

**JUDICIAL COUNCIL
MEETING AGENDA**

February 23, 2026
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. Chair's Report.....Chief Justice Matthew B. Durrant
(Information)
3. 9:10 a.m. State Court Administrator's Report.....Ron Gordon
(Information)
4. 9:20 a.m. Reports: Management Committee.....Chief Justice Matthew B. Durrant
Budget and Fiscal Management Committee.....Judge Rita Cornish
Liaison Committee.....Judge Judge Brendan McCullagh
Policy, Planning, and Technology Committee.....Judge James Gardner
Bar Commission.....Katie Woods, esq.
(TAB 2 - Information)
5. 9:30 a.m. Budget and Grants.....Karl Sweeney
(TAB 3 - Action) Alisha Johnson
6. 9:50 a.m. JPEC Report.....Mary-Margaret Pingree
(TAB 4 - Information)
7. 10:00 a.m. Request to fill Commissioner Vacancy.....Judge Sean Petersen
Mark Urry
(TAB 5 - Action)
8. 10:05 a.m. Court Facilities Planning Committee.....Chris Talbot
(TAB 6 - Action)
9. 10:15 a.m. Uniform Fine Committee.....Michael Drechsel
(TAB 7 - Action)

10:25 a.m. **Break**

10.	10:35 a.m.	Legislative Updates.....	Michael Drechsel
		(Discussion)	
11.	10:55 a.m.	Request to Certify New Justice Court Judges.....	Jim Peters
		(TAB 8 - Action)	
12.	11:00 a.m.	Request to Expand Territorial Jurisdiction.....	Jim Peters
		(TAB 9 - Action)	
13.	11:10 a.m.	HR Policy Amendments.....	Bart Olsen
		(TAB 10 - Action)	Jeremy Marsh
14.	11:25 a.m.	Rules for Final Approval.....	Keisa Williams
		(TAB 11 - Action)	
15.	11:30 a.m.	Constitutional Court.....	Keisa Williams
		(Action)	Stacy Haacke
16.	11:50 a.m.	Old Business / New Business.....	All
		(Discussion)	
17.	12:00 p.m.	Consent Calendar.....	Chief Justice Matthew B. Durrant
		(Action)	
18.	12:05 p.m.	Adjourn.....	Chief Justice Matthew B. Durrant

Consent Calendar

1. MUJI Criminal Committee Re-Appointment
(TAB 12)
2. MUJI Civil Committee Appointment
(TAB 13)
3. Forms
(TAB 14)

Tab 1

JUDICIAL COUNCIL MEETING Minutes

January 20, 2025

Hybrid Meeting (in person and Webex)

Matheson Courthouse – Council Room
450 S. State Street Salt Lake City, Utah 84111

Chief Justice Matthew B. Durrant, Presiding

Members:

Chief Justice Matthew B. Durrant, Chair
Hon. David Mortensen, Vice Chair Hon. Suchada Bazzelle
Hon. Samuel Chiara
Hon. Rita Cornish
Hon. Susan Eisenman
Hon. Michael Leavitt
Hon. James Gardner
Hon. Amber Mettler
Justice Paige Petersen
Hon. Christine Johnson
Hon. Michael DiReda
Hon. Angela Fonnesbeck
Hon. Chris Bown
Hon. Brendan McCullagh
Hon. Jon Carpenter
Kristin K. Woods

AOC Staff:

Ron Gordon
Neira Siaperas
Michael Drechsel
Keisa Williams
Nick Stiles
Shane Bahr
James Peters
Brody Arishita
Daniel Meza Rincon

Presenters:

Cris Seabury
Katy Erickson
Karl Sweeney
Alisha Johnson
Jace Willard
Chris Talbot
Matilda Willie

Excused:

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

Chief Justice Matthew B. Durrant welcomed everyone to the meeting and called for any questions or corrections to the December 15, 2025 meeting minutes. None were raised.

Motion: Judge Amber Mettler moved to approve the December 15, 2025 meeting minutes. Judge Rita Cornish seconded the motion, which passed unanimously.

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

Chief Justice Durrant reported that a State of the Judiciary would be delivered on January 20, 2026.

3. STATE COURT ADMINISTRATOR REPORT (Ron Gordon):

Ron Gordon reminded Council members to finalize and submit travel plans for the March Judicial Council Meeting as soon as possible in order to complete logistical arrangements.

Mr. Gordon acknowledged the recent retirement of Suzy Lee, recognizing her significant contributions and years of service to the Judiciary.

Mr. Gordon reported that the legislative session had begun and noted that it would present several challenges, including policy considerations and budgetary challenges. He affirmed his commitment to representing the Judiciary and advocating for the Judicial Council's decisions throughout the session.

Mr. Gordon provided a report on the town halls completed recently. A town hall was conducted in the Matheson Courthouse and the Judiciary answered many questions from the public. Judicial officers spoke with members of the public and it was a great opportunity to show how the Judiciary is reaching out to the public. There was a high level of engagement by all parties in attendance.

Mr. Gordon reported the new Interpreter Training Program will start at the end of the month. The curriculum is in place and a Memorandum of Understanding has been completed with Utah State University. Interest in the program was strong, with over 350 individuals expressing interest in the program. Mr. Gordon reported there have been many new improvements and advances in the Self-Help Center Department, particularly with the improvements in the MyCase program.

4. COMMITTEE REPORTS:

Management Committee: Nothing to report.

Budget & Fiscal Management Committee: The work of the committee will be discussed later in the meeting.

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

Policy, Planning, and Technology Committee: The work of the committee will be discussed later in the meeting.

Bar Commission: Katie Woods reported that the Government Relations Committee commenced meeting on January 20, 2026. She noted that the Utah State Bar anticipates opposing a number of items included on the Legislature's agenda for the current session.

Ms. Woods reminded Council members that they are welcome to attend the Utah State Bar Convention in March and their presence is greatly valued by bar members. She further reported that Thomas Balyes will be sworn in as the next President of the Utah State Bar during the Convention.

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

Alisha Johnson presented the financial reports.

FY 2026 Ongoing Turnover Savings as of 01/05/2026- Period 6

#		Prior Month Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE	Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2025)	138,582	138,582	138,582	-
	Ongoing Turnover Savings FY 2026 (actual year-to-date, Salary Differential only)	400,047	603,954	603,954	203,907
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 6 months, Salary Differential only)	455,000	-	390,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	993,629	742,537	1,132,537	138,907
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	-	-	-	-
	TOTAL SAVINGS	993,629	742,537	1,132,537	138,907
2	2026 Annual Authorized Hot Spot Raises	(200,000)	(191,455)	(200,000)	-
	TOTAL USES	(200,000)	(191,455)	(200,000)	-
Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026		793,629	551,082	932,537	138,907

FY 26 Ongoing Funding Net of Commitments/Reserves- Period 6, FY 2026

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 6) - Note: Does not include CY benefits differential until Q4 or forecasted amounts		\$ 603,954
Total Available Ongoing Funding - Cash Basis		\$ 742,537

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 (including a negative benefit differential) that enable meeting the investing in our People Ongoing Commitment	\$ (100,000)
Total Commitments/Reserves	\$ (670,000)

Net Available Ongoing Funding - Cash Basis (Deficit)

\$ 72,537

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

FY 2026 One Time Turnover Savings- Period 6 Updated as of Pay Period Ending 12/19/2025 (992 out of 2,088 hours)

#		Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 12/19/2025)	875,754
2	Est. One Time Savings for remaining pay hours (1,096 @ \$900 / pay hour)	986,400
Total Potential One Time Savings	3	1,862,154

Prior Report Totals (as of PPE 11/21/2025) 1,911,878
FY 2025 Final 3,072,760

FY 2026 Year End Requests and Forecasted Available One-Time Funds- Period 6

Forecasted Available One-time Funds			# One-time Spending Plan Requests		Adjusted Requests	Judicial Council Approved
	Description	Funding Type	Amount		Amount	Amount
*	Turnover Savings as of PPE 12/19/2025	Turnover Savings	875,754			
	Turnover savings Estimate for the rest of the year (\$900 x 1,096 pay hours)	Turnover Savings	986,400			
	Total Potential One Time Turnover Savings		1,862,154			
	Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)			
(a)	Total Potential One Time Turnover Savings Less Discretionary Use		1,612,154			
	<i>Operational Savings From TCE / AOC Budgets - mid-year forecast</i>	<i>Internal Operating Savings</i>	500,000			
	<i>Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27</i>	<i>Internal Operating Savings</i>	400,000			
	<i>Reserve Balance (balance from FY 2025 Carryforward)</i>	<i>Judicial Council Reserve</i>	700			
	<i>Use IT Budget Savings and Operational Savings to Increase Retro YOS Eligibility</i>	<i>Adjustments to CY Operations</i>	(462,000)			
(b)	Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		438,700			
(c)	Total of Turnover Savings & Operational Savings = (a) + (b)		2,050,854			
(d)	Uses of YE 2026 Funds					
	(d) Carryforward into FY 2027 (Anticipate request to Legislature for \$3,200,000)	FY 2027 Carryforward	(2,050,854)			
	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 01/06/2026

Current Month One-time Spending Requests
Previously Approved 1x FY 2025 YE Spending Request

Last reported expected carryforward: \$2,100,578

ARPA Expenses as of 01/05/2026 (period 6 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	433,338	12,255,548	117,852
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	433,338	14,882,148	117,852

Expenditures added since last report: 318,798

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

Karl Sweeney reported that the Legislative Fiscal Analyst (LFA) has requested that the Judicial Branch prepare a pro forma five percent General Fund reduction. The proposed recommendation for the Judiciary includes reductions in Judicial Assistant positions, along with other reductions outlined in the submitted memorandum. The LFA indicated that revenue enhancements alone would not be sufficient and that a list of proposed budget reductions has been compiled, including an estimated reduction of approximately 25 Judicial Assistant positions.

Mr. Gordon clarified that other state agencies have also been required to submit similar proposals for five percent budget reductions. He reported that it is likely that some budget reductions will be required this year due to recently passed federal legislation that will result in reduced state revenues. Mr. Gordon noted that the Judiciary has reviewed court fees and determined that increasing some fees would be reasonable to support revenue enhancements. He reiterated that the Judiciary currently has a need for additional Judicial Assistants and stated that, should reductions occur, the Judiciary would require approximately 60 Judicial Assistants to meet operational needs.

6. CERTIFICATION OF TREATMENT COURTS (Cris Seabury, Katy Erickson)

Cris Seabury and Katy Erickson presented certification recommendations for treatment courts, as required by UCJA Rule 4-409. They reported that site visits, interviews, and document reviews were conducted as

part of the evaluation process. The following treatment courts met all certification criteria and were recommended for re-certification:

- Seventh District – Grand County Adult Recovery Court (Judge Cas White and Judge Craig Bunnell)
- Fourth District – Juab County Adult Recovery Court (Judge Anthony Howell)
- Fourth District – Millard County Adult Recovery Court (Judge Anthony Howell)
- Fifth District – Washington County Adult Mental Health Court (Judge Jay Winward)

Motion: Judge Michael Leavitt moved to approve the certification of these courts as recommended. Judge Cornish seconded the motion, and it passed unanimously.

7. APPOINTMENT TO THE CCJJ (Shane Bahr)

Shane Bahr presented a request to fill the district court judge vacancy on the Commission on Criminal and Juvenile Justice (CCJJ). He explained that the vacancy occurred when Judge Camille Neider stepped down from the Commission. The Board of District Court Judges solicited volunteers from the district court bench who were interested in serving on the CCJJ, and three judges expressed interest. After consideration, the Board of District Court Judges recommended Judge Jeremiah Humes to the Judicial Council for appointment to the CCJJ.

Motion: Judge Samuel Chiara moved to appoint Judge Humes as the District Court Judge on the CCJJ. Judge Cornish seconded the motion, and it passed unanimously.

8. TRIBAL LIAISON COMMITTEE ANNUAL REPORT (Matilda Willie)

Matilda Willie provided an update on the Tribal Liaison Committee. She reported that Judge Randy Steckel has stepped down as the Tribal Judge representative on the committee. Efforts to fill the vacancy have been challenging, and the position remains open at this time.

Ms. Willie reported that the committee has met three times since its creation, with meetings held on August 25, 2025; September 22, 2025; and November 24, 2025.

On December 12, 2025, the Tribal Liaison presented at the Utah Tribal Leaders meeting held at the Urban Indian Center. During that meeting, the committee expressed its desire to meet directly with tribal leaders and will move forward with this plan.

The committee plans to meet on a quarterly basis moving forward.

9. NEW COURTHOUSES (Chris Talbot)

Chris Talbot shared the FY 2027 priority plan outlining proposed projects to be presented to the Legislature for funding approval. He reported that the committee is preparing to present two courthouse projects during the upcoming legislative session: the Davis County Justice Center and the new Cedar City Courthouse.

Mr. Talbot provided an overview of both projects and shared images of the proposed plans for each facility. He discussed the need for the projects and the anticipated next steps in seeking legislative approval.

Regarding the Davis County Justice Center, Mr. Talbot highlighted a proposal for Davis County to share in the cost of the project with the Judiciary. He explained that a cost-sharing partnership would allow for the issuance of a bond to finance the project.

10. LEGISLATIVE UPDATES (Michael Drechsel)

Michael Drechsel provided legislative updates, reporting that the Liaison Committee has met four times since December and reviewed numerous bills affecting the Judiciary.

Mr. Drechsel discussed several measures addressing judicial resources and court structure, highlighting SB 134, which would expand the Supreme Court by two justices and the Court of Appeals by two judges. Discussions are also underway to advocate for the addition of district court judges as part of the same legislation.

Additional legislation addresses judicial oversight and procedural requirements, including notice obligations to the Judicial Conduct Commission, potential changes to judicial retention thresholds, and proposed amendments to rules of evidence and procedure. Other bills would affect court operations, including authorization of step supervision courts in justice courts, reauthorization of ADR programs subject to sunset review, statutory speedy trial timeframes with significant fiscal implications, and new requirements for judicial review of court records in custody and parent-time matters.

11. RULES FOR FINAL APPROVAL (Keisa Williams)

Keisa Williams presented Rules 3-109, 4-202.10, and 4-906 for final approval. All rules completed the public comment period without receiving any comments.

The Policy, Planning, and Technology Committee (PP&T) recommended that the rules be adopted as final with a May 1, 2026 effective date:

- 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 amendment adds the Office of Professional Conduct to the list of entities authorized to access nonpublic juvenile court records.
- 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.

Motion: Judge Christine Johnson moved to approve the amendments to Rules 3-109, 4-202.10, and 4-906 as final, with an effective date of May 1, 2026. Justice Paige Petersen seconded the motion, and it passed unanimously.

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

Motion: Judge Johnson moved to approve the items on the consent calendar. Judge Mettler seconded the motion, and it passed unanimously.

13. SENIOR JUDGE APPOINTMENT (Neira Siaperas):

Motion: Judge David Mortensen moved to enter executive session for the purposes of discussing the character, professional competence, or physical or mental health of an individual. Judge Cornish seconded the motion, and it passed unanimously. An executive session was held. Following the session, the Council made the following decision:

Motion: Judge Chiara moved that the Council find Judge Barry Lawrence meets the qualifications for appointment as an active senior judge. Judge Mettler seconded the motion, and it passed unanimously.

14. ADJOURN

The meeting was adjourned.

Tab 2

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

Webex video conferencing

MEMBERS:

PRESENT

EXCUSED

Judge James Gardner, <i>Chair</i>	✓	
Judge Jon Carpenter	✓	
Judge Angela Fonnesbeck		✓
Judge Christine Johnson		✓

GUESTS:

Judge Adam Mow
Nini Rich
Bart Olsen
Jeremy Marsh
Melissa Kennedy
Michael Samantha Starks

STAFF:

Stacy Haacke
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 December 5, 2025 meeting. With no changes, Judge Gardner moved to approve the minutes as presented. Judge Carpenter seconded the motion. Due to a lack of a quorum during the meeting, Judge Johnson agreed by email. The motion passed unanimously.

(2) Rules back from public comment:

- CJA 3-109. Ethics Advisory Committee
- CJA 4-202.10. Record sharing
- CJA 4-906. Guardian ad litem program

No public comments were received. The committee made technical edits to rule 3-109 by adding “the” on line 20, removing the quotations from Formal Opinions in line 30 and capitalized Committee throughout because it is a defined term.

Judge Gardner moved to recommend to the Judicial Council that rules 3-109, 4-202.10, and 4-906 be approved as final with a May 1, 2026 effective date. Judge Carpenter seconded the motion. Judge Johnson agreed by email. The motion passed unanimously.

(3) 4-510.04. ADR training:

Judge Adam Mow and Nini Rich presented proposed amendments to rule 4.510.04 on behalf of the ADR Committee. In addition to basic formatting changes, the amendments ensure Utah court-qualified Primary Trainers are actively involved in any 40-hour Basic Mediation training that meets the

requirements in Rule 4-511.04. The amendments also require Utah court-qualified mediation training providers to provide or facilitate opportunities for their trainees to get the observation and experience requirements necessary to be admitted to the ADR Roster. The committee made the following corrections:

- Uncapitalize Basic Mediation Training in line 4 and make it a defined term;
- Capitalize Judiciary in line 6;
- Added “no later than” in line 19;
- Added “In addition to the Basic Mediation Training, the training program must:” in line 43;
- Added “at least” in line 87.

With no further discussion, Judge Gardner moved to send rule 4-510.04 to the Judicial Council with a recommendation that it be posted for a 45-day public comment period. Judge Carpenter seconded the motion. Judge Johnson agreed by email. The motion passed unanimously.

