarding~~ a ~~guardian ad litem~~GAL employed by the Office ~~of Guardian ad Litem~~, a ~~private attorney guardian ad litem~~PGAL, or a volunteer, as defined in~~by~~ Utah Code~~A~~ section 78A-6-~~902(4)(a)~~207, must be submitted to the Director. The decision of the Director regarding the complaint is final and not subject to appeal.

(9)(B~~C~~)(ii) If a ~~guardian ad litem~~GAL and a volunteer disagree on the major decisions involved in representation of the client, either may notify the Director that the dispute cannot be resolved. The decision of the Director regarding the dispute is final and not subject to appeal.

(9)(B~~D~~)(iii) The failure of the Director to satisfactorily resolve a complaint against a ~~guardian ad litem~~GAL, ~~private attorney guardian ad litem~~PGAL, or volunteer is not grounds for a complaint against the Director.

~~(9)(E) The Director may remove with or without a complaint a private attorney guardian ad litem from the list of eligible private guardians ad litem for failure to perform or conduct themselves in a competent, professional, proficient, ethical and/or appropriate manner or for failure to meet minimum qualifications, including the annual continuing legal education requirement. Within a reasonable time after the removal, and in the event the private attorney guardian ad litem has not yet been released by the court in a pending case, the Director shall provide written notice to such court of the Director's action, and the court may, in its discretion, determine whether the private attorney guardian ad litem should be released from the case.~~

(9)(C~~F~~)~~(i)~~ **Complaint submission.** A complaint ~~shall~~ must be in writing~~,~~ and include:

(9)(C)(i) ~~stating~~ the name and contact information of the complainant~~;~~,

(9)(C)(ii) the name of the child~~(ren)~~ ~~or children~~ involved~~;~~, and

(9)(C)(iii) the facts upon which the complaint is based in sufficient detail to inform the Committee or the Director of the nature and date of the alleged misconduct. ~~the nature of the complaint and the facts upon which the complaint is based.~~

(9)(D~~F~~)~~(ii)~~ **Investigation.** In resolving a complaint, the Director or ~~the~~ Committee will~~shall~~ conduct ~~such~~ an investigation as determined by the Director or ~~the~~ Committee ~~determines~~ to be reasonable. The Director or ~~the~~ Committee may meet separately or together with the complainant and the person against whom the complaint is filed.

(9)(E~~F~~)~~(iii)~~ **Decision.** The decision of the Director may include discipline of the person against whom the complaint is filed. If the complaint is against a ~~private guardian ad litem~~PGAL, the decision may include removal of the ~~private guardian ad litem~~PGAL from the list of ~~private guardians ad litem~~PGALs and the conditions for reinstatement.

(9)(F~~G~~) **Applicability.** ~~This subsection~~Paragraph (9) does not apply to conflict ~~guardians ad litem~~GALs.

Effective: ~~11/1/2014~~November 1, 2025

Tab 12

Administrative Office of the Courts

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

October 14, 2025

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

MEMORANDUM

TO: **Management Committee / Judicial Council**

FROM: **Keisa Williams**

RE: **Rules for Public Comment**

The Policy, Planning, and Technology Committee recommends that CJA rules 3-109 and 4-202.10 be approved for a 45-day public comment period.

CJA 3-109. Ethics Advisory Committee (AMEND)
The proposed amendments: 1) clarify the process by which ethics advisory opinions are requested and issued; and 2) make non-substantive formatting changes.

CJA 4-202.10. Record sharing (AMEND)
The proposed amendments add the Office of Professional Conduct to the list of entites authorized to access nonpublic juvenile court records.

Rule 3-109. Ethics Advisory Committee.

Intent:

To establish the Ethics Advisory Committee ("Committee") as a resource for judges to request advice on the interpretation and application of the Code of Judicial Conduct.

To establish a process for recording and disseminating opinions on judicial ethics.

Applicability:

This rule shall applyapplies to the Judiciary. all employees of the judicial branch of government who are subject to the Code of Judicial Conduct.

Statement of the Rule:

(1) **Duties.**

(1)(A) **Written opinions.** The Ethics Advisory Committee is responsible for providing opinions on the interpretation and application of the Code of Judicial Conduct to specific factual situations. The Committee will, in appropriate cases, prepare and publish written opinions concerning the ethical propriety of professional or personal conduct when requested to do so by the Council, the Boards, the Judicial Conduct Commission, judicial officers, court employees, judges pro tempore, or candidates for judicial office. The committee may interpret statutes, rules, and caselaw when necessary to answer a request for an opinion.

(1)(B) **Code of Judicial Conduct.** The Committee may, on its own initiate or upon the request of the Council, Boards, Judicial Conduct Commission, judicial officers, or court employees, propose amendments to the Code of Judicial Conduct and submit recommendations to the Supreme Court for consideration.

(2) The Administrative Office shall provide staff support through the Office of General Counsel and shall distribute opinions in accordance with this rule.

(23) **Duties of the committeeEthics advisory opinions.**

(3)(A) **Preparation of opinions.**

(2)(A) **Formal and informal.** As used in these rules, the term "informal opinion" refers to an opinion that has been prepared and released by the Committee. The term "formal opinion" refers to an opinion that has been approved and released by the Council. "Formal opinions" will usually be reserved for situations of substantial and general interest to the public or the Judiciary.

(3)(A)(i) The Ethics Advisory Committee shall, in appropriate cases, prepare and publish written opinions concerning the ethical propriety of professional or personal conduct when requested to do so by the Judicial Council, the Boards of Judges, the Judicial Conduct Commission, judicial officers and employees, judges pro tempore or candidates

~~for judicial office. The Committee may interpret statutes, rules, and case law as may be necessary to answer a request for an opinion.~~

(2~~3~~)(B~~A~~)~~(ii)~~ **Conduct of others.** The Committee ~~shall~~ will respond to an inquiry into the conduct of others only if:

(2~~3~~)(B~~A~~)(i~~i~~)~~(a)~~ the inquiry is made by the ~~Judicial~~ Council, a Board ~~of Judges~~, or the Judicial Conduct Commission; and

(2~~3~~)(B~~A~~)(ii)~~(b)~~ the inquiry is limited to matters of general interest to the judiciary or a particular court level.

(2~~3~~)(C~~A~~)~~(iii)~~ **Past conduct.** The Committee will~~shall~~ not answer requests for legal opinions or inquiries concerning conduct that has already taken place, unless it is of an ongoing nature.

~~(3)(B) The Committee may receive proposals from the Judicial Council, the Boards of Judges, the Judicial Conduct Commission, and judicial officers and employees or initiate its own proposals for necessary or advisable changes in the Code of Judicial Conduct and shall submit appropriate recommendations to the Supreme Court for consideration.~~

(2~~4~~)(D) **Request s~~S~~ubmission ~~of requests~~.**

~~(4)(A)~~ Requests for advisory opinions ~~shall~~ must be ~~in writing~~ addressed to the ~~Chair of the~~ Committee~~,~~ submitted to~~through~~ the Office of General Counsel ("General Counsel") in writing, and ~~, and shall~~ include ~~the following~~:

(2~~4~~)(D~~A~~)(i) a~~A~~ brief statement of the contemplated conduct;~~.~~

(2~~4~~)(D~~A~~)(ii) r~~R~~eferences to ~~the~~ relevant section~~(s)~~ of the Code of Judicial Conduct;~~.~~ and

(2~~4~~)(D~~A~~)(iii) c~~C~~itations to any relevant ethics opinions or other authority, if known.

~~(4)(B) The request for an opinion and the identity of the requesting party is confidential unless waived in writing by the requesting party.~~

(3~~5~~) **Committee review and publication of informal opinion. ~~nsideration of requests.~~**

~~(5)(A) As used in these rules, the term "informal opinion" refers to an opinion that has been prepared and released by the Committee. The term "formal opinion" refers to an opinion that has been considered and released by the Judicial Council. "Formal opinions" will usually be reserved for situations of substantial and general interest to the public or the judiciary.~~

(3~~5~~)(A~~B~~) **Preliminary recommendation.** Upon receipt of a request for an advisory opinion, the General Counsel will~~shall~~ research the issue and prepare a preliminary recommendation for the Committee's consideration. The opinion request, preliminary recommendation, and supporting authorities ~~shall~~ must be distributed to ~~the~~ Committee members within 21 days of receipt of the request.

(3~~5~~)(B~~C~~) **Committee comments.** ~~The~~ Committee members ~~shall~~ will review the request and recommendation and submit comments to the General Counsel within 14 days of ~~their~~ receipt of the request and preliminary recommendation.

(3~~5~~)(C~~D~~) **Final review.** General Counsel will~~shall~~ review the comments submitted by ~~the~~ c~~C~~ommittee members and, within 14 days of receipt of the comments, prepare a responsive informal opinion in writing which ~~shall~~ will be distributed to the Committee ~~members~~ for approval.

(3~~5~~)(D~~E~~) **Majority vote.** A majority vote of ~~the~~ Committee members is required for issuance of an informal opinion. ~~-~~Alternatively, the Committee may by majority vote refer the request to the Council without issuing an informal opinion. The vote~~and~~ may be obtained by electronic means or, upon the request of a Committee member, the c~~C~~hair may continue the vote until the next meeting of the Committee.