(3) HR Policies:

- **HR08-14. Dual State Employment**
- **HR06-6(12). Pay for Performance Salary Increases**
- **HR06-7. Incentive Awards**
- **HR15-3(3). Workplace Harassment Complaint Procedures**
- **HR17-9. Grievance Review Panel Procedures**
- **HR08-22. In-State and Out-of-State Work**
- **HR02-2. Compliance Responsibility**
- **HR07-7. Administrative Leave and Eligibility**
- **HR07-20. Leave Bank**

The Human Resources Policy Review Committee approved the proposed amendments to HR policies. The amendments:

- prohibit all employees of the judiciary from dual state employment;
- make policy consistent with recently implemented Investing in Our People (IOP) initiative;
- sync policy with recently implemented IOP initiative and with established practices for distributing pay bonuses;
- update the two newly created job classifications into the list of workplace harassment reporters;
- clarify and update procedures for the Grievance Review Panel;
- clarify the policy for out-of-country access to the judiciary’s technology systems;
- clarify what obligations an employee must report;
- amend the administrative leave policy and formalizes the new Years of Service structure.

The committee recommended the following changes:

- HR08-14 – changed to “The judiciary does not permit dual state employment with external state entities.”
- H06-7 – added semicolons to the management incentive award list in (1)(b)

With no further discussion, Judge Gardner moved to recommend to the Judicial Council that HR policies 08-14, 06-6(12), 06-7, 15-3(3), 17-9, 08-22, 02-2, 07-7, and 07-20 Leave Bank be approved as proposed. Judge Carpenter seconded the motion. Judge Johnson agreed by email. The motion passed unanimously.

Technology report/proposals:

The Technology Advisory Committee will be meeting in March and Mr. Eaton will report back. The IT department is working with the Education Department to set up booths at all the upcoming spring conferences. Mr. Eaton provided an update and preview for the service desk training corner, which now includes nearly 60 short videos and 40 training documents.

Old Business/New Business: None.

Adjourn: With no further items for discussion, the meeting adjourned at 12:55 p.m. The next meeting will be held on February 6, 2026, at noon via Webex video conferencing.

Tab 3

**Budget and Grants Agenda
For February 23, 2026
Judicial Council Meeting**

1. Monthly YTD Financials Alisha Johnson
(Item 1 - Information)
 - FY 2026 Ongoing Turnover Savings – Per 7
 - FY 2026 Ongoing Funds Net of Commitments – Per 7
 - FY 2026 One Time Turnover Savings – Per 7
 - FY 2026 JC Year End Spending Plan – Per 7
2. Updated Court Response to EAC Request for up to 5% Budget Cut ... Karl Sweeney and Ron Gordon
(Item 2 – Information)
3. Mid-Year Update – Xchange Fee IncreaseKarl Sweeney and Jordan Murray
(Item 3 – Information)

Item 1



FY 2026 Ongoing Turnover Savings as of 02/03/2026 - Period 7

#		Prior Month Forecast	Actual	Forecasted	Change in Forecast
		Amount @ YE	Amount YTD	Amount @ YE	Amount @ YE
	Net Carried over Ongoing Savings (finalized from FY 2025)	138,582	138,582	138,582	-
	Ongoing Turnover Savings FY 2026 (actual year-to-date, Salary Differential only)	603,954	649,316	649,316	45,361
1	Ongoing Turnover Savings FY 2026 (forecast \$65,000 / month x 5 months, Salary Differential only)	390,000	-	325,000	(65,000)
	TOTAL SALARY RELATED ONGOING SAVINGS	1,132,537	787,898	1,112,898	(19,639)
	Benefit Differential Savings FY 2026 (will be recognized in this row starting in Q4)	-	-	-	-
	TOTAL SAVINGS	1,132,537	787,898	1,112,898	(19,639)
2	2026 Annual Authorized Hot Spot Raises	(200,000)	(191,455)	(200,000)	-
	TOTAL USES	(200,000)	(191,455)	(200,000)	-
Total Actual/Forecasted Unencumbered Turnover Savings for FY 2026		932,537	596,443	912,898	(19,639)

* 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 (\$107,153.54). Prior report benefit differential was (\$65,356.46). FY 2025 full year benefit differential was +\$201,339.

* Currently, 28.5 FTE are vacant. This is down from the last report where 30 positions were vacant.

1 Currently forecasting \$65,000 of ongoing Salary Differential savings a month for the remainder of the FY; actual run rate is \$649,316 / 7 months = \$92,759 /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 26 Ongoing Funding Net of Commitments/Reserves - Period 7, FY 2026

2/3/2026

Funding Sources

Available Funds

Ongoing Turnover Savings carried over from FY 2025

Actual Ongoing Turnover Savings from FY 2026 (as of period 6) - Note: Does not include CY benefits differential until Q4 or forecasted amounts

Total Available Ongoing Funding - Cash Basis

Net Available

\$	138,582
\$	649,316
\$	<u>787,898</u>

Commitments/Reserves

1 Judicial Council Delegated to State Court Administrator for Discretionary Use in FY 26

2 Obligated/Committed Funds Needed by June 30, 2026 for use in 7.1.2027 fiscal year for Investing in our People

3 Director of Finance and State Court Admin. reserves for assumption contingencies (including a negative benefit differential) that enable meeting the investing in our People Ongoing Commitment

Total Commitments/Reserves

\$	(200,000)
\$	(370,000)
\$	(100,000)
\$	<u>(670,000)</u>

Net Available Ongoing Funding - Cash Basis (Deficit)

\$ 117,898

Deferred Ongoing Requests

Requests are deferred until Net Available Ongoing Funding - Cash Basis exceeds these requested amounts

8th District Probation Training Coordinator - Russ Pearson

Juvenile Court ICJ Funding Increase

Judicial Council Approved

\$	52,500
\$	7,000

Subtotal

\$ 59,500

Holding any distribution of funding until the finalization of the Legislative Session to take into account any Legislative commitments that may arise on these funds.



FY 2026 One Time Turnover Savings - Period 7

Updated as of Pay Period Ending 01/16/2026 (1,152 out of 2,088 hours)

#		Funding Type	Actual Amount
1	One Time Turnover Savings (from actual payroll data versus budget as of PPE 01/16/2026)	Internal Savings	1,051,991
2	Est. One Time Savings for remaining pay hours (936 @ \$900 / pay hour)	Internal Savings (Est.)	842,400
	Total Potential One Time Savings		3 1,894,391

Prior Report Totals (as of PPE 12/19/2025)	1,862,154
FY 2025 Final	3,072,760

- 1 Actual per hour turnover savings for the last 4 pay periods (oldest to newest): \$1,007.02, \$252.45, \$1,401.31, and \$1,117.50. The average per hour turnover savings for FY 2026 YTD: \$913.19. Last report's average was \$882.82. We are maintaining the \$900 per pay hour estimate based on the conservative estimate of the variation of + / - 15 FTE vacant FTE and the reduced savings from the expiration of the Social Security cap as of the start of the new calendar year.
- 2 Based on the information above, the forecast was decreased from \$1,200 per hour to \$900 per hour as of the PPE 10/24/2025 report. Actual per hour turnover savings for FY 2025 was \$1,427.
- 3 The decline from FY 25 to FY 26 is primarily due to the decrease in vacant positions which have declined from an average of 25-30 vacant positions between January 2025 & mid-September 2025 to +/- 15 vacant positions since mid-September. Overall, it appears that positions are filling faster when vacant. This decrease from 30 to 15 vacant positions at a loaded rate of ~ *\$37.99 / hr equates to ~ \$569.85 per pay hour decrease. This decrease is reconciled in the table below. Although this decrease does seem to be rebounding as of PPE 12/19, this impact has flowed through beginning on the next report.

RECONCILIATION		
	Per working Hour Δ	
FY 2025 Per Hour Turnover Savings:	\$ 1,427	
Minus adjustment for decrease from 30 to 15 vacant positions (assumption: *\$37.99 loaded / hr):	\$ (570)	(-15 x \$37.99)
Anticipated Turnover Savings per Hour based upon 15 vacant positions:	\$ 857	
FY 2026 Forecast for balance of year	\$ 900	

*\$37.99 / hour includes JA base of \$22.39 / hr salary + 28.345% for retirement + \$9.26 for double health / dental.

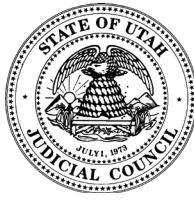


FY 2026 Year End Requests and Forecasted Available One-time Funds - Period 7

Forecasted Available One-time Funds			# One-time Spending Plan Requests	Adjusted Requests	Judicial Council Approved
Description	Funding Type	Amount		Amount	Amount
Sources of YE 2026 Funds					
* Turnover Savings as of PPE 01/16/2026	Turnover Savings	1,051,991			
Turnover savings Estimate for the rest of the year (\$900 x 936 pay hours)	Turnover Savings	842,400			
Total Potential One Time Turnover Savings		1,894,391			
Less: Judicial Council Delegated to State Court Administrator for Discretionary Use		(250,000)			
(a) Total Potential One Time Turnover Savings Less Discretionary Use		1,644,391			
<i>Operational Savings From TCE / AOC Budgets - mid-year forecast</i>	<i>Internal Operating Savings</i>	539,910			
<i>Operational Savings from IT Budget - Timing of Contract Renewal Deferred to FY 27</i>	<i>Internal Operating Savings</i>	400,000			
<i>Reserve Balance (balance from FY 2025 Carryforward)</i>	<i>Judicial Council Reserve</i>	700			
<i>Use IT Budget Savings and Operational Savings to Increase Retro YOS Eligibility</i>	<i>Adjustments to CY Operations</i>	(462,000)			
(b) Total Operational Savings, Reserve, Unclaimed Property and Prior Year Adjustments		478,610			
(c) Total of Turnover Savings & Operational Savings = (a) + (b)		2,123,001			
Uses of YE 2026 Funds					
(d) Carryforward into FY 2027 (Anticipate request to Legislature for \$3,200,000)	<i>FY 2027 Carryforward</i>	(2,123,001)			
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.		-			

Last reported expected carryforward: \$2,050,854

Item 2



Administrative Office of the Courts

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

January 29, 2026

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

TO: Criminal Justice Appropriations Subcommittee
FROM: Ron Gordon, Neira Siaperas, Karl Sweeney
CC: Gary Syphus
RE: Judicial Branch - Alternative Proposals for 5% Budget Reduction

After reviewing the Legislative Fiscal Analyst (LFA) recommendations in detail, the Judiciary proposes an alternative approach that allows it to meet a total reduction of 6.25% of the General Fund through a combination of revenue increases and non-personnel reductions.

If the Subcommittee determines that a reduction of the Judiciary's budget is necessary, the Judiciary respectfully requests that the Subcommittee considers the options presented in this memo will allow the Judiciary to meet its targeted budget reduction without any personnel reductions. If the Subcommittee determines that personnel-related reductions are required, the Judiciary requests that such reductions be achieved through holding positions vacant rather than eliminating funded positions or reducing staff.

We appreciate the substantial assistance Gary Syphus provided in developing potential reductions to the Judiciary's FY 2027 budget and understand that he supports this alternative approach.

Comparison of Budget Reduction Approaches

The table below compares the LFA recommendations with the Judiciary's alternative proposal. The Judiciary's proposal achieves greater reductions than the LFA's recommendation through higher revenue increases and non-personnel reductions, exceeding the overall reduction target of 5% without any personnel reductions. If personnel-related reductions are required, the Judiciary's proposal would result in a greater total General Fund reduction than the LFA's recommendation. Additional details are provided in Schedule A.

	LFA		Judiciary	
	Recommendation	% GF	Proposal	% GF
1. Revenue Increases	\$9,082,400	4.96	\$9,275,000	5.07
2. Non-personnel Reductions	\$2,036,000	1.11	\$2,160,000	1.18
3. Personnel Reductions (if required)	\$3,705,300	2.02	*\$3,705,300	2.02

**If personnel-related reductions are required, the Judiciary would achieve the \$3,705,300 by holding positions vacant for the period required by the Legislature, rather than eliminating funded positions or reducing staff.*

Revenue Increases Through Court Fees

With the passage of House Bill 531 during the 2023 General Session, the Judiciary began submitting annual reports to the Legislature detailing the full costs, including indirect costs, associated with each court fee. The most recent report shows that, for nearly all court fees, underlying costs substantially exceed the amounts currently charged, presenting an opportunity to narrow the gap between cost and revenue in a responsible manner.

Court fees were last increased broadly in 2009 during the recession, with a more limited \$15 increase applied to approximately half of all fees in 2020. Since 2009, cumulative inflation through 2025 has totaled approximately 42%. Even with the proposed increases, recommended fees remain well below full cost recovery.

Based on these factors, the Judiciary recommends targeted increases to four court fees with high filing volumes and the largest gaps between cost and revenue. These proposed adjustments narrow those gaps in a measured way.

The table below summarizes the recommended fee adjustments. Additional details are provided in Schedule B.

	Annual # of Filings	2009 Fee	2020 Fee	2027 Fee Proposed	Cost Per Case
Petition or Complaint \$2,000 or less	49,000	\$75	\$90	\$145	\$296
Petition or Complaint greater than \$2,000 and less than \$10,000	30,000	\$185	\$200	\$250	\$299
Garnishments	73,000	\$50	\$50	\$110	\$239
Divorce/ Separate Maintenance Petition	14,000	\$310	\$325	\$375	\$492

Non-personnel Reductions

The Judiciary's recommendations align with or increase the LFA recommendations for five of the seven ongoing operating budget reductions identified in Schedule A. For two items -- use of Children's Legal Defense Funds (CLDF) and returning Juror, Witness, Interpreter (JWI) funds -- the Judiciary recommends smaller reductions than those proposed by the LFA for the reasons outlined below.

First, the Guardian ad Litem program requires CLDF funds to balance its FY 2026 budget. Reducing this funding would undermine the program's financial stability and its ability to meet existing obligations.

Second, reducing JWI funds by \$600,000 would likely result in a negative fund balance by the end of FY 2027, triggering a Board of Examiners review and associated administrative processes. A \$300,000 reduction provides at least a two-year runway and avoids this outcome.

Personnel Reductions

As shown in Schedule A, the Legislative Fiscal Analyst (LFA) personnel reduction target of \$3.7 million could be achieved by holding approximately 41 positions unfilled during FY 2027. This approach would avoid layoffs and permanent position eliminations. However, the Judiciary does not recommend relying on vacancies to achieve personnel related savings.

Over the past five years, the Judiciary has made sustained efforts to reduce turnover among its core workforce, including Judicial Assistants, Probation Officers, and other support staff. Despite these efforts, turnover in FY 2026 remains approximately 20%, which is not sustainable long term.

Maintaining approximately 41 vacancies in FY 2027 would significantly increase workload demands on the remaining approximately 729 core employees. During FY 2021 pandemic-related budget reductions, reduced caseloads partially offset staffing reductions. No comparable mitigating factor exists today.

Extended reliance on vacancies, including vacancies in Judicial Assistant positions, would negatively affect judicial throughput, increase courtroom and operational strain, and ultimately delay services and outcomes for court users and other constituents, while likely accelerating employee turnover statewide.

Recommendation

If possible, the Judiciary respectfully requests permission to meet any budget reductions considered necessary by this Subcommittee through a combination of revenue increases and non-personnel reductions totaling 6.25% of the General Fund as outlined in this memo. This approach allows the Judiciary to exceed the targeted 5% reduction without permanent reductions to funded positions and without relying on extended vacancies to achieve personnel savings.

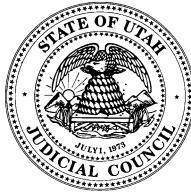
If personnel related reductions are required, the Judiciary requests that equivalent savings be achieved through holding positions vacant rather than eliminating funded positions or reducing staff, minimizing impacts on court patrons, operations, and workforce stability.

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SCHEDULE A

		SCHEDULE B		History of increases in these fees from Appendix B of FY 20255 HB 531 Report			
				2009	2020	2027	Cost
1a	District Court Filing Fees - Complaint or Petition \$2,000 or less: Increase from \$90 to \$145 (cost \$296)			\$75	\$90	\$145	\$296
		Total Filings	49,000	Per HB 531 Figure 2			
		Proposed Increase	\$55				
		Incremental Revenues	\$2,695,000				
		Existing Revenues	\$4,410,000				
		Total Gross Revenues	\$7,105,000				
		Total Filings	49,000				
		Cost per filing	\$296	Per HB 531 Figure 2			
		Gross costs w/ OH	\$14,504,000				
1b	District Court Filing Fees - Complaint or Petition \$2,001 to \$9,999: Increase from \$200 to \$250 (cost \$299)			2009	2020	2027	Cost
		Total Filings	30,000	Per HB 531 Figure 2			
		Proposed Increase	\$50				
		Incremental Revenues	\$1,500,000				
		Existing Revenue	\$6,000,000				
		Total Gross Revenues	\$7,500,000				
		Total Filings	30,000				
		Cost per filing	\$299	Per HB 531 Figure 2			
		Gross costs w/ OH	\$8,970,000				
1c	District Court Document Fees - Garnishments: increase from \$50 to \$110 (cost \$239)			1993	2009	2027	Cost
		Total Filings	73,000	Per HB 531 Figure 6			
		Proposed Increase	\$60				
		Incremental Revenues	\$4,380,000				
		Existing Revenue	\$3,650,000				
		Total Gross Revenues	\$8,030,000				
		Total Filings	73,000				
		Cost per filing	\$239	Per HB 531 Figure 6			
		Gross costs w/ OH	\$17,447,000				
1d	Divorce or Separation Petition: Increase from \$325 to \$375 (cost \$492)			2009	2020	2027	Cost
		Total Filings	14,000	Per HB 531 Figure 6			
		Proposed Increase	\$50				
		Incremental Revenues	\$700,000				
		Existing Revenue	\$4,550,000				
		Total Gross Revenues	\$5,250,000				
		Total Filings					
		Cost per filing					
		Gross costs w/ OH					
	Grand Total Forecasted Incremental Revenue		\$9,275,000				

Item 3



Administrative Office of the Courts

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

January 22, 2026

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

MEMORANDUM

TO: Budget & Fiscal Management Committee;
Judicial Council

FROM: Jordan Murray, Alisha Johnson and Karl Sweeney

RE: XChange Fee Increase: FY 2026 Mid-Year Update

This memorandum serves as an update regarding the status of XChange program revenues following strategic fee increases implemented on July 1, 2025. Mid-year 2026 FY performance data indicate that the updated fee structure is successfully closing the historical gap (which was \$1.6M in FY 2025) between XChange expenses and collections without creating a material surplus of revenue.

1. Historical Baseline: FY 2025 Financials. To contextualize the success of the current fee structure, it is necessary to review the program's financial standing prior to the increase. In FY 2025, the program operated with a significant disparity between collections and operational costs:

FY 2025 Total Revenues:	\$2,376,428
FY 2025 Total Expenses:	\$4,024,632
Net Difference:	(\$1,648,204)

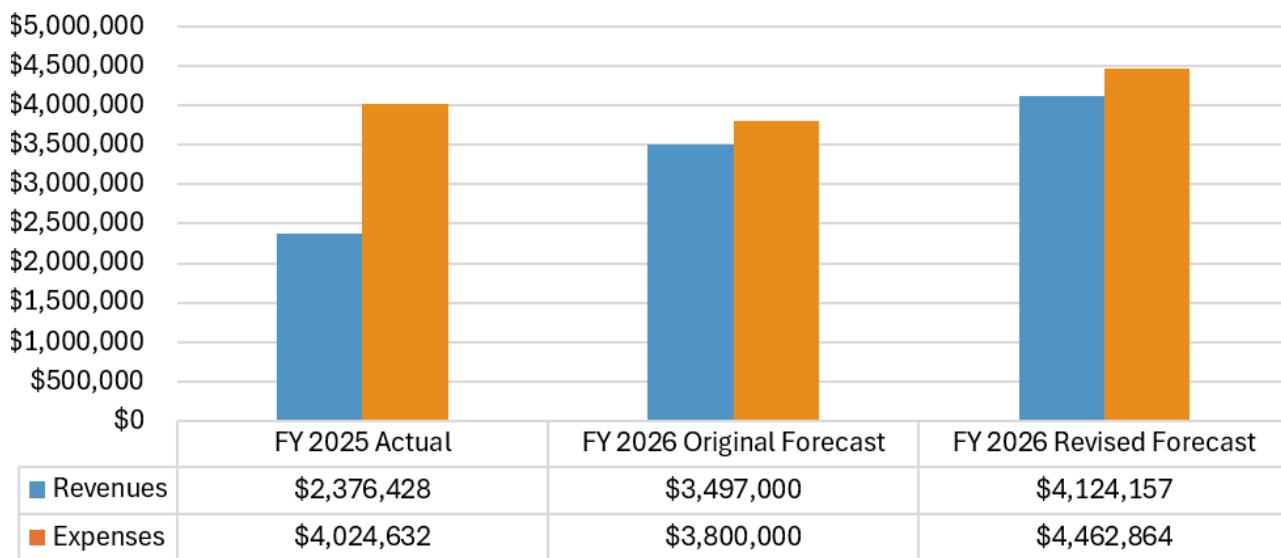
2. FY 2026 Performance (YTD): Forecast vs. Actuals. A conservative revenue increase was projected for the new fee schedule prior to implementation. A portion of the expected increase (\$1,200,000 increase for a \$3,500,000 annual total) was budgeted to cover IT expenses that were not funded by the Legislature (\$963,000) as well as allowing for a general fund swap to free up funds for Investing in our People (\$237,000). Actual XChange revenue through December 2025 was \$2,062,079 which puts us on track for a \$4.1M annual revenue total, some \$600,000 more than anticipated, as shown below:

Original FY 2026 Revenue Forecast:	\$3,497,000
Revised FY 2026 Revenue Forecast:	\$4,124,157

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On the expense side, since actual XChange expenses are only completed through the HB 531 process and our request to make this change was 6 months before the FY 2025 amount was finalized, we purposely estimated expenses low in our original forecast. As shown below, the actual expenses (which included some portion of the \$963,000 listed above) were \$4.024M and are on track to reach \$4.5M this year. The forecast gap between revenue and expense has decreased from \$1.6M in FY 2025 to about \$350K for FY 2026.

XChange Program FY 2026 Forecast



3. **HB 531 Compliance:** By balancing these increased revenues against IT and XChange program expenditures, we ensure compliance with HB 531, which limits fee collections to no more than the costs required to generate them. If XChange expenses come in as forecast, we are in the HB 531 proverbial “sweet spot” as expenses will exceed revenues but by a much smaller margin than historically achieved.

Conclusion: The July 1, 2025 XChange fee increases have proven to be a **successful strategic adjustment**. By shifting the cost burden primarily to profit-based entities (such as background investigation agencies and law firms that utilize court data for commercial products), we have secured a robust funding stream for critical IT expenses that have historically gone unfunded by the Legislature. We have effectively transitioned from a large revenue deficit in FY 2025 to an optimized model in FY 2026 with a much lower revenue deficit. Therefore, we expect to remain fully compliant with HB 531.

AOC Finance will continue to monitor these figures to ensure the alignment between revenues and expenses is maintained. Should net revenues track materially higher than anticipated in future quarters, we retain the flexibility to manage revenues down through targeted measures, such as offering "free months" to guest accounts, to ensure we do not accumulate an ongoing excess revenue cushion.

Tab 4

2026 JPEC Survey Overview

139 Total Judges (109 full evaluations)

- 58 retention evaluations (46 full)
- 81 midterm evaluations (65 full)

Surveys sent: 23,874

Survey responses: 10,760

Overall response rate: 45%

Survey Response Rates – Trends over Time

	2025*	2023	2021	2019	2017
# of Judges	109	101	97	106	96
# of Total Judge Evaluations Sent	21,750	21,827	21,696	24,299	21,041
# of Evaluations Sent Per Judge	199	216	224	229	219
Attorney Response Rate	7,807 (42%)	7,613 (42%)	7,050 (39%)	8,349 (45%)	6,999 (41%)
Court Staff Response Rate	1,866 (57%)	1,320 (52%)	1,669 (55%)	2,071 (54%)	2,210 (53%)

*New survey research partner, University of New Hampshire Survey Center

Average Score Change with Normalization for District Court judges

Average Score	Integrity & Judicial Temperament	Administrative Skills	Procedural Fairness
District (pre-Normalization)	4.68	4.70	4.66
District (post-normalization)	4.61 (.07)	4.63 (.07)	4.57 (.09)

Average Score Change with Normalization for Justice Court judges

Average Score	Integrity & Judicial Temperament	Administrative Skills	Procedural Fairness
Justice (pre-Normalization)	4.33	4.38	4.25
Justice (post-Normalization)	4.30 (.03)	4.35 (.03)	4.22 (.03)

Tab 5



Fourth District Court

January 30, 2026

TO: Utah Judicial Council

FROM : Presiding Judge Sean M. Petersen
Associate Presiding Judge Jared W. Eldridge
Mark A. Urry, Trial Court Executive

RE: **Authorization to Fill Commissioner Vacancy Under UCJA 30201(3)(B)**

On January 23, 2026, Commissioner Marla R. Snow submitted her intent to retire from her position as a Commissioner in the Fourth District Court, effective July 1, 2026 (see attachment).

The Fourth District Court consists of a vast, diverse judicial district of one large urban county, Utah County; one medium-size rural county, Wasatch County; and two additional rural counties, Juab and Millard Counties. The court has two commissioner positions-- both with high caseloads noted below. Furthermore, Commissioner Snow's assignment involves one separate half-day monthly domestic calendars in Wasatch, Juab and Millard counties as well:

**Commissioner Total Caseload by Filing Year
2020-206
Calendar Year**

Commissioner	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026*</u>	<u>Total</u>
Marian Ito	1634	1817	1892	1917	1902	1891	137	11,190
Marla Snow	1829	1831	1857	1848	1904	1913	135	11,317

**CY 2026 Caseload as of 1/27/2026*

In addition to the current caseload of both commissioners, the Fourth District Court has a current judicial weighted caseload showing the district in need of +2.3 additional judicial positions.

With the current commissioner caseload and the current judicial weighted caseload need, the Fourth District Court is respectfully requesting authorization from the Judicial Council to fill Commissioner Marla Snow's vacancy in accordance with UCJA 3-201(3)(B), which states "*[w]hen a vacancy occurs or is about to occur in the office of a court commissioner, the Council shall determine whether to fill the vacancy*" [emphasis added].

Thank you for your consideration of our request.

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



Fourth District Court

Commissioner Marla R. Snow

January 23, 2026

Judge Sean Petersen

Fourth District Presiding Judge

Fourth District Court, Provo, Utah

Dear Judge Petersen,

After thoughtful consideration I have decided to move forward with my plan to retire and ask that you please accept this letter as formal notification of my retirement from my position as a Commissioner at the Fourth District Court, Provo, Utah effective July 1, 2026.

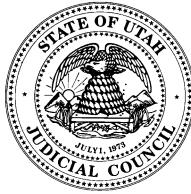
The opportunity to serve in this position has been an honor and a privilege. There have been so many life events that have occurred during my time here and words are not enough to express my heartfelt gratitude for all the support and camaraderie.

On to new adventures.

Sincerely,

Marla Snow

Tab 6



Administrative Office of the Courts

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

January 25, 2026

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

MEMORANDUM

TO: **Judicial Council and Management Committee**

FROM: Chris Talbot, Court Facilities Director
On behalf of Judge Michele Christiansen Forster – Chair

RE: Court Facilities Planning Committee Assessment and Recommendation

Per UCJA 1-205(1)(D) the Facilities Coordinator (Chris Talbot) for the Court Facilities Planning Committee (CFPC) has conducted a performance review. The intent of this review was to consider the responsibilities of the committee and determine whether there are more efficient ways to accomplish the future needs of the Judiciary in regards to court facilities planning.

The CFPC meets virtually every quarter and consists of the following members:

Judge Michele Christiansen Forster (Court of Appeals) - Chair
Judge Ronald Russell - (District Court)
Judge Troy Little (5th District Juvenile Court Cedar City)
Judge Lee Edwards (Logan City Justice Court)
Ron Gordon (State Court Administrator)
Brian Bales (Public - Retired Industry Professional)
Christopher Morgan (TCE 6th District)
Chris Palmer (AOC Security Director)
Chris Talbot – Coordinator
Holly Albrecht – Admin Support

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

The responsibilities of the CFPC are found in Rule 3-409 and include these basic duties:

- To establish a framework for the conceptual, planning, development and implementation phases of court capital facilities.
- To provide for Council review and approval of all proposed court capital facilities.
- To ensure adherence to the design and space guidelines and other requirements of the Utah Judicial System Capital Facilities Masterplan.
- Make annual recommendations to the Council regarding the prioritization of masterplan priorities and capital development funding requests.

For the past seven years, only the Court Facilities Director / Facilities Coordinator has prepared recommendations for Committee review and approval. Due to the lengthy process of obtaining State funding for new buildings (4 to 6 years), there is typically not very much new information to share with the CFPC from quarterly meeting to quarterly meeting. The CFPC meetings have become very short due to this lack of new funding progress, which has reduced the importance of committing resources to this Committee over time.

After a thoughtful performance review of the CFPC responsibilities over the past several years, Judge Christiansen Forster and I would recommend that the Committee be disbanded. As the Chair of the CFPC and having worked with the Facilities Director over the past several years, Judge Christiansen Forster is very comfortable making this recommendation based on what she has observed to be the consistent and dedicated work of the Facilities Director. As the judge notes, Chris' recommendations, based upon his research and study, are always timely, efficient, and transparent. Rarely do CFPC members have questions or suggestions during committee meetings. We therefore recommend the following process that we believe would more efficient for all involved while still ensuring transparency in the facilities planning process:

1. The Facilities Director shall meet quarterly with the State Court Administrator (SCA) and Deputy State Court Administrator (DSCA) to discuss the four responsibilities noted above, current project updates (both Capital Development and Capital Improvement projects) with actual or estimated costs. These meetings will also be used to determine if any changes / adjustments are needed and if Council approval is required to move forward. The Facilities Director will appear before the Council for approvals as needed for any time sensitive issues.

Note : This process is already occurring in a regularly scheduled quarterly SCA / DSCA update meeting with the Facilities Director.

2. The Facilities Director shall present an annual report to the Council outlining current capital building priorities, suggested modifications and project updates. The Council will be asked to approve the next fiscal year's priority list during these annual presentations.

Note : This presentation is already occurring annually in a May or June Council Meeting.

This new proposed process would more than adequately meet the needs of the Council while reducing the resources and time needed to accomplish our future court facilities planning.

Tab 7



Administrative Office of the Courts

Chief Justice Matthew B. Durrant

Utah Supreme Court
Chair, Utah Judicial Council

Ronald B. Gordon, Jr.

State Court Administrator

Neira Siaperas

Deputy Court Administrator

MEMORANDUM

To: Judicial Council / Management Committee
From: Michael C. Drechsel, Assistant State Court Administrator
Date: Saturday, February 1, 2026
Re: Final Approval of Rule 1-205(1)(B)(i) Amendment **AND** Membership of Uniform Fine Committee

PROPOSED ACTION ITEMS:

- Approve Uniform Fine Committee membership changes to Code of Judicial Administration, Rule 1-205(1)(B)(i) for final adoption;
- Appoint Judge Denise Porter as chair of the Uniform Fine Committee;
- Reappoint Judge Barbara Finlinson for a second term as a justice court judge on the Uniform Fine Committee; and
- Appoint Judge Brook Sessions for a first term as a justice court judge on the Uniform Fine Committee.

FINAL ADOPTION OF RULE 1-205(1)(B)(i) AMENDMENT:

In December 2025, the Judicial Council authorized publication of a proposed rule change that would modify the membership of the Uniform Fine Committee (“the committee”) outlined in [Code of Judicial Administration, Rule 1-205\(1\)\(B\)\(i\)](#) (see Attachment 1).

- The rule currently requires membership of **four district court judges** and **four justice court judges**.
- The proposed change to the rule would reduce the number of judges to **one district court judge** and **two justice court judges**.
- The proposed rule was published for public comment on December 16, 2025. The 45-day public comment period closed on January 30, 2026. No public comments were received.

If the Judicial Council approves this rule change, and if the Judicial Council approves the membership changes outlined above, the final membership of the committee will be:

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

Member	Position	Term #	Term Start	Term End
Judge Denise Porter (<i>chair</i>)	District Court Judge	2nd Term	01/01/2025	12/31/2027
Judge Barbara Finlinson	Justice Court Judge	2nd Term	01/01/2026	12/31/2028
Judge Brook Sessions	Justice Court Judge	1st Term	01/01/2026	12/31/2028

MEMBERSHIP CHANGES:

As staff to the committee, it is proposed that the following three membership issues be addressed:

#1 – Appoint Judge Denise Porter as Chair of the committee:

Judge Denise Porter is currently serving on the committee as a district court judge. She is in her second term, which ends on December 31, 2027. The former chair — Judge Jennifer Valencia — ended her second term on the committee on December 31, 2025. As a result, the committee needs a new chair. The Judicial Council is responsible for appointing the chair of the committee.

Judge Porter has expressed a willingness to serve as chair of the committee.

#2 – Reappoint Judge Barbara Finlinson to a second term on the committee:

Judge Barbara Finlinson is currently serving on the committee as a justice court judge. She has been actively involved in all meetings of the committee and has made excellent contributions to the committee's work. Her first term concluded on December 31, 2025. ***Judge Finlinson has expressed a willingness to serve a second term on the committee.*** It is recommended that this second term commence January 1, 2026, and conclude on December 31, 2028. Judge Finlinson is not serving on any other Judicial Council standing committee.

#3 – Appoint Judge Brook Sessions to a first term on the committee:

Judge Brook Sessions has expressed willingness to be appointed to serve as a justice court judge member of the committee. In December 2025, the justice court administrator issued an email invitation to all justice court judges to express interest in serving as a member of the committee. No judge expressed interest. At a subsequent Board of Justice Court Judges meeting, Judge Sessions volunteered to serve in this necessary role. The Board of Justice Court Judges supports this appointment. ***Judge Sessions has expressed a willingness to serve on the committee.*** It is recommended that Judge Sessions first term begin on January 1, 2026, and conclude on December 31, 2028. Judge Sessions is not serving on any other Judicial Council standing committee.

ATTACHMENT 1

Published draft of revision to membership requirements of Uniform Fine Committee as outlined in Code of Judicial Administration, Rule 1-205(1)(B)(i).

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

2 **Intent:**

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

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

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

12 **Applicability:**

13 This rule applies to the internal operation of the Council.

15 **Statement of the Rule:**

16 **(1) Standing Committees.**

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

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

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

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

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

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

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

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

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

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

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

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

41 (1)(A)(xii) Committee on Fairness and Accountability;
42
43 (1)(A)(xiii) Working Interdisciplinary Network of Guardianship Stakeholders
44 (WINGS); and
45
46 (1)(A)(xiv) Tribal Liaison Committee.

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

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

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

53 (1)(B)(i)(b) two justice court judges.

54 (1)(B)(ii) The **Ethics Advisory Committee** performs the duties described in Rule 3-
55 109 and will consist of:

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

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

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

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

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

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

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

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

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

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

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

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

81
82 (1)(B)(iii)(f) one court level administrator;
83
84 (1)(B)(iii)(g) the Human Resources Director;
85
86 (1)(B)(iii)(h) one court executive;
87
88 (1)(B)(iii)(i) one juvenile court probation representative;
89
90 (1)(B)(iii)(j) two court clerks from different levels of court and different
91 judicial districts;
92
93 (1)(B)(iii)(k) one data processing manager; and
94
95 (1)(B)(iii)(l) one adult educator from higher education.
96
97 (1)(B)(iii)(m) The Human Resources Director and the adult educator will
98 serve as non-voting members. The court level administrator and the Human
99 Resources Director will serve as permanent Committee members.

100
101 (1)(B)(iv) The **Court Facility Planning Committee** performs the duties described in
102 Rule 3-409 and will consist of:

103 (1)(B)(iv)(a) one judge from each level of trial court;
104
105 (1)(B)(iv)(b) one appellate court judge;
106
107 (1)(B)(iv)(c) the state court administrator;
108
109 (1)(B)(iv)(d) a trial court executive;
110
111 (1)(B)(iv)(e) two business people with experience in the construction or
112 financing of facilities;
113
114 (1)(B)(iv)(f) the court security director; and
115
116 (1)(B)(iv)(g) two community representatives who are knowledgeable about the
117 needs of the self-represented litigants.