(3~~5~~)(E~~F~~) **Release to requester.** Informal opinions ~~shall~~ will be released to the requesting party within 60 days of receipt of the request unless the chair determines that additional time is needed for the committee members to deliberate and finalize the opinion or the matter is referred to the ~~Judicial~~ Council.

(3)(F) **Issuance.** Unless referred to the Council, the Committee will issue the informal opinion within 30 days of its release to the requester.

(3~~5~~)(G) **Expedited review.** Upon the written request of a party and for good cause, the c~~C~~ommittee may ~~issue a~~ respond~~se~~ to a request within a shorter period of time than provided for in these rules. The requesting party ~~has the responsibility of~~must establish~~ing~~ that the request is ~~of an emergency nature~~urgent and requires an abbreviated response time.

(4~~6~~) **Referral of informal opinion to ~~Judicial~~ Council.** The Council must consider a referral of an informal opinion made: (1) upon a majority vote from the Committee ~~Upon an affirmative vote of a majority of the Committee members~~or~~,~~ (2) a motion made by ~~of~~ the requesting party within 14 days of release of the ~~, or a motion by the Judicial Council, an opinion request~~ informal opinion ~~and Committee recommendation shall be referred to the Judicial Council for consideration~~. Within 60 days of receipt of the referral, the Council will~~shall~~ consider the ~~request and recommendation~~referral and take the following action:

(4~~6~~)(A) a~~A~~pprove or modify the informal opinion and direct the Committee to ~~release~~ issue the opinion, as initially drafted or modified, ~~to the requesting party~~ as an informal opinion of the Committee, or

(4~~6~~)(B) a~~A~~pprove or modify the opinion and ~~release~~ issue the opinion as a formal opinion of the Council.

(5~~7~~) **Reconsideration of formal and informal opinions.**

~~(7)(A)~~ Within 14 days of the issuance of an opinion, ~~the requesting party or~~ a Committee member may request reconsideration. Within 30 days of the issuance of an~~the~~ opinion, a Board

~~of Judges~~ or Council member may request reconsideration if they were ~~Board was~~ not the requesting party and the opinion addresses matters of general interest to the Jjudiciary or to a particular court level.

(5)(A) **Reconsideration request submission.** Requests for reconsideration of informal opinions must be made in the first instance to the Committee and then to the ~~Judicial~~ Council. Requests for reconsideration of formal opinions must~~shall~~ be made to the ~~Judicial~~ Council. Requests for reconsideration ~~shall~~ must be in writing, addressed to the c~~C~~hair of the Committee or the Presiding Officer of the Council, submitted to~~through~~ the General Counsel, and ~~shall~~ include the following:

(5~~7~~)(A)(i) a~~A~~ brief statement explaining the reasons for reconsideration; and~~.~~

(5~~7~~)(A)(ii) i~~I~~dentification of any new facts or authorities not previously submitted or considered.

(~~7~~5)(B) **Committee or Council action.** The Committee or Council ~~shall~~ will consider the request as soon as practicable and may take the following action:

(5~~7~~)(B)(i) a~~A~~pprove the request for reconsideration and modify the opinion;

(5~~7~~)(B)(ii) a~~A~~pprove the request for reconsideration and approve the opinion as originally ~~published~~issued; or

(5~~7~~)(B)(iii) d~~D~~eny the request.

(5~~7~~)(C) **Committee notice.** The c~~C~~ommittee ~~shall~~ will be kept advised of the status of any request to reconsider an opinion.

(6~~8~~) **Recusal.** Circumstances that require recusal of a judge ~~shall~~ will require recusal of a Committee member from participation in Committee action. If the chair is recused, a majority of the remaining members ~~shall~~ will select a chair pro tempore. If a member is recused, the chair may appoint a lawyer or a judge of the same court level and ~~if applicable the same~~ geographic division, if applicable, ~~or a lawyer~~ to assist the Committee with its deliberations. Preference should be given to former members of the Committee.

(7~~9~~) **Publication.** All opinions of the Committee and the ~~Judicial~~ Council ~~shall~~ will be numbered upon issuance~~,~~ and published in a format approved by the ~~Judicial~~ Council. ~~No published opinion rendered by the Committee or the Council shall identify the requesting party whose conduct is the subject of the opinion unless confidentiality of the requesting party is waived in writing.~~

(8) **Confidentiality.** The request for an opinion and the identity of the requesting party is confidential unless waived in writing by the requesting party.

(9~~10~~) **Legal effect.** Compliance with an informal opinion ~~shall~~ will be considered evidence of good faith compliance with the Code of Judicial Conduct. Formal opinions ~~shall~~ will constitute a binding interpretation of the Code of Judicial Conduct.

(10) **Staff support.** The Administrative Office will provide staff support through the Office of General Counsel and will distribute opinions in accordance with this rule.

Effective: ~~November 1, 2015~~May 1, 2026

Rule 4-202.10. Record sharing.

Intent:

To establish the authority and limits of sharing non-public records with governmental entities.

Applicability:

This rule applies to non-public court records.

Statement of the Rule:

(1) **GRAMA.** The court may share court records classified as other than public as provided in the Government Records Access and Management Act.

(2) **JCC and OPC.** The court may share records classified as other than public with the Judicial Conduct Commission ("JCC") and the Office of Professional Conduct ("OPC"), provided~~if the Commissionit is~~ the requester certifies in writing that:

(2~~1~~)(A) the record is necessary for investigating a complaint;

(2)(B) the need for the record outweighs the interests protected by closure;

(2~~3~~)(C) the JCC ~~Commission~~ will take the steps necessary to protect the interests favoring closure if the record is sent to the Supreme Court as part of the review of the ~~Commission's~~ JCC's order; ~~and~~

(2)(D) the OPC will take the steps necessary to protect the interests favoring closure if the record is sent to a committee proceeding, screening panel, district court, the Supreme Court, or any other court or disciplinary authority as part of an investigation or review of misconduct; and

(2~~54~~)(E) ~~the JCCCommission and OPC~~access to the record will be restricted ~~access to the record~~ to the same degree as the court.

Effective: ~~11/1/2005~~May 1, 2026

Tab 13

Administrative Office of the Courts

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

September 28, 2025

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

M E M O R A N D U M

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

FROM: **Pleasy Wayas, on behalf of the Committee on Court Forms**

RE: **Committee membership**

The Management Committee is asked to approve a new member to serve on the Committee on Court Forms, consistent with the composition requirements detailed in CJA 1-205(1)(B)(xi). Approval is sought, pursuant to CJA 1-205(3)(A)(i)(d), for the following individual as a new member of the committee:

- Ryan Holtan, as justice court judge

Additionally, the following individuals have agreed to serve for a second term. All three have regularly attended and participated in committee meetings. They have provided incredible service to the committee, and we greatly appreciate their willingness to continue as members of the committee.

- Brent Bartholomew, as juvenile court judge
- Bret Hayman, as appellate court staff attorney
- David Head, as representative from the Utah State Bar

Current membership of the Committee on Court Forms is detailed on the following page, with changes highlighted.

Name	Position	Comment
Hon. Chelsea Koch	District court judge and chair	
Hon. Meb Anderson	District court judge	
Hon. Michelle Blomquist	Court commissioner	
Hon. Brent Bartholomew	Juvenile court judge	2nd term
Hon. Ryan Holtan	Justice court judge	If approved
Guy Galli	Court clerk	
Bret Hayman	Appellate court staff attorney	2nd term
Janine Liebert	Self-Help Center representative	
Kaden Taylor	State Law Librarian	
Keri Sargent	District court administrator	
Stewart Ralphs	Rep from a legal serv org that serves low-inc. clients	
Amber Alleman	Paralegal	
Jacqueline Morrison	One educator from a paralegal program or law school	
LaReina Hingson	Person skilled in linguistics or communication	
David Head	Representative of Utah State Bar	2nd term
Jonathan Wayas	LPP administrator	

Tab 14

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

I am [ ] Petitioner [ ] Petitioner's Attorney (Utah Bar #:_____)

In the [ ] District [ ] Juvenile Court of Utah_____ Judicial District
_____ County

Court Address _____

In the Matter of the Adoption of _____ (name of person being adopted)	**Verified Petition to Adopt a Minor Child by a Relative** (Utah Code 81-13-101 to 501) _____ Case Number _____ Judge _____ Commissioner

1. My full name is (full name) :_____

   I was born in (city, state and country): _____

   [ ] The co-petitioner is my spouse. The co-petitioner's full name is: (full name):

   _____

   The co-petitioner was born in (city, state and country):

   _____

2. We are asking to adopt the child (the person being adopted) listed below:

(child's complete name)	

(child's date of birth)	
(childs's city and state of birth)	

3. I am related to (choose one):

[ ] the child.

[ ] the parent who has custody of the child,

_____ (custodial parent's name).

4. I am related to the person I marked in paragraph 4 above because I am their (choose one):

[ ] aunt or uncle

[ ] first cousin

[ ] grandparent

[ ] sibling

[ ] stepparent

5. Utah has jurisdiction in this case. (Utah Code 81-13-102).The case is filed in the right court because (Choose one.)

[ ] I am filing in a juvenile court. There is an open juvenile court case involving the child. This court has continuing jurisdiction.