118
119 (1)(B)(v) The **Committee on Children and Family Law** performs the duties
120 described in Rule 4-908 and will consist of:

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

122
123 (1)(B)(v)(b) the Director of the Department of Health and Human Services or
124 designee;
125
126 (1)(B)(v)(c) one attorney of the Executive Committee of the Family Law
127 Section of the Utah State Bar;
128
129 (1)(B)(v)(d) one attorney with experience in abuse, neglect and dependency
130 cases;
131
132 (1)(B)(v)(e) one attorney with experience representing parents in abuse,
133 neglect and dependency cases;
134
135 (1)(B)(v)(f) one representative of a child advocacy organization;
136
137 (1)(B)(v)(g) the ADR Program Director or designee;
138
139 (1)(B)(v)(h) one professional in the area of child development;
140
141 (1)(B)(v)(i) one mental health professional;
142
143 (1)(B)(v)(j) two community representatives who are knowledgeable about the
144 needs of self-represented litigants;
145
146 (1)(B)(v)(k) the Director of the Office of Guardian ad Litem or designee;
147
148 (1)(B)(v)(l) one court commissioner;
149
150 (1)(B)(v)(m) two district court judges; and
151
152 (1)(B)(v)(n) two juvenile court judges.
153
154 (1)(B)(v)(o) One of the district court judges and one of the juvenile court
155 judges will serve as co-chairs to the committee. In its discretion, the
156 committee may appoint non-members to serve on its subcommittees.
157
158 (1)(B)(vi) The **Committee on Resources for Self-represented Parties** performs the
159 duties described in Rule 3-115 and will consist of:
160 (1)(B)(vi)(a) two district court judges;
161
162 (1)(B)(vi)(b) one juvenile court judge;

163
164 (1)(B)(vi)(c) two justice court judges;
165
166 (1)(B)(vi)(d) three clerks of court – one from an appellate court, one from an
167 urban district and one from a rural district;
168
169 (1)(B)(vi)(e) one representative from a social services organization providing
170 direct services to underserved communities;
171
172 (1)(B)(vi)(f) one representative from the Utah State Bar;
173
174 (1)(B)(vi)(g) two representatives from legal service organizations that serve
175 low-income clients;
176
177 (1)(B)(vi)(h) one private attorney experienced in providing services to self-
178 represented parties;
179
180 (1)(B)(vi)(i) two law school representatives;
181
182 (1)(B)(vi)(j) the state law librarian; and
183
184 (1)(B)(vi)(k) two community representatives who are knowledgeable about
185 the needs of self-represented litigants.

186
187 (1)(B)(vii) The **Language Access Committee** performs the duties described in Rule
188 3-306.02 and will consist of:
189 (1)(B)(vii)(a) one district court judge;
190
191 (1)(B)(vii)(b) one juvenile court judge;
192
193 (1)(B)(vii)(c) one justice court judge;
194
195 (1)(B)(vii)(d) one trial court executive;
196
197 (1)(B)(vii)(e) one court clerk;
198
199 (1)(B)(vii)(f) one interpreter coordinator;
200
201 (1)(B)(vii)(g) one probation officer;
202
203 (1)(B)(vii)(h) one prosecuting attorney;

204
205 (1)(B)(vii)(i) one defense attorney;
206
207 (1)(B)(vii)(j) two certified interpreters;
208
209 (1)(B)(vii)(k) one approved interpreter;
210
211 (1)(B)(vii)(l) one expert in the field of linguistics;
212
213 (1)(B)(vii)(m) one American Sign Language representative; and
214
215 (1)(B)(vii)(n) two community representatives who are knowledgeable about
216 the needs of self-represented litigants.
217
218 (1)(B)(viii) The **Guardian ad Litem Oversight Committee** performs the duties
219 described in Rule 4-906 and will consist of:
220 (1)(B)(viii)(a) seven members with experience in the administration of law
221 and public services selected from public, private and non-profit
222 organizations.
223
224 (1)(B)(ix) The **Committee on Model Utah Civil Jury Instructions** performs the
225 duties described in Rule 3-418 and will consist of:
226
227 (1)(B)(ix)(a) two district court judges;
228
229 (1)(B)(ix)(b) four lawyers who primarily represent plaintiffs;
230
231 (1)(B)(ix)(c) four lawyers who primarily represent defendants; and
232
233 (1)(B)(ix)(d) one person skilled in linguistics or communication.
234
235 (1)(B)(x) The **Committee on Model Utah Criminal Jury Instructions** performs the
236 duties described in Rule 3-418 and will consist of:
237 (1)(B)(x)(a) two district court judges;
238
239 (1)(B)(x)(b) one justice court judge;
240
241 (1)(B)(x)(c) four prosecutors;
242
243 (1)(B)(x)(d) four defense counsel; and
244

245 (1)(B)(x)(e) one person skilled in linguistics or communication.

246

247 (1)(B)(xi) The **Committee on Court Forms** performs the duties described in Rule 3-
248 117 and will consist of:

249 (1)(B)(xi)(a) two district court judges;

250

251 (1)(B)(xi)(b) one court commissioner;

252

253 (1)(B)(xi)(c) one juvenile court judge;

254

255 (1)(B)(xi)(d) one justice court judge;

256

257 (1)(B)(xi)(e) one court clerk;

258

259 (1)(B)(xi)(f) one appellate court staff attorney;

260

261 (1)(B)(xi)(g) one representative from the Self-Help Center;

262

263 (1)(B)(xi)(h) the State Law Librarian;

264

265 (1)(B)(xi)(i) the district court administrator or designee;

266

267 (1)(B)(xi)(j) one representative from a legal service organization that serves
268 low-income clients;

269

270 (1)(B)(xi)(k) one paralegal;

271

272 (1)(B)(xi)(l) one educator from a paralegal program or law school;

273

274 (1)(B)(xi)(m) one person skilled in linguistics or communication;

275

276 (1)(B)(xi)(n) one representative from the Utah State Bar;

277

278 (1)(B)(xii)(o) the Licensed Paralegal Practitioner (LPP) administrator; and

279

280 (1)(B)(xii)(p) two community representatives who are knowledgeable about
281 the needs of the self-represented litigants.

282

283 (1)(B)(xii) The **Committee on Fairness and Accountability** performs the duties
284 described in Rule 3-420. The committee will include members who demonstrate an

285 interest in or who have experience with issues of diversity, equity, and inclusion and
286 will consist of:

287 (1)(B)(xii)(a) one district court judge;

288 (1)(B)(xii)(b) one juvenile court judge;

291 (1)(B)(xii)(c) one justice court judge;

293 (1)(B)(xii)(d) one appellate court judge;

295 (1)(B)(xii)(e) two former judges from any court level;

297 (1)(B)(xii)(f) the General Counsel or designee;

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

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

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

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

308 (1)(B)(xiii) The **Working Interdisciplinary Network of Guardianship Stakeholders**
309 (**WINGS**) performs the duties described in Rule 3-421, and will consist of:

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

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

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

317 (1)(B)(xiii)(a)(iii) one representative from the Guardianship Reporting
318 and Monitoring Program (GRAMP); and

320 (1)(B)(xiii)(a)(iv) one representative from the Court Visitor Program.

322 (1)(B)(xiii)(b) **Community stakeholder** representatives:

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

324

325 (1)(B)(xiii)(b)(ii) one representative from Disability Law Center;
326
327 (1)(B)(xiii)(b)(iii) one representative from Adult and Aging Services;
328
329 (1)(B)(xiii)(b)(iv) one representative from Office of Public Guardian;
330
331 (1)(B)(xiii)(b)(v) one representative from the Utah State Bar;
332
333 (1)(B)(xiii)(b)(vi) one representative from Office of the Attorney
334 General;
335
336 (1)(B)(xiii)(b)(vii) one representative from the Utah legislature;
337
338 (1)(B)(xiii)(b)(viii) one representative from the Utah Commission on
339 Aging;
340
341 (1)(B)(xiii)(b)(ix) one representative from Utah Legal Services; and
342
343 (1)(B)(xiii)(b)(x) the Long-Term Care Ombudsman or designee.
344
345 (1)(B)(xiii)(c) **Individual community** representatives. Three or more
346 community stakeholders representing:
347 (1)(B)(xiii)(c)(i) mental health community;
348
349 (1)(B)(xiii)(c)(ii) medical community;
350
351 (1)(B)(xiii)(c)(iii) private legal community that specializes in
352 guardianship matters;
353
354 (1)(B)(xiii)(c)(iv) aging-adult services community;
355
356 (1)(B)(xiii)(c)(v) educator from a legal program or law school;
357
358 (1)(B)(xiii)(c)(vi) organization serving low-income, minorities, or
359 marginalized communities;
360
361 (1)(B)(xiii)(c)(vii) citizens under or involved in guardianship; and
362
363 (1)(B)(xiii)(c)(viii) other organizations with a focus including, but not
364 limited to guardianship, aging, legal services, or disability.
365

366 (1)(B)(xiv) The **Tribal Liaison Committee** performs the duties described in Rule 3-
367 422 and will consist of:

368

369 (1)(B)(xiv)(a) one district court judge;

370

371 (1)(B)(xiv)(b) one juvenile court judge;

372

373 (1)(B)(xiv)(c) one justice court judge;

374

375 (1)(B)(xiv)(d) one appellate court judge;

376

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

378

379 (1)(B)(xiv)(f) one tribal court judge;

380

381 (1)(B)(xiv)(g) two representatives of Utah's Indian Tribes or affiliated
382 community groups;

383

384 (1)(B)(xiv)(h) the Tribal Liaison;

385

386 (1)(B)(xiv)(i) one trial court executive;

387

388 (1)(B)(xiv)(j) one clerk of court or designee;

389

390 (1)(B)(xiv)(k) one representative from the Utah State Bar Indian Law Section;

391

392 (1)(B)(xiv)(l) one representative from the United States Attorney's Office;

393

394 (1)(B)(xiv)(m) one representative from the Indigent Defense Commission;
395 and

396

397 (1)(B)(xiv)(n) one representative from the Guardian ad Litem's Office.

398

399 (1)(C) **Standing committee meetings and chairs.** The Council will designate the chair of
400 each standing committee. Standing committees will meet as necessary to accomplish their
401 work. Except for the Committee on Fairness and Accountability, Council members may not
402 serve, participate or vote on standing committees. Standing committees may invite
403 participation by others as they deem advisable, but only members designated by this rule
404 may make motions and vote. All members designated by this rule may make motions and
405 vote unless otherwise specified. Standing committees may form subcommittees as they
406 deem advisable.

407

408 (1)(D) **Committee performance review.**409
410 (1)(D)(i) **Council.** Standing committees will report to the Council as necessary, but
411 at least annually.412
413 (1)(D)(ii) **Committee assessment.** At least once every three years, the chair of each
414 standing committee will conduct a performance assessment. Chairs should, at a
415 minimum, consider:416
417 (1)(D)(iii)(a) whether there is a more efficient way to accomplish the
418 committee's work;419
420 (1)(D)(iii)(b) whether there are any redundancies that would allow for
421 consolidation with other committees or working groups; and422
423 (1)(D)(iii)(c) whether the committee continues to serve its purpose or could
424 be dissolved.425
426 (1)(D)(iii) **Management Committee.** Committee chairs will report the results of the
427 performance assessment in paragraph (1)(D)(ii) to the Management Committee. If
428 the Management Committee determines that the committee continues to serve its
429 purpose, the Management Committee will recommend to the Council that the
430 committee continue. If the Management Committee determines that modification
431 of a committee is warranted, it may so recommend to the Council.432
433 (1)(D)(iv) **Guardian ad Litem Oversight Committee.** The Guardian ad Litem
434 Oversight Committee, recognized by Utah Code section 78A-2-104, will not
435 terminate.436
437 (2) **Ad hoc committees.** The Council may form ad hoc committees or task forces to consider
438 topical issues outside the scope of the standing committees and to recommend rules or
439 resolutions concerning such issues. The Council may set and extend a date for the termination of
440 any ad hoc committee. The Council may invite non-Council members to participate and vote on ad
441 hoc committees. Ad hoc committees will keep the Council informed of their activities. Ad hoc
442 committees may form sub-committees as they deem advisable. Ad hoc committees will disband
443 upon issuing a final report or recommendation(s) to the Council, upon expiration of the time set for
444 termination, or upon the order of the Council.445
446 (3) **General provisions.**447 (3)(A) **Appointment process.**

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

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

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

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

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

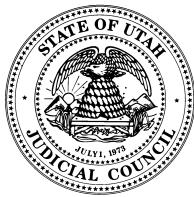
(3)(A)(ii) Council's responsibilities. The Council will appoint the chair of each committee. Whenever practical, appointments will reflect geographical, gender, cultural, and ethnic diversity.

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

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

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

Tab 8



Administrative Office of the Courts

Chief Justice Matthew B. Durrant

Utah Supreme Court

Chair, Utah Judicial Council

Ronald B. Gordon, Jr.

State Court Administrator

Neira Siaperas

Deputy Court Administrator

MEMORANDUM

TO: Management Committee

FROM: Jim Peters, Justice Court Administrator

DATE: February 2, 2026

RE: Request to Certify Two New Justice Court Judges

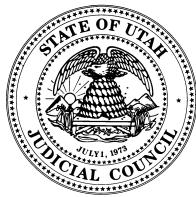
Section 78A-7-202(5) of the Utah Code authorizes the Judicial Council to certify new justice court judges once they have been selected by a city or county and completed an orientation seminar. I am requesting time on the Council's February 23 agenda to certify one or two new justice court judges.

In anticipation of the retirement of Judge Lyon Hazleton from both the Monticello Justice Court and the San Juan County Justice Court at the end of last year, a nominating commission was convened in December to review applications and interview selected candidates to fill a single vacancy. Ultimately, it forwarded three nominees for the county commission to consider. On February 3, 2026, the San Juan County Commission will appoint Stephen W. Whiting from among those nominees to serve as the county's new judge.

A separate nominating commission was convened in January to select nominees for Judge Dow's replacement in the Tooele Justice Court. It forwarded four nominees to the County Manager for his consideration, and the plan is for his appointment to be ratified by the Tooele County Council on February 17, 2026. If that appointee has not already been certified by the Judicial Council, I would like to have him certified on February 23 with Mr. Whiting. By then, it is anticipated that Mr. Whiting and the new judge for Tooele County will have completed the online modules that now constitute the orientation seminar and will have passed the exam administered by the Education Department. Thanks for your consideration.

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

Tab 9



Administrative Office of the Courts

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

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

MEMORANDUM

TO: Judicial Council

FROM: Jim Peters, Justice Court Administrator

DATE: February 2, 2026

RE: Request to Expand the Territorial Jurisdiction of the San Juan Justice Court

Section 78A-7-102(4)(a) of the Utah Code provides that “A municipality [or county] that has a justice court may expand the territorial jurisdiction of the justice court by entering into an agreement under Title 11, Chapter 13, Interlocal Cooperation Act, with one or more other municipalities...” To do so, it must provide timely notice to the Judicial Council, though Section 78A-7-102(5) allows the Judicial Council to “shorten the time required between the municipality’s or county’s written declaration or election to create a justice court and the effective date of the election.”

Judge Lyon Hazleton was the justice court judge in both Monticello and San Juan County until he retired in December. Both courts utilized the same courtroom in the same building using the same clerks. Before Judge Hazleton’s retirement, San Juan County and Monticello City commenced discussions about combining the two courts so that the county would hire Judge Hazleton’s replacement and operate the justice court for both. Both the city and county approved an interlocal agreement to that effect in January, and I am requesting that the territorial jurisdiction of San Juan County be expanded to include Monticello City as of February 23, 2026. I look forward to answering any questions you may have at that point. Thanks for your consideration.

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

Tab 10



Administrative Office of the Courts

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

Ron Gordon
State Court Administrator
Neira Siaperas
Deputy State Court Administrator

Memorandum

Date: February 2, 2026
From: Bart Olsen and Jeremy Marsh, Department of Human Resources
Human Resources Policy Review Committee (HRPRC)
To: Policy, Planning & Technology Committee
Re: Summary of Proposed Human Resources Policy Amendments

Consistent with [Rule 3-402\(5\)](#), the Human Resources Policy Review Committee (HRPRC) meets regularly to review suggested policy amendments. The HRPRC assists the Policy, Planning & Technology Committee and the Judicial Council to keep these policies relevant and effective. Below is a summary of the proposed amendments including relevant background information for context.

1. HR08-14: Dual State Employment

Dual state employment is an employment status of working for another state agency in addition to the judiciary, provided the criteria required by the State Division of Finance's policies are met. Prior to July 2021, the Utah Judiciary's human resource policies said nothing supporting nor prohibiting dual state employment. Due to a major effort to overhaul outdated policies and adopt State Finance/Payroll procedures applicable to other state agencies, the judiciary adopted this language from the executive branch in 2021.

Earlier this year, a part-time district employee requested authorization to take another part-time job with the Department of Agriculture. The Trial Court Executive asked Human Resources and Office of General Counsel to review the request for any potential conflict of interest. The Office of General Counsel determined there was a potential conflict of interest in that situation, and advised Human Resources that there would likely be a potential conflict for any other employee to work part-time in any other state agency. From July 2021 through present, this was the first and only request an employee in the judiciary has made to participate in dual state employment.

Considering the lack of interest in dual state employment overall and the high likelihood of a potential conflict of interest, this proposed amendment would prohibit all employees of the judiciary from participating in dual state employment.

Link to redlined policy: [HR08-14](#)

2. HR06-6(12) Pay for Performance Salary Increases

Current policy requires a six-month period of employment before eligibility begins for pay-for-performance increases. In spring 2025, the State Court Administrator's [Investing in Our People \(IOP\) initiative](#) introduced a "new hire compensation track" that gives eligible employees a pay bonus for retention purposes every six months during their first 18 months of employment, and a retention increase in salary after their first year. The IOP initiative indicates that this change also means performance-based salary increases may begin only after transitioning from the new hire track to the standard track after 18 months.