OR

[ ] I am filing in a district court. There are no open juvenile court cases involving this child. And (Choose one).

[ ] I live in this judicial district.

OR

[ ] I do not live in Utah but (Choose all that apply.)

[ ] the child was born in this judicial district.

[ ] the child lives in this judicial district.

6. The adoption is in the best interests of the child because: (Explain how the adoption is best for the child's health, safety, welfare and moral climate.)

_____

_____

_____

_____

7. I am (choose one):

[ ] married.

[ ] single and a relative of the child.

8. I am (choose one):

[ ] at least 10 years older than the child.

[ ] not at least 10 years older than the child, but my spouse who is also adopting is at least 10 years older than the child

9. The child was born (choose one):

[ ] in Utah.

[ ] in a state other than Utah. The requirements of Utah Code 80-2-901 to 910Title, Interstate Compact on Placement of Children, have been complied with.

10. The child has lived with me in my home for at least 90 days.

11. The child is not an Indian child as defined in 25 U.S. Code, Section 1903.

12. The child is (choose one):

[ ] at least 16 years of age.

[ ] under 16 years of age and is considered a citizen or national of the United States by the United States Citizenship and Immigration Services.

[ ] under 16 years of age and is not considered a citizen or national of the United States by the United States Citizenship and Immigration Services. (Attach written evidence from the United States Citizenship and Immigration Services showing that the child was admitted into the United States for permanent residence, was admitted into the United States temporarily in one of the lawful nonimmigrant categories, or was legally paroled into the United States.)

13. The pre-placement and post-placement adoptive evaluations are (choose one):

[ ] being filed with this petition.

[ ] not required under Utah Code 81-13-403 and 404because:

- one of the child's current legal parents has legal custody of the child; and
- the petitioner is related to the child or the parent.

14. I have attached a criminal history investigation, based on fingerprint identification, from the Federal Bureau of Investigation, the Utah Bureau of Criminal Identification, or the Utah Department of Health and Human Services for: (choose all that apply)

[ ] myself

[ ] the co-petitioner

[ ] other adults living in our home: _____ (list names)

15. I have not been convicted of, pleaded guilty to, or pleaded no contest to a disqualifying offense under Utah Code 81-13-203.

[ ] The co-petitioner has not been convicted of, pleaded guilty to, or pleaded no contest to a disqualifying offense under Utah Code 81-13-203.

16. I have attached a report from the Division of Child and Family Services about whether there are any reports or investigations of child abuse, neglect, and dependency for: (choose all that apply)

[ ] myself

[ ] the co-petitioner

[ ] other adults living in our home: _____ (list names)

17. [ ] I have attached or will file a certificate of search of paternity registry and birth certificate registry from the Office of Vital Records and Statistics.

WAIVER OF RIGHTS – CONSENT REQUIRED

18. The child (choose one):

[ ] agrees to this adoption and waives notice. (File the agreement separately or at time of hearing.)

[ ] cannot agree because the child is less than 12 years old.

[ ] cannot agree because the child lacks the mental capacity to agree.

19. The child's mother: (Choose one.)

[ ] has died. (Attach a copy of the death certificate or other evidence of death.)

[ ] agrees to this adoption and waives her rights. (File the agreement separately or at time of hearing.)

[ ] has not agreed to this adoption and will be served with Notice of Petition to Adopt and Notice of Rights.

[ ] is not entitled to agree because her parental rights have been terminated. (Attach the order terminating parental rights.)

20. The child's father: (Choose one.)

[ ] has died. (Attach a copy of the death certificate or other evidence of death.)

[ ] has agreed to this adoption and waives his rights. (File the agreement separately or at time of hearing.)

[ ] has not agreed to this adoption and will be served with Notice of Petition to Adopt and Notice of Rights.

[ ] does not have any legal right to contest or agree because his parental rights have been terminated. (Attach the order terminating parental rights.)

[ ] does not have any legal right to contest or agree because the child was conceived as a result of a sexual offense by the father. Utah Code 81-13-201 and 207

[ ] does not have any legal right to contest or agree because (All must apply.):

- he has not fully and strictly complied with the requirements of Utah Code 81-13-213; and
- he has not been determined by a court to be the child's biological father before the mother agreed to the adoption or relinquished the child for adoption; and
- he did not sign and file a voluntary declaration of paternity with the state registrar of vital statistics before the mother agreed to the adoption or relinquished the child for adoption.

21. [ ] The petitioner's spouse: (Choose one.)

[ ] has agreed to this adoption and waives their rights. (File the agreement separately or at time of hearing.)

[ ] is a co-petitioner asking to adopt the child.

] has not agreed to this adoption and will be served with Notice of Petition to Adopt and Notice of Rights.

CHILD'S GUARDIAN

22. The child(choose one):

[ ] does not have a guardian.

[ ] has guardians and the guardians (choose one):

[ ] are the petitioners.

[ ] have authority to agree, have agreed to this adoption, and waive their rights. (File the agreement separately or at time of hearing.)

[ ] do not have a legal right to contest or agree, but have waived their right to notice and to intervene. (File the waiver separately or at time of hearing.)

[ ] have not agreed or waived their rights to notice, and will be served with Notice of Petition to Adopt and Notice of Rights.

WAIVER OF RIGHTS – CONSENT NOT REQUIRED

23. The child: (Choose one.)

[ ] does not have a custodian.

[ ] has a custodian and the custodian (Choose one.)

[ ] is the petitioner.

[ ] has waived their rights. (File the waiver separately or at time of hearing.)

[ ] has not waived their rights and will be served with Notice of Petition to Adopt and Notice of Rights.

REQUEST

24. I ask that an Adoption Agreement be executed before this court and that the court issue an Adoption Decree ordering that:

- the child is adopted by _____ (petitioner) [ ] and _____ (co-petitioner) and is their child. They have all the rights and duties of the relationship of child and parent;
- all rights, duties and responsibilities, including residual parental rights, of any person who
  - agreed to this adoption,
  - relinquished the child for adoption,
  - was served with notice of this adoption, or
  - was not entitled to agree to or notice of this adoption

  are terminated, and they have no further rights to the child;

[ ] the name of the child be changed to:

First name	
Middle name	
New last name	
Married last name (if any)	

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 _____

Co-petitioner (if applicable)

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 _____

Attorney of record (if applicable)

_____ Signature ► _____

Date

Printed Name _____

Name(s)

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

In the [ ] District [ ] Juvenile Court of Utah_____ Judicial District
_____ County

Court Address _____

In the Matter of the Adoption of _____ (name of person being adopted)	**Findings of Fact and Conclusions of Law on Petition to Adopt a Minor Child by a Relative** _____ Case Number _____ Judge _____ Commissioner

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The Court Finds:

1. The Petitioner, _____ (full name of adopting relative), was born in: (city, state and country): _____.

   [ ] The co-petitioner, who is the spouse of the petitioner, (full name) _____, was born in in (city, state and country): _____.

They want to adopt the following minor:

(Child's complete name)	

(Child's date of birth)	
(Child's city and state of birth)	

2. [ ] The Petitioner wants the name of the child changed to:

First name	
Middle name	
New last name	
Married last name (if any)	

3. Utah has jurisdiction in this case. (Utah Code 81-13-102).The case is filed in the right court because (Choose one.)

   [ ] This is a juvenile court. There is an open juvenile court case involving the child. This court has continuing jurisdiction.

   OR

   [ ] This a district court. There are no open juvenile court cases involving this child. And (Choose one).

      [ ] Petitioners live in this judicial district.

      OR

      [ ] Petitioners do not live in Utah but (Choose all that apply.)

         [ ] the child was born in this judicial district.

         [ ] the child lives in this judicial district.

4. Adoption serves the child's health, safety, welfare and moral climate and will promote the child's best interests because:

   _____

   _____

   _____

5. The Petitioner is the _____ (relationship) of _____ (child's current name or name of custodial parent).

6. Petitioner is:

   [ ] legally married.

[ ] single and a relative of the minor.

7. Petitioner is (Choose on.):

   [ ] at least 10 years older than the child.

   [ ] not at least 10 years older than the child, but petitioner's spouse who is also adopting is 10 years older than the child.

8. The childwas born: (Choose one.)

   [ ] in Utah.

   [ ] in a state other than Utah and the requirements of T Utah Code 80-2-901 to 910Title, Interstate Compact on Placement of Children, have been complied with.

9. The child has lived in the adopting parent's home for at least 90 days.

10. The child is not an Indian child as defined in 25 U.S. Code Section 1903.

11. The child is: (Choose one.)

   [ ] 16 years of age or older.

   [ ] under 16 and is considered a citizen or national of the United States by the United States Citizenship and Immigration Services.

   [ ] under 16 years of age and is not considered a citizen or national of the United States by the United States Citizenship and Immigration Services.

12. The pre-placement and post-placement adoptive evaluations are:

   [ ] filed with the court.

   [ ] not required under Utah Code 81-13-404 and 405 because a pre-existing parent has legal custody of the minor and the petitioner(s) are related to the minor or the parent.

13. The Federal Bureau of Investigation, the Utah Bureau of Criminal Identification, or the Utah Department of Health and Human Services has conducted a criminal history investigation, based on fingerprint identification, about the adopting parents and other adults living in the home, which is on file with this court.

14. The adopting parents have not been convicted of, pleaded guilty to, or pleaded no contest to a disqualifying offense under Utah Code 81-13-203.

15. The Division of Child and Family Services has investigated all reports and investigations of child abuse, neglect, and dependency about the adopting parents and other adults living in the home, which is on file with this court.

16. A certificate of search of paternity registry and birth certificate registry from the Office of Vital Records and Statistics is on file with this court.

WAIVER OF RIGHTS - CONSENT REQUIRED

17. The child: (Choose one.)

[ ] has agreed to this adoption and waived notice.

[ ] cannot agree because the child is less than 12 years old.

[ ] cannot agree because the child lacks the mental capacity to agree.

18. The child's mother: (Choose one.)

[ ] has died.

[ ] agreesto this adoption and waives her rights.

[ ] has not agreed to this adoption, was served with Notice of Petition to Adopt and Notice of Rights, and did not file a Motion to Intervene within the time allowed.

[ ] is not entitled to agree because her parental rights have been terminated.

19. The child's father: (Choose one.)

[ ] has died.

[ ] has agreed to this adoption and waives his rights.

[ ] has not agreed to this adoption, was served with Notice of Petition to Adopt and Notice of Rights, and did not file a Motion to Intervene within the time allowed.

[ ] does not have any legal right to contest or agree because the child was conceived as a result of a sexual offense (by the father). Utah Code 81-13-201 and 207

[ ] does not have any legal right to contest or agree because (All must apply.):

- he has not fully and strictly complied with the requirements of Utah Code 81-13-213; and
- he has not been determined by a court to be the child's biological father before the mother agreed to the adoption or relinquished the child for adoption; and
- he did not sign and file a voluntary declaration of paternity with the state registrar of vital statistics before the mother agreed to the adoption or relinquished the child for adoption.

23. [ ] The petitioner's spouse: (Choose one.)

[ ] has agreed to this adoption and waives their rights. (File the agreement separately or at time of hearing.)

[ ] is a co-petitioner asking to adopt the child.

[ ] has not agreed to this adoption, was served with Notice of Petition to Adopt and Notice of Rights, and did not file a Motion to Intervene within the time allowed.

ADOPTEE'S GUARDIAN

20. The child:

[ ] does not have a guardian.

OR

[ ] The minor's guardians: (Choose one.)

[ ] are the petitioners.

[ ] have authority to agree, have agreed to this adoption, and waive their rights.

[ ] do not have a legal right to contest or agree, but have waived their right to notice and to intervene.

[ ] have not agreed or waived their rights to notice, were served with Notice of Petition to Adopt and Notice of Rights, and did not file a Motion to Intervene within the time allowed.

WAIVER OF RIGHTS; CONSENT NOT REQUIRED

21. The child: (Choose one.)

[ ] does not have a custodian

[ ] has a custodian and the custodian (Choose one.)

[ ] is the petitioner.

[ ] has waived their rights.

[ ] has not waived their rights, was served with Notice of Petition to Adopt and Notice of Rights, and did not file a Motion to Intervene within the time allowed.

The Court Concludes:

22. The requirements of the Utah Adoption Act in Utah Code 81-13-101 to 505, have been met.

Judge's signature may instead appear at the top of the first page of this document.

Signature ► _____

Date

Judge _____

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

In the [ ] District [ ] Juvenile Court of Utah of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of _____ (name of person being adopted)	**Adoption Decree – Minor Child by a Relative** _____ Case Number _____ Judge

The matter before the court is the Verified Petition to Adopt a Minor Child by a Relative. This matter is being resolved by (Choose all that apply.):

A hearing held on _____ (date).

Petitioners

[ ] were present

[ ] were not present

[ ] were represented by _____

[ ] were not represented.

Child being adopted

[ ] was present

[ ] was not present.

There [ ] was [ ] was not an Intervenor: _____

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The Court Orders:

1. The child listed below is adopted by the petitioner,

   _____
   (full name of adopting relative), who was born in: (city, state and country):
   _____.

   [ ] And the co-petitioner, who is the spouse of the petitioner, (full name) _____, who was born in in (city, state and country): _____.

(Child's complete name)	
(Child's date of birth)	
(Child's city and state of birth)	

2. The child and adopting parents have all the rights and duties of the relationship of child and parent;
3. All rights, duties and responsibilities, including residual parental rights, of any person who:
   - agreed to this adoption,
   - relinquished the child for adoption,
   - was served with notice of this adoption, or
   - was not entitled to agree to or notice of this adoption

   are terminated, and they have no further rights to the child minor.
4. [ ] The child's name is changed to:

First name	
Middle name	
New last name	
Married last name (if any)	

5. The Department of Vital Records and Statistics is ordered to issue a new birth certificate for the dhild that lists the child's new name and lists the petitioners as the child's parents.

Judge's signature may instead appear at the top of the first page of this document.

Signature ► _____

Date

Judge _____

Administrative Office of the Courts

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

October 20, 2025

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

MEMORANDUM

TO: **Forms Committee**

FROM: **Pleasy Wayas, on behalf of Jonathan Mark (MyPaperwork Program Manager) and the Self-Help Center/Law Library**

RE: **Replace brackets with radio buttons and standard checkboxes**

We ask the Forms Committee to approve the use of **radio buttons (bubbles)** and **standard checkboxes** instead of brackets on court forms—especially on fillable forms and MyPaperwork documents.

Our current forms use brackets as checkboxes ([ ]) due to past technology constraints that are no longer relevant.

Example of current forms:

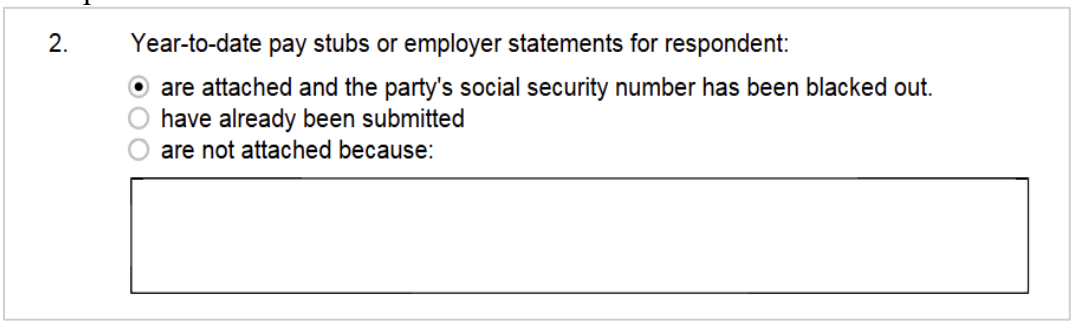
2. Year-to-date pay stubs or employer statements for respondent:
   [ ] are attached and the party's social security number has been blacked out.
   [ ] have already been submitted.
   [ ] are not attached because: _____

User testing has shown that both fillable-form and paper-form users often do not recognize [ ] as a checkbox. By continuing to use brackets, we also miss out on key functionality available in the Forms Engine.

We now have more effective options:

- **Radio buttons (bubbles)** for questions where users must choose *only one* option.
- **Standard checkboxes** for questions where users can choose *more than one* option.

Example of radio buttons:



Example of standard checkboxes will be shown at the meeting.

Unfortunately, we cannot rely on only one type of selection tool, as radio buttons and checkboxes serve different purposes and cannot be changed within the Forms Engine. Some forms may therefore include both types, depending on the type of selection needed. While this may look slightly inconsistent, the improved clarity and functionality outweigh the visual concern.

Using radio buttons and standard checkboxes will make our forms more intuitive for fillable-form users and still familiar to paper-form users, since these are the formats people commonly see on other forms (such as school, government, and employment documents).

If approved, this change will become part of both **ongoing form development** and **retroactive updates to existing forms**.

Administrative Office of the Courts

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

October 20, 2025

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

MEMORANDUM

TO: **Judicial Council**

FROM: **Kaden Taylor on behalf of the Committee on Court Forms**

RE: **Adding Juvenile Court Option to Forms Used to Open Adoption Records**

The Committee on Court Forms approved adding an option to indicate a user is filing certain adoption forms with the Juvenile Court:

In the [_] District [_] Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

- The following forms will reflect this change:
- Petition to Open Court's Adoption Records to Permit Inspection and Copying (attached)
- Notice of Petition to Open Court's Adoption Records
- Consent to Open Adoption Records
- Objection to Petition to Open Court's Adoption Records
- Findings of Fact, Conclusions of Law, and Order to Open Court's Adoption Records to Permit Inspection and Copying

Name

Address

City, State, Zip

Phone

Email

If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

Check your email. You will receive information and documents at this email address.

I am the [ ] Petitioner
[ ] Attorney for the Petitioner and my Utah Bar number is _____

In the [ ] District [ ] Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

In the Matter of the Adoption of:	**Petition to Open Court's Adoption Records to Permit Inspection and Copying**
	[ ] Hearing Requested
_____	_____ Case Number
	_____ Judge

1. I am the [ ] adoptee [ ] adoptive parent [ ] other party (identify who you are in relationship to the adoptee) _____ in this matter.