The proposed amendment would make policy consistent with the recently implemented IOP initiative.

Link to redlined policy: [HR06-6\(12\)](#)

3. HR06-7 Incentive Awards

These proposed amendments would also sync policy with the recently implemented IOP initiative, and with established practices for distributing pay bonuses to employees based on job performance.

Link to redlined policy: [HR06-7](#)

4. HR15-3(3) Workplace Harassment Complaint Procedures

The IOP initiative created two new job classifications of leadership in the judiciary: Lead Judicial Assistant and Lead Probation Officer. The intent of HR15-3(3) is to ensure leadership positions are required to report any complaints of workplace harassment they receive. This proposed amendment would include the Lead Judicial Assistant and Lead Probation Officer in that list, harmonizing the IOP initiative with the intent of workplace harassment prevention policies.

Link to redlined policy: [HR15-3\(3\)](#)

5. HR17-9 Grievance Review Panel Procedures

On average, it is *less than once per year* that the Grievance Review Panel (GRP) receives a Level 4 grievance to review under authority granted by [UCJA Rule 3-402\(6\)](#). Members of the GRP requested that the Department of Human Resources add a substantial amount of procedural clarification to policy, due partly to the scant description of procedural matters currently in policy, and partly to the infrequent cadence and often lengthy amount of time that passes between GRP meetings to review a grievance. The sum of those parts added up to a near guarantee of procedural confusion for GRP members every time a grievance rises to the level of GRP review. As one GRP member stated, “Every time we receive a grievance, we are never completely clear on exactly what we are expected to do.”

The Department of Human Resources worked closely with GRP members to almost entirely rewrite section HR17-9, soliciting input from the State Court Administrator and Deputy State Court Administrator along the way. The proposed policy amendment answers important procedural questions such as:

- What is the main purpose of the grievance review meeting?
- When non-GRP member employees from the Department of Human Resources and the Office of General Counsel provide support to the GRP, what is their role? To what extent should they influence voting panel members?
- What is the GRP expected to do before the grievance review meeting?
- What should the Department of Human Resources provide in terms of support to the GRP prior to the grievance review meeting?
- Who should facilitate the grievance review meeting?
- Should the GRP hear only from the grievant or should it also hear from and have an opportunity to ask questions of the decision maker of the action being grieved?
- What are the expected procedures of any witnesses the GRP wishes to hear from?
- What precisely is the GRP expected to review in a written report?
- What is the standard of proof?
- Against what standards is the GRP expected to analyze facts and develop findings and conclusions?
- Is it expected that the GRP recommendation be a unanimous decision? In the event that a unanimous decision cannot be reached, what should happen?

Members of the GRP, the State Court Administrator, and the Deputy State Court Administrator have indicated their support for this proposal.

It did not make sense to provide a redline copy of the policy for this proposed overhaul of section HR17-9. Instead, below is a link to the current policy section (wait a few seconds

after the link opens, and it will take you to the exact spot in the policy manual), followed by a link to the proposed overhaul of that policy section.

Link to: [Current Policy](#)

Link to: [Proposed Overhauled Policy](#)

6. HR08-22 In-State and Out-of-State Work

The current policy appears to prohibit out-of-country access to the judiciary's information technology systems only when a user is on state-owned technology equipment. The proposed amendment clarifies that this policy applies to employees, regardless of who owns the equipment they use to access a system.

Link to redlined policy: [HR08-22](#)

7. HR02-2 Compliance Responsibility

Current policy is clear on when and to whom employees should report harassment and abusive conduct. It is more ambiguous what obligations an employee must report, and whether they must report other suspected policy violations. This proposed amendment would resolve that ambiguity.

Link to redlined policy: [HR02-2](#)

8. HR07-7 Administrative Leave and Eligibility

We recently learned from a Utah Retirement Systems (URS) audit that if the judiciary provides paid administrative leave to a part-time, non-benefited employee who works an average of more than 20 hours per week annually, that employee would become eligible for retirement benefits, and the judiciary would incur charges. The URS auditor suggested our policy should reflect this requirement.

Additionally, this proposed amendment formalizes the new Years of Service structure introduced under the IOP initiative. It also now includes language detailing the 24 hours of Administrative Leave awarded to new hires, clarifying that these hours will be prorated based on the employee's full-time or part-time status.

Link to redlined policy: [HR07-7](#)

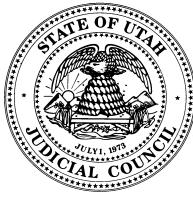
9. HR07-20 Leave Bank

With the recent implementation of the Investing in Our People (IOP) initiative, which awards new administrative leave hours, it became unclear whether employees were required to exhaust their administrative leave awards before receiving Sick Leave Bank benefits.

The proposed amendment resolves this ambiguity. The updated policy clearly states that all administrative leave must be exhausted before an employee receives any benefit from the Sick Leave Bank.

Link to redlined policy: [HR07-20](#)

Tab 11



Administrative Office of the Courts

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

February 13, 2026

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

MEMORANDUM

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

Proposed amendments to CJA rules 3-101, 3-111, and 4-410 are back from a 45-day public comment period. No public comments were received on Rules 3-101 or 3-111. The Policy, Planning, and Technology Committee (PP&T) received one comment on Rule 4-410.

CJA 3-101. Judicial performance standards (AMEND)

The proposed amendments modify the case under advisement performance standards for appellate court judges from a fixed number to a percentage-based standard.

To provide clarity for the appellate courts, PP&T amended rule 3-101 (line 52) to include the following: “The case under advisement performance standards for appellate courts in paragraphs (3)(A) and (3)(B) begin with cases submitted after May 1, 2026.”

CJA 4-410. Courthouse closure (AMEND)

The proposed amendments: 1) clarify the sequence of designated authority for signing courthouse closure orders; 2) add cybersecurity and court operations throughout the rule; and 3) modify the language to include a provision for physical building closure, as well as operational closure.

In response to the public comment on amendments to rule 4-410, PP&T added “as soon as reasonably possible” to line 55 to ensure that a presiding judge is not required to physically travel to a building in dangerous conditions. Under paragraph (7), the Communications Director will immediately inform the media and public of the closure via electronic means.

CJA 3-111. Performance Evaluation of Court Commissioners (AMEND)

The proposed amendments remove language allowing court commissioners to exclude an attorney from a certification performance survey because that provision no longer applies.

PP&T recommends that the rules above be adopted as final with a *May 1, 2026 effective date*.

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

1 **Rule 3-101. Judicial performance standards.**

2 **Intent:**

3 To establish performance standards upon which the ~~Judicial~~ Council will certify judicial
4 compliance to the Judicial Performance Evaluation Commission ("JPEC").

5 **Applicability:**

6 This rule applies to all justices and judges of the courts of record and not of record.

7 **Statement of the Rule:**

8 **(1) Performance standards.** The ~~Judicial~~ Council will certify to JPEC judicial compliance with
9 the following performance standards: cases under advisement, education, and physical and
10 mental competence.

11 **(2) Definition of case under advisement.**

12 (2)(A) A case is considered to be under advisement when the entire case or any issue in
13 the case has been submitted to the judge for final determination. For purposes of this
14 rule, "submitted to the judge" or "submission" is the last of the following:

15 (2)(A)(i) When a matter requiring attention is placed by staff in the judge's
16 personal electronic queue, inbox, personal possession, or equivalent;

17 (2)(A)(ii) If a hearing or oral argument is set, at the conclusion of all hearings or
18 oral argument held on the specific motion or matter; or

19 (2)(A)(iii) If further briefing is required after a hearing or oral argument, when all
20 permitted briefing is completed, a request to submit is filed, if required, and the
21 matter is placed by staff in the judge's personal electronic queue, inbox, personal
22 possession, or equivalent.

23 (2)(B) A case is no longer under advisement when the trial court judge makes a decision
24 on the issue that is under advisement or on the entire case. The final determination
25 occurs when the trial court judge resolves the pending issue by announcing the decision
26 on the record or by issuing a written decision, regardless of whether the parties are
27 required to subsequently submit a final order memorializing the decision for the judge's
28 signature.

29 **(3) Case under advisement performance standards.**

30 **(3)(A) Supreme Court justice.** A justice of the Supreme Court demonstrates satisfactory
31 performance by circulating not more than 25% three of their principal opinions per
32 calendar year more than ~~six months~~ 150 days after submission, not more than 10% of
33 their principle opinions per calendar year more than 210 days after submission, and by
34 circulating all principal opinions within one year of submission.

35 **(3)(B) Court of Appeals judge.** A judge of the Court of Appeals demonstrates
36 satisfactory performance by:

37 ~~(3)(B)(i) circulating not more than 25% of their principal opinions per calendar year more~~
38 ~~than 120 days after submission, circulating not more than 10% of their principal opinions~~
39 ~~per calendar year more than 180 days after submission, and by circulating all principal~~
40 ~~opinions within 270 days after submission. circulating not more than three principal~~
41 ~~opinions per calendar year more than six months after submission; and~~

42 ~~(3)(B)(ii) achieving a final average time to circulation of a principal opinion of not~~
43 ~~more than 120 days after submission.~~

44 **(3)(C) Trial court judge.** A trial court judge demonstrates satisfactory performance by
45 holding:

46 (3)(C)(i) not more than three cases per calendar year under advisement more
47 than two months after submission; and

48 (3)(C)(ii) no case under advisement more than six months after submission.

49 **(4) Case under advisement performance standards—compliance.** A judge or justice ~~shall~~
50 must decide all matters submitted for decision within the applicable time periods in paragraph
51 (3), unless circumstances causing a delayed decision are beyond the judge's or justice's
52 personal control. The case under advisement performance standards for appellate courts in
53 paragraphs (3)(A) and (3)(B) begin with cases submitted after May 1, 2026.

54 **(5) Judicial education performance standard.**

55 **(5)(A) Education hour standard.** Satisfactory performance is established if the judge or
56 justice annually obtains 30 hours of judicial education subject to the availability of in-
57 state education programs.

58 **(5)(B) Education hour standard—compliance.** A judge or justice ~~shall~~must obtain the
59 number of education hours prescribed by this rule, unless circumstances preventing the
60 judge from doing so are beyond the judge's or justice's personal control.

61 **(6) Physical and mental competence performance standard.** Satisfactory performance is
62 established if the response of the judge or justice demonstrates physical and mental
63 competence to serve in office and if the Council finds the responsive information to be complete
64 and correct. The Council may request a statement by an examining physician.

65 **(7) Reporting requirements.**

66 **(7)(A) Reporting term.** For purposes of this rule, the reporting term for new justices and
67 judges begins on the date the Utah Senate confirms their appointment. The reporting
68 term for retained justices and judges begins the day after they submit the report in
69 (7)(B). The reporting term for all justices and judges ends on August 1st of the year
70 preceding the next general election in which the judge or justice is standing for retention.

71 **(7)(B) Reporting requirement.** Within 14 calendar days following the end of a reporting
72 term, justices and judges ~~shall~~must report to the ~~Judicial~~ Council their compliance or
73 non-compliance with the performance standards in this rule during that reporting term.

74 Reports ~~shall~~will be submitted in accordance with policies established by the ~~Judicial~~
75 Council. If non-compliance is due to circumstances beyond the justice's or judge's
76 personal control, the judge or justice must provide an explanation of the circumstances
77 and may submit supporting documentation.

78 **(8) Judicial Council certification.**

79 (8)(A) As to the performance standards in this Rule, the ~~Judicial~~ Council ~~shall~~will certify
80 to JPEC that each judge or justice standing for retention is:

81 (8)(A)(i) Compliant;

82 (8)(A)(ii) Compliant with explanation, meaning that the ~~Judicial~~ Council has
83 received credible information that non-compliance was due to circumstances
84 beyond the personal control of the judge or justice; or

85 (8)(A)(iii) Non-compliant, which may include a judge or justice who has certified
86 his or her own compliance but the ~~Judicial~~ Council has received credible
87 information inconsistent with that certification.

88 (8)(B) The ~~Judicial~~ Council will transmit its certification to JPEC by the deadline
89 established in the Utah Administrative Code.

90 (8)(C) All material relied upon by the ~~Judicial~~ Council in making a certification decision or
91 explanation ~~shall~~will be forwarded to JPEC and ~~shall~~will be made public to the extent
92 that the information is not confidential personal health information.

93

94 Effective: 5/1/2024May 1, 2026

One thought on "Code of Judicial Administration – Comment Period Closed January 12, 2026"

Joe

November 26, 2025 at 2:53 pm [Edit](#)

In the proposed changes to CJA Rule 4-410, under "Public notice" it indicates that the PJ must ensure that notice of a closure is posted in two conspicuous places. Maybe the phrase "must ensure" could be replaced with something like, "must make a reasonable effort...". If the weather conditions are deemed to be unsafe, it may not be safe for anyone to travel to the courthouse just to post a notice. It could be a liability issue. However, if "conspicuous places" could mean social media and the Utah State Courts webpage, than this may be a nonissue.

1 **Rule 4-410. Courthouse closure.**

2 **Intent:**

3 To establish protocols surrounding the closure of a court's physical building or operations in the
4 event that extreme weather, cybersecurity, or other emergency situation prevents the safe
5 arrival to, or the ability to safely conduct business in, the courthouse, or the operational integrity
6 of court systems.

7 **Applicability:**

8 This rule applies to courts of record and not of record.

9 **Statement of the Rule:**

10 **(1) Definitions.**

11 (1)(A) **CIn-courts of record:**

12 (1)(A)(i) "Presiding Judge" refers to the judge who presides over the district or
13 court level.

14 (1)(A)(ii) "Court Executive" ~~refers to the trial court executive in the district and
15 juvenile courts and the Appellate Court Administrator in the appellate
16 courts~~ means the same as that term is defined in Rule 1-101.

17 (1)(B) **CIn-courts not of record:**

18 (1)(B)(i) "Presiding Judge" refers to the local justice court presiding judge, not
19 the district level justice court presiding judge.

20 (1)(B)(ii) "Court Executive" refers to the local justice court administrator.

21 **(2) Core mission.** In the event the Presiding Judge determines that a courthouse is not safe
22 or is not capable of supporting the core mission of the court due to extreme weather conditions
23 or other emergency situation, the Presiding Judge has the discretion to determine, in
24 consultation with the Court executive, court security, and authority responsible for the
25 buildingcourt's operation and maintenance, how to continue supporting the core mission of the
26 court.

27 **(3) Closure order.** The Presiding Judge(s) may order:

28 (3)(A) the time-limited partial closure of the courthouse or court operations;

29 (3)(B) the time-limited complete closure of the courthouse or court operations; or

30 (3)(C) the indefinite complete closure of the courthouse or court operations.

31 **(4) Alternate location.** If the Presiding Judge orders a complete or partial building or
32 operational closure that in any way affects the public's ability to conduct court business in that

51 location, (4)(A) the Presiding Judge may order that operations resume in an alternate
52 location;~~and~~

53
54 (54)(B) **Public notice.** The Presiding Judge ~~must~~shall ensure that public notice is posted as
55 soon as reasonably possible in at least two conspicuous places informing the public of:

56
57 (54)(AB)(i) the building's physical or operational closure;

58
59 (54)(B)(ii) the anticipated length of time the building will be closed or operations may be
60 suspended; and

61
62 (54)(CB)(iii) the procedures for conducting court business, including where cases will be
63 heard and how to file court documents.

64
65 (65) **Communication of decision to close the courthouse or court operations.**

66
67 (65)(A) **CIn courts of record.** The Presiding Judge ~~shall~~will, as soon as possible,
68 inform the State Court Administrator, the ~~Chief Justice~~Presiding Officer, the Court
69 Communications Director, the Court Security Director, the Court Facilities Director, the
70 Chief Information Officer, the Sheriff whose jurisdiction covers the affected courthouse,
71 and ~~the~~ other organizations or lessees occupying the building, of the Presiding Judge's
72 decision to close the courthouse.

73
74 (65)(B) **CIn courts not of record.** The Presiding judge ~~shall~~will, as soon as possible,
75 inform the State Court Administrator, the Presiding Officer, the Court Executive, the
76 Justice Court Administrator, the Court Communications Director, the Court Security
77 Director, the Chief Information Officer, the law enforcement agency whose jurisdiction
78 covers the affected courthouse, and ~~the~~ other building occupants, of the Presiding
79 Judge's decision to close the courthouse.

80
81 (76) **Communications Director.** The Court Communications Director ~~shall~~will immediately
82 inform the media and public of the closure.

83
84 (87) **Extensions.** If the Presiding Judge determines that there is a need to extend a court
85 closure order, the Presiding Judge ~~shall~~will so order and the steps in~~of~~ paragraphs (1)
86 through (4) ~~shall~~will repeat.

87
88 (98) **Consensus.** For all courthouses that house more than one level of court, the Presiding
89 Judges of each court level ~~shall~~will confer and come to a consensus ~~decision~~ regarding action
90 pursuant to subsectionparagraph (3) above.

91
92 (98)(A) In the event that a closure is ordered by consensus, the Presiding Judges of
93 the closed courthouse ~~shall~~will all sign the closure order.

94
95 (98)(B) In the event there is not a consensus among the Presiding Judges, the
96 Presiding Officer~~Chief Justice~~shall~~will~~ determine whether to issue and sign the closure
97 order.

98
99 (109) **Retention.** Each Presiding Judge and the Administrative Office ~~of the Courts~~shall~~will~~
100 retain a copy of the order.

102 (11) Availability.

103

104 (11)(A) Courts of record. In the event the Presiding Judge is not available during an
105 emergency, the associate presiding judge will make any determinations as provided for
106 in this Rule. In the event the Presiding Judge and the associate presiding judge are not
107 available, the most senior judge available will make any determinations as provided for
108 in this Rule.

109

110 (11)(B) Courts not of record. In the event the Presiding Judge is not available during an
111 emergency, a judge of the local court, which may include a designee or senior judge, will
112 make any determinations as provided for in this Rule. In the event the Presiding Judge
113 and a judge of the local court are not available, the district level justice court presiding
114 judge, or associate presiding judge, will make any determinations as provided for in this
115 Rule.