2. The adoption decree in this matter was issued by this court on or about _____ (date of adoption order).

3. Pursuant to Utah Code Section 81-13-103 and Utah Rule of Civil Procedure 107, I ask the Court for an order to open the adoption records permitting me to inspect and copy any and all court records and files concerning the adoption.

4. I ask the court to open the adoption records so that I can obtain the following information:

_____

_____

5. I ask the court for this order because (add additional pages if necessary):

_____

_____

6. [ ] I am seeking health, genetic or social information from the adoption file. The health history, genetic history or social history of the Utah Bureau of Vital Statistics is insufficient for my purpose because:

_____

_____

7. [ ] The voluntary adoption registry of the Utah Bureau of Vital Statistics is insufficient for my purpose because:

_____

_____

8. [ ] I request a hearing on my petition.

9. I ask that the court order anything else that is necessary and just in this matter.

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 _____

Administrative Office of the Courts

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

October 20, 2025

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

MEMORANDUM

TO: **Judicial Council**

FROM: **Kaden Taylor on behalf of the Committee on Court Forms**

RE: **Same changes across multiple forms**

The Committee on Court Forms approved form changes that result in the same modification occurring across multiple forms. Rather than fill the Judicial Council form consent calendar with multiple forms showing the same changes, we detail the changes in this memo and include one example of each change for review.

1. Due to changes for URCP 101 that go into effect November 1, 2025, the warning this rule requires be included on all motions heard before a commissioner has new language. The attached general motion form shows this new language that will be included on all commissioner motions.

2. Requests for criminal stalking injunctions or protective orders will now include a certificate of service. This change affects the following forms (we also ask for permission to make the change to others forms if we identify one has been missed):

- Request for Pretrial Protective Order or to Change Order
- Request for Pretrial Juvenile Delinquency Protective Order or to Change Order
- Request for Sentencing Protective Order or to Change Order
- Request for Sentencing (Dispositional) Protective Order or to Change a Sentencing (Dispositional) Protective Order
- Request for Pretrial No Contact Order or to Change a Pretrial No Contact Order
- Request for Criminal Stalking Injunction or to Change a Criminal Stalking Injunction
- Request for Continuous Protective Order or to Change Order

3. Criminal protective order and stalking injunctions now split up “No contact” and “Limited contact” provisions into separate options on the form (see #5 in the sample provided for the Request for Pretrial Protective Order and the Pretrial Protective Order). Also, every request that did not previously have a “No guns or weapons” section has had this section added (see #10 on the same samples provided for the previous change mentioned). These changes affect the

requests and orders for the following types (we also ask for permission to make the change to others forms if we identify one has been missed):

- Pretrial Protective Order or to Change Order
- Pretrial Juvenile Delinquency Protective Order or to Change Order
- Sentencing Protective Order or to Change Order
- Sentencing (Dispositional) Protective Order or to Change a Sentencing (Dispositional) Protective Order
- Pretrial No Contact Order or to Change a Pretrial No Contact Order
- Criminal Stalking Injunction or to Change a Criminal Stalking Injunction
- Continuous Protective Order or to Change Order

This motion will be decided by the court commissioner at an upcoming hearing. If you do not appear at the hearing, the commissioner might make a decision against you without your input. You may file a written response to the motion. Any response must be filed at least 14 days before the hearing.

Commented [KT1]: The change on this form is to this warning, due to changes to URCP 101 effective Nov 2025

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)

Motion to

_____
(name of motion)

[ ] **Hearing Requested**

_____
Case Number

_____
Judge

_____
Commissioner (domestic cases)

1. I ask the court to enter an order as follows:
(Write **what** you want the court to order.)

Name

Address (omit if safeguarded)

City, State, Zip (omit if safeguarded)

Phone (omit if safeguarded)

Email (omit if safeguarded)

I am [ ] Petitioner [ ] Petitioner's Attorney (Utah Bar #:_____)
[ ] Prosecutor (Utah Bar #:_____)
[ ] Defendant [ ] Defendant's Attorney (Utah Bar #:_____)

In the [ ] District [ ] Justice Court of Utah

_____ Judicial District _____ County

City of_____

Court Address _____

_____ Prosecution v. _____ Defendant	**Request for Pretrial Protective Order or to Change Order** (Utah Code 78B-7-803) _____ Case Number _____ Judge

1. I am:

[ ] asking for a Pretrial Protective Order.

[ ] asking to change an existing Pretrial Protective Order. (if you are a victim, you will need to attach a Request for a Hearing About a Criminal Protective Order or Criminal Stalking Injunction form)

2. Victim needing protection (protected person): (Attach the Required Criminal Protective Order or Stalking Injunction form for this person)

First name:	
Middle name or initial (if any):	

Last name:	

[ ] I ask to protect additional victims. Attached are the added Required Criminal Protective Order or Stalking Injunction Information forms that includes each additional victim's first and last name and relationship to the defendant.

3. Defendant:

First name:	
Middle name or initial (if any):	
Last name:	

Request for Protective Orders

I ask the court for the following orders. (Choose all that apply.)

4. [X] No domestic violence or abuse

Order the defendant not to do any of the following to the protected person or any of the designated family or household members:

- threaten to commit or commit acts of domestic violence or abuse,
- harass,
- threaten,
- stalk,
- use, attempt to use, or threaten to use physical force that would reasonably be expected to cause bodily harm, or
- engage in any other conduct that would place the protected person or designated family or household members in reasonable fear of bodily injury.

Designated family or household members:

Name (include first and last name)	Relationship to the protected person

5. [ ] Conditions of Contact (choose one)

Notice: The defendant will not violate the protective order by:

- attending a hearing with the protected person. But they must be a party to the case or a required witness.

- serving documents they file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

[ ] No contact

Order the defendant not to harass, telephone, contact, or otherwise communicate with the protected person, directly or indirectly (includes email, text, social media, social media messaging or posts, mail, or other methods of contact).

OR

[ ] Limited contact

[ ] The defendant and the protected person share custody of one or more minor children. Order the defendant to only contact the protected person to arrange visits with the children by the options below. Any approved communication must be civil and nonthreatening. (Choose the preferred method(s) of contact.)

[ ] Phone:
_____

[ ] Text:
_____

[ ] Email:
_____

[ ] Third party person (name):
_____

Contact information for third party person:
_____

[ ] Other (specify):
_____

[ ] For family related matters other than parent time, order the defendant to only communicate with the protected person through the person listed below:

First name:	

Middle name or initial (if any):	
Last name:	
Phone or other:	

[ ] The defendant and the protected person are working with the Division of Child and Family Services (DCFS) or the Divorce Mediation Program. Order the defendant to only contact the protected person during case-planning, meetings, or program services with prior written approval from program staff. Any approved communication must be civil and non-threatening.

6. [ ] Defendant cannot live at protected person's residence

- Order the defendant to be removed from the protected person's residence and the premises. Order that the defendant cannot live at the protected person's residence and the premises.
- Order the defendant not to cancel or interfere with any utility service to the protected person's residence for at least 60 days from the day on which the pretrial protective order is issued.

  (Choose one)
  [ ] Order the protected person to pay for the costs of the utility service for the protected person's residence.
  [ ] Order the defendant to pay for the costs of the utility service for the protected person's residence.

- If the defendant previously canceled utility services, they must restore services for the protected person's residence.

  [ ] Order the defendant to pay for the costs of restoring the utility service for the protected person's residence.

7. [ ] Stay away

Notice: The defendant will not violate the protective order by:

- attending a hearing with the protected person. But they must be a party to the case or a required witness.
- serving documents they file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be

according to the Rules of Civil Procedure. It must also be civil and not threatening.

Order the defendant to stay away from:

[ ] The protected person's residence;

[ ] The protected person's school;

[ ] The protected person's workplace;

[ ] These other places frequented by the protected person and any designated family members (you must write an address if you ask the judge to order the defendant to stay away from a specific place):

_____
(Street, City, State, ZIP)

_____
(Street, City, State, ZIP)

[ ] Order the defendant to stay away from the protected person if they encounter them at any other location not listed in this order. The defendant must not communicate or have contact with the protected person and must leave. If leaving is not an option (such as at the defendant's place of employment or at a required court hearing), the defendant must move as far away as possible to avoid any confrontation.

8. [ ] Property Orders

Order personal property to be transferred as follows:

To the defendant:	To the protected person:

9. [ ] Monitoring programs

[ ] Order the defendant to participate in and comply with an electronic monitoring program. (The defendant's location is monitored with a wearable tracking device.)

[ ] Order the defendant to participate in and comply with a monitoring program (can include substance abuse testing, alcohol testing, supervised parent-time, etc.)

Requested program (describe):

_____

_____

_____

_____

10. [ ] No guns or weapons:

[ ] Order the defendant not to use, possess, have, or buy a gun or firearm.

[ ] Order the defendant not to use, possess, have, or buy any of these weapons (list weapons):

_____.

[ ] Order the defendant to hand in any guns or firearms that the defendant owns or possesses.

[ ] Order the defendant to hand in any of these weapons the defendant owns or possesses (list weapons):

_____.

11. [ ] Other orders

Other orders requested (List any other orders needed to protect the protected person and the protected person's immediate family or household members.)

_____

_____

12. [ ] Requested orders to agencies

Order a law enforcement officer from:

_____ (police agency) to enforce the orders checked below:

[ ] Remove and require the defendant to stay away from the protected person's residence.

[ ] Accompany the defendant one time to get their personal property.

[ ] Accompany the protected person to get their personal property.

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 _____

Or

Prosecutor or attorney (if applicable)

_____ Signature ► _____

Date

Printed Name _____

Notice to defendant and protected person: if you do not have an attorney helping you, the court team will help with service. **Do not** fill out the form below.

Certificate of Service

I confirm that I provided a copy of this Request for Pretrial Protective Order or to Change a Pretrial Protective Order 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.	[ ] Mail [ ] Hand Delivery [ ] E-filed/MyCase [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
2.	[ ] Mail [ ] Hand Delivery [ ] E-filed/MyCase [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

Your Signature ►

Date
(when you filled this out)

Your Printed Name

In the [ ] District [ ] Justice Court of Utah

_____ Judicial District _____ County

City of_____

Court Address _____

_____ Prosecution v. _____ Defendant	**Pretrial Protective Order** (Utah Code 78B-7-803) _____ Case Number _____ Judge

1. Party information

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

Defendant:

First name:	
Middle name or initial (if any):	
Last name:	

2. The court finds

The defendant represents a credible threat to the physical safety of the protected person.

The protected person is:

[ ] an intimate partner of the defendant. (The defendant and the protected person are or were married, are the parents of a shared child, cohabitate or have cohabited together). (18 U.S.C. Sec. 921 (a)(32)).

[ ] the child of an intimate partner of the defendant.

[ ] not an intimate partner of the defendant, but is a cohabitant under Utah law.

[ ] not an intimate partner or cohabitant, but is an alleged victim.

The court orders:

You, the defendant, must obey all orders marked below.

3. [X] No domestic violence or abuse

You must not to do any of the following to the protected person or any of the designated family or household members:

- threaten to commit or commit acts of domestic violence or abuse,
- harass,
- threaten,
- stalk,
- use, attempt to use, or threaten to use physical force that would reasonably be expected to cause bodily harm, or
- engage in any other conduct that would place the protected person or designated family or household members in reasonable fear of bodily injury.

Designated family or household members:

Name (include first and last name):

4. [ ] No contact

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.

- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

[ ] You must not harass, telephone, contact, or otherwise communicate with the protected person, directly or indirectly (includes email, text, social media, social media messaging or posts, mail, or other methods of contact).

5. [ ] Limited contact

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

[ ] You and the protected person share custody of one or more minor children. You must only contact the protected person to arrange visits with the children by the methods checked below. Any approved communication must be civil and respectful.

[ ] Phone

[ ] Text

[ ] Email

[ ] Third party person (name):_____

[ ] Other:_____

[ ] For family related matters other than parent time, you must only communicate with the protected person through the person listed below:

First name:	

Middle name or initial (if any):	
Last name:	
Phone or other:	

[ ] You and the protected person are working with the Division of Child and Family Services (DCFS) or the Divorce Mediation Program. You must only contact the protected person during case-planning, meetings, or program services with prior written approval from program staff. Any approved communication must be civil and non-threatening.

6. [ ] Defendant cannot live at protected person's residence

- You **must not** go to the protected person's residence or premises without an officer. You must remove yourself from and stay away from the protected person's residence and premises.
- You must not cancel or interfere with any utility service to the protected person's residence for at least 60 days from the day on which the pretrial protective order is issued.

  (Choose one)
  [ ] The protected person will pay for the costs of the utility service for the protected person's residence.
  [ ] You must pay for the costs of the utility service for the protected person's residence.

- If you previously canceled utility services, you must restore services for the protected person's residence.

  [ ] You must pay for the costs of restoring the utility service for the protected person's residence.

Warning to defendant: Law enforcement can remove you or keep you away from the protected person's residence or premises if needed.

7. [ ] Stay away

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.

- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Warning to defendant: You **must not** go to the residence or premises of the protected person or other protected places without an officer. Law enforcement can remove you or keep you away from the places frequented by the protected person if needed.

You must stay away from:

[ ] The protected person's residence;

[ ] The protected person's school;

[ ] The protected person's workplace;

[ ] These other places frequented by the protected person and any designated family members:

_____
(Street, City, State, ZIP)

_____
(Street, City, State, ZIP)

[ ] You must stay away from the protected person if you encounter them at any other location not listed in this order. You must not communicate or have contact with the protected person and must leave. If leaving is not an option (such as at your place of employment or at a required court hearing), you must move as far away as possible to avoid any confrontation.

8. [ ] Personal property is transferred as follows:

To you	To the protected person

Warning to defendant: You **must not** go to the residence of the protected person or other protected places without an officer. Law enforcement can evict you or keep you away from the places frequented by the protected person if needed.

9. [ ] Monitoring programs

[ ] You must participate in and comply with an electronic monitoring program.
(Your location is monitored with a wearable tracking device.)

[ ] You must participate in and comply with these monitoring programs:

_____

_____

10. [ ] No guns or weapons:

[ ] You must not use, possess, have, or buy a gun or firearm.

[ ] You must not use, possess, have, or buy any of these weapons:

_____

[ ] You must turn over any guns or firearms that you own or possess by:

_____ to:
(date: mm/dd/yyyy)

[ ] A law enforcement agency _____
(law enforcement agency)

[ ] A family member who does not live with you. The family member must agree to keep the gun or firearms from you in a sworn affidavit submitted to the courts for this option.
(name):_____

[ ] Other (specify):_____

_____

[ ] You must turn over any of these weapons you own or possess:

_____
_____
_____

by:_____.
(date: mm/dd/yyyy)

You must turn over these weapons listed above to:

[ ] A law enforcement agency _____
(law enforcement agency)

[ ] A family member who does not live with you. The family member must agree to keep these weapons from you in a sworn affidavit

submitted to the courts for this option. A family member (name):_____

[ ] Other (specify):_____

_____

11. [ ] Other orders

_____

_____

12. [ ] Orders to agencies

A law enforcement officer from:

_____ (police agency) will enforce the orders checked below:

[ ] Remove and require you to stay away from the protected person's residence.

[ ] Accompany you one time to get your personal property.

[ ] Accompany the protected person to get their personal property.

Notices to defendant:

This order is in effect until further order of the court, trial, or other resolution of the case.

Penalties for violating this order (Utah Code 78B-7-806(2))

If you do not obey this order, you can be arrested and charged with a new offense. The new offense would be Violation of a Protective Order, which is a:

- Third degree felony, if you were charged of committing a felony in this case.
- Class A misdemeanor, if you were charged of committing a misdemeanor in this case.

You may become subject to federal law because this protective order was issued against you. This would mean that it would be a crime for you to possess, transport, ship or receive any firearm or ammunition, including a hunting weapon.

"The defendant was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1796, 18 U.S.C. Sec. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States

territories. This order complies with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act." (Utah Code 78B-7-105.5(4))

Notice to defendant, petitioner, and protected person:

The parties cannot change or dismiss this order. Only the court has the authority to change or dismiss this order. If you want to ask the court to change or dismiss this order, you must file a motion with the court.

— The court completes this section —

Expiration date for National Crime Information Center purposes only: 01/01/3000

Judge's signature may instead appear at the top of the first page of this document.

_____ Signature ► _____

Date

Judge _____

— Defendant fills out below —

Defendant accepts service of this protective order.

_____ Signature ► _____

Date

Defendant _____

Protective Order Acknowledgment of Firearm Restriction **Case Number**_____

Now that I have been served with this criminal protective order, I understand that:

- I am a restricted person;
- as a restricted person, I cannot purchase, transfer, use, or otherwise possess a firearm (as defined by federal and state law) or ammunition;
- I must give up all the firearms and ammunition in my possession and I will not be able to purchase, transfer, use, or otherwise possess any firearms or ammunition unless the court restores my right in an order in the future;
- there will be additional criminal charges and penalties if I violate this restriction. Under state law this can include charges for a third degree felony: 0-5 years in prison, up to $5,000 +90% surcharge;
- there can be additional penalties under federal law if I violate this restriction; and
- I may be eligible for an affirmative defense to a state-law prosecution for possession of a firearm under Utah Code 76-11-305 and 306 if within 10 days after the day I became a restricted person, I lawfully transfer my firearms to a person who can legally possess firearms and does not live with me.

I was told all of the above by the court, the prosecuting attorney, my attorney, or a peace officer who served me the criminal protective order.

I am signing this acknowledgment in front of the court or a peace officer.

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 _____

Protective Order Acknowledgment of Firearm Restriction **Case Number**_____

(To be signed by the defendant and scanned into CORIS)

Now that I have been served with this criminal protective order, I understand that:

- I am a restricted person;
- as a restricted person, I cannot purchase, transfer, use, or otherwise possess a firearm (as defined by federal and state law) or ammunition;
- I must give up all the firearms and ammunition in my possession and I will not be able to purchase, transfer, use, or otherwise possess any firearms or ammunition unless the court restores my right in an order in the future;
- there will be additional criminal charges and penalties if I violate this restriction. Under state law this can include charges for a third degree felony: 0-5 years in prison, up to $5,000 +90% surcharge;
- there can be additional penalties under federal law if I violate this restriction; and
- I may be eligible for an affirmative defense to a state-law prosecution for possession of a firearm under Utah Code 76-11-305 and 306 if within 10 days after the day I became a restricted person, I lawfully transfer my firearms to a person who can legally possess firearms and does not live with me.