116

117 Effective: 1/27/2020May 1, 2026

1 **Rule 3-111. Performance evaluation of court commissioners.**

2 **Intent:**

3 To establish a performance evaluation, including the criteria upon which court commissioners
4 will be evaluated, the standards against which performance will be measured and the methods
5 for fairly, accurately, and reliably measuring performance.

6 To generate and provide to court commissioners information about their performance.

7 To establish the procedures by which the Council will evaluate and certify court commissioners
8 for reappointment.

9 **Applicability:**

10 This rule ~~shall apply~~applies to presiding judges, the Council, and court commissioners.

11 **Statement of the Rule:**

12 **(1) Performance evaluations.**

13 (1)(A) On forms provided by the Administrative Office, the presiding judge of a district of
14 which a court commissioner serves ~~shall~~will complete an evaluation of the court
15 commissioner's performance by July 1 of each year. If a commissioner serves multiple
16 districts or court levels, the presiding judge of each district ~~shall~~will complete an
17 evaluation.

18 (1)(B) The presiding judge(s) ~~shall~~will survey judges and court personnel seeking
19 feedback for the evaluation. During the evaluation period, the presiding judge(s) ~~shall~~will
20 review at least five of the commissioner's active cases. The review ~~shall~~will include
21 courtroom observation.

22 (1)(C) The presiding judge(s) ~~shall~~will provide a copy of each commissioner evaluation
23 to the Council. Copies of plans under paragraph (3)(G) and all evaluations ~~shall~~will also
24 be maintained in the commissioner's personnel file in the Administrative Office.

25 **(2) Evaluation and certification criteria.** Court commissioners ~~shall~~must be evaluated and
26 certified upon the following criteria:

27 (2)(A) demonstration of understanding of the substantive law and any relevant rules of
28 procedure and evidence;

29 (2)(B) attentiveness to factual and legal issues before the court;

30 (2)(C) adherence to precedent and ability to clearly explain departures from precedent;

31 (2)(D) grasp of the practical impact on the parties of the commissioner's rulings,
32 including the effect of delay and increased litigation expense;

33 (2)(E) ability to write clear judicial opinions;

52 (2)(F) ability to clearly explain the legal basis for judicial opinions;

53 (2)(G) demonstration of courtesy toward attorneys, court staff, and others in the
54 commissioner's court;

55 (2)(H) maintenance of decorum in the courtroom;

56 (2)(I) demonstration of judicial demeanor and personal attributes that promote public
57 trust and confidence in the judicial system;

58 (2)(J) preparation for hearings or oral argument;

59 (2)(K) avoidance of impropriety or the appearance of impropriety;

60 (2)(L) display of fairness and impartiality toward all parties;

61 (2)(M) ability to clearly communicate, including the ability to explain the basis for written
62 rulings, court procedures, and decisions;

63 (2)(N) management of workload;

64 (2)(O) willingness to share proportionally the workload within the court or district, or
65 regularly accepting assignments;

66 (2)(P) issuance of opinions and orders without unnecessary delay; and

67 (2)(Q) ability and willingness to use the court's case management systems in all cases.

68 (3) **Standards of performance.**

69 (3)(A) **Survey of attorneys.** ~~(3)(A)(i)~~ The Council ~~shall~~will measure satisfactory
70 performance by a sample survey of the attorneys appearing before the court
71 commissioner during the period for which the court commissioner is being evaluated.
72 The Council ~~shall~~will measure satisfactory performance based on the results of the final
73 survey conducted during a court commissioner's term of office, subject to the discretion
74 of a court commissioner serving an abbreviated initial term not to participate in a second
75 survey under ~~Section~~paragraph (3)(A)(vi) of this rule.

76 (3)(A)(ii) **Survey scoring.** The survey ~~shall~~must be scored as follows.

77 (3)(A)(ii)(a) Each question of the attorney survey will have six possible
78 responses: Excellent, More Than Adequate, Adequate, Less Than
79 Adequate, Inadequate, or No Personal Knowledge. A favorable response
80 is Excellent, More Than Adequate, or Adequate.

81 (3)(A)(ii)(b) Each question ~~shall~~must be scored by dividing the total
82 number of favorable responses by the total number of all responses,
83 excluding the "No Personal Knowledge" responses. A satisfactory score
84 for a question is achieved when the ratio of favorable responses is 70%
85 or greater.

103 (3)(A)(ii)(c) A court commissioner's performance is satisfactory if:

104
105 (3)(A)(ii)(c)(1) at least 75% of the questions have a satisfactory
106 score; and

107
108 (3)(A)(ii)(c)(2) the favorable responses when divided by the total
109 number of all responses, excluding "No Personal Knowledge"
110 responses, is 70% or greater.

111
112 (3)(A)(ii) **Survey respondents.** The Administrative Office ~~shall~~must identify as
113 potential respondents all lawyers who have appeared before the court
114 commissioner during the period for which the commissioner is being evaluated.

115
116 (3)(A)(ii)~~v~~ **Exclusion from survey respondents.** ~~(3)(A)(iv)(a)~~ A lawyer who has
117 been appointed as a judge or court commissioner ~~shall~~must not be a respondent
118 in the survey. A lawyer who is suspended or disbarred or who has resigned under
119 discipline ~~shall~~must not be a respondent in the survey.

120
121 ~~(3)(A)(iv)(b) With the approval of the Management Committee, a court~~
122 ~~commissioner may exclude an attorney from the list of respondents if the~~
123 ~~court commissioner believes the attorney will not respond objectively to~~
124 ~~the survey.~~

125 (3)(A)(iv) **Number of survey respondents.** The Surveyor ~~shall~~must identify 180
126 respondents or all attorneys appearing before the court commissioner, whichever
127 is less.

128
129 (3)(A)(vi) **Administration of the survey.** Court commissioners ~~shall~~will be the
130 subject of a survey approximately six months prior to the expiration of their term
131 of office. Court commissioners ~~shall~~will be the subject of a survey during the
132 second year of each term of office. Newly appointed court commissioners ~~shall~~
133 will be the subject of a survey during the second year of their term of office and,
134 at their option, approximately six months prior to the expiration of their term of
135 office.

136
137 (3)(A)(vii) **Survey report.** The Surveyor ~~shall~~will provide to the subject of the
138 survey, the subject's presiding judge(s), and the Council the number and
139 percentage of respondents for each of the possible responses on each survey
140 question and all comments, retyped and edited as necessary to redact the
141 respondent's identity.

142
143 (3)(B) **Case under advisement standard.**

144
145 (3)(B)(i) A case is considered to be under advisement when the entire case or
146 any issue in the case has been submitted to the court commissioner for final
147 determination. For purposes of this rule, "submitted to the court commissioner" or
148 "submission" is defined as follows:

149
150 (3)(B)(i)(a) When a matter requiring attention is placed by staff in the court
151 commissioner's personal electronic queue, inbox, personal possession, or
152 equivalent;

153

154 (3)(B)(i)(b) If a hearing or oral argument is set, at the conclusion of all
155 hearings or oral argument held on the specific motion or matter; or
156

157 (3)(B)(i)(c) If further briefing is required after a hearing or oral argument,
158 when all permitted briefing is completed, a request to submit is filed, if
159 required, and the matter is placed by staff in the court commissioner's
160 personal electronic queue, inbox, personal possession, or equivalent.
161

162 (3)(B)(ii) A case is no longer under advisement when the court commissioner
163 makes a decision on the issue that is under advisement or on the entire case.
164

165 (3)(B)(iii) The Council ~~shall~~will measure satisfactory performance by the self-
166 declaration of the court commissioner or by reviewing the records of the court.
167

168 (3)(B)(iv) A court commissioner in a trial court demonstrates satisfactory
169 performance by holding:
170

171 (3)(B)(iv)(a) no more than three cases per calendar year under
172 advisement more than two months after submission; and
173

174 (3)(B)(iv)(b) no case under advisement more than 180 days after
175 submission.
176

177 (3)(C) **Compliance with education standards.** Satisfactory performance is established
178 if the court commissioner annually complies with the judicial education standards of this
179 Code, subject to the availability of in-state education programs. The Council ~~shall~~will
180 measure satisfactory performance by the self-declaration of the court commissioner or
181 by reviewing the records of the state court administrator.
182

183 (3)(D) **Substantial compliance with Code of Judicial Conduct.** Satisfactory
184 performance is established if the response of the court commissioner demonstrates
185 substantial compliance with the Code of Judicial Conduct, if the Council finds the
186 responsive information to be complete and correct and if the Council's review of formal
187 and informal sanctions lead the Council to conclude the court commissioner is in
188 substantial compliance with the Code of Judicial Conduct.
189

190 (3)(E) **Physical and mental competence.** Satisfactory performance is established if the
191 response of the court commissioner demonstrates physical and mental competence to
192 serve in office and if the Council finds the responsive information to be complete and
193 correct. The Council may request a statement by an examining physician.
194

195 (3)(F) **Performance and corrective action plans for court commissioners.**
196

197 (3)(F)(i) The presiding judge of the district a court commissioner serves ~~shall~~will
198 prepare a performance plan for a new court commissioner within 30 days of the
199 court commissioner's appointment. If a court commissioner serves multiple
200 districts or court levels, the presiding judge of each district and court level ~~shall~~
201 will prepare a performance plan. The performance plan ~~shall~~must communicate
202 the expectations set forth in paragraph (2) of this rule.
203

204 (3)(F)(ii) If a presiding judge issues an overall “Needs Improvement” rating on a
205 court commissioner’s annual performance evaluation as provided in paragraph
206 (1), that presiding judge ~~shall~~will prepare a corrective action plan setting forth
207 specific ways in which the court commissioner can improve in deficient areas.
208

209 **(4) Judicial Council certification process**

210
211 **(4)(A) July Council meeting.** At its meeting in July, the Council ~~shall~~will begin the
212 process of determining whether the court commissioners whose terms of office expire
213 that year meet the standards of performance provided for in this rule. The Administrative
214 Office ~~shall~~must assemble all evaluation information, including:

215 (4)(A)(i) survey scores;
216
217 (4)(A)(ii) judicial education records;
218
219 (4)(A)(iii) self-declaration forms;
220
221 (4)(A)(iv) records of formal and informal sanctions;
222
223 (4)(A)(v) performance evaluations, if the court commissioner received an overall
224 rating of Needs Improvement; and
225
226 (4)(A)(vi) any information requested by the Council.

227
228 **(4)(B) Records delivery.** Prior to the meeting the Administrative Office ~~shall~~must deliver
229 the records to the Council and to the court commissioners being evaluated.
230

231
232 **(4)(C) July Council meeting closed session.** In a session closed in compliance with
233 rule 2-103, the Council ~~shall~~will consider the evaluation information and make a
234 preliminary finding of whether a court commissioner has met the performance standards.
235

236 **(4)(D) Certification presumptions.** If the Council finds the court commissioner has met
237 the performance standards, it is presumed the Council will certify the court commissioner
238 for reappointment. If the Council finds the court commissioner did not meet the
239 performance standards, it is presumed the Council will not certify the court commissioner
240 for reappointment. The Council may certify the court commissioner or withhold decision
241 until after meeting with the court commissioner.
242

243 **(4)(E) Overcoming presumptions.** A presumption against certification may be
244 overcome by a showing that a court commissioner’s failure to comply with paragraphs
245 (3)(B) and (3)(C) were beyond the court commissioner’s personal control. A presumption
246 in favor of certification may be overcome by:

247 (4)(E)(i) reliable information showing non-compliance with a performance
248 standard, except as otherwise provided in paragraph (4)(E); or
249

250 (4)(E)(ii) formal or informal sanctions of sufficient gravity or number or both to
251 demonstrate lack of substantial compliance with the Code of Judicial Conduct.
252

254 (4)(F) **August Council meeting.** At the request of the Council the court commissioner
255 challenging a non-certification decision ~~shall~~will meet with the Council in August. At the
256 request of the Council the presiding judge(s) shall report to the Council any meetings
257 held with the court commissioner, the steps toward self-improvement identified as a
258 result of those meetings, and the efforts to complete those steps. Not later than 5 days
259 after the July meeting, the Administrative Office ~~shall~~must deliver to court commissioner
260 being evaluated notice of the Council's action and any records not already delivered to
261 the court commissioner. The notice ~~shall~~must contain an adequate description of the
262 reasons the Council has withheld its decision and the date by which the court
263 commissioner is to deliver written materials. The Administrative Office ~~shall~~must deliver
264 copies of all materials to the Council and to the court commissioner prior to the August
265 meeting.

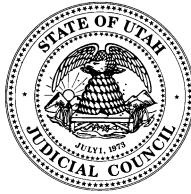
267 (4)(G) **August Council meeting closed session.** At its August meeting in a session
268 closed in accordance with Rule 2-103, the Council shall will provide to the court
269 commissioner adequate time to present evidence and arguments in favor of certification.
270 Any member of the Council may present evidence and arguments of which the court
271 commissioner has had notice opposed to certification. The burden is on the person
272 arguing against the presumed certification. The Council may determine the order of
273 presentation.

274
275 (4)(H) **Final certification decision.** At its August meeting in open session, the Council
276 ~~shall~~will approve its final findings and certification regarding all court commissioners
277 whose terms of office expire that year.

279 (4)(I) **Communication of certification decision.** The Council ~~shall~~will communicate its
280 certification decision to the court commissioner and to the presiding judge(s) of the
281 district(s) the commissioner serves.

283 Effective: May 130, 20264

Tab 12



Administrative Office of the Courts

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

January 30, 2026

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

MEMORANDUM

TO: The Management Committee of the Judicial Council

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

RE: Leadership Reappointment

Leadership Reappointment

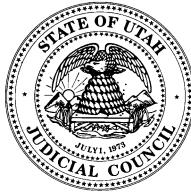
The Committee is in need of a leadership reappointment. The current Chair, Third District Court Judge Teresa Welch, was first appointed to the Committee in September 2021, and was appointed as Chair in February 2023, with an expiration date of February 1, 2026. Pursuant to Rule 1-205(3)(B) of the Utah Code of Judicial Administration, “[s]tanding committee members may not serve more than two consecutive [three-year] terms on a committee unless the Council determines that exceptional circumstances exist which justify service of more than two consecutive terms.”

It is proposed that Judge Welch be permitted to serve an additional three-year term based on the existence of exceptional circumstances. Given her appointment as Chair approximately halfway through her first term, so far she has only served for approximately four and a half years, well short of the six years generally allowed. Additionally, Judge Welch has been involved in updating and adding to the DUI Series of criminal instructions. It would be helpful to the Committee if she could continue to oversee this work. For these reasons, it is recommended that Judge Welch be re-appointed for one additional three-year term as Chair.

The Committee looks forward to approval and any feedback from the Management Committee and Judicial Council as to the proposed reappointment.

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

Tab 13



Administrative Office of the Courts

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

January 30, 2026

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

MEMORANDUM

TO: The Management Committee of the Judicial Council

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

RE: New Appointment

New Appointment for Defense Counsel:

The Committee received two applications to fill the plaintiff's counsel seat that was recently vacated by Mr. Ricky Shelton when his second term expired in December. The applicants for this seat included Robert Fuller and Jenny Hoppie. After discussion the Chair and Vice-Chair agreed they would recommend Mr. Fuller to fill this position, and as an alternate Ms. Hoppie.

Mr. Fuller has been a trial attorney for more than 20 years and operates a solo practice at Fuller Law Office, LC. His practice focuses primarily on personal injury cases, land and contract disputes, and constitutional law. He has also previously served on a subcommittee drafting model jury instructions on real estate issues.

Ms. Hoppie graduated from law school in 2022 and was admitted to the Bar the following year. Prior to law school, she served as a paralegal for over two decades, working on plaintiff's personal injury and medical malpractice cases. In addition to other volunteer service, she actively participates on the Board of the Utah Association for Justice (UAJ) Women's Caucus and the UAJ Legislative Committee.

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

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

Tab 14

Explanatory Note

When properly filled out, the following Statement of Defendant in Support of Guilty Plea contains all the requirements of Rule 11(e), Utah Rules of Criminal Procedure. If the district court chooses to rely on this statement for purposes of strict compliance with Rule 11, it must make that fact known on the record by referring to the statement on the record and asking defendant if he or she has read, understood, and acknowledged the contents of the statement. If the defendant cannot read or understand English, the court should ascertain on the record that the statement has been read or translated to defendant. Although this form is for guilty or no contest pleas, it may be adapted for *Alford* pleas.

IN THE _____ JUDICIAL DISTRICT COURT
_____ COUNTY, STATE OF UTAH

STATE OF UTAH, : STATEMENT OF DEFENDANT
IN SUPPORT OF PLEA(S) AND

Plaintiff, : CERTIFICATE OF COUNSEL

vs. : Case No. _____

_____, :

Defendant. :

I, _____, hereby acknowledge and certify that I have been advised of and that I understand the following facts and rights:

Notification of Charges

I am pleading guilty or no contest to the following crimes:

Crime:	Utah Code:	Plea type:	Degree:	Sentencing range:

Chart of maximum fines:

Degree:	Sentencing range:	Fine (up to):	Surcharge (up to):	Security Fee:	Maximum:
Felony 1	Up to life in prison	\$10,000	90%	\$53	\$19,053
Felony 2	Up to 15 years	\$10,000	90%	\$53	\$19,053
Felony 3	Up to 5 years	\$5,000	90%	\$53	\$9,553
Class A Misdemeanor	Up to 365 days	\$2500	90%	\$53	\$4,803
Class B Misdemeanor	Up to 180 days	\$1000	90%	\$53	\$1,953
Class C Misdemeanor	Up to 90 days	\$750	35%	\$53	\$1065.50
Infraction	None	\$750	35%	\$53	\$1065.50

Certain crimes require added fees or other conditions of sentencing. Some penalties for certain crimes may be greater (enhanced) if there are other convictions for similar crimes.