I was told all of the above by the court, the prosecuting attorney, my attorney, or a peace officer who served me the criminal protective order.

I am signing this acknowledgment in front of the court or a peace officer.

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 _____

Name

Address

City, State, Zip

Phone

Email

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah, in the interest of: _____ (Minor's Name) _____ (Minor's Date of Birth)	**Motion for Restoration of Custody** Utah Code Section 78A-6-357(3) _____ Case Number _____ Judge

Notice: Use this form if your case is still open. If your case is closed use the Petition for Restoration of Custody form.

1. My name is _____.

2. The court previously gave me permanent custody and guardianship of the above-named child.

3. I am asking the court to return custody to the child's: (choose all that apply)

   [ ] mother: _____(name)

   [ ] father: _____ (name)

   [ ] other: _____ (name and relationship to child)

4. I ask for this order because:
   (Explain **why** custody should be returned. Attach additional sheets if needed.)

5. A return of custody is best for the children because: (Explain.)

6. [ ] All parties have agreed to the return of custody being requested. (Attach proof.)

7. I have attached the following documents in support of this motion:

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 _____

Notice to responding party
You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

In some situations a statute or court order may specify a different deadline.

If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

See the court's Motions page for more information about the motions process, deadlines and forms: utcourts.gov/motions


Scan QR code to visit page

Finding help
The court's Finding Legal Help web page (utcourts.gov/help) provides information about the ways you can get legal help, including the Self-Help Center, reduced-fee attorneys, limited legal help and free legal clinics.


Scan QR code to visit page

Aviso para la parte que responde
Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios: utcourts.gov/motions-span


Para accesar esta página escanee el código QR

Cómo encontrar ayuda legal
La página de la internet del tribunal Cómo encontrar ayuda legal (utcourts.gov/help-span) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.


Para accesar esta página escanee el código QR

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 Motion for Restoration of Custody 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.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
2.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

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3.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
4.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
5.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

_____
Date
(when you filled this out)

Your Signature ► _____

Your Printed Name _____

Filer's Name

Filer's Address

City, State, Zip

Phone

Email

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah, in the interest of:	**Motion to Change Guardian – Juvenile Court** Utah Code Section 78A-6-357(3)
_____ (Minor's Name)	_____ Case Number
_____ (Minor's Date of Birth)	_____ Judge

Notice: Use this form if your case is still open. If your case is closed use the Petition to Change Guardian – Juvenile Court form.

1. My name is _____.

   I am a party to this case. (If you are not a party to this case, use the Petition to Change Guardian – Juvenile Court form.)

2. The court previously gave permanent custody and guardianship of the above-named child to:

   [ ] me

   [ ] _____
   (Write the name of the person who has permanent custody and guardianship of the child.)

3. This case is still open and the court still has jurisdiction.

4. I am asking the court to change the child's guardian because:

(Explain **why** you want the court order and what circumstances have changed requiring your request. If you are not the current guardian, explain the reason the guardian cannot make this request. i.e. death, illness, etc. Attach additional sheets if needed.)

5. I am asking the court to change the child's guardian to:
(Write the person's name and date of birth you want the court to give permanent custody and guardianship.)

_____

6. This person is the best person to care for the child because:
(Explain **why** you want the court to make the person the child's guardian.)

7. [ ] All parties have agreed to the changes being requested. (Attach proof.)

8. I have attached the following documents in support of this motion:

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 _____

Notice to responding party
You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
- at least 14 days before the hearing, if the motion will be decided by a commissioner.

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If you do not respond to this motion or attend the hearing, the person who filed the motion may get what they requested.

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Su tiempo para responder a esta moción es limitado. En la mayoría de casos deberá presentar una respuesta escrita con el tribunal y darle una copia de la misma a la otra parte:

- dentro de 14 días del día que se presenta la moción, si la misma será resuelta por un juez, o
- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

Si usted no responde a esta moción ni se presenta a la audiencia, la persona que presentó la moción podría recibir lo que pidió.

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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 Motion for Change of Guardian – Juvenile Court 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.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
2.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

Certificate of Service

I confirm that I provided a copy of this Motion for Change of Guardian – Juvenile Court 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**
3.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
4.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
5.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

_____ Your Signature ► _____

Date
(when you filled this out)

Your Printed Name _____

Filer's Name

Filer's Address

City, State, Zip

Phone

Email

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah, in the interest of:	**Motion to Modify Permanent Custody and Guardianship Order** Utah Code Section 78A-6-357(3)
_____ (Minor's Name)	_____ Case Number
_____ (Minor's Date of Birth)	_____ Judge

Notice: Use this form if your case is still open. If your case is closed use the Petition to Modify Permanent Custody and Guardianship Order form.

1. My name is _____.

2. I am the child's: (choose one)

   [ ] guardian.

   [ ] parent.

3. I want the court to change the following parts of the current permanent custody and guardianship orders:
   (Write **what** part of the orders you want the court to change.)

4. I want the court to change the orders to state the following:
(Write **what** you want the court to order.)

5. I ask for this change because:
(Explain **what** has changed to require a new order. Attach additional sheets if needed.)

6. [ ] All parties have agreed to the changes being requested. (Attach proof.)

7. I have attached the following documents in support of this motion:

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 _____

Notice to responding party
You have a limited amount of time to respond to this motion. In most cases, you must file a written response with the court and provide a copy to the other party:

- within 14 days of this motion being filed, if the motion will be decided by a judge, or
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- por lo menos 14 días antes de la audiencia, si la misma será resuelta por un comisionado.

En algunos casos debido a un estatuto o a una orden de un juez la fecha límite podrá ser distinta.

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Vea la página del tribunal sobre Mociones para encontrar más información sobre el proceso de las mociones, las fechas límites y los formularios: utcourts.gov/motions-span


Para accesar esta página escanee el código QR

Cómo encontrar ayuda legal
La página de la internet del tribunal Cómo encontrar ayuda legal (utcourts.gov/help-span) tiene información sobre algunas maneras de encontrar ayuda legal, incluyendo el Centro de Ayuda de los Tribunales de Utah, abogados que ofrecen descuentos u ofrecen ayuda legal limitada, y talleres legales gratuitos.


Para accesar esta página escanee el código QR

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 Motion to Modify Permanent Custody and Guardianship Order 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.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
2.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

Certificate of Service

I confirm that I provided a copy of this Motion to Modify Permanent Custody and Guardianship Order 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**
3.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
4.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
5.	[ ] Mail [ ] Hand Delivery [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] 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.

In the [ ] District [ ] Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re: _____ Petitioner	**Order on Petition by Pre-Existing Parent to Keep Adoption Documents Sealed** _____ Case Number _____ Judge

The matter before the court is a Verified Petition by Pre-Existing Parent to Keep Adoption Documents Sealed. This matter is being resolved by: (Choose all that apply.)

[ ] The pleadings and other papers of the parties.

[ ] A hearing held on _____ (date), notice of which was served on all parties.

Petitioner

[ ] was present [ ] was not present.

[ ] was represented by _____ (name).

[ ] was not represented.

Having considered the documents filed with the court, the evidence and the arguments, and now being fully informed,

The court finds:

1. A Verified Petition by Pre-Existing Parent to Keep Adoption Documents Sealed was filed on _____ (date).

2. The petition was filed:

   [ ] before the child who was adopted turned 18 years old.

   [ ] before the expiration of the previous order sealing the documents for 10 years.

   [ ] after the deadlines in Utah Code 81-13-103.

3. The information in the petition is:

   [ ] enough for the court to reliably determine what adoption case and documents the petition is about.

   [ ] not enough for the court to reliably determine what adoption case and documents the petition is about.

4. The pre-existing parent [ ] has shown [ ] has not shown

   a reasonable fear of harm by someone if the child who was adopted is allowed to see the adoption documents.

The court orders:

5. The request is:

   [ ] granted. The adoption records will remain sealed for 10 years from the date of this order under Utah Code 81-13-103. The child who was adopted will not be allowed to see the adoption documents unless otherwise ordered by the court.

   [ ] denied.

   _____

   _____

6. [ ] The court further orders:

   _____

   _____

Judge's signature may instead appear at the top of the first page of this document.

Signature ► _____

Date

Judge _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Order on Petition by Pre-Existing Parent to Keep Adoption Documents Sealed on the following people.

Person's Name	Service Method	Service Address	Service Date
	[ ] Mail [ ] Hand Delivery [ ] E-filed/MyCase [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
	[ ] Mail [ ] Hand Delivery [ ] E-filed/MyCase [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		
	[ ] Mail [ ] Hand Delivery [ ] E-filed/MyCase [ ] Email [ ] Left at business (With person in charge or in receptacle for deliveries.) [ ] Left at home (With person of suitable age and discretion residing there.)		

_____ Signature ► _____

Date

Printed Name _____

Name

Address

City, State, Zip

Phone

Email

If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

Check your email. You will receive information and documents at this email address.