I have received a copy of the (Amended) Information against me. I have read it, or had it read to me, and I understand the nature and the elements of crime(s) to which I am pleading guilty (or no contest).

The elements of the crime(s) to which I am pleading guilty (or no contest) are:

I understand that by pleading guilty I will be admitting that I committed the crimes listed above. (Or, if I am pleading no contest, I am not contesting that I committed the foregoing crimes). I stipulate and agree (or, if I am pleading no contest, I do not dispute or contest) that the following facts describe my conduct and the conduct of other persons for which I am criminally liable. These facts provide a basis for the court to accept my guilty (or no contest) plea(s) and prove the elements of the crime(s) to which I am pleading guilty (or no contest):

Waiver of Constitutional Rights

I am entering my plea(s) voluntarily. I understand that I have the following rights under the constitutions of Utah and of the United States. I also understand that if I plead guilty (or no contest) I will give up all the following rights:

Counsel: I know that I have the right to be represented by an attorney and that if I cannot afford one, an attorney will be appointed by the court at no cost to me. I understand that I might later, if the judge determines I was able, be required to pay for the appointed lawyer's service to me.

I (have not) (have) waived my right to counsel. If I have waived my right to counsel, I have done so knowingly, intelligently, and voluntarily for the following reasons:

If I have waived my right to counsel, I certify that I have read this statement and that I understand the nature and elements of the charge(s) and crime(s) to which I am pleading guilty (or no contest). I also understand my rights in this case and other cases and the consequences of my guilty (or no contest) plea(s).

If I have **not** waived my right to counsel, my attorney is _____.
My attorney and I have fully discussed this statement, my rights, and the consequences of my guilty (or no contest) plea(s).

Preliminary Hearing. For any case involving a Class A Misdemeanor or greater, I have a right to a preliminary hearing where the State carries the burden of proof and the magistrate is required to find probable cause that the crimes listed in the information were committed and that I committed them. I have the right to cross examine the State's witnesses, to testify, to call witnesses, and to present evidence if I so choose. If the State fails to meet this burden, I am entitled to a dismissal of charges. If no preliminary hearing was held in this case, I am giving those rights up by pleading guilty (or no contest), with the consent of the prosecuting attorney.

Jury Trial. I know that I have a right to a speedy and public trial by an impartial (unbiased) jury and that I will be giving up that right by pleading guilty (or no contest).

Confrontation and cross-examination of witnesses. I know that if I were to have a trial, a) I would have the right to see and observe the witnesses who testify against me and b) my attorney, or myself if I waived my right to an attorney, would have the opportunity to cross-examine all of the witnesses who testify against me.

Right to compel witnesses. I know that if I were to have a trial, I could call witnesses if I chose to, and I would be able to obtain subpoenas requiring the attendance and testimony of those witnesses. If I could not afford to pay for the witnesses to appear, the State would pay those costs.

Right to testify and privilege against self-incrimination. I know that if I were to have a trial, I would have the right to testify on my own behalf. I also know that if I chose not to testify, no one could make me testify or make me give evidence against myself. I also know that if I chose not to testify, the jury would be told that they could not hold my refusal to testify against me.

Presumption of innocence and burden of proof. I know that if I do not plead guilty (or no contest), I am presumed innocent until the State proves that I am guilty of the charged crime(s). If I choose to fight the charges against me, I need only plead “not guilty,” and my case will be set for a trial. At a trial, the State would have the burden of proving each element of the charge(s) beyond a reasonable doubt. If the trial is before a jury, the verdict must be unanimous, meaning each juror would have to find me guilty.

I understand that if I plead guilty (or no contest), I give up the presumption of innocence and will be admitting that I committed the crime(s) stated above.

Appeal. I know that under the Utah Constitution, if I were convicted by a jury or judge, I would have the right to appeal my conviction and sentence. I would have the right to hire a lawyer or have a lawyer appointed by the court to represent me on appeal if I could not afford one. If I could not afford the costs of an appeal, the State would pay those costs for me. I understand I am giving up my right to appeal my conviction if I plead guilty (or no contest) except as allowed by the preservation rule or an established exception to the preservation rule. I understand if I wish to appeal my sentence I must file a notice of appeal within 30 days after my sentence is entered.

I know and understand that by pleading guilty (or no contest), I am waiving and giving up all the statutory and constitutional rights as explained above.

Consequences of Entering a Guilty (or No Contest) Plea

Potential penalties. I know the maximum sentence that may be imposed for each crime to which I am pleading guilty (or no contest). I know that by pleading guilty (or no contest) to a crime that carries a mandatory penalty, I will be subjecting myself to serving a mandatory penalty for the crime. I know my sentence may include a prison term, fine, or both.

I know that in addition to a fine, a ninety percent (90%) surcharge will be imposed. I also know that I may be ordered to make restitution to any victim(s) of my crime(s), including any restitution that may be owed on charges that are dismissed as part of a plea agreement.

Consecutive/concurrent prison terms. I know that if there is more than one crime involved, the sentences may be imposed one after another (consecutively), or they may run at the same time (concurrently). I know I may be charged an additional fine for each crime I plead to. I also know if I am on probation or parole, or awaiting sentencing on another offense of which I have been convicted or to which I have pled guilty (or no contest), my guilty (or no contest) plea(s) now may result in consecutive sentences being imposed on me. If the offense to which I am now pleading guilty occurred when I was imprisoned or on parole, I know the law requires the court to impose consecutive sentences

unless the court finds and states on the record that consecutive sentences would be inappropriate.

Plea agreement. My guilty (or no contest) plea(s) (is/are) (is/are not) the result of a plea agreement between myself and the prosecuting attorney. All the promises, duties, and provisions of the plea agreement, if any, are fully contained in this statement, including those explained below:

Trial judge not bound. I know that any charge or sentencing concession or recommendation of probation or suspended sentence, including a reduction of the charges for sentencing, made or sought by either defense counsel or the prosecuting attorney are not binding on the judge. I also know that any opinions they express to me as to what they believe the judge may do are not binding on the judge.

Immigration/Deportation: I understand that if I am not a United States citizen, my plea(s) today may, or even will, subject me to deportation under United States immigration laws and regulations, or otherwise adversely affect my immigration status, which may include permanently barring my re-entry into the United States. I understand that if I have questions about the effect of my plea(s) on my immigration status, I should consult with an immigration attorney.

Firearm restrictions. I understand that by pleading guilty or no contest to certain criminal charges:

- my plea(s) may classify me as a restricted person;
- as a restricted person I may not purchase, transfer, use, or otherwise possess a firearm (as defined by federal and state law) or ammunition unless the court restores my right in an order in the future;
- I will have to give up my firearms and ammunition;
- there will be additional criminal charges and penalties if I violate this restriction, which under state law can include:
 - For a Category I restricted person as defined in Utah Code 76-11-302, charges for a second degree felony: 1-15 years in prison, up to \$19,053.
 - For a Category II restricted person as defined in Utah Code 76-11-303: 0-5 years in prison, up to \$9,553.
- and there can be additional penalties under federal law.

I acknowledge that my attorney or the prosecutor has explained the firearm restrictions and the criminal penalties for violating those restrictions, based on the charge or charges I am pleading to.

Defendant's Certification of Voluntariness

I am entering my plea(s) of my own free will and choice. No force, threats, or unlawful influence of any kind have been made to get me to plead guilty (or no contest). No promises except those contained in this statement have been made to me.

I have read this statement, or I have had it read to me by my attorney, and I understand its contents and adopt each statement in it as my own. I know that I am free to change or delete anything contained in this statement, but I do not wish to make any changes because all of the statements are correct.

I am satisfied with the advice and assistance of my attorney.

I am ____ years of age. I have attended school through the ____ grade. I can read and understand the English language. If I do not understand English, an interpreter has been provided to me. I was not under the influence of any drugs, medication, or intoxicants that would impair my judgment when I decided to plead guilty (or no contest). I am not presently under the influence of any drug, medication, or intoxicants that impair my judgment.

I believe myself to be of sound and discerning mind and to be mentally capable of understanding these proceedings and the consequences of my plea(s). I am free of any mental disease, defect, or impairment that would prevent me from understanding what I am doing or from knowingly, intelligently, and voluntarily entering my plea(s).

I understand that if I want to withdraw my plea of guilty, no contest, or guilty with a mental condition at the time of the offense, I must file a written motion to withdraw my plea(s) before sentence is announced. I understand that for a plea held in abeyance, a motion to withdraw from the plea agreement must be made within 30 days of pleading guilty or no contest. I will only be allowed to withdraw my plea if I show that it was not knowingly and voluntarily made. I understand that if my motion to withdraw a plea is not made within the time period described above, I may challenge the plea in a direct appeal according to the preservation rule or an established exception to the preservation rule.

Date _____ Signature ► _____

Printed Name _____

Certificate of Defense Attorney

I certify that I am the attorney for _____, the defendant above, and that I know he/she has read the statement or that I have read it to him/her; I have discussed it with him/her and believe that he/she fully understands the meaning of its contents and is mentally and physically competent. To the best of my knowledge and belief, after an appropriate investigation, the elements of the crime(s) and the factual synopsis of the defendant's criminal conduct are correctly stated; and these, along with the other representations and declarations made by the defendant in the foregoing statement, are accurate and true.

Signature of
Attorney for
Defendant ► _____
Date _____
Bar Number _____

Certificate of Prosecuting Attorney

I certify that I am the attorney for the State of Utah in the case against _____, defendant. I have reviewed this Statement of Defendant and find that the factual basis of the defendant's criminal conduct which constitutes the offense(s) is true and correct. No improper inducements, threats, or coercion to encourage a plea has been offered defendant. The plea negotiations are fully contained in the Statement and in the attached Plea Agreement or as supplemented on the record before the Court. There is reasonable cause to believe that the evidence would support the conviction of defendant for the offense(s) for which the plea(s) is/are entered and that the acceptance of the plea(s) would serve the public interest.

Signature of
Prosecuting
Attorney ► _____
Date _____
Bar Number _____

Order

Based on the facts set forth in the foregoing Statement and the certification of the defendant and counsel, and based on any oral representations in court, the Court witnesses the signatures and finds that defendant's guilty (or no contest) plea(s) is/are freely, knowingly, and voluntarily made.

IT IS HEREBY ORDERED that the defendant's plea of guilty, no contest, or guilty with a mental condition at the time of the offense to the crime(s) set forth in the Statement be accepted and entered.

Date _____ Signature ► _____
Judge _____

Petitioner's Name

The petitioner's address will not be disclosed to the respondent. Utah Code §78B-7-105(6)(d)(ii).

Telephone (may be omitted)

IN THE _____ DISTRICT JUVENILE COURT

COUNTY, STATE OF UTAH

<p>Petitioner, _____ vs. _____ Respondent</p>	<p>EX PARTE CHILD PROTECTIVE ORDER Case No. _____ Judge _____</p>
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NOTICE TO RESPONDENT:

YOU CAN BE ARRESTED FOR VIOLATING THIS ORDER EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR Allows YOU TO VIOLATE THE ORDER'S PROHIBITIONS. ONLY THE COURT CAN CHANGE THE ORDER. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER.

The court having found that Petitioner is a person interested in the minor children on whose behalf the Petition was brought, that Petitioner first made a referral to the Division of Child and Family Services, and that the Court has jurisdiction over this matter, has reviewed Petitioner's Verified Petition for Child Protective Order, from which it appears that the children named below

[] are being abused or are in imminent danger of being abused.
[] have been abused by someone who is not the child's parent, stepparent, guardian, or custodian.

Pending further hearing in this matter,

PURSUANT TO UTAH CODE SECTION 78B-7-202, THE PETITIONER IS GRANTED AN
EX PARTE CHILD PROTECTIVE ORDER:

(The Judge shall initial each section that is included in this Order.)

1. The Respondent is restrained from attempting, committing, or threatening to commit abuse against the following child/ren and shall not stalk, harass, or threaten to use or attempt to use physical force that would reasonably be expected to cause physical injury to the child/ren:

Child's Name	Relationship to Respondent

2. Except as provided in the parent time section below, the Respondent is prohibited from harassing, telephoning, contacting, or otherwise communicating with the minor child/ren, in paragraph 1 directly or indirectly.

3. The Respondent is ordered to stay away from:

the children's residence and any subsequent residence of the minor children. The respondent must vacate and stay away from this residence. The respondent is prohibited from terminating or interfering with the utility services to the residence.

The children's address is not protected by the Safe at Home Program:

At the petitioner's request, the address of the children's residence is not listed.

At the petitioner's request, the address of the children's residence is listed:

(Street, City, State, ZIP)

The children's address is protected by the Safe at Home Program.

Their address is not included in the protective order or shared with law enforcement or other criminal justice agencies. Law enforcement agencies are still required to keep the respondent away from their home.

The petitioner is a participant in the Safe at Home Program. The children live with the petitioner. The petitioner has requested to share the children's actual address only with law enforcement and other criminal justice agencies for enforcement purposes. Law enforcement can use the address shown in the Utah Criminal Justice Information System. The petitioner has completed a

Request to Give Address to Criminal Justice Agencies form. The children's actual address will not be public or shared with the respondent.

[] Child's school:

Child's name	School name and address (Street, City, State, ZIP)

[] Respondent attends the same school as the children. Respondent is not ordered to stay away from this location, but the following restrictions apply when the respondent and the children are both there:

[] Child's place of worship:

Child's name	Place of worship name and address (Street, City, State, ZIP)

[] Respondent attends the same place of worship as the children. Respondent is not ordered to stay away from this location, but the following restrictions apply when the respondent and the children are both there:

[] Child's work:

Child's name	Work name and address (Street, City, State, ZIP)

[] Respondent works at the same place as the children. Respondent is not ordered to stay away from this location, but the following restrictions apply when the respondent and the children are both there:

[] These places, which the child goes to often:

Child's name	Name of place and address (Street, City, State, ZIP)

[] 4. The Court having found that Respondent's use or possession of a weapon may pose a serious threat of harm to minor child/ren, the Respondent is prohibited from purchasing, using, or possessing a firearm or any of the following weapons:

[] 5. The minor child/ren are awarded possession of the following essential personal effects:

This award is subject to subsequent orders concerning the listed property in future proceedings.

RESPONDENT'S VIOLATION OF "1" THROUGH "5" PROVISIONS OF THIS ORDER, IS A CLASS A MISDEMEANOR UNDER UTAH CODE SECTION 76-5-108. IF RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "5" OF THIS ORDER IS A SECOND OR SUBSEQUENT DOMESTIC VIOLENCE OFFENSE, ENHANCED PENALTIES MAY BE IMPOSED UNDER UTAH CODE SECTIONS 77-36-1.1 AND 77-36-2.4.

THE COURT ORDERS THE FOLLOWING RELIEF IN THE CIVIL PORTION OF THIS EX PARTE PROTECTIVE ORDER:

(The civil portion is effective from the date and time served on the Respondent, until, after further hearing, the Respondent is served with a protective order, the protective order is denied, or this matter is dismissed).

VIOLATIONS OR FAILURE TO COMPLY WITH THE CIVIL PORTION, LISTED BELOW, MAY SUBJECT A PERSON TO CONTEMPT PROCEEDINGS.

6. Temporary custody of the minor children shall be as follows:

7. The Respondent shall have parent-time as follows:

8. The Respondent is restrained from using drugs and/or alcohol prior to or during parent-time.

9. The Respondent is restrained from removing the minor child/ren from the state of Utah.

10. Support is ordered in accordance with Title 78B, Chapter 12, Utah Child Support Act.

11. The Division of Child and Family Services shall provide information to the Court as to the status of Petitioner's referral.

12. A guardian ad litem is appointed to represent the best interests of the minor child/ren.

13. Law enforcement agencies with jurisdiction over the protected locations are hereby directed and authorized to render any necessary assistance to the above-named petitioner in retrieving the child/ren named in this Ex-Parte Protective Order and give physical custody of said child/ren _____

_____ to the petitioner. Such action includes, but is not limited to, obtaining access to the child/ren through locked doors and gates and restraining any persons who may attempt to prevent the removal of said child/ren.

14. Law enforcement agencies with jurisdiction over the protected locations shall accompany the minor child/ren to ensure that they safely regain possession of the awarded property.

15. Law enforcement agencies with jurisdiction over the protected locations shall facilitate Respondent's removal of Respondent's essential personal belongings from the parties' residence. The law enforcement officer shall contact Petitioner to make these arrangements. Respondent may not contact the Petitioner or enter the residence to obtain any item.

16. Law enforcement agencies with jurisdiction over the protected locations shall have authority to compel Respondent's compliance with this Order, including the authority to forcibly evict and restrain Respondent from the protected areas. Information to assist with identification of the Respondent is attached to this Order.

17. The Respondent is ordered to bring proof of current income to the hearing. The proof should include year-to-date pay stubs or employer statements, and complete tax returns for the most recent year.

18. Other: _____

19. (IN FOSTER CARE CASES ONLY) Remaining in the home would be contrary to the welfare of the child and it is in the best interest of the child to be removed from the home and placed in foster care. The Court makes this determination based on the evidence presented in the petition for an ex parte protective order, specifically:

20. Unless otherwise modified by the court, this Order is effective from the date and time served on Respondent, until, after further hearing in this matter, the Respondent is served with a Child Protective Order or a Child Protective Order is denied.

21. The Respondent is ordered to appear at a hearing which will be held on:

Date:

Time:

Room:

Address:

Expiration date: _____

DATED: _____ TIME: _____

BY THE COURT:

JUVENILE COURT JUDGE

Ex Parte Child Protective Order–Notice to Petitioner

Petitioner may provide a copy of this order to the children's school principal. (Utah Code 78B-7-105(2)(b)(ii))

Petitioner may enforce a court order if respondent violates or fails to comply with provision(s) of this order.

Each party is entitled to have an attorney present at the hearing(s).

YOU CANNOT WAIVE, ALTER, IGNORE, OR DISMISS THIS ORDER WITHOUT FURTHER COURT ACTION. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THIS ORDER.

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

I am Plaintiff/Petitioner Defendant/Respondent
 Plaintiff/Petitioner's Attorney Defendant/Respondent's Attorney (Utah Bar #: _____)
 Plaintiff/Petitioner's Licensed Paralegal Practitioner
 Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff	Complaint for Unlawful Detainer (Eviction) Utah Code 78B-6-801 to 814
V.	Case Number _____
Defendant	Judge _____

1. Plaintiff is (Choose one.):

- an individual over the age of 18 (including a DBA – Doing Business As) and the owner of the property.
- a business or trust with legal right to proceed in this action on behalf of the owner and represented by a lawyer.
- other: _____

2. Defendants, _____ (names) are residents at: _____ (property address).

3. The agreement to rent the property is: (Choose one.)
[] in writing. The contract is attached as Exhibit 1.
[] not in writing. It was an oral agreement.

4. Defendants agreed: (Complete a, b, and c or d.)
[] a. To rent the premises:
[] for 1 year, starting on _____
[] month-to-month
[] other: _____

[] b. To pay rent of \$ _____ [] monthly [] other:

[] c. To pay rent on [] first of the month [] other:

[] d. Other: _____

5. Defendants were served with the following notices: (Check any that apply.)
[] Three Day Notice to Pay or Vacate (Utah Code 78B-6-802(1)(c))
[] Three Day Notice to Comply or Vacate (Utah Code 78B-6-802(1)(h))
[] Three Day Notice To Fix Nuisance Or Vacate (Utah Code 78B-6-802(1)(f)) and 802(2)).
[] Three Day Notice to Vacate for
[] assigning or subletting (Utah Code 78B-6-802(1)(d))
[] committing criminal act (Utah Code 78B-6-802(1)(g))
[] for criminal nuisance (Utah Code 78B-6-1107)
[] committing waste on premise (Utah Code 78B-6-802(1)(d))
[] lease violation(s) (Utah Code 78B-6-802(1)(c))
[] nuisance that cannot be fixed (Utah Code 78B-6-802(1)(f))
[] unlawful business on the premises (Utah Code 78B-6-802(1)(e))
[] Five Day Notice to Tenant at Will (Utah Code 78B-6-802(1)(b)(ii))
[] Fifteen Day Notice to Vacate (Utah Code 78B-6-802(1)(b)(l))
[] Other: _____

6. On _____ (date), the period stated in the notices described in paragraph 5 above ended. A copy of the notices served are attached as Exhibit 2.

7. Plaintiff is asking to evict defendants for the following reasons: (Check the box that matches the eviction notices you already served.)

[] a. **Three Day Notice to Pay or Vacate** (Utah Code 78B-6-802(1)(c))
Defendants owe plaintiff \$_____.

[] unpaid rent, for the time period of _____ through
_____ (date the notice expired).

[] money other than rent due under the contract:

(explain what the money is for, such as utilities)

[] b. **Three Day Notice to Comply or Vacate** (Utah Code 78B-6-802(1)(h))
Defendants have violated the parties' rental agreement as follows:

[] c. **Three Day Notice To Fix Nuisance Or Vacate**
(Utah Code 78B-6-802(1)(f) and 802(2))

Defendants have allowed the nuisance as follows: _____

[] d. **Three Day Notice to Vacate for Assigning or Subletting**
(Utah Code 78B-6- 801(1)(d))
Defendants have sublet the premises in violation of the rental agreement
as follows: _____

[] e. **Three Day Notice to Vacate for Committing Criminal Act**
(Utah Code 78B-6-802(1)(g))
Defendants have committed a criminal act as follows: _____

[] f. **Three Day Notice to Vacate for Criminal Nuisance** (Utah Code 78B-6-1107)
Defendants have committed criminal nuisance as follows: _____

[] g. **Three Day Notice to Vacate for Committing Waste on Premises**

(Utah Code 78B-6-802(1)(d))

Defendants have committed waste as follows: (Examples of waste are destruction of property, failure to maintain, trash)

[] h. **Three Day Notice to Vacate for Violations that Cannot Be Brought into Compliance** (Utah Code 78B-6-802(1)(c))

Defendants have violated the parties' rental agreement by committing a violation that cannot be brought into compliance as follows: _____

[] i. **Three Day Notice to Vacate for Nuisance That Cannot be Fixed** (Utah Code 78B-6-802(1)(f))

Defendants have allowed the nuisance as follows: _____

[] j. **Three Day Notice to Vacate for Engaging in Unlawful Business on or in the Premises** (Utah Code 78B-6-802(1)(e))

Defendants have engaged in unlawful business on or in the premises as follows:

[] k. **Five Day Notice to Tenant at Will** (Utah Code 78B-6-802(1)(b)(ii))

Plaintiff served a Five Day Notice to Tenant at Will upon defendants and incorporates that notice and the statements contained in the notice as part of this complaint.

[] l. **Fifteen Day Notice to Vacate** (Utah Code 78B-6-802(1)(b)(l))

Plaintiff served a Fifteen Day Notice to Vacate upon defendants. It is attached.

8. Defendants did not comply with the notices and are still in possession of the property.
9. Plaintiff asks for an Order of Restitution to remove defendants from plaintiff's property. (Utah Code 78B-6-811(1)(b) and 78B-6-812)

10. Plaintiff asks for a judgment upon proof at trial or upon plaintiff's affidavit in the event of defendant's default of any rent due and unpaid by defendants through the date the notice expires as well as any unpaid amounts under the rental agreement. (Utah Code 78B-6-811)
11. Plaintiff asks for treble (three times) the following damages for (Utah Code 78B-6-811):
 - [] rent for the time the tenant unlawfully detained the premises;
 - [] other money due under the contract
 - [] physical damages beyond normal wear and tear (waste) caused by defendants to the plaintiff's property (this complaint and the notice served include a claim for waste) (Utah Code 78B-6-802(1)(d));
 - [] the abatement (termination) of criminal nuisance caused by defendants (the complaint and the notice served include a claim for criminal nuisance) (Utah Code 78B-6-1107 through 1114).
- [] 12. Plaintiff is entitled to a judgment for reasonable attorney's fees. (Utah Code 78B-6-811)

Requests for Relief

Plaintiff asks that this court:

1. Enter an Order of Restitution to evict the defendants.
2. Grant plaintiff a judgment for unpaid rent, damages and other amounts due.
3. Grant other available relief.

Plaintiff

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)

Date _____

Signature ► _____

Printed Name _____

EXHIBIT 1

Rental Contract

(Utah Rule of Civil Procedure 26.3)

(Attach copy of written contract to next page.)

EXHIBIT 2

Eviction Notices Served on Defendant

(Utah Rule of Civil Procedure 26.3)

(Attach copy of copy of eviction notices served on defendant to next page.)

EXHIBIT 3

Itemized calculation of amounts defendants owed at time of filing (Utah Code 78B-6-811 and Utah Rule of Civil Procedure 26.3)

Instructions to plaintiff: Look at your complaint and notices. Skip any parts that do not apply.

a. Rent due after the notice expired (if you need help with this part, use the worksheet below)	\$
b. Amounts due under the contract besides rent (utility bills, late fees, etc.)	\$
c. Waste – if the complaint includes a notice for waste	\$
d. Clearing a nuisance – if the complaint includes a notice for criminal nuisance	\$
e. Total (add the amounts listed above)	\$
f. Total X 3 (multiply the total in paragraph e by 3 – these are called treble damages)	\$
g. Past due rent as listed in the 3-day notice – if the complaint includes a notice to pay or vacate	\$
h. Attorney fees (may include Licensed Paralegal Practitioner)	\$
i. Filing fees	\$
j. Service fees (to have any papers served on the defendants)	\$
k. Total amount requested (add the paragraphs f through k)	\$

Worksheet for paragraph a

(You only need to complete this if you need help with paragraph a.)

My case is about past due rent.

1. The monthly rent for the property is: \$_____.
2. The monthly rent multiplied by 12 is \$_____. This is the yearly rent.
3. The yearly rent divided by 365 is: \$_____. This is the **daily rent**.
4. The notice was served on: _____.

5. The notice is a _____ (number of days) notice.
6. Skipping the day I served the notice (day zero), it expired on _____.
(Read the notice and compare paragraphs 4 and 5. Calculate the date based on when you served the notice and the number of days it gave to comply.)
7. It has been _____ days **since the notice expired**.
8. If I multiply the daily rent from paragraph 3 by the number of days in paragraph 7, it gives me \$_____. (Write this amount in paragraph a.)

Name _____
Address _____
City, State, Zip _____
Phone _____
Email _____

In the Juvenile Court of Utah

_____ Judicial District _____ County

Court Address _____

State of Utah, in the interest of _____ Last name, first name _____	Proof of Completed Service – Juvenile Court (Utah Rule of Juvenile Procedure 18, Utah Rule of Civil Procedure 4)
Date of birth _____ A minor _____ [] under [] over 18 years of age, and _____ [] represented [] not represented.	Case Number _____ Judge _____

The person who served the documents fills out this form. After it is filled out, you need to file it with the court. You can file at the courthouse, by mail, or by email. For more information on serving papers go to (website).

1. The following documents were served by the method described below (Choose all that apply.):
 Summons with bilingual notice (For a summons form go to shorturl. File or attach copy.)
 Petition
 Amended Petition
 Other: _____ (describe)

Complete either paragraph 2, or paragraphs 3 to 5.

Service by Mail

(Service by mail requires a signed receipt. Attach the receipt.)

2. I served the following person by sending a copy of the documents listed in Paragraph (1) by mail or commercial courier service to:

Name of Addressee _____

Address _____

City, State, Zip _____

I have attached a signed receipt proving delivery. It was signed by the addressee.

Service by Third Person

3. I am over the age of 18, and

- I am not a party or an attorney for a party to this action.
- I have not been convicted of a felony that requires sex offender registration under Utah Code 53-29-202(2)(b).
- I have never had a protective order granted against me. (Utah Code 78B-7-102 to 1210)

4. My contact information is:

Name _____

Address _____

Telephone Number and email _____

Badge or identification number (if applicable) _____

5. On _____ (date), at _____ (time)

I went to

_____ (address),

and I delivered the documents listed in paragraph 1 to

_____ (name),

who is (Check one.):

the named respondent

(If respondent is under 14 years old you must serve the parent or guardian.)

- the named petitioner
- a person of suitable age and discretion residing at that address, which is the named party's residence. (Describe why the person lives at the named party's residence and why they are of suitable age and discretion.)

- an agent authorized by appointment or by law to receive service of process on behalf of the named party.

If serving a corporation, partnership, or an unincorporated association

- an officer, a managing agent, general agent.

OR

- an agent authorized by appointment or by law to receive service of process and by also mailing a copy of the complaint and summons to the named party, if the agent is one authorized by statute to receive process and the statute so requires.

If serving a city or town

- the city/town recorder.

If serving a county

- the county clerk.

If serving the state (including DCFS)

- the attorney general, and to

(name

of any other person or agency required by statute to be served) at

_____ (address).

If serving a public board, commission or body

- a member of named party's governing board, executive employee or secretary.

If the document was served in some other way

- Other (Describe how the document was served.)

Person Completing Service

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).

Date _____ Signature ► _____
Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Proof of Completed Service – Juvenile Court on the following people.

(Which may include prosecutor, probation officer and/or JJYS case manager, assistant attorney general, lawyers for parents, public defender for the youth, guardian ad litem, DCFS case worker, grandparents, lawyers for other parties, and other parties without lawyers.)

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
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email <input type="checkbox"/> Other: <input type="text"/>		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email <input type="checkbox"/> Other: <input type="text"/>		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email <input type="checkbox"/> Other: <input type="text"/>		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email <input type="checkbox"/> Other: <input type="text"/>		

For more people, attach additional pages.

Signature



Date _____

Printed Name _____

Commented [KT1]: This new certificate of service if approved will become the default certificate of service on all Juvenile Court forms.

Name _____

Address _____

City, State, Zip _____

Phone _____

Check your email. You will receive information and documents at this email address.

Email _____

I am Plaintiff/Petitioner Defendant/Respondent
 Plaintiff/Petitioner's Attorney Defendant/Respondent's Attorney (Utah Bar #: _____)
 Plaintiff/Petitioner's Licensed Paralegal Practitioner
 Defendant/Respondent's Licensed Paralegal Practitioner (Utah Bar #: _____)

In the District Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner	Proof of Completed Service (Utah Rule of Civil Procedure 4)
	Case Number _____
V.	Judge _____
	Commissioner (domestic cases) _____
Defendant/Respondent	

1. The following documents were served (Choose all that apply.):

- Summons (File or attach copy.)
- Complaint or Petition
- Amended Complaint or Petition
- Notice to Defendant of Disclosure Requirements in Unlawful Detainer Actions
- Small Claims Affidavit and Summons
- Other: _____ (describe)

Complete either paragraph 2, or paragraphs 3 to 5.

Service by Mail

(Service by mail requires a signed receipt. Attach the receipt.)

2. I served the following person by sending a copy of the documents listed in Paragraph (1) by mail or commercial courier service to:

Name of Addressee

Address

City, State, Zip

I have attached a signed receipt proving delivery. It was signed by:

the addressee personally.
 someone authorized by appointment or by law to receive service of process on behalf of the addressee.

Service by Third Person

3. I am over the age of 18, and

- I am not a party or an attorney for a party to this action.
- I have not been convicted of a felony that requires sex offender registration under Utah Code 53-29-202(2)(b).
- I have never had a protective order granted against me. (Utah Code 78B-7-102 to 1210)

4. My contact information is:

Name

Address

Telephone Number

Badge or identification number (if applicable)

5. On _____ (date) at _____ (time), I went to

(address),

and I delivered the documents listed in paragraph 1 to

(name),

who is (Check one.):

- the named defendant/respondent.
- the named plaintiff/petitioner.
- a person of suitable age and discretion residing at that address, which is the named party's residence. (Describe why the person lives at the named party's residence and why they are of suitable age and discretion.)

- an agent authorized by appointment or by law to receive service of process on behalf of the named party.

If serving a corporation, partnership, or an unincorporated association

- an officer, a managing agent, general agent.

OR

- an agent authorized by appointment or by law to receive service of process and by also mailing a copy of the complaint and summons to the named party, if the agent is one authorized by statute to receive process and the statute so requires.

If serving a city or town

- the city/town recorder.

If serving a county

- the county clerk.

If serving the state

- the attorney general, and to

(name

of any other person or agency required by statute to be served) at

(address).

If serving a public board, commission or body

- a member of named party's governing board, executive employee or secretary.

If the document was served in some other way

- Other (Describe how the document was served.)

Person Completing Service

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).

Date

Signature ► _____

Printed Name _____

Certificate of Service

I certify that I filed with the court and am serving a copy of this Proof of Completed Service on the following people.

Person's Name	Service Method	Service Address	Service Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Signature ►

Date

Printed Name

THREE DAY NOTICE TO VACATE FOR NUISANCE THAT CANNOT BE FIXED

This Notice is given to:

Tenant/Occupant Name _____

Street Address _____

City, State, Zip _____

This Notice is given by:

Landlord/Owner Name _____

Street Address _____

City, State, Zip _____

You have committed a nuisance because _____

You are required to move out of the premises within three calendar days. (Utah Code 78B-6-802(1)(f)) Move out means leave the premises, take all your belongings and leave any keys or access cards. Calendar days includes weekend days and holidays, but does not include the day of service.

If you do not move out of the premises, you may be determined by a court to be in "unlawful detainer" and evicted. If that happens, you would be removed from the property and may be liable for amounts due under your rental contract plus attorney fees, court costs and treble damages. Treble damages means three times the amount of the damages. This could include rent, late fees, and property damage.

Information about the eviction process can be found at:

www.utcourts.gov/howto/landlord/eviction.html

The court's Finding Legal Help web page (www.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.

Date

Landlord/Owner Signature ► _____

Printed Name _____

RETURN OF SERVICE

This Notice was served upon _____ (name) on
_____ (date) in the following manner (check the appropriate boxes):

- A copy was delivered to the tenant/occupant personally.
- A copy was sent through certified or registered mail to the tenant/occupant's address.
- A copy was posted in a conspicuous place on the premises, as no one was home.
- A copy was left with _____ a person of suitable age and discretion at:

tenant/occupant's residence or tenant/occupant's place of business
AND

a second copy was mailed to tenant/occupant's residence or place of business.

Print here _____
Name of person serving this notice

Sign here _____
Name of person serving this notice

THREE DAY NOTICE TO FIX NUISANCE OR VACATE

This Notice is given to:

Tenant/Occupant Name _____

Street Address _____

City, State, Zip _____

This Notice is given by:

Landlord/Owner Name _____

Street Address _____

City, State, Zip _____

You have committed a nuisance because _____

You must do one of the following:

1. Within three calendar days, you must fix the problem (bring the violation into compliance).

Calendar days includes weekend days and holidays, but does not include the day of service of this notice.

2. If you do not fix the problem within three calendar days, you must move out of the premises you have rented by the end of the third day. (Utah Code 78B-6-802(1)(f)) Move out means leave the premises, take all your belongings and leave any keys or access cards.

If you do not fix the problem or move out by the end of the third day, you may be determined by a court to be in "unlawful detainer" and evicted. If that happens, you would be removed from the property and may be liable for amounts due under your rental contract plus attorney fees, court costs and treble damages. Treble damages means three times the amount of the damages. This could include rent, late fees, and property damage.

Information about the eviction process can be found at:
www.utcourts.gov/howto/landlord/eviction.html

The court's Finding Legal Help web page (www.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.

Date _____ Landlord/Owner Signature ► _____
Printed Name _____

RETURN OF SERVICE

This Notice was served upon _____ (name) on _____ (date) in the following manner (check the appropriate boxes):

- A copy was delivered to the tenant/occupant personally.
- A copy was sent through certified or registered mail to the tenant/occupant's address.
- A copy was posted in a conspicuous place on the premises, as no one was home.
- A copy was left with _____ a person of suitable age and discretion at:
[] tenant/occupant's residence or [] tenant/occupant's place of business
AND
a second copy was mailed to [] tenant/occupant's residence or [] place of business.

Print here _____
Name of person serving this notice

Sign here _____
Name of person serving this notice