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah, in the interest of:

_____
(Minor's Name)

_____
(Minor's Date of Birth)

Petition for Restoration of Custody
Utah Code Section 78A-6-357(3)

_____
Case Number

_____
Judge

Notice: Use this form if your case is currently closed. If your case is still open use the Motion for Restoration of Custody form.

1. My name is _____.

2. The court previously gave me permanent custody and guardianship of the above-named child.

3. I am asking the court to return custody to the child's: (choose all that apply)

   [ ] mother: _____(name)

   [ ] father: _____ (name)

   [ ] other: _____ (name and relationship to child)

4. I ask for this order because:
   (Explain **why** custody should be returned. Attach additional sheets if needed.)

5. A return of custody is best for the children because: (Explain.)

6. [ ] All parties have agreed to the return of custody being requested. (Attach proof.)

7. I have attached the following documents in support of this motion:

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 _____

Name

Address

City, State, Zip

Phone

Email

If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah, in the interest of:	**Petition to Change Guardian – Juvenile Court** Utah Code Section 78A-6-357(3)
_____ (Minor's Name)	_____ Case Number
_____ (Minor's Date of Birth)	_____ Judge

Notice: Use this form if your case is currently closed or if you are not a party to the case. If you are a party and your case is still open use the Motion to Change Guardian – Juvenile Court form.

1. My name is _____.

   My relationship to the child is: _____.

2. The court previously gave permanent custody and guardianship of the above-named child to:

   [ ] me

   [ ] _____
   (Write the name of the person who has permanent custody and guardianship of the child.)

3. I am asking the court to change the child's guardian because:

(Explain **why** you want the court order and what circumstances have changed requiring your request. If you are not the current guardian, explain the reason the guardian cannot make this request. i.e. death, illness, etc. Attach additional sheets if needed.)

4. I am asking the court to change the child's guardian to:
(Write the person's name and date of birth you want the court to give permanent custody and Guardianship.)

_____

5. This person is the best person to care for the child because:
(Explain **why** you want the court to make the person the child's guardian.)

6. [ ] All parties have agreed to the changes being requested. (Attach proof.)

7. I have attached the following documents in support of this petition:

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 _____

Name

Address

City, State, Zip

Phone

Email

If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

Check your email. You will receive information and documents at this email address.

In the Juvenile Court of Utah

_____ Judicial District _____ County

State of Utah, in the interest of:	**Petition to Modify Permanent Custody and Guardianship Order** Utah Code Section 78A-6-357(3)
_____ (Minor's Name)	_____ Case Number
_____ (Minor's Date of Birth)	_____ Judge

Notice: Use this form if your case is currently closed. If your case is still open use the Motion to Modify Permanent Custody and Guardianship Order form.

1. My name is _____.

2. I am the child's: (choose one)

   [ ] guardian.

   [ ] parent.

3. I want the court to change the following parts of the current permanent custody and guardianship orders:
   (Write **what** part of the orders you want the court to change.)

4. I want the court to change the orders to state the following:
(Write **what** you want the court to order.)

5. I ask for this change because:
(Explain **what** has changed to require a new order. Attach additional sheets if needed.)

6. [ ] All parties have agreed to the changes being requested. (Attach proof.)

7. I have attached the following documents in support of this petition:

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 _____

Name

Address

City, State, Zip

Phone

Email

Check your email. You will receive information and documents at this email address.

In the [ ] District [ ] Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

In Re:	**Verified Petition by Pre-Existing Parent to Keep Adoption Documents Sealed** **(Utah Code 81-13-103)**
_____ Petitioner	_____ Case Number
	_____ Judge

1. I am a pre-existing parent (birth parent or other legal parent before the adoption) of a child adopted in Utah.

2. I ask the court to keep the adoption documents sealed (not allow the child who was adopted to see them) for 10 years under Utah Code 81-13-103.

3. I know the following information about the adoption case: (Give any information you can to help the court find the case. If you do not provide enough information, the petition may be denied.)

   [ ] case number is _____.

   [ ] the adoption case was in _____ (city or county).

   [ ] the date of the adoption was _____ (month) _____(year).

   [ ] the child's name before the adoption was _____ (child's name).

[ ] the names of the people that adopted my child are _____ (name of adoptive parents).

[ ] the child's date of birth is _____.

[ ] the child's sex designation on the birth certificate _____.

[ ] the child was born in Utah in _____ (city and county).

[ ] the maiden name of the child's birth mother is _____.

4. I am filing this petition before: (choose one)

[ ] the child who was adopted turns 18 years old.

[ ] before the expiration of the previous order sealing the documents for 10 years.

5. I have a reasonable fear of harm by someone if the child who was adopted is allowed to see the adoption documents. (Explain below).

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 _____

This is a Tier 2 case.

Name

Address

City, State, Zip

Phone

Email

If you do not respond to this document within applicable time limits, judgment could be entered against you as requested.

Check your email. You will receive information and documents at this email address.

I am [ ] Petitioner [ ] Respondent [ ] Other party: _____

[ ] Other party's Attorney (Utah Bar #:_____)
[ ] 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 the Marriage of:	**Petition to Recognize a Relationship as a Marriage** (Utah Code 81-2-408)
_____ (name of Petitioner)	**[ ] and Stipulation**
and	_____ Case Number
_____ (name of Respondent)	_____ Judge
_____ Other parties (if any)	_____ Commissioner

1. The district court has jurisdiction. (Utah Code 81-2-408 and 78A-5-102).

2. This court has venue because (Choose all that apply.):

   [ ] at least one of the partners resides in this county.

[ ] at least one of the elements giving rise to the cause of action occurred in this county.

3. My interest in this relationship is as:

[ ] a partner.

[ ] another interested person. (Describe your interest in the relationship sought to be recognized as a marriage.)

_____

_____

_____

4. The parties to the relationship are:
(If a party is deceased, attach a copy of the death certificate and serve the estate of the deceased person.)

Name	Date of Birth	Deceased?

5. The partners agreed to live together as married people. At the time of the agreement, the partners were:

- at least 18 years old
- capable of giving consent because (explain why the court should conclude the partners had the ability to give consent)

_____

_____

_____

_____

- not legally married to someone else

  and

- legally capable of getting married in Utah (for example, not too closely related under Utah Code 81-2-402 and 407).

6. As a result of an agreement to live together as married people, the partners (complete all sections below):

- cohabitated as shown by (Describe.):

_____

_____

_____

_____

- mutually assumed marital rights, duties, and obligations as shown by (Describe.):

  _____

  _____

  _____

  _____

- presented themselves as married people as shown by (Describe.):

  _____

  _____

  _____

  _____

- had a general and uniform reputation as being married as shown by (Describe.):

  _____

  _____

  _____

  _____

7. Period of cohabitation (Choose one. Do not include any time the parties lived together while either partner was married to someone else.)

   [ ] The partners are living together, and have been living together since _____ (date).

   [ ] The relationship has ended, but the partners lived together between _____ (date) and _____ (date).

8. This petition was filed: (Choose one.)

   [ ] during the relationship.

   [ ] within one year following the end of the relationship.

9. I ask the court for an order establishing the date of the partners' marriage as _____ (date).

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 _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____ Signature ► _____

Date

Printed Name _____

Stipulation (optional)

I am the respondent and the party responding to this Petition to Recognize a Relationship as a Marriage.

1. I have received and read the petition and its supporting documents.

2. I understand what the petition requests.

3. I understand I have the right to contest the petition by filing an answer, and have the court decide the issues.

4. I waive service of the Summons.

5. I agree this court has the authority to decide this matter and I enter my appearance for that purpose.

6. I agree to the requests in the petition.

7. I agree the court may enter an order of modification consistent with the petition at any time and without further notice.

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 _____

Attorney or Licensed Paralegal Practitioner of record (if applicable)

_____ Signature ► _____

Date

Printed Name _____

Tab 15

Administrative Office of the Courts

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

October 6, 2025

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

M E M O R A N D U M

TO: The Management Committee of the Judicial Council

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

RE: New Appointment and Reappointment

New Appointment for Defense Counsel:
The Committee received three applications to fill the defense counsel seat that was recently vacated by Mr. Mark Morris when his term expired at the end of July. The applicants for this seat included Spencer Brown, Aaron Pacini, and Robert Stewart. After discussion the Chair and Vice-Chair agreed they would recommend Mr. Pacini to fill this position, and as an alternate Mr. Brown.

Mr. Pacini has been a litigator for thirteen years and is currently a partner at Jenkins Bagley Sperry, PLLC. He has extensive experience in various practice areas, including complex litigation, real estate, community association law, commercial transactions, and general counsel roles for diverse organizations. He also currently serves on the Executive Committee for the Utah Life & Health Insurance Guaranty Association.

Mr. Brown has been practicing insurance defense for about five years. He is presently an attorney at Strong & Hanni, running insurance defense cases from start to finish, including handling arbitrations, adjuster communications, and other aspects of such cases. He also actively participates on the Board of the Utah Defense Lawyers Association.

Reappointment for Linguist
The Committee also recommends the reappointment of William Eggington as a linguist for the Committee. Mr. Eggington's first time expired at the end of July. He has served diligently and made important contributions to the Committee's efforts to write model jury instructions in plain language. The Committee greatly appreciates his willingness to continue serving.

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